

6-STEP GUIDE TO HIRING A MIGRANT DOMESTIC WORKER

I WANT TO HIRE A MIGRANT DOMESTIC WORKER!

Feeling clueless or overwhelmed about hiring a migrant domestic worker? Unsure about where to find accurate and accessible information? This 6-step Guide is exactly what you need before hiring, developed by [IOM](#) - the United Nations Migration Agency - it provides some practical tips about ethical recruitment that you may find helpful. This way, you can be more at ease when hiring a domestic worker.

Hiring During COVID-19 Pandemic:

Please be aware of possible delays or standstill in the visa and documents processing of domestic workers. Make sure to regularly check the Government's and relevant Consulates' websites and their social media platforms.

This document is relevant for the recruitment of all domestic workers, regardless of responsibilities; whether they are being hired primarily for elderly care, child care, cleaning or cooking, they all go through the same recruitment process.

For more information, please visit:
Labour Department's website
www.fdh.labour.gov.hk
dedicated to migrant domestic workers.

STEP 1

Ask yourself whether you are ready to hire!

Preparation is key! This will save money, time as well as resources and avoid unnecessary conflicts with your domestic worker.

- ▶ Are you financially capable of hiring a domestic worker?
 - Minimum household income per month requested by the authorities: HKD15,000.
- ▶ Are you able to pay a salary of no less than the minimum allowable wage?
 - Minimum allowable wage per month: HKD4,630¹.
- ▶ Are you able to pay a monthly food allowance or provide adequate food?
 - Food allowance per month: HKD1,121.
- ▶ Are you able to pay any additional costs that may arise due to COVID-19?
- ▶ Are you able to provide sufficient protective materials such as masks, gloves, hand sanitizer, etc.?

¹ The Hong Kong SAR, China Labour Department adjusts the minimum allowable wage regularly.

- ▶ Ensure that you pay costs related to accommodation and food for workers during quarantine period.
- ▶ Are you able to provide health insurance?
 - According to Hong Kong SAR, China law, you must have employee compensation insurance for any domestic worker you hire.
- ▶ Are you able to provide suitable accommodation and reasonable privacy?
 - Avoid situations where domestic workers have to share a room with a teenager or an adult family member of the opposite sex, or sleep in living rooms, corridors, kitchens, washrooms, and storage rooms on makeshift beds above washing machines and cupboards.
- ▶ Are you a Hong Kong SAR, China resident?

STEP 2

Know your needs clearly!

Before hiring a migrant domestic worker, ask yourself what you need and expect from a domestic worker.

- ▶ Have you spoken to your family members about hiring a migrant domestic worker? Are they happy with your decision to do so? Do they have any concerns or worries? If yes, talk to them about it and resolve issues before the domestic worker arrives at home.
- ▶ What skillset of the worker is most important to you?
 - What are your primary reasons for hiring a domestic worker? Child care? Household chores? Elderly care? A combination?
- ▶ Be reasonable in your expectations with workers.
 - If you need help taking care of an elderly family member and/ or infant, be mindful that migrant domestic workers may have specific training but they are not professional nurses or nannies.
 - Communicate your specific needs with your agency so they can find the right person that matches your needs.

STEP 3

Estimate the total amount of hiring costs!

Understand the costs; apart from paying recruitment fees to your employment agency (on average between HKD7,500 – 14,000), there are a number of costs involved in hiring a migrant domestic worker. Keep in mind that every case is different and that there may be additional costs such as medical examination fees; authentication fees by the relevant Consulate; visa fee; insurance fee; and administrative fee. During COVID-19, additional costs may include food and shelter.



Items	Costs in HKD
Average recruitment fees	7,500-14,000
Minimum allowable wage per month	4,630
Food allowance per month (if you do not provide food)	1,121
Mandatory Employee's Compensation Insurance per year	350-1,000
Return flights	2,000-5,000

STEP 4

Conduct due diligence when choosing an employment agency!

If you do not choose to hire directly² but through an employment agency, remember to conduct due diligence to mitigate any potential risks associated with using their recruitment services. When hiring is done fairly, you as well as the domestic worker you hired will benefit from having chosen an ethical employment agency. You will benefit because the agency is motivated to find a worker who will be a good match for your family, and benefits because they start their job free from recruitment debt. A happier worker means more productivity and lower turnover rates.

What is human rights due diligence?

Due diligence is a comprehensive and ongoing review to assess the potential risks associated with entering an agreement with another party. Due diligence is usually voluntary. The process should include assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed.

² Employers may submit the required documents and fees directly to the Immigration Department and the Consulates concerned.

How do I conduct due diligence as an individual?

At a minimum, you should make sure that the employment agency respects the following:

- ▶ Maximum chargeable recruitment fee of 10% workers' first month's salary. Ideally, there is no charge to the worker!
- ▶ Freedom of movement: employment agencies cannot hold workers' passports and other identity documents.
- ▶ Transparency of terms and conditions of employment: employment agencies must provide workers with written contracts in a language each worker understands, detailing the terms and conditions of employment.
- ▶ Confidentiality and data protection: employment agencies should treat all personal data that they collect, receive, use, transfer or store as strictly confidential. No data can be communicated to any third party without the worker's informed written consent.
- ▶ Access to help: workers should have unrestricted access to any available materials and resources, if they experience problems during the recruitment and/ or employment phase.



Research

- ▶ Check the Labour Department's Employment Agencies Portal <http://www.eaa.labour.gov.hk/en/disclaimer-convicted.html> to see all the licensed agencies in Hong Kong SAR, China as well as agencies that have been convicted.
- ▶ Check the agency's website and/ or its social media accounts. Does it seem trustworthy? Are there any clients' ratings?
- ▶ Search online for any news about the agency.



Be aware & alert

- ▶ Pay attention if the agency does any of the following:
 - Offers low prices.
 - Offers an 'exit to Macao SAR, China' option.
 - Offers unusually fast processing.



Ask

- ▶ Stay informed by asking both the agency and the domestic worker what the conditions of the placement were.
- ▶ Ask the agency for a detailed breakdown of costs for yourself and domestic worker.
- ▶ Ask the agency who you should contact in case of any problems.
- ▶ Ask the agency if they have any grievance mechanisms.
- ▶ Ask domestic workers what they actually paid.
- ▶ Ask if they have access to their passport.

STEP 5

Prepare all the documents you need!

There are three documents that both you and your migrant domestic worker need to provide. Make sure that all of these documents are completed and signed to avoid any delays.

- ▶ **A. 'Standard Employment Contract':**
Which is the only contract accepted by the Immigration Department.
- ▶ **B. 'Domestic Helper's Visa Application Form':**
To be completed and signed by your migrant domestic worker, including photograph.
- ▶ **C. 'Employer's Application for Employment of Domestic Helper from Abroad Form':**
To be completed and signed by you. This form is for the application for the employment of a domestic worker from abroad.




STEP 6

Welcome your migrant domestic worker to your home!

You made it! After completing all necessary steps to hire a migrant domestic worker, the day has finally come and the domestic worker arrives. Help the worker adjust well to your home by:

- ▶ Providing adequate time to rest before their first working day.
- ▶ Giving clear instructions, especially with regard to cleaning requirements and frequency under pandemic.
- ▶ Respecting cultural and religious differences.
- ▶ Setting regular meetings to check in with them and addressing any potential issues early.
- ▶ Being mindful about the risks they may face such as excessive agency fees, deceptive recruitment, discrimination, etc.
- ▶ Setting rules specific to COVID-19:
 - Wash hands immediately after coming home;
 - Use protective materials at all times;
 - Avoid unnecessary contact with elderly family members.



If you do all of this both you and the domestic worker you hired will reap the benefits!

For any additional information, contact us at
▶ iomhongkongoffice@iom.int

About IOM

As the United Nations Migration Agency, the International Organization for Migration (IOM) has a global presence with 173 member states and offices in more than 100 countries. The IOM Sub-Office in Hong Kong SAR, China has actively committed to promote ethical recruitment of migrant domestic workers. We conduct awareness-raising seminars with employers of migrant domestic workers, develop an interactive e-learning course and study about employers' understanding and attitudes towards ethical recruitment.





For more information, please contact:

IOM Hong Kong SAR, China Sub-Office

E-mail: iomhongkongoffice@iom.int

Government contacts:

Immigration inquiry

Immigration Department (hotline)

2824 6111

Labour issues inquiry

Labour Department (hotline)

2157 9537

Consulates:

Bangladesh: 2827 4278

Cambodia: 2546 0718

India: 3970 9900

Indonesia: 2890 4421

Myanmar: 2845 0810

Sri Lanka: 2581 4111

Thailand: 2521 6481

The Philippines: 9155 4023



