

Labour Bulletin

Monitoring and Assessing Progress on Decent Work

The ILO will be launching a four-year project to monitor and assess progress on Decent work. The project covering few countries will include Malaysia and ILO has invited MTUC to work closely together with other social partners.

Monitoring and assessing progress towards decent work at the country-level is a long standing concern for the ILO. The project is expected to facilitate the identification of decent work indicators that are relevant at the national level, support data collection, and use the collected data for an integrated policy analysis of decent work in order to make them relevant for policy making.

The overall development objective of the project is the realization of decent work as a contribution to social justice and poverty reduction in developing countries.

Since 2007, the ITUC and ETUC worked in an alliance to build awareness and promote Decent Work for decent life as solution to poverty eradication, workers democracy and social cohesion. It is also deployed as a medium to confront the global forces that marginalize opportunities for decent work and fair earnings of working people in all categories. The campaign targets predominantly young people, trade union activities, governmental organizations, non-governmental organizations (NGOs) and decision makers in both developed and developing nations. It is timely to analyze and revamp aged policies and practices on human values which beyond doubt have an effect to working fraternity and their families. Championing the call for decent work is akin to winning the call for human peace across the planet. The Decent Work paradigm should rest at the core of development, economic, trade, financial and social policies at the national and international height. (Realizing Decent Work for Decent Life, Ministry of Human Resources. Malaysia)

G.Rajasekaran,
Secretary General

3rd July 2009

MTUC officials and staff express our heartfelt condolence to the family of late Mr. Gnanapragasam Innasi's (Prakash). He was the Secretary of Kesatuan Eksekutif Airod. He died on 26 June due to an accident.

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Wisma MTUC
10-5, Jalan USJ 9/5T,
47620 Subang Jaya,
Selangor.
Tel: 03-80242953
Fax: 03-80243225
email: mtuc@tm.net.my
www.mtuc.org.my

Disediakan oleh:
R.Rajeswari
Setiausaha Penyelidikan



A day off for Domestic Workers

WEEKLY DAY OFF FOR MAIDS HR MINISTER URGED TO BE FIRM

MTUC welcomes the positive steps taken by the Human Resources Minister Datuk S. Subramaniam and urge him not to delay the enforcement of a day off every week.

Even if the Government is unable to extend the coverage of the Employment Act to the domestic maids, essential minimum standards like working hours, living conditions, minimum wages and requirement to have a standard contract of employment should be essential condition of the work permit.

As MOU's are not enforceable these conditions should be stipulated as part of the Employment Act, in the form of regulations.

Government should also review the recruitment procedure so that employers will not be required to pay an exorbitant sum of RM7000 to 8000 as agency fee.

A drastic reduction of the agency fee will encourage employers to willingly accord better perks to the maids.

Commenting on the unfair reaction from employers, MTUC said that the workers have left the comfort of their home and family to earn a living here. If we treat them well they would not find a reason to abscond.

Child Care centres proposed to help minimize dependence on maids

Noorlaila Aslah, the chief of the women's' section of MTUC has called on the government to set up child care centres which are affordable to help families in the country be less dependent on foreign maids. "A similar proposal was made by the Women, Family and Community Development Ministry a few years ago but this was not implemented. Since the government was encouraging more women to work, these centres could assist in achieving its objective.

This was long overdue because the Filipino maids were already enjoying such off days for many years. So it was just unfair for us to discriminate the Indonesian maids. The orientation would greatly help the maids to adjust to their new role here and also ease the burden on the employee," *Malaysia Today, 17 June 2009*

Govt wont change position on maids days off

The government is unlikely to change its position on giving foreign maids a day off each week even though there were a lots of comments on this matter. Human Resources Minister Datuk Dr.S.Subramaniam said that in implementing the move, the ministry would however look into all aspects including social implications.

He also said the government would tighten the operations of labour contractors by amending the Employment Act 1955 to allow the ministry to regulate their activities in hiring out foreign workers.

Meanwhile, MTUC said the move to give foreign maids a day off a week was long overdue. It will be good for them as it will give them a break. Currently only Filipino maids were given a day off each week as it was provided for in the agreement with the Philippine government.

NST 24 June 2009

Abused maid tried to escape several times

By Fadhal A. Ghani
fadhala@nst.com.my

KUALA LUMPUR: Abused Indonesian maid Siti Hajar had tried to escape from her employer several times in the past three years.

However, each attempt was thwarted by her employer, who then assaulted and abused her further.

Her employer, a 43-year-old agent dealing with foreign maids, was arrested on Monday and remanded for five days to facilitate investigations.

Siti, who was awarded at the University of Malaya Medical Centre here, said she could not bear the torture any longer after she was scalded on Sunday.

"I am usually the target when my employer has prob-

lems.

"She is a divorcee with a 11-year-old son and a 13-year-old daughter," she said.

"Despite the abuse I underwent, I never took it out on her children.

"I, too, am a divorcee with two children. My children are being taken care of by my parents in Garut, West Java."

Siti alleged she only slept three hours daily and breakfast and dinner usually consisted of plain rice and water.

She said she was assaulted for stealing vegetables several times after she could not stomach the plain rice.

"She would somehow find out I stole the vegetables and for that I would be beaten up."

Seated in a wheelchair, Siti then broke down and said all she wanted now was to go



Siti Hajar claims she was not only abused but also given plain rice to eat

home and hug her children.

"Maybe I will return to Malaysia later to work. I know not all employers are like my former boss," she said.

Siti escaped from her employer's Lanai Kiara Condominium in Mont Kiara and hid in some bushes. At sunrise, she boarded a taxi to the Indonesian Embassy.

After hearing her story, embassy officials contacted Siti's employer who turned up with a friend. She was then handed over to the police.

Meanwhile, an Indonesian embassy official said Siti's family in West Java had been informed and they had requested that the matter be settled quickly.

Give them day off, urges unionist

KUALA LUMPUR: The Malaysian Trades Union Congress (MTUC) wants the government to declare a compulsory weekly day off for domestic workers to enable them to go to the Labour Department in case they need to report any mistreatment.

Referring to the case of Indonesian maid Siti Hajar who claimed she was abused by her employer for the past three years, MTUC secretary-general G. Rajasekaran said this measure must be taken due to rising reports of abuse and inhumane treatment of foreign domestic workers.

"Compelling domestic workers to work 16 hours a day, seven days a week and 365 days a year is not illegal."

Rajasekaran said this group of workers, numbering more than 300,000 in the country, were also not entitled to any legal protection.

"The only protection the workers have is that they can

go to the Labour Department to complain about non-payment of monthly salaries, but without a weekly day off they are denied free movement."

He urged the Human Resources Ministry not to turn a blind eye to these reports as thousands of foreign domestic workers were made to endure beatings, poor living conditions and suffer in silence.

Siti Hajar, 33, from West Java, who allegedly could no longer stand the abuse, fled from her employer's residence in Lanai Kiara Condominium, Mount Kiara, on Monday.

She also claimed she had not been paid any salary since her employment and was owed RM17,000.

The Indonesian ambassador, Ian Sri Dal Bactiar, told reporters on Monday that Siti Hajar was not only allegedly beaten but also only fed plain rice and occasionally with pork. — Bernama



Pekerja Dalia Industri berpiket

Lebih kurang 30 pekerja Syarikat Dalia Industries Sdn.Bhd berpiket pada 25hb Jun 2009 diperkarangan syarikat. Pekerja-pekerja syarikat ini telah diwakili oleh Kesatuan Sekerja Pembuatan Barangan Galian Bukan Logam(NMMPMEU).

Syarikat ini berlokasi di kawasan perindustrian Nilai, Negeri Sembilan. Syarikat ini mempunyai pekerja seramai 105 orang.

Pertikaian wujud apabila majikan enggan mematuhi syarat-syarat dalam perjanjian bersama terhadap faedah-faedah pekerja dan memotong elaun-elaun tetap pekerja. Akibatnya pekerja telah kehilangan pendapatan sebanyak RM400 sebulan. Keengganan syarikat untuk mengadakan rundingan dan membelakangkan kesatuan telah mencetuskan kepada piket ini. (NMMPMEU)

Socso cracks the whip on 35 employers

The Pahang Social Security Organisation (Socso) took action against 35 employers in the first five months of this year.

Its deputy assistant director, Zamri Draman, said 16 employers were charged in court and fined while 14 others were fined for failing to make contributions for employees, registering with Socso and keeping records of their employees' salary.

Zamri said the agency was still investigating five cases. They also issued reminder letters to 31 employers telling them to adhere to the regulations or we would have to take action against them.

NST, 24 June 2009

Grieb Malaysia to Close down Telok operation

On June 22, Grieb Malaysia announced that their Telok Panglima Garang factory will cease operation with immediate effect. The steel drum manufacturing factory originally owned by Rheem-Hume Industry has been in operation for 40 years.

All sixty employees of the company, many with up to 30 years service, will be retrenched. The Metal Industry employees' union (MIEU) represent the workers since 1971, met with the company to ensure that all employees are adequately compensated. Company has agreed to comply with the provisions of the collective agreement in respect of retrenchment. Company also accepted MIEU's request that employees who wish to work in the Petaling Jaya plant should be accorded the opportunity.

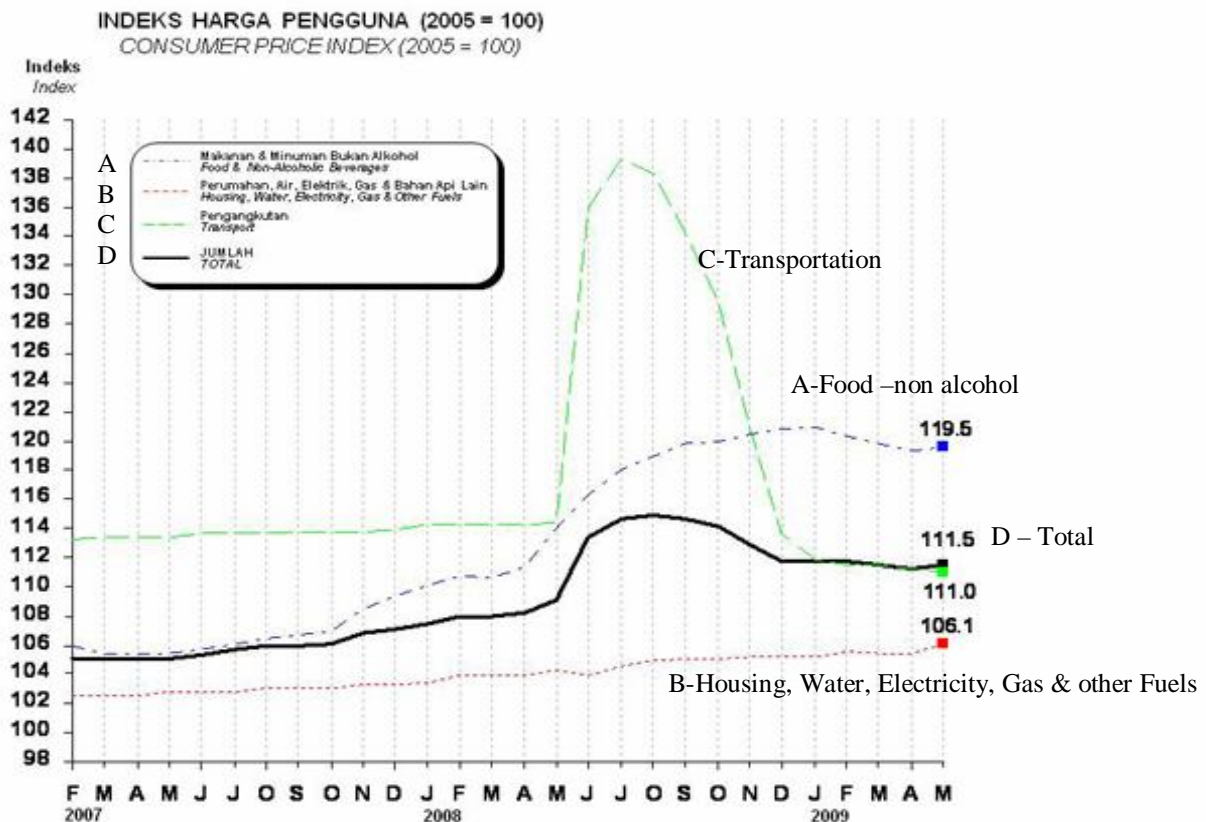
MIEU reported that this is the second plant shut down in the metal industry since the global financial crisis started in October 2008. (MIEU)

Moritetsu Electric akan menutup operasinya

Syarikat Moritetsu Electric yang berlokasi di Sitiawan Perak akan menutup operasi syarikatnya pada 15 Ogos 2009. Seramai 79 pekerja yang sedang bekerja di syarikat ini akan kehilangan mata pencarian mereka. Syarikat ini telah beroperasi lebih dari 20 tahun dan dibawah naungan kesatuan pekerja-pekerja elektrik. (EIWU)



Indek Harga Pengguna



Indek Harga Pengguna bagi tahun 2007-2008 adalah seperti yang dipaparkan pada jadual di bawah iaitu 5.4 peratus manakala bagi tahun 2009 sehingga ke bulan Mei pula ialah 3.3 peratus. Namun demikian graf di atas jelas memberi interpretasi bahawa kadar CPI adalah agak tinggi bagi makanan dari unjuran biasa. Harga barangan makanan perlu berada pada tahap yang nominal supaya golongan berpendapatan rendah dan sederhana dapat menyesuaikan sara hidup mereka dalam keadaan yang genting akibat kegawatan yang melanda setiap individu dan keluarga mereka dengan penutupan syarikat, penstrukturan dan menyumber keluar operasi.

The Consumer Price Index (CPI) for January to May 2009 increased by 3.3 per cent to 111.7 compared with that of 108.1 in the same period last year. When compared to the same month in 2008, the CPI for May 2009 registered an increase of 2.4 per cent from 109.1 to 111.7 and compared with the previous month, the CPI increased by 0.2 per cent.

Consumer Price Index(2005 = 100) (% Change)	2008 / 2007	2009 / 2008 Jan-May
Malaysia	5.4	3.3
Peninsular Malaysia	5.4	3.1
Sabah	6.0	5.2
Sarawak	6.0	3.5

KADAR PERTUMBUHAN KDNK

Gross Domestic Product / Gross National Income	2008 ^p	2008 ^p 4 th Quarter	2009 ^p 1 st Quarter
Gross Domestic Product (GDP): Current Prices (RM Million)	738,677	177,041	155,458
Gross Domestic Product (GDP): Constant 2000 Prices (RM Million)	528,311	131,236	121,162
GDP Growth Rate Constant 2000: Prices (%)	4.6	0.1	-6.2
Gross National Income (GNI): Current Prices (RM Million)	713,821	171,861	n.a
Per Capita GNI: Current Prices (RM)	25,743	24,535	n.a

Jadual disebelah menunjukkan pertumbuhan KDNK bagi tahun 2008 dan penggal pertama tahun 2009. Meskipun telah melepasi 5 bulan bagi tahun 2009 namun demikian pertumbuhan KDNK masih berada pada tahap negative. Keadaan ini menjelaskan bahawa kesan krisis ekonomi sejagat masih lagi memberi bahang yang kritikal kepada pertumbuhan ekonomi Negara.

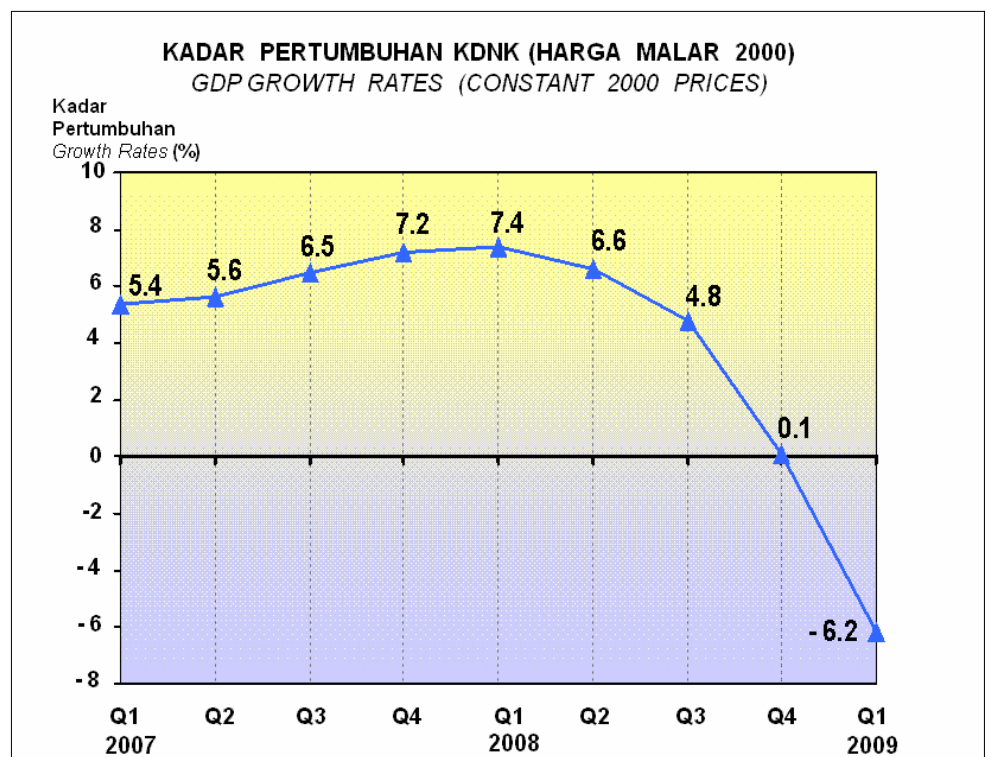
Kesatuan-kesatuan adalah dinasihatkan mengambil kira perkara ini dalam menjayakan perjanjian baru yang bakal di tandatangani bagi memberi manfaat yang sewajar kepada kedua-dua pihak majikan dan pekerja.

Graf di sebelah pula jelas menggambarkan bagaimana keadaan semasa KDNK Negara.

Dengan pakej rangsangan yang telah disalurkan kepada pelbagai sektor dan industri namun ekonomi masih mengalami keadaan yang signifikan untuk kembali pulih kepada keadaan asal yang lebih mantap dan kukuh.

Kesan ini jelas menular dalam kebanyakan syarikat dan pelbagai inisiatif diambil oleh majikan bagi mengurangkan risiko kos. Salah satu alternatif yang menyumber keluar aktiviti syarikat dan operasi syarikat.

Sumber: Jabatan Statistik Negara



90% estates in Malaysia fails to meet Occupational Safety and Health Standards

It is workers that we must be concerned about - and it is shocking to find out that now 90% of the estates in Malaysia have failed Occupational Safety and Health Department's safety level.

Will the government take action against these employers? Or will be waiting for the serious industrial accidents that result in serious injury or even death...

Only 50 out of the 581 estates audited by the Occupational Safety and Health Department passed the safety level set by the Human Resources Ministry.

Minister Datuk Dr S. Subramaniam said the figure was worrying as there were more than 3,000 estates in the country. "We are worried but we are doing something to improve the figure," he told reporters after launching an occupational safety and health carnival at the Seri Intan Estate.

Dr Subramaniam said among others, the ministry would conduct regular audits and hold more carnivals on occupational safety and health issues. He also urged estate workers to assume more responsibility for their own safety, adding that sometimes they did not bother to use the safety equipment supplied to them by their employers.

He said the cases of reported industrial accidents had also declined from 58,365 in 2004 to 44,918 last year, with manufacturing, construction and agriculture recording the highest number. - Star, 24/5/2009, [90% of audited estates found to be 'unsafe'](#)

By Charles Hector, 7th June 2009



100 Agni Energie engineers lose jobs overnight

It was supposed to be an usual working day for around 100 engineers at Agni Energie Sdn Bhd Shah Alam but their day turned into nightmares when all of them suddenly lost their jobs upon receiving termination letters without notices. An employee who requested anonymity told *Malaysiakini* that he was shocked to learn that all the employees were given termination letters with the reason that the company was not going to continue.

The employee, who has been working in the advanced energy technology company for the past seven months, said there was no problem with the company previously except it being inconsistent with the salary payments. "Last month, they said they didn't have the money to pay them.- said the employee.

Reports lodged at Labour Office

The employee said many of his colleagues are lodging reports against the company at the Labour Office in Sepang and are still awaiting the outcome. Agni Energie is a specialist in high efficiency, performance and environmentally-friendly power generation technology including fuel cell technology, fuel processing technology, co-generation technology and solar thermal energy generation technology. However, managing director PV Lingam said the shutdown was only temporary due to "restructuring work". "There is no such thing as employees being terminated. We are just going through some process of restructuring, that's all," he said.

The doors are tightly shut at the factory

He also said that the employees were given notices before the restructuring took place. "Yes, they have been told... I think you better check with the board of directors to get a better clarification," he said, before cutting the interview short.

Source: Malaysiakini, Rahman Ghazai, Jun, 13 2009

Industrial court to be strengthened

Addressing the 7th International Transport Workers Federation (ITF) Asia Pacific Regional Conference in Petaling Jaya on 16 June 2009. The Human Resources Minister Datul Dr. S. Subramaniam stated that the Industrial Court which constitutes the bulwark of the nation's industrial arbitration system, will be upgraded and enhanced with more resources, particularly with regard to the facilities and employing adequate court personnel.

In his keynote address, the minister gave assurance that the Government will continue with long established practice of holding discussions and informal dialogues with the labour leaders to address common concerns. He also said that they are keen to obtain a ringside view and first-hand information on shop-floor issues impacting on the wellbeing of workers. The "1 Malaysia" Policy is all about a proactive Government always having its ears to the ground and its hands on the pulse of the people.

He highlighted about the Government's intention to have active consultation with the International Labour Organization (ILO) and is studying the possibility of setting up a *National Retrenchment Scheme* to provide financial assistance to retrenched workers, especially those whose employers have gone into bankruptcy with no financial capacity to pay legally mandated job severance benefits.

500 delegates from Asia Pacific countries representing unions in road transport, railways, ports, airlines, tourism, civil aviation sector as well as seafarers participated in the 3 days conference.



International news

Guatemala: Abductions and Death Threats

Brussels, 2 June 2009 (ITUC OnLine): The ITUC strongly condemns and denounces the latest abductions and death threats together with the climate of violence and impunity prevailing in Guatemala.

Trade union leader Efrén Emigdio Sandoval Sanabria, a member of the coordinating board of the ITUC affiliate UNSITRAGUA (Unión Sindical de Trabajadores de Guatemala) and of the political council of the Guatemalan labour, indigenous and campesino movement, MSICG, has been the target of repeated death threats, issued in various forms. On 27 May, he received threats of abduction, torture and murder by e-mail, reminiscent of those used during the years of armed conflict.

The following day, on 28 May, Victoriano Zacarías Míndez, deputy general secretary of another of our affiliates, the CGTC (Confederación Central General de Trabajadores de Guatemala), who is also a member of the political council of the Guatemalan labour, indigenous and campesino movement (MSICG), was abducted by armed men. Fortunately, he managed to escape from his captors unharmed. The national, regional and international trade union movements have once again joined with the Guatemalan labour, indigenous and campesino movement (MSICG) in condemning the violence and impunity affecting the day-to-day lives of the Guatemalan people and in demanding solutions.

Colombia: Two More Trade Unionists Murdered

Brussels, 22 June 2009: The ITUC once again strongly condemns and denounces the murders of two more trade unionists in the Arauca region. Pablo Rodríguez Garavito and Jorge Humberto Echaverri Garro, teachers affiliated to the Arauca teachers' association Asociación de Educadores de Arauca (ASEDAR), were brutally murdered by unknown gunmen.

The ITUC has joined with its regional organisation TUCA, its Colombian affiliates, and ASEDAR, in their resounding condemnation of these murders, mourned by working people and the national, regional and international trade union movement.

The two murders took place during the same week as the 98th International Labour Conference that has been held every year in June, in Geneva, for almost a hundred years. The Colombian government was once again questioned by the Conference Committee on the Application of Standards over the lack of guarantees for the exercise of trade union rights, the increase in violence against trade unionism, the scant progress in bringing an end to impunity and the stigmatisation of trade union organisations. Source: *ITUC online*.

Urgent Action Nestlé Indonesia - Two Years and Nescafé Workers Still Waiting for the Right to Negotiate Wages!

Since 2007, the union at Nestlé's Nescafé factory in Panjang, Indonesia has been struggling to negotiate two basic improvements to their contract. The union wants: wages to be negotiated through collective bargaining, and is asking for the wage scale to be included in the Collective Bargaining Agreement. Nestlé management refuses, saying it is not company policy to negotiate wages and that wage scales are "confidential"! Rather than negotiate, Nestlé has attempted to undermine the union's legitimacy by intimidating members and leaders, attempting to establish a rival organization and pressuring workers to join it. For two years, workers and their union have been standing up to company pressure.

Source: <http://www.iuf.org/nespressure/en/>