

Covid-19'S Impact On Migrant Workers In Malaysia: A Case Study

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Abstract

In global public health and economic crisis like the one we're in, it's only humane to treat everyone with care and dignity, regardless of ethnicity or social status. Migrant workers are entitled to protection simply because they are individual, and basic protection should be included in their human rights. This is an insightful paper based on primary data collected in Malaysia about this topic. The Malaysian government's response to the spread of Covid-19 among migrant workers in Malaysia is discussed in this paper. Despite allegations that Malaysia was neglecting and bullying foreign workers during the pandemic, Malaysia is taking constructive and humane measures to protect our country's sovereignty.

Keywords:

Pandemic Covid-19, migrant workers, Malaysia sovereignty, human rights, pandemic prevention measurements

INTRODUCTION

Malaysia's economy is heavily dependent on foreign and migrant labour, as demonstrated by the fact that migrant workers account for more than 15% of the country's workforce. In Malaysia, the number of registered foreign workers has risen to about 2.5 million, accounting for roughly 20% of total jobs. Foreign workers are working mostly in the manufacturing, construction, and agricultural industries, and are made up of both professionals and unskilled workers. (Bank Negara Malaysia, 2019). Unskilled and semi-skilled workers were present in Malaysia from 23 countries of which more than 60% of which were from Indonesia. In all years examined (2010-2019), the highest numbers of migrant workers originated

from Indonesia, followed by Bangladesh, the Philippines, Thailand and Pakistan. The World Bank Study for Indonesia (2008) shows that approximately 1.3 million documented and 700,000 undocumented. Indonesian migrants worked in Malaysia in 2006 of which 60% of the documented Indonesian migrants in Malaysia were women. Of the 2.3 million foreign workers in Malaysia, 1.0 million are legal and 1.3 million are illegal (Ministry of Home Affairs Malaysia, 2019). During the Covid-19 pandemic, the plight of migrant workers in many countries has been highlighted. Migrant workers have become one of the most vulnerable groups amidst the pandemic due to their low wages, insecure employment, and poor living conditions. Many people are already incarcerated, unemployed, and live in fear of infection. Malaysian migrant workers are no exception.

As a result, this paper aims to address the importance of protecting migrant workers in Malaysia. The paper starts by providing an overview of the developments in Covid-19 cases in Malaysia, as well as the security measures that have been implemented for migrant workers so far, before moving on to clarify why we must look after the workers.

IN MALAYSIA, WHO ARE THE MIGRANT WORKERS?

Migrant workers are classified in this paper as low-paid and low- to semi-skilled migrant workers, excluding expatriates who work in high-paying skilled occupations. Malaysia's migrant worker population consists of both known and undocumented workers. Documented foreign workers are those with a Temporary Employment Visit Pass (Pas Lawatan Kerja Sementara, PLKS). Additionally, Malaysia is home to undocumented foreign workers, including:

1. Workers without the PLKS, such as those who did not go through the recruitment process e.g. remained in the country despite failing the medical test;
2. Workers who entered with the PLKS but failed to conform to the rules and regulations of the foreign worker policy e.g. running away from employers or failure to renew work permit; and
3. Workers with expired passes.

While there is no reliable information on the whereabouts and employment of undocumented foreign workers in Malaysia, their undocumented status limits their employment opportunities, so they are more likely to work in low-wage jobs in the informal sector.

IN MALAYSIA, COVID-19 AND MIGRANT WORKERS

During the Covid-19 pandemic, politicians in many countries turned a blind eye to migrant jobs. For example, Thailand, which has over three million foreign employees, has been chastised for the government's lack of inclusivity in its efforts to mitigate the pandemic's effects on workers, putting many of them in precarious circumstances. The majority of foreign workers in the Gulf States live in overcrowded conditions, resulting in a disease epidemic among them.

Across the Causeway, the pandemic's course in Singapore has served as a stark alert to other countries about the risks of abandoning their most vulnerable people. Despite being hailed as one of the model countries for containing Covid-19, the island state now has the highest number of reported cases among Southeast Asian countries. An epidemic among foreign workers living in densely populated dormitories has been blamed for the sharp increase in the number of cases in Singapore. More than 90% of reported cases in Singapore are among foreign workers at the time of writing, leading the government to take a series of desperate steps to protect them.

Hundreds of migrants, employees, and refugees were detained in Malaysia a few months ago during an immigration raid near Jalan Masjid India in Kuala Lumpur. The three structures in question were part of the capital city's Covid-19 "red zones." A few weeks later, the government conducted its second and third major raids near the Kuala Lumpur Wholesale Market and Selayang Baru, detaining tens of thousands of undocumented migrants' workers in an attempt to "reduce Covid-19 spread."

On the one hand, local and international human rights organisations have expressed concern about the treatment of migrant workers as a result of these arrests. It not only goes against the government's earlier statement that undocumented migrants' jobs should have no fear of being tested, but it also increases the possibility of infection in the overcrowded detention centres where they are kept. Some, on the other hand, have praised the change as a sign that the government is prioritising the safety of Malaysians.

Singapore's experience should serve as a warning to Malaysia. Although the Covid-19 pandemic has been brought under control in Malaysia, the country may be hit by another wave of infections, exacerbated by our lack of adequate security for foreign workers. After all, Malaysia is home to at least two million foreign employees, many of whom do not have better-living conditions than their Singaporean counterparts.

Furthermore, this pandemic has shown the pervasive nature of economic externalities; we can only defend ourselves by saving others. To put it another way, failing to care about any disadvantaged community among us, whether civilians or not, jeopardise the lives and livelihoods of the general public.

THE RESPONSE OF MALAYSIA TO THE SPREAD OF COVID-19 AMONG MIGRANT WORKERS

On January 25, 2020, the first confirmed case of Covid-19 was discovered in Malaysia. Although the pandemic began slowly in Malaysia, the number of confirmed cases increased dramatically in March, from 29 on March 1 to 2,766 by the end of the month. Following the implementation of the Movement Control Order (MCO) on March 18, the number of new cases started to decline by mid-April and dwindled to single digits for most of May, indicating that Malaysia's epidemic curve had flattened. Malaysia had a total of 323,763 confirmed Covid-19 cases as of March 15.

The Ministry of Health (MOH) initially only published data on new cases by citizenship on a sporadic basis. On the 25th of April, it was revealed that 676 out of 14,187 migrant workers tested positive for the virus. As compared to the country's total of 5,742, this means foreign workers accounted for 11.8 per cent of the total number of reported cases in Malaysia, which is proportional to the size of the non-citizen population, which is just over 10%. Only monitoring can confirm infections, which is crucial in combating the pandemic. The overall number of tests performed in Malaysia was 20 per 1,000 people as of January 2021. As compared to countries like S. Korea, which are notorious for their mass testing,

Testing foreign workers in Malaysia may be especially difficult as non-citizens are dispersed all over the country, with most being in Sabah (where 35.3% of non-citizens are located), Selangor (20.2%), Johor (10.2%) and Kuala Lumpur (7.5%). Covid-19 cases may be particularly difficult to detect amongst undocumented foreign workers, as they fear making their presence known due to the possible legal ramifications.

Worryingly, there appears to have been an increase in new cases among foreign workers in Malaysia since May. The Ministry of Health reported on June 1 that 2,014 out of 35,811 noncitizens tested positive for the virus, accounting for 25.6 per cent of all cases. Though the data did not confirm that they were all foreign workers, MOH's increased effort in targeted testing among foreign workers after learning from Singapore's

experience suggests that this is the case. Non-citizens from most cases in active clusters throughout May, including a factory cluster in Maran and Pedas, security guards cluster in Cheras, construction site clusters in two Kuala Lumpur areas and Setia Alam, a cleaning company cluster in Kuala Langat and Seremban, a plantation cluster in Bera, and clusters involving markets in Chow Kit, Pudu and Selayang. Furthermore, more than 400 cases were recorded in Bukit Jalil, Semenyih and Sepang immigration detention centres which are likely to house undocumented foreign workers. Source: MOH (2020b), Director-general of Health Malaysia (2020) 18 By 1 June, the total number of tests carried out in Malaysia was 17.3 per 1,000 people. (Hasell et al. (2020).

In general, the Malaysian government has provided limited assistance for the care of the country's foreign worker population. Senior Minister Datuk Seri Ismail Sabri Yaakob has made clear that the welfare of foreigners is the immediate responsibility of their respective embassies¹⁹. Based on his comments, the Malaysian government will offer support in terms of coordinating and purchasing supplies, if necessary. So far, one of the most prominent government initiatives related to foreign workers is the 25% cut for migrants' worker levy introduced as part of the Prihatin Plus Economic Stimulus Package. This is extended to employers for payments due between April and December 2020, introduced mainly to alleviate the financial burden on hard-hit small- and medium-sized enterprises (SMEs).

Several foreign institutions have stepped in to provide labour protection for 'migrants' workers in Malaysia, given reports of unpaid wages and unfair terminations which have surfaced since the MCO. For example, the Bangladesh High Commission in Malaysia has been working with employers on salaries issues while the International Labour Organization (ILO) has been documenting labour and contractual violations committed by employers. As for access to Covid-19 testing and treatment for 'migrants workers, there has been somewhat conflicting messaging given by the Malaysian government throughout the pandemic.

Migrant staff who are suspected of being infected with the coronavirus or who are near contacts of Covid-19 patients are excluded from Covid-19-related outpatient payments, according to a circular issued by the Ministry of Health in January. However, on March 23, the Prime Minister announced, contrary to MOH policy, that migrants' staff would pay for Covid-19 testing and care, which was quickly refuted. Another measure relating to testing among migrants' workers is the implementation of RM150 subsidy to employers for each Covid-19 screening performed by foreign workers who are SOCSO contributors.

The Malaysian government has also changed its mind about keeping undocumented migrants in detention. Undocumented migrants will not be detained during this crisis, according to Senior Minister (Defense) in March; however, the immigration raids that have occurred since May suggest otherwise. Indeed, Datuk Seri Ismail Sabri Yaakob announced on May 31 that the government's amnesty programme allowing illegal immigrants to get screened without facing legal consequences had ended, implying that the government would continue to detain undocumented migrants. These migrants will be screened in detention centres and, if positive, will be transferred to the Malaysia Agro Exposition Park Serdang (MAEPS) quarantine centre for treatment. Those not infected will be deported back to their home countries with the governments of Indonesia, Nepal and Bangladesh agreeing to receive them.

Overall, assistance to migrant workers in Malaysia has been patchy, with embassies, civil society organisations (CSOs), the Malaysian Trades Union Congress (MTUC), and foreign organisations filling in the gaps where the government has failed. This is unsurprising considering the government's constructive approach to foreigner welfare from the beginning. As a result, despite the efforts of various parties, it is suspected that assistance would be insufficient without a systemic strategy and that a significant number of foreign workers, including those in hiding for fear of arrest and those in remote areas such as the plantation,

manufacturing and domestic work, will suffer.

WHAT DID WE DO?

To effectively stop the spread of Covid-19 in Malaysia, everybody, regardless of nationality, must have access to tests, treatments, and isolation. In the case of migrant workers, Malaysia needs to move from a “detention” to a “treatment” model of infection control. To that end, the following steps are included in this strategy:

1. ***Extend an amnesty scheme for undocumented migrant workers to encourage them to be tested***

Increasing testing is necessary to identify clusters so that they can be contained before spreading to the wider population. However, as discussed earlier, many foreign workers, especially those who are undocumented, do not feel safe to get themselves tested for fear of being detained. To ensure that all foreign employees, regardless of their documentation status, have access to testing, there is an immediate need to halt immigration raids across the world. Even though the raids are ostensibly being carried out to stop the spread of Covid-19, those detained will be unable to practise physical distancing in the crowded detention centres, thus exacerbating the spread of Covid-19 among detainees. Furthermore, the arrests are likely to push the country’s undocumented population even further into hiding and away from the healthcare system, as they fear being arrested in the same way. This may make it more likely for more clusters to form in this population.

2. ***Treat: Improve the ability of foreign worker treatment facilities.***

Increased testing, combined with the current spike in cases among foreign workers, will make it likely that more designated quarantine centres and treatment facilities such as at the MAEPS may need to be set up by the MOH. It is important to stress that the purpose of these treatment facilities is to treat, not to detain, cases involving foreign workers. To effectively signal that the authorities plan to assist foreign staff, these facilities must function as field hospitals and rehabilitation centres with all of the necessary amenities and necessities. It’s also critical that no immigration officials are present at these locations. This is intended to enable foreign staff to agree to test and treatment.

3. ***Isolate: Provide foreign employees with better housing choices.***

Given the poor living conditions of foreign workers, many of them must be relocated to safer quarters to reduce the risk of contracting the virus and infecting others. These accommodations must meet certain standards to enable foreign workers to effectively practice physical distancing along with good hygiene such as washing hands with soap and water. Creating makeshift arrangements for immediate use will also provide officials with the necessary space to separate contaminated and recovering people. It is critical to stress that alternative living arrangements should be welcomed by international workers as a means of assisting them and should be operationalized as such. This means that foreign workers should not be detained but

are informed of the necessary rules and regulations that must be followed to safely enter and leave the residences, such as when going to and from their workplaces. This measure should be seen as further motivation to allow undocumented foreign workers to come forward. This is currently being done in Singapore, where the Singaporean government made urgent alternative accommodation arrangements in response to a coronavirus outbreak among foreign workers in purpose-built dormitories (PBDs). Military camps, floating hotels, empty Housing Board blocks, sports facilities, and a variety of other alternative residences were used to house foreign workers. This was specifically done to differentiate those who are stable and work in critical services from those who are at high risk, as well as to encourage all staff to practise safe diversion.

Conclusion

Taking care of migrant workers is first and foremost humane in a world wracked by the Covid-19 pandemic. International workers are entitled to protection not only because of their economic contribution, but also because they are people, and basic protection should be included in their human rights. However, human rights claims still fall on deaf ears. Men, whether domestic or foreign, are one of the most significant factors in the manufacturing process. As a result, businesses and/or firms can efficiently control their employees to retain employee loyalty and satisfaction. Since migrant workers are a much cheaper choice in Malaysia, recruiting foreign workers delays the implementation of new technology within businesses. Foreign workers are required, however, since many locals tend not to work in certain industries, such as construction, plantation, and low-end services. As a consequence, the participation of foreign workers is needed to maintain these industries. However, as previous studies have shown, the presence of migrant workers is likely to have other detrimental effects on the host economy. According to a study by Solehah and Gordon (1999), Malaysian businesses continue to demand migrant workers because they are more cost-effective. Many businesses find it more cost-effective to recruit foreign employees because it is less costly to pay comparatively low salaries than to invest in large-scale high-tech machinery. The key benefit of recruiting migrant workers, according to many employers, is that they are considered to have a better and more optimistic work attitude and ethic than native workers.

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