

## PathFinders Launches New Report on Systemic Barriers Hong Kong Employers Face in Providing Maternity Protections for Migrant Domestic Workers

*Employer Case Studies Highlight Need for Practical Solutions and Policy Reform*

**HONG KONG, 1 September 2025** – Hong Kong charity PathFinders releases a new report, revealing systemic gaps employers face in providing maternity protections for migrant domestic workers (MDWs).

Based on its findings, the report proposed several key recommendations. These include mandating and developing training for employers on MDWs' maternity rights, policy reform to improve MDW access to maternity leave, and exploring creating an MDW maternity insurance rider.

The new report, "*Policy in the Home: Hong Kong Employers Confront Migrant Domestic Worker Pregnancy*," is the third in a series of employer-focused research reports published by the local charity. It highlights significant challenges Hong Kong employers face in providing legally mandated maternity protections to pregnant MDWs.

Hong Kong's 368,000 MDWs are the main source of childcare and eldercare, enabling the socioeconomic participation of approximately one million people. While MDWs in Hong Kong are legally protected from dismissal due to pregnancy and eligible for maternity leave, their workplace realities tell a different story: pregnancy remains taboo, and employers lack resources to respond humanely or lawfully.

PathFinders' previous [Employer Survey Report \(2022\)](#) found that 51% of respondents were unaware of statutory maternity protections, and 84% mistakenly believed they could terminate contracts if the MDW is pregnant.

This new report presents a more focused study that aims to understand how Hong Kong employers might respond to a pregnancy notification from their MDW. It features four in-depth interviews of Hong Kong employers, reflecting systemic gaps that leave MDWs vulnerable to discrimination, unlawful termination, and separation from their newborns.

### **Four In-depth Case Studies: Policy vs. Reality**

Each employer was asked what they would do if their MDW became pregnant and presented with legal limitations to contract termination, removing the MDW from their home, and sourcing a replacement (shown on page 13 of the report).

They discussed how an MDW pregnancy would impact their household, and how they would interpret labour regulations to provide maternity leave while continuing to run their households. Here are summaries of the four cases (pseudonyms used and shown on pages 16 - 24 of the report)

- Mary hopes to achieve a “mutual agreement” to end the contract
- Kelly deems Hong Kong “not the time and place” for pregnancy for MDWs
- Henry calculates an unfair financial settlement despite an “exchange of hearts” domestic management philosophy
- Daisy tries to follow the law but finds herself indirectly intimidating her MDW into resigning

The study analysed employers' responses, which show their knowledge gaps around MDW maternity rights and echo the challenges they face within the FDH system. “I think I will be very stressed because I’m not sure how I can manage the legal requirements in Hong Kong. I would have to check the standard practices to know how I can work within them,” said Daisy, reflecting a common uncertainty among employers following a pregnancy notification.

The study also showed how such a knowledge gap among employers could result in discrimination against pregnant MDWs. Kelly expressed her view that MDWs should not be pregnant in Hong Kong because they are only here to work. “It's actually the same idea: the helpers are here for a reason, correct? To make money so that they can send it back home to their family. So, it's not the time and place to be pregnant,” she said. Her responses raised questions about why employers may not value MDW reproductive healthcare rights.

The report highlights how important labour regulations are for establishing fair and equal working standards for MDWs - including maternity rights. It also surfaced how the live-in rule compounds spatial constraints in Hong Kong employers’ small apartments and thrusts impossible choices upon both employers and MDWs.

#### **Systemic Gaps and PathFinders’ Key Recommendations:**

The report cites four major systemic gaps in MDW equal access to maternity leave:

- Low employer knowledge of MDW maternity protections
- Insufficient guidance for employers managing MDW pregnancies
- FDH maternity leave policy gaps
- Lack of maternity leave insurance and temporary replacement work options

It elaborates on corresponding recommendations to support employers with managing MDW maternity leave and calls for collaboration between policymakers, insurers, employment agencies, and other key stakeholders (shown on pages 28 - 35 of the report).

#### **Next Steps:**

The report included a real case of Reyna (pseudonym), an MDW who delivered prematurely in Hong Kong. Reyna spent her maternity leave separated from her infant, who remained in intensive care.

After she returned to work, she juggled hospital visits between completing housework and signed an agreement stating she would not bring the baby to her employer's home once discharged. Reyna had worked for the same employer for a decade, and despite her efforts to balance childcare and look after her employer's household, eventually, her contract was terminated.

Without practical solutions and policy reform, vulnerable MDW mothers and their children will continue to face unemployment, homelessness, and separation. PathFinders has been at the forefront of efforts to protect the best interests of vulnerable MDWs and their newborns, tackling the social inequalities they face every day.

PathFinders urges the government, insurers, employment agencies, and relevant parties to consider this report's recommendations and collaborate to build a more just, supportive, and equitable system for Hong Kong's MDW community.

**Access the Report:**

Full findings and recommendations:

<https://www.pathfinders.org.hk/research-publications/policy-in-the-home/>

For PathFinders' previous research and publications:

<https://www.pathfinders.org.hk/category/research-publications/>

**About Pathfinders:**

Established in 2008 on the belief no child should be born alone and deprived of an identity, basic supplies, healthcare and shelter, PathFinders ensures some of the most vulnerable and unsupported children in Hong Kong are protected and respected, and their migrant mothers are empowered to find a path to a brighter future.