Photo courtesy of FTUB

Many Burmese migrant workers labor long hours in Thai factories.

WOMEN MIGRANT FACTORY WORKERS

By Fr. Peter O'Neill, Hope Workers' Center

When we think of female migrant workers in Asia, we normally think they are working as domestic workers or caregivers. This is true for a large majority of female migrant workers in Asia. However, in many parts of Asia there are also large numbers of female migrant workers slaving away in factories.

For example, Bangladeshi women are working in oppressive conditions in garment factories in the Middle East. Although the Bangladeshi government has a ban on women working overseas as domestic workers, there is no ban prohibiting them from working in factories. Since their placement fee is half that of their male counterparts, many women are coerced by their husbands to work overseas. They are often forced to do overtime with no pay. Meanwhile, in Singapore there is no minimum wage, which leads to wage discrimination among workers, including factory workers. Thai women working in Singapore factories, for example, receive a lower salary than women from China. In India, due to the open border between Nepal and India, many Nepalese women are working in Indian factories on very low salaries.

There are large numbers of women migrants working in factories in South Korea, Taiwan and Thailand suffering from various kinds of abuses. This thematic study will go into more detail on the situation of these women.

TABLE 1: FOREIGN CONTRACT WORKERS IN TAIWAN BY CATEGORY AND NATIONALITY AS OF DECEMBER 2003

	Filipinos	Indonesians	Thais	Vietnamese	All Nationalities
	Dec-03	Dec-03	Dec-03	Dec-03	Dec-03
Factory Workers	51,265	7,957	88,094	14,703	162,039
Construction Workers	146	43	13,661	262	14,117
Caregivers	27,350	45,586	2,854	39,932	115,724
Domestic Workers	1,997	2,305	107	465	4,874
Fishermen	597	546	12	2,241	3,396
Total	81,355	56,437	104,728	57,603	300,150

Source: Employment and Vocational Training Administration, CLA

Taiwan

The Taiwan Council of Labor Affairs (CLA) Employment and Vocational Training Administration Statistics do not have any accurate statistics as such on the nationality and number of women migrant factory workers. However, if we look at Table 1 (Foreign Contract Workers in Taiwan by Category and Nationality as of December 2003) and Table 2 (Foreign Contract Workers in Taiwan by Gender and Nationality as of December 2003) we can establish a rough estimate as to how many women migrants from each nationality are working in factories.

For instance, according to Table 2, as of December 2003 there were 57,670 Filipinas working in Taiwan. If we presume from Table 1 that all the Filipino caregivers and domestic workers are women, and all the construction workers and fishermen are men, then the number of women factory workers would be 28,323. This is 55.25% of the total number of Filipino factory workers. If we use the same method of calculation for the other three nationalities, then as of December 2003 there were 1,573 Indonesian women factory workers (19.77% of the total number of Indonesian factory workers); 14,853 Thai women factory workers (16.86% of the total number of Thai factory workers); and 6,375 Vietnamese women factory workers (43.36% of the total number of Vietnamese factory workers). The presumed total number of women migrant factory workers would be 51,126. This is 31.55% of the total number of migrant factory workers and 17.03% of the total number of migrant workers in Taiwan. (In comparison, 40.18% of the total number of migrant workers in Taiwan are caregivers and domestic workers.)

The large majority of these women work in either IT or textile industries, in factories that make PC (personal computer) boards or clothing. Female workers are preferred to male workers because they have smaller fingers to handle the small intricate details of the PC boards. The common practice is for these women to work 12 hour shifts and usually the night shift. Companies save on night differential by employing migrant workers, as local workers will only work the night shift if they are given night differential. Night differential is not stipulated under the Taiwan Labor Standards Law, however, and many migrant workers do not receive it.

A common health problem of these women is a deterioration of their eyesight. They can spend 12 hours a day looking into magnifying glasses to check for mistakes in the PC boards, which is extremely hard on the eyes. Migrant workers are allowed to work in Taiwan for a maximum of six years. Working under these conditions for six years places a tremendous strain on their eyesight.

Women who work a 12-hour night shift are constantly sleep deprived for most of the year. Moreover, the weather in Taiwan is extremely hot and humid for at least half of the year, and the majority of dormitories where the migrant workers live do not provide air conditioning. Migrant workers are

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Jaemsai Rungthiwa suffered terrible injuries in a Taiwanese factory.

crammed into dormitory rooms with 8 to 10 workers per room with only one or two ceiling fans. As a result, it is often impossible for them to get their required rest during the heat of the midday sun.

Also, like all factory workers in Taiwan, a maximum of 25% of their monthly salary is deducted by their employers for food and accommodation. By forcing migrant workers to live in cramped conditions, factories can make a profit from this compulsory deduction.

Women who work in the textile industry are prone to occupational accidents due to unsafe working conditions. Jaemsai Rungthiwa, a female worker from Thailand, worked at a textile company. She was working on a machine but it was having problems. During her attempt to fix the machine, three of her fingers were chopped off. Her doctor cut off an additional finger in an attempt to surgically attach it to replace her missing thumb. This was unsuccessful, resulting in a total loss of four fingers. Now only one finger remains on her hand.

Due to the slump in the Taiwan economy, many factories are either going bankrupt or choosing to move to China where there is cheaper labor, cheaper land and less taxes. When factories close, migrant workers have the chance to transfer to a new employer, however, they have no choice in the kind of work they are transferred to. In such circumstances many women migrants are being forced to work at steel mills, furnace plants, cement plants or heavy machinery factories to do men's jobs. They are forced to do work that is dirty, dangerous and demeaning, or "3-D" jobs. This practice is in blatant contravention of human rights standards.

Taiwan's quota system exacerbates this problem. The reason why women workers are sent to do work that doesn't suit their abilities or experience is that the brokers are helping the employers to raise their quotas for migrant workers. These factories may or may not have permission to hire foreign workers, but if the workers are transferred to them, they get to keep the number of transfers in their quota for foreign workers, even after the transferred workers leave. Many employers don't want the women workers, they just want to reserve spaces so that they can hire

TABLE 2: FOREIGN CONTRACT WORKERS IN TAIWAN BY GENDER AND NATIONALITY AS OF DECEMBER 2003

	Filipinos	Indonesians	Thais	Vietnamese
Total	81,355	56,437	104,728	57,603
Female	57,670	49,466	17,814	46,772
Male	23,685	6,971	86,914	10,831

Source: Employment and Vocational Training Administration, CLA

suitable migrant workers as cheap labor later. Since the women are not informed of the nature of the work before they are transferred, the interview and transfer procedure is simply human trafficking. Many of the women workers are repatriated back to their home countries in the event that they either cannot do the men's job or their new employers refuse to have them.

In some instances there may be only one or two women migrant workers working in a factory with a large number of male migrant workers. In such working conditions there have been cases where the women have suffered sexual violence from their male migrant co-workers.

South Korea

According to the South Korean Ministry of Justice, the total number of documented women migrant workers in South Korea is 87,684. This is 31.4% of the total number of documented migrant workers. The current number of documented women migrant workers is composed of: 22,518 industrial trainees (D-3 visa, total 95,673); 5,088 trainee employees (E-8 visa, total 23,673); 60,078 non-professionals (E-9 visa, total 159,755). Women migrant workers also compose 37.3% of the total number of undocumented migrant workers in South Korea. (More than 80% of the total number of migrant workers in South Korea are undocumented.) This means there are approximately 140,000 – 150,000 women migrant workers in South Korea. Chinese Koreans account for 45%; Chinese for 23%; Southeast Asians, Mongolians, Filipinos and those from the former Soviet Union account for 32%. They are classified into two categories: women migrant workers engaged in factory work and those who work in the service sector. Those who work in the sex industry are not included in the above statistics.

Women migrant factory workers have experienced not only lower salaries compared to those of male migrant workers but also human rights infringements including sexual harassment and rape; the absence of maternity protection and a child care system; heavy workloads even after pregnancies and miscarriages; being induced and forced into the sex industry; and a shortage of women's dormitories. These human rights infringements are exacerbated for undocumented women migrant workers by the fact that their means of protest are limited because of their irregular status. Despite the institution of the Employment Permit System in August 2003, the number of cases involving human rights infringements due to the lack of legal residence status, as well as exploitation based on sexual discrimination, is continuing.

In regard to working conditions, according to a report published in 2002 on the current situation of women migrant workers in South Korea by the Joint Committee for Migrant Workers in Korea (JCMK), 38.2% of those surveyed said their weekly work hours were between 67-88 hours and 49.2% said they had four days off a month. 70.7% of them said their monthly salary was between KRW530,000-1,000,000, two-thirds of a male migrant worker's salary. 38.3% said they received threats due to their irregular status.

Sexual violence also occurs at the workplace. 12.1% of the respondents surveyed said they had experienced sexual violence. Of the sexual violence cases, 56.3% of them took place in the work place, and 55% of them took place after working hours. 55.6% said they had experienced sexual violence by their Korean supervisors. 38.9% said they didn't do anything after the violence while 28.6% said they had been fired after reporting the violence.

Pregnancy also causes hardship to women migrant workers. Of those migrant women who had become pregnant, 29.1% said they didn't undergo any regular check-ups during their pregnancy; 57.7% said they couldn't ask for a transfer to lighter work; 66.7% said they had to hide their pregnancy. 56.3% of the surveyed women said they had experienced miscarriages in South Korea. 57.1% of those who experienced miscarriages said they didn't ask for a transfer in their work, and 27.1% said they were afraid of negative consequences, including being expelled. The women surveyed said they had never heard of motherhood protection policies, labor laws, laws regarding sexual violence, or compulsory monthly leave policies.

The fundamental reason for the series of problems of women migrant workers is their irregular status. The regularization of non-registered workers and labor protection policies need to be secured first in order to resolve the problems of human rights abuses. After ten years of demanding the abolishment of the Trainee

Photo courtesy of JCMK

Migrant worker in Korean factory.

System and the establishment of the foreign laborers protection system, the Employment Permit System (EPS) for migrant workers was passed in Parliament in August 2003.

However, several sections of this new law are against the interest of migrant workers and need to be amended. The EPS provides contract rights only to the employers, and the workers cannot change their work place at their will. The workers are required to pay for pension and welfare benefits without any guarantee of reimbursement, and the workers are required to renew their contracts yearly for their three year contract.

Although the government has established two hotlines for migrant workers to provide them with assistance, these hotlines cannot assist women migrant workers who have been sexually abused because these cases are dealt with by the police at the Department of Foreign Affairs office. Therefore, the irregular status of many of these women migrant workers has made it difficult for their cases to be dealt with properly.

The Ministry of Equal Treatment and Fairness of Women has built two shelters for women migrant workers who have suffered from sexual violence or human trafficking. However, since the laws lean towards expelling any undocumented worker who comes forward with a complaint the women migrant workers are very reluctant to come forward.[1]

Thailand

The number of migrant workers in Thailand, both documented and undocumented, is as high as 1.5 to 2 million, with the majority of them coming from Burma. Samut Sakorn Province near Bangkok has the largest concentration of seafood processing factories in Thailand, as well as the largest migrant community. In 2003 there were 22,000 Burmese women and 24,000 Burmese men registered as migrant workers in this area. Most of the women working in the seafood processing factories are

between the ages of 15-25 years.

The migrant workers in this area have to construct their own living quarters with bamboo and thatch. The huts are located on the muddy surface of a dried swamp area at the back of the factory. There is no toilet and the sanitation is very poor. Their daily wage is THB140. THB76 is deducted from their monthly salary for water and electricity.

In Mae Sot, Tak Province on the northern region border of Thailand with Burma, there are approximately 100,000 Burmese migrant workers and their families. There are many textile and garment factories in Mae Sot. Generally 70% of the migrant workers in these factories are women.

While Burmese migrant workers earn between THB14 to 22 a day in their own country, in Mae Sot they are paid THB40-49 a day for eight hours of work. This rate, however, is well below that of the minimum daily wage of THB135 for a Thai worker. The migrant workers are generally forced to work overtime from six in the evening until midnight, and sometimes even until two in the morning, depending on orders. They receive THB6-7 per hour for overtime work, whereas the Thai workers receive THB25 per hour for overtime. Overtime is hardly optional; workers' salaries are deducted THB100 per day if they do not report for overtime.

During peak order times, workers may be forced to work all night, while during low orders there may be no work with no pay. Throughout a year there may be no work for months, and too much work for little pay at other times, leaving workers with no choice but to work long hours during peak seasons for survival.

In contrast with Thai workers, migrant workers do not receive paid leave, medical leave, social security, welfare assistance or compensation for work-related injuries. The workers are not provided with safety equipment such as helmets, gloves and masks. Living quarters are provided for the migrant workers but of very low standard and very cramped living conditions.

Most of the migrant workers have a valid work permit, which is valid for one year and includes medical benefits. In contravention of Thai law, the original work permit is often kept by the employer to prevent the workers from escaping and working in another factory. Workers often have to pay protection fees to the police in spite of holding a valid work permit.

The government has attempted to manage the large number of undocumented migrant workers through a registration system (See Thailand Country Report for further information about Thailand's registration system). The government has allowed irregular workers from Burma, Cambodia and Lao PDR, and their dependents to register to stay in the country legally. There were 568,249 migrant workers registered in 2001, 408,339 in 2002, but only 288,780 registered in 2003.

These figures indicate that the number of migrant workers registering each year declined. The workers found that their legal status did very little to protect them from police extortion and exploitation by their employers. The employers who paid their workers' registration fee for them in advance confiscated the workers' ID cards to prevent them from leaving the factory. Without their ID cards, workers are subject to regular police extortion. In addition, many workers could not use their health benefits because of language barriers. Most hospitals do not have staff who speak Burmese or Khmer.

Thailand's 2004 registration policy, however, included a separate residence and work permit registration system. Changes include allowing migrants to register independently from their employer, no residence permit fees, and the inclusion of registered workers in a low-cost health insurance scheme. In July 2004, 1.28 million migrants registered for a residence permit, and in November of that year, 900,000 migrant workers registered for a work permit.

Often, however, even registered status does not effectively protect migrant workers. Despite the 2004 policy that registered migrant workers would be protected under Thai labor laws, in practice many migrant workers continue to endure slavelike conditions.

In August 2004, however, a landmark precedent was set for migrant workers in Thailand. In a case involving 12 female and 6 male Burmese migrant workers working at the Nut Knitting Factory in Mae Sot, 18 workers were awarded THB1,170,000 (USD29,250) in compensation for the severe exploitation they had endured for over two years. Many felt that migrant workers would not stand a chance of obtaining justice in the Labor Court of

Thailand. However, calling on the MAP Foundation and the Yaung Chi Oo Workers Association for advice, and with legal counsel provided by The Law Society of Thailand and personal security by the National Human Rights Commission they managed to achieve some form of justice.

In the words of one of the workers: "I have learned what it means to win. It is not about the outcome but to win is to dare to start to fight for your rights." [2]

Throughout Asia many women are slaving away in factories, earning very low salaries under unsafe working conditions which are detrimental to their health, while their employers make huge profits. The products they make are exported to developed countries and sold to consumers at high prices to fill up the coffers of the exploitative first world companies. These women are denied their basic human rights in the process. Whenever we get dressed in the morning or switch on a computer let us not forget the women who have slaved away to make these products for us, and stand in solidarity with them as they struggle for justice.

Endnotes

[1] The information for this section is sourced from two articles written by Rev. Han, Kukyom, director of Women Migrant Human Rights Center:

(a) "Feminization of Migrant Workers and Their Problems in the Manufacturing Sector in Korea"

(b) "Evaluation of Beijing + 10 on Women Migrants in Korea".

[2]The information for this section is sourced from two reports written by the Federation of Trade Unions – Burma:

(a) "Migration from Burma 2003"

(b) "Overview of Mae Sot, February – April, 2004" and an information release from the Action Network for Migrants (Thailand), 25 August 2004.