

Guidelines on Acceptable Accommodation for Foreign Workers

Ganesh Rengasamy
Housing Enforcement Branch
17 January 2013
Fire Safety Manager Briefing 2013



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Objective

- To outline basic standards for foreign worker accommodation.
- Employers of foreign workers are required to ensure that their foreign workers have acceptable accommodation that does not compromise their safety and well-being.
 - MOM has received feedback that employers are unsure of the housing standards they need to comply with.
 - Employers' service providers, including FSMs, should also be aware of these standards and not abet employers who house workers in unacceptable accommodation.

Legislation: requirement to ensure foreign workers have acceptable accommodation

- Employment of Foreign Manpower (Work Passes) Regulations (First Schedule, Part II, Condition 4)
“The employer shall also ensure the foreign employee has acceptable accommodation. Such accommodation must be consistent with any written law, regulation, directive, guideline, circular or other similar instruments issued by the Government of Singapore.”
- Non-compliance constitutes an offence under Employment of Foreign Manpower Act (EFMA).
- Maximum penalty has been increased to \$10,000 and / or 12 months imprisonment per offence since 9 Nov 2012.

Legislation: requirement to ensure foreign workers have acceptable accommodation

- EFMA Section 23(1)

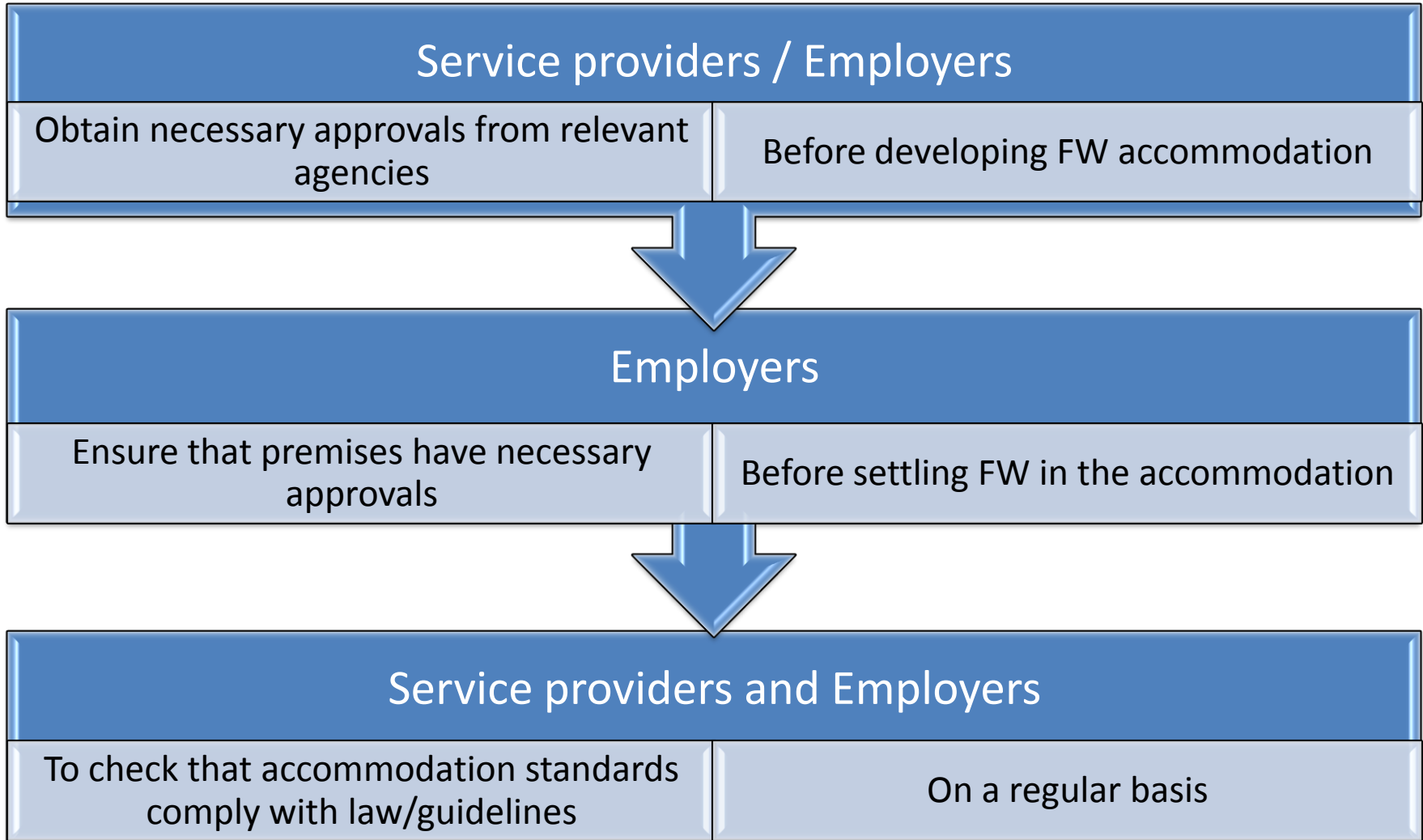
“Any person who abets the commission of an offence under this Act shall be guilty of the offence and shall be liable on conviction to be punished with the punishment provided for the offence.”

- Service providers used by employers may be liable to an abetment offence if they are found to have instigated, conspired or intentionally aided the employer in housing foreign workers in unacceptable conditions (e.g. QPs, FSMs, dormitory operators).

What is acceptable accommodation?

- Accommodation that has all the necessary approvals from government agencies *before* it is used to house foreign workers.
- After obtaining all the necessary approvals, the relevant statutory requirements are *continued to be complied with*.
- E.g. factory must have all the relevant approvals from BCA, NEA, URA and SCDF (specifically, Fire Safety Certificate) before it can be considered an approved workers' dormitory and be used to house workers. After it is an approved dormitory, it must be continue to be well-maintained and kept within it allowed occupant load.

Acceptable accommodation for foreign workers



MOM's enforcement against service providers

- ST9 Pte Ltd
 - Operator of factory-converted dormitory.
 - Premises was found to be severely overcrowded.
 - Fined \$50,000.
- Sun Huan Construction
 - Employer of foreign workers who helped to house his sub-contractors' workers.
 - Premises was found to be severely overcrowded.
 - Fine \$10,000.

Specific guidelines on acceptable accommodation

MOM considers foreign worker accommodation to be acceptable only if the accommodation meets the following:

- i. Structural safety (BCA): Building Control Act and Building Control Regulations 2003.
- ii. Fire safety (SCDF): Fire Safety Act and Fire Code 2007.
- iii. Proper drainage and sanitation (PUB and NEA): Drainage and Sewerage Act, Code of Practice on Sewerage and Sanitary Works and Code of Practice on Surface Water Drainage.
- iv. Environmental public health (NEA): Environmental Public Health Act and Control of Vector and Pesticides Act.

Specific guidelines on acceptable accommodation

- v. Adequate shelter: Accommodation must adequately protect workers from environmental elements such that well-being, safety and health are not endangered.
- vi. Adequate water supply and pressure: Including designing for indirect water supply system if necessary.
- vii. Adequate ventilation: The accommodation, facilities and common areas used by the occupants must be properly and adequately ventilated.
- viii. Adequate toilet and bathing facilities. These must be in good working conditions as they are needed for a clean and hygienic environment.

Specific guidelines on acceptable accommodation

- ix. Secure storage of personal belongings: Secured lockers or cupboards must be accorded to the FWs to secure the personal belongings from tampering and theft.
- x. Safeguarding of privacy: Personal privacy must be accorded to the FW in the accommodation and private utilities areas.

Next Steps

- MOM will release acceptable accommodation guidelines.
- Guidelines will provide clarity on existing foreign worker housing requirements, as well as stipulate additional requirements that are deemed necessary to be considered as acceptable accommodation for foreign workers.
- Additional guidelines will be promulgated on a promotional basis.
- Employers and service providers are encouraged to take the opportunity to comply with standards.
- In the longer term, MOM intends to gazette these guidelines into law, under the EFMA.

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