



# Labour Bulletin

## ***Suspend Foreign Labour Suppliers***

*MTUC lauds Government's decision to impose an immediate freeze on recruitment of foreign workers for selected sectors including manufacturing which is facing a downturn.*

*However, Immigration Department will continue to issue foreign worker permits for the plantation, construction sector as well as domestic workers. **To ensure Government's objectives are met, MTUC request the Government to suspend all recruitments through foreign labour suppliers.***

*The so called foreign labour outsourcing agents who derive huge profits from trafficking in migrant workers often abuse their license by bring in workers allegedly for certain sectors but assign them to work in manufacturing sector. Such unacceptable practice will increase and defeat Government's efforts to reduce large scale retrenchment of locals.*

*In the three years since Government changed its policy on recruitment of foreign workers, most of the 270 licensed foreign labour suppliers, are responsible for creating numerous problems. Complaints of cheating, imposing excessive commission and nonpayment of wages were directed at recruiting agents.*

*G.Rajasekaran  
Secretary General*

***Pekerja yang  
dibuang kerja  
digalakkan untuk  
mendaftar dengan  
Kementerian  
Sumber Manusia di  
laman web: [http://  
www.mohr.gov.my](http://www.mohr.gov.my)***

### **Kandungan Isu ini**

- 2 SOCSO appeals restricted of law, to question
- 3 Landmark rulings
- 4 Union protest discrimination against locals
- 5 Economic Crisis
- 6 Training and Seminars
- 7 RM1000 minimum wage for MASEU employees
- 8 International News

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## Claimant left early to have his food and met with accident -Socso rejected the claim

**SOCSO Appellate Board decided in favour of the workmen pointing out that the Insured person had obtained prior permission to leave early.**

**SOCSO's appeal to the High court rejected on the grounds that there shall be no appeal to the High Court from an order of the Board unless the order involves a substantial question of law.**

An appeal was made by the appellant (the Socso) the Director General of the Social Security Organisation against the decision of the Chairman of the Employees' Social Security appellate Board allowing the respondent (the claimant) to claim for disablement.

The insured worked as a rubber tapper from 7.30am till 2pm and from 3pm to 7.30pm, he worked as an oil palm harvester for the employer. On 8 June 1999, after the insured had completed his work as a rubber tapper in the morning, he continued his job as an oil palm harvester for the employer and started work at about 2.3-pm. At about 6.15pm, **he obtained permission from his employer to leave early to have his food as he was hungry.** On his way to have his food, he met with an accident at about 6.30pm with a motor-car while he was riding a motorcycle which resulted in injuries.

The insured's claim for disablement benefit was rejected by SOCSO on the ground that the accident did not 'arise out of and in the course of his employment' as there was a deviation when the insured turned right to proceed to have his food instead of proceeding straight to his house from his place of work.

### Finding of the board

- **The insured was given permission to leave early to have his meals** and that if a long the journey he had met with accident, he was still covered by the Act as it 'arose out of and in the course of his employment.
- According to board *"this social legislation protects employees of almost all private sectors against contingencies of industrial accidents or occupational disease 'arising out of and in the course of his employment' and disablement or death due to whatever cause and provides monetary assistance or benefit through the Act of the compulsory social insurance scheme and this court or SOCSO itself should not frustrate or deprive insured or their dependents of their benefit by giving a narrow or restrictive interpretation of s.24 of the Act unless there is evidence of any kind of fraudulent claims which was not the case in this instant appeal.*
- The insured had **obtained permission from his employer to leave early** to have his food and while on his journey to the restaurant or stall and within a short time, he had met with the accident. There was no evidence that the insured should not absent himself from his work to procure refreshment or nourishment or to have his

**food when the necessity of human nature thereby required that he should do so.**

- He did not leave his place of work to carry out an unauthorised enterprise.

### Therefore the Judgement held by VT Singham J that:

- The SOCSO being dissatisfied with the decision of the board filed an appeal to the High Court. **There shall be no appeal to the High Court from an order of the Board unless the order involves a substantial question of law.**
- The court finds that this **appeal is revolved on the interpretation to be given to s.24(1) of the Act and it must involve a substantive question of law.** In other words, if the appeal is purely on the question of fact, this appeal cannot be brought to the High Court.

**Kes PERKESO: melibatkan pemesongan jalan Orang Berinsuran(OB).** PERKESO telah membuat rayuan kepada Mahkamah Tinggi kerana tidak bersetuju dengan keputusan Jemaah Rayuan yang memihak kepada OB. Dalam konteks kes ini-waktu kerja OB ialah dari 7.30pagi hingga 7.30 petang. Pada hari kejadian OB tidak menghabiskan kerjanya pada pukul 7.30 petang tetapi pada 6.15 petang kerana beliau telah meminta kebenaran majikannya untuk pulang awal kerana lapar.

Jemaah Rayuan berpendapat bahawa majikan OB membenarkan OB pulang awal semata-mata untuk membolehkan OB keluar untuk makan kerana beliau lapar bukannya untuk pulang awal. Bagi maksud ini adalah tidak wajar untuk OB balik semula kerja ke tempat kerja memandangkan selepas ke gerai makan dan menjamah makanan sudah tentu masanya sudah melewati waktu kerja.

Atas dasar inilah OB telah dibenarkan untuk pulang awal pada hari itu. Memandangkan situasi ini OB membelok ke kanan untuk ke gerai makan adalah menepati kebenaran yang diberikan oleh majikan untuk beliau ke gerai makan dan makan di sana.

Jemaah Rayuan berpendapat dalam kes ini bahawa kes kemalangan yang berlaku adalah semasa OB dalam perjalanan dari tempat kerja ke tempat makan dengan pengetahuan dan kebenaran majikannya. Ia tidak bercanggah dengan peruntukan s.24(1)c dan tidak boleh dikatakan bahawa pada masa kejadian OB telah melencong daripada perjalanan yang sepatutnya.

Hakim : VT Singham, Mahkamah Tinggi Malaya Ipoh  
ILR P: [2008] 4 ILR 473-716



# Landmark rulings by Industrial Court

**Dismissal**-claimant was dismissed under unsatisfactory performance.

**Jurisdiction**- claimant not seeking reinstatement -whether the court had jurisdiction to hear the matter -reasons advanced by the claimant for not seeking reinstatement- whether acceptable-whether court automatically had to adjudicate the reference once dispute referred by the Minister.

**Held in favour of claimant:**

- Claimant proved that this was unjust dismissal and he is entitled to be awarded with backwages.
- Claimant would have retired from the company 9 months after he had been unlawfully dismissed.

Ref: Eric Ho Shing Chiang v UMW Toyota Sdn. Bhd

Chairman: Muniandy Kannyappan

Award No: 1767 of 2008, [2008] 4 ILR 473-716

**Dismissal**- Misconduct whether claimants had conducted an illegal strike, whether had ceased and or refused to work, whether claimant had been chased out of the premises.

**Evidence:** Documentary evidence -notes of the domestic Inquiry-notes appearing to be irregular-no evidence on the veracity of the notes-effect of -whether reliance on the notes would have been prejudicial to the claimant.

Non production of material witnesses-company failing to call-company failing to show attempts to procure attendance of material witnesses.

**Judgement:**

Company failed to make any attempts to subpoena the claimant.

Claimant had not ceased working or refused to work which would have tantamount to a strike as defined in s.2.

They left their work place when vulgar words had been uttered against them.

Ref: Rodziah Abdullah & ORS v. Dai Ichi Electronics (M) SdnBhd

Chairman: Ahmad Terrirudin Mohd Salleh

Award No:1740 of 2998,[2008] 4 ILR 473-716]

**Dismissal: Documentary evidence:** Admissibility of-maker of the document not called-whether all reasonable steps had been taken to secure the attendance of the maker at the trial-company failing-Whether the documents came within the exception to the hearsay rule-Whose duty to prove-whether the document had formed part of the record of proceedings.

Notes of the Domestic Inquiry(DI)-Reference made to it in the course of proceedings-failure to formally mark the notes as an exhibit-Whether it had been necessary for the court to evaluate on validity and propriety of DI.

**Judgement:**

The Company's case hinged solely on a 'Security Incident 13 Report' ('CoID 1'). This report was not dated and neither was the name of the complainant appended. The alleged complainant, apparently refused to attend the domestic inquiry, and more importantly could not be located and produced as a witness in trial. Even after the Learned Counsel for the Company urged Court, to admit this document under s. 73A of the Evidence Act 1950.

Non compliance with this settled law would render the contents of the document as hearsay. Section 73A of the Evidence Act 1959 (EA) had thus been a statutory exception against the hearsay rule.-it had to be construed strictly which meant that there had to be strict proof to explain the non-availability of the maker as a witness.

Ref: Radhakrishnan Rengasamy v. YT Land Sdn. Bhd, Award No: 1843 of 2008,2008] 4 ILR 473-716]

Chairman: Fredrick Indran XA Nicholas

**Dismissal : Constructive dismissal**

Transfer - claimant's scope of duties being reduced and allowance taken away-whether the transfer had constituted a demotion-Conduct of company - transfer clause in claimant's contract of employment-Whether that mean the claimant could not query his transfer orders-Transfer not affecting terms and conditions of claimant's service with the company - Whether claimant had been driven out of his employment - whether justified claimant walking out of employment.

**Judgement:**

The claimant was transfer from Malacca to PD and from PD to Shah Alam. The Claimant accepted the first transfer but yet felt humiliated with the company's actions had continued in their demotion of him and he had no choice but to leave.

Event though the transfer had been in this contract of employment, the court could not accept that the claimant had to accept wherever the company decided to transfer him by virtue thereof. The company must have known that the claimant had who had been worthy of self-respect would not have continued to accept the transfers that had smacked of demotion and which had stripped him of his powers. A transfer would not have relegated the claimant to a position with lesser responsibilities albeit on the same terms and conditions of service. The relegation of responsibility with its ensuring humiliation and frustration and loss of estimation amongst his fellow employees had made it difficult for the claimant to continue in the company's employ.

Ref: Goh Kah Chuan v.the Store Corporation Bhd; Award No: 1735 of 2008; [2008] 4 ILR 473-716]

Chairman: Mary Shakila Azariah



# NMEU Protest Against Discrimination of Locals

## Factory workers wary about extended leave

BUTTERWORTH: Factory employees who have been asked to take extended leave for Chinese New Year due to the slowdown in operations are worried that they will end up being retrenched.

They are also angry that foreign workers are apparently not affected by the extended unpaid leave policy. Poly Glass Fibre Manufacturing Sdn Bhd employees said their company had shut down operations for eight days between Dec 27 and Jan 4. The company was among those that implemented the extended leave arrangement, which would involve a total of 45,000 workers.

The firm's workers union committee member Johari Said said that on Jan 13, the management asked the union to advise its workers to go on leave from this Friday till Feb 9. "The company also said that it would implement a 15% salary cut and workers would have to clear a minimum of two days' annual leave per month. But only local workers are affected by this ruling," he told reporters at a gathering outside the factory at the Prai industrial area on 19 Jan 2009.

Johari said the 25-year-old factory had 60 local and 70 foreign workers, many of whom had worked there for 15 years and drawing monthly salaries of between RM1,000 and RM1,500.

The company, in a statement to the media, said the longer shutdown was inevitable because the economic slowdown had caused it to record a lower sales volume.

"We may implement other cost-reduction moves if the economic environment continues to deteriorate," it said.

Source: *the star*, 20 Jan 2009

Source: the saS

## Goodyear Retrenchment violates Collective Agreement

Rubber union threaten to picket at US based tyre manufacturer Goodyear Malaysia for violating the provisions of the collective Agreement. In a strongly worded letter to the company union said retrenchment notices issued 17 employees cannot be accepted:

- The Company did not serve one month notice of intention to retrench their workers.
- Did not follow the principle of LIFO-Last in First Out.
- The contract of foreign workers continue to be in employment.
- Company did not resort to any avoidable method to avoid retrenchment.

## Panasonic to shut plants in Malaysia: Report

**TOKYO:** Japan's Panasonic Corp plans to close three plants in Asia and axe hundreds of jobs as it braces for a slip into the red for the first time in six years, a report said. The Nikkei economic daily said Panasonic — bruised by falling electronics prices and the yen's rise — is expected to report a group net loss of around 100 billion yen (US\$1.1 billion) in the business year to March.

Mounting restructuring costs will also push losses higher, the daily said, without citing its sources.

Nikkei said Panasonic, which has enjoyed brisk sales of plasma televisions, mobile telephones and digital cameras in recent years, will close two of its three electronics parts facilities in Malaysia. The two are the Malacca factory, which churns out film capacitors used in mobile phones, and a factory in Selangor, which makes switches for audiovisual equipment. Panasonic will close the Malacca plant in March with the loss of 500 jobs, it said. The Selangor plant would shut in September, it added, without saying what would happen to the employees there.

Panasonic was not immediately able to confirm the Nikkei report. The company said it would announce whether it was revising its full-year forecasts on February 4 when it releases October-December results. In November, it slashed its net profit forecast for the current financial year by nearly 90 per cent, expecting net earnings of 30 billion yen. The figure is down from a previous target of 310 billion yen and the previous year's record high of 281.9 billion yen. - AFP,

Source: 28 January 2009, *Business Times*



# Langkah Pemulihan Ekonomi

## Siapakah yang patut bertindak?

Kegawatan ekonomi terus memberi sedikit sebanyak kesan kepada pelbagai industri, masyarakat dan individu. Kesengitan yang bakal menimpa adalah sukar untuk dijangka sama ada membawa perubahan yang baik kearah keselamatan dan kesejahteraan sosial atau sebaliknya. Namun demikian kitaran hidup perlu diteruskan. Semua pihak (majikan, kesatuan, Kementerian Sumber Manusia, Kementerian Kewangan, EPU, pakar ekonomi, dan dll.) sedang mengadakan perbincangan, merancang, bertindak, dalam pelbagai bentuk untuk mengurangkan kesan terus kepada individu, syarikat dan masyarakat, supaya boleh memangkinkan aktiviti ekonomi kearah menjamin kesejahteraan rakyat secara keseluruhannya.

### **Pengurangan pengambilan pekerja asing – no to foreign workers**

MTUC menyokong penuh cadangan kerajaan untuk memberi keutamaan kepada pekerja tempatan dengan melakukan pemantauan terhadap pekerja asing. Di samping itu, Kementerian Sumber Manusia juga telah memberi arahan kepada syarikat supaya melakukan pemberhentian terhadap pekerja asing sekiranya syarikat ingin mengurangkan tenaga kerja.

### **Pakej kedua berangsang Ekonomi**

Kerajaan telah meluluskan pakej kedua bagi rangsangan ekonomi. Daripada peruntukkan tersebut sebanyak RM100 juta telah diperuntukkan untuk membantu pekerja-pekerja yang diberhentikan. Sumber kewangan ini akan disalurkan kepada pekerja dalam bentuk latihan dan pembangunan sumber manusia. Manakala sebanyak RM70 juta lagi untuk graduan yang menganggur. Apa yang membimbangkan kini ialah walaupun pemberhentian seharusnya dijadikan langkah terakhir untuk mengurangkan kos operasi syarikat namun demikian ia dijadikan elemen utama berbanding langkah-langkah lain. Tambahan pula syarikat cuba lari dari tanggungjawabnya untuk membayar sebarang bentuk pampasan atau bayaran pemberhentian kerja kepada pekerja-pekerja ini.

### **Pengekalan kerja-Job security**

MTUC akui dalam masa genting begini pengekalan pekerjaan adalah penting. Oleh yang demikian, MTUC menyokong cadangan untuk mengurangkan cukai korporat, pengurangan kadar tariff elektrik, pembayaran pampasan harus dipertimbangkan oleh pihak kerajaan supaya tidak memberi kesan terus terhadap pekerja. Cadangan untuk pembentukan tabung pemberhentian pekerja adalah amat baik dan perlu dipertimbangkan oleh pihak kerajaan sehingga ekonomi pulih. Isu ini telah diperbincangkan dalam *Mesyuarat Bagi Mendapatkan Kedudukan Terkini dan Cadangan Bagi Mengatasi Isu Pemberhentian Pekerja dan Guna Tenaga* yang diadakan oleh Kementerian Kewangan Malaysia pada 22 Januari 2009.

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### **Jobs for the Jobless within a month**

*Human Resources Ministry will help retrenched workers registered with the Labour Department find jobs within a month. Those who cannot get work will be sent for training in new skills and paid a monthly allowance of RM500. Government will use RM50 million from RM100 million Retrenchment Fund to help laid off workers...*

**Datuk Dr. Subramaniam**  
**Human Resources Ministry**

Affiliates should convey this information to retrenched and laid off workers, so that affected workers can benefit from their service.

### **Operation centre**

At a meeting of Jawatankuasa Pemantauan Pemberhentian Pekerja held on 23 Januari 2009, the Secretary General of the Ministry of Human Resources, Datuk Thomas George announced that the Ministry has established 80 operation centres throughout the country to monitor retrenchments and job vacancies.

### **Retrench Foreigners First**

Datuk Thomas reiterated that in the event of retrenchment, foreign workers must go first. He stressed that even termination through VSS should be applicable to foreign workers. MTUC is aware that some companies retrenched locals first claiming that the foreign workers have not completed their contract period. Director General of Labour made it clear that such practice is illegal and not acceptable.



# Training and seminars

AMESU training course for union activists at estate level. MTUC Secretary General G.Rajasekaran and Education officer Bro. Somasundram participated as resource person. The training, one of the series of courses planned nationwide was intended to equip union activist with adequate skill and knowledge to better serve the members, strive to establish cordial labour management relations, and work towards achieving 100% strength.

Speaking to the participants Bro. G. Rajasekaran said even plantation owners will not hesitate to jump on the global economic crisis bandwagon to deny improvements to the Collective Agreements. As union activists on the ground "you need to remain alert and keep the union leaders informed of the actual development'.



## Roundtable discussion on

### "Malaysian Responses to the Global Financial and Economic Crisis"

The Institute of Strategic and International Studies (ISIS) Malaysia organised a Roundtable discussion on "Malaysian Responses to the Global Financial and Economic Crisis" to look into the current status of Malaysian economy and to brainstorm and explore possible policy solutions to avert a recession in the country and submit all the suggestions to the Government for its immediate attention.

This roundtable able to gather number of economic stakeholders and captains of a select group of key industries affected by the global financial crisis, related Government and Government-linked companies, entrepreneurs, economics from the private sector and the academia. Nearly 90 participants engage in frank discussions on the following major areas of concerns:

Trade, employment and unemployment, private sector investment, migrant workers and etc.

*The Executive Director of the Malaysian International Chamber of Commerce and Industry rightly pointed out that Malaysia should embark into having a good social safety net in order to bring the consumer confidence like unemployment benefit.*

Harga gula dijangka naik 20 sen & Tambang bas naik 30%

Kenyataan akhbar pada 21 Jan 2009 menyatakan bahawa harga gula dijangka akan naik dari 10 hingga 20 sen selepas sambutan Tahun Baru Cina selaras dengan perjanjian baru di antara kerajaan dan pembekal gula.

Seterus kerajaan telah bersetuju untuk menaikkan tambang bas ekspres dan bas berhenti-henti sebanyak 30 peratus bagi menampung pelbagai kos operasi dan alat ganti.

Sumber: Berita Harian

**Kenaikkan harga barangan dan perkhidmatan perlu dipantau oleh kerajaan supaya masyarakat dapat menyesuaikan dan mengimbangkan tekanan ekonomi yang melanda mereka.**

Indek Harga Pengguna terkini-Jab Perangkaan Malaysia

Consumer Price Index (2005 = 100) (% Change)	Jan- Nov	
	2007 / 2006	2008 / 2007
Malaysia	2.0	5.5
Peninsular Malaysia	2.0	5.5
Sabah	2.1	6.0
Sarawak	1.7	6.1



# MASEU achieves of Minimum wage of RM1000

## Salary-Minimum wage of RM1000

MAS management agreed with MASEU proposal, as a 'National Carrier' MAS has to have a benchmark as a deciding factor on the salary scales for MAS workers.

MAS management and MASEU agreed that the minimum wages of workers should be at RM 1,000.00 per month and not RM 631.00 per month as offered previously in the Collective Agreement.

In view of the recent developments, and in line with the efforts by Ministry of Human Resources in setting up a National Wage Council for the workers in certain private sectors.

MASEU propose a standard guideline to be created for minimum wages and other benefits for the whole airline industry and also in the field of maintenance, repair and overhaul of aircraft in this country. This will guarantee the standard and will act as a 'bench mark' for all workers in the airline industry at par with the global standard. This is inline with the expansion and the development of the airline industry in this region.

## Retirement age- 55-58

MAS management and MASEU agreed in the Collective Agreement to increase retirement age for its employees as follows:-

- From 55 years to 58 years of age for all employee.
- Flight Stewardess from 40 years to 43 years of age.
- Inflight female supervisors, Chief Stewardess and Leading Stewardess from 45 years to 48 years.

## Salary Adjustment –10%

According to International Air Transport Association's (IATA) from 2003 to 2005 labour productivity of airline workers increased by 34%. Therefore, MAS management have agreed to 10% salary adjustment to all non-executive grade with a minimum rate of RM 100.00 and a maximum rate of RM 600.00.

*MASEU always embark on the concept of 'social dialogue' which includes all types of negotiation, consultation or exchange of information among representatives of government, employers and workers on common issues relating to enterprise, economic and social policy. It can include discussions about future industry developments and strategic direction, pay negotiations, workplace conditions and union recognition. Such dialogue may be either bipartite (workers and employers) or tripartite (workers, employers and government).*

## KPPPTNB berjaya meningkatkan gaji minima ke-RM950

Kesatuan Percantuman Pekerja-pekerja Tenaga Nasional Berhad(KPPPTNB) berjaya meningkat gaji minima kepada RM950 bagi perjanjian Kolektif ke-6 bagi tahun 2008-2010.

## Penyelarasan gaji 8-11%

Penyelarasan gaji yang telah dipersetujui adalah seperti berikut:

- Bagi pekerja yang berpendapatan kurang dari RM1000 penyelarasan gaji yang diberi ialah sebanyak 10-11%; manakala bagi pekerja yang menerima gaji RM1001-RM2500 pula akan menerima penyelarasan sebanyak 9% dan selebihnya akan menerima penyelarasan sebanyak 8%.

Faedah-faedah lain yang diterima dengan persetujuan damai ialah:

- Elaun shif ditingkatkan sebanyak RM 15.00
- **Elaun pengangkutan RM110-120**-elaun ini pertama kali diperkenalkan. Ia dimaklumkan bahawa bersamaan dengan COLA.
- Elaun makan ditingkatkan sebanyak RM0.50.
- Elaun dobi dinaikkan sebanyak RM5.00 kepada RM50.00.
- Elaun elektrik ditambah RM10.00 kepada RM78.
- **KWSP** – sumbangan syarikat ditambahkan seperti berikut:(12% sumbangan asas syarikat)
  - Tempoh khidmat < dari 5 tahun- 3%
  - 5 hingga 10 tahun - 5%
  - 10 tahun atau lebih - 7%



# International news

## **Gaza: End of Fighting Opens Opportunity for Real Peace and Justice**

Brussels, 19 January 2009: The cessation of fighting in Gaza opens a vital opportunity to build a just and lasting peace, which both Israel and Palestine must seize, in order to end the cycle of conflict and ensure justice for the Palestinian people. The international community must do its utmost to help ensure that this happens, and needs to mobilize a massive humanitarian and reconstruction effort for Gaza.

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## **Colombia: Another Trade Unionist Assassinated**

Brussels, 19 December 2008, William Rubio Ortiz, a member of the leadership of the union SINTRAMBIENTE-CGT, representing employees of the national environmental institution, was killed at 7 p.m. on 12 December, when two shots were fired at his head and shoulder by assassins on motorbikes just after leaving his home in the town of Santander de Quilichao, in the department of Cauca. Brother Ortiz had worked for 22 years for the regional authority (Corporación Autónoma regional del Valle del Cauca) and was currently a member of the union's governing body.

The murder of Brother Ortiz coincided with the union's serious differences of opinion with the director of the Valle regional authority, William Garzón Solís, who has been accused of corruption, harassment of the union and enjoying the support of Senator Martínez, who appears to have links with paramilitaries. Mr. Garzón has stated that he has a list of 50 trade unionists he would like to get rid of.

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## **Costa Rica: Helping migrants organise**

Migrant workers, mainly from Nicaragua, can be found in all low-paid jobs. In a country known for its aggressive anti-union culture, the trade unions are campaigning to promote their rights and help them organise. Within the framework of a bi-lateral trade union agreement between Costa Rica and Nicaragua, the ITUC supports the Migrant Workers' Trade Union Centre, the spearhead of the trade unions' migrant workers' policy.

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## **China: Suspects in Stabbing of Labour Rights Activist Finally on Trial**

Brussels, 15 January 2009: After 14 months of delay, the hearing for suspects in the stabbing of Huang Qingnan, a workers' rights activist from Shenzhen, will take place on 16 January.

On 20 November 2007, He was brutally assaulted and left in a critical condition after repeatedly being stabbed. A few weeks prior to the stabbing, the centre itself suffered from a series of violent attacks by unknown assailants. The centre and its facilities were destroyed and staff threatened. The International Trade Union Confederation and affiliates worldwide wrote to the local Chinese authorities to express their condemnation.

On 13 January the Longgang District People's Court announced that a new hearing was set for Friday, 16 January 2009. We urge the courts and the authorities to ensure that the perpetrators receive adequate sentences, should they be found guilty in the course of a fair and open trial. We again call for an end to the culture of impunity that exists around the illegal and sometimes violent nature of local harassment against labour rights groups – harassment and impunity which hinder the development of a harmonious society. We also very much hope that Huang Qingnan will receive adequate financial compensation for his injuries and rehabilitation.

The ITUC once again highlights the long term need for the Chinese government to respect the right of workers to form and join free and independent trade unions and to recognize the role which civil society groups – including labour rights' groups – play in the creation and development of a harmonious society. Respect for these core labour standards are of particular importance in the light of the current economic crisis.

Source: ITUC Press and Publication Online