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CHAPTER FOUR

MALAYSIA: WOMEN, LABOUR ACTIVISM AND UNIONS

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Women's union activism in Malaysia has received very little attention. Women have engaged in strikes and other organized forms of labour protest, complained about workplace injustices, and been in a variety of labour movement activities such as Labour Day celebrations and public meetings on Labour policy, but these protests and events are rarely reported (Women's Committee, MTUC, 2006). Despite this record of public action, women's activism has been overshadowed by the focus on male worker issues and by the paucity of women in leadership roles. This chapter examines the women's role in Malaysian unions since the 1970s. It concentrates on the Malaysian Trade Union Congress (MTUC) and its private sector union affiliates rather than the public sector unions affiliated to Congress of Unions of Employees in the Public and Civil Services Sector (CUEPACS).

The chapter is based on data collected in interviews with leaders of the MTUC and the MTUC Women's Committee, and union leaders of the National Union of Plantation Workers, Nurses Union and the Textile and Garment Workers Union in Johor, Penang and Selangor. The interviews, conducted in 2005 and 2006, build on earlier interviews with the same or former leaders of these unions and Sahabat Wanita (Friends of Women) a women's non-government organizations (NGO) working in several industrial zones on the outskirts of Kuala Lumpur. The chapter argues that separate

organizing has not advanced the cause of women workers. A women's committee was established in the MTUC in 1965 but government restrictions on union organizing have made it difficult for unions to raise the numbers of female trade union leaders and members. However, government restrictions are not the most significant barrier to women's participation in the union movement. While other forms of feminist civil society activism are quite strong and female unionists have devised strategies with NGOs to campaign for women's rights within the workplace and the home, the masculine culture of trade unions and male unionists' continued emphasis on women's role in the family continue to limit women's engagement with unions.

Trade union organizing and government restrictions

Women's poor representation in contemporary unions is a direct result of the ways unionism developed in Malaysia and the subsequent legislation set out under both the colonial and the Malaysian government. Labour legislation was first enacted to regulate the employment of the largely male Chinese and Indian immigrant workforce in the mines and on the plantations in the colonial period. At this time the numbers of Chinese and Malay women employed in the mines was very low. However, larger numbers of Indian female workers were employed on the rubber plantations, where they worked in unskilled areas and were considered part of family labour units. Along with male workers, some Indian women employed on the rubber plantations and in rubber factory production sections were engaged in protests for higher wages and improved working conditions (Ariffin 1988). Labour laws were introduced to regulate labour unrest in these industries in the 1940s. By 1948 unions had been established based around trades and skilled male workers (Ayadurai 1993: 63). Trade unionism

was expanded and unions were further regulated after Independence was achieved in 1957, when the government introduced the Trades Union Act (1959). In 1967 collective bargaining was formalized and arbitration introduced under the Industrial Relations Act. After the Race Riots in 1969 and the Malaysian Airlines Strike in 1983, both Acts were amended to increase government power in the arbitration system; limit the freedom of trade unions in Malaysia; weaken trade union power in the export sector; and prevent strike action in essential industries (Kaur 2004: 200). As is discussed below, the amendments to these Acts have been effective in curtailing union power in the feminized export sector industries. In the 1960s women made up about 25 percent of all union members, but very few women held office in the male-dominated unions, including those with membership that was primarily female such as the National Union of Plantation Workers and the state textile unions. The dearth of women office bearers was also evident in the MTUC and CUEPACS (Ariffin 1989: 87). In terms of the ethnic composition of the union leadership most of the union leaders during this period were either Indian or Chinese Malaysians (Todd and Bhopal 2002).

Government restrictions on union organizing had a significant impact on the numbers of women who joined unions in the manufacturing industries. These restrictions can be contextualized in the wider history of industrialization and development in Malaysia. In the 1970s the government introduced its New Economic Policy (NEP) with the aim of shifting from import substitution to export-oriented industrialization and alleviating poverty by improving the economic standing of the Malays over the non Malay population (Kaur 2004b). The NEP had important implications for the

composition of the industrial labour force. The growth and structural changes that took place in the economy during the 1971-97 period required a large number of workers (Jomo and Todd 1994: 78; GoM 1998). Total employment in Malaysia grew from 2.1 million in 1957 to 4.2 million in 1975, to 6.1 million in 1988 and to 8.6 million in 1999. Given that the NEP policies were put in place to benefit the Malays over other ethnic groups, particularly the Chinese, changes in Malay labour force participation during this period are significant. In 1957, Malay employment accounted for approximately 16.7 per cent of the total workforce. By 1970, the figure had risen to 34.2 per cent, and by 1990, to 48.5 per cent (Malaysian Government, 1998: 104).

Large numbers of women, especially Malay women, entered the workforce for the first time under the NEP. In the years between 1975 and 2000, the numbers of women in paid employment increased from 37 per cent to 44.5 per cent (Eighth Malaysian Plan, 2001-2005). As the government sought to persuade manufacturers to employ unemployed females from the towns and 'kampongs' (villages) and recruit young Malay women from the rural areas, thousands of females moved to the areas near the free trade zones and worked for subsidiaries of multinational companies. By the late 1970s, some eighty thousand *kampong* girls between the ages of 16 years and 24 years entered the electronics factories (Ong 1995: 171). Overall, the percentage of Malay women working in manufacturing industries rose from 4.3 per cent in 1957 to 24 per cent in 1990 (Yahya in Caspersz 1998: 258), resulting in the growth of a proletarianized, Malay workforce. This increase was also evident in the composition of the union members. As more Malays moved into the workforce they bolstered the numbers of Malays over non-Malays in the trade union movement, causing a rise in

the percentage of Malay trade union members from 21 in 1960 to 50 in 1980 to over 70 by 2000 (Todd and Bhopal 2002: 73). As a result of these policies middle-class Malay women have also joined trade unions in the white collar sectors of the workforce (Todd and Bhopal 2002: 86). These women can lobby for women's rights through political channels as well as contesting wages and labour conditions through the trade union, and have achieved some good results such as equal pay, maternity and retirement benefits, but working class women have not always had the same results (Gallway and Hagan 1997; Crinis 2003).

In addition, the freedom for women workers to join trade unions in secondary manufacturing was undermined by government agreements, which guaranteed special privileges to multinational companies, in the newly established export processing zones (EPZs). Women workers in these industries were denied the right to form a trade union. Government restrictions on national union organizing, membership and strike action were introduced under the Industrial Relations Act in 1967 to attract foreign direct investment (FDI) in newly-established export-oriented industries (Kaur 2004: 249). As a result of this policy, women workers in the electronic industry, especially workers in electronics factories in the EPZs have not had the opportunity to unionize.¹ Although some workers in the electronic factories have formed in-house unions, these were the result of the government's Look East policy based on Asian values rather than the welfare state values of the West (Wad 1998). Meanwhile, attempts by electronics workers to form a national trade union have continually been stopped by the Registrar of Trade Unions. In 1988, the joint effort of unions and workers forced the government to allow electronic workers to join a union, but threats

from the big USA companies to leave Malaysia prevented the legislation from being passed (Jomo and Todd 1994). In 1998 the electrical workers union succeeded in organizing three companies in Penang (Kelly 2002: 395). In 2006 electronics workers made another attempt to register a trade union, with the Registrar of Trade Unions, with little success.²

On the inside: women's involvement in unions

In 2004 there were 609 trade unions in the public and private sector, although only 8.5 per cent of the total workforce of 10.5 million were unionized. In the private sector there were 269 trade unions with a total membership of 517,112 which were affiliated members of the MTUC in 2004, 288,528 of whom were male and 216,298 of whom are female. Female workers make up the largest number of workers in 35 of the 269 private sector unions. The unions with a female majority tend to be in the feminized workplace areas that have large numbers of bank employees, nurses and teachers, while female plantation workers are the exception (see Table 3.1 for a list of unions with the largest proportion of women members). Male union members make up the largest number of workers in the other 234 unions and many of these unions unionize jobs which are considered male domains. In summary, the MTUC has a male membership of 55 per cent, whilst women comprise 45 per cent of the total. Only seven per cent of union leaders are women.

[Put Table 3.1 around here]

Large numbers of foreign workers have joined Malaysian female workers in the manufacturing industries making it even more difficult for unions to organize women workers. The manufacturing sector, especially the garment and textile industry, is heavily dependent on foreign labour and employs a large number of women (MKMA, 2006). Since the 1990s the tight labour market has encouraged the recruitment of male and female foreign workers for manufacturing. Immigration data indicate that the numbers of foreign workers in Malaysia in 2004 rose to 1.3 million, or 12 per cent of the workforce. In manufacturing foreign workers account for 30.5 per cent (Ministry of Finance 2006). As a result several Memorandums of Understanding (MOUs) have been signed with various countries to authorize legal recruitment of workers and the recruitment of workers can be done on line through the government's 'One Stop Shop' (Government Statistics 2005).

Under industrial relations law foreign workers are legally permitted to join a trade union, but they are subject to visa restrictions which limit their right to join associations. Many employers also specify in their contracts that foreign workers be not allowed to join a trade union (NST 1997). The MTUC has argued that once foreign workers are employed they should be accorded the same rights, wages and benefits as Malaysian workers. In response, the government accused the MTUC of trying to bolster the amount of fees collected from workers to strengthen its financial standing (NST May 26, 1997). The MTUC has responded to the migrant worker issue with support from the International Labor Organization (ILO), by meeting with unions and NGOs from the countries of the various guest workers. However,

according to the MTUC the meeting was a ‘waste of resources’ because the people attending the meeting were not decision-makers and, as a result, nothing has changed (MTUC 2006). Overall, most migrant workers arriving in Malaysia have little knowledge of labour laws or their rights to organize, and in many, if not most, factories in most states no unions exist for them to join.

Problems faced by women unionists

Trade unionism in Malaysia was established at a time when production was defined as a male sphere and reproduction a female sphere. As a result, women’s primary role was seen as mother not as worker. In modern Malaysia this has been strengthened by both the states discursive representation of women as mothers of the nation and the Islamic emphasis on the family (Crisis 2004). Rohana Ariffin (1987; 1988; 1998) has argued that women workers are generally poorly represented in unions because of the ways capital and patriarchy organize social production and reproduction in Malaysian society, and that gender relations and the sexual division of labour in society as a whole obstruct rather than integrate women into unions. Ariffin’s work demonstrated that in the late 1980s male trade unionists regarded women’s issues as relevant to women and as part of women’s private domain and did little to expose male unionists to women’s issues in the workforce. In addition, women workers were not offered or expected to fill leadership roles because male workers in unions reinforced discourses of women as wives and mothers rather than workers (Crisis 2004).

Women unionists are faced with the same problems in Malaysia as in developed countries. In the last decade a number of studies have examined unions in

industrialized countries from a gender perspective (Pocock, 1997; Colgan and Ledwith 2002; Kirton 2005; Parker 2003). Raising union officials' awareness about the problems faced by women remains a key challenge for the achievement of equality within unions. Women's situation is complicated by the fact that the union movement is, as Suzanne Franzway (2000) has argued, a 'greedy institution' that requires female unionists to have high levels of commitment and loyalty. Accordingly women unionists have to balance commitment, workload and emotional labour in the workplace as well as family commitments in the home. In Malaysia, the responsibility for housework and childcare are still largely borne by women. Working class women do not have the ability to pay for domestic help and have to do the housework as well as earn a living. They have little time to attend trade union meetings as union meetings are generally held after work hours and women have to care for families.

In recent years unions' focus has changed and women's issues have come to be seen as important, largely as a result of the emphasis of the ILO on promoting equality in unions and electing women into leadership roles. In the Malaysian context, although the MTUC and its affiliated unions continue to be dominated by men, a number of women have become leaders of their unions and vice presidents in the MTUC. In the banking sector 80 per cent of leadership roles are filled by women (MTUC 2006). The Women's Committee of the MTUC was established in 1965 to represent women in the affiliated trade unions, to put women's issues on the table and to train women workers in trade union strategies and practices. The idea to promote the exchange of ideas between women trade union leaders and to promote greater openings for women in the leadership structures of the trade union movement was reinforced again at the

Women's Convention in 1999 (MTUC Labour News 1999). To achieve this, the committee meets once a month on a Saturday afternoon to share their knowledge, to build on their capacities and to seek ways of expanding the role of Malaysian women in the workforce.

A major question raised by the literature is why women join unions in the first place. Gill Kirton (2005: 386) examined the influences on women joining and participating in unions, arguing that women do not seek to join unions even if they have a family background of unionism, and they need encouragement from local male and female union leaders, participation in women-only courses and a critical mass of union supportive members at the workplace. Jane Parker's work reinforced the idea that women unionists need women-only groups within the union in order to educate women without the over-bearing power of male trade unionists (Parker 2003). But while women's committees can ameliorate some of the structural deficiencies of unions they have not changed the sexual politics in unionism. The struggles of the MTUC Women's Committee are varied and include: encouraging women's participation in trade union activities; encouraging and empowering women to take up leadership roles in their trade union or at the MTUC level; liaising with other NGOs and women friendly organization with regards to improved maternity allowance benefits, lobbying for the ratification of Convention 183; promoting the Sexual Harassment Bill; lobbying for laws that discriminate against women to be amended and to campaign for protection of women's rights wherever they are violated. The Women's Committee conducts their own training programs depending on available funds and has had some success increasing women's awareness through education

programs within the labour movement itself and the numbers of women in unions have increased in the feminized areas of the workforce, except in the electronics industry.

Efforts have also been made to improve women's representation within union structures. In 2001 the MTUC adopted a global policy of encouraging women's participation in all programs and activities of the national centre, with the hope that this policy would trickle down to all affiliates. However, implementation of the policy is another matter, even within the MTUC itself. The MTUC Working Committee is comprised of the principal office bearers, namely the President, Deputy President, Secretary General, Deputy Secretary General, Secretary, Deputy Finance Secretary and 11 Vice Presidents. In 2006, women held none of the key posts, and only three of the 11 Vice Presidents were female.³ The MTUC has employed all sorts of strategies to help women overcome the difficulties they face within the unions, but male unionists do not question the masculine culture of unions which construct women as the problem. As the discourses of women and work illustrated in the following interviews, male unionists in the union hierarchy continue to view women's family commitments as the problem rather than looking at the way the union movement has developed as a masculine space.

Although the MTUC leaders espouse the importance of having women as union leaders, in many cases they continue to see women workers in ambiguous ways. According to the male education officer of the MTUC, for example, there are two main reasons why woman unionists are important. The first is as a source of

information about women's concerns because, 'Women are not willing to talk about women's issues to men; we cannot talk to women about maternity leave, maternity related issues, cycle-related issues or sexual harassment issues'. The second reason women unionists are important is because they are perceived as a means of 'softening up' employers. He believes negotiations with employers are conducted more amicably when a woman is present: 'I find that the soft spot will always be there when a woman is present' (interview with MTUC Education Officer 2006). The same education officer cited 'family commitments' as the major obstacle to the success of the MTUC's attempt to promote women. He claimed that even though many women have become very active unionists, 'once married I lose good women in the union because of their husbands'. He argued that married women are unable to fulfill their duties because of their husbands and because the stress can lead to the breakdown in the family:

I had two women who I thought could become union leaders some time back but you know they got divorced and they still continued with union work after they were divorced. These are some of the things that make me feel very sad, I don't know the answer but inside me something tells me - is it because they wanted to help others, fellow workers, that they lost their families. (interview with MTUC Education Officer 2006)

In response to this problem he is considering holding courses for the husbands and wives of trade union officials so he can explain the significance of trade union work and the importance of union meetings.

The male Education Officer's response reflects the broader fact that while male trade unionists may acknowledge women's difficulties, and want to see the numbers of unionized women and office bearers increase, they still see their primary responsibility as being in the home. While both men and women are viewed as important for parenting, the housework and the responsibility for family care are seen to be women's responsibility. Consequently, the MTUC's gender program does not really address the sexual politics in the union itself but concentrates on sharing household responsibilities:

The Gender Training program [creates] awareness about sharing jobs. [In our programs we] identify what the daily routine is, then, why must you be doing all this, or you think your husband should share, how can he share, what are the restraints you are having in trade union for you not to hold senior positions? What are the obstacles? Is it the husband or your trade union partners? Then from there we come and we will discuss how we can overcome these obstacles what should be done. (interview with MTUC Education Officer 2006)

Both male and female unionists stressed the high levels of commitment and energy women unionists need to take on the role of office bearers. According to both male and female unionists in the MTUC, women find it difficult filling voluntary leadership roles because of the increased workload this kind of position brings (interview MTUC General Secretary and Women's Committee President 2006). In most of the interviews, male trade unionists were quick to defend the fact that there were few women unionists in positions of power (interview with National Executive Secretary, National Union of Plantation Workers 2006). As one male unionist pointed out many

Muslim women continue to believe ‘it is the duty of the women to ensure that all household work be done by the woman’ (interview with MTUC Education Officer 2006). Another male unionist claimed, that a number of supervisors in the electronics industry told him that ‘women listen to a man and not to their own women, [because] jealousy comes out’ (interview with Secretary General, MTUC 2006). This type of discourse protects the interests of male unionists in maintaining leadership roles within the union (Kugelberg 2006).

Interviews with women in the MTUC also emphasized women’s heavy workload and the obstacles preventing them from taking on leadership roles within the union, but they were quick to point out that women had to be outspoken in order to take on trade union leadership roles. According to the President of the Women’s Committee:

Drawing the women out to become leaders is very difficult because we still have to balance our employment with our other family commitments. We really have to disengage her from her other responsibilities and this is quite difficult unless she has a really understanding and supportive husband. But Malaysians are changing, we agree, but it is still difficult for us you see... We are hoping that in future there will be an increase [in the number of women in leadership positions] but it will be very gradual. The ones that we have like us, me, are being pulled we are being pulled in so many different directions — it is difficult to focus on just one aspect. I expect the other women are in the same boat. To be a leader you have to be outspoken so it takes a lot of sacrifice. There is a lot of work to be done. (interview with Women’s Committee President, MTUC 2006)

Women activists make sacrifices and have to educate others in standing up for their rights, but they also need the support of male trade unionists. Responding to the women's struggles in leadership roles requires unions to deal with issues of patriarchy in their own organization (interview with female General Treasurer, the Railway Union of Malaya 2005). The next section turns to a case study of unionism in the Garment and Textile Industry and demonstrates that while the masculine culture of trade unions is apparent, state policies, trade liberalization and transnational migration impedes women's struggles and makes it all the more difficult for trade unions to represent workers in the garment and textile industry.

Garment and textile trade unions in Johor, Selangor and Penang

There are over 200 garment and textile factories registered with the Malaysian Textile Manufacturers Association (MTMA) and another 150 with the Malaysian Knitting Manufacturers Association (MKMA). The number of factories organized in each state also is quite low compared to the size of the industry. In Johor, Penang and Selangor there are approximately 40 factories organized, the largest number in Johor. Unions face very different challenges in different parts of the garment and textile industry. However, as noted earlier, only 12 per cent of workers in the garment and textile industries are unionized, despite the presence of a separate garment and textile union in each state. This section outlines the differences in the textile and garment industries in Johor, Selangor and Penang in order to explain the complex and diverse struggles that unions face in organizing workers in the manufacturing industries.

In Johor most of the 157 garment and textile factories produce for the export market, and 21 of these factories are unionized. Most of the manufacturing production in Johor is undertaken in the factory or subcontracted to a manufacturer with many of these factories producing for US brand names. The union in Johor is constantly negotiating with workers to join a union but with relatively little success. According to the trade union Secretary it is common for 'union busting' employers to frighten workers and dismiss union officials if they are observed organizing workers. In one example, the union managed to get the workers in one factory to the point of joining the union but management threatened to reduce the workers wages if they joined. In 2001, Ramatex Textile Industries suspended 70 workers for 14 days because of their trade union activities. Most of those dismissed were area committee officials of the union at the plant level (ICFTU Trade Union World 2001). The union, however, spends a great deal of time and resources reporting unfair dismissal cases to the Human Resources Ministry and other interested international bodies (interview with Secretary, Johor Textile Trade Union 2006).

Nevertheless, the number of female members in the Johor union is much higher than the numbers of female members in Selangor or Penang (interviews with the Secretaries of the Textile Unions, Johor, Penang and Selangor, 2005; 2006).

According to the General Secretary of the Johor Textile Union the reason for their success is because:

We promote women to play a leading role in the unions. For fifteen years we have given the position of Vice President to a woman and women fill 80 per cent of the executive council. We also recognise that male workers do not have

the same issues as women workers because of women's family commitments. We do what we can to help our female members solve their problems but we do not go against the government. (interview with Secretary, Johor Textile and Garment Workers Union 2006)

The Secretary of the Johor Textile Union was also the first trade union secretary in the industry to accept the fact that 'foreign workers are here to stay' (interview with Secretary Textile Trade Union Johor 2006). This was important because in the past foreign workers were perceived as undermining the wages and conditions of Malaysian citizens (NST, 1997). In 2001, according to the Vice President of the MTUC 'we understand the migrant's position, but when they agree to work longer hours for less pay this angers local workers who are then put at a disadvantage during recruitment drives or lay offs' (ICFTU Trade Union World 2001). The Secretary of the Johor Textile Union realised however that garment manufacturers in the state of Johor employ large numbers of foreign workers. For example the *Monthly Manpower Report* of one factory showed, and the others are much the same, that at least 50 per cent of the workforce consists of foreign workers and these workers make up at least 80 per cent of the factory's production workers (interview with factory management 2006). Female foreign workers are recruited from Cambodia, Indonesia, Sri Lanka and Vietnam; while male foreign workers are recruited from Indonesia, Nepal, Pakistan and Sri Lanka. Women are employed on three-year contracts (except for Indonesians who are employed on two year contracts). They work two shifts, in the morning and afternoon, and are paid a daily rate. They have monthly medical check-

ups to ensure that they are healthy and can be sent home if diagnosed with an illness or pregnancy (interview with factory management 2006).⁴

In Selangor the situation is very different. There are approximately 296 female union members out of a total membership of 538. As a result the union is largely dependant on financial support from the MTUC and the ILO. This also means that there is very little money available to employ full time unionists other than the Secretary of the Textile Trade Union, making it all the more difficult to organize workers in such a fragmented industry. According to the Secretary of the Textile Union the situation in Kuala Lumpur resembles a 'race to the bottom' and unionists face a dismal future organizing workers especially foreign workers and there is little chance that unions can deal with exploitative labour conditions of a ghost-like undocumented labour force (interview with the Secretary, Selangor Textile Trade Union 2006). The parlous state of the Selangor Textile union is related to the structure of the industry in Selangor. While there are a number of large to medium factories manufacturing for the export market operating under the same labour compliance system as in Johor, the bulk of manufacturing is done by subcontractors and outworkers and many of these manufacturers produce for the local market (interview with the Secretary, Selangor Textile Trade Union 1999; 2006). Sweatshops and sweatshop conditions have stemmed from the high levels of competition in the local and regional industry. Since the end of the Multi-Fibre Agreement (MFA) in 2004 and the ASEAN Free Trade Agreements (FTA), manufacturers producing for the local market are continually cost cutting in order to combat the large number of garments that are being imported into the country from Indonesia, Thailand and other neighbouring countries. According to

the MKMA spokesperson there is not enough monitoring of the garments coming into the country. An invoice, for example, may specify that there are twenty dozen garments in a container when in actual fact there are forty dozen (interview with MKMA Spokesperson 2006).

Workers employed by these businesses are not unionized and have little recourse to bargaining power; many are married women who have to work in the home so they can care for young children. They rarely have a contract with their employer and are paid on a piece rate system. Trade unionists face extreme difficulties in their struggle to represent home-based workers in Kuala Lumpur. As a result the working conditions of female workers in the home-based industry range far below the minimum standards in the formal sector of the industry. Unlike the factories in Johor, 'sweatshop' employers often utilize undocumented foreign workers. Estimates suggest that between 1 and 2 million undocumented foreign workers are active in Malaysia's economy and according to the trade union Secretary in Selangor, undocumented workers are exploited in garment sweatshops operating in and around Kuala Lumpur (interview with the Secretary, Selangor Textile Trade Union 2006). It is difficult, however, to give firm figures on undocumented foreign workers' involvement in the textile and garment industry, other than anecdotal evidence obtained through such interviews.

The situation is different again in Penang where the largest numbers of unionized workers in textiles and garments are male workers, and men constitute the largest number of office bearers. According to the Penang Textile Union Secretary the

industry's workforce is fragmented and the numbers of unionized workers is quite low. In earlier times larger numbers of women workers were unionized although during this time there was only one female Executive Council Member. In 1992 for example there were over 5000 members of the union, the majority of whom were women, but in the last decade garment factories have either replaced local workers with foreign workers or relocated to either newly developing states in Malaysia or countries such as Cambodia and China reducing the numbers of union members by about 90 per cent. In a study conducted on 16 garment and textile factories in Penang in 1994 all except three factories employed Bangladeshis or other foreign labour in their efforts to cut the costs of manufacturing (*Penang Union News Letter*, 1994). Trade unionists however have been lobbying the government to legislate a minimum wage so foreign workers can be paid the same wage as Malaysian workers.

The Textile Trade Union in Penang, however, has a history of labour activism whereby trade unionists, academics and feminist NGOs, have lobbied for women's rights and have been instrumental in bringing attention to health and safety in the workplace, domestic violence and the high levels of sexual violence in Malaysian Society (Ariffin 1997; Ng 2001). The Penang Textile Trade Union has also worked with the leaders of in-house unions in the electronic factories to 'change these unions into fighting unions' and as a result some electronic workers have formed their own trade union (interview with the Secretary, Penang Textile Trade Union 1999). The union is also a member of the International Textile, Garment and Leather Workers' Federation (ITGLWF), which, according to the Penang Secretary, plays an important role in educating trade unionists in developing countries and is especially important

for women workers, because of its campaign to increase women's membership rates and the numbers of women in leadership roles. While it is commendable that the Textile union in Penang has joined an international union organisation that works to promote the interests of women workers (interview with the Secretary, Penang Textile Trade Union 2005) it is puzzling that although the union embarked on a program called 'Women's Participation in Trade Union Work' as early as 1992 (*Penang Union News Letter*, 1992) no female unionists have been selected for the Secretary's role.

As this discussion demonstrates, unions face a complex situation when organizing women workers in these three states. In Selangor and Penang the most significant barriers to unionization has been a combination of state policy, industry fragmentation, employer union-busting and the recruitment of foreign workers. While employers have made it difficult for unions to raise the numbers of female members and trade union leaders, especially in the context of foreign workers the masculine culture of the unions also plays a significant role in determining the numbers of women who join unions. In the Johor Textile Trade Union, there are numbers of women in leadership roles while male unionists largely run the unions in Selangor and Penang. To make these unions more attractive to women workers, unions need women leaders who understand the issues that women face in their working and private lives. While measures are devised to address worker's issues male unionists do not address the fact that female foreign workers for instance may not feel comfortable with male unionists because of cultural reasons or that Malaysian home-based workers might not feel it is appropriate for male unionists to visit them in their home. While these issues may seem trivial they are an important factor in organizing women

and getting them to join unions. Gender education programs for male unionists go some way towards challenging the masculine culture of unions but according to the President of the Women's Committee 'gender' is viewed in relation to women only, 'if we are just talking about gender programs [in mainstream trade union education] then it might be that just all women turn up because the men think this is a woman's thing'. Unless the union movement addresses the active politics of resistance towards women as leaders, the numbers of women in unions will remain low and NGOs will have to play a greater role in addressing women's issues in the labour movement.

Beyond the union movement

One of the ways female union activists have responded to the continuing barriers to women's participation both in the MTUC and in state-based unions has been to create new ways to address women's issues outside the union movement. They have created their own feminist space by joining forces with women's groups to address important issues relevant to women in both the workforce and the home. In Malaysia as in other countries in Southeast Asia feminist NGOs have played a pivotal role as a vehicle for alternative forms of organizing. Activists such as Irene Fernandez (*Tenaganita*) and Irene Zavier (*Persatuan Sahabat Wanita Selangor*) have been particularly outspoken against government practices and are renowned for supporting foreign workers and unorganized working class women in the manufacturing industries (Todd and Bhopal 2002: 86). *Sahabat Wanita* has been instrumental in attempting to cultivate worker confidence and negotiating skills in small workshop groups. As a result women workers in the export manufacturing sector are more inclined to seek help from NGOs than from unions (interview Irene Zavier 1993). The role of labour NGOs in Malaysia

has been to plant the seeds of worker's rights among women workers including foreign workers most at risk of exploitation.

The MTUC Women's Committee has joined forces with these feminist NGOs and formed the Joint Action Group against Violence Against Women (JAG-VAW). The association of women unionists with feminist NGOs also provides an avenue for activism to develop among female trade unionists. Although there are few signs of real cooperation between trade unions and feminist NGOs on labour issues, the Women's Committee collaboration with NGOs has strengthened women unionist's activism on broader issues. Since first conducting research in Malaysia in 1993, I have witnessed a definite increase in women's activism. This is largely due to the increase in the Malay middle class and the privileges accorded to middle class women by the government. The state in Malaysia has afforded a considerable space to local feminist politics and this in turn has benefited women leaders in the union movement (Ng and Chee 1999). Unlike unions, the government has not placed limitations on liberal feminist organizations, which are allowed to operate as long as they respect the government, Islamic laws and the family. Women's groups however, do not challenge the gender division of society in which women are held responsible for the family and the home.

A particular concern of feminist NGOs is the high level of domestic violence, incest and child abuse in Malaysian society. One of the most positive actions taken by the Women's Committee of the MTUC is to join forces with other women's groups to appeal to the government to amend the Sexual Harassment Code of Practice to include

all work places as well as domestic workers and home workers. In 1988 the Women's section of the MTUC launched a specific campaign against sexual harassment in the workforce after receiving a series of complaints from its members. In the 1990s they joined forces with the All Women's Action Society (AWAM) in an awareness campaign that targeted all sections of society and a milestone was reached when the Ministry of Human Resources announced its intention to prepare and issue a Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace. AWAM and the Women's Committee were invited to sit on the Technical Committee responsible for drafting the Code, which was launched in August 1999 (Ng 2001). When a study (2001) on behalf of the Joint Action Group against Violence Against Women (JAG—VAG) showed that only 4,500 of a total of 400,000 employers have adopted the Code the MTUC and women's groups have revived JAG to campaign on specific changes to its implementation, arguing that the Code should be made binding in all workplaces. The Women's Committee and the women's groups continue to closely monitor the ways the Code is implemented in the factories and the support women receive. Before this campaign sexual harassment was not officially acknowledged because many women were afraid to come forward. Research conducted on six pioneer companies in Malaysia in 2000 to 2001 found that 35 per cent of the 1,483 respondents had experienced one or more forms of sexual harassment in their workplace (*Malaysian Labour News*, 2005). Now there is evidence that the situation is changing as more women are informed of their rights as workers and the government has recognized that sexual harassment in the workplace is a serious issue.

Conclusion

Malaysian women have made a significant contribution to the labour movement but women's activism has been overshadowed to some extent by the union's struggle to represent workers in an environment of economic trade liberalisation. The focus of the MTUC on trying to increase the numbers of women workers in the unions has been persistently frustrated by government policies on union organizing and employers' preference for in-house unions in the manufacturing sector. In addition the recruitment of large numbers of foreign workers has also prevented unions from organizing workers in areas such as the garment and textile industry and this has not been helped by employer's preference for compliance codes of conduct instead of allowing trade unions to organize workers. However, the main barrier to better integration of women within the union movement continues to be the culture of the unions themselves.

The MTUC has tried to influence women's participation in the trade union movement by educating numbers of women to become office bearers in the higher echelons of leadership so unions can become more relevant to women workers. According to both male and female unionists the most significant barriers for women to become union leaders have been the male-dominated atmosphere of the unions and their continued emphasis on women's responsibilities to their families. In response to the unions' failure to deal effectively with women's issues, women unionists have joined forces with feminist NGOs to raise community awareness about women's labour rights and the level of domestic violence and sexual harassment that women and children experience in the home and the workplace. By focusing on women's exploitation in

the home and the workplace these activists are making women more aware of their position in society and may eventually lead to an awareness of the sexual politics of other institutions, including the trade unions.

Bibliography

- Ariffin, R. (1988) 'Malaysian Women's Participation in Trade Unions', N. Heyzer (ed) *Daughters in Industry*, Kuala Lumpur: Asia Pacific Development Centre.
- ____ (1997) *Shame Secrecy and Silence Study of Rape in Penang*, Pulau Pinang: Women's Crisis Centre, Penang.
- ____ (1989) 'Women and Trade Unions in West Malaysia' *Journal of Contemporary Asia* 19, 1: 78-94.
- ____ (1997) *Women and Trade Unions in Peninsular Malaysia with Special Reference to MTUC and CUEPACS*, Pulau Pinang (Penang): Universiti Sains Malaysia (University of Malaya).
- Asian Labour News (2005) Malaysia: Women Workers in Malaysia (1980-2004) (Part 1) <http://www.asianlabour.org/archives/001800.php> (accessed December 12 2005).
- Ayadurai, D. (1993) Malaysia In S Deery and R Mitchell (eds) *Labour Law and Industrial Relations in Asia*. Melbourne, Longman Cheshire.
- Caspersz, D. (1998) 'Globalisation and Labour: A Case Study of EPZ Workers in Malaysia', *Economic and Industrial Democracy* 19, 2: 253-285.
- Colgan, F. and Ledwith S. (2002), *Gender, Diversity and Trade Unions*, London: Routledge.
- Crisis, V. (2001) 'The Stratification of the Garment and Textile Industries and Labour Movements in Malaysia', Nicola Piper and Dong Sook Gills (eds) *Women and Work in Industrialising Asia*, London: Routledge.
- ____ (2003) 'Innovations in Trade Union Approaches in Malaysia's Garment Industry' *The Economic and Labour Relations Review* 14, 1: 81-891.

- (2004) *The Silence and Fantasy of Women and Work*, unpublished dissertation, University of Wollongong.
- Franzway, S. (2000) 'Women Working in a Greedy Institution: Commitment and Emotional Labour in the Union Movement', *Gender Work and Organization* 7, 4: 258-68.
- Gallaway, A. B. and Hagan J. (1997) 'Who Gets Maternity Leave?: The Case of Malaysia', *Contemporary Economic Policy* XV, April: 94-104.
- Jomo K. S., and Todd P. (1994) *Trade Unionism and the State in Peninsular Malaysia* Kuala Lumpur: Oxford University Press.
- Kaur, A. (2004a) *Wage Labour in Southeast Asia*, London, Palgrave MacMillan.
- (2004b) 'Women, Labour Standards, and Labour Organisation' in Amarjit Kaur (ed) *Women Workers in Industrialising Asia: Costed, Not Valued*, London, Palgrave MacMillan.
- Kirton, G. (2005) 'The Influences on Women Joining and Participating in Unions' *Industrial Relations Journal* 36:5, 164-84.
- Kugelberg, C. (2006) 'Constructing the Deviant Other: Mothering and Fathering at the Workplace', *Gender, Work and Organisation* 9, 1: 39-60.
- Malaysian Government Publication. (2006) *Eighth Malaysian Plan, 2001—2005*, Kuala Lumpur: Government Printers.
- Malaysian Government Publication. (1998) *Mid Term Review of the Seventh Malaysian Plan, 1996—2000*, Kuala Lumpur: Government Printers.
- Malaysian Trade Union Congress (1999) 'Women's Section hold Convention', *MTUC Labour News*, Jan-March.
- Ministry of Finance (2006) *Report*, Kuala Lumpur: Government Printers.

- New Straits Times* (1997) 'MTUC Pushing for Foreigners to Join Unions', May 26.
- Ng, C. and Chee Heng Leng (1999) 'Women in Malaysia: Present Struggles and Future Directions', C Ng (ed) *Positioning Women in Malaysia: Class and Gender in an Industrializing State*, London: Macmillan.
- Ng, C. (2001) 'Sexual Harassment and the Code of Practice in Malaysia: A Study of Pioneer Companies Implementing the Code', Kuala Lumpur: All Women's Action Society and Women's Development Collective, pp 1-10.
- Ong, A. (1987) *Spirits of Resistance and Capitalist Discipline, Factory Women in Malaysia*, Albany: State University of New York Press.
- Penang Union News Letter, 1992
- Penang Union News Letter, 1994
- Parker, J. (2003) 'We're on a Road to Somewhere: Women's Groups in Unions' *Industrial Relations Journal* 34: 164-84.
- Pocock, B. (ed.) (1997) *Strife: Sex and Politics in Trade Unions*, St Leonards: Allen & Unwin.
- Poosparajah, S. (2002) 'Nationwide Women's Support Groups Soon', *New Straits Times*, January 8.
- Rowley, C. and Bhopal M. (2006) 'The Ethnic Identity in State-Labour Relations: The Case of Malaysia', *Capital and Class* Spring, 88: 87-115.
- ActionAid Vietnam: Report from Independent Observer on the Adidas Stakeholder Dialogue, Malaysia October 12, 2004. http://www.adidas-group.com/en/sustainability/downloads/stakeholder_reports/Asia (accessed June 10 2006)

Trade Union World (2001) Barely Tolerated... and Yet Indispensable (ICFTU Website)

Todd, P. and Bhopal M. (2002) 'Trade Union Dilemmas of Diversity in Malaysia', *Gender, Diversity and Trade Unions*, edited by F Colgan and S Ledwith, London: Routledge.

Wad, P. (1998) 'Enterprise Unions: Panacea for Industrial Harmony in Malaysia', *The Copenhagen Journal of Asian Studies* 12, 97: 89-125.

Table 3.1 Unions with Largest Proportion of Female Workers, 2004

Name of Union	Membership	M	F
Amalgamated Union of Employees in Government Clerical	7011	2967	4044
Electrical Industry Workers Union	28116	14958	13158
Selangor and Federal Territory Textile Workers Union	538	242	296
Employee Provident Fund Board Staff Union	2488	1168	1320
Union of Employees in Private Medical Health Services	1633	175	1458
Johor Textile and Garment Workers	2596	620	1976
Malayan Nurses Union	13341	—	13341
National Union of Plantation Workers	39402	18787	20615
National Union of the Teaching Profession	113019	40246	72773
University Hospital Staff Union	1796	714	1082
Union of Employees in Trade Unions	131	64	67
University of Malaya General Staff Union	1477	750	727
Negeri Sembilan/Malaka Textile and Garment Workers	518	112	406

Union			
Sabah Medical Services Union	4212	986	3226
Association of Bank Officers Malaysia	2758	1218	1540
KPP Harris Advanced Technology	304	55	249
Kesatuan Pekerja2 Acrylic Textiles of Malaysia	190	52	138
Kesatuan Kakitangan Koperasi Kebangsaan	209	77	132
Kesatuan Pekerja2 Pekeranian Pos Malaysia	3597	1831	1766
Kesatuan Kakitagan Percetaan Keselematan Nasional	182	70	112
National Union of Bank Employees	24046	10186	13860
Sabah Bank Employees Union	1660	698	962
Sarawak Bank Employees Union	2746	1124	1618
Kesatuan Pekerja2 Kian Joo	525	140	385
Association of Maybank Employees	1151	527	624
Association of Hong Kong Bank Officers	466	214	252
Association of Maybank Class One Officers	8358	4007	4351
Kesatuan Kakitangan Akademik Taylor's College	135	30	105
Kesatuan Kakitangan Pertubuhan Keselamatan Sosial	746	280	466
Kesatuan Pegawai2 Pentadbiran Industri Insurans	533	131	402
Kesatuan Pekerja2 Hitachi Consumer	960	148	812
KesatuanKakitangan Bank Simpanan Nasional	2861	1143	1718
Sabah Inland Revenue Employees Union	399	176	223
Kesatuan Pekerja2 Epsom Precision (M)	268	49	219
Kesatuan Pekerja2 Felda Rubber Products	442	112	330

Source: Compiled from the list of MTUC Affiliates (MTUC 2006)

¹ In the suburbs of Kuala Lumpur the women members of the MTUC managed two hostels/ centres for women workers in the EPZs for twenty years. These centres provided a focal point for organizing the largely female labour force of the zone. Through their life in the centre, the women shared their problems and were made aware of trade union work. Proof of the success of this ICFTU-supported initiative is that a group of women who had spent time at the centre went on to create their own hostel, and five of the women participated in the foundation of a new trade union for male and female electronics workers (Trade Union World, 2001).

² According to the General Secretary of the MTUC female workers in the electronic industries should have their own trade union and the government should ignore the protests of the big US and Japanese companies because ‘we feel that 20 years ago industrialization was very minimal and Malaysians needed the jobs but the situation is very different now we have two million foreign workers in the country so we can do without these companies’ (interview with the MTUC President 2006).

³ The constitution of the MTUC provides for the position of one Vice President to be reserved for a woman that is the Chair of the Women’s Committee who is elected in the Women’s Committee’s own convention every three years. All other positions except the Youth Committee Chair are elected in a congress every three years and only two women have been elected to this position all other positions are held by male unionists (interview with the Women’s Committee President, MTUC 2006).

⁴ A dialogue between NGOs and workers highlighted how foreign workers feel insecure in their host country and young women often do not have the skills to live in a big city away from family and friends. Some foreign workers also felt frightened going out in their free time because random police searches made them feel insecure especially when they are pressured by the police for money (ActionAid, 2004).