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# The Well-Being of Muslim Migrant Workers in Malaysia Oil Palm Plantation: An Exploration of Expert Opinion

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Abstract—being a renowned oil palm producer, this sector is highly dependent on migrant workers [2]. A total of 273,079 migrant workers with a visitor's Pass (Temporary Employment) in 2019 were working in this sector, with the majority of them coming from Indonesia and Bangladesh [3]. However, there are several issues beleaguering this sector, particularly labor, that disrupt their well-being. Among the common labor issues are labor exploitation, debt bondage, abuse of vulnerability, deception, and restriction of movement. These issues are commonly associated with the well-being of workers. Therefore, this study is intended to identify probable factors that may influence their well-being.

Keywords - indicator, migrant worker, oil palm, well-being.

## I. INTRODUCTION

Malaysia is a well-known country that produce palm oil and palm oil products since 1960s through rapid expansion and encouragement from Malaysian Government [4]. The oil palm tree (Elaeisguineensis), an indigenous crop from palm family (Arecaceae) cultivated in West Africa as a source of vegetable oil [5]. The crop was initially brought to Malaysia as an ornamental plant. Later in 1917, the first commercial oil palm was planted at Tennamaram Estate, Selangor [5]. From here, palm oil sector has become the leading export commodity for Malaysia plantation. Throughout the years, Malaysia is ranked as the second world's largest exporter of palm oil and second largest producer of the oil after neighboring Indonesia in 2021 [6]. With many competitors from producing countries and from substitute products such as soybean and rapeseed, palm oil has always prevailed due to their uniqueness for instance palm trees produce 4-10 times more oil than other crops per unit of cultivated land [7]. The oil palm sector is labour intensive, especially in activities such as harvesting, collecting fruits, weeding and general work. There is a total of 273,079 migrant workers with a visitor's Pass (Temporary Employment) in 2019 working in this sector, mostly are from Indonesia and Bangladesh [3].

Since migrant workers are vital as a major source of labour to the oil palm plantation sector, their well-being is the main concern. Over the past decade, interest in the study of well-being has grown and increased in literature, encompassing a wide range of issues and approaches by researchers. From a common researcher's point of view, well-being is derived from the era of Hellenistic, a period during ancient Greek civilization where the theories of Hedonism and Eudemonism were depicted as the scale of happiness, to the era of World War 2, where Abraham

Maslow shaped the Theory of Human Motivation that paved the way to objective well-being by the United Nations Development Programme (UNDP) in the 90s and finally to multi-perspective well-being by the OECD in 2011 [8], [9] and [10]. In recent years, we have witnessed a growing interest in well-being approaches to better reflect the well-being condition from multiple perspectives, such as economic, social, personal, subjective, and a combination of all of them.

#### II. THE CONCEPT OF WELL-BEING

Well-being, which refers to a multifaceted phenomenon, has been vigorously studied throughout the century. The evolution of the concept of well-being can be traced back to the ancient Greek civilization or Hellenistic era. There are two main streams in understanding well-being: hedonic and eudemonic [11], [12], [13], [14]. The concept of well-being is ambiguous and forms different views of human nature.

The first stream of well-being is associated with hedonic happiness. A Greek philosopher named Aristippus introduced hedonism, which indicated the principle in determining the morality of a potential course of action lies in a desire to increase pleasure and decrease pain [15], [16], [13] and [14]. In other words, hedonic happiness is achieved through experiences of pleasure and enjoyment. A happier person is considered to have well-being, and maximizing the person's well-being has been viewed as maximizing the person's feelings of happiness [12]. The philosophy behind this stream has influenced many renowned scholars such as Jeremy Bentham (1748–1832), John Stuart Mill (1806–1873), and Henry Sidgwick (1838–1901) [17].

The second stream, eudemonic happiness, was introduced by Aristotle in his book Nicomachean Ethics and is defined as the highest good for humans [15]. Eudemonic happiness is achieved through experiences of meaning and purpose. It is



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very much about living a life in accordance with virtue [18]. Eudemonic happiness represents an approach that associates happiness with living life in a full and deeply satisfying way [12]. It is based on the realization of human potential and achieving it can lead to happiness. The philosophy behind this theory influenced many great scholars such as Horney (1950; the real self), Maslow (1968; self-actualization), and May (1969; the daemon) to further studies on this subject and to develop related theories and models [15].

According to [15], the distinction between hedonic happiness and eudemonic happiness can be identified by these four broad categories: orientations such as values, motives, and goals; behaviors; experiences; and functioning such as mental health and flourishing. These concepts have become the main approach to how people define well-being and have become central to the study of well-being. In short, people view well-being from multiple perspectives, either in terms of pleasure and enjoyment or achieving their potential, which leads to greater purpose and meaning. To date, there are a growing number of theories and models being developed by scholars all over the world. Among the notable theories are the Theory of Human Motivation by Abraham Maslow [19] and Subjective Well-Being by Diener [20].

## III. INDICATORS OF WELL-BEING

There is no exact definition of well-being, and therefore various versions of definitions of well-being have been used throughout the literature. Despite the absence of a definition of well-being, many experts and researchers have a common understanding that the main indicators of well-being can be recognized as economic well-being, social well-being, and personal or subjective well-being. In relation to this, the OECD has proposed a comprehensive framework that includes various indicators and elements that are able to assess well-being from multiple perspectives [21]. This framework is based on the view of the researchers and experts that there are certain criteria for human needs that are essential and comprise various elements such as life satisfaction and happiness. The three major pillars that have been identified by the OECD are economic well-being, quality of life, and sustainability of the socio-economic and natural systems [21]. Figure I show the OECD framework for well-being.

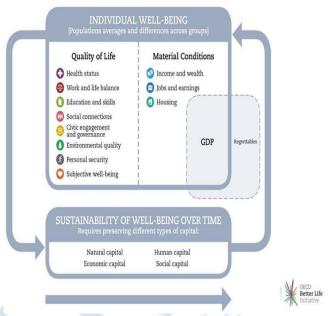


Figure I: OECD framework of well-being Source: [21]

## IV. EXPERT OPINION

This study engaged a few reputable experts in various fields to gather their opinions regarding migrant workers and well-being. The list of experts engaged includes the Department of Labour Peninsular Malaysia, Ministry of Human Resources, Malaysian Palm Oil Board, Ministry of Plantation and Industrial Commodities, International Labour Organization (ILO), and Academician (expert on law, migrant workers, religiosity, and spirituality). Expert interviews are widely used in qualitative studies as one of the methods to explore and obtain data or information in a specific area [22]. It is a preferred method, especially during the exploratory phase of a study, because it is efficient and shortens the time-consuming data gathering process [23]. According to [23], expert interviews add an advantage since they possess exclusive knowledge in a specific field that is inaccessible to others. In this context, expert can be defined as someone who possesses comprehensive and authoritative knowledge in a particular area and is recognized for their expertise [24].

## V. RESULTS

Thematic analysis was used as one of the techniques to explore the themes produced from the content of the interview. The transcripts of the interviews were read through a few times in order to get a whole story about the thinking of the experts. This process is to identify the semantic and latent meanings in the text that are important and significant to the purpose of this study. It may be comprised of words, sentences, or paragraphs that concern the topic discussed. Later, these words were condensed and assigned a code. In this study, deductive coding is applied to the coding process.



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The coding process involves establishing predefined codes first through a literature review. As explained in the previous section, the construct of well-being as defined by the OECD involved 11 indicators such as income and wealth, work and job quality, housing, health, knowledge and skills, environmental quality, work-life balance, social connections, civic engagement, safety, and subjective well-being [21]. Based on these constructs, it acts as guidance for the coding in this stage, which is known as initial coding. The words and sentences that contain similarities and patterns are examined and coded.

The themes that emerged from this method are shown in Tables I, II and III.

**Table I:** Theme 1 – The indicators of well-being

<b>Table 1:</b> Theme 1 – The indicators of well-being				
Theme 1: The indicators of well-being				
Esteem need	Social need	Physiological and safety	Religion and	
		need	spiritual	
			need	
Workers'	Social	Transportation	Religiosity	
right	connection	_	and	
- Freedom		Accommodati	spirituality	
of	Social	on		
associatio	mobility	4		
n		Basic facilities		
- Freedom				
of		Safety		
movemen				
t	•	Health		
Welfare		Income and		
- Treatment		wages		
of				
workers			/, <	
Dignity			100	
Digility	0-60		11100	
Decent			000	

**Table II:** Theme 2 – The issues of migrant workers

Theme 2: The issues of migrant workers				
Inadequate	Personnel	Policies	Exploitation	
Resources	problem	issues		
Lack of	Financial	Bureaucra	Religion and	
resources	problem	cy	spiritual	
			exploitation	
Lack of	Lack of	Inconsiste		
expertise	career	nt policies	Excessive	
	advancemen	and laws	working hours	
Lack of	t			
enforcement		Contractin	Discrimination	
and	Negative	g issues		
implementat	perception		Restrict the	
ion		Lack of	movement	

Theme 2: The issues of migrant workers				
Inadequate	Personnel	Policies	Exploitation	
Resources	problem	issues		
		awareness		
Lack of			Debt bondage	
facilities		Lack of		
		accessibilit	Unscrupulous	
		у	agent	
	(2)			
			Employers'	
			attitude	

**Table III:** Theme 3 - The advantages of good labour practice

Theme 3: The advantages of good labour practice				
International recognition	Economy growth			
Leader of workers' right	Jobs opportunity			
National image	Access to global market			
Labour standards	Productivity			

#### VI. DISCUSSION

#### **6.1 Theme 1**

The first theme of the expert interviews, the indicators of well-being, had to do with the elements of well-being. These findings concur with the Theory of Maslow's Hierarchy of Needs that humans are motivated by certain needs that progress from basic to complex [25]. This can be seen where the categories of the indicators were clustered into Esteem Need, Social Need, Physiological and Safety Need, and Religion and Spiritual Need. The discussion will focus on the additional indicators, as they may suggest more comprehensive indicators of well-being that can be used to determine the well-being of migrant workers more precisely. In respect to this, most of the experts agreed on the conventional indicators as being highlighted by the OECD framework of well-being. For example,

"Um, of course, number one is income. Compensation. I think fair compensation is important, but also fair price for small holders. So when it comes to compensation to expect it. One is compensation for workers and the other is compensation for smallholders." (Expert interview 1)

"The major factor that influences the well-being of the migrant workers is the working condition which also include the housing facilities and working time." (Expert interview 4)

## 6.1.1 Workers right

Workers' rights are the epitome of justice that is constantly pursued by migrant workers. Migrant workers were among the vulnerable groups that were frequently denied their rights. Some of them suffered labor exploitation starting in their origin countries and continuing during their working period. Labor exploitation can take many forms, such as debt bondage, deception, abusive working and living conditions, restriction of movement, intimidation, and threats. According



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to Malaysian law, various forms of labor exploitation are considered illegal and subject to penalties such as heavy compounding and whipping. According to the [26], the ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998 and amended in 2022, is an expression that all parties involved at work must uphold basic human values. It encompasses a wide variety of human rights, from freedom of association, freedom of movement, and the right to decent work to protection against labor exploitation and forced labor. It shows the commitment of various parties to uphold human rights in order to create a safe, fair, and harmonious working environment. Workers' rights are essential to workers, as they provide employees with working environments that are free from threat and risk and promote a decent working condition. Most of the experts agreed that workers' rights are the main factor that influences well-being. For example,

"Number two, when it comes to welfare is the rights to enjoy labour rights or human rights." (Expert interviewee 1)

"Um, and it's, it's so less in a sense that, uh, the person is, uh, able to, you know, um, exercise their rights and at the same time, um, enjoy life, freedom, uh and dignity." (Expert interviewee 3)

## 6.1.1.1 Freedom of association

Freedom of association is recognized as one of the important indicators. Most of the experts agree on the importance of this indicator. Hence, the government did allow the migrant workers to participate in the union, but with the condition that they could not be at the management level. Some of the expert opinions regarding the importance of freedom of association can be observed in the example below.

"The freedom association aspect to this because that's, that's very important actually for, for workers to be part of the trade union, as you know, uh, the trade union has the legal mandate to represent them in industrial court or even, you know, with, um, discussions with the employers and collective agreements. So, um, giving them that, uh, expanding that the, that, uh, membership of the trading and helping them, um, carry out for this mandate market to be as well. Yeah." (Expert interviewee 3)

"So, in actual term most of the migrant workers in Malaysia, there are deprived from this right. So for example, if you want easy example, under fundamental freedom, uh, right to association, they can join union, but they cannot form their own union." (Expert interviewee 1)

The experts' opinions on this issue are clear and consistent in regard to the right of workers to freedom of association. It is vital that every worker, including migrant workers, has a platform to express their rights, not only as an ordinary member but also as a part of the governing bodies or forming a new union. To have their voice heard and be part of the collective bargaining process is essential for workers. This is a formal platform that is recognized by the authority under the umbrella of the tripartite system - employers and their organizations, employees and their unions, and the

government, which forms the industrial relations system in Malaysia. Among the issues that can be brought up during this collective bargaining process are stated in Section 13 (2A) of the Industrial Relations Act 1967 [Act 177]:

- "(2a) A proposal for a collective agreement may provide for one or more of the following:
  - (a) provision for training to enhance skills and knowledge of the workmen;
  - (b) provision for an annual review of the wage system;
  - (c) provision for a performance-based remuneration"[27]

#### 6.1.1.2 Freedom of movement

Despite various laws enacted by the Government of Malaysia, such as Article 9 of the Federal Constitution Malaysia [28], which states that every citizen has the right to move freely throughout the Federation, there were numerous cases reported about the restriction of movement for migrant workers. The restriction of movement, such as passport retention, seems to be a common practice for employers to control the movement of migrant workers. Such a practice is considered illegal, as stated under the Passport Act of 1966, which states that only those with lawful authority can hold the passport [29]. Migrant workers have the right to move freely throughout Malaysia. At the same time, Malaysia has ratified the Protocol of 2014 to the Forced Labour Convention, 1930 (P029) by the ILO on March 21, 2022, that emphasizes the protection of "persons, particularly migrant workers, from possible abusive and fraudulent practices during the recruitment and placement process" [30]. These practices also included withholding passports, being underpaid, working excessive days or hours, and various other illegal practices that cause labor exploitation. According to [31], the hassle suffered by the migrant workers because of the retention of their passports would cause them to be liable to arrest by authorities as suspects of illegal workers and during emergency situations where they need a passport to travel to other places. A few experts agreed that freedom of movement is essential to the well-being of migrant workers. For example,

"Other than that, the salary and the freedom of movement also might influence the well-being of the workers." (Expert interviewee 4)

"Um, mm-hmm to, to also, um, ensure that this is, uh, going to, you know, to really be supporting the wellbeing of that migrant workers and not, um, control movements or, you know, so looking at it like, um, um, the past positive, um, for, to, in terms of the wellbeing as well. Um, yeah." (Expert interviewee 3)

## 6.1.2 Welfare of migrant workers

The welfare of migrant workers is also being highlighted by experts as one of the factors that may determine their well-being. Welfare in this case refers to efforts made by employers to make life worth living for their employees beyond their responsibility as required by regulation [32]. It



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is a broad expression that can contain various initiatives such as providing and improving working and living conditions, services, facilities, resources, and mental health as well. This is accomplished with the main purpose of providing comfort and motivating their employees to live in a better and safer environment, thus gaining well-being benefits [32]. For example, one of the experts said:

"Um, well, I don't have the technical, might not be able to give you the technical definition, but overall, what I understand about well-being is the state of welfare of all the groups, uh, concern with particular issue of study um, and that the components of well-being that maybe people may vary according to what standards we are looking at." (Expert interviewee 6)

"So, as I said, the welfare, the big problem for migrant workers is social protection and social security." (Expert interviewee 6)

From the view of the experts, we can conclude that the term welfare is associated with initiatives or efforts being provided by employers to improve their quality of life. Welfare in this context does not constrain itself to external efforts such as social security or monetary aid but also includes internal efforts such as good human relationships. It is best explained by the words from one of the experts that show the importance of welfare for migrant workers, as shown below. The treatment of employers towards their employees must be humane and respectful in order to achieve a harmonious relationship between them.

## 6.1.2.1 Treatment of workers

Good treatment of workers is considered vital to any employer-employee relationship. From the responses of the experts, most of them agreed that the treatment of workers may influence their well-being. Good treatment can be given in many ways, such as by visiting them at their house during illness or lending money. All of these are beyond the obligation of the employer towards their well-being. For example,

"Yang ketiga satu lagi yang paling penting juga, dari segi layanan majikan. Kalau majikan bayar betul, rumah cantik tapi cara bayarnya kasar macam aku ini hamba kamu pulak, pekerja pun tak selesa juga." (Expert interviewee 4)

#### Translated

"The third important thing is the treatment of workers by their employer. If the employer pay correctly, provide good accommodation but the way of treatment is like a slave, the worker will not be comfortable either." (Expert interviewee 4)

Some of them view good relationships as developing not only during the workplace but also outside of working hours. This will encourage the workers to be grateful to their employers and may increase their job satisfaction and performance. According to a study by [33], there was a significant relationship between gratitude and job satisfaction, with 8% of job satisfaction being influenced by gratitude.

Another study by [34] suggests that gratitude is a predictor of job satisfaction and job performance among workers.

## 6.1.3 Religiosity

The religiosity indicator, particularly Islam, is being emphasized in this part of Southeast Asia. According to [35], there are three important principles of well-being based on Islamic perspectives: believe in the basic principles of Islam, surrender to Allah wholeheartedly, and lastly, every individual must accept Allah's will in order to be happy. The Islamic indicator is based on Islamic teaching and mostly derives from two main sources: the Quran and Hadith. The Islamic indicators are varied, and among the common usages are faith and worship purposes, coping mechanisms, and Maqasid Shari'ah governance.

There are several studies that highlight the positive relationship between faith, worship, and well-being. For instance, findings from the study by [35] indicated that the group of people who perceived the highest level of faith achieved the highest score in Islamic well-being, while the group of people who perceived the lowest level of faith gained the lowest score in Islamic well-being. Similar findings from studies by [36] and [37] are also in tandem with the finding by [35] that religious practice has a strong relationship with well-being. These findings are in line with the principle of happiness by Al-Ghazzali and Al-Farabi, which indicated true happiness can be discovered when turning to Allah [38] and [39]. At the same time, a recent report by the [40] highlighted that people who conduct religious congregations actively have a tendency to be happier than non-active people, and they possess healthier behaviors such as less smoking and drinking alcohol. Besides that, a study by [41] highlighted that practicing religious activities such as praying and fasting has a significant impact on the quality of life and cognitive function of its followers. For example, an expert mentioned that -

"it's, you can check out, um, the reports also. Um, and then, so those kind of, you know, like, um, what would respect, uh, their religion, uh, or let's say their, um, again, the ability to, to have their prayer times, um, the, or have go to the, the religious, um, business/facilities. Yeah. So those, those kinds of things, um, there's room for improvement there. Um, and especially, you know, like for example, um, the companies, uh, could include this in their, their policies to, to also look at the wellbeing of the worker holistically, including their spiritual, um, needs." (Expert interviewee 3)

Other experts also concur with the importance of religiosity for the well-being of migrant workers. Example as below:

"The religious practices are important to fortify the inner strength of the migrant workers. As far as family is concerns, migrant workers in Peninsular Malaysia are not allowed to bring in their spouses and children to Malaysia. Thus, strong relationship with God is vital for them to fill in the gap and to support the emotional needs. Apart from that, religiosity and spirituality are also important in safeguarding the



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relationship between the co-workers. A mutual respect between the co-workers particularly while practising their respective religion is pivotal in ensuring well-being of the workers are preserved." (Expert interviewee 4)

#### **6.2** Theme 2

The findings from experts' interviews have also highlighted the current issues or problems faced by migrant workers, as shown in Theme 2: Migrant Workers Issues. The issues facing migrant workers are varied and can be categorized as inadequate resources, personnel problems, policy issues, and exploitation. Under these main categories, the issues faced by the migrant workers can be underlined as lack of resources, lack of expertise, lack of enforcement and implementation, financial problems, lack of career advancement, negative perception, bureaucracy, inconsistent policies and laws, contracting issues, religion and spiritual exploitation, excessive working hours, discrimination, restricting the movement, and debt bondage. This shows that the situation and condition of migrant workers are in peril, and some measures must be taken in order to improve their livelihood. The findings from this expert interview are consistent with the problems that occurred in this sector, as mentioned in the previous section. It verified those statements that migrant workers are suffering from labor misconduct and are the most deprived group in our labor force.

## **6.3** Theme 3

The last findings from the experts' interviews, as shown in theme 3, are: The advantages of good labor practices demonstrate that it is important for Malaysia to conduct good labor practices. The current problem faced by Malaysian companies such as FGV and Sime Darby in regard to the 2020 ban of palm oil and palm oil products and derivatives by US Customs has tarnished the image of Malaysia on the international platform [42]. The recent reports by MPIC concluded that there were elements of forced labor and child labor in oil palm plantations. Every 8 out of 1000 oil palm workers are involved in these bad practices [43]. Therefore, good labor practices will gain international recognition, which will translate into better economic growth for Malaysia.

#### VII. CONCLUSION

The findings from expert interviews suggested a few vital indicators that could be used to define the well-being of migrant workers more inclusively. Among them are the rights of workers, which include freedom of association and freedom of movement; welfare, which includes better treatment for workers; and religiosity.

These indicators are important since freedom of association provides a platform that gives migrant workers the opportunity to engage in collective bargaining and fight for their rights. The current law permits them to join any existing union. However, they could not form their own

union and could not hold any position in the union organization. This is a bit of a setback for them since their voice needs to be heard instead of relying on other people to fight for them. This is in accordance with the Universal Declaration of Human Rights, which proclaims freedom of association as a fundamental human right [44]. While the ILO Constitution has underlined collective bargaining as a fundamental right and reaffirmed it in the 1998 ILO Declaration on Fundamental Principles and Rights at Work [26].

Apart from this, welfare is also being highlighted as one of the possible indicators of well-being for migrant workers. It is the act of the employers that goes beyond their obligation that constitutes welfare. It can be in the form of providing financial assistance or other aid, including treatment of workers. This will assist them in coping with the hardships of working in a foreign land. It could bolster their well-being if they received it during a time of need, for example during pandemic Coronavirus 19, or COVID-19, in 2020. This is the time when people in general are in dire situations that require full support and assistance from multiple sources, such as employers, family, and friends. This also includes formal from Government and Non-Government Organizations. In this case, the expectation of migrant workers is not necessary in monetary or reward form but in fair and decent treatment, such as visiting them during illness or having a cup of tea together after working hours. These are the acts that warrant a good relationship between employer and employee. The employer ought to see from different perspectives that their subordinate is also another human being and deserves humane treatment. This is in accordance with the teachings of Islam, which emphasize the importance of treating or helping other human beings.

Religiosity, which in this case is Islam, is the way of life for Muslim migrants. This is in tandem with some of the experts' opinions that religion plays a vital role in well-being and subjective well-being. With the evidence presented, it is imperative to include Islam as one of the main indicators of subjective well-being, as suggested by some prominent scholars. This is because Islam is the way of life for Muslims. It has become the main construct that leads to true and authentic happiness. The religiosity domain is considered one of the most important indicators to better evaluate the subjective well-being of Muslim migrant workers. The peril of migrating, living, and adapting to the destination country has brought out undesirable challenges in them. Those challenges can take many forms, such as exploitation, debt, excessive workload, and adherence to rules and regulations. Despite those challenges, Muslim migrant workers often depend on religion as a way to seek comfort, develop coping mechanisms, and uplift their spirituality. Hence, the religiosity indicator must be included in the overall assessment of subjective well-being since religiosity is vital to them as part of their lifestyle. The whole concept of happiness is invigorating because the idea of religiosity is



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part of their lives, and they use it daily through religious activities such as praying, fasting, and zakat (charity). Therefore, it is crucial that religiosity be part of the whole assessment of subjective well-being.

At the same time, the Government, the Non-Governmental Organization (NGO) and civil society must play their part to address the issue faced by the migrant workers in order to avoid the negative issue from becoming worse. As a reward from this, the benefit of practicing a good labor practice will generate a more economic gain towards nation and provide a better place for migrant workers.

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