

MTUC picket: NUPW will not take part

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The Malaysian Trades Union Congress (MTUC) is set to go on its nationwide picket today in protest against "unacceptable" amendments made to the Employment Act on Oct 7.

While it is anybody's guess as to how many of its more than 200 affiliates will take part in the protest this evening, the National Union of Plantation Workers (NUPW) is all for the amendments and will not join the picket.

NUPW is happy with some of the amendments, in particular those that define "contractor for labour" and "employer" in Section 2 (1) (c) and (d) of the Employment Act 1955.

The 2 (1) (c) amendment states, "Contract for labour means a person who contracts with a principal, contractor, or sub-contractor to supply the labour required for the execution of the whole or any part of any work which a contractor or sub-contractor has contracted to carry out for a principal or contractor, as the case may be".

As for "employer", the existing definition is expanded to include "or any person who supplies or undertakes to supply any employee engaged by him to any employer, principal, contractor or sub-contractor".

NUPW says it welcomes the amendments because they will put an end to years of abuse of workers by the contractors in the plantations.

NONE" NUPW is in favour of the amendments because the supply of labour by contractors is now regularised. The amendments provide for the registration of the contractors and any non-compliance with the terms of employment comes under the direct supervision of the director-general," NUPW executive secretary A Navamukunthan said.

Recounting his personal and the union's experiences in this matter, Navamukunthan said, "We had one contractor in the morning and somebody else in the afternoon. It was such a terrible thing to manage. Now, the amendments will put an end to this practice."

He said the union held a number of meetings with Human Resources Ministry officers on the

amendments.

Human Resources Minister Dr S Subramainam (above, right) has been reported to have said that NUPW had asked for these amendments for a long time and this matter had even been discussed at a regional trade unions gathering held in New Delhi, India.

Navamukunthan sees no sinister design in the amendments to bash trade unions in this country.

On the contrary, the National Union of Bank Employees (NUBE) general secretary J Solomon insists that the major scheme behind the amendments to the Employment Act is "union busting".

He said the banking sector was already active in outsourcing and replacing permanent employees with temporary employees provided by labour contractors.

Solomon said one bank had outsourced its mailing department to an "A company" that has sub-contracted it to a "B company" and this company, to a "C company".

All the employees in the "C company" wear the uniforms of "A company" and they operate in the bank's premises. The employees concerned have no means of organising themselves.

"The original employees are driven out by all sorts of means and this is the way union busting is being carried out," Solomon said.

He also referred to a new Section 101B brought into the Act, which seeks to punish officers of the body corporate, partnerships, societies and trade unions for offences committed under the Act during their terms in office.

In the case of a society or a trade union, the entire leadership in office at the time the offence was committed "shall be deemed to have committed the offence" - which Solomon described as a plot to "wipe out the entire trade union leadership and thereby, wipe out the union".

He denied that there had been 18 meetings to discuss the amendments as claimed by Subramaniam.

Workers being pushed to politics

Neither had the amendments, he pointed out, been discussed or adopted by the tripartite body, the National Labour Advisory Council.

Taking the entire amendments together, Solomon said, "there is a clear move to wipe out the trade union movement in this country, and we cannot let it go unchallenged".

In his view, workers are being pushed by the ruling politicians to take to politics.

As the human resources minister was constitutionally accountable for these amendments, the workers would go and face him wherever he seeks to contest for Parliament in the next general election.

NUBE members would turn out in full force in support of the picket called by MTUC, Solomon added.

Another unionist, National Union of Drink Industry Workers general secretary S Nadarajan, also vowed his union's support for the picket.

Nadarajan said he would be present at Jalan Raja Laut with his members.

"These amendments are clearly aimed at weakening the trade union movement. It appears that political involvement of workers is becoming unavoidable.

"They must withdraw the amendments. If not, we will meet them in the coming general election. I believe the majority of workers will support the picket," Nadarajan said.