

MEF: Bosses will hire legal foreign workers if costs lowered

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Employers' federation says small businesses will not mind taking the risk and continuing to hire illegals.



PETALING JAYA: The Malaysian Employers Federation (MEF) says heavy penalties will not deter small businesses from hiring foreigners without work permits, despite the recent call on courts to impose the maximum punishment for such offenders.

MEF which represents some 5,000 employers in the private sector, said unlike the bigger companies, small businesses would not mind taking such a risk.

“But I think the bigger businesses will clean up their act.

“I don’t think they are engaging illegal foreign workers any more,” MEF executive director Shamsuddin Bardan told FMT.

His comments come in the wake of a warning by immigration director-general Mustafar Ali that errant employers should be prepared to face the maximum punishment if they are found guilty of hiring illegal foreign workers, following the end of the deadline to have them registered under the Ops Mega E-Card programme.

Shamsuddin said the reason that there was a demand for illegal foreign workers was because there is a ready supply of them.

He said the root cause of illegal foreign workers in Malaysia was due to the high cost of getting legal foreign workers.

“Both the employer and employee will have to spend thousands of ringgit to do this.

“The workers don’t want to spend thousands. Employers are also willing to take chances hiring illegals,” said Shamsuddin.

He said the root cause has to be dealt with by allowing the recruitment fee to be bearable and for the process of hiring foreign workers to be simplified.

Parti Socialis Malaysia (PSM) lawmaker Dr Michael Jeyakumar said the labour department should handle the applications of foreign workers so there would be better control of illegal and legal foreign workers in Malaysia.

“The agents make a lot of money. They charge the immigrants thousands and bring in extra workers who are not needed.

“They (foreign workers) come in after being promised work and sometimes fall victim to scams. Their paperwork is fake, leaving them helpless,” Jeyakumar said.

He said the maximum punishment for bosses should not be immediately imposed and this should be a gradual process.

“It should be gradual but not too slow as well. The employers should be fined and given a warning that if they are caught again, they could be imprisoned,” Jeyakumar told FMT.

‘Simplify immigration processes’

Persatuan Pengguna Islam Malaysia (PPIM) chief activist Nadzim Johan said the immigration process to hire foreign workers should be simplified so employers won’t feel the need to hire illegal workers.

Speaking to FMT, Nadzim said he agreed with Mustafar. However, he felt the process in the government offices should be more “user friendly” to encourage employers to legally hire foreign workers.

“You have to make it reasonably simpler, with the kind of queues we have in government offices. The information given is not user-friendly.

“All we want is fairness. If you make the system easy and provide the people with proper information, then it becomes fair,” Nadzim said.

He added the perception employers have is they can get away with hiring illegal workers.

“Companies have, over the years, believed they can get away with hiring illegal workers.

“So we need to send the right message that after this warning, serious action will be taken.”

Yesterday, Mustafar said the maximum punishment should be imposed to make employers realise the department was serious about getting rid of illegal workers.

He said the department had given sufficient time to employers to register their workers under the E-Card programme which ended on June 30.

Mustafar was previously reported as saying that employers found to have employed illegal immigrants would not only face charges under the Immigration Act, but also for offences under the Anti-Trafficking In Persons and Anti-Smuggling of Migrants Act, if there was an element of forced labour or exploitation.

“Employers who harbour illegal immigrants face stern action, including fines, imprisonment and whipping. This time, we will go all out to push for these stubborn employers to be punished,” he said.

The department launched Ops Mega E-Card to weed out illegal immigrant workers on July 1. Until 10.30am yesterday, 63 employers and 3,116 illegal immigrants had been arrested.

Last Thursday, a cake shop operator in Subang Jaya, Selangor, was charged at the Sepang Sessions Court with hiring 19 illegal immigrants to work at his premises.

Of the 3,116 illegal immigrants detained, 1,183 were Bangladeshis, followed by Indonesians (725), Myanmar (240), Vietnamese (119), Thais (111), Filipinos (95) and other nationals (643).