

Stakeholders laud better social security protection

**NATION**

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PETALING JAYA: Industry leaders say the latest Social Security Coverage Expansion for Domestic Workers is necessary for better social security protection.

Malaysian Maid Employers Association president Engku Ahmad Fauzi Engku Muhsein said all domestic workers – local or foreign – are set to benefit from this.

"This is very welcome indeed and we thank Socso for extending this benefit to all domestic workers. It will relieve the costly burden of contingencies from the shoulders of employers," he said when contacted yesterday.

Without this social security coverage, Engku Ahmad Fauzi said employers would have to bear all medical and hospitalisation expenses should any accident happen to their domestic workers during their employment.

With contribution at only 1.25% of their monthly wages, he said Socso would now take care of all that instead of the employers.

"We hope for an efficient and successful implementation. We will inform all our members accordingly and work closely with Socso and all the maid agencies," he added.

Medico Legal Society of Malaysia founding member and past president S. Radhakrishnan said extending social security protection to domestic workers based at homes was unprecedented in the country.

"Socso's effort in widening its scope of coverage and benefits to include more workers from time to time is laudable," he said.

"As those who hire domestic workers are mostly the elderly who need help in the household, proper guidelines are necessary on the scheme.

"What to do and submit and the processes involved are not going to be easy for these people, especially if they are not tech-savvy or computer-literate.

"Will they be fined or punished if they fail to comply with the statutory requirement or make contributions late?" he said.

Civil Litigation lawyer Joshua Kong welcomed the change but pointed out that it however fell short of granting domestic workers basic employment rights, such as restrictions on the number of hours they were required to work per day, the right to have rest days and leave, and maternity protection.

"Unless we do away with calling domestic workers 'domestic servants' as they are known by law under the Employment Act 1955, no serious discussion about these individuals' legal rights is likely to take place," he said.

Association of Women Lawyers vice-president Meera Samanther concurred, saying it was "important we change the terms because we need employers to treat them as workers".

"Under the Domestic Violence Act 1994, protection is not given to 'domestic servants' as they are referred to.

"Since it is supposed to cover injuries during employment, will it cover cases of domestic violence where domestic workers suffer injuries from beatings, abuse or physical violence?

"There is no definition of what injury is and domestic violence is physical injuries under the Penal Code," she said.

Meera noted that the definition of work hours was another ambiguity as live-in domestic workers did not work nine to five.

"There should be an exception to domestic workers because we cannot regulate working hours for them if injuries are only compensated during the course of work hours.

"It is a totally good idea but we need to understand who and what does it cover," she said, adding that a clear set of guidelines was needed to make it work.

Meera said domestic workers must be covered under the Domestic Violence Act so that apart from being compensated for injuries, they were able to get a protection order in the event of employer abuse.

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