

The Situation of Cambodian Working-Class Women and Their Struggle in the Face of the Covid-19 Pandemic

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Regardless of the fact that it is the twenty-first century, Cambodian working-class women's lives and labour rights remain relatively poor and have continued to be exploited, particularly during economic and/or broader crises such as the Covid-19 pandemic. Looking back at the first two years of the pandemic, in the formal sector and specifically in the garment, footwear, and textile sector, over 200 factories have closed while 22 factories have been suspended. This sector alone left hundreds of thousands of workers unemployed. Similarly, approximately 80,000 workers in the informal sector, particularly karaoke, nightclubs, and beer gardens, have been laid off. The unexpected job loss has had a severe impact on the livelihoods of many workers. Thousands of other workers in both formal and informal sectors, including garment, footwear, and textile workers, as well as women's workers in casinos, beer gardens, clubs, and massage pillars, have kept their jobs despite labour exploitation, low wages, poor working and living conditions, and challenging social conditions.

To better understand the current working and living conditions of workers in both formal and informal sectors, a Focus on the Global South Cambodia programme representative conducted interviews with two leading labour rights activists, the presidents of two progressive federations representing the garment, footwear, and textile industrial and informal sectors. This article presents the highlights of the conversations with **Kong Athit**, president of Coalition of Cambodia Apparel Workers Democratic Union (CCAWDU), and **Ou Tepphallin**, president of Cambodian Food and Service Workers' Federation (CFSWF), on the impacts of the Covid-19 pandemic on working class workers, particularly women workers, and the ongoing status of union movements and struggle in this pandemic context and moving forward.

Impacts of Covid-19 pandemic on working-class women workers in both formal and non-formal economic sectors

Despite being under wage slavery, women workers can at least maintain their livelihood, albeit with much difficulty.

"So far, despite being wage slaves, they (women garment, footwear, and textile workers) have been able to maintain a difficult way of life. However, with the sudden loss of jobs, many workers are forced to make compromises, and some are forced to work in more exploitative forms such as subcontracting, as well as working in the entertainment industry and the service sector, among others. Women workers face more challenges than men workers, particularly when they decide to relocate to other areas in search of work, where there are numerous violations, harassment, and other risks. The challenge for male workers, however, is a lack of job opportunities," Kong Athit, president of CCAWDU, explained about the impacts of the Covid-19 pandemic on Cambodian women workers.

Meanwhile, Ou mentioned how some employers and capitalists have used the Covid-19 pandemic to

lay off the old aged and/or workers with long-term employment contracts, as well as reduce wage and other benefits for workers. She explained that some of her federation members, particularly those aged 40 to 50, are no longer employed in the massage industry.

“The Covid-19 provides an opportunity for employers and capitalists. Large corporations that could have behaved better in their home countries are not exceptional in this case. When hiring new employees, employers took advantage of this opportunity to lower the minimum or basic wage. An instant new worker in Naga world, a massive casino, used to be paid US\$ 200 for start-up work and is now paid US\$120-130. They do this because they know there are people out there who will accept whatever they provide,”

“Other employers have tried to avoid their responsibility to workers’ rights and benefits by using the outsourcing agency channel. Simultaneously, the outsourcing firm provides poor working conditions and is not responsible for workers’ benefits,”

“Many of them (women in the informal sector) have fallen into deep poverty as a result of the mass layoffs, and in the worst cases, they have escaped to random places. The majority of the re-employment process in the entertainment industry has been altered. While many employers prefer men over women for a variety of jobs such as service, order, chef, and cashier in a restaurant, women are only hired when they need to use their beauty in specific areas. At the same time, women workers have faced more family pressure to join unions than male workers.” Ou Tepphallin, president of CFSWF expressed her thoughts.

Nonetheless, while there have been reports of the closing of factories that produce garments, textiles, and footwear, there have also been reports of new factories opening. With the number of new factories opening, Kong responded that he is aware of the trend. In addition to the newly closed-down factory, he stated that the number of sweatshops has increased during the Covid-19 pandemic. The sweatshops made it difficult for unions and labour rights organisations, including the International Labour Organisation, to conduct physical monitoring due to the operation’s apparent secrecy, as well as the fear of pandemic transmission on their staff members’ health.

“Those workers, the majority of whom are women, have no choice but to work in these sweatshops for a variety of reasons, including the ease with which money can be obtained and the proximity to their rental room, allowing them to care for their children and those under their care. Some workers in these sweatshops are unable to obtain a work identification card, which would allow them to access various work and social assistance benefits,” Kong explained.

He added, *“The answer to the question of whether the brand companies are aware of this practice is yes and no. To the extent that the brand companies are completely unaware of such operations is not entirely accurate. At least a brand company, such as H&M, have defined such operations as both legal and illegal outsourcing”.*

The challenges faced by female and male union organisers and leaders, as well as the impact of the Covid-19 pandemic on unionisation and labour rights work

Both Kong and Ou shared their common experiences with the ongoing intimidation and harassment of union organisers, labour rights activists, and leaders, as well as facing legal consequences. Furthermore, they have both recognized a more intense and harsher government suppression on public gathering and mobilisation in the name of suppressing the Covid-19 pandemic, given a number of the suppression on peaceful strikes, including the recent case of Naga World workers seeking to reinstate their union representatives. Nonetheless, Ou openly stated that the effects of the Covid-19 pandemic have resulted in a decline in her federation’s membership. Furthermore, the

federation's efforts to improve the working and living conditions of her members appear to be starting from scratch. Similar to her, Kong has mentioned the difficulty in recruiting new members and negotiating a collective bargaining agreement (CBA) with the employers.

"It has become difficult for us to sit at the negotiating table with the employer, who is a party in the labour dispute, because a government representative will be in the middle of the case. And I've noticed that employers and capitalists have succeeded in persuading the government and policymakers to enforce union laws, as well as the recent enactment of a law on the Covid-19 pandemic prevention measure and other severe disease to suppress and dissolve a few independent local unions," Ou explained her challenge in dealing with labour dispute.

"At the factory level, instead of directly intimidating and/or threatening union leaders as they did in the past, some employers have recently used the legal system to go after them. Their tactic has been quite common, which they have used in a few factories where we have representatives, and yet they support the yellow union in the same factory to commit physical violence and file a serious misconduct complaint against our representative in court. When the violence between the pro-factory owner union and our union leader occurred, the factory filed a complaint with the court under Labour Law article 83-B, which outlines serious misconducts of workers, even though the term "serious misconduct" is not defined. They are not subject to intimidation, live threat, or harassment when using this tactic," Kong elaborated on the difficulties his local union representatives have faced.

"Through our previous struggles, we made significant progress for our members, but those efforts have now been washed away. It appears that we will have to rebuild it from the ground up. For example, we had successfully negotiated with a number of employers to allow women workers to bring their babies and small children to work, but when business closed during the Covid-19, we had to start all over again. We were successful in getting employers to register their employees with the National Social Security Scheme (NSS) so that workers could receive benefits in some places, but since some businesses went bankrupt and closed, all of our efforts have been futile. While other companies continue to operate, they use their defiance and the impact of the Covid-19 pandemic to refuse to implement the agreement. They claimed that they are unable to pay for employees," Ou described her challenge.

"At the moment, it appears that forming a Collective Bargaining Agreement (CBA) is impossible. CBA has been identified as one of the primary reasons for CCAW's impossibility to be present in the factory. Many factory owners are offended by the term CBA. Without the CBA, we are similar to the yellow union, which has many members but does nothing while claiming to only follow Cambodian labour law. As a result, negotiating a CBA is far more difficult than it has been in the previous 20 years. So far, we have signed five CBAs. Additional worker benefits included an increase in the incentive for not being absent from US\$10 (according to labour circulation) to US\$15, an increase in the time for breast feeding from 10 minutes to one-hour, additional annual leave or the ability for workers who did not use their annual leave to exchange it for cash, milk support for female workers with babies, and so on. However, due to the Covid-19 pandemic, employers requested that some CBAs be reduced," Kong mentioned his difficulties in obtaining a CBA with his employer.

Over time, self-censorship has become embedded deep in mine workers. It started with the government's massive suppression, which included extrajudicial killings during the 2014 national wage strike in Veng Sreng, and was followed by the government's massive suppression of the opposition party, the Cambodian National Rescue Party (CNRP), in 2017-2018, and the use of both the law on unions and the law on Covid-19 pandemic and Other Severe Diseases during the Covid-19 pandemic. Workers' willingness to participate in public actions or demonstrations has been reduced

as a result of these incidents. Despite the fact that the CNRP has been disbanded, unions have been accused of collaborating with them or being party supporters. At least nine Naga World Casino union leaders were arrested individually in the early morning, followed by nearly 200 workers from the same company being arrested in the middle of the peaceful protest where human rights observers, including OHCHR, and media themselves witnessed the peaceful protest near their working venue.

Were there social workers and/or laws in place to help workers during the Covid-19 pandemic?

Workers, particularly those whose factories have been closed, are supposed to receive government assistance. However, there are difficulties in obtaining social assistance, particularly among CFSWF members. Meanwhile, a few labour law's articles have been amended to assist employers in the face of the Covid-19 pandemic. [The government has also subsidized a range of companies that apply for suspension.](#)

"Some people, for example, tourist guides, receive cash assistance from the government as a result of the sudden closure of the tourist sector. However, this is not the case for our members for a variety of reasons. Due to the complexities of the process, some of our members, including those who work for bigger companies, have not received any assistance. To receive assistance, their employers must file a list of workers along with relevant information and supporting documents online. Unfortunately, many employers have not been so kind as to spend their days and nights obtaining this support for their employees, leaving them, particularly many women workers, without support during this difficult time," Ou described the situation of her union members.

"However, in the name of assisting employers during the COVID-19 pandemic, some articles in Cambodian labour law were amended. Furthermore, the government announced last year that it would reduce public holidays, causing workers to lose benefits and working days to increase. When the workers paid for public holiday work are compared to the number of days that it is cut, multiplied by the total number of workers in the formal sector, it is clear that millions of dollars have been lost. And those are the workers' sweat and blood," she added.

Both Ou and Kong explained the ongoing difficulties they have in obtaining relevant information from their labour dispute parties, which includes information about the owners or shareholders of the companies who are supposed to be held accountable when labour rights violations and exploitation occur. Access to government draft policies and laws is also difficult. Given the short response time, they would be consulted in some cases, whereas in others, they would only be informed once the final product was completed.

"The government recently approved a five-year master plan for the garment industry. We were invited to attend the final strategy meeting. Despite being told that it is a joint effort of the Labour and Vocational Training, Economic and Finance, and Commerce Ministries, we have no idea who is writing this policy," Kong said.

Message on the Labor Day and moving forward

"We believe that people's politics take precedence over political party politics. We believe that workers' benefits, including wage increases, should be prioritised, but this does not imply that we must sell off our members to meet this specific demand, which does not originate from political will. We would rather train our members to be aware of their critical knowledge in terms of analysing and making decisions on a larger systemic change than rely solely on a wage increase promise. We hope that one day, our members will be able to make their own independent decisions about what

politicians and policymakers should do on a large scale. And that, in our opinion, is the power of the people,” Kong spoke about his position and hopes for Cambodia’s garment, footwear, textile, travel products, and bags industry.

He added, *“There is a need among us to reunite the existing progressive labour rights organisations and progressive independent unions as part of the labour movement. We cannot depend on someone else to bring everyone together. We must join forces and continue our common struggle for a better life and a decent wage for workers.”*

While Ou delivered her message, she urged her members and other unions to continue their community organising and uniting as a force of people power. *“It is impossible for our struggle to succeed unless workers are organised, united, and in solidarity. If we do not make these efforts, we are allowing employers and capitalists to exploit workers, and this does not exclude large corporations from developed countries known for having better laws and implementation that respect workers’ rights.”*

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