



Labour Bulletin

Malaysian Trades Union Congress

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Mesej Setiausaha Agung Sempena Tahun Baru 2017



Salam Sejahtera Sdra/Sdri yang saya hormati,

Dalam melaksanakan peranan saya sebagai Setiausaha Agung TUC, sokongan dan kerjasama anda adalah sangat penting bagi saya untuk berjaya dalam melaksanakan tugas-tugas saya supaya dapat berkhidmat untuk kesatuan anda, pekerja-pekerja di negara ini dan TUC.

Banyak faktor yang membebankan warga Pekerja hari ini, kos kehidupan yang semakin meningkat dan pengurangan dalam tangga gaji yang berpatutan. Pergerakan Kesatuan sekerja terus dicabar dengan ancaman pemecah-belahan oleh sesetengah pihak yang tidak bertanggungjawab.

Undang-undang yang sedia ada adalah tidak mantap untuk melindungi kesatuan, ahli-ahli serta Pemimpin. Keselamatan sosial dan keadilan sosial seolah-olah satu ideal yang jauh. Sistem kehidupan yang kita lalui sekarang ini memerlukan banyak penambahbaikan.

Kita tidak boleh menyelesaikan masalah-masalah pekerja berdasarkan penyelesaian yang kita ada hari ini ataupun yang telah digunakan sebelum ini. Kita memerlukan pendekatan yang baru, cara pemikiran yang baru, dan kehendak politik untuk berubah demi kepentingan semua.

Terlalu banyak yang perlu dilakukan dan masa untuk melakukannya itu adalah sekarang. Kita perlu memberi tumpuan kepada:

1. Keupayaan Menganjur; kita harus mendekatkan diri kita kepada lebih ramai pekerja, menetapkan sasaran yang agresif untuk menjadikan peratusan tenaga kerja yang berkesatuan lebih tinggi kerana kita memerlukan kekuatan dalam bilangan yang berkesatuan. Kita juga perlu mengukuhkan TUC Bahagian, untuk mendekati dari setiap sudut dalam negara bagi menyediakan perkhidmatan untuk semua.
2. Membangunkan pendidikan dan penyelidikan; pelajar/pekerja perlu memahami bagaimana sistem negara ini berfungsi. Mereka perlu melihat manfaat bertindak secara kolektif melalui kesatuan sekerja untuk menjadi lebih bersedia dalam dunia pekerjaan. Kita juga akan dapat membentangkan hujah-hujah kita dengan sokongan data, fakta dan pandangan yang lebih baik.
3. Dialog yang membina dan kritikan, termasuk dalam TUC dan masyarakat Malaysia. Kita perlu tekun bekerja dengan lebih efektif, mara ke depan, melangkaui sempadan untuk memperbaiki keadaan - barulah kita akan dapat melihat manfaat Pusat Buruh yang mantap.

Saya percaya setiap seorang daripada kita di TUC mempunyai niat yang ikhlas untuk mewujudkan pergerakan Buruh yang progresif dan kita yang bertanggungjawab untuk mengambil seberapa banyak pendekatan berbeza yang diperlukan untuk mencapainya. Kita mesti bekerjasama dan sama-sama bekerja keras untuk melihat hasil kerja kita.

Saya berharap warga pekerja di Malaysia dan di seluruh dunia akan mencapai keadilan sosial dan ekonomi di masa depan bermula dengan tahun 2017. Marilah kita menjadikan tahun 2017, tahun yang bermakna bagi warga pekerja.

Salam Perayaan dan Selamat Tahun Baru Cina.

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- ♦ International Migrant Day
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Malaysian Trades Union Congress Principal Office Bearers 2017-2019

Persidangan yang berlangsung selama 2 hari telah berjaya memilih pemimpin-pemimpin berikut untuk menerajui kepimpinan utama bagi sesi 2017-2019. Mesyuarat pertama POB telah berlangsung pada 3hb Januari dan mesyuarat Jawatan kuasa Kerja telah berlangsung pada 6hb Januari bagi mendalami isu-isu pekerja.



President

Sdra Abdul Halim Bin Mansor (NUPCIW)

Deputy President

Sdra Mohd Jafar Bin Abd Majid (NUTE)

Secretary General

Sdra J. Solomon (NUBE)

Deputy Secretary General

Sdra A. Balasubramaniam (UNEPASS)

Financial Secretary

Sdra Ng Peng Ho (CIMB EKS)

Deputy Financial Secretary

Sdra Mohd Effendy Bin Abdul Ghani (UPCW)

Vice President (Private Sector)

Sdra Matkar Bin Siwang (FIEU)

Sdra Nor Azlan Bin Yaacob (TEUPM)

Sdra Kamarul Baharin Bin Mansor (SWM)

Sdra Mohd Roszeli Bin Majid (TNBJOU)

Sdra Mohd Khir Bin Mansor (Perodua)

Sdra S. Somahsundram (PPPMEU)

Sdra R. Jey Kumar (AMESU)

Vice President (Public Sector)

Sdra Kamarozaman Abdul Razak (Nutp)

Sdri Norhayati Abdul Rashid (MNU)

Sdri Hjh Salimah Khadith (Auegcas)

Vice President (Statutory Body)

Sdra Zainal Bin Ismail (LAP)

Sdra Mohd Azmizan Bin Abdul Aziz (Kesakti)

Sdra S. Subramaniam (MRBSU)

Vice President (Women's Committee)

Sdri Nasrifah Binti Sukarni (NUPCIW)



Living Wage

PETALING JAYA: Workers in the country are not being paid the right amount to manage the increasing cost of living, the country's top trade unionist has claimed.

Newly-elected MTUC general-secretary J. Solomon said a large population of workers are living on borrowed income, adding that in the middle of last year Bank Negara announced the nation's household debt was 89.9% of the gross domestic product.

"I believe it is much higher. We are also the highest in Asia. The nation cannot take comfort of the fact that since workers are employed it is alright for them to be highly in debt. A nation in debt is like a bubble that can burst any time," Solomon told the Sun in a recent interview.

Solomon said workers must be paid a living wage, a wage that is high enough to meet a normal standard of living. He pointed out that a living wage affords the earner and/or his family the most basic costs of living without the need for government support or poverty programmes. "With a living wage, an individual can take pride in her work and enjoy the decency of a life beyond poverty, beyond an endless cycle of working and sleeping, beyond the ditch of poverty wages.

"MTUC appreciates the fact that the Government has implemented the minimum wage, however, the amount of RM 1,000.00 is not sufficient and has not taken into con-

sideration the Goods and Service Tax (GST) and the cost of controlled good that has already arisen this year," he said.

He said the National Wages Consultative Council (NWCC) is supposed to review the minimum wage every two years taking into consideration all factors relating to economy but workers were denied a revision of the minimum wages for 18 months as the review of RM 1,000 was only effected on July 1 last year.

Solomon said the minimum wage for Peninsular Malaysia is RM1,000 and RM920 for Sabah, Sarawak and Labuan, this is still inadequate given the rapidly rising cost of living including the cost of controlled goods, this amount is not sufficient.

He added that the minimum wage should be revised to RM1,500 and standardised between Sabah, Sarawak and Peninsular Malaysia.

He also added that when the minimum wage is implemented the salaries of other workers should also be elevated proportionately as the increase in prices post the minimum wage will affect these group of workers.

Source: - Rajvinder Singh, *Thesundaily*

TUC to set up Service Center



This move is to reach out to a larger population of workers.

Secretary General, J Solomon said the TUC needs to take consistent, organised and coordinated positions on all matters affecting workers in the country. He added that the congress must be more effectively organised and MTUC must make genuine efforts to improve in order to bring all trade unions in the country under one umbrella to serve workers better. In order to achieve this, he added that the TUC must serve its affiliates.

He added that "The center will be soon set up and its main objective is to serve its affiliates and workers."

Migrant Workers and Levy

While MTUC approves of bosses being made to pay levy for foreign workers, employers' group says RM5 billion will leave the country

Unions give nod, bosses slam new rule on levy -
Robin Augustin

Malaysia will lose out on some RM5 billion now that employers have to pay the foreign worker levy and not deduct it from the worker's pay, the Malaysian Employers Federation (MEF) has said.

Speaking to FMT, executive director Shamsuddin Bardan said: "Before this, foreign workers would pay for their levies. Now that employers have to pay them, the foreign workers will remit the extra money saved back home.

Yesterday, Deputy Prime Minister Ahmad Zahid Hamidi said employers will now be responsible for paying the levy of their foreign workers.

Shamsuddin responded: "That means RM5 billion is likely to be remitted back to their respective countries. Unlike local employers who spend money in the country, foreign workers will not, so it is a loss to the local economy."

He said that an estimated RM33 billion was remitted out of the country by foreign workers in 2016.

He also said he was concerned that the government intended to increase security deposits for foreign workers and impose higher standards for housing for foreign workers.

"In the past, the government made these commitments to comply with the Trans Pacific Partnership Agreement (TPPA).

"Now that United States president elect Donald Trump wants to ditch the TPPA, there is no corresponding benefit to employers to incur additional costs."

Shamsuddin said that at present, the ability of businesses to pass on costs to consumers was limited due to an in-

creased price of goods but if costs go up, businesses would have little choice but to increase prices of goods and services.

He also said he could not understand the government's rationale of having employers pay for levies to discourage and prevent foreign workers from running away.

"The foreign workers may still run away and this is a cost to businesses, especially in these challenging economic times.

Meanwhile, Malaysian Trades Union Congress secretary general J Solomon welcomed the move to make employers pay the levy, adding it was now crucial for the authorities to enforce the policy.



He said the authorities must take action against employers who sought to recover the levy from their foreign workers.

He also called for authorities to ensure foreigners were housed properly and in comfortable and clean hygienic environments to avoid them from developing fatal illnesses or diseases.

"MTUC hopes the government can revisit the idea of putting all foreign worker matters under the sole jurisdiction of the human resources ministry so that International Labour Standards and recommendations of international labour organisations can be managed by a tripartite body consisting of the government, employers and workers."

SOURCE: Robin Austin – Free Malaysia Today

Middle Class, 40% poorer

SOURCE: Free Malaysia Today

KUALA LUMPUR: Malaysian workers have borne the cost of failed policies for decades, according to the Malaysian Trades Union Congress (TUC).

"The question that needs to be answered: 'Who has benefited?' (from this approach)," it said in a statement. Wages, it noted, had not risen with the cost of living. Wage levels are being depressed through failed employment policies. One reason is the presence of foreign workers. The TUC feels it's high time those making policy decisions see, if not experience, the plight of the man in the street. The statement expressed surprise that a former top civil servant, Ramon Navaratnam, had disputed University Science Malaysia Associate Professor Shanker Chelliah's finding that the middle class in Malaysia had become 40% poorer. "It's a fact which is plain for all to see," said the MTUC. It agrees with Chelliah that real income levels have dropped. Firstly, said the TUC, the cost of living had increased; and secondly, some bad policies had led to depression of wages.



The problem with indicators such as the consumer price index was that it was so detached from reality, it said. All that needs to be done, on cost of living, is to look at food and rent over the years. "With the goods and services tax, there has been an exponential increase in the cost of living."

Prices of simple meals - breakfast, lunch and dinner - were a case in point, added the statement. **SOURCE: Robin Austin – Free Malaysia Today**



Malaysian TUC Penang Division new Office Bearers have conducted their 1st meeting for the term of 2016 – 2019 with all Affiliates Union representatives and duly chaired by Bro S. Ravindran on 23.12.2016. In the meeting, subcommittees were reformed.

Vice- Chairman Bro Abdul Jamil Jalaludeen who is also the Chair for the Education Committee immediately agreed to organise a 3 days/2 nights training at the NUBE Training Centre in Port Dickson. The training will be to Charter a "Mission and Vision" for Malaysian TUC Penang Division for the term 2016 – 2019 and he invited all affiliates to actively participate.



Triennial Delegates Conference 2016



Persidangan perwakilan MTUC 2016 telah berlangsung dari 29-30 November 2016 di Dewan Sivik Petaling Jaya Selangor. Seramai 607 perwakilan merangkumi 137 kesatuan gabungan MTUC telah mengambil bahagian dalam

TDC 2016. Ini termasuklah kesatuan dari Sabah dan Sarawak. Persidangan yang berlangsung selama dua hari tersebut telah memperbincangkan pelbagai usul dan resolusi yang perlu ditambahbaiki dalam menangani cabaran yang sedang dihadapi oleh kaum pekerja di Malaysia. Kepimpinan baru mohon kerjasama yang padu dan teguh dari semua kesatuan gabungan bagi mewujudkan TUC Malaysia yang lebih mantap.





Achievements



Congratulations to NUDIW and Etika Beverages for CA Signing Ceremony!

29 Dec 2016 - Hotel Bangi, Putrajaya. In the midst of uncertain in the Malaysian economy, the Leadership of NUDIW concluded a Collective Agreement (CA) with the management with among others, 7% salary adjustment. NUDIW President, Sdr Zulfakar Bin Mohamed thanked the management for resolving the CA amicably whilst NUDIW IR Advisor Bro A Sivanathan in his speech also requested the management to review the intake of foreign workers. Malaysian TUC Secretary General, J Solomon congratulated both the Employer and NUDIW for their professionalism in concluding the CA. He also mentioned that this relationship should continue to ensure an inclusive growth for all parties concerned. For the Management En Hakimi Ngah, Industrial Relations Manager was happy that there is industrial harmony in the company and thanked the Union for its support and cooperation. NUDIW General Secretary Bro S. Nadarajan presented mementos to the Vice President, Human Resource Division, Mr. Nicholas and Secretary General of TUC. While Mr. Nicholas presented moment to all the Leaders. The signing ceremony ended with lunch.

Trade Union Seminar by AMESU/KOPERASI AMESU

The Seminar was "Understanding Collective Agreement". 19 - 20 Dec 2016 at Seri Malaysia Hotel Kulim Kedah.



Bro R. Jey Kumar, AMESU General Secretary/ newly elected Malaysian TUC Vice President, emphasised on the importance of training for awareness and to organise the unorganised. AMESU President and AMESU Treasurer, Bro. Titus Gladwyn and Bro. Mohd Jamil Abdullah also conducted their respective session at the Seminar. TUC Education Officer,

Bro. K Somasundaram's also conducted a session. Also present was Bro Mydin, Executive Secretary of PBA Union, Pulau Pinang and TUC General Council Member to extend moral support. TUC Secretary General, Bro J Solomon presented Certificates to the participants and in his concluding remarks, commended the Leadership of AMESU for their commitment to provide good service to members. He also stressed that the all Trade Union Leaders will have to pay urgent attention on the various challenges and the daily struggles faced by workers to make ends meet and provide the basic needs for their families in this country. "Therefore, promoting unity among workers and the undivided support to the Malaysian TUC leadership will definitely bring about a better environment for workers in this country", said J Solomon .

International Migrant Day



Malaysian Trade unions and workers join migrant workers globally in welcoming the International Migrant Day.

This year's celebration was mainly sponsored by the Building and Wood Workers International in Collaboration with Nepali Migrant Workers Association GEFONT Support Group Malaysia and Malaysian TUC celebrated International Migrant Workers Day - on 18 December 2016 at Malaysian TUC.

Attended by: Mr. Prem Raj Gautam Second Secretary of the Embassy of Nepal, Mr. Babu Lal Regmi, Labour Attaché Embassy of Nepal, Bro. J Solomon Secretary General of MTUC, Bro. K. Soma Education cum Migrant Desk MTUC, Bro. A. Sivananthan General Council Member MTUC, Bro. Alfred Bala Advocate & Solicitors, rep from BWI, Sis Anna and Bro. Ram rep from North South initiatives and several other migrant organizations.

A total of 200 Nepal workers, Nepal Embassy Officials, GEFONT Officials and TUC officials participated in the celebration. GEFONT also awarded leaders among the Nepal workers who have assisted and contributed towards the workers in Malaysia. Secretary General Malaysian TUC J Solomon in his speech assured that the new leadership will continue to work in collaboration with the stakeholders to protect the foreign workers interest and will further intensify the collaboration.

He added that the TUC calls on all Malaysians to value the contribution of the migrant workers. The presence of these millions of migrant workers especially those from the Asian countries helped Malaysia developed to what it is today. Unfortunately, there are few irresponsible employers who have abused and exploited them and this has marred the good reputation of Malaysian and we are perceived as cruel.



addition, some recruitment agencies of both receiving and sending countries have mercilessly caused much misery to these migrants to satisfy their greed. This has been



ongoing for many years without any strict enforcement. Today, all of the stakeholders have turned on a deaf ear to the cries of the migrant workers' as they think these recruitment agencies have connection with the underworld and at high positions. This year, said J Solomon the Malaysian TUC hopes the government will engage the tripartite social partners to develop an effective way to protect the migrant workers from jeopardizing the good name of Malaysia.

J Solomon also emphasized that the foreign workers must work together with local workers to ensure workers' rights of both locals and foreign workers are protected at all times

International Labour Organisation's 16th Asia and the Pacific Regional Meeting

The International Labour Organisation has its Asia Pacific Regional Meeting once in every four (4) years. The APRM reviews its work undertaken in the last four (3) years and plans for the next four (4) years. This time around the APRM was held at the Convention Center in Nusa Dua, Bali, Indonesia.

Malaysia representatives were the tripartite partners – Government, Malaysian Employers Federation and the Malaysian TUC.



TUC Secretary General, J Solomon led the TUC delegation to the APRM comprising of delegates from NUBE, attending on at their own accord.

The APRM concluded the Bali Declaration that looked carefully at the ILO's role in bringing about a future of inclusive growth with decent work. It emphasised the need to address decent work deficits in a more comprehensive, concerted way and growth made more inclusive, the need to improve labour governance and social dialogue, enhancing the autonomy of workers and employers organisation and respecting them, policies that take into account current megatrends such as demographic shifts, technological advances, enhanced integration through trade and investment, migra-

tion as well as climate change

The above priorities agreed and set by the tripartite partners was the much-needed action to promote decent work for inclusive growth, social justice for economic dynamism and innovation and drive sustainable development. Compliance of Fundamental Principles and Rights at Work and Decent Work was pivotal to achieving the above-mentioned priorities. Others were policies to be developed for inclusive growth including sustainability of employment, accelerating actions to combat widening inequalities, closing the gender gap, labour migration policies, social protection, social dialogue and labour inspection.

TUC is confident, the Bali Declaration will bring about sustainable growth for all including development for the nation. **REPORT BY: Bro J Solomon, Secretary General (Delegate)**



REPORTS

JILAF International Programme



Bro Rudy Rusly [Club Employees Union Peninsular Malaysia], Sis Gelli Bt Saring [Union of Employees of Port Ancillary Service Suppliers], Bro Mohd Amiruddin B. Abd Hamid [Penang Textile], Sis Cheow Yee Pin [Pesatuan Pegawai Pentadbiran Insuran Industri Semenanjung Malaysia], Bro Muhammad Faizal B. Shahibul Kiraya [Malay Railway Union], Bro Mohd Sazuan B Abdul Hadi [Malaysian Rubber Board Staff Union].

Six (6) Affiliate members from Malaysian TUC participated in the 2016 JILAF International Programme held in Japan from 4-7th December 2016. Although the participants from different countries come from differing background, the participants shared a common desire to explore how they can learn from the industrial relation system in Japan.

The participants got to know comprehensively postwar labour movement in Japan, history and characteristics of Japan's labour legislation, workers' social security system, organisational structure of trade unions, and the present state, work culture and condition of the labour movement, as well as related economic and political aspects. They also got to know the labour management relations, from its basic philosophy to actual practice, collective bargaining, the labour-management consultation system, and the spring offensive (Shunto) mechanism. They also discussed issues facing Japanese society, how unions should respond and the proposals to address issues facing the Japanese labour movement and future prospects.



Industrial relations and operations experience at the Industrial Federation of Japan Automotive Workers Union, Kawai Purification Plant workers, services rendered by Japanese Government's job opportunity center Hello Work, Japan Productivity Center, and Kanagawa Prefectural East Eastern Vocational Technical School. They also visited the Japanese Labour Bank, a bank man-

aged by the Unions.

They also had the opportunity to visit the Japanese Peace Museum, Hiroshima Bombing 1945, where it was evident that if technology is not controlled and is misused, it could destroy civilization and future generation.

REPORT BY: **Bro Rudy Rusly (Participant) Club Employees Union Peninsular Malaysia**

The Participants are confident of:

- ◆ Conducting training for own union and MTUC, using the Japan experience
- ◆ Strengthen trade union capacities for better union- management relations.

Organising, Collective Bargaining & Action for Gender Equality



ILO Trade Union Training for Women Union Leaders on Organising, Collective Bargaining & Actions for Gender Equality Novotel hotel, Bangkok, Thailand

The ILO training recent from 14–16 Dec 2016. The Programme contributes towards Strengthening unions' capacities for integrating gender perspective in trade union work, to represent women workers interests more effectively and promoting decent work for women. It also emphasised on strengthening women's leadership within the trade unions through developing technical and organisational capacities of the women union leaders in the area of organizing, collective bargaining and actions for gender equality.



Seminar Conclusion

- ◆ Achieve more gender balanced representation in own organisation, regional meetings and the ILC.
- ◆ Ratification of Convention 183 - Maternity Protection;
- ◆ 2018 ILC Agenda on Violence and Sexual Harassments against Women and Men in the World of Work.

REPORT BY: **Sis Sarojini (Participant)** TNB Percantuman



ITUC-AP Regional Symposium on Workers' rights in MNCs and Global Supply Chains

The symposium held in Dhaka, Bangladesh from 19 -20 December 2016 was to discuss on the global challenge of weakening workers' rights and increasing powers of MNCs. The rise of corporate power, decline of workers' rights, wage suppression and job security are directly correlated. Governments are influenced by multinationals who dictate policy and regulations affecting every aspect of workers lives. Essentially, organising the unorganised is the ultimate key in moving towards strengthening the movement. **REPORT BY: Bro Prem Kumar AME**

ITUC was urged to accelerate action on:

National Level Action:

- ◆ Decent Work Gaps in GSCs.
- ◆ Develop National Policy on Global Jobs Pact for GSCs.
- ◆ Ratification and full implementation of ILS.
- ◆ Develop effective labour relations legislative framework.
- ◆ Strengthen labour inspection systems for GSCs and EPZs.

International Level Action:

- ◆ Develop cross-border social dialogue & labour relations for GSCs.
- ◆ Revise ILO MNE Declaration for Supply Chain Global Governance and new follow up mechanism.
- ◆ Relaunch collaboration with WTO & monitor T. Agreements/FDI.
- ◆ Develop Convention/Recommendation for due diligence of GSCs.