

Let Indonesian migrant workers join Malaysian trade unions, say rights activists

Monday 13 May 2024, by [CHUNG Nicholas](#), [REZA Danish Raja](#) (Date first published: 12 May 2024).

They say unions would be able to flag labour rights violations which migrants may not be aware of.

PETALING JAYA: Allowing Indonesian migrant workers to freely join unions in Malaysia will improve their welfare while working here, say migrant rights activists.

North-South Initiative executive director Adrian Pereira said Indonesian workers in the construction and services sectors are particularly vulnerable as they are often isolated and not adequately protected.

“Migrant workers from Indonesia should be welcomed into the trade unions in the various sectors they work in - whether it’s plantations, electronics or services,” he told FMT.

Tenaganita director Joseph Paul Maliamauv agreed, saying trade unions would be able to flag labour rights violations, especially those the workers themselves may be unaware of.

He said migrant workers usually lack awareness of their rights under the law and possible violations on the part of their employers.

In 2019, the Malaysian Trades Union Congress said only about 50,000 (or 2.3%) of the 2.2 million documented migrant workers in Malaysia were unionised.

The two activists were commenting after Indonesia’s manpower minister Ida Fauziyah confirmed last month that a longstanding memorandum of understanding (MoU) between Putrajaya and Jakarta over the protection and placement of Indonesian foreign workers would be renewed.

She said the MoU would take into account current developments, and expressed hope that Malaysia would improve its foreign labour policies to safeguard the welfare and protection of migrant workers from her country.

Noting that such MoUs have always been kept confidential and were not legally binding, Maliamauv called for the processes agreed upon to be made public.

“I would suggest that the Indonesian embassy hold consultation with NGOs and other stakeholders who are working closely with the migrant workers themselves. They should have an idea of what is in the MoU.

“As it is, I don’t know what processes they undertake and also what finally goes into the MoU. We only hear bits and pieces about what is in the agreement,” he said.

Maliamauv also called on the Indonesian embassy to conduct focus groups with migrant workers.

He said existing Malaysian laws are sufficient to safeguard their wellbeing, but called for improved enforcement to ensure employers are fully compliant.

He also said workers who have pending cases with the labour department should be allowed to remain in the country and work temporarily while waiting for their case to be resolved.

Currently, he said, their work permits are revoked by their employers. They may apply for a three-month special pass to remain in the country for a fee of RM100, which must be renewed if the case prolongs. However, they are not allowed to work.

“Sometimes, if the case takes too long, they might prefer to go back home, which is fine. But when they want to return here, they often find that they are banned from coming back.

“That is something that should be looked into because that should not be the case. We’re basically preventing them from seeking redress,” he said.

Pereira said additional protection is necessary for Indonesian workers in the construction and services sectors, as many do not have access to their job contract and other related documentation.

This makes it hard for them to defend themselves in labour disputes at the various government institutions and departments.

“It is vital that digitisation and digital tools are used to secure workers’ documentation and safety,” he said.

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