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
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 (IFPAW) 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 IFPAW in his address gave an account of the various activities undertaken by the IFPAW 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 IDFTU, Vice-President of IFPAW and General Secretary of NUW, 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 exist. He also underscored the need to ensure an equitable distribution of income which labour created.

5. In delivering the keynote 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.
3. 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 on Annex A of this report.

6. 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)

8. 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 working and living conditions of plantation workers in Asia and to supplement the country reports submitted by the participants.

1. International Labour Standards and plantation labour laws in Asia
   By Mr. R. Thilagam, Labour Relations Consultant.

2. Working and Living Conditions of the plantation workers in Asia
   By Mr. A. Navumkundan, National Executive Secretary, NUPW.

3. Wage structure in the plantations
   By Mr. N. Krishnan, Executive Director of Research, NUPW.

4. Health and Housing in the plantations
   By Dr. Puan Salumarajah.

5. Labour protection and labour relations in the plantations
   By Mr. K. Kumaran, Director of Industrial Relations, Malaysia.

6. Safety at work in the plantations with emphasis on application and control of pesticides
   By Mr. B. Kesarasingham, Research Officer, Selangor Consumer Associated, Petaling Jaya, Selangor, Malaysia.

7. Youth and Employment
   By Dr. Michael Sebastian, Executive Director, Workers Institute of Technology, Malaysia.

8. Problems of women workers
   By Ms. Susan Danditham, Lecturer, Department of Indian Studies, University of Malaya.

9. Education and Social Amenities in the plantations
   By Mr. A. Navumkundan, 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 issues raised for discussions at the seminar. The recommendations of the attached working groups in accordance with the presentations of 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. It started putting up the vocational training needs of the plantation workers and 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, air-condition repair and maintenance, secretarial/computer courses are being offered. This is the second year that the students and girls to attend in these vocational courses and hope that the number will increase.

iii. GATCO Land Settlement Scheme, 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 acres of land, one acre for housing and the remaining for rubber plantation.

Interested workers join this scheme and pay RM2,000.00 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. Jumesse Estates, Kuala Pilah, Negri Sembilan - This is a rubber plantation employing more or less 400 workers. The management here has provided the workers adequate living quarters and a canteen. 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.T. Narayanan and the seminar was closed with a simple ceremony with parting messages from Dr. P.T. Narayanan, Mr. Stanley & Correa on behalf of the IPMWW 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 IPPAW 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 in 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 IPPAW 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 IPPAW 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 that 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.
2. 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 problem 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 conviction to work and also 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 10 Convention 110, while in other Asian countries, the period of Maternity Leave is less than 12 weeks. In Sri Lanka, where 12 weeks are granted for the first confinement and 6 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 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 in this regard, 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 called upon the employers to provide land free of cost and the government to provide Ownership Scheme.

17. Arising from the deliberations of the seminar, it emerged that the trade union structure was one of the factors which impeded the plantation workers to provide employment for the workers. It was considered by the seminar that where there was a single trade union in the plantation industry or where 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 an 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. Bachin.

18. The seminar was unanimous in its view and strongly recommended that the plantation workers should unite themselves into one strong and dynamic trade union in their respective countries under the banner of IFPMAW and strengthen the structure and organisation of IFPMAW 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 IFPMAW 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 Register 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 fees on or before 30th June every year.

d. All participants attending programmes conducted by the JAMIC 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 IFPMAW in the future.
PART IV

COUNTRY PAPERS
1. Though the economy of Bangladesh is agro-based plantation industry in Bangladesh has not been developed up to the mark and it is confined mainly to tea, rubber and sugar. Introduced by the British planters from 1856 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;

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 sft. with 2 rooms. It should be enhanced upto 510 sft 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 Bramik 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 Chai Bremik Union (BCSU).


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-organized enforcement 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.

14. There is the Plantation Labour Act, 1951 which has become outdated and outdated. It needs thorough overhauling. For instance, there are little safeguards against unbridled use of pesticides, herbicides, insecticides, etc., not to speak of making the law adhering to the guidelines of the International Labour Organization.

There is still the question of the safety of the workers. It is a question which has been debated a number of times in the General Assembly, but the question has not been fully resolved. The Indian government has set up a committee comprising representatives of management and the workers to study the question. It is expected that the committee will submit its report in the near future.

Country Report - India

By Indian National Plantation Workers Federation.

Plantations in India are 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 the million plantation workers. About 80 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 at any time any moment.

Tea, coffee, rubber, cocoa, cardamom and chilchhara are the main products of these plantations while 65% of the plantations grow tea that earn foreign exchange worth US$ 100 million a year. These over three-fifths of tea produced in India are domestically consumed. Tea productivity in India is the highest in the world over estimated at 1491 kg per hectare. Average productivity of teas per year is estimated at over 650,000 tons.

Tea and other plantation workers are organised under different central trade unions of which the Indian National Plantation Workers Federation (INPWF) is the largest body of the central trade union of India. The INPWF has more than 30,000 members in 63 affiliated unions.

Trade unionism in the plantations is one of the very complicated and difficult tasks requiring sociological and socio-economic insight. These workers are employed in the backward areas of the country such as the tribal and tribal belts and villages and farms and they have to work under very harsh conditions.

Trade unions are in a majority of cases in the plantations. The workers are not able to form trade unions and are not able to elect their representatives, and the planters are not interested in the welfare of the workers. The planters are not interested in the welfare of the workers.

There is the Plantation Labour Act, 1951 which has become outdated and outdated. It needs thorough overhauling. For instance, there are little safeguards against unbridled use of pesticides, herbicides, insecticides, etc., not to speak of making the law adhering to the guidelines of the International Labour Organization.

The Indian government has set up a committee comprising representatives of management and the workers to study the question. It is expected that the committee will submit its report in the near future.
Yet the sad commentary of the industry in duping 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 IPFTW 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-greed employers.

Another deterrent is the growing tendency of engaging the casual workers in place of permanent labour in the industry taking 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 tactic. The INPFM 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 plunged back almost nothing. So, sickness is inevitable. The world famous Darjeeling teas are on the verge of death. The INPFM has decided to launch a protracted struggle for saving the plantations from the looters posing themselves as management experts.

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<th>Country Paper: India</th>
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<td>By: Capt. P.L. Perumal, Nilgiri District Estate Workers Union</td>
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1. Size of the Plantation workers:

- Tea: 9,15,000
- Rubber: 1,65,000
- Coffee: 3,95,000
- Cardamom: 55,000

Sex-wise:
- Tea: 55% are women
- Coffee: 40% are women
- Rubber: 30 to 35% are women

2. Special Labour Legislation Applicable to Plantations:

The Plantation Labour Act, 1938, is the most comprehensive legislation in the Statute Book, covering plantations employing 16 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, creches, 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 wage 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 law have been updated from time to time. For example, the plantations labour Act underwent major amendments in the year 1991. A sub-committee of the tripartite industrial committee on plantations is in the process of giving shape to further amendments to the Act.


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 committee 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 details of the existing wage structure should be given. This include:
(a) The wages 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 theDearness allowance.

(b) The dearness allowance is determined on the basis of the cost of living index applicable to Coimbatore City (Base 1935 - 100) the formula for calculating the
Dearness Allowance in the plantations is as follows:
Basic wage of Rs.8.05 is equated to 1200 points of the cost of living index. Dearness allowance is calculated at 0.4 paisa per point for points exceeding 1200
points, and revised 4 times a year, 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 0.4 paisa per point is applied for the quarter beginning January to April and 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, cocking, watchmen, creeped
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

(d) Man and Woman are paid equal wages. Adolescents are paid 90% 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 1955. All workers are
quaranteed a minimum bonus of 8.33% of their total earnings or one month’s 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
wage. For every kg. above 13kgs, an incentive of 10 paisa is paid and this is increased to 17 paisa for each kg. above 25kgs.

In the same manner, Incentive scheme have been negotiated for packing coffee
barrier, 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
representatives is invariably a party to such settlement.

While most of the plantations are in the private sector, State Government have
owned 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
provide 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 both, eye, etc. They are required to
have an ambulance.

Plantations employing 100 or more workers are required to have a dispensary,
which should have a qualified medical officer visiting it 3 days 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
goods 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 shall 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
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 irreversibles. To check such situation the
employer has to take steps to provide for pre-assignment, post-assign-
ment, and while in service periodic medical examination and
examination 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,
storage of insecticides.

The State Government may make rules for the transportation, handling and
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:

Initially 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 1984, not only resident workers are to be provided with housing but also non resident workers who have put in six months 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 veranda. 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 exceed 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 fees 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 legislation has been enacted for the youth. Children below 12 years are prohibited from working. Adolescence (18 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 toSpecial problems.

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 meet 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 IPMA.
COUNTRY PAPER: INDIA

BY:
Mr. Sadir Roy, General Secretary,
West Bengal Tea Mazdoor Sabha.

INTRODUCTION

West Bengal, one 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 82 provinces and 9 union territories functioning under a democratic frame. One such province is West Bengal, stretching up to the Himalayas in the North and 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 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 834 sq. km of which 24.14% of land comprising 1,441,665 hectares is under forest.

Tea Garden area of this district is 19.8% (18,707 hectares)

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

Land occupied by rivers, roads and townships is 19.2%.

There are 13 block, 123 panchayats 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: 19,59,650

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. 31.94% of total population
Cultivators: 2,35,311 i.e. 20.5% of total population
Landless Agricultural labour: 1,11,263 i.e. 5.04% of total population
Household workers: 10,263 i.e. 0.47% of total population
Others including tea garden workers: 3,46,085 i.e. 15.94% of total population.

Among the total population, 7,66,498 belong to scheduled caste community and 4,91,791 belong to scheduled 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 were then taken to grow tea commercially. In West Bengal particularly in North Bengal, British started tea plantation experimentally in 1822 in the area, which is plantation area which I am representing had its origin as early as 1824.

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 plantations had previously been under jungles infested with wild animals. Labours 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". 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 registrars, these laws had little effect and even up to as late as 1940's more than one third children could never see 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, by giving out false information that the workers were not wanted. Even then there were more and more cases of firing and striking by tea workers. Like the other industrial trade unions, the political leaders also came forward to organise the labourers in the tea. Then to save planters the British depopulated 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 1915, with the "Quit India" movement. The plantation workers organisations were brought up by the active support of the peasants and other nationalistic 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 was passed and some attempts were made to solve labour disputes. The Plantation Labour Act 1951 guaranteed to unions their rights of access to the worker 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 Unions (UPWU) showed that the had a close contact with H.M.S, and ultimately got affiliated to H.M.S (an organisation which was formed purely political parties, employers influence and in addition to the Government). After some changes ultimately UPWU was converted to "WEST BENGAL CHA MAZDOOR SABHA" (WBMS) in the year 1957. But this union gathered momentum in its various activities after 1972. At present WBMS is affiliated to H.M.S. and Federation of Indian Plantation Workers (FIPM) at National level and Indian Federation of Agricultural and Allied Workers (IFAAW) at international level. The founder of WBMS was late Shesharam Mukherjee who was a dedicated Trade Union leader.

At this hour of crisis in the leadership of WBMS, the present leadership came forward to hold the road of the organisation and by dint of their devotion to duties WBMS 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 as applicable to among others things. Later in 1956 the plantations labour rules as applicable to these and Rules are a social welfare measure for workers, especially in the case of the P.L. Act where the law is much more rigid. This peculiar characteristic of the P.L. Act where the law is much more rigid. This peculiar characteristic of the P.L. Act is because of the society in which it is applicable that is to say the conditions are because of the society in which it is applicable.
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 102 gardens in the Orissa, 52 Gardens in Darjeeling and 46 Gardens in Yercaud. The theory of wage determination is based on the capacity of the industry to pay, the crop, area under cultivation, the employment and the Minimum Wage Act which governs the Industry. The union strive to ensure a living wage to the workers and also to ensure that they are adequately satisfied with the work they get.

WOMEN WORKERS:

The woman workers work at par with the male counterparts generally in pruning operations. Very rarely do the woman 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 woman workers also enjoy the Maternity Benefit facilities 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. Act get time off from work to feed their children if they have one in the creche. Management takes special care to see the woman workers are not harassed before their maternity leave starts. Light work is generally given to women workers so that there is no complication in the development of the fruits. All other benefits applicable to male workers are also enjoyed by women workers which would be illustrated later.

YOUTH:

The Government has now taken over education in the plantation region. But unfortunately the youth 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 youth therefore 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 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 free medical facilities free of cost. The management also ensures supply of potable drinking water to its employees and also makes arrangements to keep the labour lines and sanitation system clean.

SAFETY:

Safety rules are applicable to the factories situated inside the plantation under the Workmen's Compensation Act in force on tea estates. Besides, first-aid treatment is made out to the workers from the Garden Hospital.

HOUSING AND EDUCATION:

Rules, Housing and education are both requisites under the plantation labour Act and

APPLICATION AND CONTROL OF PESTICIDES:

Pesticide spraying work is done on the tea bushes to eradicate pests and other pests which destroy the leaf. Tea gardens have provided protective gear like caps, 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 divided 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 90% of area under tea is in these two areas. So also majority of plantation workers (75%) approximately occur here.

Yet another characteristic of tea industry is that of predominance of female workers. Approximately 45% 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 accurate 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 management fall short of demands for jobs by workable units.
   b) In the male-dominant society, the preference for jobs filling up naturally, therefore is restricted to the male persons, rendering a great number of women workable unemployed.

2) Mobility:
   There does not occur any mobility in the occupational pattern among the females in tea plantations.
   The female plantation workers do not generally have control over decisions regarding major expenditure of the family or even their own earnings.

3) Absence of control over their labour & income:
   a) Child bearing and rearing
   b) House hold work
   c) Wage-payment work

5) Health and quality of life:
   a) Ill-health due to unsafe work
   b) Drudgery of work & negative attitude
   c) Life in insanitary 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 threatened with the prospect of losing their job. Fears by, though in an unorganised way without any leadership from amongst them.

ACTIVITIES OF WEST BENGAL CHA NAZODA BAIKA

OBJECTIVES OF WBIMS:

The WBIMS 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 victim;
2. Conduct a trade dispute on behalf of a member or members;

3. Securing pay/alowance 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 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 WBCS:

West Bengal Das Nazdoor 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 workers through their delegates. One President, 3 Vice- Presidents, one General Secretary, three Assistant Secretaries and two Treasurers are elected by the Executive Committee Members. At base level the smaller office bearers and committee members of the unit. To maintain unionism between these two tiers of organisations and to supervise the activities of garden level units, four Branch Units are there with office bearers and organiser at different centrally located places of Doar region.

MEMBERSHIP:

The WBCS enjoys 40,000 membership of Tea plantation workers in 6 tea garden units from Doar 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 admission process of the union, and has also brought a feeling of confidence among the workers. The rate of membership subscription is 1/- (rupees 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 WBCS 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 plantation workers are without any fruitful employment and with the population explosion of unauthorised people from neighbouring Bangladesh and Nepal, the region is exposed to economic inequibility and social tension. The influx of Bangladesh refugees which had its beginning in the partition 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. WBCS therefore decided to organise 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 WBCS & FTR.

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 WBCS. Dr. B. B. S. Gelliah, the then Assistant Secretary of WBCS, inaugurated the institute in August 1984. Since then the carpentry and blacksmithy training centre is working at a modest scale in a temporary shed.

The WBCS also launched a tailoring training project for imparting training to the dependant female relatives of the tea plantation workers. The project had its beginning with ten sewing machines purchased with the assistance of IFPMAW. The running expenses for the training centre were borne by IFPMAW. But after meeting a part of the running expenses for the first year of operation, IFPMAW 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 IFPMAW and running the centre in miniature scale and the successful training (20 in numbers) of women has been successfully formed a co-operative.

To spread out the activities of WBCS in the unorganized workers of the region, WBCS has formed and registered a Trade Union Organisation in the name of POPEST, WOCOPMANT, CONSTRUCTIONS AND STAKON MADADOR SABA to organise the precarious workers, carpenters, mason, concrete workers, marginal farmers and landless agricultural workers etc., in their struggle for saving wages and job security. This organisation is affiliated to H.W.S., in national level and IFPMAW in International level.

During this period WBCS could organise 20 residential seminars with the assistance of IFPMAW/CBEF and H.W.S. Through the long term Education Project we have organised 10 training camps in the year 1985. It is needless to say here that we have been receiving an uninterupted and continuous co-operation from H.W.S., Central Board for Workers Education of Government of India and IFPMAW.

For the benefit of its members WBCS started its own cooperative credit society in the name of OIA MANGAL Cooperative Credit Society Limited with a paid up capital of Rs.10,000,00. (ten lakhs). It evoked a wide range of interest of 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 Wale (Afghan money lenders).

WBCS is at present engaged in a legal battle for DEARNESS ALLOWANCE (D.A.) & V.D.A. which are already denied to the tea plantation workers by a plot hatched by the Left Front Government of West Bengal. WBCS is determined to fight against the injustice to the workers. It is our hope that the fair and true wages to the workers shall be in the hands of the workers. The WBCS is trying 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 WBCS 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.

WBCS believe that though the trade union rivalry is very much active in the tea plantation areas on political basis, yet we should work for betterment of both the parties and with this thinking WBCS every year on 1st May organise day long festival of sports and games for the tea garden workers and their dependents. Besides this regular annual feature we have been conducting a friendly football tournament. Plans for such tournament was already started many years ago. In 1986 as a joint venture of WBCS and Indian Tea Board. These tournaments were organized in March. It is a joint venture of WBCS and Indian Tea Board. These tournaments were organized on 1st May 1986 and 4th May 1987.

The institute has been playing a vital part in the life of the workers.

With the objective of generating savings habit among the workers WBCS has deposited a modest-savings scheme jointly with State Bank of India and Institute for Plantation Agricultural and Rural workers in some selected tea garden units. This scheme has been able to create savings interest among the workers. WBCS has also proposed to create a dedicated savings account in the State Bank of India for the workers. This plan is under way to be established.

Tuberculosis and malnutrition is a great disease prevailing among the tea plantation workers. As such WBCS has mooted out a programme to which a mobile house will be arranged for screening and treatment of the suspected cases. In this respect T.B. patients among the plantation workers are being treated. To cater all the negotiations is going on with Bengal Tuberculosis Association. WBCS have information to our members we are publishing periodically a news organ "BANJOH" in Hindi/English. JAI MONE.
COUNTRY REPORT - INDIA

By:
Mr. Pandey, Vice-President,
Estates Staff Union of South India.

With an overwhelming 80% rural population, India, remains today, a country essentially and imperatively a predominantly agricultural one. The population is mainly concentrated in the 550,000 villages i.e. about 500 million live in the villages and 180 million dwell in the 3,000 towns and cities.

Of the 100 million acres of cultivated area only 75% is devoted to the cultivation of food grain crops. Hence to meet the unmet 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 4,038 are estate staff, 780 skilled workers and 653 supervisors. The rival unions although two in number are negligible. The organisation rate in Tamil Nadu, Kerala and Karnataka is 90%, 90% and 50% respectively of the total membership across.

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. 2,92,251.00. About 50% of the union's 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 600 members in all the 17 branches of the union. Each year a branch 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, 4 Office Managers 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.N. Pandey, with his foresight and fervour converted it into the Estate Staff Union of South India as he realised the need to function under the Indian Trade Union Act. Thus it was the first ever Plantation workers' Union to be registered in India. Thanks to Hon. V.V. Sirs, 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. Up to 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.
COUNTRY REPORT: INDONESIA

By:
All Indonesian Workers Union [SPSI]
Agriculture and Plantation Department.

General Report

I. Introduction

To have a harmonious and better relationship between the workers and the management, good and regular guidance should be given to the members 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 channels of communication between the union members and the employers in the 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 improvements, 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 panaseja 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 "Outline of State Policy" concerning manpower affairs:

a. Expansion of employment opportunity and protection of manpower must become the principal policy covering all sectors integrally. To this end, employment and regional development programmes must always make every effort for the creation of employment as many as possible with proper compensation. By that means, the increase of productivity and 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 wages and salary, working order, working conditions, 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 panaseja 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 the development of the trade union. The trade union is fighting for the interest of 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 endeavours for fighting for a better future.

III. Efforts by organized workers

a. For quite some time Indonesian workers had made every possible endeavour to ask 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:

b. 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 families. General clinic is run in Bandung/West Java and Medan, Medan include the improvement of women workers' dormitories.

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 workers by creating additional income through simple home industry activities. Training centre, now covered with 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, rubber, palm oil, sugar, tea, coffee, tobacco, etc.

2. What is the total labour force in your country, region or state? What is the size of the plantation workers?

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.

b. If not, list the name of the general labour legislation which also apply to the plantations.
6. How are minimum wages determined in your country?

7. a. Is there any tripartite minimum wage fixing bodies established?
   b. Do you have separate wage board/committees for the plantations?
   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?
   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.

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.

10. Are the plantations in your country managed by the private sector or by the government or by both? Please give details.

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?

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 tackles the problems of unemployment among plantation youth? If so, please give details.

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?

---

There are some new Ministry regulations which have been updated.

- SPII has proposed some changes to labour laws concerning -
  - labour disputes
  - collective bargaining
  - terminations, etc.

- Minimum wages are determined by C.L.A. or by tripartite agreement.

- Wage recommendations are prepared by tripartite wage committee

- Yes, we have.

- We have regional and sectoral minimum wages including for plantations

- Employees belong to KUPAT

- Workers organised by SPII

- Yes.

- Both

- a. Government owned (BUM)
  b. Private
    - foreign capital
    - domestic capital

- Facilities provided are:
  - hospitals
  - clinics
  - doctors
  - nurses
  - safety tools, schools (elementary)

- Lack of employment was the major problem for young workers including youth in plantation sector. By setting up U.K. in some region the youth of plantations has chances to increase their knowledge of work and giving them the skill to enter the labour market.

- Burning issues which could be discussed are:
  - Unemployment, young workers, Capital-investment (foreign as well as domestic)

---

The National Trade Union Centre is the Malaysian Trades Union Congress, which was formed in 1949. Its first and founder President was R.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 1983. Malaysia has 334 trade unions with a total membership of 469,000. 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, coco-de, and sugar cane and pineapple. They are spread throughout the nation except for two crops, i.e. sugar cane which is largely confined to the Northern part of Peninsula Malaysia and pineapple to the State of Johor.

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

Prior to the formation of the NUWP on November 2nd, 1954, there were five separate unions, the first being organised in the state of Negri Sembilan on 27th January, 1945. One of the founders 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 NUWP, which has eight semi-autonomous branches in the various states, while the Head office is in Petaling Jaya, a suburb of Kuala Lumpur.

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

**STRUCUTURE OF THE NUWP**

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 (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 members. The members are elected at a ratio of one for every 5,000 members in members. 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 Chairperson, 2 Branch Vice-Chairmen, 4 Branch Secretaries, 3 Branch Assistant Secretaries, 8 Branch Treasurer and 7 to 13 committee members. All members of the Branch Committee are elected by popular election at the Branch Executive Committee and the Branch Treasurer is elected by popular election at the Branch Executive Committee and the Branch Treasurer is appointed by the General Secretary. The Branch Executive Committee and Branch Treasurer are appointed by the General Secretary.
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 it 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 (BRO) 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, NAPA. As the wage rate agreed upon for a rubber tapper will not, and cannot be made applicable to a FFS harvester, we have separate agreements. To facilitate the conclusion of separate agreements, the union has technical committees for each industry. Members of these committees give their views and recommendations to the Executive Council for consideration. Membership of the technical committees are drawn from, and nominated by, all the NLUW State Branches.

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

1. Administration, Personal & 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 NLUW.

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 focuses on the education of children with educational achievement to further their education without hindrance because of financial reasons.

6. Vocational Education

The NLUW has set up a Vocational Training Centre jointly with the State Government and the Lutheran Churches in Singapore/Malaysia. It is known as "Nero 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 SEC and KCSE. 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 NLUW 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 "Open Student 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 ensure that our members are able to play an active role in our Union and organisation. Thus far, the Union provides opportunities for training through seminars and short courses organised by NLUW and other international agencies both in Malaysia and overseas. Such training courses do improve the capacity and quality of our members in the performance of their duties.

A SERVICE-ORIENTED ORGANISATION

Apart from the traditional trade union functions, such as securing wages and working conditions, the NLUW has gradually evolved as a service-oriented 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, and other forms of an organisation. The NLUW provides free Employee Provident Fund and social security benefits. The Union provides free Employee Provident Fund and social security benefits. The Union also organises free Employee Provident Fund and Social Security Act, Workers' Trade Union Act, Employees' Provident Fund Act, Social Security Act, Workers' Compensation Act, Factory and Machinery Act, Pesticides Act, Employment of Children and Young Persons Ordinance.

-01-
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 this objective, an inaugural conference of youth workers was held on 10th September 1957, 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 35,000 and this number is still growing.

Both the sections function at three levels. The young members of the NUPW submit themselves to the scrutiny 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 youth and women sections which includes planning our annual programmes for the sections. At national level, a national conference of both sections are held once in three years. This conference elects national 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 MTVU. Our estate youth and women take part in large numbers in all functions organised by the MTVU.

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 GATP, 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 palms. 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 Lutheran Institute of Vocational Education to set up an Agro-Industrial Training Institute where skilled workers are trained in carpentry, welding, electricity, refrigeration, etc.

The union has its own printing press where house journals in four languages are printed and published. The NUPW can justifyably take pride in its pioneering efforts in exploring the new frontiers of trade unions. 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 288,000 are plantation workers. Their distribution by crop and sex are given hereunder:

<table>
<thead>
<tr>
<th></th>
<th>MALE</th>
<th>FEMALE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rubber</td>
<td>65,000</td>
<td>65,000</td>
<td>130,000</td>
</tr>
<tr>
<td>Palm Oil</td>
<td>80,000</td>
<td>40,000</td>
<td>120,000</td>
</tr>
<tr>
<td>Coconut</td>
<td>6,000</td>
<td>4,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Cocoa</td>
<td>1,000</td>
<td>2,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Tea</td>
<td>800</td>
<td>1,200</td>
<td>2,000</td>
</tr>
<tr>
<td>Pineapple</td>
<td>2,000</td>
<td>2,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Sugarcane</td>
<td>4,000</td>
<td>1,000</td>
<td>5,000</td>
</tr>
</tbody>
</table>

**STATISTICAL INFORMATION**

**Country**

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

**Size** - 127,561 square miles.

Peninsular Malaysia - 50,806 sq.miles
Sabah and Sarawak - 76,755 sq.miles

**Climate** - Tropical

Monsoon Season - 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
Englsh - widely used in commerce and industry. Compulsory subject in all schools.
POPULATION

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

SABAH
: 997,000 (7%)

CHINESE
: 424,000 (3%)

SARAWAK
: 1,018 million (7%)

Chinese : 424,000 (3%)

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

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Total (1000)</th>
<th>Male (1000)</th>
<th>Female (1000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-24</td>
<td>1,554,1</td>
<td>776,4</td>
<td>777,7</td>
</tr>
<tr>
<td>25-34</td>
<td>1,101,4</td>
<td>548,1</td>
<td>553,3</td>
</tr>
<tr>
<td>35-44</td>
<td>910,6</td>
<td>462,1</td>
<td>448,5</td>
</tr>
<tr>
<td>45-54</td>
<td>696,6</td>
<td>397,5</td>
<td>399,1</td>
</tr>
<tr>
<td>55-64</td>
<td>446,6</td>
<td>230,8</td>
<td>215,8</td>
</tr>
<tr>
<td>65-74</td>
<td>282,4</td>
<td>138,6</td>
<td>143,8</td>
</tr>
</tbody>
</table>


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

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Total (1000)</th>
<th>Male (1000)</th>
<th>Female (1000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-19</td>
<td>664,1</td>
<td>339,5</td>
<td>124,6</td>
</tr>
<tr>
<td>20-24</td>
<td>978,2</td>
<td>602,2</td>
<td>376,0</td>
</tr>
<tr>
<td>25-29</td>
<td>791,1</td>
<td>536,6</td>
<td>254,5</td>
</tr>
<tr>
<td>30-34</td>
<td>651,2</td>
<td>455,1</td>
<td>196,1</td>
</tr>
<tr>
<td>35-39</td>
<td>510,1</td>
<td>350,1</td>
<td>160,0</td>
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<tr>
<td>40-44</td>
<td>480,1</td>
<td>325,4</td>
<td>154,7</td>
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<td>45-49</td>
<td>356,7</td>
<td>237,6</td>
<td>119,1</td>
</tr>
<tr>
<td>50-54</td>
<td>292,2</td>
<td>205,0</td>
<td>87,2</td>
</tr>
<tr>
<td>55-59</td>
<td>192,9</td>
<td>132,7</td>
<td>60,2</td>
</tr>
<tr>
<td>60-64</td>
<td>140,5</td>
<td>99,8</td>
<td>40,7</td>
</tr>
</tbody>
</table>

### POPULATION, LABOUR FORCE AND EMPLOYMENT STATUS 1980

<table>
<thead>
<tr>
<th></th>
<th>Peninsular Malaysia</th>
<th>Sabah</th>
<th>Sarawak</th>
<th>Malaysia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total population (000)</td>
<td>11,426.2</td>
<td>955.7</td>
<td>1,307.5</td>
<td>13,689.4</td>
</tr>
<tr>
<td>Working age population (000)</td>
<td>6,556.7</td>
<td>527.1</td>
<td>717.8</td>
<td>7,804.6</td>
</tr>
<tr>
<td>Labour force (000)</td>
<td>4,259.7</td>
<td>306.8</td>
<td>479.6</td>
<td>5,066.1</td>
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<tr>
<td>Employment (000)</td>
<td>4,023.0</td>
<td>287.9</td>
<td>476.4</td>
<td>4,787.3</td>
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<tr>
<td>Unemployment (000)</td>
<td>236.7</td>
<td>18.9</td>
<td>21.2</td>
<td>276.8</td>
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<tr>
<td>Labour force participation rate (%)</td>
<td>65.0</td>
<td>58.2</td>
<td>69.3</td>
<td>64.2</td>
</tr>
<tr>
<td>Unemployment rate (%)</td>
<td>5.6</td>
<td>6.2</td>
<td>4.3</td>
<td>5.3</td>
</tr>
</tbody>
</table>

Source: Labour Force Survey 1980

### POPULATION SIZE AND AGE STRUCTURE 1980 - 85

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(000)</td>
<td>(%)</td>
<td>(000)</td>
</tr>
<tr>
<td>PENINSULAR MALAYSIA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(%)</td>
<td>11,426.6</td>
<td>100.0</td>
<td>12,873.7</td>
</tr>
<tr>
<td>0-14</td>
<td>4,134.8</td>
<td>36.1</td>
<td>4,793.3</td>
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<tr>
<td>15-64</td>
<td>6,556.9</td>
<td>57.4</td>
<td>7,588.0</td>
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<tr>
<td>65+</td>
<td>344.9</td>
<td>3.0</td>
<td>492.4</td>
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<tr>
<td>SABAH</td>
<td>1,071.0</td>
<td>100.0</td>
<td>1,201.0</td>
</tr>
<tr>
<td>(%)</td>
<td>7.4</td>
<td>(7.4)</td>
<td></td>
</tr>
<tr>
<td>0-14</td>
<td>430.6</td>
<td>42.6</td>
<td>494.1</td>
</tr>
<tr>
<td>15-64</td>
<td>559.9</td>
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<tr>
<td>65+</td>
<td>20.5</td>
<td>2.0</td>
<td>24.7</td>
</tr>
<tr>
<td>SARAWAK</td>
<td>1,307.6</td>
<td>100.0</td>
<td>1,473.4</td>
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<tr>
<td>(%)</td>
<td>9.5</td>
<td>(9.5)</td>
<td></td>
</tr>
<tr>
<td>0-14</td>
<td>541.2</td>
<td>41.4</td>
<td>593.5</td>
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<tr>
<td>15-64</td>
<td>720.2</td>
<td>55.1</td>
<td>824.8</td>
</tr>
<tr>
<td>65+</td>
<td>46.2</td>
<td>3.5</td>
<td>55.1</td>
</tr>
<tr>
<td>MALAYSIA</td>
<td>13,752.8</td>
<td>100.0</td>
<td>15,584.1</td>
</tr>
<tr>
<td>(%)</td>
<td>(100.0)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0-14</td>
<td>5,406.6</td>
<td>39.3</td>
<td>5,880.9</td>
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<tr>
<td>15-64</td>
<td>7,837.0</td>
<td>57.0</td>
<td>9,095.0</td>
</tr>
<tr>
<td>65+</td>
<td>501.6</td>
<td>3.7</td>
<td>572.2</td>
</tr>
</tbody>
</table>

Source: 4th Malaysia Plan Mid-Term Review

### MALAYSIA: LABOUR FORCE GROWTH: 1980 - 85

<table>
<thead>
<tr>
<th>Age Group</th>
<th>1980</th>
<th>1985</th>
<th>Average Annual growth rate 1980 - 85</th>
</tr>
</thead>
<tbody>
<tr>
<td>(000)</td>
<td>(%)</td>
<td>(000)</td>
<td>(%)</td>
</tr>
<tr>
<td>PENINSULAR MALAYSIA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15-19</td>
<td>4,259.8</td>
<td>100.0</td>
<td>4,909.4</td>
</tr>
<tr>
<td>20-34</td>
<td>2,054.8</td>
<td>48.2</td>
<td>2,395.1</td>
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<tr>
<td>35-44</td>
<td>831.6</td>
<td>19.5</td>
<td>1,003.3</td>
</tr>
<tr>
<td>45-54</td>
<td>496.9</td>
<td>12.9</td>
<td>624.8</td>
</tr>
<tr>
<td>55-64</td>
<td>269.8</td>
<td>6.3</td>
<td>304.3</td>
</tr>
<tr>
<td>SABAH</td>
<td>371.9</td>
<td>100.0</td>
<td>470.7</td>
</tr>
<tr>
<td>15-19</td>
<td>51.0</td>
<td>15.7</td>
<td>66.8</td>
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<td>20-34</td>
<td>181.3</td>
<td>48.7</td>
<td>239.8</td>
</tr>
<tr>
<td>35-44</td>
<td>71.7</td>
<td>19.3</td>
<td>90.4</td>
</tr>
<tr>
<td>45-54</td>
<td>44.7</td>
<td>12.0</td>
<td>55.6</td>
</tr>
<tr>
<td>55-64</td>
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<td>67.1</td>
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Source: 4th Malaysia Plan Mid-Term Review

### PENINSULAR MALAYSIA: LABOUR FORCE BY AGE AND STRATIFICATION 1980 - 85

<table>
<thead>
<tr>
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<td>74.7</td>
<td>4.4</td>
<td>85.7</td>
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</tbody>
</table>

Source: 4th Malaysia Plan Mid-Term Review
### Table 1

**ADMINISTRATION OF NUPW**

<table>
<thead>
<tr>
<th>Members (Rules 4, 6 &amp; 7)</th>
<th>ESTATE COMMITTEE (Rule 8(a))</th>
<th>EXECUTIVE COUNCIL (Rule 10)</th>
<th>TRIENNAL DELEGATES CONFERENCE (Rule 8(b))</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Representives for Triennial Branch Representatives Conference (Rule 15.2)</td>
<td>State Committee (Rule 13.1 &amp; 2)</td>
<td>Representives for Triennial Branch Representatives Conference (Rule 15.2)</td>
</tr>
</tbody>
</table>

**WORKING COMMITTEE (Rule 11)**

- General Secretary (Rule 22.2)
- Dy. Gen. Secretary (Rule 22.4)
- National Executive Secretary (Rule 21.7 & 8)

**FINANCE COMMITTEE (Rule 11(b))**

- Financial Secretary (Rule 22.5)
- Dy. Financial Secretary (Rule 22.6)

**DISCIPLINARY COMMITTEE**

- General Secretary (Rule 22.2)
- Dy. Gen. Secretary (Rule 22.4)

**FINANCE DEPARTMENT (Rule 29.1, 2, 3, 7, 9)**

- Savings Scheme
- Group Insurance
- Education Foundation
- Scholarships & Loans

**BRANCH EXECUTIVE-SECRETARY (Rule 21.8)**

- Administration, Meetings and Records
- Branch Relations, Application of Rules, Membership, Accounts

**BRANCH SECRETARY (Rule 13.5)**

- Finance, Records, Liaison

**ADDITION COMMITTEE**

- Administrative, Marketing, Sales, Publicity, Publication, DEPT. FOR HANDICAPPED

**INDUSTRIAL RELATIONS**

- Vocational Education

**RESEARCH**

- Administration, Meetings and Records

**DEVELOPMENT**

- Branch Relations, Application of Rules, Membership, Accounts

- Finance, Records, Liaison

- Administration, Meetings and Records
This, of course, involved long-term and short-term measures. The effect of long-term measures, like family planning, can only be seen in the 1990s. 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 addressed. 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 stunts development of urban and rural areas 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:

1) To finance home ownership by workers;
2) To provide facilities for training in practical and industrial skills for workers and their children and thereby enhance their chances of finding employment;
3) To encourage, initiate 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;
4) To train, re-train and up-grade members and their children so as to enable them to effectively contribute to the development of the country;
5) 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 the trade unionists.

The key factor for balanced 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 sphere 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.

<table>
<thead>
<tr>
<th>Initiating Trade Union</th>
<th>Name of Business</th>
<th>Nature of Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Union of Plantation Workers (NUPW)</td>
<td>Great Alomomers Trading Corporation (GATCO)</td>
<td>Partner in joint venture between shareholders in business ventures, housing settlement.</td>
</tr>
<tr>
<td>NUPW</td>
<td>National Multi-Purpose Co-Operative Society</td>
<td>Rubber plantation, housing scheme.</td>
</tr>
</tbody>
</table>

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

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

Kalakantan Hostel Accommodation for secondary school children

Pan Century Edible Oil Sdn. Bhd. Edible Oil

Sri Sai Edible Oil and Oils Pale Sdn. Bhd. Edible Oil


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

Workers’ Bank (a partner) Banking

Land settlement Scheme (through GATCO) Rubber, oil palm & cash crop smallholders’ settlement.

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


Syrilak Kijang Rubber plantation

Anak Yatim Kelantan Welfare Home for orphans

FPN 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 several models for 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 that one of the important contributing factors to poverty and to inequality amongst that one of the important contributing factors to poverty and to inequality amongst that one of the important contributing factors to poverty and to inequality amongst that one of the important contributing factors to poverty and to inequality amongst that one of the important contributing factors to poverty and to inequality amongst
The first task in this direction is to provide 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 has been allocated 6 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 DATO. The settlers thus get the benefit of "know-how" and this, in effect gives confidence to settlers 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 DATO 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 the means of livelihood increases productivity of their enterprises and increases their income. The benefits of this project are self-evident. To the settler, this is a fulfillment 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 enterprises 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.

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 somewhat 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 staff. In rubber, palm oil, cocoa, coconut and tea plantations as the terms and conditions are similar, as our cocao, coconut and tea plantations. The AMEU has successfully obtained the revised terms and conditions which are more favourable than before.

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

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 rest periods, wages, employment of women, children and young persons, rest periods, service, wages, employment of women, children, and young persons, rest periods, service, wages, employment agreements, etc.
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 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. mandors, tappers, harvesters, weeder, pruners, huskers, splitters, kiln workers and others have different conditions relating to their living and work.

The permanent workers are provided with huts in labour lines. This is nothing to boast about, for most of these 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 smell 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 dispensary. 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 creakers. 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 women differ or is proportionate to the value 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 AMKIU and NAPW with MAPA and the individual estates. The supervisory staff are graded as grade II, III & 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 poudrage of latex, tea or cocoa beans collected, bunched of palms 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-cycyle 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.
1. Field Employees Union

The Field Employees Union was formed on 16th June, 1971 and was registered under the Registrar of Trade Unions in line with the Section 50 Trade Union Ordinance, 1958.

The members totalling 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 level 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 via 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 recognized by FELDA thus aimed at demand a better income, proper working conditions. This could be achieved through basic functions of collective bargaining and industrial relations.

3. Working Conditions 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 800 acres of planted crop while a Senior SUPERVISOR looks after not less than 1,000 acres. A uniform working hours of not more than 6 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 years but however with the present economic recession the employees are not benefiting a wage increment for 3 years until the economic recession is over and

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 services. Hence FELDA does not employ child worker.

6. Bonus and other incentives

Currently FELDA do not pay bonus to the employees but pay overtime to the "C" categories of the employees. Then 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 dependents.

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 job normally varies from weeding, harvesting, spraying of pesticides, nursing 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 such. But relatively different from the duties undertaken by the men workers.

Problems faced by Field 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 sooner 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 sides 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 (locked-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 'merit' 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.

.....
1. In Malaysia, rubber trees, oil palm, pineapple, cocoa, pepper, tobacco, tea, coffee, cocoa, 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. It is reflected in the fact that Malaysia is the world's leading producer and exporter of natural rubber. In 1988, Malaysia produced 1.26 million tonnes, approximately 33.5% of global production and 46% 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 1,976,400 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 1990'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 5% of world production and 25% of world export.
      Palm oil competes with and can substitute oil and fats. The palm oil industry contributes 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 1,446,904 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, 42,357 tonnes for local consumption and 3,941 tonnes for foreign consumption. The total acreage for the pineapple industry is 9,700 hectares out of which 34,432% are small holdings and 65.2% 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 area of 205,000 hectares of which 59.19% are estates and 40.81% are small holdings. Malaysia exported 55,777,900 kg of cocoa beans and products. Malaysia constitutes 5.5% of the world 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 18,310 tonnes or 13% of world production and export 15,000 tonnes or 18.2% of world export.

3. The Labour force in Malaysia in 1985 is:
   Peninsular Malaysia - 4,090,400
   Sabah 470,700
   Sarawak 557,900
   Malysia 5,104,700

   The percentage of the population working in Malaysia is 5,104,700 = 58.7%

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

   Rubber     160,000 147,200 134,800 148,290 135,400 127,893
   Coconut    4,110  3,710  3,326  4,576  4,065  2,916
   Oil Palm   75,400  77,840  72,760  92,450  96,810  94,489
   Tea        2,970  2,760  2,510  1,950  1,900  -
   Pineapple  1,740  1,630  1,430  1,376  1,376  2,554

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

   Male       45    44    43    44    43
   Female     54    55    56    54    56
   Young persons 1    1    1    1    1

   Male       62    62    61    61    46
   Female     46    46    46    46    54
   Young persons 2    -    1    -    -

   Male       61    55    67    60    55
   Female     39    67    31    40    45
   Young persons 3    3    2    -    -

   Male       42    42    41    43    42
   Female     55    57    56    54    50
   Young persons 3    2    3    1    2

   Male       49    48    49    50    50
   Female     48    50    51    50    50
   Young persons 5    2    -    -    -

   Male       52    51    50    48    47
   Female     47    48    49    51    50
   Young persons 7    1    1    1    1

6. Special labour legislations governing plantation workers are:
   1) The Southern Indian Labour Fund Ordinance 1958
   The Southern Indian Labour Fund Board maintains 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 assisted. 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 Nilambur Tekal. 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 $10.00 to aged South Indians who are not inmates of the Home.

Scholarships of up to a maximum of $500.00 per annum to 50 students of South Indian origin in 1983 and study loans of a maximum of $8,000.00 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.

3. (Workers Minimum Standards of Housing Act 1968)

Provisions relating to minimum standards of housing, sanitary, water supply and nursery are contained in this Act. The Act also prescribes the procedure, the submission and approval of plans for construction of buildings. Workers are encouraged to improve the condition of existing and to erect new ones. Workers who fail to do so would be prosecuted under the Works Housing Ownership Scheme. Employers are encouraged to develop housing schemes on their land to be sold to employees.

4. However, the other Labour Laws that govern workers on the whole also govern the plantation workers. They are:

1. The Employment Act 1955
2. The Industrial Relations Act 1957
3. The Trade Union Ordinance 1959
4. The Employees’ Social Security Act 1999
5. The Workmen’s Compensation Act 1922
6. The Employment Restriction Act 1958
7. Children and Young Persons (Employment) Act 1966
8. Weekly Holidays Act 1950
10. Employment Information Act 1953
11. Labour Code (FNB Lab 154) and Labour Codes for the respective States.

There were amendments made to the Trade Union Ordinance 1959 and the Industrial Relations Act 1957 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.

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 1968 and other legislation 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.

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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 1953, there were 235,611 estate workers in rubber, coconut, oil-palm, tea and pineapple estates. These workers comprised of 5.5% administrative, management and supervisory staff, 13% of clerical staff, 60.4% of tappers/nurseries/pluckers, 21.5% weeding, 3.3% factory workers and 5.2% others.

The National Union of Plantation workers represents 52.8% or 123,998 of the workers in estates.

The All Malayan Estates Staff Union represents 10.0% 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:

<table>
<thead>
<tr>
<th>CROP</th>
<th>SMALL HOLDERS/FARMERS</th>
<th>GOVERNMENT SCHEMES</th>
<th>PRIVATE SECTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rubber</td>
<td>500,000 households</td>
<td>-</td>
<td>121,727 people</td>
</tr>
<tr>
<td>Palm Oil</td>
<td>-</td>
<td>60,000 households</td>
<td>95,498</td>
</tr>
<tr>
<td>Tapper</td>
<td>30,000</td>
<td>-</td>
<td>30,000</td>
</tr>
<tr>
<td>Pineapple</td>
<td>3,500</td>
<td>-</td>
<td>3,008</td>
</tr>
<tr>
<td>Tobacco</td>
<td>44,000</td>
<td>-</td>
<td>25,422</td>
</tr>
</tbody>
</table>

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 difference in provision of basic facilities by governments to estates. There are some estates which are moderately well provided and some where no provision is made.

22. Health

One out of six estates have a dispensary. The others would have to go to the nearest town for health treatments. The surroundings of the quarters are usually not well kept and infested with mosquitoes and houseflies. Children in estate usually suffer from worms and liver flukes. 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 stored in a storehouse and improper instructions of usage. There is no proper disinfection and no proper protective clothing for spray crew. Accidents usually suffer from eye, skin and other diseases. Other effects are death and illness.

24. Housing

There are three types of housing in the estates: the family, the quarters and the dormitories. The family houses are usually overcrowded which will have 2 bedroom, living room and a kitchen. The quarters will have 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 Browne Malaysia and English are taught as secondary languages. Out of 1769 rubber estates, 15% or 335 provided schooling. 20% of estate workers have not attended school at all. 25% have standard 3 education and only 1% male it to standard 8. 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 facilities-wise and pupil-wise. The school is usually inadequately furnished and managed and parents are usually not interested in the progress of their children. Creches are usually provided by management. An ash 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 with mosquitoes and houses flies.

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 contrast to 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 ones would adjourn to 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 plots, visit each other for Chip-Chet 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 is available. A trip out of the estates will have to be done on a motorcycle, bicycle or by foot. Those who manage to reach secondary education would have a 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 rents.

30. The experimental stations, estates in Kota Tinggi and Sungai Buloh of the ARI are comparatively better than the estates in the private sector. The ARIISU negotiates with the management on quarters, working hours, safety measures and security measures 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 legislation or to solve this multifaceted problem.

32. According to a survey, 30% of plantation workers are illiterate, 25% are not engaged by electricity supply, 60% of estates engaged by electricity supply from the government or generator by the management.

1. Parents are fatalistic in attitudes to uplift the standard of their offspring's life.

2. Parents are too poor to afford school.
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 stay in plantations to continue earning their livelihood through tapping trees. A number of others were ambitious enough to venture out of the estates in spite 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 MARRA 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 estate working life more difficult. In the RPI, a mechanised tapping knife, which is faster, more efficient and does not need skilled labourers was introduced. The recent rampant retrentions in industrial and manufacturing industries has caused the government to set up a number of committees to look into the problem of attracting retained 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. Enhancement 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.

COUNTRY REPORT: PAKISTAN

BY:
Mr. Bashir 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 sugarcane 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 tenant is paid in the form of sharing crops as 50% while the landlord bears all the expenses of seeding, irrigation, taxes and other raw materials 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, the wage is determined through a 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 thrashers, 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 organization has been making efforts in our rank and file to take care against this health hazard in order to prevent occupational diseases. We are also making efforts through full persuasion on the Government that they should extend educational and training facilities as well as the labour inspection machinery to prevent misuse 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 pressurising 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 womenfolk and youth workers specially in rural sector because our country has highest percentage of birth rates i.e. 3.6% per annum while the jobs are not available comparing with the rise of population which gave rise suffering both to the youth and particularly to the womenfolk. 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 new education and training to our cadre in the rural sector.
INTRODUCTION:

The International Federation of Plantation and Allied Workers ongoing 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 all workers in plantations in Asia, and formulation of policies and measures by labour unions which are the guardians 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 deeds in the toil of any materialistic thrust.

PHILIPPINE PLANTATIONS:

It is estimated that about two-thirds of the population depends on agriculture, and thirty 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 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 96% own the land but 49% 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 1,500,000 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 Calbuayan Estate of Jose Yulo, covering an area of more than 7,000 hectares for the entire plantation 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 tasks. 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 applies to wages of workers in the plantations.

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

1. Basic minimum wage for agricultural plantation workers is P2.00 per day plus P2.00 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, maternity, 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 employees 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 is 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 endeavor 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. 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.

Facilities for women. The Ministry of Labor will insure safety and health of women employees such as providing seats proper and handling of women employees such as providing seats proper.
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 woman with respect to terms and conditions of employment
on account of her sex. Equal remuneration shall be paid to
both man and women for work of equal value.

Working conditions for minor is quite general in coverage. No child below
16 years of age shall be employed except when he works directly under the sole
responsibility of his parents or guardian, and his employment do not in any way
interferes 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 may be 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, work places 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- aider 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 exceed 50 but not more than 200, 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 fulltime 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 planta-
tions, every worker is expected to make proper use of safeguard and safety devices
furnished for his protection and the protection of others.

BONUS 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:

\[
\text{Basic salary x No. of months worked} \div 12 = \text{13th month pay.}
\]

By way of substitution, here is the example:

\[
\frac{\text{P1,500 monthly x 9 months worked}}{12} = \text{P12,000} = \text{P1,000.00 - 13th month pay.}
\]

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

......
INCREASING 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 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. 1750, 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:

- $0.00 for non-agricultural workers;
- $2.00 for plantation workers; and
- $5.00 for non-plantation agricultural workers.

Section 3. This order shall apply to the following:

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

Section 4. All increases in wages and or allowances granted by employers between June 17, 1984 and the effectiveness 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 P.D. 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 endeavor to correct such distortions in consultation with his workers. Any dispute shall be resolved through conciliation by an 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 NWC 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 exceptions.

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

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

RULING 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 this 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, feeding, the production, cultivation, growing, and harvesting of any agricultural or agricultural commodities, the raising of livestock, 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 sugarcane, 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 96 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 Industries 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 others.
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 P1,800.00 per month;

b. Household or domestic helpers, including family drivers and workers in the personal service of another;

c. Workers in establishments exempted by the Council;

d. Workers in business enterprises regularly employing not more than 10 workers.

Section 2. Amount of allowance - Effective November 1, 1994, the mandatory daily living allowance of workers in the private sector whose basic salary or wage is not more than P1,800.00 a month shall be increased by:

a. P5.00 for non-agricultural workers;

b. P3.00 for plantation workers; and

c. P1.00 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 P1,800.00 per month.

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 day.

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 Social Security Fund, Social Security, Medicare, pay-as-you-go, 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 unworkdays

a. All covered workers shall be entitled to their daily living allowance during the days that they are paid their basic wage even if unworkdays.

b. A worker who is on leave of absence but is receiving employee compensation, social security, and 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.
Appendix II

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 of permitted or suffered 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 machinery, 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 employed 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 exactness 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 a small 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 employees 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 effective date 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 be 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 Labor 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, or other establishment, under the effective control or superintendence, or in any establishment, under the effective control or superintendence, of a substantial part of the 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 18 years of age shall be employed, except when she works directly under the sole responsibility of his parents.
(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 Labor in appropriate regulations.

(c) The provisions shall in no case allow the employment of a person below 16 years of age in an undertaking which is hazardous or deleterious in nature as determined by the Secretary of Labor.

Art. 14(2). Prohibition against child discrimination—No employer shall discriminate against any person in respect to terms and conditions of employment on account of his age.

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 plight, from both the government as well as plantation owners' ends, possibly through the institution of legal and other mechanisms designed to promote minimum 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 forms the basis of 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 evidenced trailing 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 1991, it was set at ₱3,942.77 which was subsequently raised four times in 1993 up to a level of ₱4,192.00 and up to ₱4,954.08 in 1994. The gross pay consists of a basic wage and the emergency cost of living allowance (ECLA) as indicated in the wage order of the Ministry of Labor and Employment. It will be noted that the ECLA rate was reduced to 50% in 1994 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 was 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 1991 went down by as much as 50% towards the end of 1994. 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., PAO-1985 contributions, etc.). It is even worse to note that in most cases, workers are illegally terminated in addition to non-payment of wages.

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 (DLA) of Plantation Workers, 1981-84.

<table>
<thead>
<tr>
<th>Wage Order No.</th>
<th>Date of Issuance</th>
<th>Wage</th>
<th>DLA</th>
<th>Gross Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3-22-81</td>
<td>P 591.77</td>
<td>P 330.00</td>
<td>P 891.77</td>
</tr>
<tr>
<td>2-A</td>
<td>7-18-83</td>
<td>P 897.40</td>
<td>P 375.00</td>
<td>P 1262.40</td>
</tr>
<tr>
<td>2-B</td>
<td>1-18-83</td>
<td>P 897.40</td>
<td>P 405.00</td>
<td>P 1302.40</td>
</tr>
<tr>
<td>3-A</td>
<td>11-18-83</td>
<td>P 525.00</td>
<td>P 405.00</td>
<td>P 1115.00</td>
</tr>
<tr>
<td>3-B</td>
<td>12-18-83</td>
<td>P 892.00</td>
<td>P 500.00</td>
<td>P 1452.00</td>
</tr>
<tr>
<td>4</td>
<td>5,18-84</td>
<td>1,011.00</td>
<td>520.00</td>
<td>1,621.00</td>
</tr>
<tr>
<td>5</td>
<td>1,102.00</td>
<td>420.00</td>
<td>1,110.00</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>1,124.00</td>
<td>410.00</td>
<td>1,664.00</td>
<td></td>
</tr>
</tbody>
</table>

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 assures a protective base through the legislation of a minimum wage as well as other measures designed to correct malpractices in wage payments. It needs 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 and 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 realized under the new system 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, etc.) 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/achievements. It is, of course, conditioned by farm performance in terms of productivity and financial returns.

However, wage structuring is apparently tighter. It tends to be much more expressive in design most of the time. At this point, it is important to note that small plantations comprise about 60% 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 workdays which is equivalent to the 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 one 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 (e.g. coconuts, 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 and even encouraged in cases of compelling need. A more radical, effective and far-reaching incentive and other encouraging arrangements. There is a meaningful recognition of the contribution of labor in production.

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 terms of employment. These include delayed payments, underpayments or even non-payment of wages and benefits. Insurance premiums are even not paid or paid irregularly. The workers are often left at the mercy of unscrupulous plantation owners. In the previous years, the worker is always bound to lose when in government courts, the worker is always bound to lose when in government courts.
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 substantially 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 unendurable 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 prevalent levels of poverty in Philippine plantations should be put in place. The package of programs and services should include delivery of basic social amenities, a strict enforcement of plantations-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, wherever 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 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 arrangement for the smooth application of the government land reform program should be put in place.

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COUNTRY REPORT: THE PHILIPPINES

By:
Ms. Didilinda C. Labor,
The National Congress of Unions in the Sugar Industry of the Philippines (NACUOPI)

Located south of Luzon and north of Borneo, the Philippines is comprised of 7,100 islands with a population of 55 million in an area of approximately 323,268 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, sugar and agri are among the principal agricultural exports.

Among the various labor federations catering to the sugar workers, NACUOPI has one of the biggest memberships. NACUOPI was organized on 16-19 August 1965 at the then Asian Labor Education Centre of the University of the Philippines, Diliman, Quezon City.

The principal objectives in forming NACUOPI, 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. NACUOPI membership now approaches the 200,000 mark out of approximately 450,000 - 500,000 sugar industry workers.

NACUOPI actively participated in 1980-81 in the establishment of the Social Amelioration Program of the Sugar Industry that has continually created cash bonuses and funded varied livelihood projects and scholarships for the children, either through the efforts of their labor unions or through the programs of the Sugar Industry Foundation, Inc. (SIFIT). NACUOPI 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 P500.00 burial assistance to the heirs of a deceased sugar worker.

NACUOPI has also actively participated in the various National Tripartite Conferences 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 Rates 2, 3, 4, 5 & 6 of the National, Wage 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 workers in the plantation sector such as the Labor Code of the Philippines promulgated May 7, 1974 with Articles 130 on Nightwork prohibition in enumerated circumstances; Art. 132 - Facilities for women (e.g. restrooms, 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 134 - 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 "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 preferentially in the plantation which is the shortcoming of education and training systems.

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

1. NACUTEIP - Tailoring & Dress making Course sponsored by IPPAW and DANIDA which graduated more than 300 young students from January 1992 to the present.

2. Agricultural Skills Training and Development Program sponsored by NACUTEIP-TUDP & APLUS where children of workers are trained and provided with seed capital ranging from Rs.5,000.00 to Rs.12,000.00 for the implementation of their projects.

3. ANAK-NACUTEIP - have been organised for the youth to help develop themselves and their communities.

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 ancient 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 LANNA JATHIKA ESTATE WORKERS UNION

This union was formed in the year 1956 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 are 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 gross root level.

PLANTATION

Sri Lanka is only 133866 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 Kottala, several thousands of hectares are coming under the plough.

THE MAIN EXPORT CROPS
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 250,484 hectares. The agricola rubber plantation corporation (ARPC) and the Board (JEDO) 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 purchases 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 or local product of tobacco smoke, too is manufactured by our own small holders.

CINNAMON

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.

CARDAMOM

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

ANACARDIUM

Anacard is cultivated as a by crop around the gardens as fence. A survey conducted by the Sri Lankan Agricultural Department in 1961 gives an account of 20,000 hectares for this crop.

OTHER MAJOR 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.

PINE FOREST AND TIMBER

The present government under the Minister of Land Development, and able guidance of Hon.Gemini Disanayaka the Minister and our Trade Union President, had started a major endeavour of re-planting the reaped jungles. The national forest 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 Lankan villagers.

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

The line rooms of the older 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 wall 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 veranda, a kitchen and a latrine. Each of these cottages are provided with pipe borne clean water. But this programme should continue for at least 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 LACU, 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.

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TEA AND RUBBER ESTATE WAGES FOR MALE WORKERS</th>
<th>YEAR</th>
<th>TEA AND RUBBER ESTATE WAGES FOR MALE WORKERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1939</td>
<td>Rs. 0.41</td>
<td>1979</td>
<td>Rs. 0.43</td>
</tr>
<tr>
<td>1940</td>
<td>Rs. 0.01</td>
<td>1981</td>
<td>Rs. 0.45</td>
</tr>
<tr>
<td>1941</td>
<td>Rs. 0.44</td>
<td>1983</td>
<td>Rs. 0.02</td>
</tr>
<tr>
<td>1942</td>
<td>Rs. 0.01</td>
<td>1985</td>
<td>Rs. 0.55</td>
</tr>
<tr>
<td>1943</td>
<td>Rs. 0.02</td>
<td>1987</td>
<td>Rs. 0.59</td>
</tr>
<tr>
<td>1944</td>
<td>Rs. 0.00</td>
<td>1988</td>
<td>Rs. 0.56</td>
</tr>
<tr>
<td>1945</td>
<td>Rs. 0.01</td>
<td>1989</td>
<td>Rs. 0.00</td>
</tr>
</tbody>
</table>
The wages for the plantation workers are paid on a daily rate. The days they report for work only.

The above chart (A) indicates 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 inception and in 1941, the Wages Board was 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, 1994.

We are proud to mention that our union, the LUTWU, was able to get equal wages for men and women in the year 1994 after a discussion with the President who is also the Minister for the Sri Lanka Plantation Management Corporation (SLPRC) and the Board of Tea (Botl). Our Union is still in the process of obtaining a living wage for the plantation workers which will consist of the following components:

a. The minimum wage
b. The cost of living
c. 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 an equal number of employer representatives, employee 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.

<table>
<thead>
<tr>
<th>Chart 10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Bonus for a Plantation Workers</td>
</tr>
<tr>
<td>Up to 71 days</td>
</tr>
<tr>
<td>72 to 143 days</td>
</tr>
<tr>
<td>144 to 215 days</td>
</tr>
<tr>
<td>216 to 287 days</td>
</tr>
<tr>
<td>288 or over days</td>
</tr>
</tbody>
</table>

Attention Bonus for a Plantation Worker

If 65% 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 34 plantations in the island.

For Plantations, the following wages boards are functioning:

a. Beedi Manufacturing Trade (Local tobacco for smoking)
b. Cigar Manufacturing Trade (Local tobacco for smoking)
c. Cinnamon Trade
d. Cocoa, Cardamon, and Asper growing and Manufacturing Trade.
e. Coconut growing Trade.
f. Coconut manufacturing trade.
g. Mattress and bristle fibre export trade.
h. Rubber export trade.
i. Rubber growing and manufacturing trade.
j. Tea export trade.
k. Tea growing and manufacturing trade.
l. Tobacco trade.

Women Workers

The plantation women workers are a lot suffering in silence since the inception. Though 85% of the workforce in plantations are women and most of them do more than 8 hours work a day up to 1994, 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 1994

<table>
<thead>
<tr>
<th>Plantation</th>
<th>Male Worker</th>
<th>Female Worker</th>
<th>Child Worker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tea</td>
<td>18.00</td>
<td>15.50</td>
<td>14.65</td>
</tr>
<tr>
<td>Rubber</td>
<td>18.75</td>
<td>16.03</td>
<td>16.35</td>
</tr>
</tbody>
</table>

April 1994 - After the LUTWU got equal wages

<table>
<thead>
<tr>
<th>Plantation</th>
<th>Male Worker</th>
<th>Female Worker</th>
<th>Child Worker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tea</td>
<td>23.75</td>
<td>23.75</td>
<td>20.21</td>
</tr>
<tr>
<td>Rubber</td>
<td>23.90</td>
<td>23.90</td>
<td>20.36</td>
</tr>
</tbody>
</table>

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:

a. 1/7 of 42 days wages as ordinary benefits or
b. 1/7 of 42 days wages as alternative benefits under the Maternity Benefits Ordinance.

Now this list is amended to provide for:

a. 1/7 of 42 days wages for the 1st and second confinement as ordinary benefits and
b. 1/7 of 42 days wages for the 1st and second confinement as alternative benefits and additional children the older child is followed.

The Youth

Here too the wage structure differs. The youth is called a child worker and up to 16 years he/she is paid a lesser wages than men or women.

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The plantation workers' health is looked after by the plantation authorities. There is no 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 personnel called estate medical assistants. The Government approves these personnel to treat the plantation workers and 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 estate 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 estate education system was similar to the health system up to 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 1990, the plantations used more chemicals than before.

More pesticides are used in the plantations and equally the insecticides are sprayed. The workers are not protected from these sprays nor are the residents at risk, to cover themselves, with their 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 equality treatment with the other citizens should come in the near future as 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 a joint front and demand better returns for their crops rather than allowing the middle men to monopolise the trade.

If the producing nations could join hands and demand better deals, they will be able to uplift 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.

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 25,000,000 employed persons and a majority of the plantation workers are of Indian Origin, who were brought from the Southern part of India when this country was ruled by the British. When these people came from India, the Central Province from 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 Hunts were employed in various tea estates and there are historical marks found for these workers. They were employed in tea estates as daily paid workers and they were paid very low wages till 1894 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 no child rate as well, also there were differences in the wage rates between men and women. In the beginning of plantation history, the workers were allocated with barracks line systems which still exist 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 barracks lines which were built more than 150 years ago. As per the Indian Labour Ordinance there are certain provisions in the Act with regard to the health conditions of the workers, but these provisions are not in force. Two working members and their two children or one more were allocated with single line room from its extent is $ \times 8$ and there is no proper sanitation and ventilation and as a result the workers are subject to fall into all diseases and these conditions lead to serious health hazards in the past. Also there were no proper facilities, community bathing centres, child care centres 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 non-workers are employed from morning till 2.00 a.m.

In the plantation, 95% of the workers are organised by Trade Unions and 8% are un-organised labour force. The Trade Unions entered into the plantations in 1939 and the first plantations trade union was the so-called 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 250,000 members in the plantation sector under the leadership of Hon. S. Thomas, the Minister of Rural Industrial Development in the Sri Lanka Government. After the Trade Unions got involved in the plantation workers activities, there were lot of significant changes in the working conditions of the plantation workers. After many struggles by the plantation workers the following significant achievements were made by our Trade Unions:

1. The estates were rationalised 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 barracks lines, sufficient water services, reasonable amount of latrines.
4. Wage increments, equal wages, annual holiday wages, attendance benefits, Employees Provident Fund, Employees' Trust Fund, Maternity Benefits, Funeral expenses, overtime, extra rate etc.

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5. 6 days work in a week, reasonable tank, free feedings up to 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 1951 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. Thondansen, the President of Dayton Workers Congress and achieved equal wages and 6 days work in a week.

The present basic wage for the men and women is Rs.20/7 and for the children is Rs.19/7.

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, 1951 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, 6 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 third and above.

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

In the 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 8 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 for 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 causes much problems in the plantations and estates to estates the norm is different and as a result the women workers who are employed to pick the tea leaves are deprived of their extra earnings such as over poundage rate.

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

The Island of Taiwan lies in the subtropical zone with a 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 Tai Sugar, state-owned enterprises. Besides, forest in Taiwan has since focused on the conservation of forest resources. Taiwan Forest Bureau has managed the national forested land as possible, to protect forest and mountains. Therefore, Tai Sugar 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 labor welfare and help the workers solve their problems.

Rice and other cash crops are grown by privately owned farms. Farmers are free to plant whatever they wish, besides their farm work they often take part in the plantation work as their part-time job. Tai Sugar 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 1996, the population in Taiwan area is just over 19 millions. The labor force (labor participation rate) is 60%. Among them, 1,027,950 persons are the members of Chinese Federation of Labor.

The size of the plantation workers are:

- According to crops:
  - Sugarcane and pasture plantations - 7,251 persons
  - Forestry plantations - 4,289 persons

- According to sex:
  - Male workers - 10,734 persons
  - Female workers - 755 persons

The special labor legislation

To provide minimum standards of labor conditions, protect workers rights and interests, 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, 1994 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).

- The Minimum Wage determined according to:
  1. National economy condition
  2. Whole sale price of commodities
  3. GDP
  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 NTD$1,150/month

ORGANISATION OF LABOUR

12,000 persons of both Tai Sugar and Forest Bureau salaried workers are hundred per cent organized in Labor Unions. Both 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, 1994.

CONCERNING THE SALARIED WORKERS:

Tai Sugar 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:

Education and specific training are also provided to meet urgent business requirement and employees' recreation by both workers' unions from time to time.

At present, the rural youth development program 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 1980'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 agricultural 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:
Prasen Cheeprut,
Secretary, Rubber Plantation Trade Union.

GENERAL DESCRIPTION OF PLANTATIONS:

1. Palm oil plantation - Mostly cultivated in some Southern Provinces such as Krabi, Trang, Suratthani, Satun and Chumphon. Palm oil plantation with an average area of about 100 rai (60 acres) and over runs up to 25%; an average area between 50 - 100 rai (20 - 40 acres) less than 50 rai (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 Northeastern Provinces. There are 59% state owned. The private owned ones can be divided into three groups. Plantations with an average area greater than 500 rai (200 acres) are owned and managed by private companies; but farms which consists of less than 100 rai (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 unavailable 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 ranked 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, forestry, forestry and so on; Other workers declared by the Interior Ministry.

MINIMUM WAGE:

12. 70 Baht/day (in the year 1986) in Bangkok Metropolis, Samut Prakan, Nonthaburi, Prachinburi, Samut Sakhon, Nakhon Pathom, Ratchaburi, Rangsit and Phuket.

65 Baht/day in Chonburi, Saraburi, Mukhoon, Chachoengsao and Chiang Mai.

55 Baht/day in the other provinces

About 0.01% of agricultural plantation workers can organise their trade unions.