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TRANSLATION OF SUARA NEWSPAPER ARTICLE

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Published 4 March 2011
Translated by PathFinders

75% Pregnant Domestic Worker are Indonesian Migrant Workers

ABOUT 75% of former foreign domestic workers who become pregnant outside of marriage in Hong Kong are Indonesian migrant workers. This was disclosed by PathFinders, a non-governmental organization based on their service experience for more than three years.

In an interview with SUARA on Monday (21/2), Director of PathFinders Kylie Uebergang said for more than three years, the agency provides services to 420 clients, including mother and child. According to her, from the 420 clients, approximately 75% of them are Indonesian or former Indonesian Migrant Workers.

Case Manager of PathFinders Luna Chan added, the agency has handled 150 clients who are pregnant, since the period from January 2008 until December 2010, and about 75% of them are former Indonesian Migrant Workers. According to her explanation, from the 150 client, 110 of them had violated the residence permit (overstayed).

"This is a common problem for Indonesia when the number of migrant workers in Hong Kong continues to grow. An increasing number of Indonesian migrant workers nearly double of those from the Philippines," Kylie Uebergang said in her office in Prince Edward area.

According to data from Hong Kong Immigration, Indonesian Migrant Workers in Hong Kong has reached 140,941 people until end of December 2010. In the same period, the number of Filipino Domestic Workers in Hong Kong is 137,313.

Separately, former Indonesian Migrant Workers who overstayed and pregnant, First Consul Consular Hari Budiarto also expressed his concern. According to him, the Consulate General of Republic Indonesia (Consulate General) has been trying to reach out and help solve their problems.

"Currently, I cannot mention how many. But clearly, we help resolve their legal problems with Hong Kong Immigration, as well as seeking their repatriation," said Hari.

According to Kylie, some migrant workers were experiencing termination of employment contracts when they are pregnant and others are unable to obtain or renew a new employer after the employment contract ends. After losing the job, they could not find a new job and then overstayed.

That is when they face multiple problems. Besides not having a job and no residence permit, they are also pregnant or have to raise their baby. "In fact, they could not work during pregnancy. Therefore, we also provide assistance for their baby needs," Kylie said.

"They can sue employer who fired them during the pregnancy," she added.

In the case of labour lawsuit was filed, PathFinders works with Christian Action. Based on Hong Kong law, if an employer dismisses a Domestic Worker who is pregnant without any errors, the employer could be fined up to HK \$ 100,000.

In addition, employers also must pay to their Domestic Worker one month salary compensation, "one month notice", annual leave money that has not been paid, and money for 10 weeks of maternity leave.

75% PRT hamil adalah BMI

* Temuan PathFinders selama 3 tahun terakhir

Oleh **Benu**

SEKITAR 75% mantan pekerja rumah tangga (PRT) asing yang hamil di luar nikah di Hong Kong adalah buruh migran Indonesia (BMI). Hal itu diungkapkan oleh PathFinders berdasar pen-

galaman pelayanan lembaga swadaya masyarakat itu selama lebih dari tiga tahun terakhir.

Dalam wawancara dengan SUARA, Senin (21/2), Direktur PathFinders Kylie Uebergang mengatakan selama lebih dari tiga tahun lembaga itu memberi

pelayanan kepada 420 klien, termasuk ibu dan anak. Menurut penuturannya, dari 420 klien tersebut, sekitar 75% di antaranya adalah orang Indonesia atau mantan BMI.

Manajer Kasus PathFinders Luna Chan menambahkan, lembaga itu telah

menangani 150 klien yang hamil, sejak periode Januari 2008 sampai Desember 2010, dan sekitar 75% di antaranya adalah mantan BMI. Menurut penjelasannya, dari 150 klien itu, 110 di

Problem...halaman 2

Problem yang dihadapi jadi berlipat ganda

Dari halaman 1 antaranya telah melanggar izin tinggal (overstayed).

"Ini merupakan problem umum bagi Indonesia ketika jumlah buruh migrannya di Hong Kong terus bertambah. Peningkatan jumlah buruh migran Indonesia mencapai dua kali lipat jika dibandingkan dengan Filipina," kata Kylie Uebergang di kantornya di kawasan Prince Edward.

Menurut data Imigrasi Hong Kong,

jumlah BMI di Hong Kong telah mencapai 140.941 orang sampai akhir Desember 2010. Pada periode yang sama, jumlah PRT Filipina di Hong Kong adalah 137.313 orang.

Secara terpisah, terkait mantan BMI yang overstay dan hamil, Konsul Konsuler I Hari Budiarto juga menyatakan keprihatinannya. Menurutnya, Konsulat Jenderal Republik Indonesia (KJRI) telah berusaha mendekati dan membantu menyelesaikan masalah mereka.

"Saat ini, saya belum bisa menye-

but berapa jumlahnya. Tapi yang jelas, kami membantu penyelesaian masalah hukum mereka dengan Imigrasi Hong Kong, termasuk juga mengupayakan pemulangan mereka," kata Hari.

Menurut Kylie, sebagian buruh migran itu mengalami pemutusan kontrak kerja saat mereka hamil dan sebagian lainnya tidak dapat memperoleh majikan baru atau memperpanjang kontrak setelah masa kerja berakhir. Setelah kehilangan pekerjaan itu, mereka tidak dapat menemukan pekerjaan baru dan

kemudian menjadi overstayed.

Saat itulah, mereka menghadapi problem berlipat ganda. Sebab, selain tidak memiliki pekerjaan dan tidak ada izin tinggal, mereka juga hamil atau harus membesarkan bayinya. "Pada kenyataannya, mereka tak bisa bekerja selama hamil. Karena itu, kami juga memberi bantuan untuk kebutuhan bayi mereka," kata Kylie.

"Mereka dapat menggugat majikan yang memecatnya selama masa hamil," tambahnya.

Dalam hal mengajukan gugatan ketenagakerjaan itu, PathFinders bekerja sama dengan Christian Action. Berdasar hukum Hong Kong, jika majikan memecat PRT yang sedang hamil tanpa ada kesalahan apa pun, majikan itu bisa dikenai denda hingga HK\$ 100.000.

Selain itu, majikan juga harus membayar kepada PRT itu uang pengganti satu bulan gaji, uang "one month notice", uang cuti tahunan yang belum dibayar, dan uang cuti hamil selama 10 minggu.