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**Questions for the Bukit Kukus Enquiry
November 2018**

These questions relate to the situation regarding the employment of workers at construction sites like Bukit Kukus. Could you please provide details about

1) Who was responsible for the workers at the site? Was/is there one employer responsible for all workers, or were there/are there sub-contracts? In the case of Bukit Kukus, could you detail all the different contractors responsible for labour, and provide a full breakdown of the numbers of workers involved at the site, by contractor and with breakdown by man/woman and also by Malaysian/foreign? What percentage of the workforce was foreign labour at the time of the mudslide?

2) Are the contractors directly responsible for their workers, or are they hiring workers in from labour outsourcing companies? If there is outsourcing involved, could you list the outsourcing companies supplying labour, with a breakdown of how many workers they were supplying and to which contractor?

3) Who was maintaining the daily record of what worker is at the site? Was there a central list? Were all the people who died at the site on this list? Can we see the record?

4) Who in the case of Bukit Kukus was maintaining a check on whether all workers were protected by the Employment Act, are documented, and are insured against accident or death?

5) In the case of Bukit Kukus, how many of the workers who died were officially registered with the Foreign Workers Compensation Scheme? If they were not registered with this scheme, why were they not? If they were not registered with this scheme, were they covered by other insurance? Who had taken out this insurance, what was it, and could we see the records? If any worker was not officially covered by insurance, why was this the case and could you give details of the steps you will be taking to make sure that this will never happen again?

6) Have all the workers been paid compensation, and how has this been paid? (through the Embassy? family? how?)

You will know that the situation with regard to the employment of especially foreign workers at construction sites like Bukit Kukus is cause for major concern. Many workers are employed without any protection, insurance or documentation. There would seem to be multiple accountability spread across contractors and possibly labour outsourcing companies. Records of who exactly is working at the site at any particular time would seem to be lacking or inaccurate. The lack of protection of many of these workers has helped to perpetuate the persistence of human trafficking and modern day slavery in Malaysia. We do hope that the Enquiry will report on how workers were employed at the site, what was the legal status of those who died, and who was responsible for this (the developer/contractor/who?).

Many groups have been lobbying for appropriate changes at national and state level. We do hope that this Enquiry will also make appropriate recommendations to make sure all workers are fully protected and their right to a life of dignity and ‘decent work’ is fully respected, at all sites.

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