Human Rights and Gender Equality

Comparative Study on Laws and Policies in the Management of Migrant Workers in ASEAN

National Report: Singapore

Enhanced Regional EU-ASEAN Dialogue Instrument E-READI
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About the Report

This national report was one of ten national ASEAN Member State reports produced to feed into a regional Comparative Study on Laws and Policies in the Management of Migrant Workers in ASEAN. The regional study offers a comprehensive analysis on how ASEAN Member States have dealt with the movement of migrant workers into their labour markets, covering all skill levels and including occupations under the 8 ASEAN Mutual Recognition Arrangements (MRAs), and providing recommendations as feedback for ASEAN policymakers and practitioners in improving policies and measures pertaining to the mobility of migrant workers.

The national reports and the regional study were produced with support by the "Enhanced Regional EU-ASEAN Dialogue Instrument" (E-READI), a development cooperation program funded by the European Union. E-READI facilitates dialogues between the EU and ASEAN in priority policy areas of joint interest. This national report was prepared by Dr. Brenda S.A. Yeoh and Dr. Theodora Lam. The text of this publication is meant as a reference document for concerned stakeholders only. It may not be freely quoted or reprinted. The right to reprint and further circulate this national report lies with Ministry of Manpower, Singapore.
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## List of Acronyms

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<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACRA</td>
<td>Accounting and Corporate Regulatory Authority, Singapore</td>
</tr>
<tr>
<td>AMS</td>
<td>ASEAN Member State</td>
</tr>
<tr>
<td>AOP</td>
<td>Assessment only pathway</td>
</tr>
<tr>
<td>BCA</td>
<td>Building and Construction Authority, Singapore</td>
</tr>
<tr>
<td>CDE</td>
<td>Centre for Domestic Employees</td>
</tr>
<tr>
<td>CLMV</td>
<td>Cambodia, Laos, Myanmar and Vietnam</td>
</tr>
<tr>
<td>CSOC</td>
<td>Construction Safety Orientation Course</td>
</tr>
<tr>
<td>DRC</td>
<td>Dependency ratio ceiling</td>
</tr>
<tr>
<td>EFMA</td>
<td>Employment of Foreign Manpower Act</td>
</tr>
<tr>
<td>EP</td>
<td>Employment Pass</td>
</tr>
<tr>
<td>HDB</td>
<td>Housing Development Board, Singapore</td>
</tr>
<tr>
<td>ICA</td>
<td>Immigration and Checkpoints Authority, Singapore</td>
</tr>
<tr>
<td>IHL</td>
<td>Institute of Higher Learning</td>
</tr>
<tr>
<td>LTVP</td>
<td>Long Term Visit Pass</td>
</tr>
<tr>
<td>MBF</td>
<td>Market-Based Skills Recognition Framework</td>
</tr>
<tr>
<td>MOM</td>
<td>Ministry of Manpower, Singapore</td>
</tr>
<tr>
<td>MRA</td>
<td>Mutual Recognition Agreement</td>
</tr>
<tr>
<td>MSOC</td>
<td>Metalworking Safety Orientation Course</td>
</tr>
<tr>
<td>NAS</td>
<td>North Asian Sources</td>
</tr>
<tr>
<td>NEA</td>
<td>National Environment Agency</td>
</tr>
<tr>
<td>NITEC</td>
<td>National ITE Certificate</td>
</tr>
<tr>
<td>NTS</td>
<td>Non-traditional sources</td>
</tr>
<tr>
<td>OPSOC</td>
<td>Oil Petroleum Safety Orientation Course</td>
</tr>
<tr>
<td>PEP</td>
<td>Personalised Employment Pass</td>
</tr>
<tr>
<td>PR</td>
<td>Permanent Resident</td>
</tr>
<tr>
<td>PRP</td>
<td>Private residential premise</td>
</tr>
<tr>
<td>RMI</td>
<td>Risk Management Intelligence</td>
</tr>
<tr>
<td>SEC</td>
<td>Skills Evaluation Certificate</td>
</tr>
<tr>
<td>SEC(K)</td>
<td>Skills Evaluation Certificate (Knowledge)</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>SET</td>
<td>Skills Evaluation Test</td>
</tr>
<tr>
<td>SFA</td>
<td>Singapore Food Agency</td>
</tr>
<tr>
<td>SSIC</td>
<td>Shipyard Safety Instruction Course</td>
</tr>
<tr>
<td>WP</td>
<td>Work Permit</td>
</tr>
<tr>
<td>WPLN</td>
<td>Workplace Literacy and Numeracy</td>
</tr>
<tr>
<td>WSQ</td>
<td>Workforce Skills Qualification</td>
</tr>
</tbody>
</table>
Executive Summary

This report, commissioned by the Ministry of Labor, Invalids and Social Affairs (MOLISA) Vietnam, in collaboration with the ASEAN Secretariat (ASEC) and with the support of the Enhanced Regional EU-ASEAN Dialogue Instrument (E-READI), presents the various laws and policies governing the entry and stay, incorporation and exit of foreign migrant workers in Singapore. Covering workers of all skill levels and in occupations under the eight ASEAN Mutual Recognition Arrangements (MRA), the objectives of the report are to: (1) identify laws and policies on labour migration in Singapore; (2) identify and propose measures to promote labour mobility in the region (particularly in the CLMV countries of Cambodia, Laos, Myanmar and Vietnam) as well as enhance the management of migrant workers, including in occupations under eight MRAs in Singapore; (3) identify opportunities for ASEAN Member States (AMS) to learn from each other’s experiences on labour mobility (peer learning); and (4) identify and propose how AMS can collaborate on measures to reduce irregular labour migration and abusive migration practices in the ASEAN Region.

Foreign workers are admitted into Singapore on work passes that can be broadly grouped under three categories: Employment Passes, EntrePass and Personalised Employment Pass for highly-skilled workers; S-Pass for mid-skilled workers; and Work Permits for semi-skilled workers. Measures pertaining to the entry and stay, incorporation and exit of migrant workers are often differentiated according to the type of work pass granted to workers. Among the work passes, mid to highly-skilled work pass holders often face the least restrictions and have the possibility of living where they wish, marrying Singapore citizens or residents, bringing in family members or applying for residency if certain conditions such as minimum salary are met. Only dependants of highly-skilled workers holding a Dependant’s Pass are able to work by applying for a Letter of Consent while dependants of S-Pass holders would need to attain a work pass themselves in order to work. In contrast, workers on work permits are unable to bring their family members into Singapore, apply for residency or marry Singaporeans or permanent residents without prior permission from the Ministry of Manpower. The accommodation of work permit holders also falls under their employers’ responsibility.

While there are no nationality restrictions for those applying for mid to highly-skilled work passes, there are specific nationality requirements for three of the four work permits available, namely work permit for foreign workers (sector-dependent), foreign domestic workers and confinement nannies. Among the foreign workers admitted into Singapore, only workers from the neighbouring AMS of Malaysia face the least restrictions. Malaysian workers possessing eligible qualifications are able to work in all sectors in Singapore, have more choices of accommodation, can be older at the point of applying for a work permit, work in Singapore for an unrestricted period and are not required to have a security bond or undergo settling-in programmes before starting work.

There are strict enforcement measures in place in Singapore to guard against unlawful entry or presence/residence of foreigners in the country and illegal employment. The law penalizes both the illegal migrant as well as anyone found abetting, harbouring or employing the foreign worker without proper documentation. The government is empowered by the Immigration Act to deport those who are present in Singapore unlawfully; and to prohibit, either for a stated period or permanently, their entry or re-entry into Singapore.
Over the years, Singapore has made much progress despite facing multiple challenges in implementing the various measures governing foreign workers in Singapore. Whilst attempting to strike a balance between foreign and local labour, the country also needs to build up a diverse yet suitable source of foreign labour. An area requiring constant attention relates to the skills training, migration costs and social protection for low-skilled workers such as foreign domestic workers. The mismatch in the training, skills and deployment of foreign domestic workers against employers’ expectations is counterproductive for both parties. EP and S-Pass holders with salaries below S$6,000 are also unable to bring their families into Singapore and may choose to leave for another country after gaining sufficient work experience.

Overall, Singapore found that stringency in enforcement measures, transparency and the use of technology have worked in the country’s favour, resulting in low rates of irregular migration and confidence in the country’s legal protection. The country is also constantly adjusting and piloting new measures to enhance the migration experience for all. Areas for greater cooperation include exchanging information on developing a system of work passes/permits to cater to different skill levels; skills development and training to close the skills gap; measures to reduce migrant worker recruitment costs for more sustainable labour mobility; and social protection measures for the more vulnerable migrant workers.
1 Introduction

Founded in the early nineteenth century as a British seaport and entrepôt centre, Singapore grew demographically as a result of immigration from China, India and the Malay Archipelago. After independence, the island-nation-state continues to rely on foreign labour to fuel its economy and population growth. Nearly four in ten or over 38% of Singapore’s population of 5.7 million in 2019 are foreigners who are in the country under various immigration schemes (see Figure 1). According to UNDESA (2019), migrants from Malaysia, China and Indonesia – two of which are ASEAN member states (AMS) – constitute the top three sources in Singapore.

**Figure 1: Total Population in Singapore, as of June 2019**

![Total Population](image)

Source: Strategy Group et al. (2019).
*Numbers may not sum up due to rounding.

Migrants enter and are incorporated into Singapore under a variety of immigration categories that are primarily tied to work. This report aims to present the various laws and policies in managing the entry and stay, incorporation and exit of migrant workers within Singapore (an AMS) covering all skill levels and including occupations under the eight ASEAN Mutual Recognition Arrangements (MRA). Commissioned by the Ministry of Labor, Invalids and

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1 The eight MRAs include Engineering Services (9 December 2005); Nursing Services (8 December 2006); Architectural Services and Framework Arrangement for the Mutual Recognition of Surveying Qualifications (19 November 2007);
Social Affairs (MOLISA) Vietnam, in collaboration with the ASEAN Secretariat (ASEC) and with the support of the Enhanced Regional EU-ASEAN Dialogue Instrument (E-READI), the four objectives of this report pertaining to Singapore are:

1. Identify laws and policies on labour migration in Singapore;
2. Identify and propose measures to promote labour mobility in the region (in particular in the CLMV countries) as well as enhance the management of migrant workers, including in occupations under eight MRAs in Singapore;
3. Identify opportunities for AMS to learn from each other’s experiences on labour mobility (peer learning); and
4. Identify and propose how AMS can collaborate on measures to reduce irregular labour migration and abusive migration practices in the ASEAN Region.

To achieve its objectives, the report examines the following four categories of measures the Singapore government has used to manage the mobility of inbound migrant workers:

1. Entry and stay measures, which include procedures and eligibility criteria to obtain and maintain entry, residence and work permits before and after arrival;
2. Incorporation measures, which regulate the post-entry rights and other dimensions of migrant worker’s incorporation in AMS such as access to permanent residency, citizenship and other civic and socio-economic rights;
3. Exit measures, which regulate the forced or voluntary exit or return of migrant workers; and
4. Enforcement measures, which include procedures to ensure that the above three measures are actually implemented.

Through a review of Singapore’s labour migration measures (broadly defined as laws, regulations, rules, procedures, decisions, bilateral agreements, memoranda and administrative actions) as well as from consultations/interviews with key officials and stakeholders, the report focuses on the measures affecting inbound migrant workers across all skill levels. A migrant worker in this report is defined as “a person who is to be engaged or employed, is engaged or employed or has recently been engaged or employed in a remunerated activity in AMS of which s/he is not a national. The report thus excludes students, family members or dependents and emigrants from Singapore.

It is hoped that the findings from Singapore will aid the larger community in identifying similarities and differences among AMS in terms of law and policies on migrant workers, so as to highlight implications and develop policy recommendations towards strengthening labour mobility, especially in occupations under the eight MRAs. It aims to contribute toward meeting AMS’ needs of uncovering the gaps between the regional commitments and the current national legislations related to the management of migrant workers. Finally, the report’s findings and recommendations seeks to support the promotion of a wider dialogue and exchange between the EU and ASEAN, with the involvement of international organisations and relevant stakeholders, on issues related to laws and policies on migrant workers.

Medical Practitioners; and Dental Practitioners (26 February 2009); Framework on Accountancy Services (26 February 2009); Accountancy Services (13 November 2014); and Tourism Professionals (9 November 2012).
2 Migration Laws and Policies across Four Areas

There are eight foreign work passes in Singapore which can be broadly divided according to three skill levels, namely the employment passes for the highly-skilled, S-pass for the mid-skilled and work permits for the low to mid-skilled workers. To better navigate around the wealth of information on each of these eight passes, the ensuing sections are organized according to the four main control measures pertaining to the entry and stay, incorporation, exit and enforcement of foreigners working in Singapore. The information in each of these sections may be further arranged according to the types of entry passes, common identifying factors such as profile of applicants, processes involved in applications, rights and regulations, and/or responses to the measure itself. Finally, the information presented in this report, unless otherwise stated, are valid as of 15 July 2020. It must be stressed that certain information such as qualifying salaries, specific quota numbers and amount of levies are more susceptible to review and change.

2.1 Entry and Stay Measures

Qualifying Salaries and Applicable Economic Sectors/Occupations

Depending on their monthly salaries, highly-skilled workers, such as all those covered under the eight ASEAN MRAs of accountancy, engineering, architecture, surveying, nursing/medical/dental practitioners and tourism professionals, can enter Singapore by applying for an Employment Pass (EP), EntrePass or a Personalized Employment Pass (PEP). EP applicants must work in a managerial, executive or specialised job and earn a monthly salary of at least S$3,900 (€2,376) to qualify. Older EP applicants need to earn a higher amount in tandem with their experience in order to qualify. PEP applicants need to earn a qualifying monthly salary of at least S$12,000 (€7,920) if they are current EP holders in Singapore or the equivalent of S$18,000 (€11,880) when overseas within the last six months if they are overseas foreign professionals, prior to applying for the pass. EntrePass applicants must have started, or intend to start, a private limited company and meet one of the innovative criteria for application as an entrepreneur, innovator or investor to qualify. For mid-skilled workers from any of these eight ASEAN MRAs, a monthly salary of at least S$2,400 (€1,584) is required in order for them to be eligible for an S-Pass in Singapore.

For low to mid-skilled foreign workers, work permits are issued according to their occupations/sectors and are not based on any minimum qualifying salary. Low to mid-skilled foreign workers hoping to work in sectors such as construction, manufacturing, ...
shipyard\(^3\), process\(^4\) and services\(^5\) can apply for a Work Permit for Foreign Workers (WP). Foreigners seeking to work in Singapore as domestic workers/in domestic service, confinement nannies or performing artistes in the entertainment sector will have to apply for specialized work permits under these respective work categories/occupations, namely work permit for foreign domestic workers, work permit for confinement nannies and work permit for performing artistes.

Generally, workers from all economic sectors with the qualifying salary and credentials can apply for an EP. However, this is not the same for the other seven work pass categories where certain restrictions and exclusions are imposed. For example, foreigners involved in businesses such as coffee shops, hawker centres, food courts; bars, nightclubs, karaoke lounges; foot reflexology, massage parlours; acupuncture, traditional Chinese medicine, herbal dispensing businesses; employment agencies; and geomancy business are not eligible for the EntrePass. EP holders under the sponsorship scheme; freelancers or foreigners intending to work on a freelance-basis; sole proprietors, partners or where a director is also a shareholder in an ACRA-registered company; and journalists, editors, sub-editors or producers are also not eligible to apply for a PEP. While S-Pass covers most sectors (including those working in restaurants), foreigners working in objectionable occupations such as masseurs, bar and lounge hostesses; food stall owners with a Singapore Food Agency (SFA) or National Environment Agency (NEA) licence (i.e. a food stall in a hawker centre, coffee shop or food court) are not eligible to apply for an S-Pass.

**Characteristics of Applicants**

Work permits for foreign domestic workers are limited to females only. There are no gender requirements for the other seven work pass categories. None of the work passes in Singapore imposes marital, language or financial requirements on the workers. This means that workers' marital status, ability to understand Singapore's working language (English) or national language (Bahasa Melayu), or proof of financial ability to support oneself in Singapore do not matter when applying for any of the work passes.

Whilst age limits are not imposed on mid to highly-skilled workers applying for EP, EntrePass, PEP or S-Pass, there are age restrictions for WP applicants in specific sectors (i.e. construction, manufacturing, marine shipyard, process and services) and by nationalities. Generally, the minimum age for all non-domestic foreign workers (including performing

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\(^{3}\) The marine shipyard sector refers to shipyards and their contractors engaged in shipbuilding or ship repair activities in Singapore. To be classified under the marine shipyard sector, the company’s principal business activity must be shipbuilding or ship repair, and it must qualify as a shipyard or shipyard-sponsored contractor.

\(^{4}\) The process sector includes plants in the manufacturing of petroleum, petrochemicals, specialty chemicals and pharmaceutical products. The production processes of these plants in the process sector involve specialised equipment and machinery. The construction and maintenance of the production units within these plants, which are classified as process construction and maintenance (PCM) works, require niche skills and expertise. Such works are carried out by PCM contractors. They work with the process plant owners and engineering, procurement and construction companies to build and maintain the production units of the process plants. Foreign workers employed for PCM works can only perform activities related to the construction, preventive and breakdown maintenance of plant equipment. These workers are not allowed to be involved in the plant's operations (operating plant equipment, warehousing and packing, etc.) or peripheral services (grass cutting, cleaning of offices, roads, waste disposal etc.).

\(^{5}\) Under the services sector, companies that have registered any of the following as its principal business activity are considered to be eligible: financial, insurance, real estate, infocomm and business services; transport, storage and communications services; commerce (retail and wholesale trade); community, social and personal services (excluding domestic workers); and hotels; restaurants, coffee shops, food courts and other approved food establishments (excluding food stalls or hawker stalls).
artistes) is 18 years old, and Malaysians applying for a WP must be below 58 years old while non-Malaysians must be below 50 years old at the point of application. A different set of age limit for domestic workers and confinement nannies applies. Domestic workers must be aged 23 to under 50 years old while confinement nannies must be aged 23 to 70 at the point of application.

The maximum period of employment for the workers in each sector varies though this criterion does not usually apply to Malaysians or North Asian Sources such as Hong Kong, Macau, South Korea and Taiwan (see Table 1). Three out of the eight work passes have also specific requirements on nationality. The list of approved countries for each sector is classified into four categories, namely Malaysia (an AMS), People’s Republic of China (PRC), non-traditional sources (NTS) which include three AMS, namely Myanmar, Philippines and Thailand, and finally, North Asian sources (NAS) (Table 1). Generally, construction, marine shipyard and process sectors adhere to the same guidelines on the list of nationality/source countries as well as the maximum period of employment while the same applies to the manufacturing and service sectors (Table 1). The maximum period of employment in Singapore for foreign performing artistes is only six months, and they are not allowed to work in Singapore – even in a different occupation – within the immediate year thereafter. Finally, only those from an approved source country or region such as Bangladesh, Hong Kong, India, Macau, South Korea, Sri Lanka, Taiwan and AMS of Cambodia, Indonesia, Malaysia, Myanmar, Philippines and Thailand, can work as foreign domestic workers in Singapore. Only Malaysians can work as confinement nannies in Singapore. Mid to highly-skilled work passes (i.e. S-Pass, EP, EntrePass and PEP) are open to applicants of all nationalities/ethnicities.

Processes of Application and Admission

Though workers, with the exception of EntrePass and PEP holders, must have obtained an offer of employment prior to arriving in Singapore, the Ministry of Manpower (MOM) only issues work passes to all workers after they have physically arrived in Singapore. No other trade unions or professional associations are involved in the issuance of work permits. Apart from confinement nannies, no other workers are required to obtain an entry visa or permit prior to entering Singapore nor do they require a separate residence permit to stay in Singapore. As such, the other government ministry involved in the process of admitting confinement nannies is the Immigration and Checkpoints Authority (ICA) of Singapore. ICA will issue a short-term visit pass to the confinement nannies at immigration, allowing them to enter and stay in Singapore for the duration of their employment. Another work pass application that requires the involvement of other departments, ministries and government bodies is the EntrePass. MOM as well as the partner government agency Enterprise Singapore will jointly assess the applications under this category.

Processes of Certification

The skills and qualifications of workers applying for EP, EntrePass, PEP, S-Pass and WP must be certified, accredited and/or recognized in Singapore by selected verification agencies according to their occupation/industry. There are no similar verification or certification requirements for foreign domestic workers, confinement nannies and performing artistes. Though a list of approved institutions is not available for EP, PEP or S-Pass applicants, employers and applicants alike can consult global verification agencies such as Dataflow or Risk Management Intelligence (RMI) as well as international accreditation bodies or the
Awarding country’s educational authorities to determine if an institution or the qualifications of the candidate are accredited. In addition, healthcare professionals, lawyers, football players or coaches applying for EP, PEP or S-Pass are required to register with, or have supporting documents from, the following professional bodies in order to work in Singapore. The procedures for registration or obtaining supporting documents differ for each profession and even for the type of work under each profession. For example, depending on the type of legislation work a foreign lawyer intends to practice in Singapore, s/he may apply to be admitted to the Singapore bar, take a Foreign Practitioner Examination or apply (through the hiring firm) to be registered in the respective area of practice on the Legal Services Regulatory Authority’s website. On the other hand, a foreign nurse intending to work in Singapore would need to register and pass an examination administered by the Singapore Nursing Board before being able to work in the country. Like Singaporean coaches, foreign coaches will also need to obtain National Registry of Coaches (NROC) membership by meeting certain stated requirements and submitting an application online. The relevant websites bearing details of registration for each (sub)profession, where available, is listed below.

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Professional body</th>
<th>Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Medical Technician, Paramedic</td>
<td>Unit for Prehospital Emergency Care</td>
<td></td>
</tr>
<tr>
<td>Lawyer</td>
<td>Legal Services Regulatory Authority</td>
<td><a href="https://eservices.mlaw.gov.sg/lsra/lsra-home">https://eservices.mlaw.gov.sg/lsra/lsra-home</a></td>
</tr>
</tbody>
</table>
Overall, each EP application will be evaluated based on its own merit alongside a wide range of factors such as the candidate’s salary, track records, work experience, skill sets and global and countries’ rankings of institutions.

For potential EntrePass applicants, that have started or intend to start a private limited company registered with Accounting and Corporate Regulatory Authority (ACRA) in Singapore, they will need to fulfil any of the following innovative criteria for application as an entrepreneur, innovator or investor:

- **Entrepreneur**
  - whose company has raised funding of at least S$100,000 (€66,000) from a government investment vehicle, venture capitalist (VC) or business angel that is recognised by a Singapore Government agency;
  - whose company is an existing incubatee at an incubator or accelerator in Singapore that is recognised by the Government;
  - who has significant business experience or network and promising entrepreneurial track record of starting highly scalable businesses and want to establish, develop and manage a new or existing business in Singapore.

- **Innovator**
  - who, or whose company, holds an intellectual property (IP), registered with an approved national IP institution, which delivers a significant competitive advantage to your proposed business that cannot be easily replicated;
  - whose company has an ongoing research collaboration with a research institution under the Agency for Science, Technology and Research (A*STAR), an Institute of Higher Learning (IHL) in Singapore;
  - who has exceptional technical or domain expertise in an area related to the proposed business.

- **Investor**
  - who has a good track record of investing in businesses and want to grow new or existing businesses in Singapore.

The qualifications required for WP applicants vary according to sectors as well as applicants' nationality. Selected workers need to obtain the required qualifications before arriving in Singapore while the majority need to undergo other qualifying tests in Singapore upon arrival. First, all foreign workers in the construction sector need to attain Basic-Skilled status to work in Singapore. All non-Malaysian workers, that is workers from NTS, NAS and PRC, must have the Skills Evaluation Certificate (SEC) or Skills Evaluation Certificate (Knowledge) (SEC(K)) – initiatives by the Building and Construction Authority (BCA) to raise skills,
productivity and safety of workers in the sector – to qualify as Basic-Skilled construction workers. Workers from the NTS or PRC must register for the SEC(K) at their respective overseas BCA test centres before they can commence work in Singapore. Workers from Malaysia must have either a SPM or equivalent, SEC or SEC(K) to work in Singapore.

A lower levy for higher-skilled workers in the marine shipyard sector applies if they hold any of these certificates:

<table>
<thead>
<tr>
<th>Type of qualification</th>
<th>Certificates needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic qualifications</td>
<td>Malaysia – Sijil Pelajaran Malaysia (SPM). For diploma or higher qualifications, provide a transcript or letter from the institution stating the course duration.</td>
</tr>
<tr>
<td></td>
<td>North Asian sources (NAS) – High school certificates.</td>
</tr>
<tr>
<td>Skills Evaluation Test (SET) conducted by ITE</td>
<td>SET Level 1 or National ITE Certificate (Nitec)</td>
</tr>
<tr>
<td>Trade test endorsed by these institutions:</td>
<td>3G and above in welding</td>
</tr>
<tr>
<td>• American Bureau of Shipping</td>
<td></td>
</tr>
<tr>
<td>• Bureau Veritas Singapore Pte Ltd</td>
<td></td>
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<tr>
<td>• DNV GL</td>
<td></td>
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<tr>
<td>• Lloyd’s Register of Shipping</td>
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<td>• Nippon Kaiji Kyokai</td>
<td></td>
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<tr>
<td>• Singapore Test Services</td>
<td></td>
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<tr>
<td>• Setsco Services</td>
<td></td>
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<tr>
<td>• Common Welder Qualification Scheme conducted by the Singapore Welding Society</td>
<td></td>
</tr>
<tr>
<td>Market-Based Skills Recognition Framework (MBF)</td>
<td>• Earn a fixed monthly salary of at least $1,200.</td>
</tr>
<tr>
<td></td>
<td>• Worked at least 2 years in Singapore as a Work Permit holder.</td>
</tr>
</tbody>
</table>

Foreign workers in the marine shipyard sector must also take one of the following safety courses within two weeks of their arrival in Singapore before they can get their WP: Shipyard Safety Instruction Course (SSIC) or Apply Workplace Safety and Health in Marine Work. Employers are responsible for workers passing the test. Workers who fail the course should retake it as soon as possible. To prevent their WPs from being revoked, they need to pass the course within three months of their arrival.

Before starting work, all workers employed in the process sector must take the Oil Petroleum Safety Orientation Course (OPSOC). In addition to the OPSOC, all workers employed to carry out the construction of the process plants must also attend the Construction Safety Orientation Course (CSOC).
For companies in the manufacturing and service sectors, a lower levy applies for higher-skilled workers who meet/possess the following requirements/certificates:

<table>
<thead>
<tr>
<th>Type of qualification</th>
<th>Certificates needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic qualifications</td>
<td>Malaysia – Sijil Pelajaran Malaysia (SPM). For diploma or higher qualifications, provide a transcript or letter from the institution stating the course duration.</td>
</tr>
<tr>
<td></td>
<td>North Asian sources (NAS) – High school certificates</td>
</tr>
<tr>
<td></td>
<td>People’s Republic of China (PRC) – Diploma</td>
</tr>
<tr>
<td>Skills Evaluation Test (SET) conducted by ITE</td>
<td>SET Level 1 or National ITE Certificate (Nitec)</td>
</tr>
<tr>
<td>Workforce Skills Qualification (WSQ)</td>
<td>Manufacturing: Composite Assessment for Generic Manufacturing (CGM)</td>
</tr>
<tr>
<td></td>
<td>Service: Composite Assessment for Landscape, Hotel, F&amp;B (Service) and Retail</td>
</tr>
<tr>
<td>Market-Based Skills Recognition Framework (MBF)</td>
<td>• Earn a fixed monthly salary of at least $1,600.</td>
</tr>
<tr>
<td></td>
<td>• Worked at least 4 years in Singapore as a Work Permit holder.</td>
</tr>
</tbody>
</table>

In addition, foreign workers in the manufacturing sector who handle metals and machinery in metalworking industry must take one of the following safety courses within two weeks of their arrival in Singapore before their WP can be issued. The courses are Metalworking Safety Orientation Course (MSOC) or Apply Workplace Safety and Health in Metal Work. Employers are again responsible for their workers passing the test. Workers who fail the course should retake it as soon as possible. If they do not pass the course within three months of their arrival, their WP could be revoked. As for non-Malaysian WP holders working in the hotel, retail and F&B industries, they must also obtain level 4 of the Workplace Literacy and Numeracy (WPLN) listening and speaking assessments to qualify as higher skilled workers. However, those who qualify under MBF are not required to go through additional WPLN assessments.

**Fees and Quotas**

Different application fees and charges apply according to the skill levels of the applicants. Highly-skilled workers applying for EP, EntrePass and PEP, or their employers, need to pay an application fee of S$105 (€69.30) for each pass and another S$225 (€148.50) for each pass when the pass is issued. Applicants will need to pay S$30 (€19.80) for a multiple entry visa if they are not from visa-free countries.

Employers/appointed agents of mid-skilled workers and performing artistes pay S$75 (€49.50) for the application of each S-pass or WP for performing artistes, and another S$100
(€66) for each pass when the pass is issued. As part of an employer's medical obligations to S-Pass holders, employers must buy and maintain medical insurance for their S-Pass holders as long they are under one's employment. The insurance coverage must be at least S$15,000 per year and cover inpatient care and day surgery. The employer can have a co-pay arrangement with the S-Pass holder only if all of the following are met:

- The medical treatment is not for work-related inpatient expenses;
- The co-pay amount is reasonable and does not exceed 10% of the worker’s monthly salary;
- The duration co-payment does not exceed 6 months;
- The co-payment option is explicitly in the employment contract or collective agreement and has the worker's full consent.

The application fee for WP for foreign workers, domestic workers and confinement nannies is S$35 (€23.10). Unlike foreign workers and domestic workers who need to pay an additional fee of S$35 (€23.10) for the issuance of each pass, confinement nannies are exempted as they do not receive a pass upon approval. Employers of WP holders must also buy a security bond for non-Malaysian workers and medical insurance (similar to that for S-Pass holders) for all work permit holders regardless of nationality.

All work passes issued are temporary and the period of validity is dependent on the type of work pass issued. Applicants of EP, S-Pass, WP and WP for foreign domestic workers may be first issued a pass that is valid for up to two years. An EntrePass is first valid for a year while a WP for confinement nannies are first valid for 16 weeks. All passes, with the exception of PEP and WP for performing artists are renewable. PEPs are valid for up to three years and WP for performing artists are valid for just six months.

There are no quotas imposed on the number of highly-skilled foreigners applying for EP, EntrePass or PEP as well as those applying for WP for foreign domestic workers and confinement nannies. Strict quotas that are dependent on the industry/sector, the number of Singaporeans employed as well as the size of the establishment in the case of the entertainment sector are imposed on foreigners in the S-Pass, WP and WP for performing artistes categories. First, the number of S-Pass holders an employer can hire is limited by a quota that is dependent on the sector as well as the number of local employees hired (average of 3 months Central Provident Fund [CPF] contributions). This quota may change annually and the number of S-Pass holders a company can hire, based on the last update on 1 January 2020, is capped at 13% of the company's total workforce in the services sector and 20% in all other sectors (namely construction, manufacturing, marine shipyard and process). The S-Pass quota for services sector will be lowered to 10% of total workforce from 1 January 2021 while the quota for construction, marine shipyard and process sectors will be gradually lowered to 18% of total workforce from 1 January 2021 and 15% from 1 January 2023.

The number of WP holders that an employer can hire is also limited by a quota (or dependency ratio ceiling [DRC]) and subjected to a levy. This varies by sector. Eligible employers in the entertainment industry can employ up to eight foreign performing artistes but larger outlets can employ up to 12 foreign artistes on a case-by-case basis. Under the construction and process sector quota, employers can employ seven WP holders for every
local employee who earns the local qualifying salary. Employers in the marine shipyard sector can employ 3.5 WP holders for every local employee who earns the local qualifying salary. The services sector has a DRC of 38% and the levy rates are tiered so that those who hire close to the maximum quota will have to pay a higher levy. There is thus no single numerical quota for every employer in Singapore. Employers can use an online calculator (https://www.mom.gov.sg/passes-and-permits/work-permit-for-foreign-worker/foreign-worker-levy/calculate-foreign-worker-quota) to assess their own eligibility. Similarly, there is also no uniform value of levies to be paid by employers of S-Pass and all WP holders as this is based on the number of foreign versus local workers hired, the sector as well as the qualifications/skills level of the workers. Levy rates are also regularly reviewed and adjusted as required. Please refer to Table 2 for the last published levy rates as of 15 July 2020.

**Health Checks and Requirements**

All work pass holders, except confinement nannies, must meet specific health requirements in order to work in Singapore. Apart from confinement nannies, EntrePass and PEP applicants, all the other work pass applicants must undergo health checks in Singapore and be certified medically fit before their respective work passes can be issued. Workers are mainly screened for four types of infectious diseases (tuberculosis, HIV, syphilis and malaria). Employers can also send workers for more tests if they have specific concerns about their health. Those who fail the medical examination are sent home.

EntrePass holders are not required to submit a medical report but will need to declare that s/he has not suffered and is not suffering from AIDS or infected with HIV or tuberculosis. If the holder is found to be suffering from AIDS or infected with HIV or Tuberculosis during the period of validity of the EntrePass, the EntrePass issued will be cancelled and the holder will have to leave Singapore by the date specified by the Controller of Immigration. This also applies to workers on other work passes. Though a medical examination for confinement nannies is optional, employers are advised to send them for a medical check-up prior to their employment given that the nanny will be in constant close contact with the infant.

In addition, all female foreign workers (regardless of sector) on WP and foreign domestic workers must undergo periodic six-monthly medical examinations (6ME) certified by a Singapore-registered doctor during their stay in Singapore. Employers must bear the costs of the 6ME and all related medical expenses. These low to mid-skilled female workers undergo pregnancy and syphilis tests every six months and HIV tests every two years. They are also screened for tuberculosis once upon two years stay in Singapore. Female workers who fail their 6ME will have their permits cancelled by their employers and sent home immediately.

**Employment Conditions, Rights and Termination**

Most work pass holders, with the exception of PEP and performing artistes on WP, are able to renew their work pass without needing to leave Singapore. As PEP and WP for performing artistes are non-renewable, the holders must leave Singapore upon the expiry of the pass. Unlike performing artistes however, PEP holders may choose to convert to another work pass prior to the PEP’s expiry in order to continue staying in Singapore without needing to leave. Aside from confinement nannies and performing artistes, all other work pass holders – subject to certain conditions for their respective work pass category – may change their employers after completing the necessary paperwork with MOM. The ability of low to mid-
skilled foreign workers in switching employers is sector-dependent while foreign domestic workers may only change employers and are not allowed to work in a non-domestic work sector.

Upon the termination of their passes, all foreign workers have a grace period ranging from two weeks for work permit holders, 30 days for EP, EntrePass and S-Pass holders, and six months for PEP holders to remain in Singapore. Overall, none of the work passes available in Singapore stipulates that foreign workers must be accorded work conditions that are equal to or higher than local workers’. There is also no labour market test used for migrant workers admitted on any of the work passes.

2.2 Incorporation Measures

Individual Rights
Similar to other workers in Singapore, all foreign migrant workers have the right to join and be represented by a union, albeit with some restrictions. One restriction is that migrant workers may only take up leadership roles with the approval of MOM. This is to help ensure that their interests are aligned to those of workers in Singapore (including Singaporean workers), and that workers’ interests are safeguarded, as foreigners’ stay in Singapore is transient in nature.

All foreign workers in Singapore are protected by the Passports Act, which explicitly states that it is an offence to keep or withhold someone else’s passport. The Employment of Foreign Manpower Act (EFMA) also states that the employer shall not retain possession of the foreign employee’s original work permit and visit pass, and shall allow the foreign employee to retain possession of their personal work permit and visit pass.

Overall, all foreign workers in Singapore have the same rights as citizens to equal treatment and protections before criminal courts and tribunals.

Health and Wellbeing
In general, all foreign workers in Singapore have the same non-restricted access to public health services as Singapore citizens. Depending on their work passes, however, foreign workers have varying access to different social benefits in Singapore such as employment injury benefit, pension and unemployment benefits. To begin, most local or foreign workers – with some exceptions – who are under a contract of service or contract of apprenticeship, regardless of salary, age or nationality are covered under the Work Injury Compensation Act (WICA). WICA does not cover:

- Independent contractors and the self-employed;
- Domestic workers;
Based on the above exclusions, EntrePass holders who are self-employed as well as foreign domestic workers are not covered by WICA. Instead, employers of foreign domestic workers are responsible for their medical treatment in Singapore. They are also required to buy personal accident insurance (PAI) for the domestic workers to provide them compensation in the event of death or permanent disability during their stay in Singapore. Likewise, employers of confinement nannies are also responsible for their medical treatment in Singapore if needed. As mentioned earlier, apart from WICA, employers of the other work permit holders are required to purchase a security bond for non-Malaysian workers as well as medical insurance for all workers to ensure their wellbeing.

As mentioned earlier, the medical obligations of employers to S-Pass holders are similar to those of work permit holders. Employers must also buy and maintain medical insurance for S-Pass holders as long as they are under one’s employment. The insurance coverage must be at least $15,000 per year and cover inpatient care and day surgery. Employers of S-Pass holders covered under the Employment Act must bear the medical consultation fees comprising the component of the medical bill that states “consultation” or “consultation fee” of the S-Pass holders as well as provide maternity benefits. In order to achieve a better balance of the medical obligations between employers and S-Pass holders, employers are not required to bear pregnancy-related medical costs incurred by S-Pass holders since 1 April 2018.

Finally, while there are no pension plans in Singapore for workers (including Singaporeans), the closest scheme would be the Central Provident Fund (CPF) scheme. The CPF is a mandatory social security savings plan for working Singaporeans and residents funded by contributions from both employers and employees to help workers plan for their retirement. The contributions by employers are made above and beyond the employee’s salary and the rate is determined by the Singapore government. However, employers do not need to pay CPF for any of the foreign work pass holders in Singapore.

Employers’ obligations to provide adequate or reasonable accommodation for migrant workers differ according to the work pass issued. Similar to employers of Singaporean workers, employers are not obliged to provide accommodation for mid to highly-skilled workers holding EP, EntrePass, PEP and S-Pass. Employers are also not obliged to provide accommodation for performing artistes. On the contrary, employers of work permit holders must ensure that their foreign workers live in proper housing, and provide the workers’ residential addresses to MOM. This requirement is in accordance with EFMA. There are various types of housing for foreign workers, each with its own set of requirements. Examples of approved housing types for all foreign employees include purpose-built dormitories, factory-converted dormitories, Housing Development Board (HDB) flats and private residential premises (PRPs). Only foreign employees working in the construction sector are eligible to live in construction temporary quarters that are either standalone temporary quarters (accommodation is opened to foreign construction workers working at this construction project only) or quarters in uncompleted buildings and temporary occupation licence quarters. In addition, non-Malaysian WP holders from the manufacturing sector are only allowed to rent bedrooms in HDB flats but not the whole flat. There are no similar restrictions on Malaysian WP holders or those who work in the services sector.
Employers of confinement nannies and foreign domestic workers are expected to provide reasonable accommodation for their employees. In particular, the employer’s guide states that accommodation for foreign domestic workers must meet the following requirements:

- Adequate shelter: the accommodation must adequately protect the domestic worker from environmental elements such as sun, rain or strong winds.
- Basic amenities: employers must minimally provide their domestic worker with a mattress, pillow, blanket, bathroom amenities and toiletries. Examples of toiletries include soap, shampoo, toothbrush, toothpaste, etc.
- Sufficient ventilation: the domestic worker’s accommodation must be sufficiently ventilated. Mechanical ventilation (e.g. electrical fan) must be provided if natural ventilation is inadequate.
- Safety: the domestic worker must not sleep near any dangerous equipment or structure that could potentially cause harm or hurt to her.
- Modesty: the domestic worker must not sleep in the same room as a male adult or teenager. If video recording devices are installed at home, employers must inform the domestic worker of the devices and where they are placed. The recording devices must not be installed in areas that will compromise her privacy or modesty, e.g. where she sleeps, change clothes, or the bathroom area.
- Space and privacy: domestic workers should be provided with a separate room. If that is not possible, employers must ensure that her accommodation has adequate space and privacy.

All mid to highly-skilled workers holding S-Pass, EP, EntrePass and PEP are eligible to apply to access public educational courses and services in Singapore without restrictions. Different levels of access and restrictions apply to low to mid-skilled workers on work permits. While the government generally encourages upskilling of work permit holders by imposing a lower levy on higher-skilled workers and allowing them to work in Singapore for longer durations as compared to Basic-Skilled workers, there are certain restrictions as to the type of courses they can access. The type of courses they have access to partly depends on their employers’ approval as well as the qualifications desired for work permit holders to be considered as higher-skilled workers. This information is earlier presented in the section on Processes of Certification. In particular, work permit holders in the construction sector can upgrade their qualifications through four different means depending on their eligibility and work experience. Three of the methods involve registering themselves with BCA and undergoing relevant courses and assessment in programmes such as Construction Registration of Tradesmen or CoreTrade, Multi-Skilling scheme and Direct R1 Pathway. The last method of upgrading their skills is simply by accumulating six years of relevant working experience in Singapore and having the employer increase their monthly salary to at least S$1,600 under the Market-Based Skills Recognition Framework (MBF). In general, workers in the manufacturing, marine shipyard and services sector can upskill by:

- undergoing higher academic qualifications from their respective home countries;
- undergoing Skills Evaluation Test (SET) offered by the Institute of Technical Education (ITE) in Singapore and obtaining SET Level 1 or National ITE Certificate (Nitec);
- for manufacturing workers, undertaking the Composite Assessment for Generic Manufacturing (CGM) from Workforce Skills Qualification (WSQ);
- for marine shipyard workers, passing trade tests and obtaining certificates in 3G and above in welding from approved institutions;
- for services workers, taking the Composite Assessment for Landscape, Hotel, F&B (Service) and Retail from WSQ; or
simply fulfilling the MBF requirements by accumulating the required years of working experience and acquiring higher monthly salaries.

Foreign workers in the metalworking industry also need to retake and pass the safety course every two (for those with under six years of working experience) or four years (for those with over six years working experience).

Workers in the process sector can obtain higher academic qualifications from their respective home countries or choose to take one of the following: SET Level 1, Nitec, trade test in 3G and welding, or any course from a list of pre-determined WSQ courses on fitting works, scaffolding etc. They will also automatically qualify for higher-skilled levy rate after acquiring two years of working experience and earning a minimum fixed monthly salary of S$1,200.

There are no clear guidelines with regard to foreign domestic workers and confinement nannies accessing public educational courses in Singapore. In general, they are not disallowed from accessing training in Singapore. However, they should discuss their plans for long-term training with their employer. Finally, performing artistes on work permits are not eligible to access educational courses and services.

Social and Familial Rights
Pathways to attaining permanent residency, and eventually citizenship, in Singapore are clearly delineated by the type of work passes foreign workers possess. The work passes also determines if foreign workers are allowed to bring their family members into Singapore and the subsequent rights their family members have. All relevant information have been summarized in Table 3. Mid to highly-skilled workers holding S-Pass, EP, EntrePass and PEP are allowed to apply for permanent residency (PR) in Singapore. Applications are made through the ICA website and assessed according to the ICA’s PR criteria. Only after one has become a PR in Singapore for at least two years and is aged 21 and above, can one proceed to apply for Singapore citizenship. No foreigner can bypass this step and apply for citizenship directly.

Similarly, only mid to highly-skilled workers are allowed to apply for Dependant’s Pass or Long Term Visit Pass (LTVP) for their family members with certain restrictions. S-Pass and EP holders earning at least S$6,000 a month can apply to bring their spouse and children into Singapore. Only EP holders earning at least S$12,000 a month can bring their parents into Singapore on LTVP. EntrePass holders can bring in their spouses and children if their total annual business spending is at least S$100,000 and they employ either 3 Singaporeans with a monthly Local Qualifying Salary (LQS) of at least S$1,400 or one local professional, manager or executive earning (PME) earning at least S$3,600 (Table 3). Both types of employees must have received CPF contributions for at least three months. EntrePass holders can bring in their parents on LTVP if their total annual business spending is at least S$200,000 and they employ either six LQS or two local PMEs. PEPs can apply to bring in their spouse, children and parents into Singapore. Legally married spouses and children under 21, including legally adopted children, will be awarded a Dependant’s Pass while common-law spouses, unmarried handicapped children above 21 and unmarried stepchildren under 21 as well as holders’ parents are awarded a LTVP. Both mid to highly-skilled workers are also permitted to marry Singaporeans without restrictions.
On the other hand, work permit holders are not allowed to apply for PR or bring their dependents into Singapore. A current or former WP holder intending to marry a Singaporean or PR must first seek approval from the Ministry of Manpower (MOM). MOM may refuse to give approval for the marriage to take place. A former WP holder whose last held work pass was upgraded to EP, S-Pass, or is now a Singaporean or PR need not seek permission. The privilege to work in Singapore for WP holders who needed to seek approval but failed to do so could be withdrawn and they may be prevented from entering Singapore for a period. Foreign domestic workers are not allowed to marry a Singaporean or PR in or outside Singapore without approval from MOM. This applies even after their work permit is expired, cancelled or revoked. Confinement nannies and performing artistes are also not allowed to marry Singaporeans.

Only dependants of EP, EntrePass or PEP holders on Dependant’s Pass can apply for a Letter of Consent permitting them to work in Singapore if they find a job here. Dependants of S-Pass holders as well as those holding LTVP will need their prospective employers to apply for an appropriate work pass for them if they themselves also wish to work. They will have to meet the eligibility criteria for these passes. Any dependant on a Dependant’s Pass who obtain an EP or S-Pass are required to cancel the Dependant’s Pass. For S-Pass dependants who obtain a WP, the work permit’s validity period will be tied to that of the S-Pass holder’s pass. LTVP holders are not allowed to work in objectionable occupations such as a dance hostess or a masseur.

2.3 Exit Measures

Generally, all foreign workers in Singapore are allowed to return to their home country without needing to apply for special approval, exit visa or permit. None of the employers of foreign workers on any of the work passes will be penalized if their workers return to their country before the end of their contract. All deported foreigners, regardless of work pass held in Singapore, are subjected to an entry ban. The Immigration Act empowers the Singapore government to prohibit, either for a stated period or permanently, the entry or re-entry into Singapore of those deported.

There is no (re)integration programme for mid to highly-skilled migrants workers on EP, EntrePass, PEP and S-Pass as well as confinement nannies and performing artistes on WP. However, there is a Settling-In Programme (SIP) for all first time, non-Malaysian WP holders in all sectors apart from services. The SIP is a 1-day orientation programme conducted by the Migrant Workers’ Centre. The programme is held in the worker’s native language to educate foreign workers on Singapore’s social norms, their employment rights and responsibilities, Singapore laws and where and how to seek assistance. The topics covered include: understanding Singapore; local practices and social norms; employment laws; employment and work injury compensation rights; and SGSecure and other key laws. Workers must attend the course within 14 days of their arrival into Singapore and the course fees of S$75 is to be borne by their employer. The WP can only be issued after the worker has attended the SIP.
First-time foreign domestic workers must also attend the SIP conducted in their native language within three days of arriving in Singapore (excluding Sunday and public holidays). The 1-day orientation programme conducted by an accredited training provider seeks to educate first-time foreign domestic workers on safety precautions and living in Singapore. The topics covered include: adapting to working and living in Singapore; conditions of employment; working safely; and relationship and stress management. The course fees of S$75 is to be borne by their employer and the domestic worker can only start work after attending this course. Lastly, there is also no provision of actual assistance to all foreign workers to return and subsequent measures to foster their reintegration in their home country.

### 2.4 Enforcement Measures

This section is interested in identifying the measures in Singapore that ensure that foreign migrant workers, and other actors, abide by the migration policies and laws currently instituted in Singapore. In general, illegal residence in Singapore is considered a criminal offence. Unlawful entry or presence in Singapore is defined and penalized under Singapore's Immigration Act as follows (see https://sso.agc.gov.sg/Act/IA1959?ProvIds=pr15):

1. A person shall not remain in Singapore after the cancellation of any permit or certificate, or after the making of a declaration under section 14(4) or after the expiration or notification to him, in such manner as may be prescribed, of the cancellation of any pass relating to or issued to him unless he is otherwise entitled or authorised to remain in Singapore under the provisions of this Act or the regulations.
2. A person shall not remain in Singapore in contravention of section 62.
3. Any person who contravenes, without reasonable cause, this section shall be guilty of an offence and —
   (a) in the case where he remains unlawfully for a period not exceeding 90 days, shall be liable on conviction to a fine not exceeding S$4,000 [€2,640] or to imprisonment for a term not exceeding 6 months or to both;
   (b) in the case where he remains unlawfully for a period exceeding 90 days, shall on conviction be punished with imprisonment for a term not exceeding 6 months and shall also, subject to sections 325(1) and 330(1) of the Criminal Procedure Code 2010, be punished with caning with not less than 3 strokes, or where by virtue of that section he is not punishable with caning, he shall, in lieu of caning, be punished with a fine not exceeding S$6,000 [€3,960].

**Employing and Harbouring Illegal Migrants**

In the same vein, there are strict laws in Singapore penalizing employers for hiring foreign workers without a legal work pass. Under the EFMA, employers are not allowed to hire any foreigner without first obtaining a valid work pass. Employers who flout the law can be fined a minimum of S$5,000 (€3,300) and a maximum of S$30,000 (€19,800) or jailed for up to 12 months, or both. They will also be banned from employing foreign workers. For subsequent convictions, offenders face heavier fines between S$10,000 (€15,151) and S$30,000 (€19,800) and mandatory imprisonment.

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6 The exact wordings of the law are extracted from EFMA, the Immigration Act and the National Registration Act on Singapore Statutes Online, which uses non-gender neutral terms.
Similarly, people who aid and abet irregular immigrants in Singapore will also be penalized in the forms of fines and imprisonment. This excludes transportation carriers who have brought the passengers lacking relevant documentation to Singapore. Under the law, those who abet persons to unlawfully enter Singapore face punishment for a period between six months and two years, and where the offence is abetted and punishable with caning, they face punishment with caning not less than three strokes, or in any other case, they are also liable for a fine not exceeding S$6,000 [€3,960]. Harbourers of persons who remain in Singapore unlawfully also face penalties. When dealing with foreigners, a person is expected to conduct three due diligence checks as stated in Section 57 (7D) of the Singapore Immigration Act (see https://sso.agc.gov.sg/Act/IA1959?ProvIds=P1VI-#pr57):

(a) inspecting the permit or pass issued to the immigration offender under this Act or the regulations;
(b) checking the permit or pass to ascertain that the particulars on the passport of the immigration offender materially correspond with the particulars set out in the permit or pass;
(c) checking with —
   (i) the Controller of Immigration or the Controller of Work Passes, as the case may be, that the permit or pass was valid at the material time; or
   (ii) the employer to verify that the immigration offender is employed by the employer and that the particulars of the immigration offender correspond with the records of the employer, where the name of the employer of the immigration offender is specified in the permit or pass.

Any person found guilty of recklessly (i.e. carrying out only one of the three due diligence checks) or knowingly harbouring over stayers and/or illegal immigrants, may be sentenced to imprisonment for a term not less than six months and not more than two years and a fine not exceeding S$6,000 [€3,960]. Persons found guilty of negligently (i.e. carrying out only two of the three due diligence checks) harbouring over stayers and/or illegal immigrants, may be sentenced to a fine not exceeding S$6,000 [€3,960] or to imprisonment for a term not exceeding 12 months or to both (see https://www.ica.gov.sg/news-and-publications/media-releases/media-release/another-22-arrested-for-immigration-related-offences-in-a-three-day-enforcement-operation, 8 August 2019).

In 2019, 86 employers were convicted of illegal employment offences while 248 were convicted of harbouring illegal offenders (see https://www.ica.gov.sg/docs/default-source/ica/stats/annual-stats-report/ica-annual-statistics-2019.pdf). These illegal offenders were mainly employed in the maintenance and food and beverage industries.

**Illegal/Irregular Documents**

Foreigners caught with irregular documentation such as forged and/or expired documents face various penalties including fines, imprisonment, expulsion or deportation as well as entry ban if caught. First, under the Passports Act (see https://sso.agc.gov.sg/Act/PA2007?ProvIds=P1V-.#pr47-), a person who uses or is knowingly in possession of a false foreign travel document shall be guilty of an offence and if convicted, may be sentenced to a fine not exceeding S$10,000 [€6,600] or to imprisonment for a term not exceeding 10 years or both.
Under the Immigration Act (see https://sso.agc.gov.sg/Act/IA1959?Provids=P1VI-), a person who uses or without lawful authority has in his possession any forged, unlawfully altered or irregular entry or re-entry permit, pass, Singapore visa or certificate or other document issued under this Act or the regulations, or any permit, pass, Singapore visa or certificate or other document so issued on which any endorsement has been forged or unlawfully altered; shall be liable on conviction to a fine not exceeding S$4,000 [€2,640] or to imprisonment for a term not exceeding 12 months or to both. Employers or other persons found making a false statement or providing false information in any application or renewal of a work pass are also liable to a fine of up to S$20,000 [€30,303] or imprisonment for up to two years, or both.

Overall, the Immigration Act empowers the government to remove those who are present in Singapore unlawfully; and to prohibit, either for a stated period or permanently, the entry or re-entry into Singapore of those deported. This also applies to those who break other laws in Singapore, including those who did not comply with the recently implemented COVID-19 safe distancing measures (see https://www.channelnewsasia.com/news/singapore/covid-19-12-people-deported-barred-from-singapore-12926636; https://www.mom.gov.sg/newsroom/press-releases/2020/0625-140-work-passes-revoked-for-breach-of-circuit-breaker-measures-shn-qo). These offenders have been deported from Singapore and barred from future entry or banned from ever working in Singapore again.

**Documentation and Registry in Singapore**

The Singapore government collects biometric information from all citizens, immigrants and migrant workers. Citizens and foreigners alike are issued with legal Singapore identification documents such as identity cards for citizens and work passes/word permit card for most migrant workers. Malaysian confinement nannies are only issued with a work permit letter due to their short work duration. There is no rule stipulating that one should carry this identification document all the time.

There are no national alien’s register or a population register that includes migrant workers – legal or illegal – in Singapore. According to Singapore’s National Registration Act, every person lawfully resident (i.e. Singapore citizens and permanent residents) within Singapore shall be registered under and in accordance with this Act (see https://sso.agc.gov.sg/Act/NRA1965#pr10). Foreign employees and foreign workers who are not Singapore Permanent Residents are thus excluded. In particular, there would be no register of illegal migrants. According to Singapore’s EFMA (see https://sso.agc.gov.sg/Act/EFMA1990?Provids=P1II-), no person shall employ a foreign employee unless the foreign employee has a valid work pass. Conversely, no foreign employee shall be in the employment of an employer without a valid work pass. The Act also states that an employer shall keep a register of foreign employees to whom work passes have been issued. The register shall be in such form and shall contain such particulars as the Controller may determine. The register shall, at all reasonable times, be open to inspection by an employment inspector.

**Major Challenges in Implementing Enforcement Measures**

According to responses from MOM and ICA, one of the main challenges in enforcing immigration measures in Singapore are illegal workers masquerading as tourists to gain entry into Singapore. These illegals may not be easily distinguished from bona-fide travellers and
refused entry in the country. Another challenge is that culprits who harbour or employ over stayers and illegal immigrants may not be easily identified and punished due to the multiple layers of sub-letting or sub-contracting with the employment and rental market. Finally, considerable resources are sometimes required to repatriate over stayers and illegal immigrants who are not in possession of travel documents or lack the funds to pay for their passage home.

**Important Achievements in Implementing Enforcement Measures**
Thus far, MOM and ICA felt that the good checkpoint screening processes and technological implementations in Singapore have helped to sieve out many illegal workers at entry points and keep the ex-offenders away. The use of technology has helped in investigation to bring errant employers and harbourers to book. Maintaining good relationships with foreign diplomatic missions in Singapore has also facilitated the repatriation of over stayers or illegal immigrants.
3 Progress and Challenges in Implementation

Complementarity of Foreign and Local Labour
As of December 2019, total employment (3,784,300) in Singapore comprised 2,356,800 local workers (that is, citizens and permanent residents) and 1,427,500 foreign workers (Manpower Research & Statistics Department, Ministry of Manpower 2020). The foreign share of employment (excluding foreign domestic workers) is 33.1%. Whether this proportion of foreign labour will continue depends on the state of the economy and the local unemployment rate in Singapore.

As a predominantly labour-receiving country amongst the AMS, the overall challenge for Singapore is to find the right balance between complementing the local talent pool with migrant workers, and providing good jobs for the local workforce. Foreign manpower at “different skill levels” is expected to “complement” the local workforce, so as to “grow the overall size of the economy” in order to compete more effectively on the global stage and also “allow [Singaporeans] to take on higher wage jobs that commensurate with their education and aspirations” (Chan 2020). A Singaporean core workforce is considered key to business continuity so as not to rely entirely on foreigners for critical skillsets.

In this light, Singapore invests heavily in skills upgrading and retraining for the local population in order to enhance its competitiveness in growing industries higher up the value chain, while filling skills shortages with foreigners with the eventual aim of transferring skillsets to the local population. Manual jobs perceived as “essential” but low-skilled and lacking in social prestige tend to be shunned by the local population, and sectors such as construction, cleaning, garbage collection and domestic work are dominated by the foreign workforce (Tai 2020).

Diversification of Labour Sources and its Limits
An associated challenge is to “manage the externalities associated with too high a concentration of any particular foreign labour source” (Chan 2020). While Singapore is a diverse, cosmopolitan and inclusive society, “constant fine-tuning” is needed to “manage the number and quality of the foreign complement to strike a good balance between economic needs and social acceptance” (Chan 2020). At the skilled level, control of foreign labour is not based on source-country and the employer has the latitude to decide irrespective of nationality as long as the Fair Consideration Framework is adhered to.

While a diversification of source countries is important, however, there are also criteria that are perceived to influence the likelihood of and limits to social integration. For example, Malaysians are considered to have the advantages of social and cultural similarity and geographical proximity while Filipino professionals face fewer language barriers and are well placed to adapt to working and living in Singapore. In contrast, a lack of facility with the English language is an important communication barrier for job seekers from non-English speaking countries. Apart from cultural and language factors, skills mismatch in specific

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7 Unless otherwise indicated, the discussion in this section is based on interviews conducted with stakeholders (see list in Annex B) as part of the study.

8 The Fair Consideration Framework (FCF) sets out requirements for all employers in Singapore to consider the workforce in Singapore fairly for job opportunities. Employers should not discriminate on characteristics that are not related to the job, such as age, gender, nationality or race (see Ministry of Manpower, https://www.mom.gov.sg/employment-practices/fair-consideration-framework).
occupations between source-country training and Singapore employers’ requirements is a major barrier to skilled labour mobility in the ASEAN region.

At the work permit level, sources are controlled using quotas in order to avoid over-reliance on any one source-country. Over time, these quotas are adjusted in the light of fluctuating demand and supply. The situation is highly dynamic, as certain sources may dry up as economies grow and absorb more labour, or other competing destinations become more attractive.

**Work Permit Holders: Skills Training, Migration Costs and Social Protection for Domestic Workers**

As of December 2019, there were 999,000 work permit holders in Singapore, of which the largest occupational group was construction workers (293,300) (Manpower Research & Statistics Department, Ministry of Manpower 2019). While no official nationality figures have been released, it is commonly known that the majority of migrant construction workers are from South Asia. In contradistinction, foreign domestic workers employed in Singapore households, totalling 261,800 (Manpower Research & Statistics Department, Ministry of Manpower 2019), are mainly sourced from ASEAN countries. Again, while there are no official nationality figures, it is clear that Indonesia and the Philippines are the key source countries, with Myanmar ranked after these two countries while much smaller numbers come from Cambodia and non-AMS such as Sri Lanka, Bangladesh and India. Given the interest in ASEAN labour mobility, it was decided to focus on foreign domestic workers in discussing labour mobility issues pertaining to work permit holders.

One key challenge identified is the mismatch in skills in the recruitment and placement of foreign domestic workers. A study conducted by the Centre for Domestic Employees (CDE) revealed that where 98% of the sample of 1,000 foreign domestic workers felt that they have been trained, only over 50% of the employers felt that the domestic workers have been trained. Employers, who have to pay large upfront fees in order to employ foreign domestic workers (see later), tend to expect that employment agents bear the responsibility of ensuring that the workers deployed to their households are fully trained. This perception that employers are entitled to well-trained domestic workers may be one reason why few employers take on the responsibility of sending workers for further training. Despite government subsidies (subject to means testing) for short, on-the-job training courses, the take-up rate is not high. Meanwhile, employment agents in Singapore are heavily dependent on their source-country counterparts to provide training at source.

The current demand-driven model is hence based on training the potential worker in the source country, bringing in the worker into Singapore when an employment opportunity arises, and deploying the worker to the employer’s household within a short time (around two days) after arrival in Singapore. As the quality of training in source countries vary significantly, the mismatch between the employer’s expectations and the worker’s skills may drive a wedge in the employer-worker relationship and, in worst case scenarios, culminate in the repatriation of the worker. This model also does not give the foreign domestic worker sufficient time to acclimatize to the culture, language and way of living in Singapore.

Domestic worker training is better organized and of higher quality in some countries such as the Philippines than others. Source-country training is predicated on legal recruitment channels. It is currently illegal for Myanmarese to be recruited to Singapore as domestic workers. A ban had been imposed for some time and had not been officially lifted at the time
of writing, although women are still leaving Myanmar on various passes including as tourists in order to seek employment in Singapore as foreign domestic workers. Until the ban is lifted, official training centres in Myanmar for overseas domestic work cannot be established. Source-country training conducted underground is of highly variable quality. Even with the establishment of national training standards when domestic worker recruitment is legalised, enforcement will continue to be a challenge as it will take a number of years to deal with the current state dominated by unofficial recruitment channels. Achieving a more ideal state of training and management of domestic worker mobility will take time.

With regard to skills training within Singapore, the country has embarked on working on standardising training standards for domestic workers. The AOP (assessment only pathway) was adopted by the Centre for Domestic Employees (CDE) to assess workers on skills such as cleaning, cooking and ironing based on WSQ standards. This is a last mile calibration where a worker who passes the assessment would receive WSQ certification. The aim is to allow agencies to market WSQ-certified workers as trained workers at a higher pay. However, take-up has been slow, with about 200 domestic workers having received WSQ certification at the time of the interview with CDE.

Another important issue relating to domestic worker mobility among ASEAN countries concerns recruitment and placement fees and loans incurred both in the source country and on arrival in Singapore. On average, a foreign domestic worker employed in Singapore accumulates total debts of up to six months of her monthly salary. This entire amount is first paid upfront by her employer when the employment contract is signed, and then repaid by the foreign domestic worker through salary deductions. This arrangement may prove counterproductive from both the employer’s and worker’s perspectives. On the one hand, employers who have already paid large placement fees upfront may harbour high expectations of the worker and become reluctant to incur further costs for training, or may be thwarted by the employment agent when requesting to change an unsuitable worker. On the other hand, workers may feel compelled to work off their debts regardless of abusive situations so as to be able to go home debt free. They may also feel that they are unable to leave their employment as their family members would then be held accountable by the recruitment agents in source countries for their debts.

Another area of concern relates to social protection of foreign domestic workers. While there is no statistically reliable evidence showing whether domestic worker abuse cases as a whole have trended up or down in recent years, the number of serious cases of physical abuse reported has remained quite stable. The top five types of abuse are: salary issues (salary shortfall, late payment, withholding salary or non-payment); insufficient food and rest, verbal abuse, illegal deployment (whether at another/multiple households or hawker centres, or working at the employer’s home-based business such as packing goods or ironing clothes for sale); and physical abuse.

Apart from these main areas of concern, restrictions in religious practices (such as handling pork in cooking, using non-halal utensils and not wearing the tudung for Indonesian Muslim domestic workers) may inflict emotional or psychological distress. Retention of the worker’s passport is not frequently reported as abuse, although this practice still occurs – with some domestic workers requesting their employers to do so for safekeeping – despite regulations to curb the practice. Passport retention, however, may be less damaging to the worker than withholding the worker’s salary. The former does not inflict immediate pain on the worker while the latter may mean that her family is deprived of remittances.

Labour mobility among skilled workers in the ASEAN region poses fewer issues than that of domestic workers, particularly in the case of those on EP who earn considerably higher salaries. Compared to Filipino domestic workers, Filipino IT professionals, for example, enjoy more favourable terms of employment and tend not to seek help from the Philippine Embassy. In fact, many in the professional category are willing to take up employment in Singapore even if the contract does not comply with the minimum standards of Philippine law. For example, they may be willing to waive their rights to having certain clauses (required by Philippine law) in their contracts, such as clauses specifying that the worker can only be terminated for valid reasons, or that repatriation costs would be borne by the employer.

Skilled workers such as healthcare workers on the mid-level S-Pass do not enjoy all the privileges attached to the EP. Foreign healthcare workers on the S-Pass tend to occupy a lower rank in healthcare sector (for example, as enrolled nurses or nursing aides rather than registered nurses), are paid a lower salary compared to their local counterparts in the same rank, and for the majority, are unable to have their family members migrate with them to Singapore. These conditions mean that for many S-Pass holders, Singapore may not be a viable place to work in the long term, but a stepping-stone to gain working experience for a few years before heading elsewhere such as Canada, the United States of America and Europe where there is the possibility of working towards permanent residency and unifying the family. For those offered upskilling opportunities, higher salaries and promotion up the ranks, they may be prepared to stay longer in Singapore. In the wake of the COVID-19 pandemic and the global upsurge of competition for essential healthcare workers, these incentives to build and retain a strong pipeline of foreign healthcare workers may become increasingly pressing.

Implementing Enforcement Measures
As shared earlier, there are three major challenges in enforcing immigration measures in Singapore. One is that of illegal workers masquerading as tourists to gain entry into Singapore. It is often not easy to distinguish illegal border-crossers from bona-fide travellers and to deny the illegal workers entry into the country. A second challenge is the difficulty in identifying and punishing culprits who harbour or employ over stayers and illegal immigrants due to the multiple layers of sub-letting or sub-contracting in the rental and employment markets respectively. Finally, considerable resources are sometimes required to repatriate over stayers and illegal immigrants who are not in possession of travel documents or lack the funds to pay for their passage home.
4 Lessons Learned

Stringency in Enforcement Measures
Strong and stringent enforcement of immigration and labour laws provides an important foundation to build a well-regulated system of labour mobility. Efficient checkpoint screening processes and technological innovation have helped to sieve out illegal workers at entry points and keep ex-offenders away. The use of technology has helped in investigations to bring errant employers and harbourers to book. Maintaining good relationships with foreign diplomatic missions in Singapore has also facilitated the repatriation of over stayers or illegal immigrants.

Well-regulated recruitment and employment channels, buttressed by clear penalties for transgression and the consistent enforcement of immigration and labour laws, mean that “people generally do not want to test the system”. This has served Singapore well as “there is little incentive to follow the irregular route when there are proper employment routes”. Strong law enforcement also closes the implementation gap, engendering “confidence the contractual terms will not be changed and the laws will not be violated”. The availability of legal recourse is also important as it confers assurance that “there are legal implications for both employers and employees [if contracts are not being followed]. The workers can get deported and the employers get penalized and barred from hiring foreign workers”.

Strong enforcement standards, which uphold the integrity of the regulatory framework, are also important for their signalling effect. For example, in 2018, MOM suspended the licence of an employment agency who advertised their foreign domestic worker services in an undignified manner. The key appointment holders and employment agency personnel were also taken to task not only to emphasize the importance of abiding with regulations but also to send a signal that unethical market practices would not be tolerated.

Closing the Skills Gap in Enhancing Domestic Worker Mobility
As mentioned in Section III, one of the key challenges in the recruitment and placement of domestic workers relates to the mismatch of expectations regarding skills training in a demand-driven model. In response, a pilot scheme known as the Advanced Placement Scheme that potentially overcomes some of the constraints of the demand-driven model was put to the test a few years ago. Under this scheme, the Singapore government worked with selected employment agencies to bring in a batch of potential domestic workers for training in Singapore, housing them and helping them acclimatise to living in Singapore before placing them in agencies for hire when they were ready. The scheme would potentially offer an alternative to reliance on source-country training that is variable in quality across countries, from the well regulated to the underground and unlicensed.

However, the scheme was not well received as a result of the high cost burden incurred by the employment agents. The agencies who brought in the workers had to bear the costs of housing, food and training until the workers were successfully placed in households. They also incurred additional costs to house and/or repatriate workers who were eventually not

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9 Unless otherwise indicated, the discussion in this section is based on interviews conducted with stakeholders (see list in Annex B) as part of the study. Quotation marks indicate direct quotes from specific interviewees.
matched with Singapore employers. It was difficult to transfer the increased cost to prospective employers as the higher fees for hiring such workers would be a deterrent. Transferring the cost burden to the workers would have been counter-productive, resulting in them incurring even greater debts. While the Advanced Placement Scheme offered “a ready solution [to skills mismatch] and a good model”, the industry was “not ready to implement” the scheme: “Employers who are very sensitive to price differences are unwilling to bear the high costs incurred. The entire market is very price sensitive and a few hundred dollars’ difference may make a difference between choosing agent A or agent B”.

The Advanced Placement Scheme was piloted with domestic workers of different nationalities. If successful, the scheme would facilitate greater diversification of sources and reduce reliance on a narrow band of countries. Around 400 Cambodians took part in the pilot scheme, and while there are still a few agencies that continue to bring in Cambodian workers today, the scheme did not take off. The main challenges with training Cambodians for domestic work in Singapore include language issues stemming from lower proficiency in English and cultural adjustment issues. This suggests that apart from equipping workers with specific skills for responsibilities such as housework, eldercare and childcare, attention also needs to be paid to less tangible areas such as language facility, communication skills and socio-cultural adaptability.

**Alternative Models of Financing Domestic Worker Mobility**

The prevailing model for domestic worker mobility accounts for migration costs by requiring employers to pay agents upfront for these costs and then recover them from domestic workers in their employment through salary deductions. This arrangement has negative consequences for both employer and worker. The employer becomes captive to a non-recovery situation where, for example, the upfront payment can only be recovered through resorting to a claims tribunal should the domestic worker break her contract. The domestic worker too is financially vulnerable as she has to take on large loans in order to migrate, tying her down to her employer who is also her financier. More attention needs to be given to devising alternative models for more sustainable domestic worker mobility.

In this direction, CDE is piloting an insurance plan for placement fees and loans as an alternative model. In this scheme, rather than having the employer pay the placement fee upfront to the agent, the employer pays monthly salaries into the worker’s bank account and part of the salary is deducted from the account to pay the agent in order to service the debt. If the domestic worker breaks her contract before the debt is fully repaid and if she qualifies under certain criteria (for example, severe illnesses, death, permanent disabilities), the insurance plan would kick in. The scheme is designed not only to prevent the employer from being the financier, but also to discourage employment agents from exploiting the worker in order to recover their investment, such as by continuously churning and redeploying an unsuitable domestic worker elsewhere while chalking up placement fees. The cost of the insurance plan is to be covered by the agent as it insures the agent against losses if the domestic worker has good reasons to end her contract before repaying her debts. This will ameliorate the negative repercussions of indebtedness on the domestic worker and enhance the financial sustainability of domestic worker mobility.
Enhancing Social Protection Measures for Foreign Domestic Workers

Improving the welfare of foreign domestic workers involves educating both employers and employees on their respective obligations and responsibilities. With regard to workers, CDE disseminates information about employment rights through volunteer and ambassador networks formed by the domestic workers from different nationalities. Ambassadors are trained in basic employment right issues so that they can provide advice to their fellow domestic workers. Volunteers reach out to foreign domestic workers, providing specially designed flyers and answering simple questions.

Measures targeted at employers include comprehensive regulations specifying employers’ obligations and responsibilities in hiring foreign domestic workers, including paying salary in a timely manner, providing safe working conditions and paying for medical treatment costs. In 2019, several measures have also been announced to improve the match between employer and domestic worker, including providing free dispute resolution services and providing more factual information (such as employment history) on both the worker and employer during the hiring stage. Engaging international organisations is also underway, and CDE is currently working with ILO on issues relating to promoting anti-abuse, anti-harassment and anti-violence.

Adjustments to Skilled Mobility in Times of Uncertainty

With regard to skilled workers, Singapore operates a well-regulated system of labour migration to support economic growth. In times of increased uncertainty and persistently depressed economic conditions, this system would have to be recalibrated to balance the national imperative to provide good jobs for the local population and the need for foreign labour in the skilled and highly skilled categories. Even prior to the onslaught of the COVID-19 pandemic, automation and technological progress were considered essential to improve labour productivity and economic performance. The pandemic has further accelerated the move in this direction in a time of stalled mobility. At the same time, the increased barriers to mobility in these times may also encourage employers to retain well-performing foreign labour with extended contracts, as this reduces the costs associated with recruitment and retraining.

To build greater resilience in the system also requires diversifying the sources of foreign labour so as not to be overly reliant on a few nationalities. Again, this has become even more crucial as border closure/opening becomes less predictable in the face of new waves of the pandemic. Having a diverse workforce continues to be important to multinational corporations operating across multiple national borders, as well as in the newer sunrise industries (for example, cyber-security) where the local supply of workers with the desired skillsets is constrained.
5 Recommendations and Opportunities for Cooperation

Strong Enforcement Measures to Reduce Irregular Migration
As Singapore’s experience shows, strong enforcement of immigration and labour laws is essential in order to reduce irregular migration in the ASEAN region. At the same time, stringent enforcement needs to be accompanied by well-regulated labour mobility pathways with clear and transparent criteria. The best way to disincentivize the use of irregular channels is to develop clearly defined and accessible migration pathways and routes to overseas employment for different skill levels. The use of technology to enhance border-screening processes, make information available to potential migrants and facilitate legal migration presents itself as an important area for cooperation among AMS. A comprehensive approach to dealing with irregular migration in the ASEAN region should include designing safe and regular migration in all skill categories, and not just for those at the highly-skilled level.

Differentiated System of Work Passes and Permits to Cater to Different Skill Levels
Singapore’s experience as a labour-receiving country at all skill levels provides opportunities for the exchange of information and best practices on the operations of a differentiated system of work passes and permits for recruiting foreign labour with different skillsets to meet labour shortages. Updated information on each and every category of work visas should be made available to potential migrants on a comprehensive website to facilitate the flow of accurate information crucial to migrants’ and employers’ decision-making. For example, Singapore’s Ministry of Manpower website provides information on eligibility criteria and other conditions pertaining to work visas for professionals, skilled and semi-skilled workers, trainees and students, family members and exemptions (see https://www.mom.gov.sg/passes-and-permits). It also guides applicants through each step of the process in a systematic manner. A possible area of collaboration between countries would be to have the website available in different languages. A tiered system of work passes and permits based primarily on skills and qualifications, however, implies social stratification and needs to be balanced with measures to promote migrant integration (Global-is-Asian Staff 2017).

Skills Development and Training to Close the Skills Gap
The importance of skills mobility to the ASEAN region’s continuing economic growth and industrial upgrading has been affirmed in ASEAN agreements and vision documents, and discussed in different policy papers (Papademetriou et al. 2015; Testaverde et al. 2017; Yue et al. 2019). For skills mobility among member states to become “a positive sum game for both receiving and sending countries” (Yue et al., 2019, 78), cooperation on skills training and the exchange of labour market information on areas with skills shortages would be a significant step forward. Apart from specific skills required by the occupational category, language, communication and cultural adaptation skills also need to be given greater attention to facilitate migrants’ social integration in receiving countries. Skills development and training are not only important for enhancing mobility among skilled professionals, but as this report shows, also ensures a better match between foreign domestic workers and their employers. Closing the gap in skills standards and expectations between sending and

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10 Examples include the ASEAN Qualification Reference Framework (AQRF) providing guidelines for comparing qualifications across member states, and the AEC Blueprint 2025 that reaffirms the importance of facilitating the movement of skilled labour and business visitors in the region (Yue et al., 2019).
receiving countries is hence an important area of cooperation in order to enhance intra-regional circulation of skills at different skills levels.

Reducing Migrant Worker Recruitment Costs for Sustainable Labour Mobility
Dependence on commercial intermediaries and for-profit recruiters to move migrants (including ASEAN nationals) between source and destination is a prominent feature of low-skilled migration systems in Asia and the Gulf. Policies to improve labour mobility in the ASEAN region need to begin by “recognizing that recruitment is a business where costs can be lowered and protections for workers improved” (Martin 2014). Sending and receiving countries need to cooperate on better regulation of the migration industry to achieve more “equitable distribution of the potential gains from migration between migrant workers, employers, and the recruitment industry in countries of origin and destination”. Alternative models of financing low-skilled labour migration that eliminate recruitment malpractices, reduce migrant indebtedness and increase the sustainability of contract-based temporary migration need to be given more attention. For example, member states could cooperate on piloting different models for the recruitment and placement of domestic workers in working towards more sustainable labour mobility in the region.

Improving Social Protection for More Vulnerable Migrant Workers
It is widely acknowledged that while foreign domestic workers play an important role in plugging household care deficits in receiving countries, they face a broad spectrum of vulnerabilities stemming from their working environments (Fong and Yeoh 2020). In recent years, international organisations have laid out international labour standards to recommend and facilitate decent work conditions for domestic workers (Tayah 2016). While these efforts have served to move the needle toward recognizing domestic work as “real work” and in codifying international norms of decent work (Koh et al. 2017; Yeoh, Goh, and Wee 2020), they need to gain more traction on the ground (Marti 2019). In this context, social protection measures should also focus on strengthening legal protection against abuse as well as educating both employers and employees on their respective obligations and responsibilities.
### Table 1: Source Countries and Maximum Period of Employment for Work Permit Holders by Sector

<table>
<thead>
<tr>
<th>Sectors</th>
<th>Source Countries</th>
<th>Type of Worker</th>
<th>Maximum Period of Employment</th>
</tr>
</thead>
</table>
| **Construction; Process; and Marine Shipyard** | - People's Republic of China (PRC)  
- Non-traditional sources (NTS):  
  - India  
  - Sri Lanka  
  - Thailand  
  - Bangladesh  
  - Myanmar  
  - Philippines | Basic-Skilled (R2)  
[i.e. those holding SEC, SEC(K) in the construction sector.] | 14 years |
|  |  | Higher-Skilled (R1)  
[i.e. those who have been upgraded through various means in the construction sector.] | 26 years |
|  | - Malaysia  
- North Asian sources (NAS):  
  - Hong Kong (HKSAR passport)  
  - Macau  
  - South Korea  
  - Taiwan | All Sectors | No maximum period of employment |
| **Manufacturing; and Services** | - People’s Republic of China (PRC) | Basic-Skilled (R2) | 14 years |
|  |  | Higher-Skilled (R1) | 22 years |
|  | - Malaysia  
- North Asian sources (NAS):  
  - Hong Kong (HKSAR passport)  
  - Macau  
  - South Korea  
  - Taiwan | All sectors | No maximum period of employment |
### Table 2: Levy Rates for S-Pass and Work Permit Holders in Singapore

<table>
<thead>
<tr>
<th>Pass/Sector</th>
<th>Characteristics</th>
<th>Quota (%)</th>
<th>Skill Level</th>
<th>Monthly Levy Rate</th>
<th>Daily Levy Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>S-Pass</td>
<td>Service + All other sectors</td>
<td>Up to 10% of the total workforce</td>
<td>Basic / Tier 1</td>
<td>$330</td>
<td>$10.85</td>
</tr>
<tr>
<td></td>
<td>Service</td>
<td>Above 10% to 13% of the total workforce</td>
<td>Tier 2</td>
<td>$650</td>
<td>$21.37</td>
</tr>
<tr>
<td></td>
<td>All other sectors</td>
<td>Above 10% to 20% of the total workforce</td>
<td>Tier 2</td>
<td>$650</td>
<td>$21.37</td>
</tr>
<tr>
<td>Work Permits</td>
<td>Malaysians and NAS</td>
<td>Basic-Skilled</td>
<td>$700</td>
<td>$23.02</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Higher-Skilled</td>
<td>$300</td>
<td>$9.87</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>NTS and PRC</td>
<td>Basic-Skilled, on MYE</td>
<td>$700</td>
<td>$23.02</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Higher-Skilled, on MYE</td>
<td>$300</td>
<td>$9.87</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Basic-Skilled, MYE waiver</td>
<td>$950</td>
<td>$31.24</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Higher-Skilled, MYE waiver</td>
<td>$600</td>
<td>$19.73</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing</td>
<td>Basic Tier/Tier 1</td>
<td>Up to 25% of the total workforce</td>
<td>Basic-Skilled</td>
<td>$370</td>
<td>$12.17</td>
</tr>
<tr>
<td></td>
<td>Tier 2</td>
<td>Above 25% to 50% of the total workforce</td>
<td>Basic-Skilled</td>
<td>$470</td>
<td>$15.46</td>
</tr>
<tr>
<td></td>
<td>Tier 3</td>
<td>Above 50% to 60% of the total workforce</td>
<td>Basic-Skilled</td>
<td>$650</td>
<td>$21.37</td>
</tr>
<tr>
<td></td>
<td>Marine Shipyard</td>
<td>Basic-Skilled</td>
<td>$400</td>
<td>$13.16</td>
<td></td>
</tr>
<tr>
<td>Process</td>
<td>Basic-Skilled, on MYE</td>
<td>$450</td>
<td>$14.80</td>
<td></td>
<td></td>
</tr>
<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Higher-Skilled, on MYE</td>
<td>$300</td>
<td>$9.87</td>
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<tr>
<td></td>
<td>Basic-Skilled, MYE waiver</td>
<td>$750</td>
<td>$24.66</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Higher-Skilled, MYE waiver</td>
<td>$600</td>
<td>$19.73</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Services</td>
<td>Basic Tier / Tier 1</td>
<td>Up to 10% of the total workforce</td>
<td>Basic-Skilled</td>
<td>$450</td>
<td>$14.80</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Higher-Skilled</td>
<td>$300</td>
<td>$9.87</td>
</tr>
<tr>
<td></td>
<td>Tier 2</td>
<td>Above 10% to 25% of the total workforce</td>
<td>Basic-Skilled</td>
<td>$600</td>
<td>$19.73</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Higher-Skilled</td>
<td>$400</td>
<td>$13.16</td>
</tr>
<tr>
<td></td>
<td>Tier 3</td>
<td>Above 25% to 38% of the total workforce</td>
<td>Basic-Skilled</td>
<td>$800</td>
<td>$26.31</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Higher-Skilled</td>
<td>$600</td>
<td>$19.73</td>
</tr>
<tr>
<td>Foreign Domestic Worker</td>
<td>Normal (1st foreign domestic worker)</td>
<td></td>
<td></td>
<td>$300</td>
<td>$9.87</td>
</tr>
<tr>
<td></td>
<td>Normal (subsequent foreign domestic worker)</td>
<td></td>
<td></td>
<td>$450</td>
<td>$14.80</td>
</tr>
<tr>
<td></td>
<td>Concessionary</td>
<td></td>
<td></td>
<td>$60</td>
<td>$1.98</td>
</tr>
<tr>
<td>Confinement Nanny*</td>
<td>New born is a Singapore citizen</td>
<td></td>
<td></td>
<td>$60</td>
<td></td>
</tr>
<tr>
<td></td>
<td>New born is non-Singapore citizen</td>
<td></td>
<td></td>
<td>$300</td>
<td></td>
</tr>
</tbody>
</table>
*If employers have another foreign domestic worker registered under their name, they will pay a combined monthly levy fee.

| Performing Artiste^ | First 8 artistes | $450 | |
| | 9 and above | $750 | |
^If employers fail to maintain at least 1 local employee, they will be charged higher levy for all the artistes.
### Table 3: Types of Work Passes in Singapore and Entitlements

<table>
<thead>
<tr>
<th>Pass type</th>
<th>Eligible foreigners</th>
<th>Additional features</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1) Highly-Skilled Workers</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Employment Pass (EP)              | • Foreign professionals, managers and executives holding acceptable degrees, professional qualifications and relevant experiences.  
• Minimum salary (adjusted through the years): at least S$3,900 per month.  
• Have acceptable qualifications.  
• More experienced applicants need higher salaries | • Eligible to apply for permanent residency (PR).  
• EP is granted for particular employer and prior permission is needed for the change of employer.  
• No restrictions on nationality.  
• EP holders earning S$6,000 a month can bring in their spouses and children on either Dependant’s Pass or Long Term Visit Pass (LTVP)\(^\).  
• EP holders earning S$12,000 a month can bring in parents.  
• Can marry Singaporeans |
| EntrePass                         | • Eligible foreign entrepreneurs wanting to start and operate a new business in Singapore.                                                                                                                                                                                                                                                        | • Eligible to apply for PR.  
• EntrePass holders can bring in:  
  • spouses and children\(^\) if their total annual business spending is at least S$100,000 and they employ either 3 LQS or 1 local PME\(^\)*  
  • parents\(^\) if their total annual business spending is at least S$200,000 and they employ either 6 LQS or 2 local PME.  
• Can marry Singaporeans. |
| Personalized Employment Pass (PEP)| • High-earning existing EP holders or overseas foreign professionals.  
• Minimum salary:  
  • For current EP holders, S$12,000 a month;  
  • For overseas professionals, S$18,000 a month (within six months prior to applying)  | • Eligible to apply for PR.  
• The PEP offers greater job flexibility than an EP.  
• PEP holders can bring in spouses, children and parents on either Dependant’s Pass or LTVP\(^\).  
• Can marry Singaporeans. |

\(^\) Legally married spouses and unmarried children under 21, including those legally adopted, will receive a Dependant’s Pass. Common-law spouse, unmarried handicapped children above 21, unmarried stepchildren under 21 and parents will receive a LTVP.

* LQS are Singaporeans/Permanent Residents who earn a monthly salary of at least $1,400, and receive CPF contributions for at least 3 months. PMEs are professionals, managers or executives with a monthly salary of at least $3,600 and receive CPF contributions for at least 3 months. 3 LQS = 1 PME.
| (2) Mid-Skilled Workers | S-Pass | • Mid-level personnel;  
|                         |       | • Monthly salary: at least S$2,400 a month and meet the assessment criteria.  
|                         |       | • Employers are subject to a quota and levy for S-Pass employees.  
|                         |       | • Employers must provide medical insurance.  
|                         |       | • S-Pass holders earning at least S$6,000 a month are eligible to apply for Dependant’s pass for their legally married spouse and/or unmarried children under 21 years old, including legally adopted children.  
|                         |       | • Can marry Singaporeans  
|                         | Work Permit for Foreign Worker (WP) | • Low to mid-skilled foreign workers in the construction, manufacturing, marine shipyard, process or services sector.  
|                         |       | • Sector-specific rules relating to quota, levy and nationality apply  
|                         |       | • Employers must buy a security bond (S$5,000) for non-Malaysians and medical insurance (coverage of S$15,000) for all WP holders.  
|                         |       | • Employers must provide acceptable housing.  
|                         |       | • Not allowed to apply for PR.  
|                         |       | • Not allowed to bring in dependents.  
|                         |       | • A current or former WP holder intending to marry a Singaporean or PR must seek approval from the Ministry of Manpower (MOM). MOM may refuse to give approval for the marriage to take place. A former WP holder whose last held work pass was upgraded to EP, S-Pass, or is now a Singaporean or PR need not seek permission.  
|                         |       | • For those required to seek approval but failed to do so, their privilege to work in Singapore could be withdrawn. They may also be prevented from entering Singapore for a period of time.  
| (3) Low to Mid-Skilled Workers | Work Permit for Foreign Domestic Worker | • Foreign domestic workers working in Singapore.  
|                         |       | • Age must be between 23 and 50 years at the time of application.  
|                         |       | • Minimum 8 years of formal education with a recognized certificate.  
|                         |       | • Approved source countries, security bond and levy requirements.  
|                         |       | • Medical and personal accident insurance.  
|                         |       | • Every six-monthly medical examinations.  
|                         |       | • Employers must provide acceptable accommodation.  
|                         |       | • Not allowed to apply for PR.  
|                         |       | • Not allowed to bring in dependents.  
|                         |       | • Not allowed to marry a Singaporean or PR in or outside Singapore without approval from the Ministry of Manpower. This applies even after their work permit is expired, cancelled or revoked.  

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| Work Permit for Confinement Nanny | • Malaysian confinement nannies to work in Singapore for up to 16 weeks starting from the birth of the employer’s child.  
• Age must be between 23 and 70 at the point of application.  
• Work at employer’s residence only. | • Non-renewable and levy payable.  
• Must be a Malaysian.  
• Not allowed to apply for PR.  
• Not allowed to bring in dependents.  
• Not allowed to marry a Singaporean. |
| Work Permit for Performing Artiste | • For foreign performers working in public entertainment outlets such as bars, hotels and nightclubs.  
• Minimum age is 18 years old.  
• WP is valid for six months only.  
• Not allowed to apply for another WP for 1 year thereafter. | • Non-renewable and levy payable.  
• All nationalities allowed.  
• Not allowed to apply for PR.  
• Not allowed to bring in dependents.  
• Not allowed to marry a Singaporean. |

*Information presented in this table are valid as of 15 July 2020.*
Annex

Annex A. Research Methodology

The researchers adopted a highly participatory research process when writing this report. Active consultations with relevant AMS officials and other relevant stakeholders, including government bodies, the civil society, trade unions and employers were conducted.

Information for this report were gathered through the following three methods:

(1) Reviewing official documents and data that are currently in effect at the national order to illustrate how the regulatory framework to manage the mobility of migrant workers is designed to work, from work permit application requirements to adjudication procedures in cases of complaints. Where possible, the study will also examine data on AMS’ success at meeting objectives. Data on entry and stay measures, incorporation measures, exit measures and enforcement measures were reviewed.

(2) Conducting a comprehensive qualitative survey among key officials with direct and expert knowledge on the existing laws and policies governing the management of migrant workers at the national level. The survey covered the four categories noted above and explored questions pertaining to:
   a. The different types of entry, residence and work permits currently in operation in Singapore;
   b. The existing procedures and eligibility criteria professionals must meet to qualify for these various permits;
   c. The types of civic, political and socio-economic rights foreign workers are entitled to in the region;
   d. Exit permits and other regulations managing return to the county of origin;
   e. Enforcement measures to ensure that workers and other actors abide the existing laws and migration policies; and
   f. Insights on progress and challenges in implementations and opportunities for cooperation among AMS.

(3) Conducting structured key informant interviews either over email or face-to-face with five key informants in Singapore including key government officials, embassy personnel including labour attachés, migrant organizations and business federation. Following a pre-established but flexible protocol designed to allow some degree of natural conversation and free association, the interviews focused on identifying the current regulatory and policy challenges and opportunities in managing labour mobility within ASEAN. Specifically, the interviews covered:
   a. Key challenges in managing the mobility of migrant workers in the region;
   b. Potentially viable measures that can promote labour mobility in the region (in particular in the CLMV countries) as well as enhance the management of migrant workers, especially in occupations under 8 MRAs in ASEAN;
   c. Possible opportunities for AMS to learn from each other's' experiences on labour mobility (peer learning); and
   d. Possible opportunities for AMS to collaborate on measures to reduce irregular labour migration and abusive migration practices in the ASEAN Region.
Annex B. List of Individuals Consulted and Interviewed

<table>
<thead>
<tr>
<th>Key Informants</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Manpower</td>
<td>Qualitative Survey A, Qualitative Survey B and Structured Interview</td>
</tr>
<tr>
<td><a href="https://www.mom.gov.sg/">https://www.mom.gov.sg/</a></td>
<td></td>
</tr>
<tr>
<td>Immigration &amp; Checkpoints Authority (ICA)</td>
<td>Qualitative Survey A, Qualitative Survey B. Did not respond to Structured Interview</td>
</tr>
<tr>
<td>Embassy of the Philippines (Labour Attaché)</td>
<td>Structured Interview</td>
</tr>
<tr>
<td>Singapore National Employers Federation</td>
<td>Structured Interview</td>
</tr>
<tr>
<td><a href="https://snef.org.sg/">https://snef.org.sg/</a></td>
<td></td>
</tr>
<tr>
<td>Centre for Domestic Employees (CDE)</td>
<td>Structured Interview</td>
</tr>
<tr>
<td>Migrant Workers’ Centre</td>
<td>Structured Interview</td>
</tr>
<tr>
<td>Singapore Nursing Board</td>
<td>Did not respond to request for Structured Interview</td>
</tr>
<tr>
<td><a href="https://www.healthprofessionals.gov.sg/snb">https://www.healthprofessionals.gov.sg/snb</a></td>
<td></td>
</tr>
<tr>
<td>Singapore Tourism Board</td>
<td>Replied that they do not have relevant inputs on the issues raised within the Structured Interview</td>
</tr>
<tr>
<td><a href="https://www.stb.gov.sg/content/stb/en.html">https://www.stb.gov.sg/content/stb/en.html</a></td>
<td></td>
</tr>
</tbody>
</table>
Annex C. List of Documents Reviewed

1. Singapore Work Passes and Permits for Foreign Labour (respective sub-pages within)
   [specific rules for each sector]

2. Employment of Foreign Manpower Act (EFMA)

3. Immigration & Checkpoints Authority of Singapore (ICA) Annual Statistics Report

4. Immigration Act Singapore

5. Singapore Standard Occupational Classification 2015

6. Guide to Employment Permits for Foreign Workers in Singapore

7. Key Features of Work Permit Pass (highlighting ease of hiring Malaysians)
   https://singaporeemploymentpass.com.sg/work-permit-singapore/

8. Levy and quota calculator
Annex D. References


Tai, J. 2020. "Essential workers important but only 17% polled want to do the job." In The Straits Times. Singapore: SPH.


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