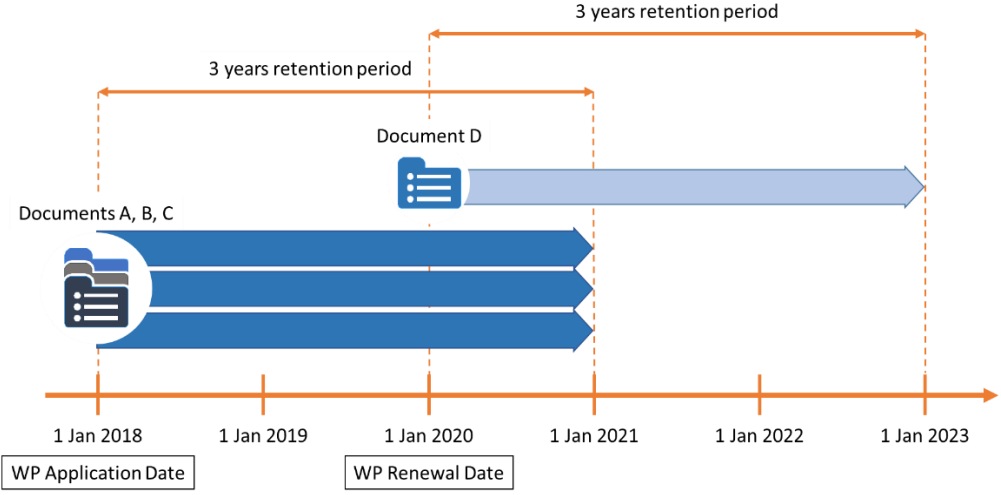


## **FAQs on Employment Agencies Licence Condition (with effect from 1 Sep 2018)**

### On EALC #5(c) – Document Retention Period

<b>Q1</b>	<b>Annex B indicates a list of items that must be retained by my EA for at least 3 years. However, my EA does not have a practice of using some of the items in its course of work. Will I be penalised?</b>
A1	<p>For the list of items detailed in Annex B, you do not have to retain the document(s) if it is not related to your placements.</p> <p>However, if the document is mandatory with respect to your licence type, you will be penalised if the relevant documents are not administered and retained for the stipulated retention period of 3 years.</p>
<b>Q2</b>	<b>A worker whom I have placed had his work pass renewed two years later. Do I still have to retain the documents from his first work pass application?</b>
A2	<p>Yes, you must retain the documents related to the first work pass application as it is still within the stipulated retention period of 3 years.</p> <p>For example:            On 1 Jan 2018, a worker was successfully employed. Under the new licence condition, the EA has to retain documents A, B, and C for 3 years from the date of work pass application. Two years later, on 1 Jan 2020, the worker’s work pass was renewed, and the EA has to keep document D for 3 years from the work pass renewal date (i.e. 1 Jan 2020). Nonetheless, for documents A, B, and C, the EA would still need to retain them until the 3 years is up (i.e. 31 Dec 2020).</p>  <p>The diagram illustrates the retention periods for documents A, B, C, and D. A horizontal timeline starts at 1 Jan 2018 and ends at 1 Jan 2023. Vertical dashed lines mark the WP Application Date (1 Jan 2018) and WP Renewal Date (1 Jan 2020). Documents A, B, and C are represented by three blue arrows starting at 1 Jan 2018 and ending at 31 Dec 2020. Document D is represented by a single blue arrow starting at 1 Jan 2020 and ending at 31 Dec 2022. Two orange double-headed arrows labeled '3 years retention period' indicate the duration for each set of documents.</p>

<b>Q3</b>	<b>A worker whom I have placed prematurely terminated his employment after 6 months. Do I still have to retain the documents from his employment for 3 years?</b>
A3	Yes. The stipulated retention period of 3 years applies, regardless of the worker's employment status.

On EALC #12A - EAs' responsibilities for FDWs during transit

<b>Q1</b>	<b>Why would an EA be required to bear the costs of the FDW's medical treatment when the Employment of Foreign Manpower (Work Passes) Regulation (EFMR) 2012 places the responsibility on employers?</b>
A1	<p>Under the Employment of Foreign Manpower (Work Passes) Regulation 2012, the employer is responsible to provide for and bear the costs of medical treatment, unless the Controller specifies otherwise.</p> <p>In rare situations where the Ministry views that it was the EA's responsibility for the FDW's medical treatment, the Ministry may direct the EA to bear such costs.</p> <p><b>Example</b>  An FDW awaiting a transfer, fell while cleaning the windows at her EA's boarding house. She incurs hospitalisation bills. It would not be fair for her employer to bear the costs as the incident happened while the FDW was under the EA's care.</p> <p>In such a situation, the Ministry may direct the EA to bear the costs instead.</p>

On EALC #12B – Communicate to third-party all relevant requirements for acceptable accommodation for FDW

<b>Q1</b>	<b>My EA places the FDWs in a commercial boarding house. How can I prove that I have conveyed the requirements of acceptable accommodation to the operator of the commercial boarding house?</b>
A1	Your EA can consider including the requirements in the tenancy agreement with the commercial boarding house.