

2014 ANNUAL REPORT OF PERSATUAN SAHABAT WANITA, SELANGOR (PSWS)

Introduction

Women workers represent 47% of the labour force but this figure has stagnated for two decades. A study conducted by UNDP and University Malaya researchers (UNDP, 2015) revealed the stagnation of women's labour force they deduced through interviews, study of literature that most women have moved to the informal sector which the statistics does not reflect. The women have moved to the informal sector such as network marketing, working from home providing tuition, home based work and in other areas as it provides them with the opportunity to care for their children and their home. This saves the family much money in child care services or hiring a maid.

PSWS has since 2000 has engaged and held discussions with women who work in the informal sector, especially domestic workers and home based workers.

1. Women and Women Workers' Issues

a. Security Workers of Kajang Hospital hired by a labour contractor

Meetings with the security workers were held to understand their issues and to find solutions to their predicament. The workers were hired by a contractor for the Kajang Hospital but were not paid regularly and faced dismissal if they threatened the employer (the contractor) to stop work. The security workers knew that if they stopped work they would not be paid. It was a Catch 22 situation – a problem which cannot be solved because the solution contains at least 2 elements and one of them prevents the other from being effectively implemented. The other element was that this contractor was closely aligned to powerful members of the present government as he had dared PSWS to take a legal case! Nevertheless, with the help of Florida from Malaysian Trade Union Congress (MTUC) and with a total of 23 meetings with staff and volunteers of PSWS the workers had their EPF, SOCSO, pay-slip and dismissal grievances settled.

Due to the 2012 amendments of the Employment Act 1955, contractors of labour were included as employers and MTUC who objected to the vague legal status of the “outsourcing concept”. There were no precise “statutory provisions to address the status of contractor for labour i.e. whether the contractor for labour should be regarded as the actual employer to the workers when the contractor supplies them to the owner of the workplace” (Nazdri, 2012). When MTUC made their objections, the Human Resources Minister then amended the Act where the contractor of labour will only apply to the plantation and agriculture sector.

It is well known that labour contractors are employed by banks, in this case hospitals and many other sectors. In the eyes of the law the contractor in the above case was illegal and the government was aware of this!

This is a showcase of how abuse of workers' rights take on a political front with the government in collusion with illegal labour contractors!

b. Domestic workers

There were preliminary meetings with local domestic workers but no discussions were held on how to move forward. The reason this was not discussed was that many of them were single mothers who found it difficult to attend meetings.

A UNESCAP (2000) study showed that there was a strong link of single women headed households and poverty (Evans, 2011). As in Maslow's hierarchy of needs, it proves that when shelter, food and clothing are not met, there is little desire for these women to want to improve their situation unless there is a very strong desire to change.

Another point to note is that these women face a great deal of stress as in their study in 2007 The, Ahmad Ramali and Mohd Zain found that "The number of female-headed households doubled from 444,000 in 1980 to 895,000 in 2000. This rise in single parent households is an important and not well accepted change in the family structure of an Asian country, particularly where traditional and religious values are highly promoted. This change in family structure has been blamed for some of the social problems in the society, for example, delinquency of children and emotional stress of women" (Evans, 2011).

c. Migrant Workers

Tun Tun, PSWS organizer of migrant workers, had helped in the translation of a book on migrant workers' rights. He distributed these books and explained about it to migrant workers who worked at ADIDAS.

d. Dismissal from Work

A. is more than 50 years old and worked as a security guard. She had worked with her employer for more than a year but had not received any employment letter, pay-slip, EPF nor SOCSO.

She made a complaint at the Labour office, the officer contacted her employer and two days later she received her termination letter. She was without a job for two months and had no means to support herself.

PSWS followed up her case with the Labour office. As she she had no place to stay PSWS provided the office as a temporary shelter. She was then able to find a job and a place to stay.

e. International Women's Day

Fifteen women workers came to PSWS office to celebrate the event. We had lunch and held discussions on women and women workers' rights.

2. Welfare cases

There were 9 cases and some cases were referred to the Welfare department and others to Legal Aid.

Case 1: PSWS assisted C. in obtaining custody of her child.

Case 2: K. was assisted through her divorce with assistance from Legal Aid.

Case 3: T. who faced domestic violence, was assisted in her stay at a half-way house and found a job to cope with her finances.

Case 4: A. is an UNHCR (United Nations High Commission on Refugees) holder who PSWS assisted in obtaining a work permit, although UN refugees are not allowed to work in Malaysia. She is now able to do odd jobs to finance herself. Presently she is living in a rented room and awaiting to be settled overseas.

Case 5: S. is a 21 year old male who was abused at a home and had run away. For 3 weeks he was under the care of the welfare department, he has found a job and has a place to stay.

Cases 6: M. is 37 years old, married and has 3 children. She works in a Tamil Newspaper Office in the advertising department. She is a smart active, a beautiful woman and also a member of PSWS.

She is very unhappy in her married life, because her husband is a very violent and suspicious man. She has been beaten many times by her husband and has lodged numerous police reports.

In February after being abused again by her husband, she made a police report and came to the PSWS office with her mother to seek advice from the program officer and volunteer. She related what had happened, and was prepared to leave her husband. Her mother on the other hand begged her to return home because of the shame that would befall the family. The mother could not face the relatives and friends.

She returned home and the following day and was beaten again by the husband. She called the program office at PSWS and there is a recording of her screaming that the police will arrest him, also the children shouting at the father to stop beating their mother.

On the same day she drank poison (Roundup , a pesticide) and is in a coma at the Sungei Buluh Hospital.

Case 7 to 9 are pending.

3. Training

- a. Exco members had leadership training.
- b. Training on health and the workplace issues for workers in Puchong.
- c. International Migrant Meeting held at Shah Village Hall, P Jaya

- d. Staff members were trained on team work, work ethics and understanding objectives of PSWS.

4. Network Meetings

- a. **Assisting single mothers:** Discussion on single mothers and their rights were held in Brickfields and Semenyih at the Parti Sosialis Malaysia (PSM) Office. These discussions were held on preparing a memorandum to be handed to the Ministry of Women, Family and Community Development (MWFCD).
- b. **May Day** a walk with MTUC
- c. **Single mothers:** A meeting was held with Cik Lee (a councillor) in assisting single mothers.
- d. **Joint Action Group (JAG) on Violence Against Women:** Several petitions were signed by PSWS on issues of rape of minors and poor court decisions; domestic violence cases which involved death; incarceration of women activists and press statements made by government officials and members of Parliament demeaning women. PSWS also attended JAG's year end evaluation and planning.
- e. **Right to Redress**
PSWS is part of the Migrant Workers Right to Redress (MWR2R) campaign together with many other groups in Malaysia. For about three years this group had been meeting regularly to ask for the right of migrant workers to be allowed to stay and work in the country while waiting for their labour cases to be heard. The Immigration Department had been unwilling to allow for this though the Labour Department had no objections.

The network submitted a memorandum to the Labour Ministry on International Day against Slavery on Dec 2nd. The memorandum drew attention to the plight of migrant workers who become illegal labour when their work permits are summarily removed by their employers when they have labour cases pending in the Malaysian courts. We called for amendments allowing such workers the right to work until their cases are settled in the courts. The Labour Department said they recognised that right but that the Immigration authorities did not recognise that right. We sent several requests calling for dialogue with all the authorities involved. However we did not receive a favourable response throughout the year 2014.

The network also prepared a pamphlet in Bahasa Malaysia, English, Chinese and Tamil about migrant workers. This publication was aimed at educating the general public in Malaysia about the rights and situation of the migrant workers in Malaysia. The pamphlets were widely distributed in several major towns in the country – Penang, Kuala Lumpur, Johor Bahru, Seremban and Kajang.

The network also made plans to compile cases of police inaction when migrants made police complaints against abuse by their employers or authorities. However this project was not completed because the organisations were too busy.

5. Skills Workshop (Project funded by Hong Leong Finance)

English and Computer classes were held in Taman Restu, Kajang. The English and computer class had 8 women and 3 teenagers registered. The English class was conducted by PSWS volunteers. As the classes progressed the numbers dwindled. Reasons for the poor attendance given were poor health, no transport available and not keen to continue.

6. Conclusion

Women especially women workers who single handedly head households face a great deal of challenges both at work, with their families and they have to cope with cultural traditions and religious beliefs on family structures. PSWS has an uphill task in tackling these many issues and it works with a number of NGOs, government departments, political parties to assist women workers in achieving some semblance of dignity in their lives.

References:

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