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PathFinders' Study: Over 80% of Migrant Domestic Worker (MDW) Employers Think They Can Dismiss an MDW Due to Pregnancy

Study displays employers' low levels of knowledge of MDW maternity rights plus a lack of societal support to address employers' needs

A survey conducted by PathFinders indicates that MDWs are more prone to unlawful dismissals and coerced resignation due to pregnancy. According to the survey, while employers are heavily reliant on MDWs to run their households, they generally lack knowledge of MDW maternity rights and protection, and hold negative opinions of MDW pregnancies. The organisation urges the community to work together to address the issue and come up with relevant solutions to ensure both employers' and MDWs' rights are adequately safeguarded, fundamentally to protect and respect the unborn child.

Key findings of the survey:

- Main reasons for hiring MDWs include carrying out household chores (93%), childcare (67%) and eldercare (32%). This points to a heavy reliance on paid domestic help to run households.
- Employers predominantly used employment agencies to search for and hire their MDWs (99%). All also believed employment agencies should assist employers in the case of an MDW pregnancy.
- Employers demonstrated low levels of knowledge of maternity protections available to MDWs under labour and anti-sex discrimination regulations. Only 51% of respondents were aware MDWs are eligible for maternity leave.
- Employers were negative towards statements that were "in favour" of pregnant MDWs while being more positive towards statements in their interest. 81% did not know MDWs can take legal action if their employers fail to provide maternity leave, while 84% said they could dismiss their pregnant MDW as she would not be able to perform her work duties
- 66% of statements from employers said they felt nonprofits supported MDWs more than employers and there was a lack of regulation to support employer needs and concerns.

"As much as we find the survey results unsettling, they also reaffirm our ongoing effort to raise awareness of MDW maternity protections amongst diverse stakeholders, reinforce the importance of mutual understanding, open communication between employers and MDWs, as well as validate our need to work closely with employment agencies," said Carmen Lam, Deputy CEO of PathFinders. "From what we see, despite legal protections, unlawful dismissal of MDWs

is still perpetuated in our society. We must do everything we can to break this cycle so that no child's future is compromised."

"To achieve this, we suggest that affordable and viable market solutions be created for employers to maintain the running of their households, while also ensuring job security for a pregnant MDW. With high dependency of employers on employment agencies to support during an MDW pregnancy, agencies have to be provided with accurate information to enable them to play an ethical role to support both MDWs and employers. Most importantly, public-awareness must be increased to facilitate greater understanding of MDW maternity protections," said Radha Shah, Senior Manager, Research & Policy of PathFinders.

In the past 6 years, PathFinders has supported an average of 250 clients annually. Approximately 50% of them approached PathFinders for assistance with a pregnancy related workplace disagreement. The organisation has been bridging this gap by providing case management, healthcare, employer mediation, and legal referrals, supporting the health security and futures of thousands of MDW mothers and children. To support employers and employment agencies, the organisation has made accurate information easily accessible on its website and developed a resource booklet to guide employers to manage their next steps when their MDW is pregnant.

This survey was conducted in 2020 with the aim to better understand employers' views of MDW pregnancies and their understanding of MDW maternity protections. 103 questionnaires were collected and completed by approaching employers of MDWs on the streets across Hong Kong.

For detailed survey results, please click here:

[Understanding Employer Attitudes Towards MDW Pregnancies and their Knowledge of Maternity Rights](#)

About PathFinders

PathFinders is the only Hong Kong charity dedicated to supporting the unique vulnerabilities of children born to migrant mothers. Since 2008, PathFinders has supported almost 9,200 mothers and children to find a path to a brighter future.