



Labour Bulletin

Second Finance Minister Tan Sri Nor Mohamed Yakcop said the Malaysian habit of saving had prevented the country from being hit hard by the global financial crisis. He said Asian values like thrift, trade, investment and saving had protected the economy from the turmoil in international financial markets. He said Malaysia's high savings rate of 37 percent, compared with the United States' zero percent, had cushioned it from the global credit crunch.

NST 17/11/2008

MINISTER'S SUPPORT FOR MALAYSIAN HABIT OF SAVING

MTUC fully endorse the second Finance Minister Tan Sri Nor Mohamed Yakcop's conclusion that Malaysian habit of saving had indeed prevented an economic meltdown.

However the Finance Minister's recent decision to compulsorily reduce workers' contribution to the EPF is in direct contradiction to his support for the habit of saving. In the light of Minister's realisation of the importance of saving, MTUC urge him to reverse his controversial and unpopular decision.

Millions of workers in the private sector are entirely dependant on their EPF savings for their livelihood on retirement at the age of 55 years. It is shocking that Government, in their attempt to please corporate demands, has ignored the needs of retirees. Most employers have responded favourably to workers request to maintain their contribution at 11%.

Employers are now burdened with the additional responsibility to change millions of entries in their computer records in line with the new decision, where records are maintained manually the work load to compute thousands of employees new rates will be time consuming.

Government must be mindful that workers are free to submit requests to raise their contribution at any stage in the period of 24 months. Again employers will be required to draw up a new contribution list which may not be at a uniform rate.

This exercise definitely does not contribute towards better productivity Government is continuously harping on.

***G.Rajasekaran
Secretary General***

*MTUC akan berhim-
pun di perkarangan
Putrajaya Holding
Sdn.Bhd bagi
menghantar
memorandum ban-
tahan kepada
Menteri Kewangan
terhadap pengguran-
gan caruman
KWSP 3%.*

Pada : 3 / 12 / 2008

Kandungan Isu ini

- 2 National Tripartite Conference on Decent work
- 3 Training / Seminars
- 4 One paid day off for Domestic Workers
- 5 Seminar to Enhance Productivity
- 6 EPF- in dilemma!!!
- 7 Gender Pay inequality
- 8 International News

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National Tripartite Conference on Decent Work

Julung kali kerajaan Malaysia telah menganjurkan Persidangan Kebangsaan Tiga Pihak Bagi Amalan Kerja Baik di PWTC dari 20-21 November 2008 sempena sambutan *world decent work day* yang disambut pada 7hb Oktober 2008. Persidangan ini telah dihadiri lebih kurang 400 peserta yang diwakili kerajaan, majikan dan kesatuan sekerja. Persidangan ini telah dirasmikan oleh Menteri Sumber Manusia Datuk Dr. S. Subramaniam. Persidangan ini telah mengadakan perbincangan panjang lebar dan mendalam terhadap agenda ILO. Tema bagi persidangan tahun ini ialah **"Realizing Decent Work Through smart Partnership for Common Goal"**.



SUBRAMANIAM bersama timbalannya Datuk Noraini Ahmad (kiri) dan Ketua Setiausaha Kementerian, Datuk Thomas George (kanan) melihat Pelan Tindakan Pekerjaan Nasional (NAPE) 2008-2010 di Kuala Lumpur, semalam.

Menteri sumber manusia mengakui kepentingan dan keperluan untuk merealisasikan amalan kerja baik kepada pekerja-pekerja di Malaysia. Dalam majlis ini beliau turut melancarkan Pelan Tindakan Pekerjaan Nasional (NAPE) 2008-2010 yang memberi fokus untuk mengatasi jangkaan peningkatan pengangguran, mengurangkan kebergantungan kepada pekerja asing, bertindak balas

This conference provides the social partners the opportunity to discuss positively and constructively, and the true spirit of partnership, issues and problems relating to labour and employment and accordingly proposed practical measures to build an excellent labour and employment condition necessary for generating decent work and improving the quality of life for the nation's workforce.
YB Datuk Dr. S. Subramaniam,
Minister of Human Resources

terhadap permintaan pantas dalam pasaran buruh dan meningkatkan daya saing negara dalam pasaran tenaga kerja. Pelan ini mengariskan 10 garis panduan strategik yang amat penting untuk pasaran tenaga buruh masa kini.

Manakala persidangan ini telah mengkhususkan perbincangan kepada 4 elemen utama iaitu:

- Employment stability /Kestabilan pekerjaan
- Jaringan keselamatan sosial
- Sosial dialog
- Gaji dan decent work

Hasil perbincangan dari setiap sesi telah dibentangkan kepada menteri diakhir persidangan untuk dijadikan panduan pengubalan dasar dan polisi perburuhan. Persidangan ini akan dijadikan satu aturcara tahunan untuk masa akan datang.

"...everyone had the right to work, choose their employment, and enjoy favourable work conditions and remuneration without discrimination. The ultimate goal is to provide all members of the workforce with tangible opportunity to acquire decent and productive work, while not comprising on the ideals of freedom, equity, security and dignity".

Prime Minister Datuk Seri Abdullah Ahmad Badawi



On facing the global economic crisis- the government will monitor retrenchments by forming two committees to track job termination and potential retrenchment and provide assistance for the retrenched in the form of reskilling and retraining programmes. Datuk Subramaniam said the first committee, the Employee Retrenchment Monitoring Committee, will study likely retrenchment situations and work with employers to find alternative ways to help the workers.

Ahli-ahli panel dari kesatuan terdiri dari:

Sdr. Syed Shahir Syed Mohamud
Presiden MTUC

Sdr. G. Rajasekaran
Setiausaha Agung MTUC

Sdr. Haji Mohamed Shafie BP Mammal
Presiden UNI-MLC

Sdr. A. Navamukundan
Setiausaha Eksekutif NUPW

Sdr. Andrew Lo
Ketua Eksekutif, Bank Sarawak

Training & Seminar

MTUC / SOCSO – 2 days Basic Safety & Health training program held on 20 - 21 of October 2008, at Hotel Rasa Sayang, Johore Bharu.

PARTICIPATION – 30 plant level leaders attended this program. The main purpose of organizing this program was to create awareness among trade union leaders at the State level to understand the importance of OSH, understand the salient sections of the OSH Act 1994, and to address issues concerning occupational accidents and diseases highlight to their respective employers on how unions and employers can work together to reduce work related accidents and diseases.



Importance of Trade Union Education Seminar was organized by AMESU for its member from 9-10 Nov 2008, Sepang Selangor Malaysia.

20 area committee members from Melaka, Selangor and Negeri Sembilan participated in their first education programme organized by AMESU. The programme were facilitated by Bro. Soma and Sis Rajes from MTUC; Bro JeyKumar, Bro Rajasekaran dan Bro.Guna from AMESU. It covered number of trade union issues relating to labour laws, leadership skills, collective bargaining, statistics, philosophical and politics in trade union.



Closing session with Deputy President MTUC Bro. Khalid Atan



CALL FOR ONE PAID DAY OFF FOR DOMESTIC WORKERS

The Malaysian Coalition for Domestic Workers Campaign which comprises of MTUC and several other NGOs launched the Domestic Worker's Campaign **"One Paid Day Off for Domestic Workers"** on Sunday 19th October 2008 at the Sunway Pyramid. The objective of the campaign is to lobby for a day off for domestic workers, to promote public awareness of the right of domestic workers to get one day off a week.

This campaign was organized out of concern for the 320,000 foreign domestic workers working in this country without a weekly day of rest. It focuses on the right to a paid day off for all domestic workers in the country especially "stay in" domestic workers. A day off from the employer and the family will bring positive results to both the family and the worker. The domestic worker is a human being with social needs like the need for friends. The off day can also be an opportunity for the worker to improve herself and her skills and as well stay healthy – mentally and physically. Currently, only the Filipino workers are enjoying a weekly day off as a rest day based on their contracts drawn up by the Philippines government.

The reality speaks for itself. The situation and the trafficking of women and children in domestic work will continue if we do not work for change. Gender based violence will increase, as we have seen, more brutal as the days go by. Most of all Malaysians will begin to believe that it will be perfectly fine to beat, to slap, to rape, to hold in captivity migrant domestic workers.

The Coalition for the Campaign on Domestic workers calls on the Malaysian government and governments of source countries together with employers to stop the abuse and violence of domestic workers; of ensuring the protection of rights of all domestic workers by recognizing them as workers. By Parimala N. - MTUC Migrant Workers Project Officer



Performance by Filipinos maid during the campaign



MTUC / SOCSO – 2 days Basic Safety & Health training program 10-11 November 2008 in Shah Village Selangor

25 plant level leaders attended this program. The main purpose of organizing this program was to create awareness among trade union leaders at the State level to understand the importance of OSH, understand the salient sections of the OSH Act

1994, and to address issues concerning occupational accidents and diseases highlight to their respective employers on how unions and employers can work together to reduce work related accidents and diseases.



Seminar on-Enhancing Productivity and Competitiveness through the Productivity-Linked Wage System

Malaysia Productivity Corporation (MPC) dengan kerjasama MTUC telah menganjurkan seminar sehari di Menara PKNS pada 21hb Oktober 2008 kepada ahli-ahli kesatuan bagi mendalami unsur-unsur dan elemen mengenai kepentingan produktiviti dikaitkan dengan sistem gaji (PLWS).

Antara pendedahan yang diberikan adalah berkaitan:

- Pengukuran produktiviti dan prestasi syarikat
- Polisi berkaitan PLWS
- Penganalisaan kes syarikat
 - Model Keuntungan/Profitability
 - Model Produktiviti/ Productivity
 - Model Campuran / Combined model
- Langkah-langkah pengamalan.

Apakah yang diutamakan? Berdasarkan perbincangan adalah jelas bahawa **komponen-komponen tetap(fix component)** perlu dikekalkan. Elemen-elemen tersebut adalah seperti gaji asas dan kenaikan gaji tahunan. Meskipun model campuran diadakan ia jelas boleh memberi manfaat yang besar kepada kesatuan dalam perundingan perjanjian bersama.

Lebih dari 40 pemimpin kesatuan gabungan mengambil bahagian dalam seminar yang julung kali diadakan bersama MPC



Ahli-ahli terdiri dari sektor perbankan, pembuatan, perkhidmatan dan utiliti



ITUC-Asia Pacific Regional Workshop on Minimum Wage Fixing

ITUC-AP organised the regional workshop on minimum wage fixing in Malaysia from 18-19 November 2008. The main objective of this regional workshop are: To exchange experiences on minimum wage setting in different countries; to further discuss on the criteria in the determination of minimum wages and to recommend criteria for the determination of minimum wages. Altogether 34 persons from 22 countries participated in this regional workshop. One of the key recommendation made during the workshop was that the minimum **wage fixing should be part of a policy to tackle poverty and to meet the needs of all workers and their families** in attaining a decent standard of living. The fundamental objective of minimum wage fixing should be that it is a part of the efforts to provide social safety nets to wage earners to have decent life.





Employees Provident Fund

'Why should Valuecap borrow from EPF?'

MTUC condemns the government's move to bail out Valuecap to support the local stock market using RM5 billion from EPF, as the provident fund is the custodian of the workers' money and not some sort of 'automated teller machine' for the government.

If at all the EPF were to lend its money to the government, it has to be under the condition that there be transparency and accountability in the activities for which the money has been purposed.

We want to know who is doing what with the money that belongs to the workers. This is the hard-earned money of the workers, their retirement plan. How is this bailout plan going to benefit the workers?

We also question the reason for this bailout. If the economic fundamentals in Malaysia are strong and reserves sufficient as has been stated several times by the government, then why is there a need to offer so much money to the GLCs?

Second Finance Minister Nor Mohamed Yakcop should prove how the EPF would profit from this loan. Ber-nama had reported that Nor had given the assurance that the loan given out by EPF would reap profits for the fund judging from Valuecap's past performance.

But where is the paperwork and calculations to show that this move will benefit the EPF? MTUC is concerned that the loan might be mismanaged or misused and this, in turn, would affect the returns for the contributors. Mere assurances are not enough. We want to prove that this RM5 billion will not go down the drain.

Malaysiakini October 25, 2008

Reduction on workers contribution of Employees Provident Fund (EPF) by three per cent for two years, which was announced by the government to stimulate economic.

It was part of the economic stimulus package announced by Finance Minister Datuk Seri Najib Razak.

Following up on the announcement, the EPF had instructed that those employees who did not wish to reduce their statutory contribution from 11 per cent to eight per cent a month would have to state that in writing by filling up a form.

Malaysian Trades Union Congress general secretary G. Rajasekaran said many employees would not bother filling out the form and, by default, would subscribe to the reduction from Jan 1 "somewhat compulsorily" when in principle, the exercise was voluntary.

Noting that EPF contributions were savings meant for old age and that it was important that such savings were not reduced, he suggested that only those who wished to opt for the reduction be asked to sign KWSP Form 17A.

**EPF
cut
3%**

EPF 8% Means Paying More Income Tax

Assume monthly basic salary is RM4000.

- If monthly EPF contribution is 11% (RM440), taxable income = RM3560, income tax payable = RM77.

- If monthly EPF contribution is 8% (RM320), taxable income = RM3680, income tax payable = RM109.

If we choose to contribute 8%, we will end up paying more income tax.

Finance Minister said this measure is meant to boost up the slow-down market, but from this example we see that the money does not go into the market. Instead the money goes direct into the government's pocket through the greater amount of income tax that we will have to pay. Obviously this measure does not help the market at all.

If we choose to contribute 11%, at end the extra 3% money that we contribute still going back to our pocket & we even save more with paying less tax to the government.

Gender Pay Inequality, an Economic Violence against Women

"Gender pay inequality is an economic violence against women", declared Sister Noorlaila Aslah of MTUC-Malaysia, Chairperson of the Women's Committee of the International Trade Union Confederation (ITUC) - Asia Pacific as she exhorted trade unions to prioritize enforcement of pay equity and elimination of gender pay inequality in the historical first gender equality session of the ITUC-AP 2nd Regional General Council Meeting on 5 November 2008 in Bangkok, Thailand.

The recently held ITUC-Asia Pacific meetings in Bangkok, the 3rd Women's Committee Meeting on 4 November and the 2nd Regional General Council Meeting on 4-6 November underscored the importance of addressing gender pay inequality which is fundamental to achieving "decent work, decent life for women" as highlighted in the global trade union campaign and in pushing for the achievement and promotion of gender equality and women empowerment.

The meetings pointed out that gender wage disparities result in gross difference in lifetime savings between women and men that leads to the impoverishment of women. This reinforces studies that 60 per cent to 70 per cent of the world's poor and working poor are women.

Studies also reveal that women living in poverty are more prone to domestic violence. Among the trade unionists, there is already a growing awareness that domestic violence is also a workplace issue. Domestic violence can cause increased absenteeism, tardiness, deterioration of psychological and physical health that affects work performance.

Workplace and other trade union issues on violence against women are human trafficking and forced labour, sexual harassment, sexual assault, pregnancy tests and dismissal for pregnant women, sexual intimidation, beatings constant verbal abuse, bullying, close surveillance including invasion of personal privacy and arbitrary financial and physical punishment.

The 2nd ITUC-AP General Council Meeting devoted a full afternoon to discuss gender pay inequality and ways and means to enforce pay equity and eliminate gender pay gap. This shows that gender issues are highly placed in trade unions' agenda.

In 1999, the United Nations officially designated November 25 as the International Day for the Elimination of Violence against Women.

Press Statement by Chairperson of the Women's Committee, Sis NoorLaila Aslah

GLOBAL FINANCIAL CRISIS

Krisis kegawatan yang ekonomi yang melanda dunia secara perlahan melenyapkan industri kewangan terutamanya sektor perbankan di US, German, UK, Japan dan kini menukar ke China pula.

Malaysia tidak ketinggalan dari tempias kegawatan ini. Syarikat-syarikat US kini telah mula menutup operasi jabatan, mengurangkan tenaga kerja dan melakukan penstrukturan semula bagi mengagihkan operasi dan pengurangan kos.

Adalah diharap agar semua kesatuan bersedia untuk menerima pergolakan ini dan bekerjasama dengan semua pihak yang boleh menjurus kepada penyelesaian yang boleh memberi kebaikan kepada semua pihak.



CIMB Aviva Assurance Bhd	
Net loss	RM12.4 million
Gross premium	RM804.2 million
CIMB Aviva Takaful Bhd	
Net profit	RM6.26 million
Gross contribution	
a. Family (life) division	RM5.84 million
b. General division	RM105.3 million

Thumbs down for US auto bailout plan
ATLANTA: As the US Congress debates legislation to help struggling carmakers yesterday, many Americans are lobbying for the money to help them restructure and survive the economic downturn. The stakes rose on Friday, when Goldman Sachs suspended getting a bailout and the little people don't, he said. The carmakers are a symbol of industrial muscle in the world's richest country and their financial straits are seen as a sign of the trouble facing the US economy as a whole. Even so, the bailout is un-

Export slowdown has China's workers reeling
Mass layoffs and a wave of factory closures following export shutdown have left the country's leaders preoccupied amid a global financial crisis, writes EDWARD WONG
WANG Dengfeng, father of three, arrived more than a year ago in the paint-lined streets of the southern town of Chang'an

International news

Survey: M'sian unions violated, BAT in bad light

Malaysia's violation of trade union and workers' rights came under fire from Brussels-based International Trade Union Confederation (ITUC) in its annual survey of trade union rights violations.

Even participation in peaceful strikes and pickets can be dangerous in Malaysia, while large multinational companies were free to violate workers' rights or weaken unions through dismissals and job reclassifications.

ITUC, which surveyed 138 countries to ascertain the state of trade union rights in 2007, cited the 'anti-union violence' that broke out on Apr 17 in Melaka when police used force to disperse a peaceful picket organised by Panasonic employees.



The organisation representing 168 million workers in 155 countries and territories - with 311 national affiliates - alleged that British American Tobacco (BAT) impaired its union through dismissals and reclassifying union members as management personnel while not changing job specifications.

Therefore BAT's 'process specialist' who were previously 'process technicians' - had to become part of management and cease to be a member of the union, or risk losing their jobs.

Similarly 250 of the company's trade, marketing and distribution representatives through the same method found themselves de-unionised, explained ITUC. In October 2007, BAT barred employees of two wholly-owned subsidiaries - Tobacco Importers and Manufacturers Sdn Bhd and Commercial Marketing and Distributors Sdn Bhd - from BAT Union membership.

These and other moves - including the outsourcing of its technical service department and the firing

of its unionised personnel - has reduced the membership of BAT's workers' union to little more than two dozen people.

Rela intrusion



ITUC criticised Malaysia for denying basic protection to foreign workers, citing the operations of the people's volunteer corps Rela against undocumented migrants.

"(The) volunteer corps of civilians was involved in a series of human rights violations against migrant workers, who make up 15 to 20% of the workforce," said ITUC.

The international labour group was equally concerned that employers have greater power and ability - thanks to the government obstructing legal recognition of trade unions through its amendments of the 1959 Trade Unions Act and 1967 Industrial Relations Act.

Source: 20 Nov 2008 Malaysiakini.

Iranian teacher unionist alive but at risk

27 Nov 2008, An Iranian Kurdish teacher and trade unionist who was taken from a prison on 26 November in Iran in preparation for execution has been reported to be alive but still at risk of execution.

Education International (EI) received information from reliable sources that Farzad Kamangar was yesterday taken from his cell in Tehran's Evin prison in preparation for execution by hanging. However, the latest information is that he is still alive and was able to meet with his lawyer yesterday. His situation remains precarious nonetheless.

"Teachers everywhere are shocked by the flagrant disregard for human and trade union rights, as well as a total lack of fair process," said EI General Secretary Fred van Leeuwen. "The death penalty is irreversible and no judicial system should risk condemning an innocent person." source: Labourstart