

The International Labor Movement as an agent of change: Temporary Foreign Workers and Union Renewal in Asia

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Introduction

Over several decades, there have been numerous studies of the drivers, strategies, actions and outcomes associated with union renewal and revitalization. One strain of this literature has focused on the importance of reaching out to “non-traditional” constituencies including women, people of color, and precarious workers (see, for example, Lucio & Perrett, 2009a; Mrozowicki & Trawińska, 2012; Murray, 2017). It is widely recognized that temporary labor migrants are among the most challenging groups to organize (see, for example, Fitzgerald & Hardy, 2007; Holgate, 2005), and that many national unions are reluctant to allocate scarce resources to organizing this extremely precarious constituency (Mustchin, 2012). This is especially so in Asia, where unions are relatively weak. It is perhaps not surprising, then, that while some migrant organizing initiatives have emerged organically in the region, most have been driven or supported by the international labor movement.

This article analyses the role that the international labor movement actors have played in Asian unions’ attempts to reach out to temporary foreign workers. It draws on 10 years of qualitative fieldwork with the Global Union Federations (GUFs) at headquarters and regional level and with their affiliates in the seven Asian countries

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that rely most heavily on temporary labor migration¹. As it demonstrates, while non-governmental organizations (NGOs) and faith-based organizations remain the dominant proponents of migrant worker rights in Asia, the involvement of the international labor movement has been the single-most important factor in convincing local unions that they should engage with temporary labor migrants. This finding is important in its own right, but also because it sheds light on the question of union renewal, and the contribution that reaching out to diverse constituencies can make. As this article argues, this has indeed been the case where Asia's unions have provided temporary labor migrants with services or supported migrant-only organizing, and especially when they have worked to integrate them into their own structures.

Temporary labor migrants and union renewal

The pursuit of diversity is now a familiar theme in union circles, and among the academics who study them. According to the proponents of this strategy, the benefits of engaging with non-traditional constituencies include shoring up membership, preserving bargaining power and policy influence, and bringing new ideas and perspectives into the movement (Briskin, 2008; Lucio & Perrett, 2009a, 2009b; Mrozowicki & Trawińska, 2012). Although Asia's unions come from very different starting points than those of North American or European unions, it is evident that there, too, it has become increasingly difficult to ignore non-traditional constituencies.

Temporary labor migrants are not the only non-traditional constituency that Asia's unions could target, but they are an obvious choice in sectors where they comprise a large proportion, or even a majority, of the workforce. This is a challenging decision for unions to make in the face of often-hostile governments and employers, and with limited resources at their disposal. Temporary labor migrants differ from permanent migrants and other non-traditional constituencies because of the time-bound nature of their presence in the country. As such, unions can devote a great deal of energy in organizing work knowing that the individuals they organize will necessarily move on. An added dimension – and the analytical focus of this article – is the impact of attempts to organize temporary labor migrants on the unions themselves. As many scholars have noted (see, for example, Briskin, 2008; Lucio & Perrett, 2009b; Mrozowicki & Trawińska, 2012), engaging with

1. The empirical sections of this article draw heavily on Ford (2019), where each of the cases is discussed in far more detail.

non-traditional constituencies often pushes unions to adopt new strategies, which can in some circumstances influence broader union practices.

In the debates among scholars of union revitalization, one key focus has been an emphasis on diversity, as unions have attempted to draw in women and youth, people of color and other minorities, and precarious workers (Heery, 2015; Murray, 2017). Union revitalization efforts have seen the spread of the organizing model, pioneered in the United States and Australia, into Europe and other parts of the world (Arnholtz, Ibsen & Ibsen, 2016, Heery, 2015; McCallum, 2013; Mrozowicki & Trawińska, 2012; Parker & Douglas, 2010; Peetz & Pocock, 2009; Simms & Holgate, 2010)². As Heery *et al.* (1999, p. 38) explain, the “organizing model” defines union purpose “in terms of organizing workers so that they are ‘empowered’ to define and pursue their own interests through the medium of collective organization”. This purpose is pursued through “a ‘union-building’ approach to membership growth in which the union fosters activism, leadership and organisation amongst workers which can provide a nucleus around which recruitment can occur”. This model of unionism is contrasted with a “servicing model” in which unions’ purpose is “to deliver collective and individual services to members who are dependent on the formal organisation and its hierarchy of officers to provide what they require”.

This debate has filtered into studies of union engagement with temporary labor migrants and the potential of migrant worker organizing as a strategy for union renewal in the United Kingdom and Europe (see, for example, Alho, 2013; Alberti, Holgate & Turner, 2014; Bengtsson, 2013; Connolly, Marino & Lucio, 2014). This literature is overwhelmingly cast within the very particular context of the European Union. There is also a striking absence of discussion of the role of the international labor movement, beyond European-level cooperation (see, for example Marino, Rinus & Roosblad, 2017b). This omission is not surprising, given the narrow geographical focus of the literature, but it leaves unexplored many of the dynamics affecting destination countries in other parts of the world. It nevertheless provides some important, and transferrable, insights into the reasons why unions do (or do not) reach out to temporary labor migrants. The extent to which mainstream unions open their doors to temporary labor migrants is influenced by many factors, including whether the labor market is tight or loose, the attitudes and behavior of government and other institutional actors, and the strength of the local labor movement (Penninx & Roosblad, 2000). Along with unions’ internal characteristics and strategic decision-making processes, these factors influence not only their willingness to accommodate migrant workers but also the extent to which they attempt

2. For early critiques of the organizing model, see Fairbrother (2000) and de Tuberville (2004).

to meet their specific needs (Marino, Rinus & Roosblad 2017a). In short, union decision-making is heavily influenced by the political, economic and institutional contexts in which they are located.

Having decided – however tentatively – to embrace temporary labor migrants, unions are then faced with another key strategic decision, namely what modes of engagement will they prioritize? A range of strategies are noted in the literature on unions and temporary labor migrants in Europe; however, a significant proportion emphasize the importance of organizing as a strategy for engaging with this constituency (see, for example, Berntsen & Lillie, 2012; Connolly, Marino & Lucio, 2012; Holgate, 2005). Drawing inspiration from the United States-based Justice for Janitors campaign, for example, the Netherlands' FNV-Bondgenoten started organizing in the migrant-dense cleaning industry. The campaign was successful, but “raised tensions within Dutch trade unions” because its “confrontational strategies threatened traditionally cooperative relations between unions and employers” (Connolly, Marino & Lucio, 2014, p. 11).

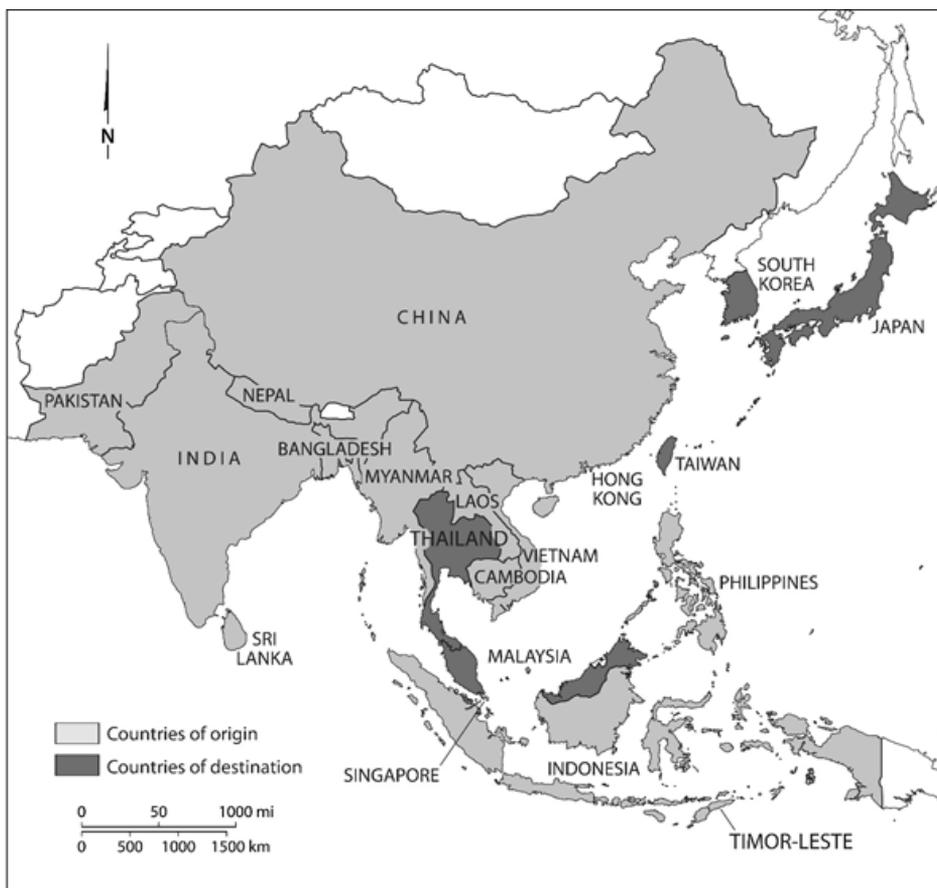
In Asia, too, various strategies have been used when engaging with temporary labor migrants, two of which are servicing and organizing³. Services, which are often delivered to non-union members, includes different kinds of assistance, for example, information, emergency shelter or legal aid. In many cases, such activities are undertaken as a form of outreach rather than as part of an attempt to recruit migrant workers to the union. It is also significant that servicing is a way of providing support for temporary labor migrants that does not require fundamental adjustments to the union's structure and operation. Organizing, meanwhile, can involve the recruitment of migrant workers into the existing union or establishing a separate, purpose-specific migrant-only union. Either version of organizing is far more challenging than service provision, especially since many Asian unions have difficulty even recruiting local workers, and thus both provide an opportunity to develop new skills. As a strategy, it is also complicated by restrictions imposed on migrant workers' freedom of association, either through labor or immigration law, or through *ad hoc* practices in the workplace. However, it is the successful integration of temporary labor migrants into existing unions – and meeting their needs once they are recruited – that offers the greatest potential for union renewal.

3. The other two main strategies are advocacy, for example making representations to the government or joining NGOs in a public campaign, and networking and collaboration, for example, among unions in the same country or between unions in a country origin and a destination country.

Temporary labor migrants in Asia

Migrants from the poorer countries of South and Southeast Asia have for decades made their way to the Middle East or further afield in order to find work. Many others have made their way to wealthier countries within Asia, most notably to Thailand, Malaysia, Singapore, Hong Kong, Taiwan, and South Korea, and to a lesser extent Japan (Figure 1).

FIGURE 1
Asia's Main Countries of Origin and Destination.



Asian countries rely to a different extent on low- and semi-skilled temporary labor migration, but it plays a significant role in most. Remittances provide an important source of employment and foreign earnings for many Asian countries of origin. The region's destination countries benefit economically from a cheap, flexible workforce willing to do the jobs that locals do not want to do (Table 1).

TABLE 1
Temporary Labor Migrants in Asian Destination Countries (Millions), 2019.

INDICATOR (MILLIONS)	Hong Kong	Japan	Malaysia*	Singapore	South Korea	Taiwan	Thailand
Population	7.5	126.3	31.9	5.7	51.7	23.6	69.6
Labour Force	4.0	68.1	15.7	5.7	28.4	11.9	39.0
Temporary Labor Migrants	0.4	0.2	1.7	1.2	0.1	0.7	2.8

Notes: Malaysian migration data is for 2018. Japanese and South Korean migration data is from 2017. Singapore migrant worker figure includes S passes (passes for mid-skilled workers, e.g. technicians) but excludes employment passes (available to professionals). Migration figures are for regular temporary labor migrants. Malaysia and Thailand also host large numbers of irregular labor migrants.

Source: Data compiled from Census and Statistics Department Hong Kong (2019), ILO (2019, 2020), Manpower Research and Statistics Department Singapore (2020), OECD (2019), Taiwan Ministry of Labor (2020a, b) and World Bank (2020).

As Table 1 shows, Asian destination countries rely to varying degrees on temporary labor migrants, which account for a tiny percentage of the labor force in Japan through to over 20 percent of the labor force in Singapore. As we shall see below, however, a common characteristic of these destination countries is the complex ways in which these destination countries regulate temporary labor migration.

Regulating labor migration

The formation of the European Union's Single Market in January 2013 brought a commitment to cross-border labor mobility. There is no such arrangement in Asia, where temporary labor migration is managed primarily through bilateral agreements, the terms of which are largely dictated by destination-country governments. In all cases, destination countries impose limits not only on the number of foreign workers who enter the country, but also the time they can spend there and whether they can renew their permit in-country, as well as their occupation, country of origin, and even gender.

In some cases, destination country governments also determine – sometimes explicitly, sometimes through other policies or through practice – how freely temporary labor migrants can move beyond their place of employment, who they can associate with, and whether they are in a position to seek redress for contract violations or protection from exploitative situations. For instance, some countries tie work permits to specific employers, which discourages foreign workers from complaining about

their treatment for fear of premature repatriation. In another example, jurisdictional contests between ministries of labor and immigration can make it difficult for foreign workers seek redress. In many cases, for example, migrant workers who have been forced to leave their jobs because of irregularities in the employment relationship are compelled to return home before their court cases can be heard.

Regulatory regimes can also affect foreign workers' ability to form or join a union. Regular labor migrants have the formal right to join a mainstream union in all seven Asian destination countries. There is more variation when it comes to forming a migrant-only union. Of the seven countries, regular migrant workers only have that right to form their own unions in Hong Kong, Taiwan and South Korea. And it is only in South Korea that the right to join or form a union is available to irregular labor migrants. However, even there, the capacity to exercise these rights depends on what barriers are imposed by immigration authorities or brokers – and, in the case of their ability to join an existing union, on the presence of a mainstream union willing to accept them as members.

The role of local unions

As elsewhere, most unions in Asia have been traditionally hostile towards foreign migrants. In 1989, when Japan's Immigration Act was being revised, its union confederation, Rengō, campaigned against the entry of unskilled migrant workers. Decades later, Rengō continues to campaign against both unskilled migrant workers and those admitted under economic partnership agreements. In 1998, the Taiwan Labor Front staged a demonstration demanding that migrant workers be repatriated. The Chinese Federation of Labor and the Taiwanese Confederation of Trade Unions continue to oppose labor migration. In the mid-1990s, South Korean unions also actively campaigned against migrant workers, as did their counterparts in Thailand and Malaysia. Even the Hong Kong Confederation of Trade Unions (HKCTU) – the region's most proactive national center on the issue of temporary labor migration – has struggled. In the mid-1990s, its offices were fire-balled and covered with graffiti by members unhappy that their union was helping foreigners. In later years, the central leadership continued to work to convince members to embrace migrant workers.

National and local unions' capacity to support foreign workers may be dictated by the immediate availability (or absence) of resources. Structural constraints also help explain unions' reluctance to invest what resources they can dedicate to supporting temporary labor migrants. Key among these constraints are those imposed by unions' position within a broader industrial relations regime, including whether

it permits foreign workers to unionize as well as unions' influence in migrant-dense sectors and their strength and militancy. Japan's unions are in a relatively strong position in terms of industrial bargaining power, although their membership has declined sharply since the mid-twentieth century. In Singapore, membership density is relatively high, but unions play little role in collective bargaining, instead providing other kinds of benefits, like discount groceries and insurance. Hong Kong's unions are more militant, but they have low membership density and no right to engage in collective bargaining. South Korea's unions are more militant still, but they too have a relatively low union density and relatively little institutional power in terms of the formal industrial relations system – not least because of the existence of large numbers of small and medium enterprises, a problem also evident in Taiwan. In Malaysia and Thailand, meanwhile, unions have the right to engage in workplace bargaining, but this means little because unions are so weak.

However, unions' attitude towards temporary labor migrants is affected by many factors other than their institutional power. Perhaps most important among these are their ideological position, resource base and strategic priorities, but also their interlocutors, both domestic and international. And, while migrant workers do not necessarily need the support of an existing union to organize, the attitudes and behaviors of mainstream unions have an enormous impact on such efforts. Unions' institutional privilege within their country's industrial relations system – even if their institutional power is quite low – means that their voice carries some weight on labor issues. As a result, mainstream union hostility can greatly undermine efforts by NGOs and others to improve conditions for foreign workers. Conversely, their sympathy, even if unaccompanied by action, can make it more difficult for governments to ignore such efforts. Of course, this impact is magnified if the mainstream union concerned works to recruit, or provide services to, foreign workers.

Interventions by international labor movement actors

International labor movement actors are not the only organizations to attempt to convince Asian unions that they should change their attitudes and behavior towards temporary labor migrants. Migrant labor NGOs and faith-based groups have long tried to enlist local unions to the cause. At first, these NGOs focused on advocacy, coalition-building and servicing, but over time several turned to organizing. It was in this context that they reached out to unions. However, ultimately, it has been the international labor movement – and the GUFs and SSOs in particular – that have managed to convince a number of key unions in the region to change their stance.

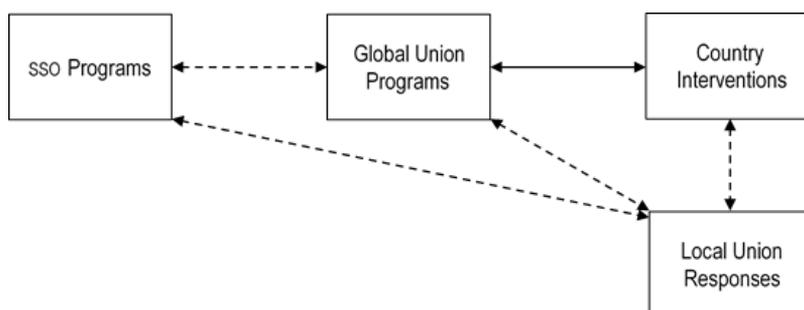
The global unions' migration programs

International labor movement actors are unanimous in its agreement that unions should embrace, rather than demonize migrant workers. They also agree – at least in principle – that it is important to organize them, although with differing levels of conviction, depending on their history, ideology and focus. At any one time, a GUF is involved in a wide range of projects, only a small proportion of which are concerned with migration. A particular GUF's level of emphasis on migration also depends on both their sector's exposure to foreign workers and internal priorities. Least engaged in Asia is Education International (EI) – which is not surprising since the education sector is not a major site for temporary labor migration. The International Transport Workers' Federation (ITF), the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) and IndustriALL have not prioritized migration in the Asian region, but they have engaged in some targeted interventions. Although migrants were not an explicit focus, the sector is migrant-dense. By contrast, Building and Wood Workers' International (BWI), Public Services International (PSI) and UNI Global Union have not only engaged quite intensively on servicing and organizing in their own sectors, but also collaborated in joint advocacy campaigns on labor migration in Asia, through a strategy of “hybrid cooperation” involving cross-sectoral work in collaboration with their affiliates and some national centers (Interview with BWI gender, migration and campaigns director, September 2015).

The role of the SSOs

The key donors to the GUFs' labor migration projects are the Friedrich Ebert Foundation (Friedrich-Ebert-Stiftung, FES), FNV Mondiaal (the Netherlands), the Trade Union Solidarity Centre of Finland (Suomen Ammattiliittojen Solidaarisuuskeskus, SASK), Union to Union (Sweden), and Landsorganisasjonen i Norge (LO-Norway).

FIGURE 2
The Role of the SSOs



Adapted from Ford (2019, p. 7).

Different SSOs have different preferred modes of engagement. The Solidarity Center (formerly known as the American Center for International Solidarity) has focused mostly on initiatives with local unions and NGOs, whereas Northern European SSOs of Northern Europe generally favor a combination of direct projects and GUF-mediated engagement or, in some cases, working almost exclusively with the GUFs. SSOs often work with several different partners, sometimes on the same project. Sometimes, different donors support different participants in a joint initiative. For example, in a collaboration between BWI, the General Federation of Nepalese Trade Unions (Gefont), and the Malaysian Trades Union Congress (MTUC), the three organizations were funded by FNV Mondiaal, LO-Norway and the Solidarity Center respectively (Interview with BWI regional representative, June 2014).

The resources supplied by these SSOs have been a vital component of GUFs' engagement with the migration agenda (Figure 2). However, they have also necessarily imposed some limitations on their focus, as many of them rely heavily on government money, and governments have become much more restrictive over time. As a result, several GUFs migration projects focus primarily on countries of origin, even though targeting destination country unions is clearly a much more effective strategy. The SSOs have also helped set the agenda. The Solidarity Center was one of the first SSOs to support migration-related work in Asia, with programs dating back to the mid-1990s. FNV Mondiaal, which has been another particularly prominent proponent of the migration agenda, has driven the demand for migration-related projects in several cases. LO-Norway and Sask have also had a strong focus on migration and thus necessarily influenced the form of various interventions.

Impact at the country level

Programs initiated by the SSOs and the Global Unions have had varied levels of impact in Asia's destination countries. Each case is influenced by the restrictions on what countries can be funded by SSOs under national development program guidelines, and by the many specificities relating to local context, the presence of affiliates (in the case of the GUFs) and the internal characteristics of the unions concerned. It is also clear, however, that a key factor in all cases is the extent to which those unions depend on the international labor movement for financial resources and other forms of support. At one end of the spectrum, where there is relatively little engagement, very little change has occurred. At the other end of the spectrum, where the international labor movement is much more influential, it is possible to observe substantive change in both union rhetoric and union behavior.

Japan and Taiwan

Japan and Taiwan are the Asian destination countries in which the international labor movement is least engaged, and where mainstream unions have shown the least interest in reaching out to temporary labor migrants. In both countries, mainstream unions have provided some services to foreign workers while remaining firmly opposed to pro-migrant policies. As a result, migrant labor organizing is concentrated in small community-based unions with links to NGOs. Although these small unions can be quite effective in providing services, their lack of integration with the mainstream union movement makes it difficult for them to exert more influence in the workplace or advocate for larger-picture changes to immigration policy.

South Korea and Singapore

South Korea and Singapore are also wealthy countries where the international labor movement has little direct influence, but unions in both these countries have been more open to temporary labor migrants than in Taiwan or Japan. Over the course of a decade and a half, South Korea's key confederations have moved from a position of uniform opposition to foreign workers to one where they both claimed to support migrant workers. Of the two, the Korean Confederation of Trade Unions (KCTU) – which is more internationally connected – has been the more proactive. For several years, it has led advocacy campaigns, provided services and encouraged its affiliates to recruit foreign workers. It has also provided an institutional home for the Migrants Trade Union (MTU), a migrant-only union, since 2006.

The most engaged of the KCTU affiliates included those in construction and electronics, both of which had links to the relevant GUF. As part of its Asian migration project, BWI provided the KCTU and its construction affiliate, the Korean Federation of Construction Industry Unions (KFCITU) with funding to support migrant worker organizing. However, grassroots members, many of whom were day laborers, were concerned that migrant workers were taking their jobs (Statement by KFCITU director of policy and planning at the BWI/FNV Forum on Migration, October 2008). The union nevertheless resolved to continue to target migrant workers as part of its regular organizing work. As is often the case, however, support at the leadership level does not translate smoothly to action. The other sector in which KCTU affiliates were particularly active on migration issues was manufacturing. But the Korean Metalworkers Union had little success, largely because migrants are concentrated in small and medium manufacturing enterprises, where rates of unionization are low (Interview with KMWU director for unorganized and precarious workers, December 2011).

The second country in this category is Singapore, the Asian destination country where the greatest proportion of temporary labor migrants are union members. However, this outcome is not a direct result of engagement with the international labor movement but rather of government policy. Singapore's National Trades Union Congress (NTUC) is closely aligned with the government and has followed its lead on temporary labor migration. The NTUC's highest-profile servicing initiative is its Migrant Workers Centre, which is open to migrant workers from all sectors except domestic work. MWC runs a shelter and a 24-hour hotline for migrant workers in distress, as well as education courses and assistance with issues like unpaid salary or exploitation by agents (Interview with MWC manager, July 2014). NTUC affiliates also recruit proportionally more temporary migrant workers than any other mainstream union in Asia.

Despite the fact that the NTUC does not depend on the international labor movement, has also been proactive in reaching out to the Ituc and the GUFs on their migration initiatives, hosting events associated with a number of international programs and participating in meetings around the region, where it highlights its policies and programs (Field observations, 2005-2009). Indeed, as a state-sponsored union body, temporary labor migration is one of the few issues on which its interests align with those of the international labor movement. Its political limitations notwithstanding, the NTUC's migrant labor initiatives are genuine examples of what can be achieved when a union prioritizes the recruitment of migrant workers, although government restrictions on freedom of association mean that migrant workers – like their local counterparts – have no choice in terms of the union what they can join.

Hong Kong, Malaysia and Thailand

Hong Kong, Malaysia and Thailand all benefited from more intensive GUF and SSO engagement on migration. All three have sizeable foreign worker populations, but unions in all three are particularly weak – and therefore the likelihood of their engaging with foreign workers without support is, in theory at least, particularly low. The Hong Kong Confederation of Trade Unions – itself a product of engagement with the international labor movement (Gallin, 2000) – has long been relatively open to foreign workers, but unions' low levels of industrial power in that territory have meant that its affiliates have little capacity to defend migrant worker rights. Unions in Malaysia and Thailand face a different challenge, namely tight government control on regular labor migrants and the presence of large numbers of irregular labor migrants, who have no legal right to join a union. Nevertheless, in all three countries, substantive change has occurred in terms of union attitude, but also union behavior.

Even in these countries, local unions' engagement has been limited to a small number of sectors and initiatives. These interventions are, however, highly significant when the conditions under which unions operate in each of these countries are considered.

Having stared down significant opposition from its membership, the HKCTU began engaging on labor migration in the mid-1990s. These efforts intensified from the mid-2000s, with support from BWI and the Solidarity Center for migrant worker organizing projects (Interview with BWI Asian migration project officer, October 2008; Interview with Solidarity Center Asia director, August 2015). The primary focus of its efforts in the early years was on foreign domestic workers, who comprise by far the largest group of temporary labor migrants in the territory (Interview with HKCTU research officer, November 2005). During this period, it avoided direct organizing work, instead providing an institutional home for NGO-sponsored migrant-only unions, participating in migrant worker protests and mounting a campaign to improve wages in the sector.

Attempts to recruit migrants to the HKCTU's mainstream affiliates were much less successful. The most active sector in this regard was construction, which was part of BWI's Asian Migrant Worker program, but even here BWI resorted to supporting the establishment of an independent union for Nepalese construction workers after efforts to embed migrant worker organizing in a mainstream union failed. The BWI project began by supporting the Construction Site General Workers Union (CSGWU), which mounted a campaign against the systemic discrepancies in pay between local and immigrant workers. This support was vital: as a CSGWU official observed, "If there had been no project like this, there would have been some attempt to organize, but it wouldn't have had the same level of effect" (Interview, December 2010). Ultimately, however, the campaign's impact was limited by the fact that Hong Kong unions cannot bargain collectively, and by the lack of an organizing culture among the occupational unions that are affiliated to the CSGWU. BWI continued its efforts to encourage mainstream unions to organize, and Hong Kong Construction Industry Bar-Bending Workers' Union did recruit some Nepalese workers. However, in 2007, it shifted focus to migrant-only organizing. With the support of the local union and the help of a trainer from Nepal, a migrant-only union was established. By 2010, the Nepalese Construction Workers Union (NCWU) had the largest dues-paying membership of any of Hong Kong's construction unions (Interview with NCWU official, December 2010). Ironically, like the CSGWU, the NCWU – which accommodates permanent residents, rather than temporary labor migrants – opposes temporary labor migration, which it sees as a threat to its members' jobs (Interviews, December 2010).

Until the mid-2000s, Malaysian unions were extremely hostile to foreign workers, and had actively campaigned for their expulsion (Crisis, 2005). It was in this context

that the Solidarity Center first approached the Malaysian Trades Union Congress in the late 1990s in an attempt to shift its stance on labor migration (Interview with Solidarity Center Asia director, August 2014). It was not until 2005 that this position shifted, primarily in response to pressure from the ILO and the international labor movement (Interview with MTUC general secretary, August 2009). Much of the MTUC's early work focused on foreign domestic workers, in large part because the ILO had funded a fulltime program officer to deal with that constituency. Over the same period, a second position, funded by the Solidarity Center, was established to focus on migrant workers in other sectors. Legal support was provided to temporary labor migrants through the MTUC's industrial relations department. For example, it ran a successful lawsuit against a company that had refused to provide migrant workers with the same wages and conditions as local workers, which set a precedent that unions could use to put pressure on other companies (Interview with MTUC general secretary, August 2009).

Some of the MTUC's affiliates had their own migrant labor initiatives. In the service sector, they staffed the UNI-funded help desk initiative (Interview with UNI regional secretary, July 2014), which secured RM 840,000 (USD 233,333) in wage claims for 436 migrant workers from Indonesia, Nepal, and Myanmar in its first two years of operation alone (UNI-MLC, 2008). MTUC affiliates in construction and manufacturing were also drawn into migrant worker organizing, primarily through GUF programs. A second example was BWI's collaboration with the Timber Employees Union Peninsular Malaysia, which began in 2006. This project has been the most successful example of a GUF organizing initiative in the Malaysian context. As in South Korea and Hong Kong, a key element was the provision of funding for the employment of an organizer from the country of origin of a key migrant group. Within two years, the union had recruited 1,000 migrant worker members, who paid the same dues as Malaysian members. By 2013, the number of migrant worker members exceeded 1,500 (BWI 2013) in a union whose membership had numbered only 9,000 a few years earlier. The Electrical Industry Workers Union (Eiwu) has also been quite proactive. The Eiwu began recruiting migrant workers as part of a general union renewal project funded by the International Metalworkers Federation, one of the GUFs that later merged to form IndustriALL (Interview with Eiwu official, May 2010). In some workplaces, the Eiwu was forced to try to recruit foreign members in order to meet the 50 percent threshold necessary to establish a legal presence.

In Thailand, too, unions have traditionally been overtly hostile towards foreign workers, especially the hundreds of thousands of Burmese who sought refuge from the Junta (Interviews, 2007). From the mid-2000s, however, some unions have made a concerted effort to support labor migrants. These efforts began when Thai

unionists participated in an ILO-run workshop, alongside colleagues from Cambodia and Laos, on the protection of migrant workers, at which the Labor Congress of Thailand, the National Congress of Thai Labor, the Thai Trade Union Congress, and State Enterprise Unions Confederation (Serc) signed the Phuket Declaration, which recognizes that “migrant workers have a right to join existing unions and that unions should be committed to organizing and recruiting migrant workers” (LCT *et al.* 2005). Although the declaration marked an important shift in these unions’ public stance, there was initially little follow-through following its adoption (Interview with ILO Bangkok official, February 2007). Rather, most of the change in the ensuing years was driven by the Thai Labor Solidarity Committee (TLSC), an umbrella group that brings together unions and labor NGOs. In more recent years, Serc and the TLSC have supported a migrant labor association called Migrant Workers Right Network (MWRN), a membership-based organization which claimed to have more than 3,700 individual migrant worker members as of 2015 (MWRN 2015). Although MWRN cannot register as a union under Thai labor law, it was set up “to imitate a trade union”, and registered in November 2014 as the Serc Foundation, under the leadership of a former Serc general secretary (MWRN 2015). And while it initially concentrated on service provision, it has also engaged in union-like activities, for example, supporting workers at one of the largest shrimp factories in Samut Sakhorn to negotiate a settlement with their employer over forced leave (Mills, 2014).

Agents of change

It is quite difficult to even document the full range of international interventions, given the nature of internal record-keeping and challenges in maintaining institutional memory, particularly in the SSOs, where staff tend to come and go (field observations, various years). It is even more difficult to accurately quantify success. In the absence of definitive measures, their success or failure can be assessed against four measures: the *presence* of a migration-related program; whether or not those programs have influenced unions’ *stated position* on temporary labor migration; whether, and to what extent, changes in attitude have translated into *behavioral change*; and whether behavioral change results in *concrete changes for migrants*.

As the preceding discussion has shown, international labor movement actors have had some – albeit uneven – success in terms of the first three of these measures. Attempts were made to establish one or more migration initiatives in six of the seven Asian destination countries, the seventh being Singapore, where the national center and its affiliates were already serving and recruiting migrant workers. Unions initially agreed to participate in all six, and one or more programs were established in

four. In these four, participants' stated position on foreign workers changed. Unions became advocates, sometimes alone and sometimes in collaboration with the NGOs and faith-based groups that had long made the case for migrant worker rights. This shift is highly significant, requiring these unions to shift their narrative to one most often characterized by outright rejection to one of acceptance, often in the face of ongoing member hostility towards migrants. Changes of behavior following this shift in stated position did not always extend beyond advocacy. But, as described above, in several cases unions established migrant-focused services, supported the formation of migrant-only unions, or recruited migrants to their own ranks.

Perhaps not surprisingly, these interventions have been most successful where they adjusted their strategies and tactics to respond to local conditions: Hong Kong, South Korea and Malaysia are cases in point. It is more difficult, however, to point to substantive changes in the structural conditions that constrain temporary labor migrants' access to their labor rights. There are certainly examples where mainstream unions have successfully fought for migrants' right to freedom of association or represented them in court to secure unpaid wages or some form of compensation and in the workplace to secure coverage under a collective bargain. On the one hand, these examples demonstrate that unions can successfully represent temporary labor migrants even in challenging industrial relations environments where unions have relatively little institutional power. On the other, an enormous amount of work is required if such examples are to become standard practice, and there is a long way to go before the majority of unions are convinced to target temporary labor migrants as potential members. What is clear, though, is that the greatest shift has occurred in countries where the activities of international movement actors are most concentrated.

Conclusion: a contribution to union renewal?

The significance of the achievements the international labor movement in regard to Asian unions' responses to temporary labor migration should not be underestimated. Nor should the impact of its interventions on the approaches and practices of the unions with which they worked most closely on migration. In the three countries where they were most active – Hong Kong, Malaysia and Thailand – advancements as a result of these programs are particularly remarkable, given unions' low levels of institutional power in those contexts.

In Hong Kong, the HKCTU's decision to provide an institutional umbrella for migrant-only domestic worker unions not only benefited those unions, but the HKCTU itself, as these separate but affiliated structures strengthened the local labor

movement by increasing its ability to mobilize in the streets. Indeed, while small, Hong Kong's foreign domestic worker unions, are the most successful examples of migrant-only unionism anywhere in Asia. This success is due in large part because their connections with mainstream unions and migrant labor NGOs have allowed exert pressure on the Hong Kong government to make the legislative and policy frameworks more migrant-friendly. In Thailand, where the union movement is even weaker, a focus on migrant workers has allowed Serc to broaden its focus beyond state-owned enterprises and simultaneously strengthen its relationships with the international labor movement.

However, it is in Malaysia, where local unions succeeded in direct recruitment of migrant workers to their ranks, that the impact has been greatest for unions. There unions' decisions to organize migrant workers in the timber and electronics sectors (along with some other sectors, for example, dockworkers) improved their broader organizing practices by forcing them to become more member focused. Recruitment of migrant workers also greatly bolstered the membership of particular unions, in some cases making it possible for them to reach a workplace bargaining threshold for the first time. Given the reputation Malaysian unions have as being very bureaucratic, and offering little more than legal services, these experiments with organizing – even if piecemeal and only partially successful – demonstrate the impact that a focus on diversity can have on even the weakest of unions. It also demonstrates that international labor movement actors have indeed functioned as agents of change.

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Abstract

The International Labor Movement as an agent of change: temporary foreign workers and union renewal in Asia

This paper analyses the role of the Global Union Federations (GUFs) and Solidarity Support Organizations (SSOs) have played in Asian unions' attempts to reach out to temporary foreign workers, drawing on ten years of qualitative fieldwork with the GUFs at headquarters and regional level and with their affiliates in the seven Asian countries that rely most heavily on temporary labor migration. Union renewal and revitalization are seen as side-effects of that focus, as new constituencies are able to shore up membership and bring new ideas and perspectives into the movement.

Keywords: Temporary workers; Global Union Federations; Unionism in Southeast Asia; Union revitalization.

Resumo

O Movimento Sindical Internacional como um agente da mudança: trabalhadores estrangeiros temporários e renovação sindical na Ásia

Este artigo analisa o papel das Federações Sindicais Globais (GUFs) e Organizações de Apoio e Solidariedade (SSOs) nas tentativas dos sindicatos sudeste-asiáticos de alcançarem trabalhadores estrangeiros temporários em sete países da região. Baseia-se em dez anos de trabalho de campo qualitativo com as GUFs, seja em suas sedes, seja em nível regional – fortemente dependente da migração laboral temporária –, e com seus afiliados nos respectivos países. A renovação e a revitalização do sindicalismo são vistas como efeitos colaterais desse enfoque, na medida em que novos membros são capazes de fortalecer a adesão e trazer novas ideias e perspectivas para o movimento. Palavras-chave: Trabalhadores temporários; Federações sindicais globais; Sindicalismo no Sudeste Asiático; Revitalização do sindicalismo.

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