There have been recent improvements to women garment workers’ livelihoods: The monthly minimum wage for garment workers was raised to $582 in 2021, excluding additional benefits. Health and maternity benefits were expanded in 2018, offering National Social Security Fund (NSSF) injury compensation and health insurance. A $100 bonus for pregnant garment workers has been introduced. The International Labour Organization’s Better Factories Cambodia report released December 2018 shows that Cambodia is making steady progress in the welfare of garment and factory workers.

The number of underage workers is reportedly decreasing. Workers in the garment industry are still facing challenges, and women workers continue to face gender-based violence and harassment.

Relevant National Law

TRADE UNION LAW

Article 266 of the Labor Law guarantees that: “Workers and employers, have without whatever and prior authorisation, the right to form professional organisations of their own choice for the purpose of promoting the interest protecting the rights, both collectively and individually, of the workers covered by the organisation’s statutes.”

However: The Trade Union Law grants authorities excessive discretionary control over trade unions’ registration and contains provisions restricting strikes, disputes to resolve, and collective bargaining:

- The law imposes burdensome registration requirements on trade unions, and restricts trade unions’ abilities to operate freely and independently of the interests of their members. It also imposes fees on individuals and trade unions who do not comply with these provisions.

MINIMUM WAGE

The Labor Law guarantees:

- A minimum wage that will ensure workers a “decent standard of living compatible with human dignity” (Article 105).
- A minimum of 48 hours per week that an employee can work, with no more than 10 hours of work per day and with increased pay for required overtime work (Article 137).

However: The negotiating model introduced by the Minimum Wage Law is deemed against the representation of workers’ rights and there is a lack of transparency in the minimum wage setting process.

The law restricts the sources of data that can be used in wage setting.

The minimum wage in Cambodia remains far below a living wage.

RECOMMENDATIONS TO THE ROYAL GOVERNMENT OF CAMBODIA

- Publicly support the drive towards a binding ILO convention to tackle violence and harassment at work, through the inclusion of a definition for “violence and harassment and further protective mechanisms against discrimination”.
- Amend Chapter 16 of the Labor Law to impose penalties on employers who illegitimately employ workers on Fixed Duration Contracts after the maximum two-year duration.
- Amend Articles 275 and 376 of the Labor Law to increase penalties for violations of workplace health and safety standards, and set out regular monitoring of scheduled labor visits by labor inspectors.
- Simplify and reform registration procedures for trade unions, and protect trade union leaders and members from forms of discrimination, violence used against those engaging in trade union activities.

Women in numbers:

Across Asia, women make up the vast majority of garment workers.

Women between the age of 18 and 29 dominate the Cambodian garment and footwear sector, with nearly 700,000 women workers.

Women make up around 85% of the industry’s estimated 700,000 workers.

Due to exposure to high temperatures and high levels of chemical substances, exacerbated by inadequate rest periods, women garment workers suffer from a range of medical problems, including breathing difficulties, headaches and eye irritation, which are a regular occurrence.

Vehicle used to transport workers to the factory are extremely unsafe, causing frequent crashes and injury occurring frequently.

Workers lack secure and safe working conditions.

Women receive lower wages and benefits than men.

Women workers reported physical violence, including sexual harassment and violence.

Women workers are at risk for violence and harassment.

Women workers reported physical violence, including sexual harassment and violence.

There is a lack of representation of women and lesbian, gay, bisexual, transgender, intersex or queer (“LGBTIQ”) individuals in the trade union movement, meaning that the human rights violations experienced by these groups are underreported.

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