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**Conditionality and chance: migration brokers and the production of precarity among migrant domestic workers in Singapore**

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**Abstract**

In migration studies, scholars have written that precarious work exists at the intersection between flexible labour market positions and uncertain socio-legal status. While this offers us a definitional starting point, it does not allow us to fully grasp how precarity is created, challenged, and experienced. To invigorate this idea, we apply Luin Goldring and Patricia Landolt's concept of conditionality—which proposes that a migrant worker's experience of precarity is contingent on a set of formal and informal conditions, the actions of institutional actors, and migrants' own resources and strategies—to our study of how employment agents in Singapore and Indonesia recruit, place, and match migrant domestic workers to employers. We use Goldring and Landolt's model of 'chutes and ladders' to track migrant workers' movements in and out of degrees of precarity. Based on in-depth qualitative interviews with migration industry actors (n=47), we suggest that these 'chutes' and 'ladders' are not static, pre-existing, or inherent; instead, they are actively, continuously, and dynamically produced by migration brokers and other actors who influence workers' experience of precarity. By interrogating the ways in which brokers actively produce, shore up, or mitigate situations of precarity for workers, we open up the "black box" of the migration industry to understand how migrant workers in a particular sector slip in – and out of – varying situations of precarious work over time.

**Introduction**

I have been sitting at this employment agency for the past two hours. The seat next to me has seen a variety of occupants—mothers with infants, bored husbands, domestic workers. Now it is occupied by a Filipino woman waiting to be 'picked up' by her new employers. I strike up a conversation with her: she is articulate and well-spoken; not forthcoming, but entertaining my barrage of questions with patient answers. Her hair is in a ponytail and her hands are in her lap. I learn that her cousin has been working in Singapore for the past six years. Her cousin's employer's relative needed a worker, and so recommended her. She says "coming here is a risk, but I pray." She has never met her employers or spoken to them before.

A couple of hours later, her employer arrives: an elderly gentleman. They shake hands: this is the first time she has met him. He drops off his current worker with a letter of reference. The agent managing the handover explains salaries, days off, compensation, and other terms of employment.

Eventually, they get ready to go. "Good luck," I say to her. She leaves, composed, if a little nervous. It feels like she will walk around the corner and disappear entirely. Despite her air of competence and her ability to express herself well in English, her country's protectionist measures and her

minimised placement fees, and all the other factors that already put her in a position relatively better than many new hires from Myanmar and Indonesia, I am struck by the realisation that there is ultimately no way to predict what her employment experience will be like. Will she have days off, access to handphones, protection from abuse, privacy, autonomy, mobility? No doubt her job is inherently precarious, as is her own gendered, racialised, transient status in Singapore. What degree of precarity will she face? What is her success contingent on? How have institutional actors, such as agents—that brief discussion, the signed contract, the explanations over the counter—precarized her employment through the way that they have interpreted and enacted state regulations surrounding migrant domestic work in Singapore? How is the terrain of precarious work produced? What are the routes she will have to traverse in order to lessen her degree of precarity? Are there ways in which agents not only entrench but seek to protect and boost workers out of hyperprecarious conditions?

### **Precarious work, precariousness, and precarity**

Precarity and its interrelated concepts have been adopted, interrogated, and attacked by scholars in a number of wide-ranging fields. The origin of theorising precarity is often tracked back to labour market restructuring in Europe in a post-Fordist era; as a point of political mobilisation in the early 2000s, precarity drew together workers from sectors as diverse as creative work, academia, and the low-waged migrant labour sector in a series of May Day protests (Casas-Cortes 2014). Other authors, however, argue that precarity has existed long before the middle class caught wind of it (Mitropoulos 2005); for example, precarious work has been a feature of capitalism across time, and is evident in women's domestic labour and imperialist exploitation of colonised labour (Fantone 2007). Whatever its origins, the concept of precarity has attracted scholars' attention as a lens to discern and disentangle the way differential values—of labour and of lives—are produced.

Precarity is most frequently linked to labour. Guy Standing (2011) has proposed the rise of a new class, the precariat, premised on this notion of a wide-ranging precarity that stems from structural changes in the way that labour is organised. Standing argues that the precariat is a "class-in-the-making", a new global class that has formed in the wake of a distinctive gamut of new insecurities: members of the precariat "share a sense that their labour is instrumental... opportunistic... and precarious" (p. 14). Neilson and Rossiter (2005) write that precarity "strays across any number of labour practices" and is "constitutively double-edged": while the lack of certainty brought about by neoliberalism and labour market flexibilisation cracks open workers' lives with faultlines of unpredictability, it also gives rise to creative new forms of labour which seek to take advantage of a flexible new world.

Other authors have argued that precarity spills beyond the bounds of work: Ettliger (2007) suggests that precarity crosscuts the "untidy geographies" of life, infusing not just the sphere of work but also the sphere of family, politics, and the economy. This ontological experience of precarity is often characterised as precariousness—a term proposed by Butler (2004), who writes that everyday life in the post-9/11 era has become fraught with uncertainty. "Anything living can be expunged by will or by accident," Butler (2009) argues, "and its persistence is in no sense guaranteed" (p. ii). Butler notes that precariousness questions "whose life is grievable and worth protecting, and whose life is ungrievable, or marginally or episodically grievable" (Puar 2012). Precariousness is hence not limited to work; it percolates through lifeworlds, which are shot through with uncertainty and instability (Waite 2009).

Low-waged labour migrants are often seen as members of the precariat *par excellence*. The intersection between neoliberal labour markets and immigration regimes (Wills et al. 2010; Goldring and Landolt 2013) creates denizens: a group of people with a more limited set of rights

than citizens, whose transient socio-legal status is compounded by the fact that they engage in precarious labour regimes (Theodore 2003). Low-waged labour migrants, therefore, are not just precarious but *hyperprecarious* (Lewis et al. 2014): they experience severe labour exploitation; eroded labour rights; indebtedness; entrance into the labour market while under serious livelihood pressures; and various other dimensions of serious precarity. Their hyperprecarious status is compounded by their deportability (De Genova 2002); migrant workers experience not just precarity at work but also precarity of place (Banki 2013). Time, temporariness and temporality function to shape the subjective experience of migration as well, sometimes sharpening the edge of precarity faced by migrant workers (Robertson 2014, Vosko 2000). Vosko, MacDonald and Campbell (2009) and Platt *et al.* (2016) add that the experience of precarity is profoundly gendered; migrant workers fit into ethnicised and gendered labour market niches along a hierarchy of desirability and precarity (McDowell, Batznitzky and Dyer 2009). Precarious employment hence imbricates other areas of a migrant worker's life in ways that are especially profound; for low-waged labour migrants, precarious work and ontological precariousness are mutually constitutive forces. To further underscore this assemblage of precarities, the potential for political mobilization around the concept of precarity in Europe is muted for many migrant workers working in the Asia-Pacific region, where public advocacy and political organisation can potentially lead to swift deportation (Banki 2013).

Our interest in this paper moves beyond understanding the *contours* of precarity—which have been well-mapped—towards exploring how precarity is *produced*. We focus attention on migrant domestic labour, which is often characterised as precarious—even hyperprecarious—work. Migrant domestic workers are excluded from Singapore's labour laws; their work is racialised, feminised, and rendered informal, valued as adjunct to the 'real work' of productive labour in the public sphere. Visa laws constrain migrant domestic workers to 'living-in' at their place of work; they are not allowed to unionise or organise; and regulations tie their employment as well as their legal status to individual employers. Migrant domestic workers hence stand at the crossroads of a number of especially precarious dimensions: of citizenship, gender, race, and work (Anderson 2000).

How do we understand migrants' trajectories throughout this unpredictable terrain of work? How do migrants find jobs, secure stable working conditions, gain days off, seek higher salaries, or slip downwards and sideways into an endless string of exploitative working conditions? What determines their sometimes unexpected, often circuitous, occasionally idiosyncratic journeys (Rigg, Nguyen and Luong 2014) through precarity? What helps migrants? What hinders them? How do we make sense of precarious work as a terrain that migrant workers circumnavigate, especially when conditions of precarity are unfixed, dynamic, and relational?

### **Precarization, conditionality, and the game of snakes-and-ladders**

Precarization has been defined as the "neo-liberal act of governance that governs through social insecurity, flexibility, and continuous fear arising from the loss of stability" (Kunst 2015, p. 6): it is precarity, produced. The analytical bite of precarization, write Della Porta et al. (2016), is that it emphasises a process that creates the "structural quality of particular situations and events lived by people" (p. 1). Precarization processes are aleatory in nature; the outcomes of precarization are highly contingent, although not random. Authors have used different analogies to illustrate the randomness embedded in precarity. Banki (2013), for example, writes about the "tightrope-like nature" of migrant life. Della Porta et al. (2016) utilise the analogy of a bad hand of cards, further noting that migrants' lack of information hampers their ability to fulfill conditional requirements. Precarization, writes Della Porta et al. (2016), "takes place in a dynamic field of forces in which situations are intricately constituted and assembled and where actions, reactions, interactions, and

transactions in the field must be understood as strategic and tactical moves in the ongoing games, the rules of which are constantly renegotiated among the strongest players” (p. 3). People who occupy precarious positions hence “enter into their games with lousy cards in their hands, often without even knowing the rules, which have not been properly made clear to them or are constantly changing.” (Della Porta et al. 2016, p. 3)

While Kunst (2015) and Lorey (2011) tie precarization to modes of state governance, we add to this conversation the ways in which the migration industry co-produces forms of non-citizenship for migrant domestic workers. More specifically, we argue that migration brokers play an active role in the precarization of domestic work through the way that they mediate the conditions of non-citizenship as set up by the state. Most migrant domestic workers are recruited and matched to Singaporean employers by licensed domestic worker employment agencies. These brokers are part of the migration industry—what Hernandez-Leon (2008: p. 154) defines as “the ensemble of entrepreneurs who, motivated by the pursuit of financial gain, provide a variety of services facilitating human mobility across international borders.” Gammeltoft-Hansen and Sorenson (2013) add to Hernandez-Leon’s definition by including “control providers”—actors who constrain migration and mobility—in the mix. The selective recruitment and selection processes that accompany the hiring of migrant domestic workers through employment agencies in Singapore perform this dual purpose: they enable migration, but also mould, filter, and refine its inflows to produce specific forms of non-citizenship. As such, migration brokers mediate between state, employer, and worker through their practices.

The migration industry has often been theorised through more panoramic views, such as Xiang and Lindquist (2014)’s notion of migration infrastructure, or Xiang (2013)’s ideas about the production of the “intermediary trap”. Richly-textured, in-depth ethnographic studies about brokerage and migrant decision-making in countries of origin also abound (for e.g. Lindquist 2012, Guevarra 2010, Rodriguez 2010, Kern and Muller-Boker 2015, Alpes 2013, Rahman 2015, Yuniarto 2015). Some work has also been completed in countries of destination about how employers also require agents’ specialised knowledge-work (Bakan & Stasiulis 1995, Fernandez-Stembridge 2005, Tsikata 2011, Tyner 1999). However, it is clear that work in countries of destination has been comparatively scant, particularly scholarship that delves into how migration brokers co-produce the precarization of domestic work together with the state.

To finesse the way that we understand the precarization of domestic work, we turn to the concept of conditionality. Goldring and Landolt (2013) first propose this concept in relation to precarious legal status, but we extrapolate it to the precarization of work. Conditionality, Goldring and Landolt (2013) write, “denotes the contingency surrounding an individual’s ongoing presence in a legal status category and jurisdiction, as well as the uncertainty of accessing rights or exercising substantive citizenship” (p. 15). Goldring and Landolt’s conceptualisation of conditionality straddles a middle ground between actor and structure: it includes state-imposed conditions; the capacity of actors to meet formal and informal conditions; and the multiple ways that conditions are maintained or challenged at various levels by a number of different institutional actors. The idea of conditionality allows scholars to identify the types and sources of conditionality, the actors involved in producing, challenging, and negotiating conditions, the arenas in which conditionality is formed, as well as substantive practices within the context of formal regulations and rules (Goldring 2014). Goldring and Landolt’s work asks: what is the achievement of legal status in Canada contingent on?

We modify this definition in applying conditionality to precarious work. We suggest that the precarization of domestic work is characterised by conditionality. We use conditionality to tease out the complex terrain of overlapping formal and informal conditions which must be met before a

migrant domestic worker in Singapore is able to overcome the hyperprecarity of her work: in other words, what are the constellation of contingent factors that will allow her to achieve adequate pay, rest days, privacy, access to handphones, and minimise her experience of precarity? Importantly, conditionality allows us to bring the practices of migration brokers into play, pushing us to examine how brokers act as mediators, enactors, and gatekeepers in relation to the conditionality of precarious work and precarious legal status as laid out by the regulatory apparatus of the state.

Goldring and Landolt illustrate their theorisation of conditionality through the analogy of a game of chutes-and-ladders. A popular childhood past-time, the game consists of a 10 by 10 board consisting of 100 possible squares. Each player is given a counter to represent their journey through the game board, and moves through the squares according to the number specified by the roll of a dice. The objective is to reach '100'. However, the game board is pockmarked by 'chutes', often illustrated in the form of snakes. If you land on a chute, you slide down to an earlier point in the game. On the other hand, ladders also dot the game board: if you land on a ladder, you are given a boost up the board and quickly advance through the upper echelons of the game.

Goldring and Landolt introduce this metaphor to emphasise that for migrants entering Canada, gaining citizenship is not a straightforward linear movement through "doors and tracks". Instead, it is a multidirectional, multi-track journey that is better understood using "a more dynamic approach to movement between temporary and permanent categories, movement among temporary categories, and also trajectories involving loss of authorised status and perhaps subsequent movement into authorised status or deportation" (Goldring 2014, p. 234). We leverage on this model to argue that the terrain faced by migrant domestic workers in Singapore is much the same: rife with chutes, but also with the possibility of encountering a ladder. While workers may try to anticipate and side-step chutes while reaching for ladders, their movement is mainly contingent on the roll of the dice. Brokers are an active presence on the game board, acting as terraformers by opening up chutes, 'patching' them, or building new ladders and bringing them into play. Migrant workers' deportability also means that brokers and employers have the power to send workers out of the game entirely; and, as Goldring and Landolt remind us, conditionality also encompasses migrants' varying agentic capacities to meet formal and informal conditions. Thus, not all migrant workers begin with the same set of resources and protections at the beginning of the game. The chutes-and-ladders model shows us how varying degrees of precarity is actively produced by and grappled with by actors across a game board of regulations and laws, and offers us a sense of dynamism, directionality, and temporality. The analogy also crackles with uncertainty and risk: the fear of slipping down, and staying down, in a chute.

Drawing on the chutes-and-ladders analogy, we argue that the precarization of domestic work for migrant domestic workers—particularly new hires starting at the beginning of the game—lies in what we will call *cumulative conditionality*. This means that for a migrant worker to experience a lesser degree of precarity, an *interrelated number of conditions must be simultaneously met, many of which are outside of a worker's control*. A worker's security is contingent on meeting a full set of interrelated conditions. Failure to meet one condition, for whatever reason, quickly compounds the possibility of failing to meet others. For example, it is not enough that a migrant domestic worker possesses the ability to communicate clearly in fluent English, even though this quality often increases her negotiating power. The terrain is so open with negative potentiality (Vigh 2011) that failing to meet another condition—often one which is out of the worker's control—can trap the worker in stasis on the game board. A well-spoken worker matched with a draconian employer who refuses her access to a day off or an agent bent on profiting by saddling her with high recruitment fees will find it very difficult to avoid slipping down this particular chute. As we will demonstrate in this paper, migrant domestic work in Singapore is precarized because success is highly dependent on the cumulative conditionality of achieving secure work. Insecurity, then, is not only ontological:

it is a fact of the terrain that is produced by the inner workings of the migration industry.

On the other hand, however, migrant domestic workers who have advanced past the minefield of chutes at the beginning of their employment trajectories begin to come across ‘ladders’—ways that substantially improve a worker’s precarious situation through the redrawing of conditional boundaries. At this point, as we will illustrate in the paper, the nature of the terrain of work changes—chutes are substantially minimised—and conditionality becomes *less* cumulative. Increasingly, workers are able better able to leverage on their personal experience, skills, social capital, and resources to make a strategic navigation across the board, and less vulnerable to conditions beyond their influence.

The rest of the article will proceed as follows: we first offer a contextual background of Singapore’s migration industry in relation to domestic workers, and further sharpen what we mean by ‘chutes’ and ‘ladders’. Then, after a brief note on the methodology underpinning our research, we delve into our findings to see how they support our key arguments that brokers precarize the domestic work industry in Singapore through enacting cumulative conditionality across a terrain regulated by the state. We then conclude with the limitations of this chutes-and-ladders analogy, and offer avenues for further research.

### **Singapore’s migration industry for placing domestic workers**

Singapore currently hosts over 237,100 migrant domestic workers (Ministry of Manpower 2016a); this which works out to 1 out of 5 resident households per domestic worker (Department of Statistics 2015). Seen as a transient labour force intended to free local women from domestic drudgery so that they are able to seek employment and boost the labour force, migrant domestic workers enter on short-term Work Permits that preclude permanent settlement, and are expected to renew their Work Permits on a two-year basis. Domestic workers come mainly from approved ‘source countries’ within the region: the largest numbers come from Indonesia, Philippines, and Myanmar, but women from India and Sri Lanka find their way to Singapore to work as well.

There are over 1,460 licensed employment agencies in Singapore (Ministry of Manpower 2016b). The industry is dominated by a small scattering of 10-20 major ‘maid agencies’ with multiple branches, which recruit and deploy the bulk of Singapore’s migrant domestic workers; however, in terms of agency model, ‘mom and pop’ agencies deploying much more modest numbers dominate. The presence of undocumented migrants amongst migrant domestic workers is extremely rare due to the tightly-policed borders of a geographically tiny nation-state. Irregular entry is fairly unusual for migrant domestic workers.

Many of the employment agencies will have a shop—small public shopfronts concentrated in shopping malls or scattered throughout the Singapore ‘heartlands’—in which they conduct their business. Here, employers enquire about hiring domestic workers, sift through ‘biodata’ files to choose their preferred worker, bring in domestic workers for bouts of ‘counselling’ by agents when fissures develop in employment relationships, or negotiate over the ‘replacement’ of an unsatisfactory worker with a new one. With new hires—women on their first contracts as migrant domestic workers in Singapore—the agency often has a powerful say in formally and informally dictating the terms of a migrant domestic worker’s employment conditions.

Regimes of precarious employment have a number of features, including weak regulation and enforcement of worker protections, low wages, poor working conditions, and racial segmentation (Theodore 2003). Many of these dimensions feature in migrant domestic work in Singapore. Migrant domestic workers are able to move transnationally based on a debt-financed migration

system which extends to them a ‘loan’ from agents and employers; this ‘loan’ facilitates their training, accommodation, agent fees, and other migration costs. Workers then pay these recruitment fees back through working 7-9 months with little to no salary (Platt *et al.* 2013). This ‘silent’ form of indebtedness has particular consequences, not least of which is the locking of women into phases of immobility and isolation before their debts to employers are paid off (Platt *et al.* 2016). A migrant domestic worker's Work Permit—and hence continued socio-legal status within the country—is tied to her employer, who has the responsibility—and ability—to repatriate the worker whenever she so chooses. The Singapore government has devolved a significant amount of responsibility for the governance of migrant domestic workers to the migration industry, co-opting brokers as part of border control and migration inflow regulations (Goh, Wee & Yeoh 2016). A recently-introduced law enshrines the right of a migrant domestic worker to a weekly day off, but compensation in-lieu can be paid to a worker who give up her rest day (Ministry of Manpower 2015). While salaries are often fairly fixed due to pressure from the embassies—which approves job orders between local agents and overseas recruiters—they also often correspond to ethnicised labour niches: Filipino workers generally have the highest salaries and the lowest placement fees, with Indonesians occupying the middle of the market and Myanmar workers suffering the lowest salaries and highest placement fees. Access to cell phones remain a contested issue of negotiation between employers and workers (Lin and Sun 2010), and workers are required to ‘live-in’ at their place of work, compounding the potential for isolation, violence, and vulnerability (Yeoh & Huang 2007).

These factors that stem from mainly from institutional regulatory frameworks, then, creates the chutes that a worker risks falling in. While migrant domestic work is inherently precarious work, chutes lead to different degrees of precarity as experienced—for example, the experience of precariousness for a worker with a weekly day off can be starkly different from that of a worker with no day off for two years. To generalise, chutes have two predominant features. Firstly, new hires find it difficult to advance across the game board by finding an upward employment trajectory towards higher salaries and better working conditions, primarily because there is a high chance that they might face a disagreeable roll of the dice and fall into a chute. Secondly, because agents and employers prioritise workers’ successful repayment of debt through 6-9 months of labour without pay in order to recoup their loans (Goh, Wee & Yeoh 2016), chutes can have a ‘sticky’ effect, as workers are pressured to remain in the chute through being pressured to remain in an unsatisfactory contract or to take on multiple consecutive contracts with disagreeable working conditions. Interweaved through all this is the ontological precarity of working for long months in a private home with limited access to cell phones. To achieve minimal precarity, workers have to *simultaneously avoid or strategise their way out of chutes of all kinds*—in order to experience conditions of fair wages, low placement fees, sufficient days off, access to cell phones, and working with employers and agents interested in their well-being. A worker’s ability to avoid or climb out of chutes is heavily contingent on cumulative and mutually reinforcing conditions. We suggest that brokers play a significant role in this ‘game’ through the way they choose to interpret and enact the rules set out by the state. In a later section of this paper, we draw on our case study to discuss three approaches that migration intermediaries practise in relation to these chutes—brokers might open chutes, leave them as they are, or ‘patch’ them.

To conceptually distinguish ladders from chutes, we imagine them as *broker strategies which redraw conditionality* for migrant domestic workers. By building ladders, brokers not only prevent workers from falling through chutes but give them a significant boost towards higher wages, more secure working conditions, and lowering or expunging recruitment fees. These are strategies which brokers use to fundamentally disrupt the rules of the game through a creative extrapolation of the regulations that govern the business practices of employment agencies. We now move to tracking processes of precarization in Singapore’s domestic work industry through our research on

substantive brokerage practices.

## **Methodology**

This article draws from research conducted on Singapore's migration industry between 2015 and 2017. The researchers conducted 28 semi-structured, in-depth interviews lasting between 1.5 and 3 hours with employment agents who recruit and place migrant domestic workers in Singapore. To augment this, 6 interviews were formally conducted with identified 'key actors' within the industry, such as representatives from NGOs, industry associations, accreditation bodies, foreign embassies and the Ministry of Manpower.

To better understand day-to-day practices, we also observed the goings-on at the shopfront site of one of Singapore's major agencies over the course of three weeks. We attended association meetings and gatherings, accompanied a local agent as she visited recruitment companies in Indonesia, made detailed observations in shopping malls at which agencies clustered, and sat in on domestic worker orientation and training programmes held by the state as well as by private recruiters. We also looked through conflict mediation records and collected contractual agreements, payment schedules, insurance agreements, biodata, and 'price plans' offered by employment agencies. To strengthen the validity of our findings, we also conducted a number of informal follow-up interviews with contacts made throughout the fieldwork process.

Part of the fieldwork also took place in Indonesia, where we conducted 13 in-depth interviews with recruitment company owners and managers, training centre managers, ex-domestic workers, administrative staff members at recruitment companies, government representatives, and activists from non-governmental organisations.

## **Precarization through the production of chutes**

One of the major 'chutes' that opens up in the wake of the state's reluctance to regulate informal domestic work relates to the issue of a worker's entitlement to a weekly day off (Huang and Yeoh 2003). Ostensibly, since 2013, each migrant domestic worker is entitled to a mandatory weekly day off unless the worker and the employer agree to a day's compensation in lieu (Ministry of Manpower 2015). The assumption built into this policy is that workers are able to express and act on their preferences vis-à-vis their employers and agents; however, workers' weaker bargaining position often means that employers and agents have far more power to dictate the terms of the employment relationship than they do. Leaving the right to rest to be negotiated between workers and employers is hence part of the precarization of domestic work in Singapore, as this opens up the potential to fall into chutes; and brokers, as institutional actors, have a significant role to play in challenging, determining, or entrenching the conditionality of this aspect of precarious work.

Some agents sought to 'patch' this chute through insisting on the inclusion of days off in the contractual agreement between employers and workers. One agent we interviewed, who runs a small, ethically-oriented agency specialising in the recruitment and placement of Myanmar workers, guards against migrant domestic workers locking themselves into 'sticky' contracts with "forever no Sunday" by insisting that workers agree to the stipulation of a minimum of a monthly day off at the outset, before their migration sojourns in Singapore begin. Echoing Lewis et al. (2014)'s observations that precarity exists even before arrival in the country of destination, the agent recognises that indebtedness often results in workers "ransoming" their present to the future (Bastia and McGrath 2011). This "ransoming", or the acceptance of hyperprecarious working conditions in the short-term in order to aspire towards a better future in the long-term, leads to a state of entrapment in a chute for an indeterminate amount of time. In observing that some migrant



women are eager to give up their Sundays in order to pay off their debts as quickly as possible and begin earning a salary, the agent says:

“I have many girls—they want to work every Sunday. But we tell them, ‘you may want to work every Sunday because you are desperate and new. But later on—you lock yourself in... once you say no Sundays... it will be forever no Sunday, you know?’”

The interviewer interjects with the comment that this is a “long-term consequence”, to which the agent agrees: “Yeah, and they don’t understand that. So we tell them, ‘it’s not in your interest,’ so we can persuade them to take one. Some were so unhappy that they cannot work every Sunday.” This, he observes, is a consequence of the Ministry of Manpower having “left it so loose. So many of our girls say, the employer are so rich, ‘I buy back all your leave’... [but when this happens] the poor girl suffers, really suffers. So part of our deployment policy is at least one day off a month. [If] the employer says, ‘no I cannot accept that’, then no deal *lor...*”

Several other agents also try different methods to ‘patch over’ or ‘shore up’ the chute that is a consequence of working through an entire contract without a designated rest day: one agent, who operates a small agency in Singapore’s suburbs, for example, follows up with employers after the first few months, to gently suggest that workers should be entitled to their days off in an incremental fashion. He recommends employers to withhold days off for the first few months until “bonding [is] established between you and them [...] then get your employers to issue or give you the off-days. Or rather, we will also advise the employers, ‘do you think it’s worth giving their off-day—start their off-day now? Maybe for a day for a start, and see how they fare’.”

‘Patching’ this chute is, to some extent, in the agent’s interest. Agents may advise employers to give workers a day off because they believe that this is important for the worker’s well-being or because they feel that this is an employment right that workers are entitled to; at the same time, they may also be motivated by other considerations. For example, agents rely on the incremental allowance of a day-off as a strategy of pastoral care, to ensure that workers serve out the length of their contracts instead of running away and leaving unpaid debts to be juggled between agents and employers (Goh, Wee & Yeoh 2016b). Indeed, chutes may be ‘patched’ by invoking a host of other informal conditions that conjoin pastoral care to surveillance. We observed another agent at a major employment agency briefing a new domestic worker on the parameters of her monthly day off. This worker was told: “When you go off [day], do something good for yourself. Please *lah*. Don’t drink, smoke, go disco. Go church, go FAST [Foreign Domestic Worker Association for Social Support and Training, a local NGO that offers Sunday skills courses]. In your free time, go read some books, learn recipes. Also, your off-day is once a month; it is 8 hours. I give you an example, if you leave at 10 am, you must be back by 6 pm.” The implicit meaning behind these words is that a day off is a privilege, not an entitlement, and is contingent on the worker’s embodiment of a moral habitus (Bourdieu 1984).

Given the built-in discretionary power of employers vis-à-vis domestic workers over the day off, the chute patching work that agents undertake also vary along ethnic and racial lines (Phillips 2011). For example, Filipino workers are most likely to ask for and be offered days off, due to a combination of factors, including relatively more stringent protections from the Philippines Overseas Employment Administration but also Filipino workers’ positioning in the pecking order as the ‘premium’ nationality from which to hire domestic workers. Conversely, as an agent counsels, “if you [employer] prefer no off-days, you have to get Indonesians.”

In our observations, many agents are happy to leave chutes as they are. By refraining from offering any advice on giving workers a rest day, agents allow employers and workers to negotiate the

contract on their own—a scenario that tends to lead towards employers asserting, and receiving, what they want. Because the terrain on which migrants’ employment trajectories unfold is inherently precarious, agents’ passivity further precarizes domestic work. As one agent delicately puts it, “I will not evangelise off-day.” Another voices a note of caution in saying, “day off pose[s] a lot of the social problems... it’s good *lah*, not to have too many day[s] off.”

In other cases, agents not only leave chutes open, but make them easier to fall into by hiring only workers who are willing to give up all their days off. In other words, getting a chance to enter into the chutes-and-ladders ‘game’ of migrant domestic work is in the first place contingent on whether workers are willing to accept working without rest. By leaving chutes open, agents are complicit in the “tactical distribution of precarity [...] one that depends upon dominant norms regarding whose life is grievable and worth protecting” (Butler in Puar 2012). The risk of workers running away, failing to repay their debts, intermingling with other workers and comparing working and salary conditions, gaining information that allows them to lever their way out of chutes, or falling prey to ‘bad company’ is hence eliminated for the employer and agent at the expense of heightening the worker’s precarity. As one agent puts it:

“I always choose to give them a choice before I recruit them. I ask them a few questions, three: no handphone. This is the first thing I want. No off-day, but you are being paid [compensation] *lah*. Another thing is, what employer request [the worker has to fulfil], the third thing. Whether are they acceptable [i.e. accepting of these conditions]. If yes, then I will give them to this client.”

Receiving or being denied a day off (and its consequent influence on a worker’s experience of precarity) is hence based on a series of formal and informal conditions, enacted by agents who differentially precarize workers’ experience of labour. It is contingent on factors often beyond a worker’s control, such as her nationality, or an agent/employer’s ethical orientation towards workers, or factors which workers will find difficult to strategise around, such as recruitment being premised on whether workers are willing to ‘give up’ their days off in the first place. These negotiations around a day off, compensation, and debt repayment reflect one of the ways through which brokers modulate the conditionality of domestic work in Singapore. Agents also have different approaches towards other ‘negotiable’ features of this non-formalised, little-regulated area of work, such as access to handphones or the service and placement fees paid by workers relative to employers. As such, workers may manoeuvre past one chute (through, for example, independently negotiating a day off with an employer) but fall prey to another (such as usurious placement fees limiting her ability to earn and remit a substantial salary). Because of the nature of cumulative conditionality, the conditions on which workers’ outcomes are dependent are interrelated and hence ‘bundled’ together. For example, the agent who says that he hires only workers willing to give up their days off also says that he is only willing to hire workers who agree to give up their handphones. The tendency to fall into one chute in itself increases the tendency to fall into another.

It is clear that simply ‘patching’ chutes does not give workers a significant boost across this game of chutes-and-ladders. We turn now to what we have identified as ‘ladders’ to better understand how new agency models are redrawing conditional boundaries.

### **Ameliorating degrees of precarity by creating ladders**

In thinking about ladders and conditionality in the migration industry, we speed past a worker’s

employment trajectory<sup>1</sup>, past her first contract and to subsequent ones, where she is likely to have accrued more resources (more money, greater experience, little to no debt, and having already remitted some money) to strategically navigate towards “ladders”. Ladders proffered by employment agencies disrupt conventional agency business models, creating a new form of conditionality through which workers manoeuvre. At this point in the game, workers can achieve greater employment security without their success being contingent on a number of interrelated conditions outside of their control. This is especially so if a worker is able to successfully develop her human capital, defined as “activities that influence future real income through the imbedding of resources in people” (Becker 1962: p. 9). In many ways, the degree of conditionality *diminishes in intensity* for experienced transfer workers who have better control of the agents they go to. By transfer workers, we refer to more experienced workers usually already in Singapore. Generally, they are seeking new employers with the help of employment agents of their choice, either because their contract is ending soon or because they wish to terminate their existing contract. For these workers, the very nature of the game-board has changed.

Our fieldwork brought us to two agencies in Singapore which exemplify the adoption of “ladder” strategies for migrant domestic workers. We explore one of them in detail, and refer to the other more briefly.

One of the agents offering a “ladder” is Anisya, an employment agency that describes itself as an open domestic worker job exchange. The founders of Anisya went through the state-regulated procedures necessary to open a conventionally licensed domestic worker employment agency—taking the Certificate of Employment Intermediaries (CEI), registering with the Accounting and Corporate Regulatory Authority (ACRA), and placing a security bond—but, after fulfilling all the necessary requirements, proceeded to create an agency model that diverged from the norm. Operating almost entirely online, the agency hosts profiles created by experienced migrant domestic workers looking to transfer from their current employers. Prospective employers also create profiles for themselves and their families, and workers and employers independently contact each other to set up interviews to assess the success of a potential working relationship. By doing this, Anisya’s founder explains, the agency is “essentially developing a marketplace that would connect both sides directly.”

In many ways, Anisya operates on a terrain in which various chutes are already closed or nonexistent—but access to this part of the game board is open only to a select group of migrant domestic workers. The transfer market in Singapore—which caters mostly to experienced domestic workers—is very different from the ‘fresh hire’ market. Firstly, handphones and rest days are largely a given for the group of workers that use Anisya, seeing that the workers have to independently search for an employer online and set up interviews with them on their days off. Days off are also automatically inbuilt into the template contracts that Anisya suggests that workers and employers use to negotiate their terms. Experienced transfer workers in Singapore are also mostly free of debt, having already paid off their recruitment fees in the first few months of their inaugural contracts. In comparison to transferring through a conventional employment agency—a process which can cost the worker up to two months’ salary, a sum which runs up to approximately SGD\$1000—workers only pay a SGD\$50 fee upon successfully finding a match, 5 per cent of the sum they would otherwise have paid. The employer can choose to facilitate the transfer on their own, or enlist Anisya’s help, upon which they pay a SGD\$600 service fee for a worker already in Singapore. Essentially, like precarity, security is cumulative: the better a worker’s current circumstances are—the more autonomy she has, the more freedom she has had to develop her own

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<sup>1</sup> It is pertinent to note here that not all migrant trajectories lead beyond the first contract to the relative security of subsequent contracts.

social, cultural, and human capital—the better able she is able to use platforms like Anisya to search for appealing new employment relationships. Access to a “ladder” is thus highly contingent on a worker’s level of experience and her current employment situation.

While accepting that “ladders” are not open to all, limiting our lens to the workers who *are* able to reach the later parts of this game of chutes-and-ladders is illuminating. Here, migrant workers’ success is less conditional on the formal and informal terms set by the employer and the agent about days off, recruitment fees, debt repayment and policies on handphone access. Instead, success becomes contingent on individual resources, skills, and experience. These factors are linked to structural conditions such as class, but they can also be developed through a worker’s agentic strategisation. For example, workers who have developed a specific type of “business acumen” (Farr-Wharton 2015), such as excellent time-management skills, good self-presentation, familiarity with interview norms and experience with web technologies, are better able to find and connect with employers on the Anisya website, and also perform better at interviews. Alternatively, workers who are self-assured and experienced travellers may leverage on their “mobility power” (Alberti 2014) by independently exiting Singapore to a nearby port—Indonesia, a 45-minute ferry ride away, or to Malaysia, a 15-minute bus ride across the Causeway—in between Work Permit renewals. This minimises the fees involved in exiting to a country of destination and re-entering through onerous pre-departure processes, while allowing workers to maintain regular legal status in Singapore. Workers—especially new workers—may find it difficult to close or avoid chutes on their own in the more intensely precarized parts of the game, but experienced workers are better equipped to independently scale ladders if they are given the opportunity to access them in the first place.

Through Anisya, competent, confident and experienced non-transfer Indonesian workers are also able to circumvent the migration infrastructure in their countries of origin in order to eliminate the payment of overseas placement fees. This pool of workers is formed through kinship networks—migrant domestic workers currently in Singapore recommend potential first-time workers in Indonesia to employers’ friends and relatives—or through experienced workers entering Singapore for a subsequent time after a break between contracts spent at home. By entering Singapore through Anisya instead of through more conventional routes, workers change the circumstances under which they enter the game of chutes-and-ladders in the first place, ameliorating the impact of belonging to differentially ethnicised and precarized labour niches. With Anisya’s assistance, they catapult themselves to the later stages of the game. As the founder of Anisya describes:

“We have an overseas hiring fee, currently for Indonesians... for that, we charge SGD\$950 to the employer, because it’s a bit more work; and the agreement with the worker is she buys her own flight and pays for her travel to the employer’s residence. So she agrees to cover that. She also pays us the SGD\$50 registration fee. You can imagine: cost of her flight, a few hundred bucks, right? Definitely less than a thousand, which is different from 6-8 months’ salary deduction, so they’re very happy to do that [...] The challenge becomes a bit of a cat and mouse game to find the right exit point out of Indonesia, where they are less likely to be inspected [...] So you try to route your travel to a friendly exit point. Once you leave Indonesia, getting into Singapore is not a problem already.”

This requires workers to be responsive and communicative via the Internet, which, as the agent says, is a “certain indication of, I guess, competency [...] from that standpoint, it gives us a certain comfort level.” Conditionality is hence premised less on the agent’s interpretation and enactment of state regulations than it is on a worker’s own capacity to meet formal and informal conditions.

A second agency which proffers a “ladder” based on a model different from Anisya’s is Active

Global Specialised Caregivers, which has also worked to eliminate ‘chutes’ and change the nature of the game. This agency specializes in recruiting and placing only certified nursing aides and caregivers with a diploma or degree in nursing with families in acute need of professional. While Active Global has, in their founder’s own words, the “nuts and bolts” of a licensed migrant domestic worker agency, including attaining the CEI and working with foreign domestic worker In-Principle Approval letters and Work Permits, the agency uses these simply as tools to engineer a new form of employees—professionalised and highly-trained migrant caregivers who offer home care. Catering to a rapidly ageing Singapore population in need of eldercare, the agency controls the recruitment chain from start to end and does not charge workers recruitment fees. Salaries are tiered according to skill and experience, not nationality. The wages are also significantly higher than domestic workers’ wages, as a point of professional differentiation. Days off are a non-negotiable part of the contract, and Active Global hires a force of respite caregivers to offer care to families when their full-time caregivers take a day off. Minimising the precarity of the work is hence largely conditional on factors different from those that a new domestic worker faces, such as preventing caregiver burnout, grappling with a high turnover rate due to the ill health and the passing of elderly patients, consistent skills upgrading and training, managing the strain of gendered emotional and physical care, and dealing with communication lapses between caregivers and patients as well as their families.

In the wake of the government’s reluctance to formally create a visa category for professional migrant caregivers, Active Global has fashioned a new form of non-citizenship which propels migrant workers up ladders towards the end of the game. As Landolt and Goldring (2013) argue, non-citizenship is not “residual”, but “actively produced” (p. 10). Framing non-citizenship as an assemblage “invokes the complex and dynamic web of differentially positioned social actors, institutions, regulations [...] that together constitute non-citizenship” (p. 16). Non-citizenship is not experienced in identical ways, even within specific groups of transient migrants in Singapore bound in the same visa categories. Migrant domestic workers and Active Global’s caregivers enter Singapore through the same formal mechanisms of non-citizenship, where their visas, entry procedures, and the legal requirements on which their presence is predicated are identical. However, situating the cumulative conditionality of domestic work in the arena of the migration industry shows that migration brokers are key actors in assembling staggered forms of non-citizenship and experiences of precarity, based on the ways that they generate differential experiences of living and labour alongside and in relation to state regulations.

What is significant is that many of their current caregivers are ex-domestic workers who have received the requisite training and certification, proving that the game boards occupied by domestic workers and by caregivers exist as a continuum, and not as separate entities. That said, however, there is still a giant leap from the chute-filled game board faced by new domestic workers to the exclusive terrain of this section of the game, where ladders appear regularly to provide footholds. The question, then, is how migrant domestic workers make this leap.

### **In conclusion: making sense of conditionality**

Many migrant domestic workers and agents will suggest that a worker’s success is based on luck. Applying the concept of conditionality and the chutes-and-ladders model to the placement of migrant domestic workers illuminates the relationship of “chance” to precarity. A worker’s success is not random, dependent on the sheer chance of finding a benevolent employer or agent. Instead, the precarization of domestic work by institutional actors, such as brokers in this case, creates a system in which a worker’s success in escaping the ‘chutes’ of hyperprecarity is contingent on a number of mutually reinforcing and interwoven factors. Workers’ access to security is hence not merely conditional, but *cumulatively* conditional, based on the necessity of simultaneously meeting

multiple conditions at once. A worker's risk of falling into greater precarity—a “chute”—is mediated by brokers, who play a significant role in interpreting and enacting the formal and informal conditions of her employment within the parameters of the state. The precarious employment trajectory experienced by a new worker is not one of a linear manoeuvring through a bumpy landscape full of roadblocks. Instead, it is more akin to the uncertainty of following a route mapped out by brokers and employers, not knowing whether the ground will give way under one's feet, or whether one can eventually climb out of 'sticky' and unanticipated chutes. The terrain to be navigated is one produced by the dynamic (re)distribution of precarity between states, employers, brokers, and migrant domestic workers (Butler in Puar 2012; Goh, Wee & Yeoh 2016b).

Within this shifting topography, we argue that precarization takes place in degrees. If a worker manages to find her way out of the earlier terrain of the game board, she may find her way to a place where she can encounter and grasp hold of “ladders” offered by new brokers within the industry. Often the likelihood of landing on a more favourably tilted part of the game board only occurs after years of repeated contracts, extensive work, and careful strategizing, thus rendering the possibility of ‘migrating out of poverty’ an outcome that can be reached only by those who remain in the game for the long term. We suggest that workers at different points in the game face qualitatively different types of conditionality. While the status of new workers is more dependent on conditions out of their control, the status of experienced workers is contingent on two factors: the security they have managed to achieve in moving to a more favourable game board, and their capacity to harness social and cultural capital, acumen, and mobility power.

In conclusion, we acknowledge that more work is needed to unpack the “black box” (Lindquist, Xiang and Yeoh 2012) that still lies in the way of our understanding of the links between different parts of the migration game board. How do workers reach a point where they are able to leave a chute-filled landscape and reach the first ladder to move to a more favourably structured terrain in the game? How do migrant workers create *bridges*? Studies that foreground migrant strategising—as opposed to brokerage practices as our research has done—would help to answer this question, extending the scope of such work beyond the more common focus on collective resistance and political organisation that tends to dominate the literature (for example, Paret and Gleeson 2016, Eberle and Holliday 2011; but also see Lewchuk and Dassinger 2016 for a different approach).

Ultimately, the chutes-and-ladders analogy stretches only so far. Attaining legal status as the ultimate goal of the migrant in Goldring and Landolt's original proposal of conditionality is a fixed endpoint in the game. Finding employment that is “less precarious” in our case study pertains to a much more relational goal-post. If a worker exits the game having avoided or escaped the chutes but without having climbed up a ladder, does it mean that she has lost? What are workers' own objectives and goals? The finiteness of a game-board analogy is also limiting in many ways. What about the precarization of pre-departure procedures in countries of origin, before workers enter the game in Singapore? How can the model accommodate ideas of stepwise migration, in which migrants construct yet more bridges to more appealing employment contracts and better working conditions in countries such as Taiwan, Hong Kong, Canada, and North America (Paul, in press)? How can the game board accommodate stochastic and idiosyncratic “shocks” and “reversals of fortune” that arise from beyond the migration industry, such as a crisis of illness at home (Rigg and Salamanca 2015)?

Nonetheless, we recognise the usefulness of conditionality as a concept that enriches our understanding how brokers and employers precarize the experience of domestic work in Singapore. Importantly, materialising the concept with the help of the chutes-and-ladders game board allow us to tease out the contingency of precarious work as it pertains to different parts of the migration trajectory. As for the woman we encountered at the beginning of the paper who was waiting for an

employer she had never met, we wish her luck. Better yet, we wish her the right conditions.

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