

## Stop being money-minded and resolve migrant workers' plight, NGO tells MEF

By G Vinod(<https://focusmalaysia.my/author/g-vinod/>) | (<https://focusmalaysia.my/2022/01/15/>)



THE Labour Law Reform Coalition (LLRC) criticised the Malaysian Employers Federation (MEF) and accused of them of turning a blind eye over the injustice suffered by migrant workers in the country.

“We are appalled by MEF’s opposition to a proposal to allow migrant workers to change employment as a way to end forced labour.

“The statement made was inhumane and clearly it was due to their money-minded thinking. They are ignoring the abundant evidence available on forced labour cases which is a result of the rigid employment system involving migrant workers,” it said in a statement today.

The statement was signed by LLRC co-chairpersons N Gopal Kishnam and Irene Xavier.

Two days ago, MEF president Datuk Syed Hussain Husman objected to a proposal by migrant workers' rights specialist Andy Hall to allow foreign workers to switch jobs to help them break free from forced labour.

Hussain said that it would be unfair to employers because they would have spent a lot of money in the initial recruitment.

“It must be emphasised that the estimated cost of RM7,000 does not take into account agents' fees at the source country and the various COVID-19-related costs, such as complete vaccination and pre-departure screening tests.

“All the related pre-departure costs at the source country that need to be shouldered by the employers may exceed RM10,000 per foreign worker,” Free Malaysia Today reported him saying.

Touching on the matter, LLRC said that trade unions and migrant workers' organisations have noted repetitive patterns of rights abuse by their employers such as holding their wages, confiscating their passports to restrict their movement, terminate and repatriate them without pay, non-renewal of work permit and turn migrant workers into undocumented status.

### **Power imbalance between workers and employers**

The root cause of these problems, they added, was the power imbalance between migrant workers and their employers, which allows employers to misuse the rigid employment system to threaten migrant workers to work as forced labour.

“In a gap analysis on Malaysian legislation and the ILO Forced Labour Convention, International Labour Organization (ILO) recommends the Malaysian Government to address the power imbalance by allowing termination of contracts and allow labour market mobility for migrant workers in the event of legal rights violations.

“ILO's proposal argues that the proposed change will enable migrant workers to engage with the process of renewal of work permits and retain their own passports.

“It states that such measures can overcome the problem of migrant workers' dependency on their employers as they can voice out the forced labour situation with officials during the engagements,” LLRC mentioned.

It remarked: “Therefore, we urge MEF to accept the proposal to allow migrant workers to change their employment in the event of rights violations.

“The employers’ expenses during the recruitment process should not be an excuse to condone violation of workers’ rights and other criminal activities.” – Jan 15, 2022