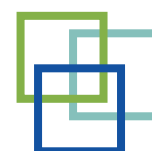
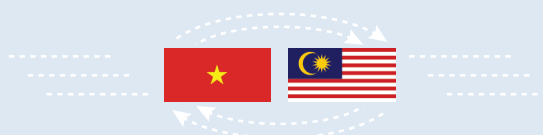


Pre-departure training curriculum

Viet Nam to Malaysia: Participant's manual



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Migrants make enormous development contributions to their host and origin countries. While labour migration is prevalent in most countries, the movement throughout the Greater Mekong Subregion makes it one of the world's most dynamic migration regions. The numbers of those seeking decent work abroad is likely to remain high. With an estimated 1.1 – 1.5 million people entering the labour market each year, the Government of Viet Nam has a policy to promote labour migration as both an employment and poverty reduction strategy. The developmental impact of migration in Viet Nam is significant. For example, approximately US\$1.6 billion is sent in remittances each year.

Nevertheless many migrant workers, particularly those working in low-skilled sectors are subject to labour exploitation and abuse. One way to protect migrant workers' rights is to provide access to information on living and working abroad – including on their rights work. Therefore, the ILO GMS TRIANGLE Project has developed pre-departure training curricula in four countries, including Cambodia, Lao People's Democratic Republic, Myanmar and Viet Nam, in line with requests for technical assistance made by the respective governments.

Viet Nam has mandated through legislation that workers undertake 74 hours of pre-departure training (nine modules) to be delivered by recruitment agencies prior to the workers' departure. The ILO was asked to assist in developing the training curriculum for three of these modules: Module 1: Culture, customs and laws of Malaysia; Module 2: Behaviour at work and in daily life; and Module 3: Review and testing. These correspond to modules 5, 6 and 9 in the curriculum outline developed by DOLAB, MOLISA.

The pre-departure training will provide information prior to the migrant's departure on the workers' rights and responsibilities; the destination country's culture, laws and policies; accessing support services and complaints mechanisms; sending money home, and return and reintegration. The curriculum uses a participatory training methodology and includes discussions, brainstorming, case studies, and role plays to engage the learner and transfer new knowledge, skills, and attitudes. The goal is to reduce the workers' vulnerabilities, to empower them to protect themselves, to recognize situations of labour rights violations, to seek help as required, and to have a profitable and positive migration experience.

The ILO Tripartite Action to Protect the Rights of Migrant Workers within and from the Greater Mekong Subregion (GMS TRIANGLE project) is a five-year project that works to strengthen recruitment and labour protection policies and practices and thus help ensure safer migration that leads to decent work. The project is operational in six countries: Cambodia, Lao People's Democratic Republic, Malaysia, Myanmar, Thailand and Viet Nam. In each country, tripartite constituents (government and workers' and employers' organizations) engage in helping attain each of the GMS TRIANGLE project's objectives – strengthening policy and legislation, building capacity of stakeholders and providing services to migrant workers. These goals are interdependent, with policy advocacy and capacity-building activities driven by the views, needs and experiences of workers, employers and service providers.



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The authors of this manual are grateful for the inputs of tripartite partners in Viet Nam to ensure this manual is comprehensive and addresses the needs of migrant workers preparing to work in Malaysia. Inputs were gathered through several consultations that included participation of the Department of Overseas Labour, Ministry of Labour, (War) Invalids and Social Affairs Employers' and Workers' organizations recruitment agencies in Viet Nam. This manual was drafted by Heike Lautenschlager, Anna Olsen, and Max Tunon with the invaluable support of: Clifford Sorita, Jane Hodge, Anni Santhiago, Kuanruthai Siripatthanakosol, and Andy Shen. Nguyen Mai Thuy, National Project Coordinator of the GMS TRIANGLE Project in Viet Nam provided technical guidance throughout. Several illustrations for this manual were provided by Chutipphon Choktechasawad and others were taken from the ILO publication "Budget Smart – Financial education for migrant workers and their families: Training manual."



Abbreviations

AS	actual savings
FE	family expenses
GI	gross income
HIV/AIDS	human immunodeficiency virus infection / acquired immunodeficiency syndrome
ILO	International Labour Organization
IRD	Industrial Relations Department
MOLISA	Ministry of Labour, Invalids and Social Affairs
MoU	memorandum of understanding
MRC	migrant worker resource centre
MYR	Malaysian Ringgit (currency)
NGO	non-government organization
PE	personal expenses
PS	personal savings
STD	sexually transmitted diseases
STI	sexually transmitted infection
VCCT	voluntary confidential counseling and testing
VND	Vietnamese Dong (currency)

How to use this manual

This manual is intended to be used during the pre-departure training for migrant workers travelling to Malaysia.

Migrating for work is a big decision and you will face many challenges and changes, sometimes for the better and sometimes for the worse. This seminar will help you understand and prepare for these experiences.

This manual is your own. There is space for you to make notes and write down important things to remember. The manual also includes important numbers and contact details for embassies, migrant worker resource centres, employment service centres and trade unions. Keep these in a safe place and try and remember some of the numbers in case you need to ask for help in Malaysia.



AIDS

Acquired Immunodeficiency syndrome – An accumulation of diseases and infections brought on because of HIV infection.

ARVs

Antiretroviral medication – There is no cure for HIV, but there are medications that can prolong life and delay the development of serious illnesses.

Birth certificate

A birth certificate is an official document, usually endorsed by the government, which details the time and place of a person's birth, his or her name, their sex, and the names of the mother and father. This document may be needed to obtain nationality and/or citizenship

Brokerage commission

A fee a service enterprise shall pay to a broker in order to sign and perform a labour supply contract. Workers shall refund to the service enterprise a part or the whole of the brokerage commission under regulations of the Ministry of Labour, War Invalids and Social Affairs (MOLISA). Service enterprises shall negotiate and decide on brokerage commission rates based on the ceiling rate prescribed in government regulations.

Contract for dispatching workers for overseas employment

A written agreement between workers and related parties (licensed recruitment enterprises, state-owned nonprofit organizations).

Contract substitution

A situation where a migrant worker arrives at the country of employment and is forced to sign another document that invalidates the first contract. The succeeding contract may have less favourable terms than the first.

Decent work

Decent work is work that respects the fundamental rights of the human beings as well as the rights of workers, in terms of conditions of work safety and wages. It also provides an income allowing workers to support themselves and their families. These fundamental rights also include respect for the physical and mental integrity of the worker in the exercise of their employment.

Deposits of service enterprises

Deposits shall be used by the competent state agencies to deal with problems arising from the enterprises' failure to perform or fulfill their obligations in the sending of workers abroad. When a service enterprise cannot reach an agreement on the transfer of its rights and obligations, deposits of service enterprises shall be used by competent state agencies for the settlement of liabilities arising in relation to workers up to the time of transfer. Enterprises may use remaining deposit amounts to pay other debts in accordance with the bankruptcy law.

Deposits of workers

Workers shall reach agreements with their respective service enterprises on providing deposits in order to ensure the workers will fulfill their guest worker contracts. Workers shall directly or through a service enterprise pay deposits into a separate account opened by the enterprise at a commercial bank for the purpose of keeping workers' deposits. Both the principals and interests of workers' deposits shall be refunded to the workers upon the termination of the guest worker contracts. When workers breach guest worker contracts, their deposits shall be used by the service enterprise to pay compensation for damage caused by the workers. In such cases, if the deposit amount is insufficient, workers shall make additional payment; if the deposit amount is not used up, the remaining amount shall be returned to workers. A ceiling for the deposit is set at one month of the basic salary included in the contract, established by the Circular No. 59.



Dispute resolution through official channels

Official complaints can be filed with authorities, such as the Labour Department or your Embassy. They may begin an inquiry into the complaint, and may lead to assistance in settling the dispute with your employment agency or other.

Documented/Regular migrant worker

Someone who is authorized to enter, to stay, and to engage in a remunerated activity in the State of employment pursuant to the law of that State and to international agreements to which that State is a party.

Employment contract

A document that a worker has to sign with their employer. This is an agreement between the worker and their employer with respect to conditions of work, wages, and rest periods, among other things. It is a legal document that lays down the duties and obligations that the worker must fulfill for their employer and the corresponding duties and obligations that the employer must abide by in return for the worker's services.

Forced labour

All work or service which is extracted from any person under the menace of penalty and for which the person has not offered him or herself voluntarily. This includes situations of slavery, practices similar to slavery, debt bondage, or serfdom. The use of deception or fraud, and the retention of identity documents in order to achieve the consent of workers, are illegitimate and can lead to forced labour. The menace of a penalty can be in form of withholding of wages, confiscation of identity papers or denunciation to the police or immigration authorities in the case of people without legal residence or work status. The penalty may also be in the form of a threat of physical violence or death addressed to the victim or a member of their family. The withholding of wages or threat of non-payment of wages or dismissal can also be used to force workers to provide additional labour. Involuntarily can mean that a person was taken by force or kidnapped from their place of origin and forced to work in a distant place.

Guarantee for guest workers

A third person, referred to as guarantor, commits with an enterprise or a non-business organization sending workers abroad to perform the obligations of a guest worker, if that worker fails to perform their obligations under a guest-worker contract.

HIV positive

(HIV+) The human immunodeficiency virus (HIV) is in a person's body.

HIV negative

(HIV-) The human immunodeficiency virus (HIV) is not in a person's body.

Labour supply contract

A written agreement between licensed recruitment enterprises, state-owned nonprofit organizations, and foreign parties on the conditions, rights, and obligations of different parties in supplying and receiving Vietnamese workers for overseas employment.

Illegal recruitment

Illegal recruitment may mean any of the following:

- To recruit workers for overseas deployment without actual job orders approved by MOLISA or without any need for such a job at all;
- To recruit workers without a license from the government;
- To send workers abroad but giving them tourist or visit visas instead of work permits; or
- To send workers abroad without a contract for dispatching workers for overseas employment and/or



an employment contract.

Individual contract

A direct written agreement between a worker and a foreign party outlining the working terms while abroad.

Labour migration

The process of recruitment, application, journey, and work in another country of which the worker is not a national, and finally, return of the worker to their own country. This work earns the worker a salary. Everyone has the right to migrate.

Mediation

This is a conflict resolution process which uses an unbiased person to become an intermediary between two or more parties involved in a disagreement or dispute.

Medical certificate

This certificate ensures that a person is healthy or has not contracted any contagious diseases prior to their departure or during the pre-departure process. However, workers will be subject to another medical check-up and another medical certificate will be issued when the worker arrives in Malaysia.

Migrant worker

A person who will be engaged, is engaged, or has been engaged in a remunerated activity in a State of which he or she is not a national. This includes both documented and undocumented migrant workers.

Passport

This is an official document issued by a person's government permitting that person to exit the country and travel to foreign countries. It is also an identification document. A passport confirms the bearer's identity, age, citizenship, right to protection while abroad, and right to reenter his or her native country.

Physical abuse

Physical abuse occurs when a person purposefully injures or threatens to injure another person.

Psychological abuse

The use of threat or intimidation meant to coerce a person without resorting to physical force. This abuse could come in the form of a worker being intimidated by threats to be deported, taken to the police, or have their salary withheld if they do not do extra work or if they do not do their job well. Such illegitimate actions may make workers feel anxious and fearful and prevent them from doing their jobs.

Recruitment and placement service/recruitment agency

A recruitment agency is a business that links employers with jobseekers. It may be private or state-run. Employers register vacancies with the recruitment agency and jobseekers register to find work. If the work is located overseas or across borders, the agency may also help with some of the immigration requirements for the jobseekers. Recruitment agencies should be registered legally and regulated, but some work outside of the law. Workers should be aware that some recruitment agencies exploit the difficulties migrants face in finding work in another country in order to charge exorbitant fees and/or breach contracts with the migrants regarding their working conditions.

Service charge

An amount payable by a worker to a service enterprise for the performance of a guest worker contract. Service enterprises shall reach an agreement with workers for either a one-off collection of service charges before the workers leave Viet Nam or for multiple collections during the time the workers work overseas. If a worker has paid the full service charge but has to return home before the end of their guest worker contract for reasons that are not the worker's fault, the concerned service enterprise is required to issue that worker a partial service charge refund corresponding to the remaining duration of the guest worker contract.



Sexual harassment

Sexual harassment is a criminal offence, and no worker should tolerate it. Sexual harassment can include:

- Physically touching any part of your body;
- Verbal advances, indecent jokes, or comments about any part of your body;
- Telling indecent sexual stories or showing indecent pictures to you;
- Talking to other people about your physical appearance or about your sexual preferences;
- Making drawings or other visual representations of you; or
- Unwanted requests for sex, sexual assault, rape.

Sexual assault

Sexual assault is verbal, physical or any other provocation which subjects a person to unwanted sexual contact or attention.

Sexually transmitted infection (STI)

STIs are infections or diseases which are spread by unprotected sexual contact. There are many different types of STIs caused by bacteria or viruses. Some STIs, for example genital warts, can be spread by skin-to-skin contact. Some common STIs are gonorrhea, syphilis, chancroid, herpes, chlamydia, hepatitis B and C, and HIV. STIs may increase the risk of contracting HIV.

Trafficking in persons

The “recruitment, transportation, transfer, or receipt of persons, by means of threat or use of force, of fraud, of deception, of giving or receiving payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation”. It is also sometimes defined as the buying, selling or exchanging of people for profit.

Undocumented/irregular migrant worker

Someone who, owing to illegal entry or the expiry of their visa, lacks legal status in a transit or host country. The term applies to migrants who violate a country’s immigration rules and any other person not authorized to remain in the host country. Undocumented or irregular migration refers to the movement of people across an international border without the administrative documents required by immigration.

Verbal abuse

Includes statements that can demean, debase, or put a person down. The result would be discouragement or low morale on the part of the person who receives the abuse.

Visa

A visa is an endorsement made in a passport or similar document, issued by authorities of a country (usually an embassy or consulate) permitting a non-citizen to enter that country.

Work permit

A work permit is a legal document issued by a government to non-citizens allowing them to work in the respective country under a set of prescribed conditions. The work permit is a sticker that is placed inside your passport. In Malaysia, the employer named in a migrant’s work permit must be the same employer named in the contract the migrant signed, as only this employer is legally recognized by the authorities. If there is a discrepancy between the work permit and the employment contract, the worker should seek help from the Embassy or the NGOs listed at the back of this booklet.



Notes

Safe migration for decent work

Migrating for work can be rewarding. Follow these tips to migrate safely and make the most of working abroad:

How can you make the most out of migration?

Be informed

1

Talk to lots of people before you make the decision to migrate, especially your family and friends. Returned migrants, Non-Government Organizations (NGOs), local authorities, State Labour Management Agencies, Migrant Worker Resource Centres (MRCs), trade unions, and other community-based organizations can also help answer your questions.

Educate yourself about what living and working abroad is really like, the costs involved, what job you might do, the documents you need, what challenges you may experience (like being away from family for years), and the money you can save and send home. Find out as much as you can about the culture and lifestyle in the destination country before you decide to migrate.

Migrate legally

2

You are much more likely to get protection from the authorities in your home country and while abroad if you migrate through legal channels. Irregular migrants are at much greater risk of being exploited. An irregular migrant can be arrested or detained in the destination country and deported.

Check your recruitment agency

3

Check that the recruitment agency is properly licensed and has a good reputation. If your recruiter or employer is asking you to change your age or work without a contract, it is a warning sign that your employer does not want to employ you in a legal way and may be planning to take advantage of you. Ask for and keep receipts for any payments made in the recruitment and migration process.

If the recruitment agency is offering you a loan before you start work, consider how much the interest on the loan is and how you will make repayments. If you owe money to your employer or your recruitment agency, they may make you work until you pay it all back. You are vulnerable to this kind of debt bondage if you borrow a lot of money.

Sign a contract with the recruitment agency and with your employer

4

You should sign a contract with the recruitment agency and with your employer before you leave. Ask someone you trust for help in reviewing these contracts and make sure you understand all the terms in the contract, because these contracts state what you have agreed to. At a minimum, the contract should include details of your pay, work hours and leave allowances, where you will work, and the duties you will be expected to undertake.





Safe migration is legal and informed migration

5

Keep hold of your documents and make photocopies before you go

Make copies of your passport, visa, work permit, contracts, ID cards, and other travel documents. Leave copies with family and friends before you leave. Put the original copies of these documents in a safe place when you arrive at your destination but keep spare copies with you at all times.

6

Prepare for emergencies

Make a list of important contact details prior to your departure. Leave one copy with your family and take the other with you. This list should include the telephone numbers of your embassy, NGOs, trade unions, migrant associations, your family, friends, and anyone else who might assist you in your host country. Keep these contact details with you at all times.

7

Make sure you have a network of support

Regularly communicate with your family and friends to let them know you are safe. Make a plan with your family about how you will communicate and how regularly you will contact them. Try to make friends and create your own network of support in the destination country. Find out who you can turn to for assistance, and ask for help if you need it.

8

If you experience problems at work

If you have a conflict in the workplace, talk to your supervisor or to the recruitment agency first. It is in everyone's interest to resolve disputes. Try to record the incidents or problems occurring, in case you need to file a formal complaint. If the problem is not resolved, you should contact an NGO, a trade union, your embassy, or the authorities for help.





MODULE 1: **CULTURE, CUSTOMS, AND LAWS OF MALAYSIA**



Module 1: Culture, customs, and laws of Malaysia

Objectives of the module:

To prepare participants for life in Malaysia, including information about the living conditions, culture, and etiquette of the host country.

To introduce participants to the relevant laws in Malaysia and to discuss their rights and responsibilities.

To discuss the challenges, risks, and benefits of migration and to consider strategies to overcome the risks.



1.1 Activity: How much do you know about Malaysian culture?

Answer the following questions:

1. Malay or Bahasa Malaysia is the official language of Malaysia.

☐ TRUE or ☐ FALSE

2. Muslims in Malaysia pray three times a day – at dawn, at noontime, and at night.

☐ TRUE or ☐ FALSE

3. Muslim women in Malaysia cover their heads and wear loose clothes in public places.

☐ TRUE or ☐ FALSE

4. All government offices and banks are closed every Friday in Malaysia, so Muslims can do their Friday worship in mosques.

☐ TRUE or ☐ FALSE

5. Islam is the official religion of Malaysia, but there are many other religions practiced.

☐ TRUE or ☐ FALSE

6. Pork is prohibited in the diet of Muslims, beef is prohibited for Hindus.

☐ TRUE or ☐ FALSE

7. Muslims are required to abstain from eating and drinking from sunset to dawn during the time of Ramadan.

☐ TRUE or ☐ FALSE



1.2 Things to know about Malaysia and its culture

1.2.1 Basic information about Malaysia

Malaysia is located southeast of Viet Nam. It is composed of two main land masses that are separated by the Southeast Sea. One land mass is located on the Malay Peninsula and the other is situated on the island of Borneo.



Capital: The capital city Kuala Lumpur is located in the Malay Peninsula, and has a population of 7.2 million people. The working week is Monday through Friday.

Climate: Malaysia is hot and humid throughout the year with temperatures averaging 30°C. The monsoon season runs from September through December, but sudden showers occur all year long. Many people carry an umbrella every day.

Population: Approximately 27 million, with 20 million people living in Peninsular Malaysia and 7 million in Malaysian Borneo.

People: The three main ethnic groups are Malay, which comprise 53 per cent of the population; Malaysian-Chinese which form the second largest with 25 per cent; and the Malaysian-Indian, which constitute the smallest, forming 10 per cent of the population.

Religion: Islam is the official religion, and is practiced by 60.4 per cent of the population. Other prominent religions include Buddhism, Hinduism, and Christianity.

Interpersonal communication: Malaysians are polite and friendly, and always say "Thank you" and "Excuse me" when interacting with others. Staring at people is considered rude. Some Malaysian-Chinese speak louder than you may be used to – try not to be offended by the tone of the voice, but instead listen to the words and what they are saying.

Language: Malay or Bahasa Malaysia is the official language of Malaysia. Malaysian-Chinese speak Cantonese or Mandarin, while the Malaysian-Indian population speak Tamil. English is also used in education and business, and most Malaysians in urban areas speak some English.

Government: Malaysia is a parliamentary democracy and constitutional monarchy. His Majesty the Yang di-Pertuan Agong is the King.

Currency: The currency in Malaysia is the Ringgit (MYR).

Traffic: Cars drive on the left in Malaysia. In Viet Nam the vehicles drive on the right. Traffic can be very heavy, particularly in major cities. Be careful when walking near main roads. Use sidewalks and pedestrian crossings when available. Only cross at pedestrian lights when the light is green. Look right, then left, before crossing the road.

Work week: Although most Malays are Muslim, not all of Malaysia follows the traditional Islamic working week in which Friday is the Islamic holy day and the weekend takes place on Friday and Saturday. Only five Malaysian states follow the Islamic workweek of Sunday through Wednesday. These include Perlis, Johor, Kedah, Kelantan, and Terengganu. Most government agencies are closed on Saturdays and Sundays, except those in Johor, Kedah, Kelantan, Perlis and Terengganu, where government agencies are closed on Fridays and Saturdays.

Public holidays and celebrations: Holidays in Malaysia are of two types: National and district. National holidays are observed by most government agencies and private organizations in all states. District holidays are observed only by a particular state.

Public holidays with fixed dates		Other holidays
New Year's Day	1 Jan	- Chinese New Year - Maulud Nabi (Birth of Prophet Mohammad) - Wesak Day (Birth of Buddha) - Hari Raya Puasa (End of Ramadan) - Deepavali (Not celebrated in Labuan and Sarawak) - Hari Raya Qurban (Feast of Sacrifice)
Federal Territory Day	1 Feb	
Labour Day	1 May	
Malaysian King's Birthday	1 Jun	
Merdeka Day (national day)	31 Aug	
Malaysia Day	16 Sep	
Christmas Day	25 Dec	



1.2.2 Cultural traits of Malaysia

Here are some of the cultural values of the Malaysian people and tips on etiquette that you will need to understand in order to successfully work and live in Malaysia.

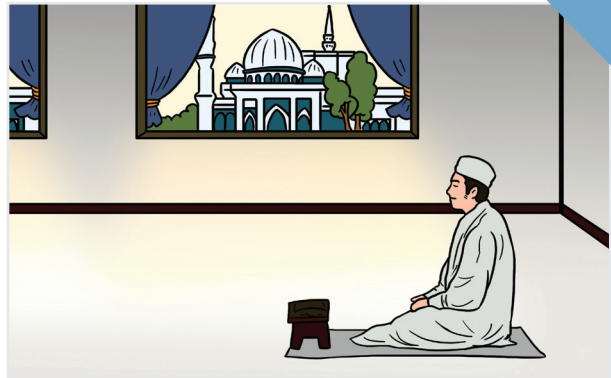
* Religious traditions



* Dietary restrictions



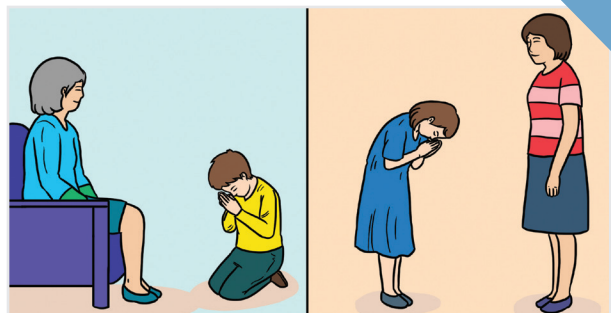
* Friday worship



* Dress code



* Family centred with a high respect for elders



Etiquette



Personal Safety Tips



1.2.3 Activity: Communication styles

1.3 Relevant laws in Malaysia

1.3.1 Documents needed to travel to Malaysia

There are several documents that you need in order to work abroad. These are:

* Employment contract

My employment contract includes:

- ☐ My name
- ☐ My employers' name, address and phone number
- ☐ The recruitment agency's name
- ☐ My work duties
- ☐ My salary and overtime details
- ☐ Details on salary deductions
- ☐ Details of annual leave and other holidays
- ☐ Termination guidelines;
- ☐ Dispute settlement procedures; and
- ☐ Insurance schemes that the employer must cover.


☐

I have read and understand my employment contract

Passport



1

I have a valid passport

*** Medical certificate**



7

I have a valid medical certificate

*** Work permit**

☐

I have a valid work permit

*** Entry visa**

☐

I have a valid entry visa

*** ID card (I-Kad)**

☐

I will request my I-Kad upon arrival to Malaysia



1.3.2 What to know about Malaysia's laws

While your basic rights are assured under Malaysia's Laws, there are a few things that you should bear in mind:

- * Have several photocopies of your passport, visa, work permit, ID cards, contracts, receipts and other travel documents. Give one copy to your family or a friend before you leave Viet Nam. Place the original documents in a safe place. Bring copies with you to your workplace and anywhere you go. These are important in case of a dispute.
- * Request and then keep a copy of your pay slips from your employer. Write down the number of hours you work each week. Check your pay slip carefully: If the wage you received is less than what is shown on your pay slip, contact your employer first to resolve this issue. If you cannot resolve this issue, contact one of the organizations listed in Section 1.5.6. This is a common area of labour fraud.
- * You are advised to refrain from having children, as this could lead to loss of work status and possibly deportation. These conditions may be outlined in your contract with the Vietnamese recruitment agency or your employer. It is not a violation under Malaysia Labour Law to become pregnant. Only you have the right to make decisions that concern your reproductive health. If you do get pregnant, you are entitled to maternity cover of two months' salary under Malaysian Labour Law.
- * You will undergo compulsory HIV/AIDS testing, and you will need to return home if you test positive. Confidentiality of results is not guaranteed. The Foreign Workers Medical Examination Agency is in charge of medical screenings and notifies the Immigration Department of the HIV test results; the Immigration Department then informs the employer.
- * There is a very complicated process before you can legally go on strike. Unless you are prepared to risk arrest and deportation, it is advisable to seek an alternative approach to solving your problems at work.
- * Sharia law operates in parallel to the Malaysian court system. Its application is restricted to family matters. Sharia law does not apply to non-Muslims and it does not cover the world of work.



1.4 Workers' rights and responsibilities in Malaysia

1.4.1 Employers' responsibilities and workers' rights in Malaysia

Workers need to be aware of their rights and responsibilities under Malaysian law. The relevant laws that give protection to employees whose salaries are below MYR2,000 per month include the Contract Act 1950, the Industrial Relations Act 1967, and also the Employment Act 1955.

Under these laws your employer has the responsibility to:

- ✳ Provide a safe place of work and treat employees with respect.
- ✳ Give you one full rest day each week (24 hours of continuous rest).
- ✳ Give you 11 public holidays a year, and paid annual leave, which depends on the number of years you have worked with the same employer or agent. Most workers have the right to 8 working days off each year before two years of service, and 12 between two and five years. This is in addition to your one day off each week.
- ✳ Insure you under the Foreign Workers' Compensation Scheme and give you an insurance card. This scheme provides compensation for death, injuries, lost wages, and to a limited extent, hospitalization caused by an accident during or outside working hours. If you have been injured in an accident and have been treated in a hospital, the employer is required to make a report at the Labour Department, who will then process the insurance claim. Claims under the Foreign Workers' Compensation Scheme take a long time to process, so be prepared to wait. If an employer does not give you the insurance card despite several requests, there is a possibility that the employer has not purchased this compulsory insurance for you. Go in person to the nearest Labour Department and lodge a complaint.
- ✳ Organize your health insurance. This is compulsory under the Hospitalisation and Surgical Scheme for Foreign Workers (SPIKPA). It should provide for hospitalisation, surgery and cost of treatment of foreign workers at government and private hospitals, and involves cashless admission only by showing your passport. If you work in a plantation or are a domestic worker, your employer should finance it. If you fail to buy it, you will not be permitted to renew your work permit. It is likely your employer will arrange for the insurance but will pass on the cost to you. The employer is entitled to do so unless your employment contract stipulates otherwise. Ask if you are paying for this Compensation Scheme, and if yes, ask how much is being deducted from your pay each month. Request for a copy of the insurance policy from your employer so that you know what the medical cover is.
- ✳ Follow the correct procedures if they wish to terminate your contract. If your employer fails to follow these procedures, you can file a complaint for unlawful dismissal. However, you must file a complaint in person with the Industrial Relations Department (IRD) within 60 days of the termination, and the IRD will call for an inquiry. This process may take several months. Ask the IRD for a letter to the Immigration Department to stop your employer from canceling your work permit. If the termination is legal, you have to return to your country of origin.



You have the following rights:

- ✳ **The right to seek healthcare.** Employers should provide you with health insurance and the government needs to extend their health services to migrant workers. Go to government-run or private hospitals and/or clinics in Malaysia. Depending on your contract you may have to pay charges for treatment. Government-run clinics and hospitals are cheaper.
- ✳ **The right to seek justice.** International conventions protect the right of anyone to seek justice. You have the right to a legal counsel, a fair and just trial, and the protection from baseless accusations.
- ✳ **You have the right to terminate your employment (resign)** by giving 14 days' notice of termination in writing (Article 57 of the 1955 Employment Act). You must be prepared for the consequences for prematurely terminating your contract, which may include (depending on the contract and how quickly the termination comes into effect) forfeiting one month's wages and having to pay for your return flight. Your employer may also ask you for compensation and/or you may lose the deposit paid to the recruitment agency in Viet Nam.
- ✳ **You have the right to join a trade union,** though you cannot hold an official title, even if your employment contract says otherwise. You should not be fired for joining a trade union.



1.4.2 Wages, costs and salary deductions

Wage payment:

- * You are entitled to the minimum wage, which is set at MYR4.35 per hour or MYR900 per month. This applies to Peninsular Malaysia only.
- * Your employer must pay your wages on a regular basis. Wages for the previous month's work must be paid by the 7th of the following month.
- * You have the right to be paid into a bank account and to be given a pay slip.
- * You have the right to refuse to work overtime. The maximum working time is 48 hours per week. If you agree to work more than the normal working hours your employer must pay overtime rates:
 - If you work for more than 8 hours in a day, subsequent hours are paid at 1.5 times your hourly wage.
 - If you work on your rest day, you should be paid two times your hourly rate.
 - Overtime rates do not apply in the construction industry.



Costs to migrate and salary deductions:

Remember:

Collect a receipt for everything you pay for! Get an outline of costs (in writing if possible) upfront and before you agree to any contract. Talk to your recruitment agency and make sure you understand all deductions that your employer will make, and have these details in writing.

There are various costs involved in migration, some are standard fees, and others vary depending on the recruitment agency. You will be expected to pay a fee to the recruitment agency for facilitating the migration process. Your employer or recruiter may pay for some costs upfront, and you may be required to pay them back out of your salary. This is called salary deduction. In most countries, employers are legally prohibited from deducting 100 per cent of your salary.

Costs incurred while still in Viet Nam:

This could include costs for:

- * Obtaining the necessary documents (passport, visa, work permit) to exit Viet Nam and enter Malaysia
- * Flight tickets and other transportation costs. According to regulations, the migrant worker must pay for the flight to Malaysia and the employer will cover the return flight if the work term is completed.
- * Training, and the costs of accommodation and food during the training period
- * Health checks

In Viet Nam, workers who are recruited and have signed a contract with a recruitment agency should expect to pay the following expenses:

1. Brokerage fee

The brokerage fee is currently set as follows:

- + VND _____ for a male worker for an employment contract of three years
- + VND _____ for a female worker for an employment contract of three years

The amount must be stated clearly in the contract between the Malaysia and Viet Nam recruitment agencies and in the contract signed between the recruitment agency in Viet Nam and the worker. In most cases, this fee is paid up front by the worker.

In the event that workers have to return to Viet Nam prior to the expiration of their employment contract due to force majeure (natural calamities, wars, bankruptcy of the receiving companies) or other reasons that are not the workers' fault, the Vietnamese recruitment agency shall request the Malaysian recruitment agency to reimburse part of the brokerage fee under the following principles:

- * If workers were employed for less than 50 per cent of the contract period, 50 per cent of the brokerage fee shall be reimbursed.
- * Workers who were employed for more than 50 per cent of the contract period will not be reimbursed the brokerage fee.
- * If the Malaysian service company does not reimburse the workers, the Vietnamese recruitment agency shall be responsible for reimbursing the workers.

2. Service fee

The ceiling of the service fee is one month of the basic salary agreed upon in the contract for one year of work. The Vietnamese recruitment agency shall agree with the worker on a one-time payment or a series of installment payments.

In case workers violate the contract or the law of the receiving country and have to return to Viet Nam early, the recruitment agency will still collect the service fee in accordance with the signed contract.

3. Fee for visa application

The visa application fee is currently US\$ _____ per person, or VND_____.

4. One-way air ticket from Viet Nam to Malaysia (including airport tax).

The fee for the air ticket will be stated when the ticket is purchased. At the moment it is approximately VND_____.

5. Fund for Overseas Employment Assistance

You are required to make a contribution of VND_____ to the Overseas Employment Assistance Fund. The purpose of this fund is to support diplomatic missions, consulates and related agencies to protect the rights and interests of overseas Vietnamese migrant workers, as well as to provide emergency humanitarian aid and support (e.g. repatriation), as required. This fund is managed by the Ministry of Labour, War Invalids and Social Affairs and is a non-profit fund.



Costs incurred in Malaysia:

1. Guarantee deposit

The guarantee deposit is MYR _____. The Malaysian employer will open a local bank account to deposit the money.

2. Foreign worker levy

You are required to pay for the annual foreign workers' levy, set between MYR34.16 and MYR154.16 per month, depending on the sector in which you work. The levy fee is paid to the Immigration Department and proof of payment is required as a reference when applying for a visa.

Levy rates, in Malaysian ringgit (MYR)

Sector	Peninsula Malaysia	Sabah and Sarawak
Manufacturing and construction	1,250	1,010
Services	1,850	1,490
Plantation	590	590
Agriculture and domestic work	410	410

3. Income tax

Workers shall be responsible for paying income tax in accordance with the regulation of Malaysia

- * For workers in the plantation sector or domestic service, the rate is MYR_____ per worker per year;
- * For workers in the manufacturing, construction sectors, the rate is MYR_____ per worker per year.
- * For male workers in service sector, the rate is MYR_____ per person per year.

4. Accommodation expenses

- * The employer can deduct a maximum of MYR_____ per month for accommodation and related expenses.
- * Be careful – employers may set a limit on the amount of electricity and water you can use each month and charge you extra if you exceed the limit. Get this in writing.

1.4.3 Workers' responsibilities in Malaysia

While you are given certain rights, you also must honour your responsibilities:

- * You must notify your employer if you are ill and cannot attend work. The Labour Law states that if you are absent from your work for more than two consecutive days, for whatever reason, without telling your employer, your contract will be automatically terminated.



- * Once your visa, employment contract, or work-permit expires, you must leave Malaysia. If you do not leave, you will be considered an irregular migrant worker. Do not change employers or accept a job offer while your employment contract is still in effect. It is a violation of the Labour Law to accept a job with an employer different from the one stated in your contract. If you are having difficulties with your employer, find remedies by speaking to someone you trust, including the Embassy, an MRC, the recruitment agency, or others. Note that if you are being abused – physically, sexually, or emotionally – you should get out of the situation as soon as possible.

- * Show up for work 15 minutes before your starting time. Take your breaks at the times prescribed, and end your work on time.

- * Complete your work to a high standard, efficiently and quickly. Personal tasks, like taking phone calls during work hours are generally not permitted.

- * Take care of equipment, machines, and tools. Your employer has invested in this equipment and expects you to take care of it.



- * Turn up to work neatly dressed, bathed, and groomed.

- * Clean up your workplace after your tasks are finished, and clean up your tools and arrange them properly after your work.



- * Obey the safety and other rules of your employer. You may otherwise be terminated for "misconduct". This can include:
- Misconduct relating to your duties, such as carelessness, putting yourself and others in danger, fraud, misappropriation, insubordination, etc.;
 - Misconduct relating to your behavior, such as fighting, assault, quarrelling, gambling, damage to company property, drug abuse, etc.;
 - Misconduct relating to morality, such as an indecent act, e.g., sexual harassment.

Conflict resolution

Sometimes, even though you try hard to develop good relationships with your employer or fellow employees, conflicts or disputes still arise. Here are three steps to resolving a conflict:

1. Talk with your employer

2. Mediation

3. Resolution through official channels

Official complaints can be filed with authorities, such as the labour department or your embassy. You can approach your embassy, your recruitment agency, or a NGO for help.



1.5 Benefits and challenges of labour migration

1.5.1 Benefits and challenges of working abroad

Benefits of working abroad:

- * Working abroad may give you a better salary than you would be able to earn working in Viet Nam.
- * You have the opportunity to earn and save money for your family and for your future. You can save money to start up a business, buy land, pay for education, or build a house.
- * You can improve your skills, including your work and communication skills.
- * You can broaden your horizons. You can meet other people and see new things. You can learn about another culture. You can learn another language.
- * You can earn status in your community by working abroad, since you have gone to another place and met other people. You have overcome a major challenging experience.



Challenges of working abroad

- * Separation from family and friends.
- * Adjusting to a new culture, different food and weather
- * The high costs of migration, including air or bus fare, travel documents, training, and medical and skills testing; and the high costs in your destination country for food, accommodation, or social security schemes.
- * The work can be difficult, the hours long and conditions tough.



1.5.2 Labour rights violations some migrant workers might face

Labour rights abuses include any form of unfair or unjust treatment at work. This can include many things. It is not uncommon for migrants to work long hours for low pay. Migrants may work in dangerous conditions, where their safety and health is compromised. They may be subjected to physical abuse or sexual harassment.



Other labour rights abuses may include:

- * Illegal recruitment, misinformation, deception with regard to the nature of work that is to be completed;
- * Human trafficking for sexual and labour exploitation;
- * Contract substitution;
- * Delay of salary payment, unauthorized wage deductions, or the withholding of salary;
- * Unjust termination of contract without notice;
- * Withholding or keeping of the passport or other identity documents by the employer in order to extract more work or limit the movement of the worker;
- * Confinement within an employer's home or the workplace; and
- * Being denied days of rest.

1.5.3 What is labour exploitation and forced labour?

Indicators of labour exploitation can include:

- * Excessive working days or hours;
- * Bad living conditions;
- * Hazardous work;
- * Low or no salary;
- * No respect of labour laws or the contract signed;
- * No social protection (contract, social insurance, etc.);
- * Very bad working conditions; and
- * Wage manipulation.

Agreeing to one of these conditions does not justify the exploitation. For example, if a country has introduced a minimum wage, this has force of law, automatically superseding any agreement made between a worker and employer to provide work at a lower wage.

Forced labour is when exploitation is made more systematic by removing the element of agreement through the application of a penalty or threat of penalty.



To identify whether you are in a situation of labour exploitation or forced labour you can ask yourself the following questions:

*** Are you allowed to take breaks or a day of rest once a week?**

If the answer is no, seek help from one of the organizations listed in Section 1.5.6 of this booklet.

*** Are the tasks you do the same as the ones that were agreed upon, verbally or in a contract?**

If the answer is no, seek help from one of the organizations listed in Section 1.5.6 of this booklet.

*** Do you fear your employer would fire you if you refused to work overtime?**

If the answer is yes, seek help from one of the organizations listed in Section 1.5.6 of this booklet.

*** Do you fear that your conditions of work or the tasks you do may harm you or your health?**

If the answer is yes, seek help from one of the organizations listed in Section 1.5.6 of in this booklet.

*** Is your salary below the national minimum wage?**

If the answer is yes, seek help from one of the organizations listed in Section 1.5.6 of this booklet.

*** Is there any labour law you know of that your employer doesn't comply with?**

If the answer is yes, seek help from one of the organizations listed in Section 1.5.6 of this booklet.

*** Does your employer deduct a lot of money from your salary or withhold your wages?**

If the answer is yes, seek help from one of the organizations listed in Section 1.5.6 of this booklet.

1.5.4 Problems commonly experienced by female migrant workers

- * Domestic workers may face long hours of work, especially if they live with their employers;
- * Deprivation of sleep and rest;
- * Sexual harassment, sexual abuse, or rape;
- * Denial of leave or days-offs, including being forced to work while sick or injured;
- * Confiscation of travel documents, like passports, to prevent a worker from running away or with the notion that this protects workers;
- * Being prevented from contacting family members back home, Embassy officials, NGOs, or trade unions, amongst others; and
- * Human trafficking for sexual and/or labour exploitation.



1.5.5 Problems commonly experienced by male migrant workers

- * Long hours of work without rest;
- * Assignment to dangerous or unhealthy work or workplaces;
- * Exposure to harmful materials or substances in the workplace;
- * Unhealthy living conditions;
- * Physical or verbal abuse; and
- * Human trafficking for labour exploitation, or being sold by an employer/agent and forced to work for another employer.



1.5.6 Seeking help in Malaysia

What should you do if you are abused?

You have the right to report a case of abuse to the relevant authorities.

- 1. If it is a work-place dispute** (e.g., your wages are not as promised or are being withheld): Remember that if you run away from an employer, your employer may cancel your work permit and you will lose your right to stay in Malaysia legally. It may be tempting to find work elsewhere in Malaysia, but you will be subject to immediate deportation if you are caught. There are procedures to report such a case so that you do not end up being an undocumented worker in Malaysia. You can report to a Migrant Worker Resource Centre, an NGO, the trade union, your embassy, the police, your recruitment agency, or the Malaysian Department of Labour.
- 2. If it is a serious criminal case:** If you experience physical, psychological, verbal, or sexual abuse, you should report this case as soon as possible. You can report to a Migrant Worker Resource Centre, an NGO, the trade union, your Embassy, the police, your recruitment agency, or the Malaysian Department of Labour. Document the abuse done to you. With a camera or mobile phone take photos of the injuries you sustained. If you don't have a camera, write about the incidence indicating the date, time, and the things done to you.

Contact details to seek help

There are various institutions that can help you when you are abused.

Remember:

Write these numbers down and keep them somewhere safe. Give copies to your family and friends. Try to memorize one or two of the numbers.

There are various institutions that can help you when you are abused. **Remember to write these numbers down and keep them somewhere safe. Give copies to your family and friends.** Try to memorize one or two of the numbers. Here we list just a few.

Viet Nam and Malaysia state authorities:**Department of Overseas Labor, Ministry of Labor, War Invalids and Social Affairs**

41B Ly Thai To street, Hoan Kiem district, Hanoi

Tel.: (04) 3824 9517

Use the following extension numbers:

Pre-departure: 511, 512, 601 – 608

While overseas: 309 – 314

Upon Return: 301 – 304

The Labour Management Section, Embassy of Socialist Republic of Viet Nam in Malaysia

Fl 4, West Block, Wisma Selangor Dredging Jalan Ampang,

50450 Kuala Lumpur

Tel.: (+60) 3 2161 1762

Fax: (+60) 3 2161 1921

Email: labourkl@yahoo.com

Embassy of the Socialist Republic of Viet Nam in Malaysia

No 4. Persiaran Stonor

Kuala Lumpur 50450

Tel.: (+60) 3 2148 4858 / 2148 4534 / 2148 4036 / 2164 1909

Fax: (+60) 3 2148 3270/2163 6334

Email: vnemb-my@mofa.gov.vn

Malaysia's State Labour Department

Level 6-9, Block D3, Complex D

Federal Government, Administrative Centre

Putrajaya 62530 W.Putrajaya

Tel.: (+60) 3 8889 2381/ (+60) 3 8888 9111

Fax: (+60) 3 8889 2381

Email: ksml@mohr.gov.my

Labour Office Kuala Lumpur (for labour and industrial accident claims only)

Tingkat 9, Menara PERKESO
 281, Jalan Ampang
 50532 Kuala Lumpur
 Tel.: (+60) 3 4141 4600

Labour Office Selangor (for labour and industrial accident claims only)

Suite A405-7 Tingkat,
 3A, West Wing
 Wisma Consplant 2
 No. 7, Jln SS 16/1
 47500 Subang Jaya, Selangor
 Tel.: (+60) 3 5636 1605; (+60) 3 5632 8800

Labour Office Johor (for labour and industrial accident claims only)

JTK Cawangan Johor Bahru
 Tingkat 9 & 10, Menara Ansar
 65, Jalan Trus
 80000 Johor Bahru
 Johor
 Tel.: (+60) 7224 3188/89

For immediate help* (Victim of trafficking)

Tel.: 999

Police

Tel.: 999

SMS Helpline for labour rights

(+60) 1 2223 4357

*This number is available 24 hours per day

Migrant Worker Resource Centre:**Malaysian Trades Union Congress – Selangor & Kuala Lumpur**

Wisma MTUC, 10-5, Jalan USj 9/5T
47620 Subang Jaya
Selangor
Tel.: (+60) 3 8024 2953
HOTLINE NUMBER: 012 373 4041
Mtuc.mrc@gmail.com

Malaysian Trade Union Congress – Penang

2958 Jalan Prai Taman Indrawasih
13600 Prai, Penang
Tel.: (+60) 4398 1175
Tel.: (+60) 1 9475 6897

Malaysian Trade Union Congress – Johor

No 12, Jalan Mata Kucing
81200 Tampoi
Johor
Tel.: (+60) 7237 5710



Non-Governmental Organizations (NGOs):**Tenaganita (Main office)**

No. 38, Jalan Gasing
46000 Petaling, Malaysia
Tel.: (+60) 3 7770 3691; (+60) 3 7770 3671

Legal Aid Centre Kuala Lumpur (Bar Council)

9th floor, Wiama Kraftangan
No. 9, Jalan Tun Perak
50050 Kuala Lumpur
Tel.: (+60) 3 2691 3005 / (+60) 3 2693 2072

Legal Aid Centre Johor Baharu (Bar Council)

Tingkat 5, Mahkamah Sesyen & Magistret
Jalan Ayer Molek
80000 Johor Bahru
Tel.: (+60) 7223 5698



1.6 Activity: “Agree” or “Disagree”

1.7 Activity: Finding solutions to challenging situations

What form of help will you give these migrant workers?

Son is a first-time migrant worker. He experiences deep sadness especially during his day off. In his country, he usually spends his rest days and holidays with his wife and children. Now while working abroad he feels homesick and anxious.

How will you help Son?



Hung was recruited to work in a factory. When he arrived in the host country he was asked to sign another contract which was different from the one he signed before he left his own country. In his new contract, he will work as a farmhand in an agricultural station instead of as a factory worker.

How will you help Hung?



Lan is working in a chemical factory which may be considered hazardous to one's health. When she arrived in the factory, she was not given proper training and protection in handling the chemical solutions. Her present working condition was not mentioned in her work contract.

How will you help Lan?



Mai is working as a domestic worker in Malaysia. Her employer does not pay her on time and keeps her passport and work permit as a guarantee that she will not leave the employer's household before her contract expires.

How will you help Mai?





MODULE 2: **BEHAVIOUR AT WORK AND IN DAILY LIFE**

Module 2: Behaviour at work and in daily life

How to adapt to work and life in Malaysia

Objectives of the module:

For participants to understand and overcome homesickness, and ways they can communicate with their families back home. For participants to develop strategies for effective communication with their employer.

For participants to develop strategies for effective communication with their employer.

For participants to understand the importance of looking after their health, and to safeguard men and women migrant workers and their families from HIV and AIDS.

For participants to understand how to send remittances safely.

For participants to understand the basic concepts of saving and budgeting and be able to create a simple budget outline for themselves.



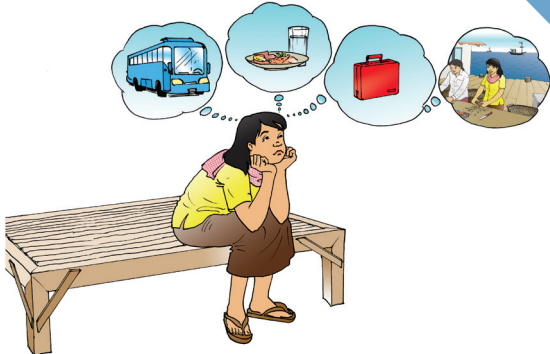
2.1 Activity: Puzzle in silence

2.2 How to adapt to living in Malaysia

Aside from the financial concerns of working abroad, you may be concerned about missing your family and friends, feeling homesick, or adapting to a new workplace and living space, boss, and colleagues.

In order to address your worries here are a few tips:

- * Accept the fact that you will be gone for a long time.



- * Collect information about your host country, its culture, and its people.



* Accept that you may feel homesick.



* Agree with your family on how you can communicate and how often to do so.



* Develop codes for when you communicate.



* Identify ways to deal with stress and depression.

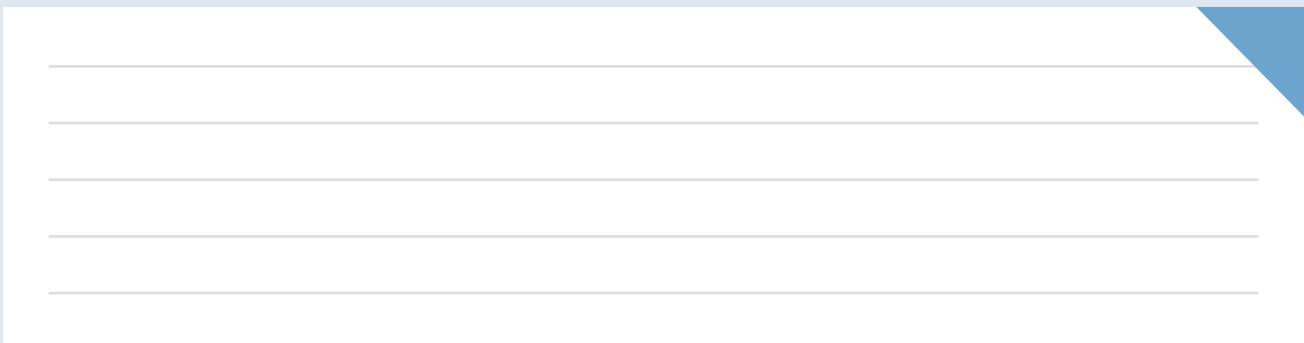


2.3 Communication at the workplace

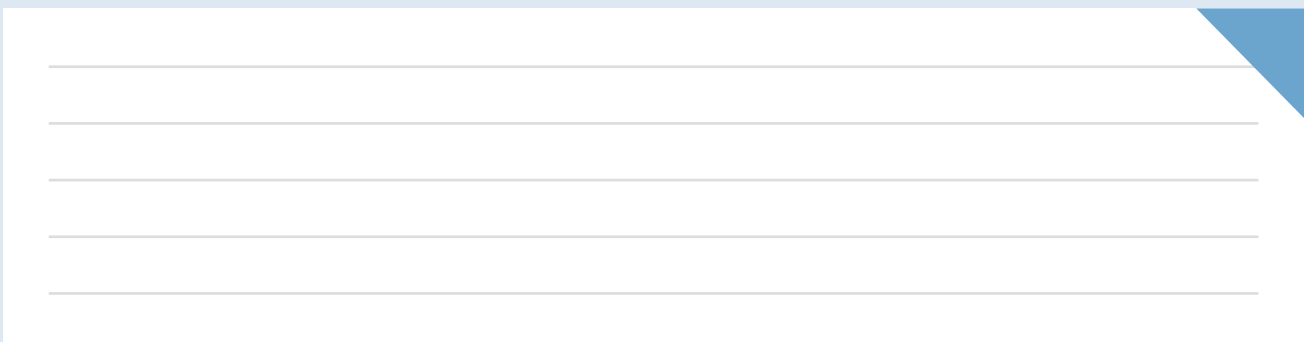
2.3.1 Developing a good relationship with your employer

While working in Malaysia it is important that you develop a good relationship with your employer. Here are some reminders:

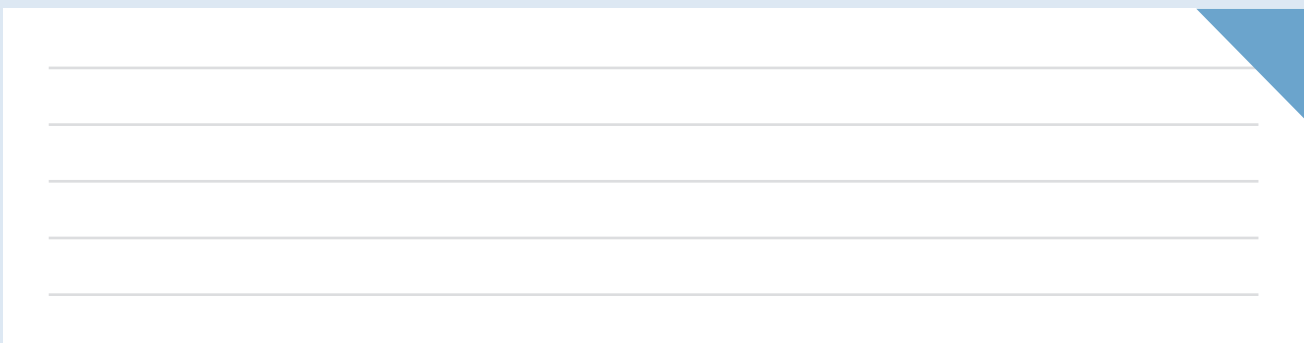
*** Respect your employer.**



*** Follow company or factory procedures.**



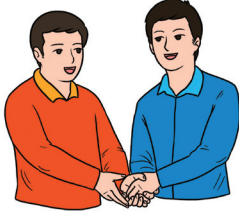
*** Do not gamble or become involved in fights.**



2.3.2 Developing a good relationship with fellow employees

Your working environment also includes your fellow workers. Your efficiency at work can be affected if you do not have good relationships with your colleagues. Here are some reminders:

*** Be friendly.**



*** Do not criticize your fellow employees in front of them, in front of your employer, or in front of other employees.**



*** Respect diversity.**



2.3.3 Activity: Good communication roleplay

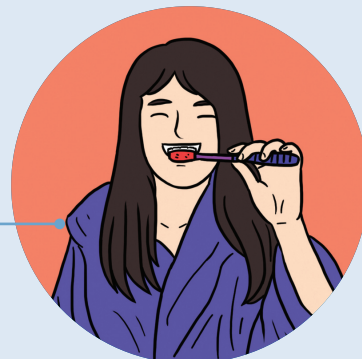
2.4 Looking after your health

2.4.1 Health and hygiene

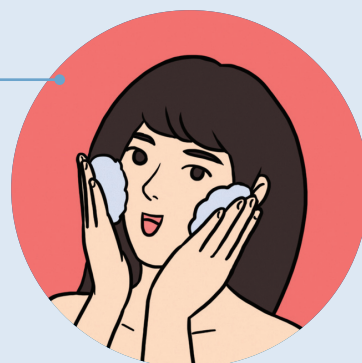
The importance of personal hygiene

Looking after yourself and your hygiene is important to prevent getting ill and spreading illness to others.

- * Brush your teeth two to three times every day. Regular brushing and flossing of teeth will help to remove food particles and bacteria, which can cause bad breath. Remember to change your toothbrush regularly.



- * Shower or bathe daily using soap or body wash and water to remove dirt, sweat, and bacteria, which all contribute to body odor. Make sure you wash your hair regularly to keep it clean and grease-free.



- * Use deodorant daily to avoid strong body odor.

- * Be sure to always wear clean and well-washed clothes, including changing your inner wear and socks daily.

- * Wash your hands regularly, especially after using the toilet and before eating or cooking food. Use water and soap, and dry your hands well with a towel.



- * Keep your nails clean and dirt free, and trim them as necessary.

- * Carry tissues to avoid sneezing or coughing into your hands and getting bacteria on them. Use a tissue when you need to blow your nose.

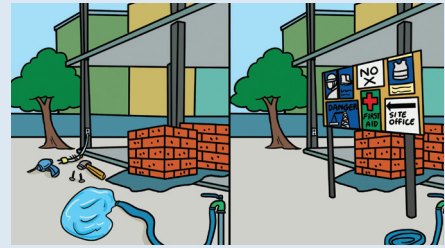


- * Cut your hair regularly to keep it neat and tidy. Wear a hair net at work if asked to do so.



Personal hygiene and cleanliness at work, home, and communal living spaces

Follow the personal hygiene tips to make sure you are clean and presentable at work, and neat and tidy at home. Personal hygiene is just as important in the workplace as it is at home. It is likely that you will share a dorm, a room, or a house with other migrant workers. You need to respect the people you live with by keeping yourself, your room, and shared spaces clean and tidy.



- * Clean up and pick up after yourself. Regularly clean your room and the spaces you share with other people, including the kitchen and bathroom.
- * Don't throw your rubbish on the ground. Remove rubbish regularly so it does not build up, to avoid attracting flies and other insects that can carry harmful bacteria. 
- * Keep floors and access routes clear of obstacles.
- * Clean up a spill to prevent somebody else slipping on the wet or dirty surface. Keep your kitchen and bathroom clean from bacteria and germs.
- * If you wear protective clothing at work you should wash these regularly and separately from your other clothes to prevent dangerous chemicals transferring to your other clothes.
- * Do not urinate in public places or spit on the ground in public areas. These behaviors are considered to be anti-social by many people.
- * Keep your food in the refrigerator. This will keep food from spoiling or becoming unsafe to eat.
- * Wash up your dishes with soap and hot water after you use them so that harmful bacteria do not build up.
- * Clean up spills on the floor or in the refrigerator when they happen.



2.4.2 HIV/AIDS

What is HIV and what is AIDS? How is HIV transmitted?

HIV Stands for: **H**uman **I**mmunodeficiency **V**irus

AIDS stands for: **A**cquired **I**mmune **D**eficiency **S**yndrome

HIV “positive” means that you have HIV in your body.

- * As of today, HIV cannot be cured, but there are treatments called anti-retroviral drugs (ARVs) that improve the quality of life for an HIV positive person. A doctor must explain to you about ARVs. Never start taking ARVs without consulting a doctor first.
- * An HIV positive person can remain healthy for a long time, because the development of the disease can take many years.
- * It is important to remember that people with no symptoms can still give HIV to others through unprotected sex and sharing unclean needles.
- * If you know you are HIV positive, then you can protect others from infection as well as taking good care of yourself.
- * Always tell your sexual partner(s) that you are HIV positive.
- * Contracting HIV will lead to your work permit in Malaysia being terminated

HIV “negative” means that you do not have HIV in your body.

- * A “negative” result means that you do not have HIV now. But it does not mean that you cannot get HIV in the future. You still have to protect yourself.
- * Note that it can take up to three months until a blood test can show if you are HIV positive. This “window period” differs from person to person. In other words, if you had unprotected sex yesterday evening (and became HIV positive as a result), then a HIV test today will not show you are infected.

HIV dies almost immediately outside of the human body. To become infected with HIV, the fluids need to enter your blood system. This may happen with any of the following activities:

- * vaginal intercourse
- * anal intercourse
- * oral sex (comparatively low risk)
- * sharing or re -using needles (such as syringes and piercing or tattooing equipment)



- * receiving a blood transfusion with HIV infected blood
- * accidental injury involving blood - the risk of being infected with HIV this way is very small. However, whenever there is blood involved it is best to take protective measures, such as using gloves and making sure blood does not come in contact with any open wounds.
- * HIV can also be transmitted from mother to child before and during birth and through breast milk.

How can you protect yourself from HIV?

- * It is not possible to tell if a person is HIV positive by looking at them so always use precaution when having sex.
- * When having vaginal or anal intercourse, as well as oral sex, with a person whose HIV status is unknown to you, always properly use a condom.
- * Using new or properly-sterilized needles (or piercing or tattooing equipment) prevents HIV transmission. Merely cleaning equipment and syringes is not a reliable way of preventing infection.
- * Have a mutually faithful and monogamous relationship with an uninfected partner.
- * An HIV positive pregnant woman should consult a qualified doctor regarding ways to protect her baby from HIV.

Prevention of mother-to-child transmission:

- * Mother-to-child transmission can be prevented by giving antiretroviral treatment (ARVs) to the mother prior to the delivery, and then to the child once he/she is born.
- * A caesarian delivery also lowers the risk of mother-to-child transmission.

Factors increasing the risk of HIV transmission:

- * A person with a sexually-transmitted infection (STI) has a greater risk of becoming infected with HIV.
- * Women are about twice as likely to become infected with HIV from men as men are from women. Women are both biologically and socially more vulnerable to HIV transmission because:
 - Social structures and culture can make it difficult for women to discuss sex and make their partners use condoms; and
 - Women are more biologically vulnerable to HIV, because the soft tissue in the vagina tears easily and absorbs fluids more easily, including semen. Semen also contains more HIV than vaginal fluids, and may stay longer in the vagina.

Activity: Who is at risk of HIV/ AIDS and other STIs?



2.5 Activity: Be a smart spender: “Wants” and “Needs”

2.6 Managing your money

2.6.1 Paying for the costs of migration

People typically use different options to pay for their migration costs. Some families may use their savings to pay for all the migration costs. Other families may sell an asset, such as gold, or borrow from a friend, moneylender, or bank to pay for the rest of the migration costs. Others rely mostly on an advance given by a recruitment agency but use savings to pay for some of the indirect costs. Keep in mind that if you borrow the money from the recruiter or a moneylender, these costs may be deducted by your employer from your future salary. Make sure that you fully understand the costs and the terms of any loan and get these in writing. This is important in case there are any disputes later on.

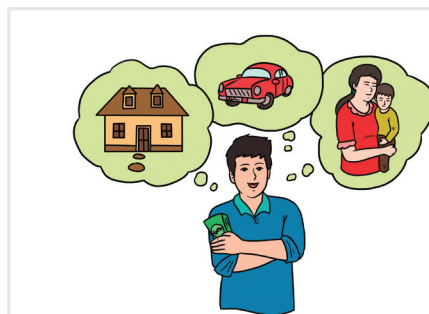
When deciding how you will pay, keep in mind:

- * You have many options available to pay for migration costs. Each option has its advantages and disadvantages. It is important to learn about and evaluate these different options with your family members.
- * You may have to use more than one option to pay for your migration costs. Try to choose the least expensive option(s), when possible. Try to avoid high interest loans and consider formal financial institutions, which may offer lower interest rates than local moneylenders.
- * Once you decide on a financing option, shop around and ask questions to find the best deal and to be informed. Remember that information is power!

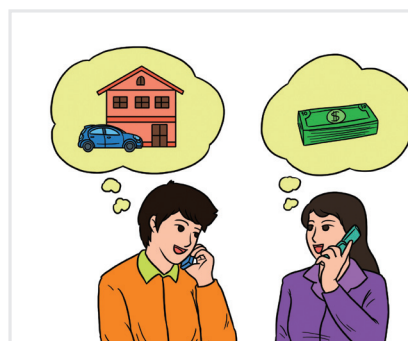


2.6.2 Tips to manage your money in Malaysia

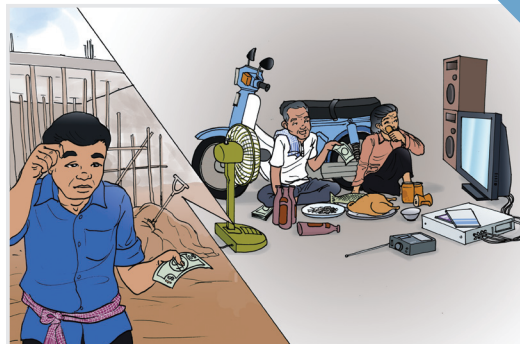
- * Have a clear short-term and long-term savings goal.



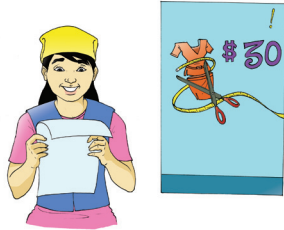
- * Discuss your short-term and long-term savings goals with your family.



- * Collect all the information needed to plan well.



*** Plan how much you can save each month.**



*** Adjust your plans.**



*** Open a bank account in Malaysia**



2.6.3 How to send money back home

You should remit with a reliable formal remittance service provider – like banks, money transfer operators or a post office.

Why use formal channels?

- They are safer and more reliable. It's easier to track money. You will have statements (receipts) for all your transactions

Advantages of using a bank:

- Your money can grow. You can send money directly to a family member's savings account. If they don't use the remittance money, it can earn interest if placed in an interest-bearing account.

Before you remit and choose your remittance service provider – ask questions!

You can remit in four ways: account-to-account, account-to-cash, cash-to-account, cash-to-cash. Get clear information on the key aspects to make your selection: convenience, cost, time and security.

Questions to ask include:

- How much does it cost to transfer?
- How long will it take for my family to receive the money?
- Will my family receive the full amount or will they be charged a fee?
- What ID should I bring to send money? What ID is needed to receive money?
- What forms do I have to fill in to send money?
- Does the transfer need to be processed through a bank account?
- Do you offer other services, such as a savings account, preferred rates on other financial services or non-financial services such as counselling?

Informal and formal remittance service providers

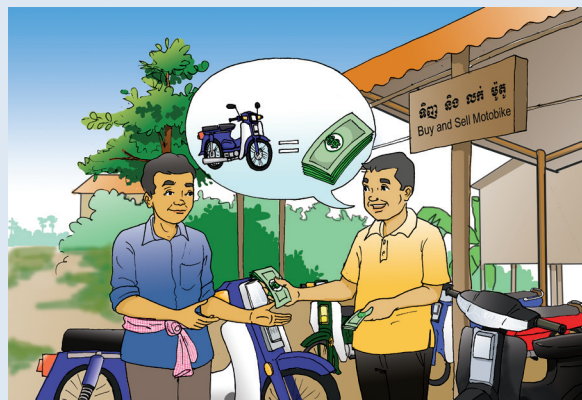
* Formal remittance service providers are institutions regulated or supervised by the government. This type of provider includes:

- Banks
- Money transfer operators (MTOs)
- Commercial and rural banks
- Micro-finance Institutions
- Cooperatives credit unions
- Mobile payment service providers



* Informal remittance service providers are not regulated or supervised by the government. This type of provider includes:

- Retail shops
- Pawnshops
- Couriers
- Money exchange booths
- Taxis/vans/other transportation providers
- Friends and family
- Recruitment agencies



How to send money via formal remittance service providers

Money transfer operators, e.g. Western Union and MoneyGram:

Use these services when you need to send money fast. The funds are generally available to your receiver in minutes. Here are steps to send money back home:

1. Visit the money transfer operator taking some personal identification with you such as your passport or identity card.
2. Complete a simple “send” form and hand this to the agent along with the money you want to send and the transfer fee. You will need to include information about the receiver such as their family name, given name(s), address, city, and country. You will also need to provide information about yourself, such as your family name, given name(s), address, city, country, and phone number.
3. The MTO may be able to provide additional services, but check how much those services cost! This includes delivering a cheque directly to the receiver’s home, or calling the receiver to notify them that they have a remittance waiting.
4. You will be given a reference number.
5. Contact the person to whom you are sending the money, and tell that person the reference number and the amount of money you sent. In just a few minutes the money will be ready to collect. The person to whom you are sending the money to will have to go to their local agent to collect the money.



Bank transfer:

Sending money via bank transfer is not fast as using a money transfer operator, but is generally cheaper. Follow these steps:

1. Contact or visit a bank and take some personal identification with you, such as your passport or identity

card.

2. Fill in a short and simple money transfer form
3. Approach staff and provide them the following information: The receiver's account number, the name of the receiver's financial institution and the financial institution's SWIFT code. The SWIFT code is a bank identifier code. Every bank in the world has a SWIFT code. Be sure to collect this information before leaving home.
4. Inform the receiver about the amount of money you have transferred, and within a few minutes (the time needed to receive the money transfer depends on the bank), the receiver can get the money at the bank or financial institution office.

Remember:

Transfer fees for sending money through a bank are less expensive than those charged by a money transfer operator. But the fees may change so ask the agent at the bank before you send the money.

Safety tips when sending money home

- * Before you migrate write down your family members' personal information, including account information and the bank's SWIFT code, and keep this in a safe place

- * Ask the help of your employer or a friend when you open a bank account in Malaysia or make a transaction for the first time at the bank.

- * Do not accept the promise of someone offering to personally deliver your money to your family unless you know the person very well and you can trust him or her.

- * Ask for a receipt every time you make transactions at a bank.

- * Inform your family that you have sent them money and specify exactly how much. Be aware that currency exchange rates may mean the amount is not exact when received, but the variance should be small.

- * Compare the rates of different remittance service providers and go to the one where you receive the best service.



2.7 Activity: Let's make our budget

In this session, we are going to review a tool you can use to make spending decisions and to help you save money to reach your goals.

Write down the answers to the following questions:

1. What is a budget?

2. What is an income? What are your types of income sources?

3. What are the different types of income sources?

4. What is Gross Income?

5. What are Personal Expenses (PE)?

6. What are Personal Savings (PS) and its formula?

7. What are Family Expenses (FE)?

8. What are Actual Savings and its formula?

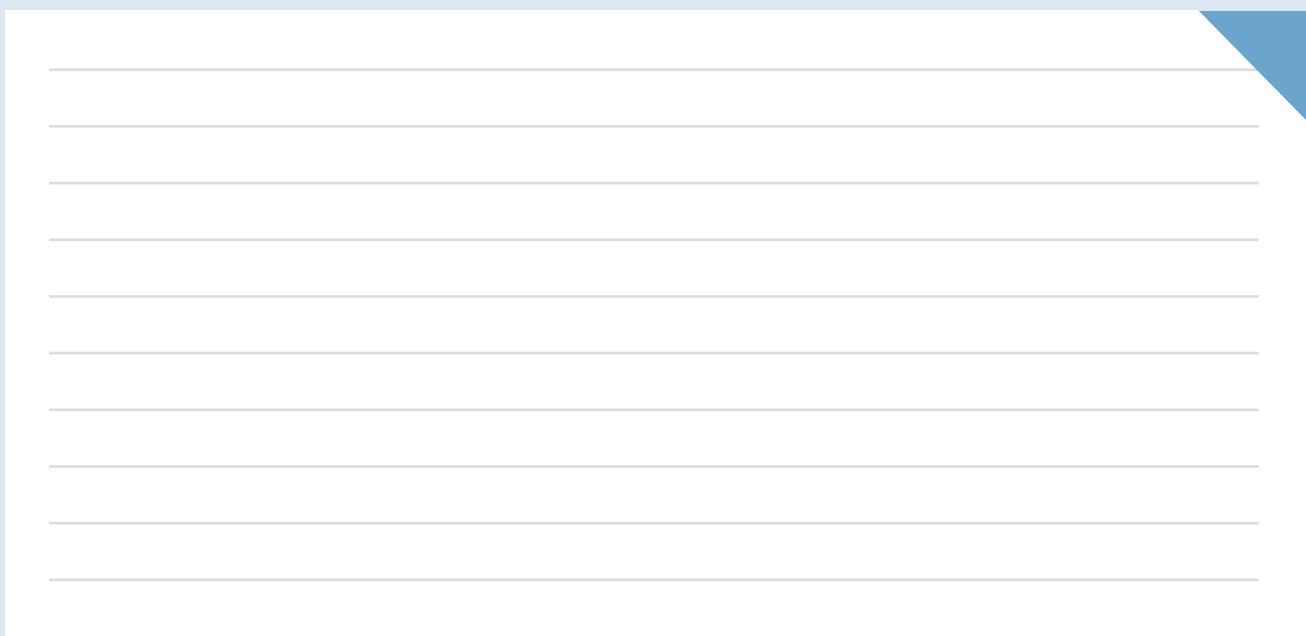
Let's do our budget!

Calculate personal saving (PS) and actual saving (AS) in the table below using the following figures:

- * Gross income (GI) = MYR 900
- * Personal expense (PE) = MYR 100
- * Family expense (FE) = MYR 150

Item for calculation	Formula	Answer
Personal savings (PS)	$GI - PE$	?
Actual savings (AS)	$PS - FE$	?

Would you like to increase your actual savings? Based on your budget calculation how would you do it?



2.7.1 Recording your income and expenses

You should keep a record of your daily income and expenses, which will help you to know where your money goes. If you have extra, or a surplus, you can save it to achieve your migration goal. If your budget shows you that you will not have enough money to pay for your expenses, or that you have a deficit, you need to cut back on some of your expenses. A good budget helps you to pay for what you need and save up for your goal. The table below is a sample of a Daily Income and Expenses Sheet.

Please record in the column “Income” if it is income and in the column “Expenses” if it is an expense.

How much are you saving?

Daily income and expenses sheet

Month:.....
Year:

No	Date	Items description	Income	Expenses
	25 July 2012	Salary	MYR 900	
	25 July 2012	OT earning	MYR50	
	27 July 2012	Paid for telephone cost		MYR15
	30 July 2012	Sent money to family		MYR150
	30 July 2012	Rental expense		MYR50
	31 July 2012	Utility expense		MYR50
Total			MYR950	MYR265
Savings =				



MODULE 3: **REVIEW AND TESTING**



Module 3: Review and testing

Objectives of the module:

To test participants' knowledge on the PDOs content.

To give participants time to review and reflect on their learning.

For participants to develop future plans and plans for return.

For participants to demonstrate the knowledge and skills gained through learning from one another and the training.

For participants to provide feedback on the training.

How confident are you?

How much do you know about migration? Take this quiz and find out. For each question circle the most appropriate answer, and then add up your points to see how you did.

1. Are there risks for migrating?

- A. Yes! I have discussed these with my family.
- B. No, migrating is always safe.
- C. There are some risks for migrating.

2. What documents should you prepare before migrating?

- A. My passport, visa, work permit, contract, air or bus fares, bank account details and a list of emergency numbers. I will give a copy of these to my family.
- B. Nothing, the recruiter or employer will take care of my documents.
- C. My passport and visa.

3. Is migration free?

- A. Never.
- B. Sometimes.
- C. No. The costs may be paid by my employer or broker, but I am required to pay them back.

4. After you sign your contract, what should you do with it?

- A. Give it back to your employer.
- B. Ask for a copy and keep it in a safe place.
- C. Ask for a copy and give it to your parents.

5. Your friend signed a contract before leaving Viet Nam. When she/he arrived in Malaysia, she/he was asked to sign another contract that was not in her/his language and she/he did not understand. How would you help your friend?

- A. I'm not sure.
- B. I would tell her/him that contract substitution is a violation of her/his rights and she/he should talk to his employer.
- C. I would tell her/him that contract substitution is a violation of her/his rights and she/he should talk to her/his employer, her/his recruitment agency, the embassy, or an NGO.

6. How can I increase my personal savings?

- A. Spend on needs, not wants.
- B. It is not important to save money.
- C. I will work out my budget before I leave and reduce my expenses spending on needs, not wants.



7. How much of your salary will you send back to your family?

- A. I will send everything I can back to my family.
- B. I will send enough for them to reach their goals, but save some to reach my goals too.
- C. I will send whatever amount my parents tell me to send.

8. I know how to send money back home.

- A. I'm not sure, but I think I can give money to a family friend to take home.
- B. Yes. I can use a bank, a money transfer organization, or a microfinance institution.
- C. I don't know how to send money to my family.

9. What would you do if you experienced physical, psychological, verbal, or sexual abuse?

- A. I'm not sure.
- B. I will look for another job with another employer.
- C. I would document the abuse (e.g., take photos), and try to contact an NGO, my Embassy, or authorities in Malaysia.

10. When you come back after working abroad, what will you do?

- A. Look for a job that matches my skills.
- B. Start a business.
- C. I don't know. I haven't thought about it.



Migration goal worksheet

My short term goal is to...

By: (date)

It will cost:

How much I need to save per month:

My long-term goal is to...

By: (date)

It will cost:

How much I need to save per month:

My family's short-term goal is to...

By: (date)

It will cost:

How much I need to save per month:

My family's long-term goal is to...

By: (date)

It will cost:

How much I need to save per month:



Pre-departure training curriculum

Viet Nam to Malaysia: Participant's manual

This manual is to be used to deliver the pre-departure orientation training for Vietnamese migrant workers travelling to Malaysia. The intended outcome is that migrant workers will have the knowledge and means to adapt to their new working environments and to the culture of their country of destination.

Migrants make enormous development contributions to their host and origin countries. Nevertheless many migrant workers, particularly those working in low-skilled sectors are subject to labour exploitation and abuse. The pre-departure orientation training will provide information prior to the migrant's departure on the workers' rights and responsibilities; the destination country's culture, laws and policies; accessing support services and complaints mechanisms; sending money home, and return and reintegration. The end goal is to reduce the workers' vulnerabilities, to empower them to protect themselves, to recognize situations of labour rights violations, to seek help as required, and finally to have a profitable and positive migration experience.



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