

**Summarized transcript of Radio FM102 live talk show "Yours"
on working conditions for women**

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An interview with Ms. Pichmalika Yim, ILO's Monitor
from *Better Factories Cambodia* project

Q = Radio FM102

A = Ms. Pichmalika Yim

Q: What do working conditions mean?

A: First of all I would like to introduce myself. My name is Pichmalika Yim. I am a Monitoring Officer from *Better Factories Cambodia* project of International Labour Organization (ILO). Working conditions refer to wage, working hour, freedom of association and other important rights. You can find details in Guide to the Cambodian Labour Law for the Garment Industry. It is very easy to read and understand.

Q: From your experience, what violations or unfair treatments do women workers at garment factories face?

A: From my observations, there are different pictures of unfair treatments that women workers face. For example while many factories are treating well to their workers, there are cases that many pregnant women are not accepted when they apply for jobs. We are now looking a solution to this.

Caller 1 (Sopha): I am a student and also working as a volunteer for an organization doing research on women issues. From my observation some garment factories allow women to take leave but some factories restrict workers to take leave. Sometimes there are many violations on women like forcing them to work for long hours. I would like to suggest to factory managers to respect women's rights especially pregnant women. I would like to ask to the guest speaker how many months does the law allow women to take leave before and after delivery? Regarding to working conditions at my workplace they are fine. As a volunteer they allow me to come to work when I am free.

A: As I'm working for *Better Factories Cambodia* which focuses on garment industry, I will answer in a context of garment industry. According to the Cambodian labour law women can have 90 days or 3 months of paid maternity leave. The law says that during maternity leave, women workers receive 50% of their normal wage and other benefits. From my observations, implementations at factories are various. Some factories pay workers 50% of the normal wage and full other benefits, for example like seniority bonus. Though, while many factories pay 50% of the wage and other benefits, some factories only pay the 50% wage but none of other benefits. In this case we suggest to factories to follow the labour law.

Caller 2 (Chivorn): I'm working at a private factory. From my observation, working conditions in garment factories are getting better, but not all of them. I would like to suggest to women workers to have enough eating, so that they are not getting weak or fainted. There are foods sold in front of factories, but I'm not sure about the hygiene. I would like to ask to the guest speaker at what level do women working at garment factories and other organizations get their rights if compared to men?

A: I think within organizations they try to promote women's rights. For example, management in my project tries hard to promote women in realizing their rights. At the same time, I notice that some women in garment factories don't speak when we ask them. By the way there are many women are very brave and speak up. They have understanding on the labour law. They can come up and negotiate with management for their rights and they get more success than men. From my observations, women are free to join association and receive the same wage for the same job as men. While many factories promote and respect women's rights, yet there is still some lacks.

Caller 3 (Da): I used to work in an animal farm. I worked overnight but I didn't get paid... (Line cut)

A: According to the labour law, workers get 2 times of the normal wage for working at night from 10pm - 5am.

Q: From your observations, are there still problems with factories forcing workers to work overtime and not giving them correct payment?

A: Working overtime must be voluntary, but occasionally there are still cases of involuntary overtime working when there is big demand of product order. Regarding to payment, factories usually pay correctly for overtime work.

Q: From your observations, do workers understand well the labour law?

A: When I started working with the project in 2003 I think they didn't know much about the labour law. We as monitoring teams didn't only ask them for information but also gave advice and explained them about the labour law. Overtime they now better understand the labour law. We now have a new guide book about the labour law for the garment industry which is also available for unions and workers.

Caller 4 (Phally): Some workers are provided only 2-month maternity leaves. They received their wage but not other benefits. I think 2-month leave is not adequate and it can affect babies' health. Is there any solution to this? How can I get the guide book of the labour law?

A: If the factory provides only 2 months for maternity leave, they don't comply with the law. You can contact Liaison Officer in your factory to help you. You can also contact Shop Steward or Union Representative to help you claim your correct entitlement. Regarding to breast feeding, workers have rights to get one hour break per day to breast feed their babies.

Caller 5 (Kimsan): How many days women can take for maternity leave? And what wage they should get? What about practices in NGOs?

A: I will answer this question based on my observations since I work mainly in garment industry. I think in NGOs, they have their own internal policies for maternity leave or they follow the labour law. If they follow the labour law, workers get 3 month maternity leave and 50% of their wage and other benefits. By the way, for the ILO, we receive 4-month maternity leave with 100% of our wage.

Q: From you observations, there are still some cases of violation on women's rights. What are they?

A: One as I have mentioned earlier, there is discrimination on pregnant women during recruitment process. Another factor is pregnant workers face difficulty during working. Sometime they are forced to quit their jobs. Another factor, when returning from maternity leave, a small number of factories don't continue their seniority record. Conversely, they consider them as new workers. Another factor, they are forced to quit their jobs because they don't work overtime. Another thing, while some factories restrict women workers to go to hospital once a month for health check, some factories deduct their day wage. The first person they should approach is Liaison Officer or otherwise Shop Steward or Union Representative.

Caller 6 (Puthea): I work for the US Embassy. Working conditions there are all good. There are awards made by Arbitration Council but the factories don't follow. Is there any legal measure to make the factories follow the Arbitration Council's awards? For example like contacting to buyers and Ministry of Commerce who give them export license? From my observations, there are many changes but they are still not enough to meet the needs. For example there are still discriminations on freedom of association and even restriction to go to toilets.

A: Arbitration Council suggests factories to follow the awards. ILO has not rights to force or fine the factories to follow the awards, but we give them suggestions for improvements. Buyers play important roles in making factories complying with the law. They have their Code of Conducts for factories who don't comply with the law for example like terminating orders. Labour Inspectors from Ministry of Labour can check the factories and they have rights to fine them if they don't comply with the law.

Caller 7 (Kunthea): I am a factory casual worker. I get \$30 a month. I worked overtime until 8pm three nights per week but then I received only \$39 a month. When I am not feeling well, I am restricted to leave even though I already have worked the core 8 hours. They don't respect worker's rights. Last month they fired 4 workers and didn't pay them. Then all workers went on strike, so then the factories paid the 4 workers.

A: From my observations, casual workers are most likely to be treated unfairly in garment factories. The law says casual workers have the same rights as regular workers. They should get the same \$45 minimum wage and other benefits. You have right to claim for your correct minimum wage and you should work overtime on voluntary basis.

Caller 8 (Vantha): When a woman has an accident during travel between home and work, does she get compensation from the factory? Women get only 50% of their wage during maternity leave. I think it doesn't meet the needs. Do you have any measure to help them? I would like to suggestion to Ministry of Labour and the government to take care on women and increase the minimum wage for their better livings.

A: According to the law, if there is an accident during their travel between home and work, they should get compensation from the factory for treatment and day wage they can't go to work. There are some factories by generosity give them extra of \$5 or \$10 a month. We monitor according to the labour law. And I think there will be an increase to the minimum wage as a discussion is underway.

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