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MTUC seeks Suhakam's help to stop trade union rights violations

KUALA LUMPUR, Fri. - The Malaysian Trades Union Congress has sought the help of the Human Rights Commission (Suhakam) to stop trade union rights violation.

MTUC secretary-general G. Rajasekaran said MTUC leaders together with 25 non-governmental organisation representatives met with the Suhakam chairman Tan Sri Abu Talib Othman and other commissioners on Monday to discuss the issue.

"We highlighted the problems faced by workers and trade unions and urged Suhakam not to allow the Government to perpetuate the illegal ban on such a large number of workers," he said today.

He said MTUC expected Prime Minister Datuk Seri Dr Mahathir Mohamad to announce his decision to ratify the ILO Convention 87 during his speech at the International Labour Conference in Geneva on June 11.

"We are disappointed that Convention 87 on freedom of organisation and right to collective bargaining was not mentioned at all," he added.

He said they had patiently waited for 30 years and since the Government's action was in violation of the provisions of the Malaysian Constitution, it was only appropriate that they sought the intervention of Suhakam.

Rajasekaran said a detailed memorandum would be submitted to Suhakam within 30 days.

"Incidence of trade union rights violation by major corporations has increased.

"In recent months, unions have been facing inordinate delays in resolving recognition claims," he added.

Under the Industrial Relations Act 1967, Rajasekaran said these basic and fundamental issues must be resolved within 21 days but it was taking the Human Resources Ministry as long as 21 months.

Another contentious issue, he added, was the Government's ban on the formation of a union for workers in the electronics industry, which was clearly in breach of the provisions of Article 10 of Malaysian Constitution.

"We want Suhakam to intervene and stop this unfair restriction which has effectively denied more than 150,000 electronics workers the right to establish viable and independent industrial unions," he said.

Since 1989 the Government partially relaxed the ban but restricted electronics workers to established company-based in-house unions.

Since then about 15 unions comprising over 10,000 members have been established.

"Restricted to in-house, most such unions remain weak and ineffective, often not equipped to face the onslaught of the powerful major multinational corporations," said Rajasekaran.

Citing an example, he said, the Harris workers union, first to be established following the lifting of the ban in 1989, underwent three name changes and after 13 years their employers have successfully used the loopholes in the law to legitimise their refusal to negotiate with the union.