

The Demand of Workforce in Fishery of Pattani Province

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Abstract

This research was designed to investigate the demand of workforce in fishery of Pattani province. The purpose was to study the impacts of migrant workforce and solutions as well as the prevention from the use of migrant workforce. Qualitative research was conducted by interview and documentary review. The target group of the interview were relevant people and officials in fishing sector of Pattani province. The collected data was analyzed for creating an appropriate approach to improve the solutions and the prevention from the impact of the use of migrant worker. The research finding were as follows: 1) the use of migrant workforce was done in order to decrease the cost of wage, increase the profit and get enough efficient labor. 2) the approach of solution and prevention from the use of migrant workforce was to set up strict punishment measures, hiring legal migrant workforce, ensuring the fairness of wage, supervising the registration of migrant workforce, having strict custodial arrest measures by the police as well as having clear policy of migrant workforce. This research suggested that the police should supply enough troop, equipment, instrument and budget for their law enforcement. The government should define the zone of migrant labor in order to use it as a pilot project model and transfer all knowledge to other departments. Moreover, the government should not only amend the law to control the amount of stateless children of migrant workforce's parents but also legislate the law and penalty forcing female migrant workforce to do permanent birth control.

Keywords: Fishery, Migrant Workforce, Demand of Workforce

Introduction

The Standing Committee on Commerce Industry and Labor the National Legislative Assembly and Subcommittee on Labor have realized the problem of lacking workforces on fishery and the problem of both legal and illegal workforce of Thai and migrant workforces in Thai fishing boats. While the government couldn't investigate those people and protect them effectively, there were many petitions from non-

governmental organizations on human rights as well as international organizations concerning human trafficking on forced labor in Thai fishing boat. As a result, Thai fishery industry had got a bad reputation among international community which impacted on fishing sector and related business in Thai fishing industry. Nowadays, there were a lot of migrant workforces working in fishing sector, particular these 3 nationalities- Myanmar, Cambodian and Laotian. A comprehensive management approach on migrant workforces system management would help to solve the problem of lacking workforces and also clear concretely the negative image of using slave labor/ human trafficking in Thailand. In case of using migrant workforces, Thailand was on the watched list country and was ranked in a group which had the worst situation of forced labor and/or human trafficking (Tier3). Although these two problems were related, they didn't effect on domestic occupation and employment. However, the main concern was what the migrant workforces did and where the migrant workforces were. In order to manage a sustainable system of using migrant workforce, it was required a clearly practicing approach which was quite difficult to implement in a usual mechanism. In this regard, it gave an opportunity to employers, migrant workforces and followers to register, identify themselves, be properly in a legal process without being exploited. Furthermore, this was also a good occasion for both government sector in charge and private sector could cooperate to solve completely and comprehensively these issues together, including labor discipline, public health care, boat regulations and provincial labor coordinating centre.

The Standing Committee on Commerce Industry and Labor the National Legislative Assembly and Subcommittee on Labor realized and envisioned the importance of human trafficking in fishing industry of Thailand which was being watched by international communities. Most of human trafficking information on media created an injustice to fishing entrepreneurs and also affected the international confidence and acceptance towards the overview of Thailand. It also destroyed the overall seafood export because it showed the fact on many issues of human trafficking of fishery labor in Thailand.

The problems of human trafficking in a form of fishery labor were caused by working condition in the fishing boat as well as the intensive demand of workers in fishing sector, particularly illegal workforces and illegal labor smuggling by broker. The most importance was the unfavorable law implemented by many government sectors which couldn't investigate and protect labors working in the boats. The problems of implementation were as follows: 1) migrant workforce's regulations and management, 2) Public health care, 3) Provincial coordinator center for sea fishing workforces.

Expected benefits

1. The employers who were willing to employ fishing labor could abide the laws properly and correctly.

2. Fishing workforces worked in a good condition with safety, health care and labor rights.

The Solution of Illegal Fishing Workforces

Many scholars, studying on the approach of fishing solution especially on human tracking, suggested that the fishing boats should be organized and regulated by registering fishermen and fishing entrepreneurs based on GLP approach. Both license on fishery and license on fishing equipment were required according with the master plan of department of fisheries. Thai and migrant workforces had to register to provincial coordinator center for sea fishery workforces. The database of fishermen, fishing entrepreneurs, fishing labors and fishing equipment had to be set up online. Inspection on fishing boats sailing in and out of coastal, suppression on human trafficking all stakeholder in fishing sector as well as public relations on protection of forced labor were also required in order to prevent forced labor on human trafficking. In addition promoting good image and confidence towards all consumers in domestic and international level were needed.

Literature Review

Chatree Rakkrittaya (1997) studied problems on labor protection law enforcement for illegal foreign workers. The research found that almost of illegal foreign worker were unskilled, paid lower minimum wages rate and had longer working hours that prescribed the labor laws. This working condition infringed not only the labor protection laws but also the convention and the recommendations of the International Labor Organization. Due to the immigration laws, the illegal foreign worker had to deport to their country. As a result, they had no chance to accuse the employers and to force the employers to implement the labor laws.

Ponsuk Keidsawang and Kittaya Achawanitkul (1997) studied human rights violation in Burma from migrant labor. This field research was conducted by interviewing Burmese migrant labor working in the central, northern, southern and north eastern of Thailand. The Burmese migrant labor were divided into 4 groups as follows: 1) strongly intended to be labor so as to help their family or send money back to their home in Burma. 2) escaped from the poverty in their country then wanted to find a job in Thailand but not really well planned for their future while observing the situation in their home countries in order to decide whether they would go back home in Burma or bring their family to Thailand. 3) strongly intended to evacuate but they didn't find the refugee camp or residence. Finally, they became labor all over Thailand. One of the ethnic minority leader remarked that it seemed like Thailand needed cheap Shan labor which could properly and easily assimilate to Thai people. The fact that there was no refugee camp or residence gave an opportunity for them to become labor unavoidably. 4.) refugee in the camp along the border. Although they didn't intend to be labor and waited for the time going back to their home countries, the severe and prolonged situation in the area of their home countries made them feel

hopeless to go back there and finally, they decided to be labor. There was also a remark that whenever the refugee realized that they couldn't return to their home countries safely, and they could feel repulsion, pressure as well as disturbance in the refugee's camp, they were more likely to get out of the camp and find their job in Thailand than return back home in Burma. In conclusion, initially the cause driving Burmese emigrated to Thailand was the same but the detail of incident and perception were different which led to the different decision making. However, their destination seemed similar in the end. If the situation in their home countries has not yet been solved and whether they were welcome or not in Thailand, they would pour in everlasting across the border.

Maleewan Laovithee studied the impact of granting work to illegal immigration on the employment of Thai workers in Lamphun province. The research result showed that Thai worker had high rate of unemployment due to their denial of working hard in dirty and risky condition. Therefore, it was necessary to hire immigrant labor. According to the causes and needs of illegal immigrant employment, Thai people saw these immigrant labors as taking their jobs and disagreed on immigrant employment. On the other hand, most of employer, business owner, employee and ordinary people agreed that immigrant labor employment was necessary for manufacture in order to keep their competitive advantages because of the high labor wage rate of Thailand. Contrastingly, immigrant labor were employed less than Thai labor rate as well as they are more patient and more diligent. In addition, the needs of immigrant employment relied on the scale and type of business. It was accepted that immigrant labor would affect the national security on public health and social.

Department of Employment studied the impact of international labor mobility towards domestic employment and economic situation. The result revealed that regarding to attitude of entrepreneurs who had asked for the work permit of migrant labor employment, there were some types of work that Thai people refused to work comprising construction work, fishing industrial work and shipment. Those works were hard, dirty, risky, routine and boring. Entrepreneurs needed labor to work for while there was a shortage of Thai labors in the area. Consequently, entrepreneurs chose to hire migrant workforces to run their business and most of entrepreneurs still needed to employ migrant workforces in spite of economic recession.

Khattiya Pandech studied legal resolution measure concerning illegal migrant workforce. The research indicated that although there was a registered migrant labor system, the government couldn't know the exact number of migrant workforces due to illegal labor smuggler. A lot of migrant workforces hadn't registered yet and the government authority couldn't supervise them all. These would be a threat of national security. In addition, some migrant labor came in for others purposes, for example insurgency and terrorism. Government should enforce the law seriously without any discrimination. Meanwhile the government should increase the punishment

including withdrawing or terminating work permit for those migrant workers who were smuggler or against the law and order of Minister of Interior, Immigration Board, Commissioner General of national Police, or officers designated by Immigration Board.

Methodology

This research was conducted by 2 methods

1. Documentary research was used for studying official document as a source material, for example Alien Working Act, academic document and research relating to this topic. Documentary research from official paper, articles, journal, dissertation, research report, data from Internet and the Acts concerning foreign workers
2. Interview 11 key informants both entrepreneurs and government officers as follows: fishery entrepreneurs, marine police officers, provincial labor officers, Chief of Port In Port Out Centre (PIPO) and governing officers,

The collected data was examined and analyzed by the researchers. After that content analysis was proceeded so as to find the proper solutions and practices. The results were presented as specified on the objectives.

Finding and Discussion

The finding of the impacts of migrant workforce employment in fishery of Pattani province were as follows.

In term of economics, the advantage of low cost in wage rate and increased profit were the most considerable. According to the interview, most of the informants agreed that the employment of migrant workforce in fishery of Pattani province based on the fact of cheap wage rate, diligent, no rejection, no personal leave, reduced cost and more profit.

There were enough workforces working in fishing business area of Pattani province. Based on the interview, the informants said “sufficient workforces help fishing business run without disruption. Thai workers always take leave and resign since these kinds of work are dirty, smelly, non-desirable. Whereas migrant workforces don’t mind to work in these conditions and they don’t shirk which help business gain more profits.”

Regarding to performance in fishing business, migrant workforces were more efficient than Thai workforces. Their effectiveness came from these qualities: hardworking, patience and diligence.

Concerning business competition with Thai people and unemployment of Thai citizen, most of informants viewed that the employment of migrant workforce in

Pattani province effected Thai jobless situation in the area. Migrant workforces were likely to work in any position and condition as well as accepted easily lower wage rate. Conversely, Thai workforces often asked for many requirements, for instance, more day-off during holidays and high wage rate. For this reason, the employer preferred to employ migrant workforces than Thai workforces. Meanwhile migrant workforces were starting to do their own business, competing with Thai people. Some of migrant workforces owned the business and leased their business to Thai people or sometimes migrant workforces rented the store of consumer products in the name of Thai people.

One problem of migrant workforce employment in fishery of Pattani province which the informants pointed out was changing jobs frequently. When the migrant workforces were offered higher wage, they didn't hesitate to go for the new job. Consequently, there was a labor storage from time to time in fishery of Pattani province.

Labor exploitation on wage of migrant workforce was also an explicit effect, based on the interview. The employers exploited from lower wage rate cost of migrant workforces while migrant workforces had no choice. This became one of the reason that migrant workforces quit their jobs when they had got higher paid. In other words, the problem of migrant workforce's resignation mostly came from labor exploitation on wage, especially they got lower paid than normal wage rate as stated in the law.

Most of informants stated that migrant workforce employment in fishing business of Pattani province increased burden on Thai government, notably providing fundamental resources and health cares. Although the system of social security has taken some money for their health cares, it wasn't enough comparing to the number of migrant workforces all over the country and mostly illegal migrant workforces. Normally, they often came to the hospital when they had severe symptom or serious accident which all cost highly expense. If it was a general sickness, they usually bought a medicine from pharmacy or went to clinic. In addition, they came for maternity in the hospital. There were a lot of newborn babies of migrant workforces in the hospitals. Due to lack of family planning and poor antenatal care, the newborn babies were below weight standard, malnutrition and sometimes disorder. The hospitals had to take responsibility and take care these newborn babies and infants until their condition were better. Meanwhile the hospitals also had to provide vaccination and health cares which cost expensively and became a big burden in term of budget.

The informants pointed out that the employment of migrant workforces in fishing business of Pattani province caused the increasing of stateless children. These stateless children were born from migrant workers working in Pattani. Since they had

no nationality, they couldn't enter to school for the fundamental education. The policy to enhance education of these stateless children was still very contradiction. Under this circumstances, they would become like their parents, undereducated and unskilled workforces. "These stateless children were born in Thailand while their parents were working in Thailand. Thai government couldn't grant nationality to them. Therefore, they couldn't go to school, and consequently undereducated. After all, they will end up like their parents, unskilled workforces."

The solution and prevention of the impact on migrant workforce's employment in fishery of Pattani province were suggested as follows. Most of informants totally agreed that law enforcement and penalty could be the important tool to solve and prevent the impact on migrant workforce's employment in fishery business of Pattani province. If the migrant workforces were found out that they changed their employers without any license, they would be deported immediately to their home country. While the employers who exploited lower wage of migrant labors than as usual must be penalized and paid fines, charging back for the compensation. "It is impossible that all the employer will determine the same wage rate because their cost and profit are not equal. For example, the cost of trawl fishing is higher than shellfish fishing. In fact, it depends on type and tool of fishing. The best solution is we should deport migrant workers who have changed their employers without license as well as penalized the employers with the fines charge back from what they exploit migrant lower wage late.

Employment of legal migrant workforce with their family was considered as a solution and prevention of impact on migrant workforces in fishery of Pattani province. These migrant workforces accompanying with their family had more responsibility in their work. They had clearly their life's goal, achieving a better life condition and well-being of their family. They trended to settle down in the area when they worked continuously, solving the problem of labor shortage due to changing jobs frequently. "We should employ only the legal migrant workers accompanying with their family because these people have to find their new accommodation if they change their job frequently. Consequently, they prefer to work with the same employer, only if they have an important needs, they will decide to change their employer." said one of the informants.

According to the informants, another solution for the problem of frequent resignation and labor shortage was a justified wage rate. Furthermore, it could create the attachment between employers and migrant workforces. Annual wage paid was an option to prevent migrant workforces from escaping their jobs or changing their jobs frequently. Besides, employers needed to regulate rules of working in order to control migrant workforces.

Conclusion

The impact of migrant workforce's employment in fishery of Pattani province were as follows: 1) decreasing the cost of wage and earning more profit, 2) sufficient labor to work in fishery business, 3) more efficient work, 4) making more income for the province, 5) surplus balance of trade, 6) frequent changing job of migrant workforce, 7) taking jobs from Thai people and completing business with Thai people, 8) exploitation of lower wage rate from migrant workforces.

The approach of solution and prevention of migrant workforce's employment in fishery of Pattani province were as follows: 1.) designating strict penalty provisions of law 2) hiring legal migrant workforces 3) paying justified wage rate 4) applying annual payment.

Suggestion

Migrant workforce's employment in fishery of Pattani province was one of the solutions for labor shortage in Pattani province. Meanwhile migrant workforce's employment also helped entrepreneurs saving their cost and earning more profit due to low wage rate and unconditional requirement of migrant workforces. On the other hand, the employment of migrant workforces in fishery of Pattani province brought in not only jobless of local people, business competition with Thai people but also social problems for example: drugs, disputes, crimes and sexual trade. In addition, the Thai government had to be responsible for stateless children born from migrant workforces in term of budget, material and care which became a big burden. All of these stateless children would possibly lead to social impact afterward according with the study of social impact on the implementation for the solution of illegal migrant labor policy case study: Laos Myanmar and Cambodian migrant workers by Penchalida Mahattanapiwat (2002). This study also revealed that due to the economic growing in Thailand and the decrease in number of Thai workforces, there was a demand of both skilled and unskilled workforces. As a result, the migrant workforce's mobility was one of the solution. However, these migrant workforces created many problems to the local government, for example, economic and public health. One of the most important problem was the cultural and ethnic assimilation among migrant workforces which led to social problem and social impact, particularly crimes.

Regarding to the solution and prevention in fishery of Pattani province, this study found that 1) regulating strict provision of law and penalty, 2) enforcing seriously provision of law and penalty by immigration police, 3) employing legal migrant workers accompanying with their family, 4) paying annual justified wage rate, 5) having a regulations for working, 6) controlling the registration of migrant workforces in the system, 7) providing equal standard of migrant worker rights as stated in Thai labor law, 8) creating awareness of both employer and entrepreneur to employ only legal migrant workers or to legislate their illegal migrant workers into the system, 9) designating clearly policy, responsibility and authority of government

department, 10) creating special department in charge of birth control and family planning for migrant workers. All of these approaches also accorded with the study of the impacts and repercussions of illegal immigrant workforce on national security public health society and economic forces by Chommanard Rattananmanee and team (2004) which was the follow up study of government's relaxed policy concerning permission for the foreign work force registration in 6 industries in B.E. 2545. This study suggested that registration of migrant workforces according to law and providing data base were needed. Controlling the appropriated number of migrant workforce as insufficient workforce and allocation the certain residential area must be proceeded. The government policy should be obvious. Meanwhile enhancing the role of community to take care themselves was another solution. In addition, it should have the principle to punish the employer employing the foreign workforces illegally, including the honestly performance of officers aiming to teach the consciousness to the people to grasp the community's advantage. In the economics aspect, the government should develop and encourage the economics along border of neighbor country as well as give the opportunity to Thai workforces before foreign workforces and employ the foreign workforces for specific insufficient occupation

For the solution and prevention of migrant workforce's employment in fishery of Pattani province, the study suggested that the strategy of migrant workforce's solution was to register them all so as to know the exactly number of migrant workforces and organize them into the system. The government should define clearly migrant workforce's policy as well as specify migrant workforce's occupation and sector. Type of work and sector which should be allowed to employ migrant workforces was in fishing sector and relevant fishing business. One of the system to organize and control migrant workforces was the proof of their citizenship or nationality. International cooperation, particularly with the home country of migrant workforces was also needed to organize and control migrant workforces and regulations. These solution was associated with the study of Penchalida Mahattanaphiwat, social impact on the implementation for the solution of illegal migrant labor policy case study: Laos, Mynmar and Cambodian migrant workers, whose result pointed out that the failure of the implementation for the solution of illegal migrant labor policy was caused by unclear policy of government and condition of the implementation. Moreover, the deregulations for temporary work permit of illegal migrant workers from Laos, Mynmar and Cambodia was also unclear and had no specific government official to take in charge.

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