

TOP GLOVE: A TIP OF THE MODERN DAY SLAVERY ICEBERG

The recent man-made tragedies at Granito and Bukit Kukus in Penang exposed the shambles of employment practices in the construction industry, so carelessly sacrificing the safety and lives of workers for the sake of profit. Equally, the tragedies exposed the very sad fact that no one either at state or federal level seemed or seems inclined to do anything at all to confront and address the many issues.

Now we have the allegations relating to Top Glove. No one who has been working on issues of labour migration will be in any way surprised. The same issues have been highlighted again and again for many years by many groups, not least by the workers themselves. And the abusive, un-monitored, exploitative employment practices are by no means confined to Top Glove alone.

These practices have been allowed to continue and become an endemic, established part of how our industries recruit and treat workers because of the indifference and self-interest of the previous government. Despite the many reports of abuses and documentation of abhorrent situations, those in charge consistently behaved as though they were more interested in protecting companies and Malaysia's 'image', whatever that may be. Many of us have been quietly hoping that things were going to change under our new government, not least because modern day slavery does nothing for the image of Malaysia.

Top Glove is a huge conglomerate. It has 40 factories, 648 production lines and 18,000 employees, producing the mind-boggling figure of 60.5 billion rubber gloves every year (amongst other products). It has offices in Thailand, China, USA, Germany, and Brazil. It has factories in the Klang Valley, Ipoh, Kelantan, Negri Sembilan, Johor and Kulim. Their operations include recruitment practices which involve a complicated supply chain where it is relatively easy to lose track of who is actually responsible for whom and what, especially if no one is interested in establishing rights, standards or accountability.

It is a little distressing to watch the new Minister attempt to respond to the issues. What is needed is a comprehensive overview of the many issues and a comprehensive policy that addresses all of these. The key is to know on what basis we are operating as a country. Is our attitude to labour that it just needs to produce as many goods as possible at the lowest possible rate and therefore making the maximum amount of profits for the various sub-contractors and conglomerate companies like Top Glove? Or are we interested as a country to establish clear standards for employment as for all other aspects of our society, to ensure that all workers are properly valued, respected, protected and engaged, and all have a clear and effective right to redress when things go wrong? If we are interested in the latter, then we will be completely committed to identifying and calling to account anyone who is exploiting workers and any practice which abuses people. As we have said several times, if company directors were made to serve jail time for the abuse of employment or other relevant laws, practices would quickly change. But for that to happen, there needs to be political will.

Sadly, but possibly predictably, the present response is mirroring the responses of the previous government. First, if we can possibly blame the workers, we will. We are indifferent to the fact that millions of migrant workers here are in situations of debt bondage, which locks them into employment situations over which they have little choice and little options. Working long overtime is just one consequence. Instead of addressing the reasons why this has happened, and why for example there are so many reports of arbitrary deductions being made by employers or agents which trap workers further into debt, instead we blame workers for daring to raise issues and blame them when they run away, desperate for a better situation.

Secondly, we deny that we know the facts and insist on a long and tortuous enquiry process which may or may not address all the issues and will certainly take a long time and result in very little (which is the idea, of course).

Thirdly, we invent policy responses on the spot, ad hoc and without thought, but presumably so people will think we are 'on top of the situation'. The apparently serious suggestion to hold 20% of the foreign worker's salary as forced savings is just one example of this sort of knee-jerk.

Modern day slavery is hugely serious and hugely present, in Malaysia as elsewhere. The allegations against Top Glove just add to the considerable body of evidence of how workers are trapped and exploited and labour and other laws flouted, across many industries, locations and companies. Once again we are provided an opportunity to assert our commitments to Fair Labour and to Decent Work for All. Once again, we are given the opportunity to say that we are serious about respecting and enforcing our own laws (and amending them where they are inadequate), bringing people to account, and stamping out the horrors that modern day slavery brings. Our Minister could have referred to the work and evidence gathered by, for example, the recently-formed Independent Committee on the Management of Foreign Workers, and the many recommendations already on the table to stop the abuses. Why didn't he?

Is the image of Malaysia that we want to promote an image trying to hide the fact that it is built on the back of modern day slavery? We don't think so. Top Glove is another tip of the horrific modern day slavery iceberg. It again allows us to see how industries consistently fail to respect, protect and value workers. It demands from us the response that employers and company directors are made responsible for their actions, whoever they may be. The Penang Stop Human Trafficking Campaign is not alone in praying that relevant employers, contractors, company personnel and any other person in authority are properly and quickly investigated and punitively charged, not just to face a pathetically small fine (which was the case of Granito, for example). Nor are we alone in praying that the New Year will bring serious, coherent, effective, enforceable changes to our recruitment, treatment, and protection of all workers, wherever they are in the supply chain, and from whatever background or place of origin. Work is being done to this end, so let's make it meaningful. There is clearly a long way to go.

The Penang Stop Human Trafficking Campaign is a member of the Migrant Workers Right to Redress Coalition, whose report 'Towards a Comprehensive Policy on Labour Migration for Malaysia' has been made available to government agencies and policy makers as a major contribution to finding solutions. If these were implemented and enforced, the abusive employment situations practised by such as Top Glove would be no more.