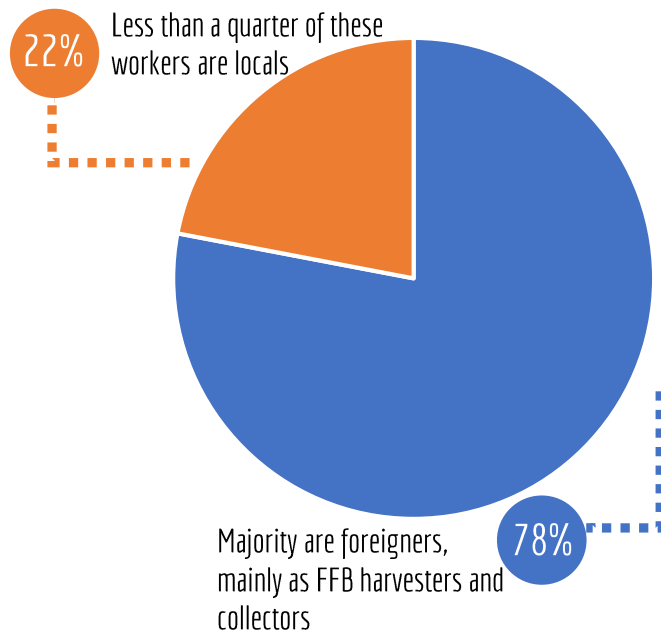


# PLANTATION WORKERS ISSUES

Little attention has been paid to labour rights in the palm oil industry despite rampant labour abuses, including poverty wages, child labour and human trafficking

In Malaysia, it is estimated that a total of  
**461,507**  
labourers worked in the oil palm plantation sector in 2014.



## ISSUES IN THE PALM OIL SECTOR



Child and family labour and insufficient protection with regards to young workers



Lack of personal protective equipment (PPE)



Opaque pay structures which may incentivise dangerous or unacceptable practices



Vulnerable workforce due to fixed short-term contracts and casual labour



Poor hygiene and accommodation facilities



Passports retained by employers citing 'safekeeping'



Workers with no access to their personal documents could be considered to be in forced labour



Fixed short-term contracts & casual workers leaves workers vulnerable to labour rights abuses

The protection that exist in international law for migrant workers and members of their families include:

- Fundamental human rights that apply to all migrants, regardless of their status, which are set out in the core international human rights treaties and under customary international law
- International labour conventions and standards that provide basic protections for treatment and conditions at work, which apply to all workers regardless of their migration status

In general, States are obliged to ensure that migrants receive comparable treatment and protection as nationals of the State.

# THE UNIVERSAL DECLARATION OF HUMAN RIGHTS



Adopted by the General Assembly of the United Nations in 1948, the Universal Declaration states fundamental rights and freedoms to which all human beings are entitled.

You have the responsibility to respect the rights of others.

**We are all born free and equal.**  
**Everyone is entitled to these rights no matter your race, religion, sex, language, or nationality.**  
**Everyone has the right to life, freedom, and safety.**

No one can take away any of your rights.

No one has the right to hold you in slavery.



No one has the right to torture you.



You have a right to be recognized everywhere as a person before the law.



We are all equal before the law and are entitled to equal protection of the law.



You have the right to seek legal help if your rights are violated.



No one has the right to wrongly imprison you or force you to leave your country.



You have a right to a fair, public trial.



Everyone is innocent until proven guilty.



You have the right to privacy. No one can interfere with your reputation, family, home, or correspondence.



You have the right to travel.



You have the right to seek asylum in another country if you are persecuted in your own.



Everyone has the right to a nationality.



All consenting adults have the right to marry and to raise a family.



You have the right to own property.



Everyone has the right to belong to a religion.



You have the right to think and voice your opinions freely.



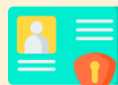
Everyone has the right to gather as a peaceful assembly.



You have the right to participate in the governance of your country, either directly or by helping to choose representatives in free and genuine elections.



You have the right to social security and are entitled to economic, social, and cultural help from your government.



Every adult has the right to a job, a fair wage, and membership in a trade union.



You have the right to leisure and rest from work.



Everyone has the right to an adequate standard of living for themselves and their family.



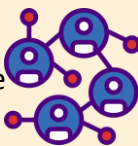
Everyone has the right to an education.



Everyone has the right to freely participate in the culture and scientific advancement of their community, and their intellectual property as artist or scientist should be protected.



We are all entitled to a social order in which we may enjoy these rights.



Everyone's rights and freedoms should be protected unless they obstruct the rights and freedoms of others.



No State, group, or person can use this Declaration to deny the rights and freedoms of others.



This is a simplified version of the UDHR. For the complete text, visit [www.un.org](http://www.un.org).



# INTERNATIONAL LABOUR *Organisation*

## 1 FREEDOM OF ASSOCIATION



### Freedom of Association and Protection of the Right to Organise Convention

Workers' & employers' organizations shall organize freely and not be liable to be dissolved/suspended by administrative authority. They have the right to establish & join federations & confederations affiliated with international organizations of workers and employers.

### Right to Organise and Collective Bargaining Convention

Workers shall enjoy adequate protection against acts of anti-union discrimination, including requirements that a worker not join a union or relinquish trade union membership for employment, or dismissal of a worker because of union membership or participation in union activities.

## 2 STANDARDS ON WAGES



### Minimum Wage Fixing Convention

Requires ratifying states to establish a minimum wage fixing machinery capable of determining and periodically reviewing and adjusting minimum wage rates having the force of law.

### Equal Remuneration Convention

Lays down the principle of equal remuneration for men and women workers for work of equal value.

## 3 STANDARDS ON FORCED LABOUR



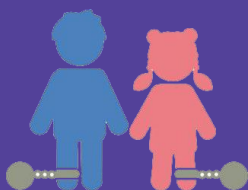
### Forced Labour Convention

This fundamental convention prohibits all forms of forced or compulsory labour & requires that illegal extraction of forced or compulsory labour be punishable as a penal offence. Ratifying states must ensure penalties imposed are adequate and strictly enforced.

### Protocol of 2014 to the Forced Labour Convention & Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)

Aims to advance prevention, protection and compensation measures, as well as to intensify efforts to eliminate all forms of forced labour, including trafficking in persons.

## 4 STANDARDS ON CHILD LABOUR



### Minimum Age Convention

The general minimum age for admission to employment or work is 15 years (13 for light work) and the minimum age for hazardous work is 18 (16 under certain strict conditions).

### Worst Forms of Child Labour Convention

Requires ratifying states to eliminate the worst forms of child labour including all forms of slavery or practices similar to slavery as well as provides necessary and appropriate assistance to remove children from such situation, ensure access to free basic education and vocational training where possible.

## 5 OCCUPATIONAL SAFETY & HEALTH



### Occupational Safety and Health Convention 1981

Provides for the adoption of a coherent national occupational safety and health policy, and action to be taken by governments and within enterprises to promote OSH & to improve working conditions.

### Occupational Safety and Health Convention 1985

Provides for the establishment of enterprise-level occupational health services entrusted with preventive functions and which are responsible for advising the enterprise on maintaining a safe and healthy working environment.

### Promotional Framework for Occupational Safety and Health Convention, 2006

Aims at promoting a preventative safety and health culture and progressively achieving a safe and healthy working environment.

# International Labour Organization

## Malaysia ratified 17 Conventions



- 1 Fundamental Convention
- 2 Forced Labour Convention 1930
- 3 Right to Organise and Collective Bargaining Convention, 1949
- 4 Equal Remuneration Convention, 1951
- 5 Minimum Age Convention, 1973
- 6 Worst Forms of Child Labour Convention, 1999
- 7 Governance Convention
- 8 Labour Inspection Convention
- 9 Tripartite Consultation (International Labour Standards) Convention, 1976
- 10 Technical Convention
- 11 Employment Service Convention, 1948
- 12 Protection of Wages Convention, 1949
- 13 Guarding of Machinery Convention, 1963
- 14 Minimum Age (Underground Work) Convention, 1965
- 15 Minimum Wage Fixing Convention, 1970
- 16 Maritime Labour Convention, 2006
- 17 Promotional Framework for Occupational Safety and Health Convention, 2006



# WHY WORKERS NEED UNION?



## COLLECTIVE BARGAINING

Union plays an important role by exercising collective bargaining that is closely linked to freedom of association.



## DECENT PAY

Unions help ensure that working people earn decent pay and benefits and have a voice in our democracy system



## COLLECTIVE VOICE

Unions provide workers with a powerful, collective voice to communicate to management their dissatisfaction and frustration



## NEGOTIATION

Unions negotiate better terms and conditions. All aspects of working life should be the subject of discussion & agreement between employers & employees under the protection of a trade union.



## JOB SECURITY

Union members tend to have better job security. Trade union members are more likely to stay in their jobs longer, on average five years more than non-unionized workers.



## SUPPORT

By being a union member, we are always part of something bigger, and have the support of the union when you need it.



## EQUAL OPPORTUNITY

Unions fight for equal opportunities in the workplace. They stand for equal pay and treatment and against discrimination.



## WORKPLACE SAFETY

Under Malaysian's employers & employees relation, unions' reps are part of the safety & health committee of the company. They will raise any issues and problems face by workers in the workplace.



## LEGAL SERVICE & ADVICE

Malaysian Trades Unions Congress (MTUC) provide legal services and advice to workers when they faced with issues and problems in the workplace.

## RSPO Principle 6: Respect Workers' Rights

The RSPO prescribes a list of criteria followed by indicators, which is the participating palm oil sector companies are required to be met with

1

Any form of discrimination is prohibited

2

Pay & conditions for staff & workers & contract workers always meet at least legal or industry minimum standards & are sufficient to provide decent living wages (DLW)

3

The unit of certification respects the rights of all personnel to form and join trade unions of their choice and to bargain collectively

4

Children are not employed or exploited

5

There is no harassment or abuse in the workplace & reproductive rights are protected

6

No forms of forced or trafficked labour are used

7

The unit of certification ensures that the working environment under its control is safe & without undue risk to health