

Perkhidmatan tenaga pakar telah dilaksanakan oleh
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Disahkan oleh :



#MyMUDAH Programme

An Effort to Reduce Unnecessary Regulatory Burdens on Business :

COMPLICATIONS AND CHALLENGES IN HIRING A DOMESTIC HELPER

| Bilik Mesyuarat Pejabat YB Menteri, Unit Perancang Ekonomi, Jabatan Perdana Menteri |

Business Concern(s)

1. Lack of 'systematic' process :-

1. Transparent recruitment amongst industry players.
2. Arbitrary capping of the recruitment charges i.e. from source country and domestically . Fees saturation amongst license and illegal agencies.
3. Ambiguous agreements from source country, immigration and industry players .
4. Individualized compensation skim set forth by industry players.
5. Relocation of domestic helpers from an unsuitable employer to another(employer)
6. Retention of passport.
7. Salary mode of salary payment.
8. Illegal domestic helpers (maid) agency/operators.

Stakeholder(s)

1. *KDM*
2. *JTK*
3. *JIM*
4. *PDRM*
5. *POEA*
6. *FOREIGN MISSIONS*
7. *MOH(FOMEMA)*
8. *MOFA*
9. *LHDN*

Assessment/Analysis/Root cause

- ❖ Long waiting period for an approval for a Domestic Helper.
- ❖ The delay apparently caused by several factions and predominantly by JIM
- ❖ The Employer needs the Domestic helper on urgent basis
- ❖ It takes 42 days for a legitimate Agency to deploy a helper to employer.
- ❖ Need vs legality – Employer chooses to illegal agencies for ready supply of the helper
- ❖ The Helpers too need income to support the families- delay affects both parties
- ❖ SOM –(System Maid Online)Illegal operator supplies domestic helper who have entered the country with a Social Visit Pass(30 days) to potential employers with a hefty fees.(RM 5-8 K)
- ❖ No pre-departure medical(for SOM candidates)- if unfit ,employer bear the losses- no replacement .
- ❖ The governing need to establish a dedicated governing body to monitor and scrutinize
- ❖ Domestic helper is yet to be regarded as a worker under Employment Act

continue.....

Stakeholders

JIM

JTK

FOMEMA

MAID AGENCIES

KDN

LHDN

MOFA

Assessment/Analysis/Root cause

- ❖ The maid agencies are running like a *Little Napoleon*. They decide and dictate
- ❖ Decent and fair working day for the Domestic Helper
- ❖ There shall be a basic scope of work with a reasonable load.
- ❖ To avoid morning Employer's mother house, evening Employer's house weekend Employer's sister house etc. this routine shall be strictly forbidden
- ❖ Decent food and place to rest.
- ❖ Reasonable communication space with her family abroad.
- ❖ Remittance may be made transparent.
- ❖ Travel documents retention with permission, safe keeping.
- ❖ Finally licensed maid employment agencies pay 250 k to operate but illegal with no cost. Effect of the delay in curbing this issue, inevitably would invite more to migrate from legal operation to other side.

Stakeholders

JIM

JTK

FOMEMA

MAID AGENCIES

KDN

LHDN

MOFA

Assessment/Analysis/Root cause

Document required

APPLICATION PROCESS

- ❖ Visa with Reference(VDR)
- ❖ Calling Visa
- ❖ Sistem Maid Onlin
- ❖ [Checklist](#)

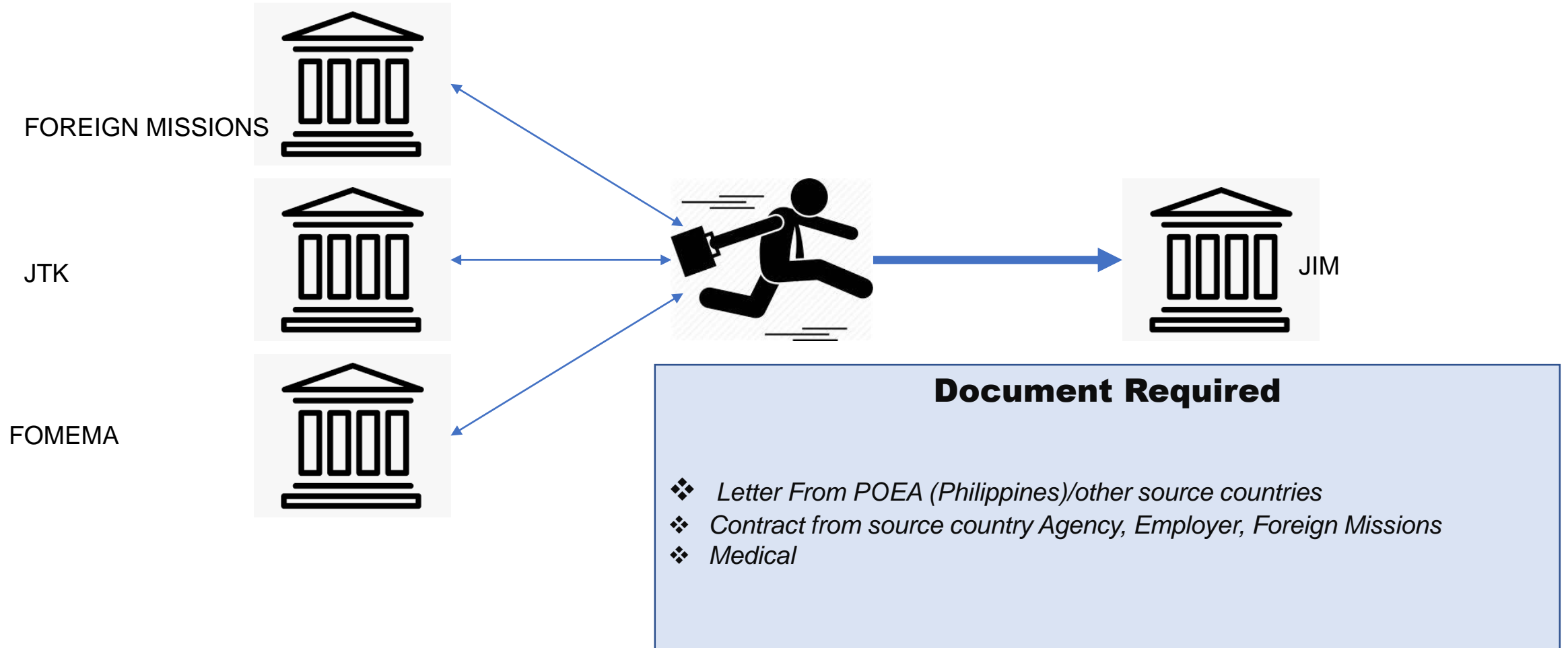
RENEWAL APPLICATION

- ❖ My-eg – Kad Pengenalan Majikan
Surat kelulusan VDR (asal)

❖ *Note:*

Rampant cases of exploitation and misappropriation of the renewal process of **runaways Helpers** without the Employers' knowledge/consent. Conspiracy amongst the rent-seekers and My-eg staffs.

Assessment/Analysis/Root cause

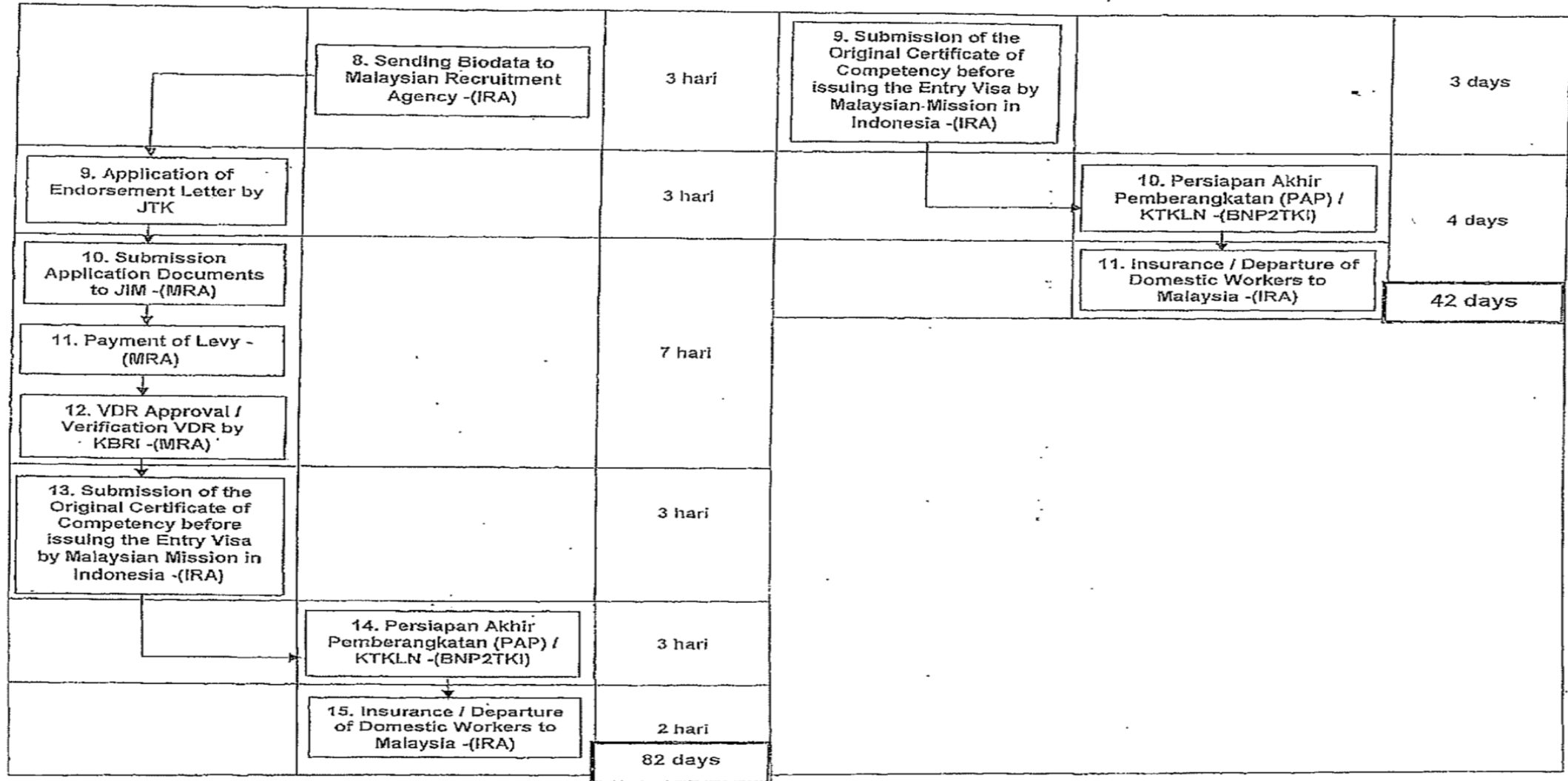


Assessment/Analysis/Root cause

LAMPIRAN 1

FLOW CHART ON THE RECRUITMENT AND PLACEMENT OF INDONESIAN DOMESTIC WORKERS			REVISED FLOW CHART ON THE RECRUITMENT AND PLACEMENT OF INDONESIAN DOMESTIC WORKERS		
MALAYSIAN SIDE	INDONESIAN SIDE	TIME FRAME	MALAYSIAN SIDE	INDONESIAN SIDE	TIME FRAME
	1. Signing Demand Letter	1 day -(KBRI)		1. Signing Demand Letter	1 day -(KBRI)
	↓			↓	
	2. Surat Ijin Perekrutan	2 days -(MOMT)		2. Surat Ijin Perekrutan	2 days -(MOMT)
	↓			↓	
	3. Recruiting Candidates -(IRA)	3 minggu		3. Recruiting Candidates - (IRA)	7 days
	↓			↓	
	4. Preparing Documents of the Candidates -(IRA)	1 minggu		4. Preparing Documents of the Candidates, Passport, Medical and Psychology Test -(IRA)	5 days
	↓			↓	
	5. Medical and Psychology Test -(IRA)	2 hari	6. Application of Endorsement Letter by JTK	5. Training (200 hours) / Sending Biodata to Malaysian Recruitment Agency -(IRA)	20 days
	↓		↕	↕	
	6. Training (200 hours) - (IRA)	21 hari	7. Contract of Employment Verification by JTK -(MRA)	7. Contract of Employment Verification by Indonesian Missions in Malaysia - (MRA)	
	↓		↓		
			8. Submission		

Assessment/Analysis/Root cause



Assessment/Analysis/Root cause

- i. The challenge in the regime is “TIME” i.e. waiting time.
- ii. In the event of the immediate need for a Helper, the employers cant wait for such a long period of time(42 days)
- iii. Demand **failed** to meet the supply(legal recruitment)
- iv. Malaysia is not a lucrative destination
- v. Malaysia reckoned to be a training ground, before the helpers chooses another destination.
- vi. Non standard and highly complicated bureaucratic procedure amongst various Immigration offices in Peninsula
- vii. insignificantly burdensome – Employers ended up being morally exhausted
- viii. The above opens the floodgate of illegal hiring of the Helpers ,which is almost instantaneously available!.
- ix. System Maid Online – new initiative which confuses the public at large i.e. the supply of the helpers? Mainly done via illegal agents who supplies to the employer for an exorbitant fee. Eventually ending up in disorganized situations.
- x. Application waiting Time
- xi. Renewal Waiting time

Assessment/Analysis/Root cause

- **Justification :-**

- I. A centralized hub to scrutinize the recruitment process of the domestic helpers which would ensure that all applicant(employer) and the Helper are reasonably assessed and screened prior engagement by both parties.
- II. Fee need to be discussed with the stake holder and to set a regularized fee regime and shall be endorsed by Ministry of Finance.
- III. Single contract platform to be signed by the Domestic helper and the agencies mandatorily to be endorsed by the Embassies/High Commissions
- IV. Periodic/regular inspection at premises to monitor the situation and living condition of the said Domestic helper this would regulate and discipline both employer and Domestic helper to adhere to their responsibilities and duty.
- V. There shall be one platform for a complaint management bureau - members of the public and channel any unwarranted incidents in their neighborhood and it shall also linked to regulators i.e. JIM and JTK.

Assessment/Analysis/Root cause

- **Centralized hub for recruitment of domestic helpers.**

- A Lead agency to represent and be accountable for the Praise and complaint (Hotel services model)

- **Fee determination –**

- unsystematic fee regime – Individualized capping.

- **Agreement scrutinization –**

- Tripartite contract scheme which appear to be confusing amongst parties.

- **Inspectorate exercise –**

- to conduct random checks in premises ; and extensive delay for an application for 3rd Helper due to inspection visit.

- **Complain management mechanization.**

- **JTK/JIM**

- self-governing with different set of rules and jurisdiction

- **Black list Employers with bad record/history**

- **Lead maid Agency Association(i.e.PIKAP) to be contact point with the regulator as a moderator.**