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Flexibility vital to promote conducive occupational environment

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THE dispute between Sony Audio Products Sdn Bhd and the Electrical Industry Workers Union in Penang over production workers being made to stand for eight hours to carry out their work raises several questions.

Is this a common practice in factories? Does it harm one's health? Is it inhumane? Is it in line with the Occupational Safety and Health Act 1994?

State Science, Technology, Human Resources Development and Industrial Transformation Committee chairman Datuk Dr Kang Chin Seng said the standee system was employed in Europe, Japan and US.

He said besides Sony Audio, others which used the system in Penang were Sony Mechatronics, Sony Electronics, Hitachi Semiconductor, Intel Technology and Hewlett Packard. Some 9,000 factory operators in Penang were involved in the standee system, he added.

But EIWU industrial relations officer N. Balakrishnan argued that any system must create a conducive environment for workers to give their best. He had complained early last month about the system being a strain on workers' health.

"Though Sony gives a 50-minute break for the workers during their nine-and-a-half hour shift, each worker has to stand for a solid eight hours and 40 minutes daily. If they are called for overtime, it may go up 10 to 12 hours," he claimed.

A total of 1,064 of Sony Audio and its sister companies production line workers are involved in the standee operations, which started in full force on July 20, although certain sections of its workers had been doing this since 1996.

Balakrishnan said between July 20 and July 27, seven workers had fainted, a worker was warded for chronic back pain and many others suffered from backache, swelling of the heels and stress on the hips and legs.

On July 27, eight workers spoke to the Press at the EIWU office in Prai. Among other things, they complained the company had refused to accept certification by doctors that some of them were unfit to stand and work for long hours.

Sony Audio, in denying it refused to accept medical letters, said the system was to increase productivity and reduce space consumption.

After a preliminary inquiry into the EIWU complaint on Aug 3, Kang said: "The workers are not required to stand for eight hours. There are benches placed in the production area where they are allowed to take a rest."

The inquiry established that only five workers had fainted and that there were "weak co-relations" between the cases of fainting and the company's standee system. Kang said the "dizziness" suffered was due mainly to the transition to the standee system.

"From July 25 till Aug 3, no one was reported to have fainted and the Department of Occupational Safety and Health (DOSH) found that workers had not suffered any side-effects. Sony Audio did not force unfit workers to work standing. It has shifted 18 workers who were certified unfit to non-standee operations sections," he said.

Although State DOSH officials visited Sony Audio to talk to workers about their problems following the EIWU's complaint, Balakrishnan had invited State DOSH director Zabidi Md Adib to the EIWU office to meet affected workers. However, Zabidi told Balakrishnan to send them to his office in Penang island but the workers were unwilling.

It is a fact that at the workplace, workers are more apprehensive and cautious as the bosses are watching and are unlikely to say anything adverse against their managements. Especially, given the fact that government officials everywhere are usually closer to managements than workers.

In the union office, the workers would feel emboldened by the presence of union officials to talk.

If DOSH officials had gone to meet the workers, it would have been in tune with Prime Minister Datuk Seri Dr Mahathir Mohamad's drive for excellence and a proactive approach to all things.

Balakrishnan is unhappy with the manner in which the inquiry was held. The EIWU and the affected workers were excluded from the inquiry.

The inquiry was at level 52 of Komtar - where the offices of Penang State Executive Councillors are located. It was chaired by Kang. Present were Zabidi, State IRD director Hong Kam Weng, Labour Department director Hashim Ariffin and Sony Audio Product's Sdn Bhd's six-man team led by its managing director Y. Utsonomiya.

The question that begs an answer is this: Why was the EIWU not invited to the preliminary inquiry? Why were the affected workers left out? Common sense dictates that all parties to the issue be present.

It is tantamount to denying the workers the right to be heard at such an important platform.

It would be grossly misleading for Kang or anyone else to claim that the findings of such an inquiry are conclusive.

Kang said following the Aug 3 session, he decided not to hold a full investigation into the matter as he was "satisfied with the preliminary inquiry".

However, he was quick to add, he had instructed the DOSH and the IRD to "closely monitor" the situation in Sony Audio.

Is the standee system inhumane? Would DOSH or IRD officials be willing to stand eight hours to do their work for even one day? Would Kang be willing to talk through an Exco meeting standing?

Is the standee system in line with the Occupational Safety and Health Act? Although it is silent on workers having to stand for long hours during work, section 4 (c) of the Act gives an indication of how to deal with such situations.

It says that one of the objects of the Act is "to promote an occupational environment for persons at work which is adapted to their physiological and psychological needs".

This means flexibility in approach and implementation, and it could be the answer to the dispute.

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