

## 外劳临时工作准证申请及更新课题

### Foreign Workers' Work Permit Applications and Renewals Issue

20-4-2015

**有**关移民局自今年1月5日起强制雇主使用MyEG申请更新外劳临时工作准证和必须缴付38令吉费用一事，在中总联合多个全国工商团体的积极跟进下，额外缴付38令吉的问题终于获得解决，政府在2015年3月24日的国会中，认同移民局将准证更新工作外判给MyEG，是移民局将其内部运作事务外判的协议，因此有关成本应由移民局本身承担，不能转嫁予雇主。因此，由MyEG征收的38令吉网上申请或更新外劳工作准证费用将下调至35令吉，并从雇主缴交给移民局的125令吉中扣除。

无论如何，鉴于此决定迟迟未能付诸行动，中总联同17个工商团体于2015年4月20日发布联合文告，同时提交联名信予移民局，欢迎政府的决定之余，也敦促政府尽快落实有关决定，并提出6大问题。政府在2015年4月23日正式宣布，通过MyEG线上更新外劳临时工作准证的RM35服务费，将在2015年5月2日起由政府承担，不再由雇主缴付。

中总将一如既往，秉持不屈不挠的精神，积极扮演工商界和政府的沟通桥梁，密切关注工商界面对的问题，即时向有关政府部门和机构沟通和反映工商界的看法和意见，协助政府推行利商政策，促进国家经济稳健发展。

以下为4月20日所发的联合文告全文：

Press Statement Issued on 20<sup>th</sup> April 2015

#### 有关外劳准证申请及更新情况

我们一群由各自商会及行团代表的受影响雇主，很欣慰地了解到由MyEG所征收的38令吉网上申请或更新外劳工作准证的费用，现在将从雇主缴交给移民局的125令吉中扣除。（附件为国会下议院会议记录摘要及2015年3月25日的新闻剪报）

我们很高兴看到政府考虑并同意我们的看法，认同移民局将准证更新工作外判给MyEG是移民局将其内部运作事务外判的协议，因此有关成本应由移民局本身承担，不能转嫁予雇主，成为额外的费用。

#### 1. 38令吉费用废除并未执行

无论如何，尽管附件的国会会议记录明确说明政府的决定，但MyEG和/或移民局至今仍然在征收38令吉。我们对此深表关注，并希望有关当局能够即刻采取行动，将国会宣布的决定条规化并付诸行动，同时能够退还款项予那些在不知情的情况下继续缴交费用的雇主。

#### 2. 柜台服务的不必要障碍

我们对政府指示移民局重新开放柜台服务，作为辅助网上服务的举措表示赞赏。只要证明网上服务更符合时间及经济效益，人民自然会逐步转向网上服务。因此柜台服务的继续开放，作为公众的替代选择是必要的。

然而，我们很失望地看到柜台重新开放后，突然增加了许多不必要的要求，看似有意阻挠公众使用柜台服务，以间接强迫雇主使用网上系统，增加38令吉的额外费用。

截至今天，我们的会员仍然面对不合理的障碍，如要求人力资源经理或公司董事必须亲自在场，才能在柜台更新准证。即使是移民局本身批准并发出移民局黄卡的持有者，也不被允许使用柜台服务，这对移民局本身发出的证明无异一大嘲笑。

柜台的服务水平必须立刻改善，并马上取消所有不必要及明显的障碍，让公众能够不受干扰地选择使用柜台服务。

#### 3. 即刻检讨柜台重新开放后的附加限制

我们呼吁移民局能够本着为国家提供优质服务的目的，即刻检讨并取消在柜台重新开放后所设下的限制，并改善柜台的服务水准。

#### 4. MyEG 未达到其服务期限

此外，我们也接获会员反映，表示MyEG的服务并未达标，不能在期限内完成其处理的工作，没有取得网上服务所应该取得的成效，移民局因此必须确保他们的外判承包商，即MyEG符合关键绩效指标，并达到合约签订的服务水准。

#### 5. MyEG所发出的收据不获执法单位承认

执法单位如警察、移民局、自卫警队等，不承认MyEG所发出的收据，对我们等待更新准证的员工造成干扰。我们迫切要求移民局采取即刻行动，通知所有执法单位有关MyEG的程序，并要求他们承认MyEG发出的收据。

#### 6. 额外的网上服务公司

对于副内政部长拿督斯里旺朱乃迪最近表示政府正在探讨委任更多公司提供网上申请及更新外劳准证事宜的宣布，只要有关服务没有额外收费，引起如MyEG征收38令吉的争议，我们对此表示欢迎。

尽管可能增加新的网上服务供应商，我们在此强调，柜台服务必须继续开放并改善，网上服务只是一个替代选择，其提供的服务也应该比柜台更有效率。

**W**e, a concerned group of affected employers represented by our respective trade associations/chambers, are pleased to note that the fee of RM38 imposed by MyEG for the online application/renewal of Foreign Workers permit will now be rightfully paid out of the RM125 fee that employers already pay to the Immigration Department. [Extract of Parliament Hansard and news article dated 2<sup>5th</sup> March 2015 attached herewith as Annexure A and B respectively.]

We are delighted that the Government have considered and have agreed with our rationale that the out-sourcing by the Immigration Department of the permit renewal process to MyEG is a contract of service given out by the Immigration Department for their back-room operations which cost should therefore be borne by the Immigration Department, and not charged to the employer as an additional fee.

#### 1. NON-IMPLEMENTATION OF THE ABOLISHMENT OF THE RM38 FEE

However, notwithstanding that the Government has clearly decided on this matter as evidenced by the details set out in the attached Parliament Hansard minutes, we are extremely concerned that MyEG and/or the Immigration Department has up till today, MyEG is still charging the RM38 fee. It is imperative that immediate action be taken to regularize and implement what had been announced by the Parliament and to refund those that have unknowingly paid the fees which have since been abolished.

#### 2. UNCESSARY OBSTACLES IMPOSED WITH OPENING OF COUNTER SERVICE

We wish to also commend on the government's directive to the Immigration Department to re-open the counter service to complement the online service available. The migration to online service will naturally grow in popularity only if proven to be effective and efficient both in time and cost, and it is imperative the counter service must remain opened and such service be made available as a choice to the public.

However, we are extremely disappointed that the re-opening of the counter service seems to be done grudgingly with many unnecessary requirements and obstacles being suddenly introduced which appears to be intended to frustrate the use of the counter service, thereby indirectly forcing employers to use the online system which will cost an additional fee of RM38.

Until today, our members are experiencing unreasonable obstacles like the unnecessary and sudden restriction that only the Human Resource Manager or a Director of the Company must be present in person to use the counter service. Even personnel approved by the Immigration Department and issued with the Immigration Department's Yellow Cards are not allowed to use the counter service, which makes a mockery of the purpose of a document issued by the department

It is imperative that the service level at the counters must be improved and all unnecessary and obvious impediments be removed with immediate effect in order to make the counter service a real and hassle-free choice for the public.

### 3. **URGENT REVIEW OF ADDITIONAL RESTRICTIONS IMPOSED WITH THE REOPENING OF COUNTER SERVICE**

We call upon the Immigration Department to graciously and immediately review and remove all these additional restrictions which were introduced with the re-opening of the counter service, and to improve the level of service at the counters immediately in the name of good service to the nation.

### 4. **MyEG SERVICE TIMELINES NOT MET**

Furthermore, our members are also reporting that MyEG service is not up to par and the timeline for processing is usually not met. Consequently, -the intended benefits of an online service is negated and it is therefore critical that the Immigration Department ensure that their out-sourced contractor, namely MyEG, meet the KPIs and service levels that had been contracted for.

### 5. **MyEG ACKNOWLEDGEMENT RECEIPT NOT RECOGNIZED BY ENFORCEMENT AGENCIES**

The enforcement agencies from Police, Immigration, RELA etc are not recognizing the MyEG acknowledgement receipts and are harassing our workers who are awaiting the renewals of their permits. It is URGENT and pertinent that the Immigration Department immediately apprise all the relevant enforcement agencies as to the MyEG process and the need to recognize the MyEG acknowledgement receipts.

### 6. **ADDITIONAL ONLINE SERVICE COMPANIES**

The latest announcement by the Deputy Home Minister Datuk Seri Dr Wan Junaidi Tuanku Jaafar that the Government is looking into more companies to provide online service for the application and renewal of foreign workers permits is welcome, so long as such service will not impose any additional fees and levies similar to the original debacle caused by the RM38 fee charged by MyEG.

Notwithstanding the potential introduction of new online service providers, however, we wish to stress that the counter-service must be improved, and must continue to remain open, and that the online service should only be an alternative choice that must offer more efficient service compared to the counter-service.

### 参与发布联合文告的全国工商团体名单 National Level Chambers of Commerce and Trade Organisations Participated in Joint Press Statement:

1. 马来西亚中华总商会 (中总) The Associated Chinese Chambers of Commerce and Industry of Malaysia (ACCCIM)
2. 马来西亚马来人总商会 Malay Chamber of Commerce of Malaysia (MCCM)
3. 马来西亚机器厂商总会 Federation of Malaysian Foundry and Engineering Industries Association (FOMFEIA)
4. 马来西亚家具总会 Malaysian Furniture Council (MFC)
5. 马来西亚连锁协会 Malaysia Retail Chain Association (MRCA)
6. 马来西亚空调与冷藏协会 Malaysian Air-Conditioning & Refrigeration Association (MACRA)
7. 马来西亚外国女佣代理商公会 Malaysian Association of Foreign Maids Agencies (PAPA)
8. 马来西亚鞋业厂商公会 Malaysian Footwear Manufacturer's Association (MFMA)
9. 马来西亚钢铁工业联合会 Malaysian Iron & Steel Industry Federation (MISIF)
10. 马来西亚针织业厂商会 Malaysian Knitting Manufacturers Association (MKMA)
11. 马来西亚塑料厂商公会 Malaysian Plastics Manufacturers Association (MPMA)
12. 马来西亚橡胶手套制造商公会 Malaysian Rubber Glove Manufacturers Association (MARGMA)
13. 马来西亚橡胶产品制造商协会 Malaysian Rubber Products Manufacturer's Association (MRPMA)
14. 马来西亚纺织制造商协会 Malaysian Textile Manufacturers Association (MTMA)
15. 马来西亚木材工业总会 Malaysian Wood Industries Association (MWIA)
16. 马来西亚木模及木制品理事会 Malaysian Wood Moulding & Joinery Council (MWMJC)
17. 马来西亚建筑商公会 Master Builders Association Malaysia (MBAM)
18. 马来西亚电业公会 The Electrical and Electronics Association of Malaysia (TEEAM)