



**INTERNATIONAL FEDERATION OF PLANTATION
AGRICULTURAL AND ALLIED WORKERS**

**WORKING AND LIVING CONDITIONS OF THE
PLANTATION WORKERS IN ASIA**

COLLECTED PAPERS AND REPORT OF THE IFPAAW INTER-COUNTRY SEMINAR
ON "WORKING AND LIVING CONDITIONS OF THE PLANTATION WORKERS IN
ASIA" HELD AT SOUTH EAST ASIA HOTEL, KUALA LUMPUR, MALAYSIA.

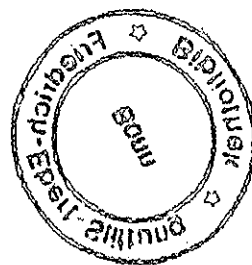
5 - 13 NOVEMBER, 1986

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PART I

REPORT OF THE SEMINAR

REPORT OF THE SEMINAR

INTRODUCTION

1. The seminar on "Working and Living Conditions of the Plantation Workers in Asia" was held at South East Asia Hotel, Kuala Lumpur, Malaysia on 5 - 13 November, 1986 under the responsibility of the International Federation of Plantation Agricultural and Allied Workers (IFPAAW) and supported by the Friedrich Ebert Stiftung (FES).

OPENING CEREMONY

(6 November, 1986)

2. Mr. D.P.A. Naidu, Seminar Co-Ordinator, on behalf of the Organisers, welcomed the delegates and outlined the purpose of the seminar.

3. Mr. Borje Svensson, President of the IFPAAW in his address gave an account of the various activities undertaken by the IFPAAW for the improvement of the working and living conditions of the rural and plantation workers in general and expressed the hope that the seminar would provide an opportunity for the participants to exchange views and experiences as well as to identify the problems affecting the plantation workers in Asia and seek to find solutions to such problems.

4. Dr. P.P. Narayanan, President of the ICFTU, Vice-President of IFPAAW and General Secretary of NUPW, Malaysia observed that though the nature of ownership and control of the plantations have undergone changes, "the system of exploitation still remains and continues". Referring to the obstacles faced by the plantation workers in improving their working and living conditions he said that through the efforts of trade unions some progress has been made in the working and living conditions of the plantation workers, but it was difficult at times for trade unions to perform "when employers and politicians gang up to break up various unions or to obstruct their legitimate role in collective bargaining and industrial relations". He referred to the various external factors which have contributed to the present plight of the plantation workers in developing countries and exhorted the trade unions to examine the economic, social and political context within which plantations exists. He also underscored the need to ensure an equitable distribution of income which labour created.

5. In delivering the key note address, the Honourable Minister of Labour, Y.B. Dato' Lee Kim Sai, DPMS., SMS., PPN., observed that the plantation sector has made tremendous contribution towards the socio-economic growth of Malaysia and that the working and living conditions in the plantations have also been progressively improved. In view of the current economic slowdown, the Minister of Labour called upon the trade unions to continue to exercise restraint on wage claims and, at the same time to upgrade labour productivity in the plantation sector with a view to curbing production costs.

6. The specific objectives of the seminar were:

- a. To focus on the working and living conditions of the plantation workers in Asia;
- b. To examine the labour laws applicable to plantation workers in Asia and consider their adequacies;
- c. To examine the existing wage systems and structures in the plantations in Asia and consider improvements;
- d. To identify the problems affecting the women workers and youth in the plantations in Asia and consider appropriate solutions to such problems;
- e. To assess the needs of the plantation workers in Asia concerning their health, safety, housing and facilities of education for their children;
- f. To identify the problems related to the application and control of pesticides in the plantations in Asia and consider remedial measures.

7. The seminar was attended by 22 participants from 8 countries; namely, Bangladesh, India, Malaysia, Pakistan, The Philippines, Sri Lanka, Taiwan R.O.C. and Thailand and 4 observers from Indonesia and Thailand. The list of delegates and observers appears as Annex A of this report.

8. The programme and the text of speeches of the opening ceremony appear as Annexes B, C & D. The programme of the seminar appears as Annex E.

PLENARY SESSION

(6 - 10 November, 1986)

9. The plenary session consisted of the presentation of resource papers and country studies and a panel discussion on some aspects of working and living conditions of the plantation workers in Asia.

RESOURCE PAPERS

10. The following resource papers were presented by outstanding authorities in the respective fields to provide background information and useful insights into the working and living conditions of plantation workers in Asia and to supplement the country reports submitted by the participants.

- i. International Labour Standards and plantation labour laws in Asia
By Mr. R. Thiagarajah, Labour Relations Consultant.
- ii. Working and Living conditions of the plantation workers in Asia
By Mr. A. Navamukundan, National Executive Secretary, NUPW.
- iii. Wage structure in the plantations
By Mr. N. Krishnan, Executive Director of Research, NUPW.
- iv. Health and Housing in the plantations
By Dr. Puan Selvarajah,
- v. Labour protection and labour relations in the plantations.
By Mr. K. Kumeraguru, Director of Industrial Relations, Malaysia.
- vi. Safety at work in the plantations with emphasis on application and control of pesticides
By Mr. S. Kamalanathan, Research Officer, Selangor Consumer Association Petaling Jaya, Selangor, Malaysia.
- vii. Youth and Employment
By Dr. Michael Sebastian, Executive Director, Workers Institute of Technology, Malaysia.
- viii. Problems of women workers
By Miss. Susan Dorjitham, Lecturer, Department of Indian studies, University Malaya.
- ix. Education and Social Amenities in the plantations
Mr. A. Navamukundan, National Executive Secretary, NUPW.

WORKING GROUP SESSION

11. After the presentation of resource papers and country reports, the participants constituted themselves into four working groups and deliberated on the specific issues raised for discussions at the seminar. The recommendations of the four groups appear as Annexes F, G, H and I.

FIELD TRIP

(11th November, 1986)

12. On the 11th November, 1986, the participants were taken on a field visit to:-

- i. NUPW Branch office in Seremban where the participants were given a briefing of the activities of the Branch.
- ii. Agro-Industrial Training Complex, Kuala Pilah - The Negri Agro-Industrial Training Complex stands on more or less 15 acres of land located at Kuala Pilah, Negri Sembilan. Built in the seventies, it caters to the vocational training needs of the plantation workers children, not only in Malaysia but in other parts of Asia. It is jointly run by the NUPW, The Lutheran Church of Sweden and the Negri Sembilan State Government. Courses such as automotive, welding, radio-television-air condition repair and maintenance, secretarial/computer courses are being offered. This is the second year that they have accepted girls to attend in these vocational courses and hope that the number will increase.
- iii. GATCO Land Settlement Schemes at Ayer Hitam - About 500 families could be accommodated in this settlement scheme, which covers 5,000 acres of land given by the State Government to NUPW for development. In this project, each family is given 10 ares of land, one acre for housing and the remaining for rubber plantation.

Interested workers join this scheme and pay M\$7,800.00 to the NUPW. There is an outstanding agreement between NUPW and the Malaysian Building Society Ltd., to undertake this project.

After an approved application is referred to them, the Malaysian Building Society Ltd, then enters into an agreement with the family concerned and later collects the premium for the next 20 - 25 years.

- iv. Juasseh Estate, Kuala Pilah, Negri Sembilan - This is a rubber Plantation employing more or less 400 workers. The management has provided the workers adequate living quarters and a creche. The place is near a school. The participants saw the latex weighing station.

PLENARY SESSION CONTINUED

(12th November, 1986)

13. The plenary session was resumed on 12th November, 1986 at which the conclusions and recommendations of the seminar were presented and adopted unanimously. Text of the conclusions and recommendations of the seminar appear in Part II of this report.

CLOSING CEREMONY

(13th November, 1986)

14. On the last day of the seminar the participants were presented with certificates of participation by Dr. P.P. Narayanan and the seminar was closed with a simple ceremony with parting messages from Dr. P.P. Narayanan, Mr. Stanley G. Correa on behalf of the IFPAW and some participants.

PART II

CONCLUSIONS AND RECOMMENDATIONS

**CONCLUSIONS AND RECOMMENDATIONS
OF THE SEMINAR**

1. The participants of nine countries reported to the seminar on the "Working and Living Conditions of the Plantation Workers in Asia" in their respective countries. Emerging from these reports the seminar was able to identify the following issues as most important.
 - a. Hazards and dangers of pesticides.
 - b. Falling prices of agricultural commodities and securing fair and stable wages in line with rising cost of living.
 - c. Removal of disparity in the wages paid to plantation workers.
 - d. Health and Housing in plantations.
 - e. Problems of women workers.
 - f. ILO Standards.
 - g. Future activities of IFPAAW in Asia.
2. The seminar felt that the increasing use of pesticides in plantations created health hazards to workers and in order to combat this problem it recommended that the trade unions should get deeply involved by creating health and safety committees in plantations which could supervise prevention of health hazards due to the use of pesticides in plantations. The committee should also ensure that adequate safeguards are provided to workers handling pesticides.
3. The trade unions should carry on a campaign of education and information relating to the dangers and hazards posed by pesticides to their members through audio-visual devices such as video, posters, cartoons, leaflets etc. Meeting and conferences on a micro and macro levels should be held periodically. It was also felt essential that the IFPAAW should inform the unions about the pesticides which are banned in Europe and other developed countries, so that the unions in Asia could take necessary action and conduct campaign for their total ban in their countries. They should also focus attention of the large sections of the rural population to the ill effects of this phenomenon.
4. The seminar felt that falling prices of agricultural commodities have brought havoc in the developing countries and kept the levels of living of a substantial portion of the population below subsistence level and abject poverty. In order to reverse this hopeless situation it was felt that the government should exercise effective control in limiting the area of production and the quantity produced so that the market will remain balanced. Government should also subsidize the produce whenever the prices fall below the cost of production. The situation can also be eased by the producers establishing a price stabilization fund.
5. Trade Unions could also play their part by improving the quality of the product and stream-line the production accordingly.
6. The seminar felt that IFPAAW should take up the issue of price stabilization with FAO and other related UN and international agencies to bring about commodity agreement in line with International Coffee Agreement.
7. While the laws in some countries (India and The Philippines) guarantee the payment of equal remuneration for work of equal value, in other countries there is no such declaration of law. It was the considered view of the seminar that wages of plantation workers should be determined, having regard to the principle of equal pay for work of equal value as well.
8. The seminar observed that the existing system of wage determination in the plantation sector is unsatisfactory in many respects. The most important aspect relates to the absence of monthly wage system for plantation workers in any Asian country. It was, however, noted the staff workers in the plantations are paid monthly salaries on incremental scales providing for payment to compensate for increase in the cost of living index while the plantation workers in some countries in Asia do not receive cost of living allowances commensurate with the cost of living index. In some of the countries the rate of payment applicable to plantation workers is far from adequate and far below the rate of payment obtained by the industrial workers.

9. The seminar was strongly of the view that the wages of plantation workers should incorporate cost of living compensation commensurate with the realistic cost of living index and in any case there should be no disparity in the rate of payment applicable to the plantation workers as compared with the industrial workers.

10. The seminar also noted that in the case of plantation workers in Asia, same rate of wages is applicable to all workers performing same tasks, irrespective of their skills and seniority. This was considered as a factor which operated against productivity in the plantations. It was the view of the seminar that in principle, the system of wage payment should be modified to take into account the level of skills and the seniority of the workers.

11. The seminar focussed on the problems of women in the plantations. Due to certain cultural and social traditions prevailing in Asia, the responsibilities have deprived the female workers of adequate leisure and the female workers in particular should be reduced to five working days of 40 hours a week, guaranteeing payment for 7 days. It was felt such an arrangement might enable the female worker to enjoy more leisure and recoup her health so as to improve the quality of life.

12. Another matter which drew the attention of the seminar was the need to grant leave during the menstruation period for female workers. In this connection the participants from Indonesia mentioned that two days paid leave is granted to female workers for this purpose. The seminar was of the view that similar provisions should be made in the laws of the other countries as well.

13. With regard to Maternity Benefits the seminar noted that the laws of Bangladesh and India provided for 12 weeks Maternity Leave as required by ILO Convention 110, while in other Asian countries the period of Maternity Leave is less than 12 weeks except in Sri Lanka where 12 weeks are granted for the first two confinements and six weeks for the subsequent confinements. In Malaysia, 60 days leave is granted up to only three children until recently and up to five children in terms of recent amendment to the Employment Act. The seminar recommends that all plantation workers should be entitled to 12 weeks Maternity Leave and Medical Care in respect of confinement without any limitation.

14. The seminar noted that the existing facilities for the education of children of plantation workers are generally inadequate in many respects. In some countries the premises allotted are not only inadequate but also in a deplorable condition. The furniture and other amenities provided are below the requirements. In one country it was mentioned that teachers assigned to the plantation schools are not qualified at all. The seminar strongly recommends that the facilities for education should be made available to the children of the plantation workers not only in respect of basic education, but also vocational and technical training as well.

15. Problems of unemployment of Youth in the plantation was also identified as another major problem. In order to overcome this problem, the seminar recommends that the National Employment Policy of all Asian countries should take into consideration the needs and aspirations of the plantation workers and ensure that the children of the plantation workers do not suffer any discrimination in this regard. In this connection, the seminar also recognised that trade unions could play a vital role by promoting suitable schemes for the training of youth in appropriate vocational skills.

16. The seminar urged the plantation employers to demolish the colonial period housing and to put up modern housing for the workers in a phased manner, having 3 bed rooms, kitchen, verandah, dining and bath/latrines rooms. The seminar also called upon the employers to provide land free of cost and the government to provide subsidies to build the houses for plantation workers under the "Workers House Ownership Scheme".

17. Arising from the deliberations of the seminar, it emerged that the trade union plurality was one of the factors which hampered the plantation workers to effectively deal with their problems. It was considered by the seminar that where there was a single trade union in the plantation industry or there was unity among the different trade unions within the industry, the plantation workers stood to

benefit. The case of the National Union of Plantation Workers (NUPW) was mentioned as a classic example. It was mentioned that 5 different trade unions in the plantation sector in Malaysia were amalgamated into a single union under the banner of NUPW through the efforts of the late Bro. Tom S. Bavin.

18. The seminar was unanimous in its view and strongly recommended that the plantation workers should unite themselves into one strong and democratic trade union in their respective countries under the banner of IFPAAW and strengthen the structure and organisation of IFPAAW for the well being of all the plantation workers in Asia.

19. The seminar emphasised the need for the workers to improve their productivity. This will have to go hand in hand with the sharing of the gains arising out of the productivity improvement.

20. The seminar made the following suggestions to the IFPAAW regarding its future activities in Asia:

- a. Payment of all outstanding affiliation dues be made by the affiliates before December 31, 1986.
- b. Affiliation dues should be paid for the entire membership as submitted to the Registrar of Trade Unions in the annual report of the respective countries.
- c. Affiliation fees should be paid regularly and promptly by all affiliates after completing the assessment of membership form on or before 30th June every year.
- d. All participants attending programmes conducted by the IRWEC should pay Rs.10/= as registration fee.
- e. The trade unions should contribute a certain percentage of the costs of the programmes conducted by the IFPAAW in the future.

PART IV

COUNTRY PAPERS

By:

Mr. Rajendra Prasad Boonerjee,
Executive Advisor,
Bangladesh Cha Gramik Union.

1. Though the economy of Bangladesh is agro-based plantation industry in Bangladesh has not been developed upto the mark and it is confined mainly to tea, rubber and sugar. Introduced by the British planters from 1855 in the elevated areas of North-East part of Bangladesh (Sylhet district) tea plantations mostly under local and British Private Ownership, spread over the most areas of Sylhet and some parts of the Chittagong district during the last 130 years. At present there is a total of 153 registered tea estates in Bangladesh employing a total workforce of about 1,20,000 out of over 5,00,000 people who are ethnic groups imported by the British Planters from India. The ratio between the male and female workers is 50:50. Bangladesh produces a total of about 93 million pounds of tea annually and tea is its second largest foreign exchange earner. Rubber plantations in Bangladesh started since 1980. There are more than 412 rubber gardens mostly under private and some under public sector spread over the hilly districts of Chittagong and Sylhet and employed more than a total of 3500 workers. Unionization has recently started in the rubber plantations. There are 11 state-run sugar mills located in the various parts of Bangladesh that manage their own sugar plantations in addition to a small number of sugar plantations run by the local farmers. There are more than 7000 sugar workers employed in these plantations and they are well organised under the leftist influence.

2. Out of a total workforce of 160 million in Bangladesh there are about 1,30,500 workers in the plantations. Labour force according to crops is: (1) Tea= 120,000 (2) Rubber = 3,500 and (3) Sugar= 7,000. Labour force in rubber and sugar is mostly males and in tea the ratio between males and females is 50:50.

3. Besides several common labour legislations, the following are the special separate legislations to deal with plantation workers in Bangladesh:

- a. The Maternity Benefit (Tea Estates) Act, 1950;
- b. Bangladesh (Plantation Employees) Provident Fund Ordinance, 1959;
- c. The Tea Plantation Labour Ordinance, 1962;
- d. Bangladesh Maternity Benefit (Tea Estates) Rules, 1954;
- e. Bangladesh Plantation Employees (Provident Fund) Rules, 1960;
- f. The Tea Plantation Labour Rules, 1977.

4. Because of frequent changes of Governments in Bangladesh, updating of plantation laws has not been possible.

5. (a) Now a female worker gets 12 week wages, it should be enhanced upto 13 weeks wages. (Maternity Benefit Act, 1950)
- (b) The present rate of workers contribution to Provident Fund is 7%, it should be enhanced upto 10% (Provident Fund Rules, 1960)
- (c) The plinth area accommodation of workers family is now 340 sq.ft. with 2 rooms. It should be enhanced upto 510 sq.ft with 3 rooms (Tea Plantations Rules, 1977)

6. Only for the Public Sector workers/employees the Government set up the minimum wage commission and the minimum pay commission and these commissions determined the minimum wages/pays from time to time on the tripartite basis. Workers in the private sector negotiate their wages on bi-partite basis.

7. Just recently the Government has set up the Minimum Wages Board for the Tea Workers on the tripartite basis. But under the present Collective Bargaining process the Bangladesh Cha Gramik Union negotiated a better Collective Bargaining Agreement with the Association of the Tea Owners in August, 1986.

8. Out of total of 120,000 tea workers 75% or 90,000 of them are the members of the Bangladesh Cha Sramik Union (BCSU).

9. As the sole Collective Bargaining Agent, BUSU negotiates a Collective Bargaining Agreement in every two years. The latest Labour Agreement signed on August 28, 1986 between BCSU and the Bangladeshhiyo Cha Sangsa (Owners Association).

10. Most tea estates are in the Private Sector except 3/4 gardens run by the Government Tea Research Institute for research and experimentation. There are 3 types of Private Ownerships: (1) Sterling or British Company owned gardens (2) Bangladesh Company owned gardens and (3) Proprietary or individually owned gardens.

11. Though there are legal provisions requiring the management to provide health, housing and education facilities to the tea workers, the management provides the minimum of these facilities. The lack of an efficient and well-equipped law enforcing machinery of the Government and illiteracy and ignorance on the part of the workers have given an advantage to the management to avoid their responsibility in providing these facilities. To remedy this situation BCSU has two proposed measures: (1) To continue pressure on the Government to enforce relevant legal measures for the tea workers and (2) to educate the membership through seminars and other educational programmes.

12. Lack of educational facilities and employment opportunities are not only a serious problem for the youth in the tea estates, it is also causing many social problems for the tea workers community. Approximately 50% of the youth are unemployed. Having no Government measures to remedy the situation, BCSU is trying to ease the problem by training the unemployed youth on useful trades through a vocational training apprenticeship project with the assistance of the Asian American Free Labour Institute.

13. Some of the issues that should be discussed at the seminar are:

- (1) BCSU needs for education assistance to raise workers' consciousness to their problems and
- (2) Probable assistance for some Income-generating projects for BCSU membership.

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By:
Indian National Plantation Workers Federation.

Plantations in India came like in many British colonies during the British rule. Plantation workers are among the comparatively backward, hence deprived section of the society. Today, there are plantations in the southern, eastern and north-eastern provinces covering nearly 400,000 hectares with nearly two million workers. About 50 percent of these workers are on ad-hoc or casual basis. They are virtually permanent workers but without the facilities and benefits enjoyed by the full-fledged workers and they can be fired any time any moment.

Tea, coffee, rubber, cocoa, cardamom and chichona are the main products of these plantations while 85% of the plantations grow teas that earn foreign exchange worth nearly US\$ million a year, that too over three-fifths of teas produced in India are domestically consumed. Tea productivity in India is the highest the world over estimated at 1491 kg. per hectare. Average production of teas per year is estimated at over 620,000 tonnes.

Tea and other plantation workers are organised under different central trade unions of which the Indian National Plantation Workers Federation (INPWF) which is incidentally the biggest constituent of the Indian National Trade Union Congress, the largest body of the central trade unions of India. The INPWF has within its fold about 360,000 members organised in 63 affiliates.

Trade unionism in the plantations is one of the very complicated and difficult tasks that require sociological and socio-economic insight. These work-places are in the backward areas with ethnic diversity as obvious in our multistructural socio-economy. The workers are mostly from the downtrodden and scheduled castes and tribes. So far the tea plantations are concerned, more than 70% of the workers had their ancestors of four generations back inhabitants of the most backward regions wherefrom the British rulers uprooted them by way of alluring them to the new plantations and thus they became homeless and rootless. In the plantations, hundreds of kilometers away from the traditional places of culture and customs, they had been sequestered, living away from the local populace close to the plantations. Untold sufferings, rape, torture and several forms of most barbaric oppressions had been imposed on the plantation labour and their family members. Thus, the Albion authorities developed a class of slaves to maintain their rule of plunder, loot and deprivation. Moreover, the 75% of tea garden workers were women, clad in illiteracy, superstitions and all forms of backwardness which the exploiters in league with the local collaborators (including the feudal lords and their sidekicks) cashed in on. Today, in the plantations industry taken as a whole there are some 52% women in the whole of the labour force.

There is the plantation Labour Act, 1951 which has become outmoded and out-dated. It needs a thorough overhauling. For instance, there are little safeguard against unbridled use of pesticides, herbicides, insecticides, etc., not to speak of making the sue adhering to the guidelines of the International Labour Organisation. Happily, the Indian government has set up a committee comprising representatives of trade unions, managements and the state and Central government officials to go into the possibilities of suitable amendments and addenda to the 1951 Act and the committee has almost finalised the recommendations to the Indian Government. It is hoped that the Indian Parliament would debate on the proposed changes in the Plantation Labour Act, 1951 early next year. Plantation industry had been until the other day the haven of the transnational corporations like Brooke Bond, Lipton and Goodricke group which still have equity participation in a large number of companies. Exports of packet and instant teas from India are still largely controlled by Brook Bond and Lipton which are now constituents of the Unilever group, one of the largest multinational corporations in the world.

But the trade unions have been able to score some victories which are no less mentionable although much remains to be done. Plantation managements are bound to construct pucca houses/apartments for the workmen and their children must have schooling facilities. There are managements that defy the statutes, thanks to the lax bureaucratic machinery and the vested interest backing up them. But today, more than 60% of the plantation workers have pucca houses.

Yet the sad commentary of the industry in siphoning off of the profits of tea plantations to other industries through financial and accounting manipulations. The same is the case for the jute industry. The mention about jute is relevant as raw jute growers are now regarded by IFPAAW as plantation workers. This is very much congruent in the Indian context as India is the largest jute (both raw jute and jute goods) growing country. The plight of raw jute growers and jute goods workers are inter-linked. As such, the joint platform of raw jute growers and plantation workers would be the right rebuff against the profit-greedy employers.

Another deterrent is the growing tendency of engaging the casual workers in place of permanent labour in the industry taking the undue advantage of flaws in the laws and statutes applicable to the plantation industry. The casual workers are deprived of pay-scales, gratuity, pension and other superannuation benefits. The greedy managements want to have a bigger cake of the total allocable surplus by resorting to this tactics. The INPWF and other Central trade unions launch agitational programme against this system. Now more than 10 million workers belong to this category, thus having already outstripped the number of permanent workers on the pay roll.

The health of the plantation industry in India is far from being satisfactory. The employers at large plundered the plantations but ploughed back almost nothing. So, sickness is inevitable. The world famous Darjeeling teas are on the verge of death. The INPWF has decided to launch a protracted struggle for saving the plantations from the looters posing themselves as management experts.

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COUNTRY PAPER: INDIA

By:
Capt. P.L. Perumal,
Nilgiri District Estate Workers Union.

1. Size of the Plantation workers:

Tea	9,15,000
Rubber	1,95,000
Coffee	3,56,000
Cardamom	55,000

Sex - wise	Tea	56% are women
	Coffee	45% are women
	Rubber	30 - 35% are women

2. SPECIAL LABOUR LEGISLATION APPLICABLE TO PLANTATIONS:

The Plantation Labour Act, 1951, is the most comprehensive legislation in the Statute Book, covering plantations employing 15 or more workers and measuring 5 hectares or more. The Act makes elaborate provisions relating to health, welfare and social security benefits. Among others, the Act covers provisions relating to drinking water, sanitation, medical aid, creche, recreational facilities, educational facilities, housing, protective clothing, hours of work, leave with wages, sick leave etc. Apart from the above special legislation, all the other legislations applicable to Industrial and manufacturing sectors, numbering around 26, are applicable to the Plantation Industry also.

Law has been enacted to ensure the Payment of Minimum Wage. The minimum wage is fixed by a tripartite Advisory Committee, composed of Employer, Employee and Government. The main objective of this Advisory Committee is to fix a wage, which will guarantee the worker, his minimum basic needs and that of his family without which he cannot exist. It is also the dictum of the Supreme Court that an industry that cannot pay minimum wages to its employees should not exist. Plantation industry is one of the industries to which minimum wage is applicable and this wage is revised periodically, once in 2 or 3 years.

WOMEN WORKERS:

Legislation guaranteeing payment of equal wages, without discrimination based on sex, has been enacted. Legislation for the payment of wages for a period of 12 weeks (6 weeks post natal and 6 weeks anti-natal) for each confinement has also been enacted.

Women workers having a miscarriage are paid full wages for 6 weeks.

4. The laws have been updated from time to time. For example, the plantations labour Act underwent major amendments in the year 1981. A sub-committee of the tripartite industrial committee on plantations is in the process of giving shape to further amendments to the Act.

Similarly, the Industrial Disputes Act, 1947, underwent amendments in 1984, the Payment of Gratuity Act, 1972 in 1983, the Payment of Bonus Act, 1965 in 1985 and the Payment of Wages Act, 1936 in 1982.

5. As mentioned already, changes to labour laws are brought about as and when required. If any amendments are required, the union and the employer representatives can raise this before the tripartite forums such as the Indian Labour Conferences, tripartite industrial committees etc. As recommended by the Indian Labour Conference last year, already there are proposals to enact legislation on child labour and workers' participation in management.

In discussing wage administration in the plantations, the detail of the existing wage structure should be given. This include:

- (a) The wage of the plantation worker in Tamilnadu is Rs.17.00 per day. This is made up of Rs.8.05 being the basic wage and the balance of Rs.8.95 is the dearness allowance.
- (b) The dearness allowance is determined on the basis of the cost of living index applicable to Coimbatore City (Base 1936 - 100) the formula for calculating the Dearness Allowance in the plantations is as follows:

Basic wage of Rs.8.05 is equated to 1250 points of the cost of living index. Dearness allowance is calculated at 0.4 paise per point for points exceeding 1250 points, and revised 4 times a year in January, April, July and October. The average cost of living index in the quarter proceeding the quarter ended, will apply for the next quarter. For instance the D.A. for the quarter beginning January to April will be based on the average cost of living index number ruling in the quarter July to September of the previous year.

Current wage of an adult worker per day - Kerala Rs.15.97, Tamilnadu Rs.17.00 and Karnataka Rs.10.35.

- (c) Annual increment is given to the Supervisors and skilled workers, who are monthly paid.

Certain class of workers are paid job differentials such as for performing jobs requiring semi skills and pruning, shade lopping, cooking, watchman, creche attendant.

Our 3 year wage agreement expires on 31.12.1986, and we are currently negotiating a new wage contract with the employer, which will be applicable from 1.1.1987.

- (d) Men and Women are paid equal wages. Adolescents are paid 60% of the wage of the adult workers and the expected to work only for 6 hours in a day.

- (e) Bonus is paid as per the payment of Bonus Act 1965. All workers are guaranteed a minimum bonus of 8.33% of their total earnings or one months' wage as bonus.

Establishment's making a profit in the financial year pay a bonus calculated on a formula subject to a maximum of 20% of the total earnings. In the Tea Plantations Incentive Scheme for plucking of tea leaves in vogue. The Scheme in Tamil is as follows:

Worker plucking upto 13kgs of green leaf or less is eligible for the minimum guaranteed wage. For every kg. above 13kgs. an incentive of 16 paise is paid and this is increased to 17 paise for each kg. above 25kgs.

In the same manner, incentive scheme have been negotiated for picking coffee berries, tapping rubber and gathering cardamom. About 70 to 75% of the total workers in the plantation industry are organised. Approximately 72 unions are operating in the South Indian Plantation Industry.

As mentioned earlier, collective bargaining is deep rooted in the industry, and collective agreements covering wages and other allied issues are entered into with the employers associations from time to time and our union, being the largest representatives is invariably a party to such settlement.

While most of the plantations are in the private sector, State Government have opened Plantations Corporations in each State, plantation crop (tea in Tamilnadu, rubber in both Kerala and Karnataka).

HEALTH SAFETY, HOUSING AND EDUCATION

HEALTH: Under Section 10 of the Act, every plantation is required to provide and maintain such medical facilities, as prescribed by the State Government, so as to be readily available to the workers and their families.

Free medical treatment is available to the worker and his family by virtue of the Plantation Labour Act. Plantations employing over 1000 workers are required to maintain group hospitals with 50 beds and all facilities such as X-rays, operation theatres and specialised treatment for tooth, eye, etc. They are required to have an ambulance.

Plantation employing 100 or more workers are required to have a dispensary, which should have a qualified medical officer visiting it 3 days in a week. Even plantations having less than 50 workers are required to have first aid kit, and arrangements for medical treatment of their workers with a nearby government hospital.

SAFETY: Blankets, umbrellas and rain coats of the prescribed standards and quality have to be provided for protection from rain and cold. The Act has been amended to provide the following protection to the workers using toxic chemicals.

- i) It shall be duty of every employer to ensure, so far as is reasonably practicable the health, safety and welfare at work of all workers in the plantations.
- ii) Every employer should ensure arrangements, so far as is reasonably practicable for safety and absence of risks to health in connection with the use of handling storage and transport of hazardous chemicals.
- iii) Women, young persons and children shall not be employed or permitted to be employed in the handling and use hazardous chemicals.
- iv) It shall be the responsibility of the employer to maintain accurate medical/health records of the employees who are exposed to chemicals toxic, substances and harmful physical agents, which are manufactured, stored, handled or transported and the workers shall have access to such records.
- v) The employer shall appoint only qualified persons to supervise the handling of chemicals and toxic substances within a plantation and the employer shall provide at the working place all necessary facilities for protecting the health and limbs of the persons employed.
- vi) Occupational diseases are often detected after a long interval of time when they become irreversible. To check such a situation the employer has to take steps to provide for pre-assignment, post-assignment and while in service periodical medical examination and tests of employees in the manner prescribed, for protection of their health.
- vii) Every plantation should provide that every worker in a plantation employed in handling mixing, blending and applying of insecticides shall on his first employment be, trained thoroughly in the hazards involved in different operations in which he is engaged. Provisions should also be made for the various safety measures and safe working practices to be adopted in situations arising from spillage of insecticides, physical contamination including that of surrounding areas, insecticide poisoning etc., such training should be repeated periodically.

The State Government may make rules for the provision for:

- (a) Cautionary notices, playcards and other audio visual materials indicating the hazards.
- (b) Prohibition of foods, drinks and smoking while at the said operation.
- viii) There should be displayed in every plantation a schedule of permissible concentrations of insecticides in the breathing zone of workers engaged in the handling and application of insecticides,

The State Government may make rules for the transportation, handling and storage of insecticides.

ix) Every Plantation shall provide adequate washing and bathing facilities including cloak room for the convenience of workers engaged in the handling of chemicals. The State Government may make necessary rules for the maintenance of adequate washing and bathing facilities separately for women and men.

x) Every plantation shall provide to each worker engaged in handling of chemicals such protective clothing and equipment as are necessary to prevent any risk to his health and safety.

xi) The Inspector of plantation should be trained periodically in the hazards involved in the use of chemicals in plantations.

xii) The State Government may make rules providing for medical examination of workers.

Industrial safety measures are adopted in the Tea factory where the tea is processed. Safety measures for handling and spraying pesticides and insecticides is provided and described in detail above.

Application and control of pesticides:

Hitherto workers on spraying pesticides were not given adequate protection, but recently, consequent on the pressure applied by our union and others, the legislation has been amended to provide adequate safeguards, to those who are employed in handling these.

Housing: Housing of the prescribed standard is provided to all workers. As per the amendments incorporated to the Act in 1981, not only resident workers are to be provided with housing but also non resident workers who have put in six month of continuous service.

Each worker and his family is provided free accommodation on the plantation. The standard accommodation allotted to the worker consists of a quarter having one living room, kitchen, bathroom and verandah. Latrine is provided separately. The quarter is electrified.

Supervisors and skilled workers are provided additional room. Where the employer does not provide free housing, the worker is paid a house rent allowance.

Education: As per the Act, the employer has to provide and maintain a preliminary school or schools free of tuition fees whenever the children between the ages of 6 and 12 of workers employed in any plantation exceeds 25. In some plantations high schools are also provided and run by a group of plantations in addition to those run by Panchayats and Municipalities. Wherever and educational fees is collected by local bodies, such estates are not under legal obligation to maintain primary schools.

Education fee is up to college level and is under the control of the Government. The plantations are required to provide the buildings for the schools and quarters for teaching staff.

The Tea Board and Coffee Board have drawn up schemes to help children of plantation workers in their studies by granting educational stipends annually, which would cover tuition fees, hostel fees, cost of books etc. The State Government grants scholarships to the children of those, whose income is less than Rs.12,000.00 per annum.

Youth: Generally workers who are above 18 years of age only are employed in the plantations and hence no special legislations has been enacted for the youth. Children below 12 years are prohibited from working. Adolescence (15 to 18 years of age) are permitted to work only 6 hours a day.

SPECIAL PROBLEMS CONCERNING WOMEN:

Women are not treated as equals although they are paid equal wages.

Women workers outnumber men in the tea and coffee plantations but do not get proportionate representation, in the appointment of supervisors, membership of the works committee and even in the trade union executive committee.

Women are not given rest during the period of menstruation. Women work longer hours than men and hence should have more rest. They should not work for more than 40 hours in a week or 5 days.

Trade Unions should appoint women officials and councillors to specially look into the problems of women workers.

Youth unemployment is assuming enormous proportions, and the idle young men and women with a view to their finding suitable employment or self employment, wherever possible and exert adequate pressure on the Employers and the Government to open more institutions, which will provide vocational training to them. Application and control of pesticides has been discussed in detail earlier.

We would suggest that the most pressing issues relating to wages, bonus and living conditions be discussed at the seminar. The seminar could address itself to finding a common labour legislation for all the plantation workers, which could be forwarded to the ILO through IFPAW..

COUNTRY PAPER: INDIA

By:

Mr. Samir Roy, General Secretary,
West Bengal Cha Mazdoor Sabha.

INTRODUCTION

West Bengal Cha Mazdoor Sabha which is one of the strongest trade unions with a membership of 40,000 plantation workers of India. India, is the largest democracy with 22 provinces and 9 union territories functioning under a democratic frame. One such province is West Bengal, stretching upto the Himalayas in the North and the Bay of Bengal in the South. The plantation areas in India are divided into different regions. These regions are separated by thousands of miles from each other. The workers of this region also vary in their culture creed and custom. Our union is mainly for organising Tea Plantation workers in North Bengal particularly in Jalpaiguri District and for betterment of their lot by democratic means. This place is strategically important, because it is bordering India with Nepal, Bhutan and Bangladesh. Demographic picture of the Dist. Jalpaiguri is as below:

Area of Jalpaiguri is 6234 sq. Km of which 24.14% of land comprising 1,141,656 hectares is under forest.

Tea Garden area of this district is 19.5% (18,707 hectares)

Land under cultivation is 35.9% (25,676 hectares)

Land occupied by rivers, roads and townships 19.2%

There are 13 block, 123 panchayets and 2 municipalities in the district of Jalpaiguri. Besides two main towns, there are 12 small semi urban towns in this district.

Total no. of urban population	...	3,11,221
Total no. of rural population	...	19,03,650

There are 14 police stations in Sadar Sub-Division of Jalpaiguri and 8 police stations in the Alipurduar sub-division.

Total workers can be divided as below:

Total workers	- 7,00,572 i.e. 31.54% of total population
Cultivators	- 2,33,811 i.e. 20.5% of total population
Landless Agricultural labour	- 1,11,243 i.e. 5.04% of total population
Household workers	- 10,423 i.e. 0.47% of total population
Others including tea garden workers	- 3,45,095 i.e. 15.64% of total population.

Among the total population 7,66,498 belong to schedule cast community and 4,91,791 belong to schedule tribe community.

ORIGINS OF TEA PLANTATIONS:

Soon after the tea was discovered growing wild in Assam - another Indian state neighbouring West Bengal, Assam was invaded by the colonial masters i.e. British and brought under the control of the colonial government based at Calcutta. Steps were then taken to grow tea commercially. In West Bengal particularly in North Bengal, British started Tea Plantation experimentally in 1862 in the area, which is today known as Terai in Darjeeling District and Dooars in Jalpaiguri District. The plantation area which I am representing had its origin as early as 1874.

LABOUR RECRUITMENT:

Initially, the labour force was imported from tribal areas of Central India, as local people were unwilling to work for tea companies. The land now under tea plantation had previously been under jungles infested with wild animals. Labourers

had an appalling conditions to begin with. Many died before even reaching the place. The survivors found the work very different from what they had been promised by the recruiting agents "Sardars". But they could not leave because they had signed penal contracts which left them as slaves. Many died before they had completed their three or four year contracts and more died trying to escape or were killed. Then some legislations were enacted considering the terrible conditions of the workers. But since the planters were the local magistrates, these laws had little effect and even upto as late as 1940's more than one third children could never saw their fifth birthday.

TRADE UNIONS:

The Trade Unions were forbidden in the tea estates. The Planters who were law enforcing authorities also could exclude the 'trouble makers' as the Trade Union leaders were called, by accusing them as intruders. Managers were using free beatings, fines and imprisonment to keep workers quiet. Even then there were more and more cases of rioting and striking by tea workers. Like the other industrial trade unions, the political leaders also came forward to organise the labourers in Tea. Then to save planters the British deputed the North Bengal mountain Rifles to check the labour unrest with a view to protect the interest of British Capitalists. Consolidated Trade Union movement started in the plantation industry of Bengal in the year 1946, with the "Quit India" movement. The plantation workers organisations were brought up by the active support of the peasants and other nationalist leaders in Bengal who made their entry in Tea Gardens as social workers.

AFTER INDEPENDENCE:

India's independence in 1947 brought some changes to benefit the workers. It removed the planters control over local Government already weakened by the establishment of elected assemblies. Minimum Wages Act and other Acts relating to workers were passed and some attempts were made to enforce them. The Plantation Labour Act 1951 guaranteed to unions their rights of access to the workers' houses and this permitted the growth of unions. By this time the National Trade Union structure of India also experienced a number of changes. Hind Mazdoor Sabha (H.M.S.) emerged as the major single independent trade union organisation subscribing to the philosophy of Democratic Socialism,

The leadership of the United Plantation Workers Union (UPWU) formed then had a close contact with H.M.S. and ultimately got affiliated to H.M.S. (an organisation which was free from political parties, employers influence and as well as the Government). After many changes ultimately UPWU was converted to "WEST BENGAL CHA MAZDOOR SABHA" (WBCMS) in the year 1967. But this union gathered momentum in its various activities after 1972. At present WBCMS is affiliated to H.M.S. and Federation of Indian Plantation Workers (FIPW) at National level and International Federation of Plantation, Agricultural and Allied Workers (IFPAAW) at International level. The founder of UPWU was late Ghaneshyam Mishra who was a dedicated Trade Union leader. But, he was brutally murdered by the interested persons for eliminating him from the trade union front permanently. After his death there was a void in the effective leadership of WBCMS.

At this hour of crisis in the leadership of WBCMS, the present leadership came forward to hold the rein of the organisation and by dint of their devotion to duties the WBCMS resurrected with a different name "WEST BENGAL CHA MAZDOOR SABHA" and has now become a mighty trade union organisation in the Tea region of West Bengal.

WORKING AND LIVING CONDITIONS IN PLANTATIONS IN INDIA:

In 1951 the plantations labour Act was enacted wherein provisions were made under law as regards living and working conditions, health, working hours among other things. Later in 1956 the Plantations Labour Rules as applicable to the State of West Bengal was enacted and passed in the legislature wherein detailed guidelines were worked out. The P.L. Act & Rules are a social welfare measure and is not the traditional law or rules such as the Factories Act or the ones where the law is much more rigid. This peculiar characteristic of the P.L. Act and Rules is because of the society in which it is applicable that is to say the

laws and the rules have to be studied and implemented in the context of the economic and social factors which govern the society of plantation labour.

WAGE DETERMINATION:

The determination of wages for plantation labour is done on industry wise basis i.e. not for one particular estate. For example wages applicable to industry are uniform to all the 152 gardens in the Dooars, 92 Gardens in Darjeeling and 46 Gardens in Terai. The theory of wage determination is based on the capacity of the industry to pay, the crop, area under cultivation, the employment and also the Minimum Wages Act which governs the Industry. The Union strive to ensure a living wage to the employees and also to ensure that they are adequately satisfied with what they get.

WOMEN WORKERS:

The women workers work at par with their male counterparts generally in plucking operations. Very rarely do the women workers work in the factories. Women workers get the same wages as their male counterparts keeping in view the equal remuneration ensured to men and women. In addition to the wages the women workers also enjoy the Maternity Benefit facilities as per the Maternity Benefit Act for a period of 12 weeks, 6 weeks pre-natal and 6 weeks post-natal. Women workers also as per the P.L. Rules get time from work to feed their children if they have one in the creche. Management takes special care to see the women workers are not hardpressed before their maternity internment start. Light works are generally given to women workers so that there is no complication in the development of the foetus. All other benefits applicable to male workers are also enjoyed by women workers which would be illustrated later.

YOUTHS:

The Government has now taken over education in the plantation region. But unfortunately the youths have somehow become immobile and do not want to stress themselves into a state of mobility and find employment in any other places. This means that the youth of the estate prefer to be employed in the tea estate itself. With the rising standard of education in the last 15/20 years, a considerable number of youth have been educated at least up to the graduate level and have consequently become seekers of job. The tea gardens already overpacked fail to provide employment to all. This often results in resentment. The youths therefore channel energy into unproductive and unconstructive areas thereby making themselves a burden to society. A refreshing change may come about in the near future with the employment opportunities being increased by the State by way of setting up small and medium industries in order to absorb the backlog of unemployment in the rural areas.

HEALTH, SAFETY, HOUSING AND EDUCATION:

As per the P.L. Act in force in tea estates and the Rules made thereunder, every Management is to provide free medical facilities to its employees. Dependents also enjoy the medical facilities free of cost. The management also ensures supply of potable drinking water to its employees and also make arrangements to keep the labour lines and sanitation system clean.

SAFETY:

Safety rules are applicable to the factories situated inside the plantation and any accident is taken care of by managements by way of compensation as applicable under the Workmen's Compensation Act in force on tea estates. Besides, first-aid treatment is meted out to the workmen from the Garden Hospital.

HOUSING AND EDUCATION:

Housing and education are both requisite under the plantation labour Act and Rules.

APPLICATION AND CONTROL OF PESTICIDES:

Pesticide spraying work is done on the tea bushes to eradicate pests and other worms which destroy the leaf. Tea gardens have provided protective gears like goggles, spraying gloves, shoes, aprons, etc. to the workers in order to protect them from the effects of industrial chemicals which are toxic in nature and are extremely harmful. The unions have risen to the occasion and driving the points through film shows, seminars and workshops to the workers telling them about the harmful effects of the spraying and making them aware of the adverse effects.

WOMEN WORKERS IN INDIA TEA PLANTATIONS:

The main tea plantation area in India is Assam and West Bengal. More than 75% of area under tea is in those area. So also majority of tea plantation workers (73%) approximately occurs here.

Yet another characteristic of tea industry is that of preponderance of female workers. Approximately 44% of workers are female. This percentage will further increase if the female persons under adolescent and children are included in it. The blanket categorisation of all persons below 18 years as adolescent and below 15 years as children (above 12 years) has definitely pulled down the percentage of female workers in plantation in India. Any modest estimate will suggest more than half of plantation workers are women.

Special problems of women workers:

- | | |
|---|---|
| 1) Unemployment: | a) Vacancy created at the industry wise bargaining between unions and managements fall short of demands for jobs by workable units.
b) In the male-dominant society, the preference for vacancy filling up naturally, therefore is restricted to the male persons, rendering a great number of women workables unemployed. |
| 2) Mobility: | There does not occur any mobility in the occupational pattern among the females in tea plantations. |
| 3) Absence of control over their labour & income: | The female plantation workers do not generally have control over decisions regarding major expenditure of the family or even their own earnings. |
| 4) As a person : | a) Child bearing and rearing
b) House-hold work
c) Wage-payment work |
| 5) Health and Quality of life: | a) Ill-health vis-a-vis hard work
b) Drudgery of work & negative attitude
c) Life at inhuman condition
d) Illiteracy and superstition |

All these combined have resulted in making female plantation workers more vulnerable to outside provocation and instigation. Examples are that female plantation workers tend to be more aggressive and become more violent once they are flared by, though in an unorganised way without any leadership from amongst them.

ACTIVITIES OF WEST BENGAL CHA MAZDOOR SABHA

OBJECTIVES OF WBCMS:

The WBCMS is striving hard to improve the conditions of its members and safeguarding their interests by negotiation with the employers as well as by:

1. The defence of any legal proceedings at which any of its members may be a victims;

2. Conduct a trade dispute on behalf of a member or members;
3. Securing pay/allowance to a member or his dependents on account of death, old age, sickness, accidents or unemployment;
4. Co-operating with like minded trade unions some times with the rival unions to come to an agreement with employers associating on the issues like wage increments, bonus, etc. in the interest of plantation workers;
5. Educating the workers about their rights, responsibilities to the society as a member of democratic Trade Union through short duration courses on adult education, trade union education and seminars etc.

STRUCTURE OF WBCMS:

West Bengal Cha Mazdoor Sabha is based on the philosophy of democratic trade unionism. Its structure is also therefore a fully democratic one. It has a Central Committee elected by the garden level workers through their delegates. One President, 3 Vice-Presidents, one General Secretary, three Assistant Secretaries and one Treasurer are again elected by the Executive Committee Members. At base level the similar office bearers and committee members of the unit. To maintain liaison between these two tier of organisations and to supervise the activities of garden level units, four Branch Units are there with office bearers and organisers at different centrally located places of Dooars region.

MEMBERSHIP:

The WBCMS enjoys 40,200 membership of Tea plantation workers in 60 tea garden units from Dooars area of North Bengal comprising manual workers, semi-skilled, skilled, sub-staff and staff members in the tea estates. Since January 1982, membership cards have been introduced which has certainly helped the union to streamline the dues collection process of the union, and has also brought feeling of confidence among the workers. The rate of membership subscription is Rs.1/- (rupee one only) per month. But unfortunately many workers/members take the opportunity of rivalry among the multiple trade unions and avoid payment of subscription regularly.

ACTIVITIES:

The 30th Annual General Meeting of WBCMS held in the year 1983 resolved to organise the unorganised rural and agricultural workers in this region. There being limited scope of employment in the tea gardens, a large number of dependents of tea plantation workers are without any fruitful employment and with the population rise and influx of unauthorised people from neighbouring Bangladesh and Nepal, the region is exposed to economic inequilibrium and social tension. The inflow of Bangladesh refugees which had its beginning in the partisan of India in the year 1947 is still going unabated. Even for political and economical reason people not belonging to the minority community of Bangladesh are also coming to this region in large number. The evils of unemployment have raised their ugly heads in the region WBCMS therefore conceived an idea of organising a training cum production centre in a suitable place in the tea region of North Bengal to impart vocational training to the unemployed.

Thus Institute for Plantation Agricultural and Rural Workers came into being as a socio-economic venture of WBCMS & FIPW.

The Institute for Plantation Agricultural and Rural Workers is an unique organisation even created by any trade union organisation in this part of our country. It purchased a plot of land at Birpara and the foundation stone for the vocational training cum production centre was laid by Late J.J. Vargas, the then General Secretary of IFPAAW and Mr. S. Selliah, the then Asian Representative of IFPAAW. Since then the carpentry and blacksmithy training centre is working at a moderate scale in a temporary shed.

The WBCMS also launched a tailoring training project for imparting training to the dependent female relatives of the tea plantation workers. The

project had its beginning with ten sewing machines purchased with the assistance of IFPAAW. The running expenses for the training centre were assured by IFPAAW. But after meeting a part of the running expenses for the first batch of 20 trainees IFPAAW ceased the flow of any financial assistance for what they said, "In spite of the facts that many trade union organisation in Europe do not regard these activities as part of the trade union work, but rather welfare projects."

We have however completed the course with the active support of IPARW and running the centre in miniature scale and the successful trainees (20 in number) are some how self employed now by forming a co-operative.

To spread out the activities of WBCMS in helping the other unorganised workers of the region, WBCMS, has formed and registered a Trade Union Organisation in the name of FOREST, WOODCRAFTS, CONSTRUCTIONS AND GRAMIN MAZDOOR SABHA to organise the logging workers, carpenters, mason, cane workers, small/marginal farmers and land less agricultural workers etc. in their struggle for living wages and job security. This organisation is affiliated to H.M.S. in national level and IFPAAW in International level.

During this period WBCMS could organise 23 residential seminars with the assistance of IFPAAW/CBWE and HMS. Through the long term Education Project we organised 14 training camps in the year 1985. It is needless to say here that we have been receiving unstinted co-operation from H.M.S., Central Board for Workers Education of Government of India and IFPAAW.

For the benefit of its members WBCMS started its own cooperative credit society in the name of CHA MAZDOOR COOPERATIVE CREDIT SOCIETY LIMITED with a paid up capital of Rs.10,000,00 (ten lacs). It evoked a wide range of enthusiasm among the workers and are coming forward to purchase shares which are @ Rs.10.00 per share. It will help the workers to come out of the clutches of village money lenders and Kabuli Wales (Afghan money lenders).

WBCMS is at present engaged in a legal battle for DEARNESS ALLOWANCE (D.A.) & V.D.A. which have been denied to the tea plantation workers by a plot hatched by the Left Front Government of West Bengal Communist Party of India (Marxist)'s Trade Union C.I.T.U. and Tea Magnets. It is our hope that we will be able to bring back the D.A. & V.D.A. to the plantation workers when the similar privilege is enjoyed by all other workers of the country including staff and sub-staff of the tea gardens. There has been a moral victory for WBCMS in this respect as in the new charter of demand framed by the Marxist Trade Unions, our long standing demand for D.A. & V.D.A. has been recognised and they too have demanded D.A. & V.D.A.

WBCMS believe that though the trade union rivalry is very much active in tea plantation areas on political basis, yet we should work to foster a bondage of brotherhood among the workers in general and with this thinking WBCMS every year on 1st May organise day long festival of sports and games for the tea garden workers and their dependents. Beside this regular annual feature we have already started volley ball and football tournament. First such tournament was completed in March, 1986 as a joint venture of WBCMS and Indian Tea Board. These tournaments and 4 coaching camps (2 for volley ball and 2 for football) could be possible by the assistance we could get from Tea Board of India.

With the objective of generating savings habit among the workers WBCMS has launched a deposit mobilisation scheme jointly with State Bank of India and Institute for Plantation Agricultural and rural workers in some selected tea gardens. This scheme has been able to create savings interest among the workers and every month a good amount is being collected by State Bank of India. We are trying to expand this saving scheme to more and more gardens gradually. Household based dairy and poultry project in collaboration with State Bank of India is also in process.

Tuberculosis and the malnutrition is a major disease prevailing among the poor tea plantation workers and as such WBCMS has mooted out a programme by which a mobile X-Ray plant will be arranged for screening and treatment of the suspected T.B. patients among the plantation workers and Forest workers. In this respect negotiations is going on with Bengal Tuberculosis Association. To cater all the information to our members we are publishing periodically a news organ "BAGICHA" in Hindi/English. JAI HIND.

COUNTRY REPORT : INDIA

By:

Mr. Pemmiiah, Vice-President,
Estates Staff Union of South India.

With an overwhelming 80% rural population, India, remains todate, a country essentially and imperatively a predominantly agricultural one. The population is mainly concentrated in the 550,000 villages i.e. about 520 million live in the villages and 180 million dwell in the 3,000 towns and cities.

Of the 168 million acres of cultivated area only 75% is devoted to the cultivation of food grain crops. Hence to meet the unsaleable needs of the teeming millions, India is constrained to look outside, up to the other countries and import food in large quantities. The food production is low because of various reasons, the most outstanding being, fragmentation of land, absence of technical expertise, and managerial know-how and lack of adequate wages for the labourer.

The only saving grace of the bleak and dismal world is the plantation industry - organised at all levels - managerial, technical and scientific.

MEMBERSHIP OF THE UNION:

The Southern States of Tamil Nadu, Kerala and Karnataka have been organised into the strong, Estate Staff Union of the Southern India embracing all categories of staff, clerical, medical, supervisory in tea, rubber, coffee and cardamom estates, the membership amounts to 5,842 and of which 4,039 are estate staff, 760 skilled workers and 663 supervisors. The rival unions although two in number are negligible. The organisation rate in Tamilnadu, Kerala and Karnataka is 90%, 85% and 80% respectively of the total membership scope.

FINANCE:

The subscription rate is Rs.10.00 per month and Rs.4.00 for skilled workers and supervisors. The total income of the union in 1985 was Rs.2,90,251.00. About 50% of the unions budget is spent on salaries. 20% for branch expenses, 15% for Board and Executive Council meetings and the rest for postage, stationery, application fees and other incidentals.

ORGANISATION:

The membership ranges from 100 to 650 members in all the 17 branches of the union. Each year a board is elected by the branches, which in turn elects the Executive council, President, Deputy President/Treasurer, 3 Vice-Presidents are elected at the Annual General Meeting, in which it is mandatory for all the members to participate. The General Secretary, 3 State Secretaries, 4 Regional Secretaries, an Office Manager and 10 clerical assistants are on full time basis.

HISTORY OF THE UNION:

Way back in 1928, the Estate Staff Association was registered as a Society. Dr. P.H. Daniel with his foresight and fervour converted it into the Estates Staff Union of South India as he realised the need to function under the Indian Trade Union Act. Thus it was the first even Plantation Workers Union to be registered in India. Thanks to Hon. V.V. Giri the then Labour Minister, who gave the green signal by taking up the matter with the ILO, obtained supporting clearance and had the union registered. Upto that time it was opined that plantation unions could not be registered as they came under the purview of agriculture. The union can now boast of its being the only union recognised by all the Employers' Associations in South India and has successfully concluded Seven Industry wide agreements.

UNION ACTIVITIES:

1. The Union represents its members in collective bargaining and other negotiations with the employers.

2. It looks after individual disputes and grievances and takes up these matters not only with the employers but also with the Government Machinery like Labour Department, Labour Courts, Industrial Tribunals, Arbitration, High Courts and Supreme Court of India.

3. Nominations are sent to various public bodies like the Tamilnadu Plantation Labour Advisory Board, the Kerala Plantation Labour Committee, the Karnataka Plantation Advisory Board and The Housing Board.

Its achievements in the field of Trade Union Education is not commendably much. It can only boast of sending some officials to the workers education classes.

The union can categorically state that it has no political leanings or affiliations. But it is affiliated to the Indian National Trades Union Congress (INTUC) which is in turn affiliated to the ICFTU and to the International Federation of Plantation Agricultural and Allied Workers (IFPAW).

SOCIAL ACTIVITIES:

Although there are staff clubs in most of the estates, which cater to only entertainment and recreation of the members, there is no social involvement as such, in the true sense of the term. A secondary school certificate is the minimum required qualification. Only primary education is available and for higher education, such as secondary school and college education, the staff have to incur the expense of 50% or sometimes 90% of their earnings to provide such education for their children.

ECONOMIC ACTIVITY:

The savings of the members is little or nothing as the income ranges from Rs.600.00 at its lowest and Rs.2,000.00 at its highest level. Heavy commitments like children's education, marriage expenses are some of the hurdles towards saving. In spite of it all, small savings schemes have been introduced and the members contribute to the cumulative time deposit saving schemes of the Government. The unions funds have been utilised only to acquire buildings for the union in various areas of operation. The properties are now valued at Rs.3,00,000.00. Rent is got from some. The union has not ventured into business so far nor has any plans to do so. However, shares have been taken in certain planting companies - to enable attendance at Annual General Meetings. But, unfortunately, the limited share holdings have limited our success in questioning.

Thanks to the 20 Point Economic Programme announced by our PRIME MINISTER, Hon. Rajiv Gandhi, revised minimum wages have been notified, enforced and implemented for the Agricultural workers which will definitely improve their lot. All help is extended by our union to the Indian National Congress which is organising the workers in a big way.

I hope that the Almighty will bless us to make the UNION a big success and be useful to society. Jai Hind.

.....

By:
All Indonesian Workers Union (SPSI)
Agriculture and Plantation Department.

General ReportI. Introduction

To have a harmonious and better relationship between the workers and the management, good and regular guidance should be given to them through education, seminars and discussions so that they are not easily influenced and misled towards unfavourable situations. These activities are being undertaken in the plantations.

A labour union has been formed to provide channel of communication between the union members and the employers in workplace. Discussions and consultations take place on matters concerning wages, working conditions, social security etc.

The labour unions are aware that they are partners in the production process and are responsible for the continuity of the company business so that they participate in creating the work zest and industrial peace.

Industrial peace will help increase productivity, which in turn will increase the profits and through these profits the employers can increase their workers' wages, social security and welfare.

With the above improvement, the workers will be motivated to work and consequently a relationship will be created which is harmonious, favourable and family like, and that is a manifestation of the Pancasila labour relations.

II. State Policy

It is stated in the Constitution of Indonesia paragraph 27 that "Every citizen is entitled to get a proper and humane job". This principle has been clarified in the "out-lines of State Policy" concerning manpower affairs:

- a. Expansion of employment opportunity and protection of manpower must become principal policy covering all sectors integrally. In this context sectoral, and regional development programme must always make every endeavour for the creation of employment as many as possible with proper compensation. By that means besides increasing of production equitable distribution of the fruits of development could be attained.
- b. Manpower policy must be directed toward a better placement, distribution and utilization of manpower through an improvement of information as well improvement and development of skill. The policy in the field of manpower protection to be directed toward the improvement of wage and salary, working order, working condition and working relationship safety at work, social security within the frame of integral improvement of labour welfare.
- c. Development of Industrial Relations need to be directed toward the creation of harmony between the workers and the employers inspired by Pancasila and 1945 Constitution where each party concerned should mutually respect and mutually understand the function as well as the right and responsibility of each party within the integral process of production, and promote their participation in development. The trade union is fighting for the interest in social economy and the rights of workers, while the government protect the interest of workers and the continuity of trade union. Therefore, harmonious cooperation between the workers, the employers and the government should be promoted. The above mentioned statement is a guarantee for the workers to demand for a better and secure living and also to protect their endeavour for fighting for a better future.

III Efforts by organised workers

- a. For quite some time Indonesian workers had made every possible endeavour to seek for a better future. Better future in terms of legal protection as well as its actual implementation. After the reorganisation and simplification of Indonesian labour movement some achievement had been attained. Principle improvements could be noted in the amendments of some labour legislation, such as those concerning:

- a. Trade Union Registration
- b. Implementation of the right to bargain collectively for the trade union representatives

Besides these, some new legislation have been enacted such as:

- a. Social Insurance for workers in the private sector
- b. Check-off system for trade union dues
- c. Minimum wage regional/sectoral
- d. Workers Education

- b. Other activities undertaken by labour unions include:

1. Trade Union clinic:

Its aim is to offer integral health services for the workers and their family. General clinic is run in Bandung/West Java and Kudus, Medan include the improvement of women workers dormitory.

2. Community centre:

This project concerns economic training for women workers and female dependents of workers. It is intended to improve the living standards of worker by creating additional income through simple home industry activities. Training carried now cover dress making, sewing and embroidery.

3. Trade union cooperative:

This is intended to offering cheap, simple and better conditions of service to the workers. SPSI has given capital assistance to 9 workers cooperatives in Java as a pilot project.

REPLY TO QUESTIONNAIRE

1. Please describe the nature of the plantation industry in your country, that is to say, coffee, tea, rubber, palm oil, sugar, etc. - Rubber, palm oil, sugar, tea, coffee, pepper, tobacco, clove, coconut, etc.
2. What is the total labour force in your country, region or state? What is the size of the plantation workers?
 - a. according to crops
 - b. according to sex

- Male	65%
- Female	35%
3. Do you have any special labour legislation governing workers in the plantations?
 - a. If so, list them together with the areas or matters they cover. - No special labour legislation
 - b. If not, list the name of the general labour legislation which also apply to the plantations. - Indonesian Labour Laws

By:

National Union of Plantation Workers

The National Trade Union Centre is the 'Malaysian Trades Union Congress' which was formed in 1949. Its first and founder President was Dr. P.P. Narayanan. He currently serves the Centre as Honorary President of the MTUC. He has been conferred upon the title as "Father of Malaysian Workers".

According to available figures, the MTUC now has a membership of 300,000 from 129 affiliates in benefit in 1986. Malaysia has 334 trade unions with a total membership of 487,000. The largest union in Malaysia is the National Union of Plantation Workers with a membership of 120,000.

The National Union of Plantation Workers (NUPW) covers the plantation and estate workers comprising of rubber, oil palm, coconut, cocoa, tea, sugar cane and pineapple. They are spread throughout the nation except for two crops i.e. sugar cane which is largely confined to Northern part of Peninsular Malaysia and pineapple to the State of Johor.

There are two other unions in the plantation sector - the Malayan Estates Staff Union and the West Malaysian Plantation Executives' Association. The employers in the industry are bonded together by the Malaysian Agricultural Producers' Association (MAPA).

Prior to the formation of the NUPW on November 2nd, 1964, there were five separate unions, the first being organised in the state of Negri Sembilan on 27th January, 1946. One of the founder members continues to be the General Secretary up to today. He is Dr. P.P. Narayanan. These five unions merged to form a single union - the NUPW, which has eight semi-autonomous branches in the various states, while the Headquarters is in Petaling Jaya, a suburb of Kuala Lumpur.

The NUPW is affiliated to the MTUC and the IFPAW. The NUPW is held in very high esteem within the country and abroad for its moderation, democratic principles and fair-play of partisan politics, but wields considerable influence in government circles.

STRUCTURE OF THE NUPW

The administrative set up of the union is best explained by the Table (see Table 1). In the union, the members have the final say in all matters. This is made possible by the Triennial Delegates Conference. The delegates to this Conference are the supreme decision-makers of the union.

At national level, there is a President, A Deputy President, 3 Vice-Presidents (one representing each major race), a General Secretary, a Deputy General Secretary, National Executive Secretary and a number of executive council members. The exact number is decided at a ratio of one for every 5,000 members in benefit. All the national level leaders with the exception of the National Executive Secretary are elected by popular election.

The members of the Executive Council meet quarterly to consider matters. Between the Council meetings, the Working Committee decides on urgent issues. The members to this Committee are elected from among the Executive Council.

At the State level, the same structure is duplicated with minor alterations. Each State Branch is governed by a Branch Committee, comprising of a Branch Chairman, 2 Branch Vice-Chairmen, a Branch Secretary, a Branch Executive Secretary, a Branch Treasurer and 7 to 13 committee members depending on the size of the Branch. All members of the Branch Committee except for the Secretary, Branch Executive Secretary and Treasurer are elected by popular election at the Branch Triennial Representatives' Conference. The three officers i.e. Branch Secretary, Branch Executive Secretary and Branch Treasurer are appointed by the General Secretary.

4. Have the laws been updated recently? If not, are there any proposals to update them?
 - There are some new Ministry regulations which have been updated.
5. Do you consider that any of the labour laws referred to above need any changes or modifications? If so, specify them.
 - SPPI has proposed some changes to labour laws concerning -
 - labour disputes
 - collective bargaining
 - terminations, etc.
6. How are minimum wages determined in your country?
 - Minimum wages are determined by CLA or by tripartite agreement.
7. a. Is there any tripartite minimum wage fixing bodies established?
 - Wages recommendations are prepared by tripartite wage committee
- b. Do you have separate wage board/committee for the plantations?
 - Yes, we have.
- c. Is there a suitable general minimum wage for all workers in all sectors of the economy including plantations or a special rate of minimum wages for the plantations?
 - We have regional and sectoral minimum wages including for plantations
- d. Give details of the current rates of minimum wages referred to in (C) above.
8. What percentage (or number) of the plantation workers are organised in labour unions? Please give details.
 - Staff belongs to KOPRI
 - Workers organised by SPPI
9. Has your organisation (or any other labour organisation) entered into any collective agreements with the employers in the plantations? If so, forward copies of such agreements.
 - Yes.
10. Are the plantations in your country managed by the private sector or by the government or by both? Please give details
 - Both
 - a. Government owned (BUMN)
 - b. Private
 - foreign capital
 - domestic capital
11. Are the health, safety, housing and education facilities provided to plantation workers satisfactory? If not, what are the special problems you have in this regard? What measures have your organisation proposed to remedy the situation?
 - facilities provided are:
 - hospitals
 - clinics
 - doctors
 - nurses
 - safety tools, schools (elementary)
12. Do the youth in the plantations have any specific problems concerning their education and employment among the youth in the plantation? Has state taken any positive measures to tackle the problems of unemployment among plantation youth? If so, please give details.
 - Lack of employment was the major problem for young workers including youth in plantation sector. By setting up BLK in some regions the youth of plantations has chances to increase their knowledge of work and giving them the skill to enter the labour market.
13. What issues would you suggest for discussions at the seminar with a view to finding common solutions to any of the problems mentioned above?
 - Burning issues which could be discussed are:
 - Unemployment, Young workers, Capital investment (foreign as well as domestic)

The union also convenes and conducts meetings of Branch Secretaries, Branch Executive Secretaries and Branch Treasurers and as when the need arises. This is to bring them up-to-date with the development at national level and vice versa.

The State Branch organises the workers on estate level and forms estate union committees according to Rules and Constitution consisting of a Chairman, a Secretary/Collector (shop steward), two Assistant Secretaries/Collectors and not less than 5 and more than 7 committee members. These officers are elected at their Biennial General Meeting. The Secretary/Collector, as the name implies, collects the dues and hands over to the Branch Treasurer at the respective state branch office. For this task, he is given a commission of 10%. In addition, the committee also looks after the petty problems that may arise at estate level. And if they fail to solve them, they forward them to the State Branch. The Branch Executive Secretary in consultation with the Branch Secretary immediately assigns one of the union's Branch Industrial Relations Officer (IRO) to pursue the matter or takes it up personally. If the Branch also fails to solve them, then the matter is reported to the Headquarters.

The terms and conditions of employment of all the plantation workers are negotiated and agreed upon at national level with the Employers' Association, MAPA. As the wage rate agreed upon for a rubber tapper will not, and cannot be made applicable to a FFB harvester, we have separate agreements. To facilitate the conclusion of separate agreements, the union has technical committee for each industry. Members to these committees give their views and recommendations to the executive Council for consideration. Membership to the various Technical Committees are drawn from, and nominated by, all the NUPW State Branches.

The union's Chief Executive is the General Secretary. The NUPW has over the years built up the capacity to provide relevant services that our members require through the Union. Today it has various departments, particularly the following Departments along functional areas under the General Administration.

1. Administration, Personnel & Industrial Relations

This department is responsible for the day-to-day office administration, as directed by the General Secretary. This department also is responsible to attend to and liaise with foreign friends who visit the NUPW.

2. Industrial Relations

This department attends to trade disputes that are referred to it by State Branches. It also assists the members on legal matters and liaises with the union's legal adviser.

3. Research

This department is responsible for collecting facts and figures of the industrial aspects and assisting the General Secretary in collective bargaining.

4. Projects & Developments

This section is responsible for investigating into avenues where the union can go into industrial participation.

5. Education

This department focusses on the workers education and attends to the needs of members' children with scholastic achievement to further their education without hindrance because of financial reasons.

6. Vocational Education

The NUPW has set up a Vocational Training Centre jointly with the State Government and the Lutheran Churches in Singapore/Malaysia. It is known as "Agro Industrial Training Centre/Complex". It provides vocational and technical training

courses to the members children, and children from rural and urban areas who drop out from school after their LCE and MCE. Most of these young men and girls are in need of vocational education to enable themselves to participate in the job opportunities that arise both in the rural and urban areas as development of our country has created the scope for more skill-based jobs.

7. Trade Union Education

The NUPW has moved into the second generation of Trade Union leaders in the plantation society. It has established the Tom S. Bavin Education Centre at its "PPN Students' Hostel" to provide training on basic trade unionism for young and dedicated trade union leaders to enable them to perform their duties effectively, efficiently and in a responsible manner.

8. Disabled Workers

This Department continues to provide liaison work with various establishments which cater for the handicapped. Special focus is given to those who suffer from various occupational diseases.

9. Public Relations

This Department is responsible to liaise with the press and to prepare press statements and publicity material. This Department is also responsible for the union publications and bi-weekly newspapers.

10. Organising the Unorganised Workers

This department was created to check the declining numbers in the membership and to organise plantation workers in the new development areas. The constraints in organising the unorganised workers are severe. Nevertheless, every effort is being made to check on why there is a decline in membership and find ways and means to organise the unorganised workers in the new regional development zones. Experienced field officers who have a track record of organising the workers are stationed in these regional development zones to enable them to work effectively.

11. Building & Maintenance

The specific term of reference to this department is to look after the buildings and assets as necessary subject to approval of the Finance Committee.

The union has 221 full-time officers and staff to look into the day-to-day affairs of the Union. All of them have their functional areas of responsibility but work as a team. The Union recognises that there has to be scope for training and continuing programme for education to enable our staff members with the capacity for development to achieve upward mobility in our organisation. Thus far, the Union provides opportunities for training through seminars and short courses organised by MTUC and other international agencies both in Malaysia and overseas. Such training courses do improve the capacity and quality of our staff members in the performance of their duties.

A SERVICE-ORIENTATED ORGANISATION

Apart from the traditional trade union functions, such as securing wages and working conditions, the NUPW has gradually evolved as a service-orientated organisation attending to the educational, social and other welfare needs of its members and their children.

It assists the members to obtain citizenship, employment permits, withdraw Employees' Provident Fund and social security benefits. The Union provides free legal service to members wherever needed. From time to time, seminars and courses are held in various centres on subjects such as Trade Union Education, Family Planning, Hygiene, Health and Safety, Employment Act, Industrial Relations Act, Trade Union Act, Employees Provident Fund Act, Social Security Act, Workmen Compensation Ordinance, Factories & Machinery Act, Pesticides Act, Employment of Children & Young Persons Ordinance.

The NUPW organises cultural shows and regular sport and athletic events. Perhaps the most important service is the setting up of an education fund which finances children of members to pursue higher learning up to university levels within Malaysia and abroad. Millions of dollars have been spent so far on such educational grants which has helped members' children to become Doctors, Lawyers, Engineers, Architects, Accountants, Economists, etc.

YOUTH AND WOMEN SECTION

More than 50% of the population of Malaysia are below the age of 25. These people will be the future leaders of Malaysia and they will also play a vital role in shaping the destiny of our nation.

The NUPW has realised the importance and seriousness of guiding these young people in the proper direction. As such, it has made provisions in its constitution for the establishment of the Youth and Women Sections.

The Youth and Women sections are considered a very vital link in its organisational set-up. To achieve the objective, an inaugural conference of young workers was held on 10th September 1967, at which both the youth and women sections were officially established.

Young workers within the ages of 16 and 35 are eligible to be members of these sections. Today the membership is about 25,000 and this number is still growing.

Both the sections function at three levels. The young members of the NUPW submit their names to the Secretary of the NUPW State Branch. All such members will then hold a meeting and elect a leader for the respective estates. At the State level, a conference of all representatives of the estate youth and women sections with their elected leaders, is held once a year. This conference elects a committee for the state level and transacts other business which includes planning our annual programme for the sections. At national level, a national conference of both the sections are held once in three years. This conference also elect national level youth and women committees. The Executive Council of the NUPW appoints one officer in charge for each of the sections at the national level. The national committees of the sections draw up plans and programmes for the next three years.

Regular seminars, trade union leadership courses, civic courses etc., are held for these two sections.

Family planning courses are held regularly. Members of both the sections actively involve themselves in all forms of recreational, sporting, cultural and welfare activities. Women Section members are encouraged to take up tailoring and other activities. They also establish libraries and conduct kindergarten classes in the estates.

A newsletter containing a compilation of messages and articles from the leaders of our movement is issued to the youth and women sections. The youth and women sections are directly affiliated to the youth and women sections of the MTUC. Our estate youth and women take part in large members in all functions organised by the MTUC.

However, the union faced problems of mass unemployment in the early sixties due to large scale and sub-division of estates. While pressing the government for corrective legislation, the union on its own formulated plans to face the challenge. It set up its own business firm and embarked on an intensive campaign to sell shares to members so that enough funds could be raised to buy an estate that was put up for sale.

ECONOMIC VENTURES

In 1968, the union bought its first estate of 2,000 acres and the union's subsidiary company - the GATCO, runs the estate. Since then, the union has invested in a textile mill, Workers' Bank, edible oils, glass containers,

aromatic oil, insurance company and other service industries.

A Multi-purpose Co-Operative Society was also set up which owns a 500 acre estate growing rubber and oil palm. This society also undertakes housing estates for members.

In order to provide employment opportunities to children from the plantations the union collaborated with the State Government of Negri Sembilan and the Luthern Institute of Vocational Education to set up an Agro-Industrial Training Institute where skilled workmen are trained in Carpentry, welding, electrician, refrigeration etc.

The union has its own printing press where house journals in four languages are printed and published. The NUPW can justifiably take pride in its pioneering efforts in exploring the new frontiers of trade unionism. The NUPW is ever-willing to learn from the experience of other trade union organisations employed in similar endeavours and it will also share its own experiences and solutions in solving the problems of fellow workers in other parts of the world.

LABOUR FORCE

Malaysia has a total labour force of 5.6 million of which 248,000 are plantation workers. Their distribution by crop and sex are given hereunder:

	<u>MALE</u>	<u>FEMALE</u>	<u>TOTAL</u>
Rubber	65,000	65,000	130,000
Oil Palm	50,000	40,000	90,000
Coconut	6,000	4,000	10,000
Cocoa	1,000	2,000	3,000
Tea	800	1,200	2,000
Pineapple	2,400	2,600	5,000
Sugarcane	4,000	1,000	5,000

STATISTICAL INFORMATION

Country

Malaysia is a Federation of 13 States, situated in the heart of South-East-Asia, occupying two distinct regions - Peninsular Malaysia and separated by the South China Sea, Sabah and Sarawak.

Size - 127,581 square miles.

Peninsular Malaysia - 50,806 sq.miles

Sabah and Sarawak - 76,775 sq.miles

Climate - Tropical

Monsoon Seasons - South-West (May-October)
North-East (October-February)

Annual Rainfall - Between 80 and 100 inches

Capital

Kuala Lumpur city in Federal Territory comprising 94 sq.miles.

Language

Bahasa Malaysia (Malay) - National and official

English - widely used in commerce and industry. Compulsory subject in all schools.

POPULATION

Peninsular Malaysia, Sabah & Sarawak (1984 estimated): 15.27 million.

PENINSULAR MALAYSIA

Malays and other indigenous people : 7.122 million (47%)
 Chinese : 4.169 " (27%)
 Indians : 1.080 " (8%)

SABAH : 997,000 (7%)

Chinese : 180,000 (1%)

SARAWAK : 1.018 million (7%)

Chinese : 424,000 (3%)

DISTRIBUTION OF WORKING AGE POPULATION BY AGE GROUP
AND SEX - MALAYSIAN 1980

AGE GROUP	TOTAL ('000)	MALE ('000)	FEMALE ('000)
15 - 64	7801.6	3886.4	3915.2
15 - 19	1564.0	776.6	787.4
20 - 24	1339.4	650.3	689.1
25 - 29	1110.7	548.1	562.6
30 - 34	910.6	462.1	448.5
35 - 39	696.6	357.5	339.1
40 - 44	646.6	330.8	315.8
45 - 49	489.9	243.4	246.5
50 - 54	429.9	216.0	213.9
55 - 59	331.5	163.0	168.5
60 - 64	282.4	138.6	143.8

Source: Labour Force Survey 1980.

DISTRIBUTION OF PERSONS OUTSIDE LABOUR FORCE BY AGE GROUP AND SEX MALAYSIA 1980

Age Group	ALL RACES		
	Total ('000)	Male ('000)	Female ('000)
15-64	2737.5	546.9	2190.6
15-19	899.9	381.6	518.3
20-24	361.1	48.1	313.0
25-29	319.6	11.5	308.1
30-34	259.5	7.1	252.4
35-39	186.4	7.3	179.1
40-44	166.4	5.4	161.0
45-49	133.2	5.8	127.4
50-54	130.8	11.0	119.8
55-59	138.6	30.3	108.3
60-64	142.0	38.8	103.2

Source: Labour Force Survey 1980

DISTRIBUTION OF LABOUR FORCE POPULATION BY AGE GROUP
AND SEX - MALAYSIA 1980

Age Group	Total ('000)	Male ('000)	Female ('000)
15-64	5064.1	3339.5	1724.6
15-19	664.1	395.0	269.1
20-24	978.2	602.2	376.0
25-29	791.1	536.6	254.5
30-34	651.2	455.1	196.1
35-39	510.1	350.1	160.0
40-44	480.1	325.4	154.7
45-59	356.7	237.6	119.1
50-54	299.2	205.0	94.2
55-59	192.9	132.7	60.2
60-64	140.5	99.8	40.7

Source: The Labour Force Survey 1980

POPULATION, LABOUR FORCE AND EMPLOYMENT STATUS 1980

	Peninsular Malaysia	Sabah	Sarawak	Malaysia
Total population (000)	11,426.2	955.7	1,307.5	13,689.4
Working age population(000)	6,556.7	527.1	717.8	7,801.6
Labour force (000)	4,259.7	306.8	497.6	5,064.1
Employment (000)	4,023.0	287.9	476.4	4,787.3
Unemployment (000)	236.7	18.9	21.2	276.8
Labour force participation rate (%)	65.0	58.2	69.3	64.2
Unemployment rate (%)	5.6	6.2	4.3	5.3

Source: Labour Force Survey 1980

POPULATION SIZE AND AGE STRUCTURE 1980 - 85

Age Group	1980		1985		Average Annual growth rate 1981 - 1985 (%)
	('000)	(%)	('000)	(%)	
PENINSULAR MALAYSIA	11,426.6	100.0	12,873.7	100.0	2.4
(%)	(83.1)		(82.8)		
0-14	4,434.8	38.8	4,793.3	37.2	1.6
15-64	6,556.9	57.4	7,588.0	59.0	3.0
65 +	434.9	3.8	492.4	3.8	2.5
SABAH	1,011.0	100.0	1,201.0	100.0	3.5
(%)	(7.4)		(7.7)		
0-14	430.6	42.6	494.1	41.1	2.8
15-64	559.9	55.4	682.2	56.8	4.0
65 +	20.5	2.0	24.7	2.1	3.8
SARAWAK	1,307.6	100.0	1,473.4	100.0	2.4
(%)	(9.5)		(9.5)		
0-14	541.2	41.4	593.5	40.3	1.9
15-64	720.2	55.1	824.8	56.0	2.8
65 +	46.2	3.5	55.1	3.7	3.6
MALAYSIA	13,745.2	100.0	15,548.1	100.0	2.5
(%)	(100.0)		(100.0)		
0-14	5,406.6	39.3	5,880.9	37.8	1.7
15-64	7,837.0	57.0	9,095.0	58.5	3.0
65 +	501.6	3.7	572.2	3.7	2.7

Source: 4th Malaysia Plan Mid-Term Review

MALAYSIA: LABOUR FORCE GROWTH: 1980 - 85

Age Group	1980		1985		Average Annual growth rate, 1981 - 85 (%)
	('000)	(%)	('000)	(%)	
PENINSULAR MALAYSIA	4,259.8	100.0	4,909.4	100.0	2.9
15-19	557.6	13.1	558.7	11.4	0.0
20-34	2,054.8	48.2	2,395.1	48.8	3.1
35-44	831.6	19.5	1,003.3	20.4	3.8
45-54	546.9	12.9	642.8	13.1	3.3
55-64	268.9	6.3	309.5	6.3	2.9
SABAH	371.9	100.0	470.7	100.0	4.8
15-19	51.0	13.7	60.8	12.8	3.4
20-34	181.3	48.7	239.8	50.9	5.7
35-44	71.7	19.3	90.4	19.2	4.7
45-54	44.7	12.0	53.6	11.4	3.7
55-64	23.2	6.3	26.9	5.7	3.0
SARAWAK	477.2	100.0	567.0	100.0	3.5
15-19	67.1	14.1	76.6	13.5	2.7
20-34	215.5	45.1	261.9	46.2	4.0
35-44	91.0	19.1	110.0	19.5	4.0
45-54	64.8	13.6	75.2	13.3	3.0
55-64	38.8	8.1	42.6	7.5	1.9
MALAYSIA	5,108.9	100.0	5,947	100.0	3.1
15-19	675.7	13.2	695.6	11.7	0.6
20-34	2,451.6	48.0	2,896.6	48.7	3.4
35-44	994.3	19.5	1,204.4	20.3	3.9
45-54	656.4	12.8	771.8	13.0	3.3
55-64	330.9	6.5	379.9	6.3	2.8

Source: 4th Malaysia Plan Mid-Term Review

PENINSULAR MALAYSIA: LABOUR FORCE BY AGE
AND STRATUM, 1980 - 85

AGE GROUP	1980		1985		Average Annual growth rate 1981 - 85 (%)
	('000)	(%)	('000)	(%)	
RURAL	2,554.4	100.0	2,744.9	100.0	1.5
15-19	331.8	13.0	311.3	11.4	1.3
20-34	1,137.7	44.5	1,238.3	45.1	1.7
35-44	525.4	20.6	576.7	21.0	1.9
45-54	365.3	14.3	404.3	14.7	2.1
55-64	194.2	7.6	213.3	7.8	1.9
URBAN	1,705.4	100.0	2,164.5	100.0	4.9
15-19	225.8	13.2	247.4	11.5	1.8
20-34	917.1	53.8	1,156.3	53.4	4.7
35-44	306.2	18.0	426.5	19.7	6.9
45-54	181.6	10.6	238.5	11.0	5.6
55-64	74.7	4.4	95.7	4.4	5.1

Source: 4th Malaysia Plan-Term Review

EDUCATION

Free education up to Form One.

Bahasa Malaysia is the medium of instruction in all primary and secondary schools.

MAJOR UNIVERSITIES AND COLLEGES

University of Malaya
University of Science
National University
University of Agriculture
University of Technology
University Utara Malaysia
International Islamic University
Mara Institute of Technology
Ungku Omar Polytechnic
Tungku Abdul Rahman College

NATIONAL RELIGION - Islam

GOVERNMENT

Constitutional monarchy with the Yang Di Pertuan Agung as Supreme Head of State; Parliamentary system of Government based on universal suffrage; Bicameral legislature, House of Representatives and Senate; Independent Judiciary.

SPECIAL LEGISLATION FOR ESTATE WORKERS

1. Rump Labour Code
2. Workers Minimum Standard of Housing Act.

GENERAL LEGISLATION FOR WORKERS

1. Employment Act
2. Industrial Relations Act
3. Trade Union Act
4. Employees Provident Fund Act
5. Social Security Act
6. Workmen Compensation Act
7. Factories & Machineries Act
8. Pesticides Act
9. Employment of Children and Young Persons Ordinance.

NUFW'S INVOLVEMENT IN ECONOMIC VENTURES

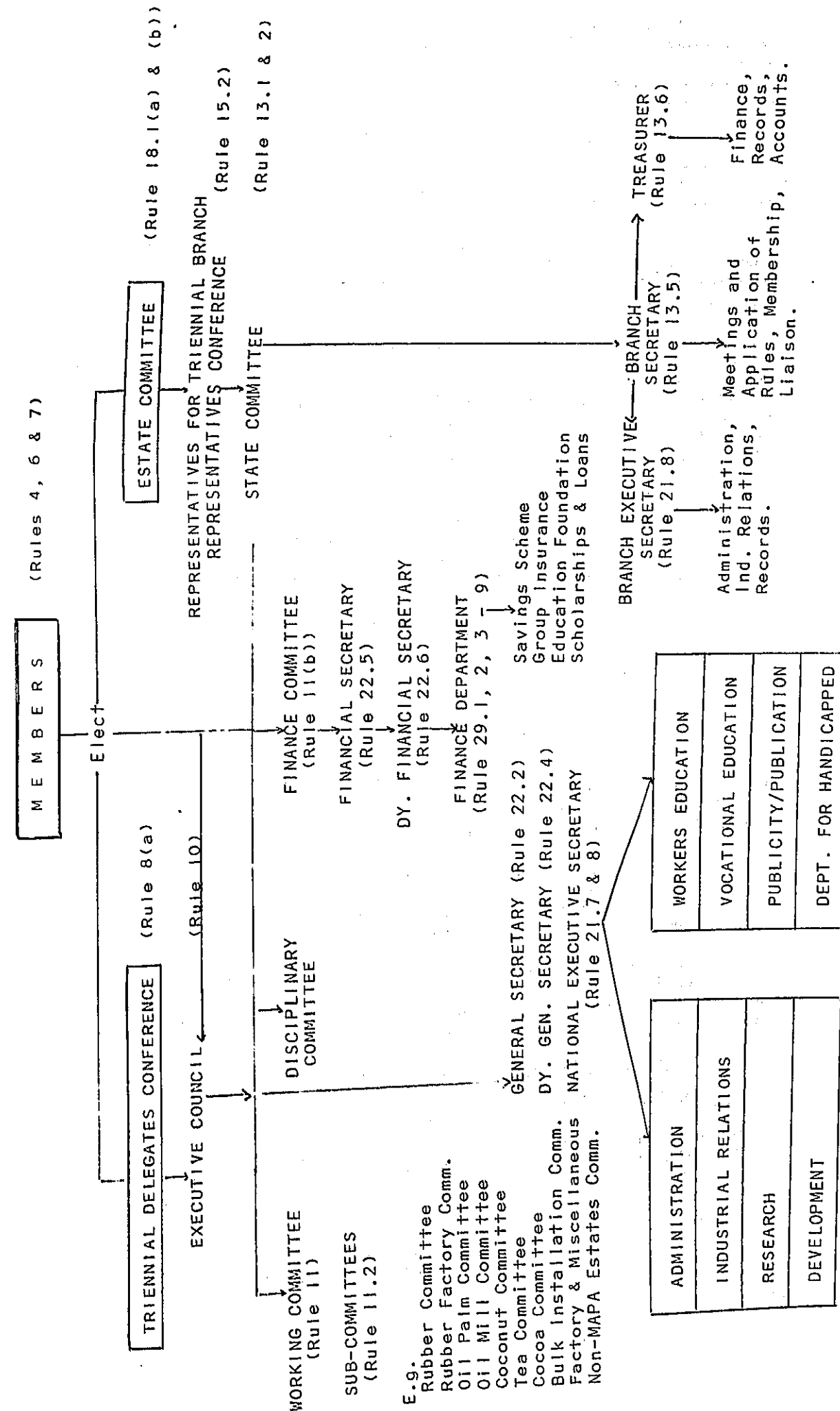
The trade union movement in Malaysia has effectively married to its pressure activities with constructive developmental activities. The role of pressure and protest in development is to ensure that development does not deviate from its purpose. These have to be carefully channeled so that they reinforce the constructive servicing activities.

The movement has come to grips with most of its problems. It has realised that it must make effective contribution to the economic and social development of the nation.

For these reasons, the trade union movement has always pleaded for an employment-orientated development strategy.

Equally important in this regard is the need to hasten the growth of workers' participation. To enhance workers' participation, the movement has steered a course of direct involvement in the economy. It has extended its role into what was once regarded as a fortress of capitalism,

TABLE I
ADMINISTRATION OF NUPW



This, ofcourse, involved long-term and short-term measures. The effect of long-term measures, like family planning, can only be seen in the 1990's. The other measure that the movement has actively advocated includes effective initiation of economic and social undertakings in order to raise the standard of living of its members.

The problems of under-utilization of labour, which is plaguing the majority of workers, need to be arrested. It is our belief that trade unions too have a stake here. For their very survival, they have to shoulder the major burden of arresting this trend.

Needless to say, the problem of economic development calls for mass involvement. In this regard, the trade union movement and the cooperative movement are the organisations best suited to carry out the campaign for mass participation.

There is also an urgent need to control the growing exodus into rural areas. The exodus not only aggravates the already large army of the urban unemployed but also places development of urban and rural areas is of paramount importance. It is a prerequisite for economic and social development, Trade union movement being in close contact with the masses is the best agency to undertake development. In addition to the objectives explained earlier. We wish to include the following items to be tackled by the union ventures:-

- i) To finance home ownership by workers;
- ii) To provide facilities for training in practical skills for workers and their children and thereby enhancing their chances for finding employment;
- iii) To encourage, motivate and give opportunities to the workers already employed to acquire new skills in order to improve their earning power and raise their status in society;
- iv) To train, re-train and upgrade members and their children so as to enable them to effectively contribute to the development of the country;
- v) To assist young persons in adjusting themselves to conditions of employment by a gradual transition from schools to actual requirements of the industry.

The involvement of the trade union movement in the economic sphere will bring about a silent revolution in the minds of the workers. It will not only act as a source for supplementary income, but also help open the eyes of those who so far chose to remain outside the realm of trade unionism.

The key factor for balances and self-sustaining development is a raising of the living standards of workers and their families. Regular growth of earnings and security of employment is the main spring in union's involvement in the economic new world of peace, prosperity and plenty.

We are also having a smallholders' settlement scheme where members are allotted certain acreage of erecting crops. We append below the names of various commercial and industrial undertakings of the NUPW's socio-economic projects. We hope, you will find these informations useful.

LIST OF SOCIO-ECONOMIC PROJECTS LAUNCHED BY N.U.P.W.

<u>Initiating Trade Union</u>	<u>Name of Business</u>	<u>Nature of Business</u>
National Union of Plantation Workers (NUPW)	Great Alonioners Trading Corporation (GATCO)	Partner in joint venture shareholders in business ventures, housing settlement.
NUPW	National Multi-Purpose Co-Operative Society	Rubber plantation, Housing scheme.

NUPW

Chompaka Negri Lakshmi Textiles Company (Joint venture with N.S. State Government and a private foreign company through GATCO) Textile manufacturing

NUPW

Agro-Industrial Training Complex (jointly with Lutheran Church and N.S. State Government) Vocational Training Complex

NUPW

Kelantan Hostel Accommodation for Secondary school children

NUPW

Pan Century Edible Oil Sdn. Bhd. Edible Oil

NUPW

Sri Sai Oils and Oleoresins Sdn. Bhd. Oil spices

NUPW

CISCO (M) Sdn. Bhd. Security Organisation

NUPW

United Oriental Assurance Sdn. Bhd. (a partner) Insurance

NUPW

Workers' Bank (a partner) Banking

NUPW

Land settlement Scheme (thorough GATCO) Rubber, oil palm & cash crop smallholders' settlement.

NUPW

J.G. Container Sdn. Bhd. (joint venture through GATCO) Bottling

NUPW

TATAB Industries Sdn. Bhd. (Joint venture through GATCO) Motor vehicle assembly plant.

NUPW

Syarikat Kijang Rubber plantation

NUPW

Anak Yatim Kelantan Welfare Home for orphans

NUPW

PPN Students' Hostel Accommodation for University students

NUPW SETTLEMENT

Reduction in levels of poverty and inequality is the theme of development today. Several factors contribute to poverty in developing countries. Development scientists have contributed extensive literature on this subject and have made several models for development strategies. As a trade union interested in the development tasks, we have reflected on this matter and have come to the conclusion that one of the important contributing factors to poverty and to inequality amongst workers is the alienation of labour from the other factors of production namely: land, capital, entrepreneurship. Workers, especially in the plantation and agricultural sector, can improve their standards of living if they become agricultural entrepreneurs and not mere labour for others. It is, therefore, important that efforts should be made so that workers, especially in the agricultural sector, can become entrepreneurs.

The first task in this direction is to provide them the basic resources of land, capital and "know-how" so that together with their labour they will be able to produce for subsistence and exchange. This will ensure a greater involvement of labour in the production process thereby increasing output which is essential for reduction of poverty and inequality. We have to now consider ways and means by which this objective of full involvement of labour in the production process can be achieved.

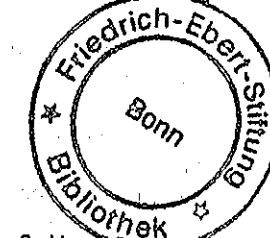
This project is located in the district of Kuala Pilah near Air Hitam in the State of Negri Sembilan. 5,000 acres of virgin land has been cleared for the planting of the main crop of rubber, and 4,320 acres of land planted with rubber and the balance utilised for housing, roads, irrigation and other infrastructure facilities. Each settler had been allocated 8 acres of planted rubber area and one acre for his housing and supplementary enterprises. Housing in this settlement was built with modern health and social facilities - it is a home and not mere quarters that we want our members to own and enjoy. The planted rubber area of 4,320 acres is managed collectively by a management company of GATCO. The settlers thus get the benefit of "know-how" and this, in effect gives confidence to bankers to provide the necessary credit facilities to the settlers. We have in the planning of this project drawn upon the experiences of land development schemes in Malaysia and in other countries to devise a practical programme provides potential settlers the opportunity of generating savings to invest in this project.

This project is unique in that we bring labour into contact with the other resources in the production process. We also provide the necessary knowledge and training through our management company of GATCO for the project to enhance the status of the workers from raw labour to agricultural entrepreneurs.

By 1985, 540 plantation workers and their families become agricultural entrepreneurs. They are the owners of their means of income. This total involvement in their means of livelihood increase productivity of their enterprises and increase their income. The benefits of this project are self-evident. To the settler, this is a fulfilment of a dream to be a master of his own life. This motivates him to increase productivity which is essential for national economic growth. Employment opportunities are also increased through the main and supplementary enterprise on his land thus reducing the migration of unemployed labour from rural to urban areas. A project of this nature is only a start of the war against poverty and inequality amongst plantation workers. Many more agricultural and agro-based industries, such as these, will be the salvation for the rural poor.

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By:
Mr. A. Sethupathy,
All Malayan Estate Staff Union.



Before we delve into the working and living conditions of the plantation workers, we have to get a glimpse of the set up of those employed in an estate.

Apart from the Manager and the Executives, an estate is run by the clerical, medical and health staff, the technical staff and non-clerical staff. These are the supervisory staff. Finally there are the workers.

The working and living conditions of the Manager and his executives need no mention here as the terms extended to them are excellent and at times, beyond comparison.

The clerks, hospital assistants, technical staff and non-clerical staff are those who are affected in this area. And the worst are the workers.

However, their welfare, working and living conditions are protected and looked after by their unions, the All Malayan Estates Staff Union and the National Union of Plantation workers. If not for these two unions the lives of the supervisory staff and workers in the plantations sector would be deplorable.

In West Malaysia, at the turn of the Century rubber and coffee were introduced followed by tea and sugarcane plantations.

Now palm oil is also grown in large scale and oil mills too have been set up to extract and refine the oil. This is not only for home consumption but for export also.

Since the past 5 years large areas of rubber have been converted to produce palm oil.

Both Highlands and Lowlands tea is grown in large scale and the working and living conditions are some what bearable.

Coffee which was grown in large scale during the pre-war days is now restricted and grown by small holders and individual families mainly for home consumption.

Cocoa is another produce which is grown in large scale for export.

Coconut plantations too thrive well and the produce is mainly for home consumption.

Sugarcane plantations are few in number but small holders sell their produce to these companies for refining. This is for export and home consumption.

Here we confine to the working and living conditions of those in the clerical, non-clerical, technical and medical and health staff in rubber, palm oil, cocoa, coconut and tea plantations as the terms and conditions are similar, as our union, the AMESU has successfully obtained 2 Industrial Court Awards and have also recently negotiated towards a collective agreement with our counterparts, The Malayan Agricultural Producers Association.

Still, we have not made a complete break through as there are many individually owned estates who have their own terms and conditions of service.

The workers under the NUPW are also in a similar predicament. For them, the degree of discontent is greater as their workers are large in number.

The Employment Act 1955 governs all those employed in the private sector. It provides the minimum provisions to be followed by employees with respect to contracts of service, wages, employment of women, children and young persons, rest

days, hours of work, termination/lay-off benefits, complaints and inquiries and generally all provisions relating to employment.

Generally, in almost all estates full furnished quarters is provided to the staff. If it is not provided then a housing allowance of \$100.00 is paid to the clerical category of employees and \$50.00 to the non-clerical category.

Apart from this, free water, electricity and gas is supplied to the staff. Also school children education and transport allowances is given to the staff. Those in the interior or isolated estates are given an isolation allowance as an incentive.

The above 2 allowances differ in quantum from plantations and also the distance from the nearest major town to the estate.

Their working hours is for 8 hours per day. Normally they start work at 7.30 a.m. and end at 4.30 p.m. In between they have a coffee break for 20 minutes and an hour for lunch.

The conductors who are fieldmen, at times do work for 10 staggered hours.

Apart from these category of staff, the workers, viz. mandores, tappers, harvestors, weeders, pruners, huskers, splitters, kiln workers and others have different conditions relating to their living and work.

The permanent workers are provided with homes in labour lines. This is nothing to boast about, for most of them were built when the estate started and the same wooden barracks, with a bit of renovations is their house.

The house consists of 2 rooms. One serves as a living room during the day and becomes a bedroom at night. In addition there is a small kitchen at the rear whose pungent wood-fire smoke pervades the rest of the house. The bathroom is a small enclosure behind the house. Ventilation is very bad. Sparse and crude furniture and lack of privacy contribute to an environment conducive for a normal and healthy living.

Very few estates have their own dispensaries. This is run by an estate hospital assistant who dispenses medicine for common illness only and refers serious cases to the estate appointed Visiting Medical Officers or to the General Hospital.

The sick from the other estates have to go to the nearest town for treatment.

Almost all estates provide creches. They are usually blank walls with cold floor and quite unhygienic.

There is no labour legislation to be applied to the estate sector in respect of wage determination.

The respective collective agreements have now brought about a certain amount of satisfaction and assurance of one's earnings.

The unions while calculating and arriving at a salary based on either 60% or two thirds of the consumer price index whichever is higher. This guideline for determination of wage is given by the Industrial Court.

In the clerical category, there are few women staff and there is no discrimination in their salaries. Whereas in the labour force there is equal number of women and in some estates more women than men. Here again, the salary of the individual woman differ or is proportionate to the volume of task performed.

Apart from this the legislation gives maternity protection to women and in this respect a maternity allowance is given to women apart from maternity leave for 60 days.

Malaysian legislation is against child labour. However, the plantations though aware of the legislation, employ children and juveniles because of the shortage of labour. The parents too encourage their children due to poverty.

Elder youths who used to assist their parents have now migrated to nearby towns where the income is higher.

The Labour legislation is silent on health, safety, housing and education for those in the plantation sector.

However, the respective Ministries have their Enactment/Acts in relation to same.

The Ministry of Health has stipulated certain basic rules and conditions pertaining to health.

The Factories and Machinery Act by the Ministry of Labour gives a guideline on safety matters. Similarly, enactments by housing and education ministries provide the basic guidelines.

Even for the application and control of pesticides, there are set guidelines to be followed, but on the whole, the plantations prefer to remain ignorant of the existence of such enactment for selfish reasons.

For, to adhere to and follow the set guidelines, the plantations will incur expenses. This is against their principle of "minimum expenditure for maximum profit" even at the cost of the workers' hygiene, health and life.

The basic wage and wage structure at present 'enjoyed' by the supervisory staff and workers is as a result of negotiations and collective agreements between AMESU AND NUPW with MAPA and the individual estates.

The supervisory staff are graded as grade III, II & I and special grade. Each grade has its basic wage and their salary is on a monthly basis.

As for the workers, they too have a basic wage. This is based on the poundage of latex, tea or cocoa beans collected, bunches of palm oil harvested or the particular task performed by the general worker. This is calculated on a daily basis.

Apart from the basic wage, the supervisory staff used to obtain a special relief allowance which is now incorporated into their salary. Yearly bonus, though not contractual, is paid to them and the quantum differs from plantation to plantation.

Conductors and other supervisory staff performing field work are given a fixed motor-cycle allowance or petrol allowance. This payment also differs from plantation to plantation and the approximate distance travelled.

The workers on the other hand are not paid bonus but are paid cost of living allowance, special relief allowance and a price bonus. This price bonus is based on the market price of latex for the day.

There is no wage difference between sexes but there is a difference between an adult worker and a child worker. An average daily wage for child worker is about one third to half the wage of an adult.

The supervisory staff do not encounter any special problems concerning women workers, youth unemployment and the application and control of pesticides, but the same is a perennial problem for the workers.

By:
Encik Mohi Ismail,
Felda Employees Union.

1. Felda Employees Union

The FELDA Employees Union was formed on 16th June, 1971 and was registered under the Registrar of Trade Union in line with the Section 50 Trade Union Ordinance, 1959.

The members todate amounting to more than 6,270 members called from the various group B, C & D employees of FELDA serving all over the country.

FELDA, is a government land development agency in plantation and has been in existence since July, 1956. The formation of FELDA with the objective to assess the need for planned land schemes and settlement of rural landless families and to ensure economic development goes hand in hand with social development. A close level of supervision from the staff exist for such programmes in order to ensure effective achievement of a desired levels in productivity.

2. Trade Union Recognition

The plantation industry in FELDA is a unique system of production in agriculture. The socio-economic implications of the plantation industry in Malaysia are clearly seen in the lives of the workers of FELDA viz the employees who are trapped with the plantation various policies and working conditions. As a result, the union claim for better incomes and demand for better working conditions. The right to organize is recognised by FELDA thus aimed to demand better income, proper working conditions. This could be achieved through basic functions of collective bargaining and industrial relation.

3. Working Condition in FELDA Scheme

Basically each employee in Felda Scheme is provided with 2 bedroom quarters equipped with an adequate amount of furniture. Water supply and a 24 hours round electricity supply would be provided at a later stage.

A Field Officer normally supervises not more than 500 acres of planted crop while a Senior Supervisor looks after not less than 1,000 acres. A uniform working hours of not more than 8 hours is drawn by the scheme Management to all walk of employees in the scheme, in line with the present system implied by the Public Services Department.

4. Wages/Allowances & Annual Increment

Unlike the private sector of the plantation industry, the employees of Felda enjoy the wage benefits, working conditions, allowances and other benefits outlined by the Government Public Services Department. Of late the Government usually consider pay revision, better working conditions and other benefits for every 5 years but however with the present economic recession the employees are not being given a fair deal. Not to exaggerate, the Government have called for a voluntary stoppage of annual increment for 3 years until the economic recession is over and come to stability.

5. Wage Differentials between men, women and child workers

There is no wage differential between men and women worker in FELDA. However different wages are paid for different kind of jobs depending on the grade and scale of each specified job. In line with the Labour Ordinance, FELDA do not employ anybody below 18 years of age. Hence FELDA does not employ a child worker.

6. Bonus and other incentives

Currently FELDA do not pay bonus to the employees but pay overtime to the 'C'

and 'D' categories of the employees. When overtime is not paid for, unrecorded leave will be given. Annual leave, maternity leave (given only to women worker - 5 times during the period of employment) and free medical facilities to the employees and their dependants.

7. Special problems concerning women workers, youth unemployment and the application and control of pesticides.

As had been explained earlier, only the men worked and supervised the settlers in the field. The jobs normally varies from weeding, harvesting, spraying of pesticides, manuring etc. However, if the work involved need a mask and a respirator hence FELDA usually supply the needs.

The type of duties of women workers ranged from typists, clerks, settler development officers, managers and such. But relatively different from the duties undertaken by the men workers.

Problems faced by Felda Employees

1. The right to bargain and demand certain rights for the nature and quality of working conditions for workers at times come to a failure and dead-lock. Grievances will arise from time to time and improvements have to be made soonest possible. Hence a proper grievance procedure should be outlined so that a solution can be found without unnecessary industrial unrest.
2. The nature of the job some time need the worker to stay in a remote area specially if it is a new scheme being opened with no settlers and no proper infrastructure and amenities. Water supply being the biggest problem in this situation while education being the other problem resulting the children and sometime together with the mother have to stay miles away from the father (worker) in the neighbouring town to pursue studies.
3. Political influence from the local political leaders sometimes worsen the situation should there be grievances between the settler and the worker. The local political leaders scared of their popularity and their political career would sometime take aside on the settlers.
4. Recently the government launched a campaign to reduce working staff while at the same time called to increase productivity. These have caused dissatisfaction among the staff as they have to work more, with the same pay and no overtime.
5. Unlike the estates, they always get the best. Felda schemes are usually deep inside and surrounded by jungles. The staff are either scared with elephant (as they are always) or would be confronted by Communist terrorists as in the case in the frontier border Thailand.
6. Recently two incidents involving Felda staff being kept under captive by the settlers (looked-out in the office) in demand over pay raise and some other demands which were not agreed upon. The settlers cannot be expelled because:-
 - a) Have received qualified land titles.
 - b) Influence by local politician.
7. FELDA introduced 'demerit system' - grading of one's performance is another problem faced by FELDA employees Union. The giving of annual increment would be determined by this system.

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COUNTRY REPORT : MALAYSIA

By:
The Rubber Research Institute Staff Union.

1. In Malaysia, rubber trees, oil palm, pineapple, cocoa, pepper, tobacco, tea, coffee, coconut and sugar cane are cultivated in plantations. Malaysia is basically an agro-based country and even though the government has been trying to diversify the economy to that of the manufacturing industries, the gross domestic product and the number of people employed in the agricultural industries is 50%.

2. The major agricultural industries are as follows:

a. The Rubber Industry

The rubber industry plays a very important role in the economic well-being of Malaysia. This is reflected in the fact that Malaysia is the world's leading producer and exporter of natural rubber. In 1985, Malaysia produced 1.46 million tonnes accounting for 33.9% of global production and 45% of global export. Rubber production is dominated by small holders - about 500,000 families and 121,727 workers in estates. An estimated average of land taken up by rubber estates and small holdings are 455,100 hectares and 1,575,400 hectares respectively.

b. The Palm-Oil Industry

The palm oil industry is becoming a very important industry in Malaysia. The rapid development of the Malaysian oil-palm took place in the early 1960's when large scale cultivation of oil-palm was undertaken in consonance with the government agricultural diversification policy. Today, oil palm is Malaysia's golden crop and the production at 4.13 million tonnes accounted for 57% of world production and 85% of world export.

Palm oil competes with and can substitute oil and fats. The palm oil industry constitutes about 10% of the nation's gross domestic product and generated direct and indirect employment for about 1 million people. It's also the main crop in land settlement schemes for some 60,000 households. The present planted acreage for oil palm is 1,464,904 hectares.

c. The Pineapple Industry

The pineapple industry is concentrated in the southern state of Johore in Peninsular Malaysia. In 1985, Malaysia produced 152,547 tonnes of fresh fruits, 42,337 tonnes for local canning consumption and 34,944 tonnes for foreign canning consumption. The total acreage for the pineapple industry is 9,700 hectares out of which 34.43% are small holdings and 55.26% are estates. The industry provides employment for 3,500 small holder families, 1,500 estate workers and 1,400 cannery workers.

d. Cocoa Industry

The cocoa industry takes up a land acreage of 285,000 hectares of which 59.19% are estates and 40.81% are smallholdings. Malaysia exported 97,520,00 kg of cocoa beans and products. Malaysia constitutes 6.5% of raw cocoa bean production in the world.

e. Pepper Industry

Pepper is cultivated by farmers in Sarawak. The total acreage cultivated under pepper is 10,670 hectares. Malaysia produces 15,310 tonnes or 13% of world production and export 19,000 tonnes or 18.2% of world export.

3. The Labour force in Malaysia in 1985 is:

Peninsular Malaysia	- 4,909,400
Sabah	470,700
Sarawak	567,00
Malaysia	5,947,100

The percentage of the population working is $\frac{5,947,100}{15,548,100} = 38.25\%$

4. The employment at various estates for a number of years are:-

Crop	1976	1980	1981	1982	1983	1984
Rubber	170,670	167,210	164,620	148,294	135,400	127,893
Coconut	4,110	3,710	3,306	4,378	4,085	2,814
Oil Palm	75,400	77,840	72,750	92,450	92,810	96,458
Tea	2,970	2,780	2,510	1,950	1,900	-
Pineapple	1,740	1,630	1,430	1,376	1,376	2,954

5. The percentage distribution of employed labour in estates by adults and young persons and type of estates are:

Rubber	1979	1980	1981	1982	1983
Male	45	44	43	44	43
Female	54	55	56	54	56
Young persons	1	1	1	2	1
<u>Coconut</u>					
Male	52	52	51	51	46
Female	46	48	48	49	54
Young persons	2	-	1	-	-
<u>Oil Palm</u>					
Male	68	66	67	60	55
Female	29	31	31	40	45
Young persons	3	3	2	-	-
<u>Tea</u>					
Male	42	41	41	43	42
Female	55	57	56	56	56
Young persons	3	2	3	1	2
<u>Pineapple</u>					
Male	49	48	49	50	50
Female	46	50	51	50	50
Young persons	5	2	-	-	-
<u>All estates</u>					
Male	52	51	50	48	47
Female	47	48	49	51	52
Young persons	1	1	1	1	1

6. Special labour legislations governing plantation workers are:

i) The Southern Indian Labour Fund Ordinance 1958

The South Indian Labour Fund Board repatriate and give financial aid to South Indians, contributed by the estate managements.

The Board assists South Indians who wish to be repatriated to India. In 1983 there was no repatriation but from January to June 1984, 2 South Indians were repatriated. The expenses for travelling, lodging and ticket are borne by the South Indian Labour Fund Board.

The Board also operates a Home for aged South Indians at Nibong Tebal. Inmates are provided regular meals, uniforms, medical attention and a pocket allowance of \$15.00 a month. At the end of 1984, there were 70 inmates in the home.

The Board grants monthly cash relief of \$50.00 to aged South Indians who are not inmates of the Home.

Scholarships of up to a maximum of \$500.00 per annum to 53 students of South Indian Origins in 1983 and study loans of a maximum of \$2,000.00 a year to 29 students were granted.

The Director General and the Deputy Director General of Labour are ex-officio chairman and secretary/treasurer respectively of the Board. The officers of the Labour Department assist the Board in processing the applications for repatriation, cash relief, scholarships, study loans and admission to the Home.

7. ii) The Workers Minimum Standards of Housing Act 1966

Provisions relating to minimum standards of housing, sanitary, water supply and nurseries are contained in this Act. The Act also prescribes the procedure, the submission and approval of plans for construction of buildings. Employees are persuaded to improve the condition of existing housing and encouraged to erect new ones. Employers who failed to do so would be prosecuted under the workers house ownership scheme. Employers are encouraged to develop housing schemes on their land to be sold to employees.

8. However, the other Labour Laws that governs workers on the whole also governs the plantation workers. They are;

1. The Employment Act 1955
2. The Industrial Relations Act 1967
3. The Trade Union Ordinance 1959
4. The Employees' Social Security Act 1969
5. The Workmen's Compensation Act 1952
6. The Employment Restriction Act 1968
7. Children and Young Persons (Employment) Act 1966
8. Weekly Holidays Act 1950
9. Internal Security (Registration of Labour) Regulations 1960
10. Employment Information Act 1953
11. Labour Code (FMS Bab 154) and Labour Codes for the Respective States.

9. There were amendments made to the Trade Union Ordinance 1959 and the Industrial Relations Act 1967 in 1980 and these amendments were viewed by Trade Unions as restrictive to labour and the unions that represent them. As such, rallies were held to enlighten the membership and public and memorandums were submitted to the Ministry and government for reconsideration to the new amendments but in vain.

10. However, due to the rampant retrenchments especially in the manufacturing industries the last few years, committees were formed by the government to improve the provisions in the Workers Minimum Standards of Housing Act 1966 and other legislations and schemes to attract back and absorb the retrenched workers from these urban industries to the agricultural sector.

11. There is definitely a need to change the recent legislations to improve the rural or plantation workers and other workers as a whole.

Firstly, the restrictive amendments to the Industrial Relations Act 1967 and the Trade Unions Ordinance 1959 in 1980 should be reviewed or removed to enable Unions and workers to express the freedom to negotiate and improve their standard of living.

Secondly, instead of depending solely on the fluctuations of rubber prices or commodity prices or MAPA/NUPW collective agreements on wages and conditions of work, there should be serious and genuine effort to set up a minimum wage for the plantation workers.

Thirdly, work methods and status in the plantations should be improved and there should be more enforcement of legislations for basic amenities and improvement in quality of living in plantations to attract young workers to stay.

12. The establishment of a minimum wage is provided under the Wages Council Act 1947. The Minister of Labour could appoint a Commission of inquiry to inquire into the question of whether a wages council should be established to protect the interest of a certain group of workers. Then the Minister could make an order from the findings and recommendations of the committee of inquiry to establish a wages council for the particular group of workers.

13. The Wages Council consists normally of 3 independent members, 5 employer representatives and 5 employee representatives. The Minister could then make several Wages Regulation Orders in pursuance of the Wages Regulation proposals made by the Wages Councils. Before submitting its proposals, the council would take into account the increase in the cost of living, the basic needs of the workers, the capacity of smaller employers to pay and the effects of such a statutory minimum remuneration on the industry concerned and other industries.

14. Amendments to the Wages Regulation Orders could be made from time to time. The Labour Department of the Ministry of Labour is responsible to enforce the Wages Regulation Orders. Officers from the Labour Department are appointed and empowered under Section 18 of the Wages Council Act 1947 to ensure that workers concerned are not paid lower than the minimum rates and enjoy all terms and conditions of work stipulated in the orders.

15. The Wages Councils are tripartite and they are the body that proposes minimum wage and conditions of work of certain group of workers. At present, there are only 4 groups of workers under the protection of wages councils, i.e. the shop stewards, the stevedores, the cinema workers and the employees in the catering and Hotel Industry.

16. Wages of workers in the urban area are usually determined by the consumer price index. Most industries other than the 4 industries protected by the Wages Councils have unions who does collective agreements with management and keeping check of the increase in the cost of living. The plantation industry represented by NUPW (National Union of Plantation Workers) negotiates with MAPA (Malaysian Agricultural Producers Association) on wages and conditions of work.

17. The rates of wage for different categories of workers in estates in 1983 are:-

Job	Rubber	Coconut	Oil palm	Tea
Mandore	368	332	550	344
Tapper	279	-	-	-
Weeders	189	196	196	215
Sprayers	237	-	266	-
Factory workers	276	168	329	306
Harvesters	-	305	332	294
Huskers	-	232	-	-
Transporters	-	322	302	-
	-	-	296	435

18. Generally, industries producing tobacco products, motor vehicle parts, chemical products, industrial machinery and part were found to pay higher wages

than industries involved in textiles, rubber latex processing, rice mills etc. The main reasons are incentive provided by governments such as tariff protection and the higher capital to labour ratio.

19. In 1983, there were 235,611 estates workers in rubber, coconut, oil-palm, tea and pineapple estates. These workers comprises of 5.9% administrative, management and supervisory staff, 13% of clerical staff, 60.4% of tappers/harvestors/pluckers, 21.2% weeders, 3.3% factory workers and 8.2% others.

The National Union of Plantation workers represents 52.6% or 123,996 of the workers in estates.

The All Malayan Estates Staff Union represents 1.0% or 2,451 of the workers in estates.

There are also a number of other smaller unions catering for both administrative, managerial and supervisory staff as well as the junior staff.

About 25% of estate workers are not organised because they are employed in a family-type of estate.

20. The type of crop cultivated by small holders or farmers, in government schemes and the number of people employed by big companies and small companies in the private sector are:-

CROP	SMALL HOLDERS/FARMERS	GOVERNMENT SCHEMES	PRIVATE SECTOR
Rubber	500,000 households	-	121,727 people
Palm Oil	-	60,000 households	96,458 "
Tapper	30,600 "	-	38,000 "
Pineapple	3,500	-	3,005 "
Tobacco	44,000	-	29,422 "

Therefore, it could be safely said that for different crops, the number of plantations are managed more by small holders and farmers or in government schemes than in estates managed by private companies.

21. There is a great differences in provision of basic facilities by managements to estates. There are some estates which are moderately well provided and some where basic facilities are absent or irregular. Generally, the following paragraphs applies to most estates.

22. Health

One out of six estates have a dispensary. The others would have to go the nearest town for health treatment. The surroundings of the quarters are usually not well kept and infested with mosquitoes and houseflies. Children in estate usually suffer from worms infestations and they are usually protein calorie malnourished.

23. Safety

Occupational hazards in the estates are from insects, pests, snakes, rats and wild animals and toxic insecticides or herbicides. These chemicals are usually dispensed easily and without any proper instructions on usage. There is no proper storage for the toxic chemicals and no proper protective clothing for sprayers. Accidents relating to the usage of paraquat - a weedicide - is rampant. The sprayers usually suffer from eye, skin and other diseases. Other effects are death and deformed babies. There is no ban on the usage and import of these toxic chemicals dumped from more advanced countries.

24. Housing

Houses in estates are sub-standard. The quarters are usually over crowded for the family. It occupies only 200 square feet. It usually consists of 2 rooms which will have to be bedroom, living room and kitchen. The bathroom will be a small cemented space behind the house. Ventilation is poor and the furnishing sparse and

water supply is usually provided free and 60% of estates engaged by electricity supply from the government or generator by the management.

25. Education

Schools in estates are usually Tamil primary schools where Bahasa Malaysia and English are taught as secondary languages. Out of 1766 rubber estates, 19% or 335 provided schooling. 29% of estate workers have not attended school at all. 25% have standard 3 education and only 1% made it to standard 6. Higher education or vocational training in non-estate jobs would have to be pursued in towns. The teachers paid by the government are usually unhappy over the state of the school facility-wise and pupils-wise. The schools are usually inadequately furnished and managed and parents are usually not interested in the progress of their children. Creches are usually provided by management. An Amah and a few assistants are usually paid by management to mind sometimes as many as 50 children. They are usually dull places, sticking and infested by mosquitoes and houseflies.

26. Social facilities

Workers (both male and female) have to wake up before dawn for tapping and are usually back in the mid-afternoon. After lunch, they will be employed in contract part time work in the estates or outside till the evening. So, by the time the family prepare to have dinner, it will be 6 or 7 o'clock at night. After dinner, there will be no energy or enthusiasm left for the older ones for social activities before they retire.

The younger folks would adjourn for the community hall where there would be shows on television, radio, magazines, games, union/political, youth club meetings or a function. On holidays, older folks would tend their vegetable plot, visit each other for chit-chats or the temple.

27. Religious facilities

An Indian Temple is one of the common landmarks in estates. The temples are usually built from funds collected from workers and the priests are usually paid by the management.

28. Transport

Estates are usually isolated places where no public transport are available. A trip out of the estates will have to be done on a motorcycle, bicycle or by foot. Those children who managed to reach secondary education would have to cycle or walk out before dawn. Roads leading to estates would become muddy and slippery during rainy days and the children usually miss classes on those days.

29. There is so much of variations in the quality of facilities in estates that effort should be taken to upgrade those that are lacking in quality and to improve the rests.

30. The experimental stations, estates in Kota Tinggi and Sungei Buloh of the ARI are comparatively better than the estates in the private sector. The ARI SU negotiates with the management on quarters, working hours, safety measures and clothings, medical treatment at a clinic, school buses for children studying in schools outside the estates and others.

31. There is definitely a need to upgrade the living standard in estates, to retain plantation workers unions need to be persistent enough to identify a strategy through legislations or otherwise to solve this multifacet problem.

32. According to a survey, 30% of plantation workers are illiterates, 25% only received standard 3 education and 1% attained standard 6 education. Dropouts are the highest in plantations. The reason for the high level of illiteracy are:

1. Parents are fatalistic in attitudes to uplift the standard of their offspring's life.
2. Parents are too poor to afford school.

3. Parents need their children to help in household chores, take care of and act as reserve labourers or assist in chores like cleaning latex cups and marking trees etc.

33. So, with such background, a lot of youths stayed in plantations to continue earning their livelihood through tapping trees. A number of others were ambitious enough to venture out of the estates inspite of strong competition for jobs and bad economic situations in towns. Shortage of labour in estates are therefore largely due to this exodus of youth from the plantations to the smaller towns. They rather work in factories or other manual jobs than to be exploited with low wages and living in the estates. Few have the opportunity to enrol themselves in a few vocational institutions like workers institute of technology, Negri Agricultural and Industrial Training or MARA with scholarships.

34. The Government in an attempt to correct the shortage of labour in plantations induced immigrant labourers from Indonesia and Thailand to our plantations. The presence of immigrant labourers in large numbers and at low wages, makes the struggle for betterment in estates working life more difficult. In the RRI, a mechanised tapping knife, which is faster, more efficient and does not need skilled labourers was introduced. The recent rampant retrenchments in industrial and manufacturing industries has caused the government to set up a number of committees to look into the problem of attracting retrenched workers to the plantation sector.

35. The plantation workers are one of the poorest group of people in Malaysia. Conditions of work and remunerations have not changed much for the last half of a decade. This could be due to the absence of sincere effort from all concerned that is, the unions, management, governments and politicians. There is a need for strong persistent leadership to lead plantation workers from poverty to a substantial standard of living as compared with workers of the other sectors. Therefore, the following should be discussed in depth and solutions suggested:

1. Establishing a minimum wage to ensure a decent standard of living
2. Enforcement of safe conditions of work in plantations.
3. Effective provision of basic amenities for decent living.
4. Incentives to increase productivity.
5. Prospects in the future of the job.
6. Education.

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COUNTRY REPORT: PAKISTAN

By:
Mr. Basheer Ahmad,
All Pakistan Federation of Trade Unions.

1. Pakistan is basically an agricultural country. Almost 80% population is employed in agriculture such as wheat, rice, cotton and sugar-cane plantation. The peasants in our country are mostly tenants who are employed on the land by the landlords. There are also employed some monthly paid workers on the large farms. The compensation to the tenants is paid in the form of sharing crops as 50% while land lord bear all the expenses of seeding, irrigation, taxes and other raw material incurred on the farming. These rules and obligations are regulated by special law and the tenants cannot be restricted from the land without the permission of the Government as well as tenants have right to seek legal remedies for these statutory laws. In case of monthly paid workers, their wages are determined through monthly agreement between the worker and landlord while our organisation is making efforts to get fixed minimum wages through legislation from the Government.

2. The women workers and the youth are also covered by the same method. So far the payment of compensation and wages are the same. The women share the fruits of the group working as member of the family and they are considered to be a family worker.

3. In Pakistan, during the course of last 20 years, method of cropping has been changed from the traditional pattern to the new techniques such as tractors, wheat threshers, utilization of fertilizers and pesticides in land in order to raise per acre yield and to get better results which has also given rise to the various problems of the workers employed in the rural areas pertaining to their health and safety such as prevention of bad effects of pesticides in its application. Our organisation has been making efforts in our rank and file to take care against this health hazards in order to prevent occupational diseases. We are also making efforts through full pressure on the Government that they should extend educational and training facilities as well as the labour inspection machinery to prevent misuses of pesticides and other chemicals.

4. It may be relevant to place on record that our rural sector is still dominated by feudalistic system which is the legacy of colonial era for which our trade union movement and rural workers organisations are struggling hard for elimination. During the last 2 decades, Land Reforms have been introduced twice to distribute land to the peasants by the Government of Pakistan on the pressure of the workers but some of the landlords have wriggled out against those land reforms and distributed lands among their family members. Our trade union is still pressurizing for the system of land reforms so that the land should be given to the tillers. It requires a long arduous exercise for which we are struggling despite lot of difficulties prevailing in the rural sector against the struggle.

5. It may also be relevant to place on record that the problems of womenfold and youth workers specially in rural sector because our country has highest percentage of birth rate i.e. 3% per annum while the jobs are not available comparing with the rise of population which gave rises suffering both to the youth and particularly to the womenfold. However, our trade union movement is struggling for extending adequate educational and training facilities through the Government policies in the country by this pressure for the youth and the women workers so they have a gainful employment by employing their skill for productive purposes. There is also a need to gear up the educational system to meet the demands of the labour market instead of creating white collar workers for which the jobs are not available comparing with the new entry in the labour market.

6. Our trade union is struggling for not only raising their employment, but also for their adequate educational and training as well as better working conditions and relevant facilities in the rural areas. We are helping to strengthen our struggle by imparting modest education and training to our cadre in the rural sector.

COUNTRY REPORT : THE PHILIPPINES

By:
Mrs. Justiniana A. Largo,
Associated Labour Unions - TUCP.

INTRODUCTION:

The International Federation of Plantation and Allied Workers on-going concern for plantation workers is one of the strongest bonds that the relationship of countries in Asia and the neighbouring countries of Africa and the East. This seminar on the "Working and Living Conditions of the Plantation Workers in Asia" will bring into focus the needs, problems, and aspirations of the poor plantation workers involved in this part of the globe.

Through this forum we foresee giant steps toward the upliftment of the state of common workers in plantations in Asia, and formulations of policies and measures by labour unions which are the guardian of the plantation workers for better working and living conditions.

The most significant thing about this seminar is the deep concern for people. Any assistance and interest given to them is one of the noblest deed in the too often materialistic thrust.

PHILIPPINE PLANTATIONS:

It is estimated that about two-thirds of the population depends on agriculture and eighty percent of Philippine export are agricultural products. More than one fifth of the total land area is devoted to agriculture. The greater number of agricultural products are sugar and coconut (palm oil). There is no known tea plantation in the Philippines, but there is a newly cultivated area for rubber tree plantation. Its production is still in its infancy stage and not quite sufficient to meet the needs of industry.

Although there are large plantations for coconut (palm oil), sugar, coffee, pineapple and rice crops, these plantations are scattered throughout the different parts of the archipelago. The Island of Mindanao and Luzon have the largest number of plantations for coconut, coffee, sugar and rice. Central Luzon for instance is quite famous as the rice granary of the Philippines.

There are systematic methods of land cultivation in terms of size holding, type of ownership, and degree of efficiency. Holdings also range from very large estates of over several hundred acres to only a few on plots of householders. But half of the farms are five acres or less in size, although ownership is closely related to size. The great majority, about 98% own the land but 48% of the farmers are tenants.

About 8,000 acres of land is cultivated for rice production. But the Philippines is the chief world producer of coconut products, and over 1,150,000 tons of sugar. Our number one leading industry is agriculture and our major exports are coconut products, sugar and abaca which is about 70% of the world total.

Large plantations are either owned by multinational corporations or by the very few wealthy landed families whose land ownership had been passed on from generation to generation. A case in point here is the Canlubang Estate of Jose Yulo, covering an area of more than 7,000 hectares for the entire plantations for coconut (palm oil). Of course, the estate is also planted with staple food products such as rice, corn, and root crops to meet the food needs of its plantation workers.

This particular estate is one ideal place for plantation workers because the workers are provided with facilities for decent living; a school for the children, a church for the people, a hospital, and a co-operative store for the daily supply needs of the workers.

Generally, also the whole household members work in the plantations for the parents to the children and other relatives who may be living with the family who

serve as workers in the plantations. So women and children above ten may be employed to work in the plantations for menial task. Compensation for such work is also commensurate to this kind of task done.

WAGES AND WORKING CONDITIONS:

Plantation agricultural workers are those agricultural workers employed in any plantation or agricultural enterprises with an area of more than 24 hectares in a locality or which employs at least 20 workers. This qualification set by law that apply to wages of workers in the plantations.

Pursuant to the Presidential decrees (see Appendix I) made by deposed Philippine President Ferdinand Marcos, the salient features for wages of agricultural workers are as follows:

1. Basic minimum wage for agricultural plantation workers is ₱32.00 per day plus ₱2.00 living allowance.
2. Basis for determination of minimum wage is 8 hours work.
3. Allowance granted to workers in compliance with the wage Order need not be considered as part of the wage of the workers for purposes of determining overtime and premium pay, fringe benefits and premium contributions to state insurance fund, social security, medicare, maternity pay, private welfare and retirement plans.
4. All covered workers shall be entitled to their daily living allowance during the days that they are paid their basic wage even if unworked.
5. A worker who is on leave of absence but is receiving employee compensation, social security, or maternity leave benefits in lieu of wages, shall be entitled to allowances provided in the order in proportion to such compensation or benefits if establishments has not ceased operations; provided that such workers shall be paid the full daily allowance if paid the full basic wage.
6. Where the application of the minimum wage increase prescribed herein results in distortions of the wage structure within an establishment the employer and the union shall negotiate to correct the distortions. Any dispute arising from wage distortions shall be resolved through the grievance procedure under the collective agreement or through conciliation or arbitration.

In cases where there is no collective agreement or recognized labor organization, the employer shall endeavour to correct such distortions in consultation with his workers.
7. This law covers all plantation workers for coconut, sugar, rice, pineapple and other food crops.

What is stated here of course does not cover the whole text of the law which governs wage implementation for plantation workers in general.

There are also laws for the protection of women workers in all kinds of industries (see appendix II). But for women plantation workers, these are some of the salient features.

1. Night work prohibition

- 1.1 In any agricultural undertaking at night time unless she is given a period of rest of not less than nine (9) consecutive hours, no woman regardless of age shall be permitted to work with or without compensation.
- 1.2 Facilities for women. The Ministry of Labor will insure safety and health of women employees such as providing seats proper for women and permit them to use such seats when they are free

from work and during work hours; to establish separate toilet rooms and lavatories and dressing room for women; to establish nursery in a work place for women employees.

- 1.3 Maternity leave benefit. Maternity leave is at least two weeks prior to the expected date of delivery and another four weeks after normal delivery or abortion with full pay based on her regular and average weekly bases.
- 1.4 Family planning incentives.
- 1.5 Discrimination prohibited. No employer shall discriminate against women with respect to terms and conditions of employment on account of her sex. Equal remuneration shall be paid to both men and women for work of equal value.

Working conditions for minor is quite general in coverage. No child below 15 years of age shall be employed except when he works directly under the sole responsibility of his parents or guardian, and his employment does not in any way interfere with his schooling. In practice, however most minors employed in plantations are so encouraged by parents themselves to the extent of sacrificing the child's schooling, specially when the school is very far away from the child's home, just so the child's wages can contribute or augment the family income.

Any person between 15 and 18 years of age maybe employed for such numbers of hours and such periods of the day as determined by Ministry of Labor in appropriate regulations.

HEALTH, SAFETY AND WELFARE BENEFITS:

The general law covers all establishments, workplaces and other undertakings including agriculture enterprises, whether operated for profit or not. The salient points of the law provides for:

1. Medical and dental services in this manner:

- 1.1 When the number of workers is from 10 - 50 in a workplace, the services of a graduate first-aid-er shall be provided. He may be one of the workers and who has immediate access to the first-aid medicines prescribed.
- 1.2 Where the number of workers exceeds 50 but not more than 2000, the services of a full time registered nurse shall be provided.
- 1.3 Where the workers exceed 200 but not more than 300, the services of a full time registered nurse, a part time physician and a dentist and an emergency clinic. The physician and dentist engaged for such workplace shall stay in the premises for at least two hours a day.
- 1.4 Where the number of workers in a hazardous workplace exceed 300, the services of a full time nurse, physician, dentist, a dental clinic and an infirmary or emergency hospital with one bed capacity for every 100 workers shall be provided.

In the health program, the physician engaged by an employer shall perform among others the following duties:

1. Conduct pre-employment medical examination free of charge for the proper selection and placement of workers;
2. Conduct free of charge annual physical examination of workers;
3. Collaborate closely with the safety and technical personnel of the establishment to assure selection and placement of workers from the stand point of physical, mental, physiological and psychological suitability;

4. Develop and implement a comprehensive occupational health program for the employees.

On the other hand, health and safety of the workers is also the concern of the workers themselves. So that it is incumbent upon the workers to cooperate fully with employer in carrying out provisions of law and to report immediately any hazards that he may discover in his workplace. As for the use of chemicals in the plantations, every worker is expected to make proper use of safeguard and safety devices furnished for his protection and the protection of others.

BONUSES AND OTHER INCENTIVES:

A general provision by law for bonus is called the 13th month pay. This is a one month salary given in addition to the regular monthly salary of the worker. This is usually given on the month of December, hence the term 13th month pay. The computation for this compensation is as follows:

$$\frac{\text{Basic salary} \times \text{No. of months worked}}{12}$$

= 13th month pay.

By way of substitution, here is the example:

$$\frac{\text{P1,500 monthly} \times 8 \text{ months worked}}{12}$$

= P12,000 = P1,000.00 - 13th month pay.

There is a service incentive leave of five days with pay to employees who has rendered atleast one year of service, and every worker shall be paid his regular daily wage during regular holiday, where such holiday falls on the employees' scheduled rest day, he shall be entitled to additional compensation of at least 50% of his regular wage.

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WAGE ORDER NO. 6INCREASING THE STATUTORY MINIMUM WAGE RATES AND
COST OF LIVING ALLOWANCES IN THE PRIVATE SECTOR.

Whereas, the recent adjustment in the peso-dollar exchange rate has resulted in increases in the prices of basic commodities and other goods and services.

Whereas, to enable workers to cope with price increases, it is necessary to adjust their wages to a level that will ensure a minimum standard of health, efficiency and well being with due regard to ensure increased productivity and viability of business and industry.

Now, therefore, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the authority granted me by Presidential Decree No. 1790, do hereby issue this Wage Order.

Section 1. Effective November 1, 1984, the statutory minimum daily wage rates of workers in the private sector shall be increased by ₱2.00.

Section 2. Effective November 1, 1984, the mandatory daily living allowance of workers in the private sector whose basic salary or wage is not more than ₱1,800.00 a month shall be increased by:

- a. ₱3.00 for non-agricultural workers;
- b. ₱2.00 for plantation workers; and
- c. ₱1.50 for non-plantation agricultural workers.

Section 3. This order shall not apply to the following:

- a. Household or domestic helpers, including family drivers and persons in the personal service of another.
- b. Workers in business enterprises regularly employing not more than ten workers with respect to allowances provided herein.
- c. Distressed enterprises that are granted full or partial exemptions or dererment of compliance for a period to be determined by the National Wages Council but not to exceed two years from the effectivity of this order.

Section 4. All increases in wages and or allowances granted by employers between June 17, 1984 and the effectivity of this Order shall be credited as compliance with the minimum wage and allowance adjustments prescribed herein, provided that where the increases are less than the applicable amount provided in this order, the employer shall pay the difference. Such increases shall not include anniversary wage increases provided in collective bargaining agreements unless the agreements expressly provide otherwise.

This Section shall not apply to merit wage increases and those resulting from the regularization or promotion of employees.

Section 5. In lieu of the allowances prescribed under this Order, employers may grant wage increases which shall be considered as compliance with this order, provided the amount is not less than what is required herein.

Section 6. With respect to private educational institutions, increases in Wages granted pursuant to PD 451 and /or collective bargaining agreements or voluntary employer practices may be credited as compliance with the Wage and allowance adjustment prescribed herein, provided that such increases shall have been paid on or after June 17, 1984 and have not been credited for purposes of compliance with previous wage orders.

Section 7. Where the application of the minimum wage increase prescribed herein results in distortions of the wage structure within an establishment, the employer

and the union shall negotiate to correct the distortions. Any dispute arising from wage distortions shall be resolved through the grievance procedure under their collective bargaining agreement or through conciliation or arbitration.

In cases where there is no collective agreement or recognized labor organization, the employer shall endeavour to correct such distortions in consultation with his workers. Any dispute shall be resolved through conciliation by the appropriate regional office of the Ministry of Labour and Employment. If the dispute remains unresolved after conciliation, the same shall be resolved through arbitration by the NLRC Arbitration Branch having jurisdiction over the work place.

Section 8. Learners, apprentices and handicapped workers shall be entitled to not less than 75% of the applicable minimum wage rates. Such workers shall be entitled, however to the full living allowances provided in this order.

Section 9. In the case of contracts for construction projects and for security janitorial and similar services, the increases in the minimum wage and allowances rates of the workers shall be borne by the principal or client of the construction/service contractor and the contracts shall be deemed amended accordingly, subject to the provisions of section 3(c) of this order.

Section 10. Complaints for non-compliance with this order shall be filed with the Regional Office of the Ministry of Labour and Employment having jurisdiction over the place of employment and shall be the subject of enforcement proceedings in accordance with Article 128 of the Labour Code.

Section 11. The National Wages Council (NWC) shall promulgate rules and regulations to implement this Wage Order, including guidelines on exemptions.

Section 12. This wage order shall take effect on November 1, 1984.

DONE IN THE CITY OF MANILA, this 26th day of October, 1984.

RULES IMPLEMENTING WAGE ORDER NO. 6

Pursuant to the authority vested in the National Wages Council under Section 11 of wage order No. 6, the following rules are hereby issued for strict compliance by all concerned.

CHAPTER I -- Definition of Terms

Section 1. Definition of Terms - As used in these Rules:-

- a. "Order" means Wage Order No. 6;
- b. "Council" means the National Wages Council;
- c. "Agriculture" refers to farming in all its branches and among others, includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock or poultry, and any activities performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, but does not include the manufacturing or processing of sugar, coconut, abaca, tobacco, pineapple or other farm products;
- d. "Plantation Agricultural Workers" are those employed in any plantation or agricultural establishment with an area of more than 24 hectares in a locality or which employs at least 20 workers. All other agricultural workers shall be considered as non-plantation agricultural workers;
- e. "Retail Establishment" is one principally engaged in the sale of goods to end-users for personal or household use;
- f. "Service Establishment" is one engaged predominantly in the sale of service to individuals for their own or household use;
- g. "Cottage/Handicraft Establishment" is one registered with the National Cottage Industries Development Authority;
- h. "Business Enterprise" refers to any undertaking organized for profit including retail, service and manufacturing enterprises.
- i. "Metropolitan Manila" covers the cities of Manila, Quezon City, Pasay and Caloocan and the municipalities of Makati, Mandaluyong, San Juan, Las Pinas, Malabon, Navotas, Pasig, Pateros, Paranaque, Marikina, Muntinlupa, Tagung and Valenzuela;

j. "Minister" means the Minister of Labour and Employment;
 k. "Basic Wage" means all regular remuneration or earnings paid by an employer to a worker for services rendered on normal working days and hours but does not include cost of living allowances, profit sharing payments, premium payments, 13th month pay, and other monetary benefits which are not considered as part of or integrated into the regular salary of the workers on the date the Order became effective.

CHAPTER II - Minimum Wage

Section 1. Coverage - This chapter shall cover all workers in establishments in the private sector regardless of the number of employees except;

- a. Household or domestic helpers; including family drivers and persons in the personal service of another
- b. Workers of distressed establishments when exempted by the Council.

Section 2. Minimum Wage Rates - Effective November 1, 1984, statutory minimum daily wage rates for workers in the private sector shall be increased by ₱2.00. The minimum daily wage rates therefore shall be as follows:

a. NON-AGRICULTURE	
Metro Manila	₱37.00
Outside Metro Manila	36.00
b. AGRICULTURE	
Plantation	32.00
Non-plantation	26.00
c. PRIVATE HOSPITALS	
Metro Manila	37.00
with bed capacity of more than 100	33.00
Outside Metro Manila	32.00
d. COTTAGE/HANDICRAFT	
Employing more than 30 workers - Metro Manila	27.00
Outside Metro Manila	26.00
Employing not more than 30 workers	25.00

Section 3. Workers Paid by Results - All workers paid by results shall receive not less than the applicable statutory minimum wage rates per eight hours work a day. The wage rates of workers who are paid by results may be established by the Ministry through:

- a. time and motion studies;
- b. an agreement between the employer and the collective bargaining agent as approved by the Minister;
- c. an agreement between the employer and its workers as approved by the Minister;
- d. consultation with representatives of employer's and workers organisations in tripartite conferences called by the Minister.

The rates fixed in accordance with this section shall apply in the establishment or industry covered, subject to review by the Minister from time to time.

Section 4. Minimum Wage Rates of Special Groups of Workers - The minimum wage of learners, apprentices and handicapped workers shall in no case start below 75% of the applicable statutory minimum wage rates.

All recognised learnership and apprenticeship agreements entered into before November 1, 1984, shall be considered automatically amended by wage order No. 6 insofar as their wage clauses are concerned.

Section 5. Basis of Minimum Wage Rates - The minimum wage rates prescribed by this order shall be for work of not more than 8 hours a day.

CHAPTER III - Cost of living allowance

Section 1. Coverage - This chapter shall cover all workers in the private sector regardless of their position, designation or status, and irrespective of the method by which their wages are paid, including learners and apprentices, except:

- a. Workers who are receiving a basic salary of more than ₱1,800.00 p.m.
- b. Household or domestic helpers, including family drivers and workers in the personal service of another;
- c. Workers in distressed establishments when exempted by the council.
- d. Workers in business enterprises regularly employing not more than 10 workers.

Section 2. Amount of allowance - Effective November 1, 1984, the mandatory daily living allowance of workers in the private sector whose basic salary or wage is not more than ₱1,800.00 a month shall be increased by:

- a. ₱3.00 for non-agricultural workers;
- b. ₱2.00 for plantation workers; and
- c. ₱1.50 for non-plantation agricultural workers.

Workers who are paid a wage plus commission shall be entitled to the allowance by the order, provided the wage and commission do not exceed ₱1,800.00 p.m.

Section 3. Payments of allowances - The allowances required by the order shall be paid in cash together with the regular wage on the customary pay days.

Section 4. Special Features of the allowance -

- a. Allowances granted to workers in compliance with the order need not be considered as part of the wage of the workers for purposes of determining overtime and premium pay, fringe benefits and premium contributions to the State Insurance Fund, Social Security, Medicare, pag-ibig, maternity pay and private welfare and retirement plans;
- b. In lieu of the allowances prescribed in the order, employers may grant wage increases which shall be considered as compliance with the order, provided the amount is not less than what is required by the order.

SECTION 5 - Allowance for unworked days

- a. All covered workers shall be entitled to their daily living allowance during the days that they are paid their basic wage even if unworked.
- b. A worker who is on leave of absence but is receiving employee compensation, social security, or maternity leave benefits in lieu of wages, shall be entitled to the allowance provided in the order in proportion to such compensation or benefits if the establishment has not ceased operations; provided that such workers shall be paid the full daily allowance if paid the full basic wage.
- c. The allowance of part-time workers shall not be less than the amount in proportion to the time actually worked.

Title III

WORKING CONDITIONS FOR SPECIAL GROUPS OF EMPLOYEES

Chapter I

EMPLOYMENT OF WOMEN

Art. 130. Nightwork prohibition - No woman, regardless of age, shall be employed or permitted to work, with or without compensation;

(a) In any industrial undertaking or branch thereof between ten o'clock in the morning of the following day; or

(b) In any commercial or non-industrial undertaking or branch thereof, other than agricultural between midnight and six o'clock in the morning of the following day; or

(c) In any agricultural undertaking at nighttime unless she is given a period of rest of not less than 9 consecutive hours.

Art. 131. Exceptions - The prohibitions prescribed by the preceding Article shall not apply in any of the following cases;

(a) In cases of actual or impending emergencies caused by serious accident, fire, flood, typhoon, earthquake, epidemic or other disasters or calamity, to prevent loss of life or property, or in cases of force majeure or imminent danger to public safety;

(b) In case of urgent work to be performed on machineries, equipment or installation, to avoid serious loss which the employer would otherwise suffer;

(c) Where the work is necessary to prevent serious loss of perishable goods;

(d) Where the woman employee holds a responsible position of managerial or technical nature, or where the woman employee has been engaged to provide health and welfare service;

(e) Where the nature of the work requires the manual skill and dexterity of women workers and the same cannot be performed with equal efficiency by male workers.

(f) Where the women employees are immediate members of the family operating the establishment or undertaking; and

(g) Under other analogous cases exempted by the Secretary of Labor in appropriate regulations.

Art. 132. Facilities for women - The secretary of Labor shall establish standards that will insure the safety and health of women employees. In appropriate cases, he shall, by regulations, require any employer to;

(a) Provide seats proper for women and permit them to use such seats when they are free from work and during working hours, provided they can perform their duties in this position without detriment to efficiency.

(b) To establish separate toilet rooms and lavatories for men and women and provide at least a dressing room for women;

(c) To establish a nursery in a workplace for the benefit of the women employees therein; and

(d) To determine appropriate minimum age and other standards for retirement or termination in special occupations such as those of flight attendants and the like.

Art. 133. Maternity Leave Benefits* - (a) Every employer shall grant to any pregnant woman employee, who has rendered an aggregate service of at least 6 months for the last twelve months, maternity leave of at least 2 weeks prior to the expected date of delivery and another 4 weeks after normal delivery or abortion with full pay based on her regular or average weekly wages. The employer may require from any woman employee applying for maternity leave the production of a medical certificate stating that delivery will probably take place within two weeks.

(b) The Maternity leave shall be extended without pay on account of illness medically certified to arise out of the pregnancy, delivery, abortion, or miscarriage, which renders the woman unfit for work, unless she has earned unused leave credits from which such extended leave may be charged.

(c) The maternity leave provided in this Article shall be paid by the employer only for the first 4 deliveries by a woman employee after the effectivity of this code.

Art. 134. Family planning services; incentives for family planning

(a) Establishments which are required by law to maintain a clinic or infirmary shall provide free family planning services to their employees which shall include, but not limited to the application or use of contraceptive pills and intrauterine devices.

(b) In coordination with other agencies of the government engaged in the promotion of family planning, the department of labour shall develop and prescribe incentive bonus schemes to encourage family planning among female workers in any establishment or enterprise.

Art. 135. Discrimination prohibited - No employer shall discriminate against any woman with respect to terms and conditions of employment on account of her sex. Equal remuneration shall be paid to both men and women for work of equal value.

Art. 136. Stipulation against marriage - It shall be unlawful for an employer to require as a condition of employment or for continuation of employment that a woman employee shall not get married, or to stipulate expressly or tacitly that upon getting married a woman employee shall be deemed resigned or separated, or to actually dismiss, discharge, discriminate or otherwise prejudice a woman employee merely by reason of her marriage.

Art. 137. Prohibited acts - (a) It shall be unlawful for any employer.

(1) To deny any woman employee the benefits provided in this chapter or to discharge any woman employed by him for the purpose of preventing her from enjoying any of the benefits provided under this code;

(2) To discharge such woman on account of her pregnancy, or while on leave or in confinement due to her pregnancy; or

(3) To discharge or refuse the admission of such woman upon returning to her work for fear that she may again be pregnant.

Art. 138. Classification of certain women workers, Any woman who is permitted or suffered to work, with or without compensation, in any night club, cocktail lounge, massage clinic, bar or similar establishment, under the effective control or supervision of the employer for a substantial period of time as determined by the Secretary of Labor, shall be considered as an employee of such establishment for purposes of labor and social legislation.

Chapter II

EMPLOYMENT OF MINORS

Art. 139. Minimum employable age - (a) No child below 15 years of age shall be employed, except when he works directly under the sole responsibility of his parents or guardian, and his employment does not in any way interfere with his schooling.

(b) Any person between 15 and 18 years of age may be employed for such number of hours and such periods of the day as determined by the Secretary of Labour in appropriate regulations.

(c) The foregoing provisions shall in no case allow the employment of a person below 18 years of age in an undertaking which is hazardous or deleterious in nature as determined by the Secretary of Labor.

Art. 140. Prohibition against child discrimination - No employer shall discriminate against any person in respect to terms and conditions of employment on account of his age.

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By:

Datu Nooh T. Jainal, Regional Chairman,
Pambansang Kilusan ng Paggawa-Kilusan TUCP.

1.0 INTRODUCTION

This paper essentially presents the critical conditions in the different plantations in the Philippines in so far as the plantation workers are concerned. It underscores the need to respond more seriously to their present plight, from both the government as well as plantation owners' ends, possibly through the institution of legal and other mechanism designed to promote maximum welfare and other improvements. It may be emphasized that the bulk of exported agricultural commodities (e.g. coconut products, sugar, among others), that earn for the country a sizeable amount of needed foreign exchange, come from plantations where such workers are employed.

Specifically, the paper examines the general status of plantation workers and the prevailing conditions that characterized it, particularly with respect to the benefits that should accrue to them. This takes into account the multifarious problems that currently beset these workers which has been consistently pointed out in an extensive interview process conducted for the purpose. This actually became the basis in the formulation of policy recommendations or specific courses of action aimed at alleviating the working and living conditions of the plantation workers.

2.0 THE WAGE SITUATION

2.1 Analysis of Plantations Wage Pattern and Implications

In monetary terms, wage levels of plantation workers appear to have been legally fixed on a more reasonable scale when compared to ordinary agriculture workers which evidently trailed behind by as low as 45%. In a series of wage order issuances, the gross pay of plantation workers was increased at an average rate of almost 10% per issuance. In 1981, it was set at ₱884.77 which was subsequently raised four times in 1983 up to a level of ₱1,192.00 and thrice in 1984 up to a maximum amount of ₱1,684.08. The gross pay consists of a basic wage and the emergency cost of living allowance (COLA) as indicated in the wage order of the Ministry of Labor and Employment. It will be noted that the COLA rate was reduced by 50% in 1984 in favour of an increase in the basic wage. The move significantly purported to pull up the wage base which is the basis of computing insurance and other benefits.

In real terms, however, the level of pay increases above mentioned fell below the price increases in basic commodities. While the gross pay were practically doubled in a span of three years, the price of basic goods and services more than tripled during the same period. This means that the number of basic items that the plantation worker can buy for his family in 1981 went down by as much as 60% towards the end of 1984. Meanwhile, the health status of their children in particular is worsening. A large number of them are suffering from severe malnutrition. Access to education and other services has generally gone poor, majority of their houses are of substandard quality.

What exacerbated the situation is the fact that the take home pay is lesser by an average of 20% of the gross, which usually accounts for a lot of deductions required by the Marcos government (i.e. PAG-IBIG contributions, etc.). It is even more sad to note that in most cases, the payments of wages are reportedly delayed on a frequent basis. Moreover, random interview of plantation workers reveal that, in some cases, workers are illegally terminated in addition to non-payment of wages.

1-Plantation refers to farm or agricultural establishment whose area exceeds 24 hectares with a minimum employment of 20 workers.

The pervasiveness of poverty as well as the scarcity of alternative employment opportunities make the plantation workers almost helpless to the exploitation of a number of unscrupulous plantation owners. Unlike in a few areas, particularly in Southern Philippines, the situation is considerably fair where the workers' rights and welfare are relatively taken care of. The overall situation makes them an easy prey to the insidiousness of insurgent campaigns. Reliable sources indicate that about 60% of all the plantations were infiltrated.

Levels of Monthly Minimum Wage and Emergency Cost of Living Allowance (COLA) of Plantation Workers, 1981-84.

MOLE Wage Order No.	Date of Issuance	Wage	COLA	Gross Pay
1	3-22-81	P 554.77	P 330.00	P 884.77
2-A	7-16-83	587.40	375.00	962.40
2-B	10.1.83	587.40	405.00	992.40
3-A	11.1.83	620.00	495.00	1,115.00
3-B	12.1.83	652.00	540.00	1,192.00
4	5.1.84	1,011.00	270.00	1,281.00
5	-	1,100.00	420.00	1,520.00
6	11.1.84	1,174.00	510.00	1,684.00

Source: Ministry of Labour and Employment (MOLE)
Region IX, Zamboanga City, Philippines.

2.2 The implementation of Wage Policies

The wage policies of the government generally assumes a protective task through the legislation of a minimum wage as well as other measures designed to correct malpractices in wage payments. It seeks to encourage productivity improvements by putting in place a just and good working environment.

Over the years, wage policy directions indeed made an impressive footing in protecting the workers' interests. However, the extent to which they were enforced ostensibly fell short of expectation. The mechanism failed to contain and correct the irregularities that followed. In some instances in the past, cases that are accordingly reported to authorities end up with damaging consequences for the workers. Aside from a loss of job, the court finds himself at fault for which he will be penalized more. Hopefully, however, wage justice will be finally realized under the new administration which now considering a more radical, effective and far-reaching incentive and other encouraging arrangements. There is a meaningful recognition of the contribution of labor in production.

2.3 Wage structure in plantation

Like other industries, wage levels in the plantation vary from job to job (e.g. weeding, fertilizer application, harvesting, others) depending on required inputs and conditions with which a given task is performed. This essentially establishes a sense of fairness and equitability in the wage structure. In bigger plantations that entail farm supervisors, wage differentials are more pronounced by levels of position. This takes into account the physical and mental effort required, skills, experience, amount of responsibility borne, length of service and even past performance/accomplishments. It is, of course, conditioned by farm performance in terms of productivity and financial returns. In smaller plantation, however, wage structuring is apparently tighter. It tends to be more oppressive in design most of the time. At this point, it is important to note that small plantations comprise about 80% of all plantations in the country which

employ about 71% of the plantation working population estimated at approximately 2.8 million in 1984.

3.0 Other legal conditions

3.1 Hours of Work

Legally all plantation workers are required to render work for eight hours a day. In emergency cases, however, they may be required by their employer to work more than the prescribed time, for which they will be paid the corresponding overtime pay.

3.2 Weekly Rest Period

It is the duty of every plantation owner, whether operating on profit or not, to provide each of his workers a rest period of not less than 24 consecutive hours after every six consecutive normal days.

3.3 Holiday, Service Incentive Leaves and Service Charges

Every worker is supposed to be paid his regular daily wage during regular holidays which is equivalent to twice his basic pay. If he does not render service, he will be paid just the same of his regular basic pay. In the case of special holidays, the worker is entitled to an additional pay of only 30% of his basic pay.

3.4 Other Benefits

In addition to insurance and the like, this includes the payment of 13th month pay or 1/12 of the total earnings in one year excluding allowance and overtime and five days incentive leave with pay for year of service.

4.0 Women Workers and Youth participation

In most plantations, other members of the family of plantation workers are tapped in plantation activities especially during peak periods (eg. cooking, packaging for fruits and other deliveries, harvesting, among others). These are women and minors that seek to augment the meagre family income for survival and other reasons. Still in most instances, both the plantation worker and his wife are employed on a regular basis. It may be mentioned at this point that a worker usually has an average of six children to feed, clothe and educate.

Under the Philippine laws, minors are actually not allowed to work with or without compensation. Due to a compelling necessity, however, this is normally tolerated except in cases of unjust arrangements where there is an over exploitation. For women, the condition of a regular employment includes a rest period of not less than nine hours, otherwise she will not be permitted to work even without compensation. The women should be given maternity benefits up to four children. They should be registered in the social security system and medicare programs and they should be entitled to sick leave allowance and rest day allowance.

5.0 Conclusion

5.1 The situation in Philippine plantations is widely characterized by malpractices in the payment of wages and other benefits and unfair term of employment. These include delayed payments, underpayments and even non-payment of wages and benefits. Insurance premiums are usually not remitted. A simple complaint may even cause his termination, most of which are done on an illegal basis. The workers are left at the mercy of unscrupulous plantation owners. In the previous years, the worker is always bound to lose even in government courts due to lack of financial resources to back up any complaint and fear of a loss of job as the primary source of livelihood.

By:

Ms. Diolinda C. Labar,
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(NACUSIP)

- 5.2 The average family income is generally inadequate to sustain a decent level of living. In most instances, the traditional workers are forced to borrow from usurious sources just to maintain his family which, in a way, permanently buries the family in a destitute condition.
- 5.3 As a result, plantation workers can hardly bear the cost of health, education and other basic services for themselves and their families. The general health and nutrition condition is way below par.
- 5.4 In large measure, the foregoing have subsequently dampened farm productivity levels, thereby depressing the already low market performance of a number of crops, i.e. sugar and coconut products. This does not discount the fact that previous productivity levels are still relatively low due to the poor assimilation of technological advances in the production process of most farms, particularly the small plantations.
- 5.5 The gravity of the overall condition in Philippine plantations generally led the workers into an intolerable level of discontentment and desperation. This essentially explains the massive participation of the workers in subversive movements,

6.0 Recommendations

- 6.1 A more aggressive government intervention that will address the prevailing problems in Philippine plantations should be put in place. The package of programs and services should include the delivery of basic social amenities, a strict enforcement of plantation-related labor laws and a direct government attention that will carefully scrutinize the workings of plantation owners' management practices.
- 6.2 Workers' union should be organized, preferably federated on a national scale, in order to institute a strong bargaining power thereby reinforcing the protection that the government gives them.
- 6.3 There is a need for additional fringe benefits to be accorded to plantation workers. These should include, among others, a reasonable amount of housing and medical allowance.
- 6.4 A continuing orientation training program and application of appropriate technological developments should, whenever possible, be pursued in order to institute plantation productivity improvements.
- 6.5 More specific studies on plantation operation, particularly with respect to the continued status of plantation workers, should be consistently encouraged on an independent and micro basis. An institutional mechanism need be established for the purpose, i.e. an efficient information system.
- 6.6 A harmonious and cooperative relationship between the workers and owners shall be promoted through persistent government intervention and arbitration.
- 6.7 In plantations where the workers are tenants themselves, a fair arrangements for the smooth application of the government land reform program should be put in place.

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Located south of Taiwan and north of Borneo, the Philippines is composed of 7,100 islands with a population of 55 million in an area of approximately 115,026 square miles. It is divided into 3 main groups of islands, namely: Luzon, Visayas and Mindanao. While there are several local dialects spoken, depending on the region "Tagalog" is the national language.

The Philippines is very rich in natural resources. Although the country exports several mineral products, coconut and sugar are among the principal agricultural exports.

Among the various labor federations catering to the sugar workers, NACUSIP has one of the biggest membership. NACUSIP was organized on 18-19 August 1965 at the then Asian Labor Education Centre of the University of the Philippines, Diliman, Quezon City.

The principal objectives in forming NACUSIP, which are reflected in its Constitution and By-Laws, are to promote industry-wide bargaining; standardization of the wage rates and benefits of sugar workers; undertake continuing labor and cooperative education programs; engage in and promote socio-economic undertakings etc, all designed to improve the general welfare of the sugar industry workers and their families, as well as to encourage the participation of its member-unions in community and national development efforts. NACUSIP membership now approaches the 200,000 mark out of approximately 450,000 - 500,000 sugar industry workforce.

NACUSIP actively participated in 1968-69 in the establishment of the Social Amelioration Programs of the Sugar Industry that has continually created cash bonuses and funded varied livelihood projects and scholarships for their children, either through the efforts of their labor unions or through the programs of the Sugar Industry Foundation, Inc. (SIFI). NACUSIP has been principally instrumental in recently increasing the Social Amelioration Bonuses of the sugar workers and the establishment of a Death Benefit Program which provides a ₱2,500.00 burial assistance to the heirs of a deceased sugar worker.

NACUSIP has also actively participated in the various National Tripartite Conference in the Sugar Industry, which conferences resulted either in the grant of additional benefits to sugar workers or in resolving the problems of the sugar industry.

In the Philippines, there are labor legislations applicable to sugar plantation sector in respect of wage determination embodied in Wage Orders 2,3,4,5 & 6 of the National Wages Council and other labor standard laws, issued to enable workers to cope with inflation generated by the series of peso devaluation in 1983 and 1984. Also special legislations have been applied to women workers in the plantation sector such as the Labor Code of the Philippines promulgated May 7, 1974 with Articles 130 on Nightwork prohibition on enumerated circumstances; Art. 132 - Facilities for women (e.g. seats, separate toilet rooms and lavatories, for men and women, and putting up of nurseries etc.); Article 133 - Maternity leave benefits; Article 134 - Family planning services and incentives for family planning; Article 135 - Prohibition against discrimination.

The majority of working women remain in a narrow range of occupations and sectors, characterized by low pay and poor working conditions.

In general, youth in the Philippines especially in the plantations work in relatively unskilled routine and low paying jobs or non-paying "apprenticeships" that fail to provide adequate training or future employment possibilities.

Youth in the plantations cannot always cope because of less education and vocational guidance. They are under-represented in many occupation preferably in the plantation which are the shortcoming of education and training systems,

To combat unemployment, NACUSIP, as one of the big labor federations, has actively organised youths in the country and introduced them to various socio-economic programs and income generating jobs like:

1. NACUSIP - Tailoring & Dress making Course sponsored by IFPAW and DANIDA which graduated more than 300 young students from January 1982 to the present.
2. Agricultural Skills Training and Development Program sponsored by NACUSIP-TUCP & AAFLI where children of workers are trained and provided with seed capital ranging from \$6,000.00 to \$12,000.00 for the implementation of their projects.
3. ANAK-NACUSIP - have been organised for the youth to help develop themselves and their communities.

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COUNTRY REPORT - SRI LANKA

By:
Lanka Jathika Estate Workers Union.

INTRODUCTION

The Socialist Democratic Republic of Sri Lanka earlier called and known as Ceylon and by many other names at various intervals was inhabited even before the year 500 B.C. and has a historical record, which reveals three very important events.

- a. The Indian Epic "Ramayana" describes an invasion of Ceylon by "Rama" the North Indian Prince to rescue his wife "Sita" in the year 483 B.C.
- b. The other event is the settlement of Prince "Vijaya" and his 700 friends which is described in the "Mahawansa" the Historic Encyclopaedia of our olden times.
- c. The third event is the introduction of Buddhism by the Great Indian Emperor Asoka's son Mahinda in the year 247 B.C.

Sri Lanka is predominantly an agricultural country. Major land are under paddy cultivation the staple food being rice. The major export crops are tea, rubber, coconut, tobacco, cinnamon, cocoa, cardamons and arecanut.

THE LANKA JATHIKA ESTATE WORKERS UNION

This Union was formed in the year 1968 by His Excellency J.R. Jayewardene, only with a few members. Today it comprises the largest number of plantation workers and the largest plantation trade union in Sri Lanka.

The administrative functions of this union is divided into seven main Departments as follows:-

- a. Administrative Department
- b. Industrial Relations Department
- c. Legal Affairs Department
- d. Workers Education Department
- e. Finance Department
- f. Statistics Department
- g. Publication Department

The General Secretary conducts the activities from the head office in the Capital City of Sri Lanka, Colombo. The administration, Finance, Industrial Relations, Legal, Educational, statistical and publication department functions at head office under the sectional directors and/or heads of the department.

There is nine regions spread in the plantation provinces, and fifty two districts which are manned by these nine regional officers and several district and Industrial Relations Officers. There are over 2100 branches in the plantations at grass root level.

PLANTATION

Sri Lanka is only 133186 kilometres of which over 2500 sq. kilometres are inland water, constructed mostly by the ancient Kings and the present government with the Financial assistance of various friendly nations.

PADDY

Paddy is our prime crop cultivated in 520,677 hectares and after the construction of main dams such as Victoria and Kotmale several thousands of hectares are coming under the plough.

THE MAIN EXPORT CROPS

TEA

Major foreign exchange earner tea is cultivated in 259,473 hectares and after the land reform law in 1972 came into operation, around 200,000 hectares are managed by the two major state owned organisations the Sri Lanka State Plantation Corporation and The Janatha Estates Development Board.

RUBBER

It is followed by rubber in 227,373 hectares.

COCONUT

The third largest exchange earner is coconut which is cultivated in 250,464 hectares. The aforesaid plantation corporation (SLSPC) and the Board (JEDB) manages these plantations.

TOBACCO

Tobacco is cultivated in around 20,000 hectares by private individual farmers, mainly for cigarette manufacture and the Ceylon Tobacco Company purchase these tobacco and manufacture the export quality for cigarettes and for pipe smokers.

The chewing tobacco is manufactured by private farmers for our own use. Similarly cigar a local product of tobacco smoke, too is manufactured by our own small holders.

CINNAMAN

Cinnamon is cultivated in around 10,000 hectares by individual private farmers and the bulk of it is exported.

COCOA

Cocoa is cultivated in 10,000 hectares mainly for the manufacture of chocolate and only a small quantity is exported now, after the Sri Lanka chocolate companies are formed in 1970.

CARDAMON

Cardamon is cultivated mostly in small home gardens in various parts in an area of around 2000 hectares and it is exported after the local consumption.

ARECANUT

Arecanut is cultivated as a by crop around the gardens as fence. A survey conducted by the Sri Lankan Agricultural Department in 1964 gives an account of 20,000 hectares for this crop.

OTHER MINOR EXPORT CROPS

Cloves, pepper, chillies, soya and spices are cultivated in small scale and after the local consumption the balance are exported to other countries.

RE FOREST AND TIMBER

The present government under the Minister of Land Development, and able guidance of Hon. Gemini Dissanayake the Minister and our Trade Union President, had started a major endeavour of re-foresting the raped jungles. The national forest which consist 2/3 of the land had been raped in the past several years without any plan for the future and now the country is facing a major water problem due to inadequate rain fall and if no action is taken the entire country will suffer very soon.

Timber which was self sufficient earlier is now being imported due to the above factor.

Paper is manufactured in small scale with our own raw material. This is a new area and several hundreds of hectares are planted with papyrus tree in the hill country.

THE LIVING CONDITIONS OF THE PLANTATION WORKERS.

The plantation workers in Sri Lanka are either resident or non-resident workers.

Mainly the resident workers are of Indian Origin and the non-resident are Sri Lanka villagers.

The living conditions of the plantation workers were much worse earlier and it has been improved now.

The line rooms of the olden days were "back to back" or "barrack" type with one entrance and one room. There were common latrines and water one or two taps for around 24 rooms or a well in a common place for use of drinking and bathing and domestic purposes.

The rooms are highly unhygienic and there were no ventilation. Most of these sets of the line rooms were over one hundred years and are beyond repairs. Since 1970, steps were taken to re-build these line sets with a cottage type of quarters for the estate resident workers. Several foreign nations assisted to uplift the living conditions of the workers and since 1977 a proper plan was followed. Now about 20% of the plantations living conditions have been improved. The living conditions of the workers, providing them with a living room, a verandah, a kitchen and a latrine. Each of these cottages are provided with pipe borne clean water. But this programme should continue for atleast 5 more years to provide all the living quarters these facilities. The amount allotted are drastically cut due to the tea and rubber market prices coming down in the recent past.

The state organisations which had started to improve the living conditions in the plantations are rather slow or weak or lazy to fulfil the task assigned to them.

On an investigation carried out by our organisation the LJEWU, we were able to witness that the fund allotted are either not used for this purpose or misused. Most of the buildings are constructed and allowed to deteriorate. By this act the entire work had to be recommissioned on a later date.

Some cottages built for the workers are either given to staff members or used for other purposes such as stores, shops etc. The authorities had not given any heed to these complaints.

WAGES DETERMINATION

The wages for the workers in the plantations were earlier determined by the employers. The following chart will indicate how the wages of the plantation workers were determined before the formation of the wages board, the formation of trade unions and after 1977 by the present government.

CHART (A) WAGE INDEX NUMBERS

YEAR	TEA AND RUBBER ESTATE WAGES FOR MALE WORKERS	YEAR	TEA AND RUBBER ESTATE WAGES FOR MALE WORKERS
	<u>Rs. Cts.</u>		<u>Rs. Cts.</u>
1939	00.41	19	1962
1940	00.41		1963
1941	00.45		1964
1942	00.68		1965
1943	00.73		1966
1944	00.87		1967
1945	01.00		1968

1946	01.15	1969	03.01
1947	01.20	1970	03.03
1948	01.29	1971	03.10
1949	01.31	1972	03.22
1950	01.53	1973	03.55
1951	01.90	1974	03.88
1952	01.92	1975	04.18
1953	01.95	1976	04.27
1954	01.99	1977	04.33
1955	02.02	1978	04.36
1956	02.08	1979	08.78
1957	02.10	1980	09.21
1958	02.43	1981	16.18
1959	02.43	1982	16.42
1960	02.43	1983	16.48
1961	02.40	1984 up to March	18.01
		1984 on April	23.75

The wages for the plantation workers are paid on a daily rate the days they report for work only.

The above chart (A) will indicate that in the pre independence era the workers were paid only in cents and not Rupees.

The plantation trade unions agitated for better wages from their inceptions and in 1941 by the Ordinance No.27 of 1941 the Wages Board were formed legally. But even then the plantation workers were paid only minimum wage. The disparity between the male and female workers continued up to April, 1984.

We are proud to mention that our Union the LJEWU was able to get equal wages for men and women in the year 1984 after a discussion with His Excellency the President who is also the Minister for the Sri Lankan Plantation Management Corporation the SLSPC and the Board the JEDB. Our Union is still in the process of obtaining a living wage for the plantation workers which will consist of the following components:

- The minimum wage
- The cost of living
- The price wage supplement

A committee headed by the Minister of Labour is sitting with the major plantation trade unions and the plantation management agencies. The wages are determined by the tripartite body today comprising equal number of employer representatives, employees representatives and the government representatives.

Annual increments are not given to plantation workers but the wages vary due to the change in the cost of living index.

The bonus is paid annually for attendance based on the following two systems. The annual bonus and the attendance bonus.

CHART 'C'

Annual Bonus for a plantation workers

Up to 71 days	Nil	Up to 65 days	Nil
72 to 143 days	4 days wages	66 to 131 days	4 days wages
144 to 215 days	8 days wages	132 to 197 days	8 days wages
216 to 287 days	12 days wages	198 to 213 days	12 days wages
288 to over days	17 days wages	214 and over	17 days wages

ATTENDANCE BONUS FOR A PLANTATION WORKER

If 85% of the days work offered	= 24 days wages
Over 75% up to 85% of the days work offered	= 12 days wages
Less than 75% of the days work offered	= Nil

The wages are determined by the Wages Board. At present there are over 24 Wages Board for

FOR PLANTATIONS THE FOLLOWING WAGES BOARDS ARE FUNCTIONING

- Beedi Manufacturing Trade
- Cigar Manufacturing Trade
- Cinnamon Trade
- Cocoa, Cardamon, and Pepper growing and Manufacturing Trade.
- Coconut growing Trade,
- Coconut manufacturing trade
- Coir mattress and bristle fibre export trade.
- Rubber export trade.
- Rubber growing and manufacturing trade.
- Tea export trade,
- Tea growing and manufacturing trade.
- Tobacco trade.

WOMEN WORKERS

The plantation women workers are a lot suffering in silence since the inception. Though 60% of the workforce in plantations are women and most of them do more than 8 hours work a day upto April 1984, they were paid lesser wages than the men.

The following table will show the discrepancy in payment of wages for men, women and children in the plantations.

WAGES FOR TEA AND RUBBER PLANTATION WORKERS

MARCH 1984

		Rs.Cts.
Tea Plantation	Male worker	18.28
	Female worker	15.27
	child worker	14.65
Rubber Plantation	Male workers	19.76
	Female worker	16.93
	child worker	16.35

IN APRIL 1984 - AFTER THE LJEWU GOT EQUAL WAGES

Tea Plantation	Male worker	23.75
	Female worker	23.75
	Child worker	20.21
Rubber Plantation	Male worker	23.90
	Female worker	23.90
	Child worker	20.36

The other area is Maternity Benefits payments for the plantation workers.

The Shop and Office employees are given 3 months paid leave as maternity benefits but the plantation women were given either.

- 6/7 of 42 days wages as ordinary benefits or
- 4/7 of 42 days wages as alternative benefits under the Maternity Benefits Ordinance.

Now this law is amended to provide for:

- 6/7 of 84 days wages for the 1st and second confinement as ordinary benefits and
- 4/7 of 84 days wages for the 1st and second confinement as alternative benefits and additional children the older scheme is followed.

THE YOUTH

Here too the wage structure differs. The youth is called a child worker and up to 18 years he/she is paid a lesser wages than men or women

The plantation workers health is looked after by the plantation authorities. There are difference in the health care between the ordinary citizen and a plantation worker. The plantation hospitals, maternity wards and the dispensaries are manned by semi qualified medical personnels called the estate medical assistants. The Government approve these personnels to treat the plantation workers/their children and dependents only. An approved estate medical assistant could treat the estate population only until he is employed in an estate. For this the Government grants an approval, but the day he leaves the plantation he is debarred from treating any one as the approval is only for treating the plantation workers.

The safety of the plantation worker is not properly secured. They are exposed to dangers in the working places either in the fields, factory or nursery etc.

EDUCATION

The plantation education system too was similar to the health system upto 1974. They had semi qualified teachers for plantation schools in comparison to the teachers in the Government Education Department or private owned, approved schools.

Since 1974, this system changed due to all the plantation schools being absorbed by the education department and these semi qualified teachers have been replaced with fully qualified teachers.

The standard of education needs to be improved.

APPLICATION AND CONTROL OF PESTICIDES

Since 1960, the plantations used more chemicals than before.

More weedicides are used in the plantations and equally the insecticides are sprayed. The workers are not protected from these spray nor the men at work are given the necessary guard, to cover themselves, with when at work. Several new diseases and damages to the vision are noticeable in the plantations. The dangerous chemicals are just sprayed without proper supervision.

CONCLUSION

In the plantations the living conditions, wages benefits to women workers and future improvement to youth in health, sports, housing, education, safety and the other fields such as security of employment, monthly wages, promotional opportunity and equal treatment with the other citizens should come in the near future as the youth are frustrated. The plantation trade unions should form a joint committee to fight these issues without getting themselves divided for their own benefits.

On the other hand the producing nations should form into a joint front and demand better returns for their crops rather than allowing the middle man to monopolise the trade.

If the producing nations could join hands and demand better deal, they will be able to up-light the plantation working class from their present conditions and give them better facilities as enjoyed by the workers in the other sectors.

Let us Unite. Long Live The Workers' Solidarity.

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By:

K. Sathasivam, Ceylon Workers' Congress.

In Sri Lanka the major economy is the Tea, Rubber and coconut and these products are bringing over 60% of the foreign exchange to our country.

Tea is grown in the up country and rubber and coconut are grown in the low country. In the plantations there are about 7,00,000 employed persons and majority of the plantations workers are of Indian Origin, who came from the Southern part of India when this country was ruled by the British. When these people came from India, the Central Province of this country was a big jungle but with the hard work and sacrifice of Indian workers this central province was cultivated with Tea. Since then tea became the major product of Sri Lanka.

The plantation workers who were brought by the colonial masters through the so called Head Kanganies were employed in various tea estates and there are historical back ground for these workers. They were employed in tea estates as daily paid workers and they were paid very low wages till 1984 by the colonial masters as well as by the Government of Sri Lanka who are the present owners of tea estates.

In the early days, the plantation workers daily wage was just 25 cents per day and there was a child rate as well, also there were differential in the wage rates between men and women. In the beginning of plantation history the workers were allocated with barack line systems which still exists even after 200 years. There were no proper working and living conditions in the past.

As regards the living conditions, the plantation workers are still living in barack lines which were built more than 150 years ago. As per the Indian Labour Ordinance there are certain provisions in the Law with regard to the Health conditions of the workers, but those provisions are not in force. Two working members and their two children or more were allocated with single line room its extent is 10 x 8 and there is no proper sanitation and ventilation and as a result the plantation workers are subject to fall into many kind of disease and these conditions led to serious health hazards in the past. Also there were no proper facilities, community bathing centre, child care centre etc. in the beginning of the history of the plantation workers, although there is provision in the law.

As regards working conditions, the plantation workers commence their work in the early morning and complete their work in the evening at about 5.00 p.m. and the men workers are employed from morning till 2.00 p.m.

In the plantation, 95% of the workers are organised by Trade Unions and 5% are un-organised labour force. The Trade Unions entered into the plantations in 1939 and the first plantations Trade Union was the so called the Ceylon Indian Congress which was introduced in the plantation by the late Prime Minister of India the Hon. Jawaharlal Nehru for the welfare of the Indian Origins and this Union was later named as "CEYLON WORKERS CONGRESS" which is the major Trade Union in Sri Lanka consisting of 500,000 members in the plantation sector under the leadership of Hon. S. Thondaman, the Minister of Rural Industrial Development in the Sri Lankan Government. After the Trade Unions got involved in the plantation workers activities, there were lot of significant changes in the living of working conditions of the plantations workers. After many struggles by the plantation workers the following significant achievements were made by our Trade Unions;

1. The estates were nationalised by the Government.
2. There were lot of changes in the working conditions.
3. Reasonable improvements in the living conditions such as modern houses, child care centres, adequate medical facilities, modernization of barack lines, sufficient water services, reasonable amount of latrines.
4. Wage increments, equal wages, annual holiday wages, attendance bonus, Employees Provident Fund, Employee's Trust Fund, Maternity Benefits, Funeral expenses, overtime, extra rate etc.

5. 6 days work in a week, reasonable task, free feedings upto 12 years, free education, modern schools etc.

The tea plantation was nationalized by the Government in 1975 and since then there were lot of improvements as well as lot of negligence in the plantation sector.

Improvements: Living and working conditions were improved to a certain extent.

Negligence: Mis-management in certain estates. Neglecting productive tea area.

The plantation workers are employed as daily paid workers and their wage increment is being decided by the wages Board which is formed by law by the Minister of Labour and this wages board consists members from the Trade Unions, from the Employers and from the Government, but this wages Board in our country is not functioning after the year 1984 for the plantation sector where the plantation workers went on 10 days strike for their wage increment and equal wage under the leadership of Mr. S. Thondaman, the President of Ceylon Workers Congress and achieved equal wages and 6 days work in a week.

The present basic wage for the men and women is 23/78 and for the children is Rs.20/77.

Living allowance and other special allowances are considered by the Government according to the cost of living of the country from time to time. Certain category of workers are paid over time and special rate for special work such as supervisory Kangany, Factory Pruning, line sweeping and chemical spraying and these rates are not covered by law.

There is no procedure of giving annual increments to the plantation workers but all the increments are achieved through annual increments as such.

There was wage differentiation between men, women and child for equal work till April, 1984 but after the 10 days struggle of the plantation workers they were given equal wages and there is only a differential in the child wages who are employed at the age of 14.

The plantation workers are paid with the following bonus and incentive

1. Annual Holiday wages; for 17 days, 12 days, 8 days and 4 days. This is being calculated according to the provisions of the wages Board Ordinance.

2. Attendance Bonus - This is being calculated according to the number of days a worker has worked in a year. i.e. for 75% 12 days wages and for 85% and above 24 days wages.

3. Maternity benefits: 72 days wages are paid for the first and second child and 36 days wages for the 3rd and the above.

4. Extra rates, over time and over poundage rate.

In the tea plantation the special problem concerning, women workers are the working hours and norm.

a) As far as the working hours concerned, the women workers are working 9 hours including their lunch break, but the men are working only 6 hours in the plantation. Women commence their work at 7.30 a.m. and complete their work at 4.30 p.m. and also there are less intervals for tea break and to feeding their infants.

b) Norm: Although women workers have to work 8 hours, the estate managements are very strict in the norm, the norm is variable according to the crops and this some times creates problems in the plantations and estates to estates the norm is different and as a result the women workers who are employed to pluck the tea leaves are deprived of their extra earnings such as over poundage rate.

In the plantation the youth un-employment has become a major issue at present as most of the plantations youths who had been working in the various parts of the Island had returned to the tea plantations are seeking employment in the tea industry. It is a problem to solve this dispute as the management has to offer 5 days work in a week and also the Indian repatriates who have their Indian citizenship under the Srma Shasthri Pact continue to live in the plantations due to the non-availability of ferry services between Sri Lanka and India as a result of the prevailing ethnic problem of this country. Another reason for the un-employment is that the Government is gradually taking over the tea lands and converting as rural areas for resettlement of the citizens of this country and also for growing timber and other alternative food products.

The Government departments incharge of the application and control of pesticides in the plantation industry give necessary advice and guidelines to the plantation workers with regard to the use and application of pesticides.

We as the major trade union in the plantation industry, have to play a vital role to over come the above problems and, to a certain extent, we have achieved our goals to over come the said problems. Presently, we are in the process of negotiations with the Government as regards the working hours and the norm set out for the women workers in the plantation industry.

With regard to youth un-employment we have started our own technical institute in collaboration with the ILO and the Japanese Trade Union to create more employment for the youths in skill work without making them to wait for employment in the plantation sector and also through negotiations we are finding employment to the youths in the plantation industry.

By:
Plantation Workers' Committee of the Republic of China.

The nature of plantation industry in Taiwan Province of the R.O.C.

The Island of Taiwan lies in the subtropical zone with its temperate climate and mountains. It is endowed by nature for the growing of a number of crops.

Over the last 40 years, sugar was regarded as the mainstay of Taiwan's economy, sugarcane plantations were owned by the Taisugar, state-owned enterprise. Besides, forest in Taiwan has since focussed on the conservation of forest resources, Taiwan Forest Bureau has managed the national forested land as possible, to protect forest and mountains. Therefore, Taisugar and Taiwan Forest Bureau conscientiously carry out their duties to both plantation's employees (salaried workers) through their trade union in order to improve the labour welfare and help the workers solve their problems.

Rice and the other cash crops are grown by privately owned farms. Farmers are free to plant what they wish, besides their farm work they often take part in the plantation work as their part-time job. Taisugar and Taiwan Forest Bureau contract the plantation work to Labor Cooperative society who shall be liable for the responsibilities and take care of these part-time wages workers.

The total Labour Force

According to the data released by the end of April 1986, the population in Taiwan area is just over 19 millions. The labor force (labor participation rate) is 60%. Among them, 1,627,500 persons are the members of Chinese Federation of Labor.

The size of the plantation workers are:

- a. According to crops:
 - Sugarcane and pasture plantations - 7,251 persons
 - Forestry plantations - 4,269 persons
- b. According to sex:
 - Male workers - 10,734 persons
 - Female workers - 786 persons

The special labor legislation

To provide minimum standards of labor conditions, protect workers rights and interest, strengthen labor management relationship, and to promote social and economic development, the labor standards law (LSL) of ROC was enacted. The LSL was promulgated on August 1, 1984 by the Ministry of Interior of ROC. Under the old regulation only salaried workers of agriculture and forest plantation are included. By this time, the LSL shall be applicable to wages workers. So, there is no need to change or modify.

Minimum (basic) wages is determined by competent authority (the Ministry of Interior at the Central level).

- a. The Minimum Wage determined according to:
 - 1. National economy condition
 - 2. Whole sale price of commodities
 - 3. GNP
 - 4. Labor productivity
 - 5. The payment under employers
 - 6. Income and disbursement of labor family

The Wage Board/Committee:

According to the LSL supplementary provisions, a business entity shall convene labor management conference to coordinate the relationship and promote cooperation

between management and labor as well as to increase labor work efficiency.

The minimum wage is effective in any line of business including the plantation.

The current minimum wage is Nt\$6,150/ month.

ORGANISATION OF LABOUR

12,000 persons of both Taisugar and Forest Bureau salaried workers are hundred per cent organized in Labor Unions. Most wages workers are independent farmers temporarily hired by employers as their part-time job including hourly, daily, monthly or piece work basis. They are gradually organized in Labor Cooperative Society since this organisation was formed after the promulgation of the LSL on August 1, 1984.

CONCERNING THE SALARIED WORKERS:

Taisugar and Forest Bureau are keenly concerned with the welfare of their employees, providing them and their dependents with medical care, life insurance protection, retirement pensions, compensation for disablement and death on duty, advanced studies, recreation, and so on, to stimulate them to put in every effort to advance the sugar industry and forest reservation in Taiwan as a whole.

CONCERNING THE WAGES WORKERS:

Labor Cooperative Society shall be liable for the responsibilities of the LSL endowed to workers. Besides, the government took a number of measures to implement various projects, to boost the income of independent farmers as well as the farmers took part in the plantations work with temporary, special or seasonal labor contracts or non contract.

SPECIFIC PROBLEMS CONCERNING YOUTH EDUCATION AND EMPLOYMENT:

Labor education and specific training are also provided to meet urgent business requirement and employee's recreation by both workers' unions from time to time.

At present, the rural youth development programme stresses the importance of providing farm youths with intensive professional training and assisting them in starting their own business and bettering their farm management. It further promotes participation in proper recreational activities, the establishment of 4-H club members enters the organisation of camping and other events for 4-H club members. In any event, the program is designed by local farmer Associations to enable farm youths to learn by doing and to work by learning.

THE EXTENT OF UNEMPLOYMENT AMONG THE YOUTH:

In the mid 1960's the nation's economy started to undergo a major change. Industry and commerce advanced tremendously. Agriculture began to face the problem of labor shortages, so there is no unemployment problem among the rural youth.

SUGGESTED ISSUE FOR DISCUSSION AT THE SEMINAR:

How to introduce the training program to farm youths? Because the future agriculture and rural development will have to depend on a large pool of outstanding young men who have received modern training and are willing to engage in agricultural operations and to succeed old farmers and workers upon their retirement, thereby infusing new blood into the agricultural labor force.

COUNTRY REPORT: THAILAND

By:
Prasan Chuerput,
Secretary, Rubber Plantation Trade Union.

GENERAL DESCRIPTION OF PLANTATIONS:

1. Palm oil plantation - Mostly cultivated in some Southern Provinces such as Krabi Trang, Suratthini, Satun and Chumphon. Palm at plantations with an average area of about 100 Rais (40 acres) and over sums up to 60%; an average area between 50 - 100 Rais (20 - 40 acres) less than 50 Rais (20 acres) consists of about 25%.
2. Rubber plantations - Almost all of the rubber plantations are cultivated in the Southern Provinces of Thailand; but there are some in the Eastern and North-eastern Provinces. There are 95% state owned. The private owned ones can be divided into three groups. Plantations with an average area greater than 500 Rais (200 acres) are owned and managed by private companies; But farms which consists of less than 100 Rais (40 acres) belong to farmers with capability.
3. Coffee plantations - These are cultivated with about 10% of cultivated area in Southern part of Thailand.
4. Tea plantations - The data are un-available in South Thailand. But there are lots of plantations in some Northern Provinces.
5. Sugar cane plantations - Mostly cultivated in some central and North-Eastern area about 40% of sugar cane plantations are mutually funded and run by the Federation of the Sugar Cane Plantations.

LABOUR FORCES IN THAILAND: There are about 33.2 million workers

6. About 7 million workers enter agricultural plantations, the other consists of workers in state owned enterprises; but there are millions of workers work in small private owned enterprises.
7. There are unavailable data concerning enterprises with workers about 500 workers and over.
8. There is no exact law to protect workers in agricultural plantation especially minimum wage however, agricultural plantation workers can have hospital fee and compensation money.
9. There are no amendment to enact laws which can protect agricultural workers.
10. There is a tripartite committee to fix and declare minimum wage. The Tripartite consists of 3 representatives of the employers, 3 representatives of the Government and this group is presided by a High rank official.
11. There is a tripartite to fix the minimum wage. However, there's not a committee of the agricultural workers. In some cases employers like to employ workers to do incentive or piece work. The following are details of the minimum wage: According to the regulations of the Interior Ministry No.15, these regulations are enforced in the field of agricultural plantations, i.e. cultivation, fishery, forestry and so on; Other workers declared by the Interior Ministry.

MINIMUM WAGE:

12. 70 ฿/day (in the year 1986) in Bangkok Metropolis, Samutprakan, Nonthaburi Pratumthani, Samutsakhon Nabhonpathom, Ranong, Phangga and Phuket.
66฿/day in Chonburi, Saraburi, Nakhonvatchasima and Chiangmai.
59฿/day in the other provinces
About 0.01% of agricultural plantation workers can organise their trade unions.

13. The rubber plantation trade union had reached some collective agreements in 1983.
14. There are both state owned and private owned rubber plantations.
15. Employers don't pay any heed for agricultural plantation workers in problems concerning welfare, health, education and safety during working hours. The Rubber Plantation Trade Union had put in a claim that the employers should have to prepare bus for children of the workers. But in case of education which was sponsored by IFPAW the employer had done nothing to help the workers.
16. In Thailand, the youths both illiterate or well educated are facing a difficult problem of unemployment. The estimate data said 50% of them are jobless. Meanwhile the Government can do nothing to help reducing this problem.
17. The Rubber Plantation Trade Union wishes the seminarists to emphasise the following problems such as: the youth and how to reduce their problems, how to prevent unemployment, how to organise some more agricultural plantation workers trade union. And finally, the rubber plantation trade union wish to exchange data so as to help enable the government to upgrade plantation workers.

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