

Memorandum Presented

To

**YAB Dato' Sri Ismail Sabri bin Yaakob
The Prime Minister of Malaysia**

**On the occasion of the
World Day for Decent Work**

From

Labour Law Reform Coalition (LLRC)

On

7th October 2021

Submitted on behalf of the Labour Law Reform Coalition by:

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Memorandum

With all due respect, Labour Law Reform Coalition (LLRC), strongly urge YAB Dato' Sri Ismail Sabri bin Yaakob, Prime Minister of Malaysia to urgently instruct the Ministry of Human Resources to submit to parliament the Bill relating to the various amendments to the **Trade Unions Act (1959)** and the **Employment Act (1955)**, before the end of 2021.

We believe, the Ministry of Human Resources have completed preparation of the Bill to be submitted to Parliament nearly two years ago.

Apparently, the Covid-19 pandemic, movement control orders, proclamation of emergency and political instability have contributed to the long delay in the tabling of both bills, to continue to delay is sadly unacceptable.

Background

Malaysia's labour law reform is an important step towards achieving the **Shared Prosperity Vision of 2030**, which is to make Malaysia a sustainable development country that ensures fair economic distribution, addressing the asymmetric power balance and unfair income distribution between employers and the workers.

In 2015, the Malaysian government announced that it would join the US-led Trans-Pacific Partnership Agreement (TPPA), with the aim of increasing access of Malaysian products in the markets of countries that have joined the TPPA.

Subsequently, the Former Minister of International Trade and Industry (MITI) YB Dato' Sri Mustapa bin Mohamed signed a Labour Consistency Plan with the United States government, so that Malaysian labour laws are in line with the ILO International Labor Standards, and not to engage in unfair business and labour practices.

In a parliamentary reply in March 2016, MITI said the government would renew 26 sections in 17 Malaysian laws to comply with the terms of the TPPA. One of the main categories of the reform is labour law.

At that moment, majority of unions supported the Labour Chapter of the TPPA and consequently the labour law reforms aimed at aligning with the International Labour Standards

However, political climate change in the United States has disrupted the process of labour law reform. The then President of the United States, Donald Trump, withdrew the United States from the TPPA immediately after he took office in January 2017. The other participating countries (including **Malaysia**) decided in January 2018 to replace

the TPPA with the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP).

After the 14th General Election in Malaysia, the Pakatan Harapan government tabled the Industrial Relations Bill in parliament. The bill was passed in October 2019, and gazetted on 20th February 2020. Sadly only partly, came into force on 1st January 2021. The rest of the part shall be enforced subject to the amendment of the Trade Unions Act.

Since the political change in February 2020, trade unions have regularly urged the government and the Ministry of Human Resources (MOHR) to proceed with the labour law reform, through the platform of Labour Law Reform Coalition (LLRC).

In August 2020, we submitted a memorandum to the Minister of Human Resources YB Datuk Seri Saravanan Murugan, urging the MOHR to table the Trade Union Act and the Employment Act amendments in parliament as soon as possible.

However, both bills have not been brought to parliament until now.

By submitting this memorandum, we hope that YAB Dato' Sri accepts our demand to expedite the process of labour law reform.

Endorsees of Labour Law Reform Coalition (LLRC)

1. Amalgamated Union of Employees in Government Clerical and Allied Services (AUEGCAS)
2. Association of Bank Officers Peninsular Malaysia (ABOM)
3. Beverage Industry Executive Staff Union
4. Electronic Industry Employees Union Eastern Region
5. Electronic Industry Employees Union Northern Region
6. Electronic Industry Employees Union Southern Region
7. Electronic Industry Employees Union Western Region
8. Electrical Industry Workers' Union
9. Food Industry Employees' Union
10. Genting Malaysia Bhd Executive Union
11. Insurance Industry Employees Union
12. Kesatuan Kakitangan PetroliaM Nasional Berhad (KAPENAS)
13. Kesatuan Pekerja-Pekerja Amanah Ikhtiar

14. Kesatuan Pekerja-Pekerja Dipsol (M) Sdn Bhd
15. Kesatuan Pekerja-Pekerja Perindustrian
16. Kesatuan Pekerja-Pekerja Perkilangan Perusahaan Makanan
17. Kesatuan Pekerja-Pekerja Perusahaan Kumpulan UMW
18. Kesatuan Pekerja-Pekerja Southern Waste
19. Kesatuan Penyelia-Penyelia Projek Lebuhraya Usahasama Bhd
20. Kesatuan Pencantuman Pekerja
21. Malayan Nurses Union
22. Malaysian Rubber Board Staff Union
23. Metal Industry Employees Union (MIEU)
24. Sarawak Bank Employees Union (SBEU)
25. National Union of Commercial Workers
26. National Union of Seafarers Peninsular Malaysia (NUSPM)
27. National Union of Teaching Profession (NUTP)
28. National Union of Telecommunication Employers (NUTE)
29. National Union of Transport Equipment and Allied Industries Workers (NUTEAIW)
30. National Union workers in the Shoe Manufacturing Industries
31. Paper & Paper Products Manufacturing Employees Union
32. Penang Port Workers Union
33. Printing industry employees' union peninsular Malaysia
34. Sabah Medical Services Union
35. Timber Employees' Union Peninsular Malaysia (TEUPM)
36. Union of Employees of Port Ancillary Services Supplier
37. Union of Employees of Construction Industry (UECI)
38. Union of Employees in Private Medical Health Services
39. Union of Employees in Trade Unions (UETU)
40. Union of Pos Malaysia Clerical Workers (UPCW)
41. University of Malaya General Staff Union (UMGSU)
42. UNI – Malaysia Labour Centre (UNI-MLC)
43. Building and Wood Workers' International Malaysia Liaison Council (BWI-MLC)
44. IndustriALL Global Union Malaysia Council
45. International Domestic Workers Federation (IDWF) Malaysia chapter

46. Sabah Timber Industry Employees Union (STIEU)
47. Sabah Union Telekom Employees (SUTE)
48. Sarawak Bank Employees' Union (SBEU)

Non-Governmental Organisations :

1. Monitoring Sustainability of Globalisation (MSN)
2. North South Initiative (NSI)
3. Tenaganita
4. Persatuan Sahabat Wanita Selangor
5. Women's Aid Organisation (WAO)
6. Serantau
7. Foreign Spouses Support Group Malaysia (FSSG)
8. Persatuan Pekerja-Rumah Tangga Indonesia Migran (PERTIMIG)
9. Association Of Nationalist Overseas Filipino Workers In Malaysia (AMMPO)
10. Muglan-Migrants Advisor
11. Non Resident Tharu Society
12. Pakistani Christian Refugee Fellowship (PCRF)