

**Response from FGV to:**

**“FGV says only 2,101 workers experienced delays in permit renewal,” *Free Malaysia Today*, 6 April 2024:** <https://www.freemalaysiatoday.com/category/nation/2024/04/06/fgv-says-only-2101-workers-experienced-delays-in-permit-renewal/>

**“Permits for FGV’s foreign workers renewed, only 549 pending levy payment,” *Free Malaysia Today*, 12 April 2024:** <https://www.freemalaysiatoday.com/category/nation/2024/04/12/permits-for-fgvs-foreign-workers-renewed-only-549-pending-levy-payment/>

On 19<sup>th</sup> April, 2024, we invited FGV to respond to the following inquiries:

1. Can FGV provide clarification on the reported discrepancies between the number of migrant workers who experienced delays in work permit renewals (approximately 10,000) and the number indicated by FGV (2,101)? What measures has FGV taken to address these delays?
2. Regarding the allegations that FGV has retained passports and personal documentation of workers, can FGV explain its policies and procedures regarding the handling of workers' passports and personal documents? How does FGV ensure that workers are not prevented from returning home after completing their contracts?
3. Concerning the reports that Indian and Bangladeshi workers, employed by FGV in Malaysia for around five years, have been unable to return home to see their families, can FGV provide insights into the reasons behind this situation and any actions taken to facilitate their return?
4. Workers have criticized FGV’s complaint mechanism, Suara Kami, stating that it is ineffective and lacks confidentiality. Can FGV provide details about the operation of the Suara Kami grievance mechanism and address concerns raised by workers regarding its effectiveness and confidentiality?

On 30<sup>th</sup> April, 2024, we received FGV’s response.

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*Dear Bhoomika*

*Thank you for agreeing to our request for extension. Please find below our responses to the inquiries:*

***Can FGV provide clarification on the reported discrepancies between the number of migrant workers who experienced delays in work permit renewals (approximately 10,000) and the number indicated by FGV (2,101)? What measures has FGV taken to address these delays?***

*The allegation that 10,000 FGV workers are experiencing delays in their work permit renewal is false and the actual number workers affected has now decreased to 1,992 from 2,101 since the matter was reported earlier this month.*

*The work permit renewal application delays are the result of a substantial backlog that was created during the COVID-19 pandemic, and is being resolved on an ongoing basis with the support of the relevant authorities.*

*As the renewal of work permit falls under the authority of the Immigration Department, FGV has had several meetings and continues to work closely with the Immigration Department to address the work permit renewal matter. At the same time, FGV ensures that workers concerned are informed about the status of their work permit renewals on a regular basis.*

***Regarding the allegations that FGV has retained passports and personal documentation of workers, can FGV explain its policies and procedures regarding the handling of workers' passports and personal documents? How does FGV ensure that workers are not prevented from returning home after completing their contracts?***

*FGV maintains a strict policy of no retention of workers' personal documents, including passports. Every worker is provided with a locker in their accommodation where they can safely keep their passports and other personal documents.*

*Worker passports are only obtained by the estate management for passport or work permit renewal purposes and only with the workers' written acknowledgement. In such cases, the workers are given periodic updates on the status of the renewals.*

*Notwithstanding FGV's policy, we have discovered an isolated case where the estate management kept workers' passports pending the settlement of the work permit renewal. In such case, FGV's management had taken immediate action to return the passports to the affected workers, and to suspend the manager concerned after initiating disciplinary process.*

*Upon completion of their contract with FGV, workers are asked whether or not they want to renew their contract. This is done through a written form in the language of the worker. For workers who decide to end their contracts, arrangements will be made by FGV for their return to their countries of origin. The costs for their return, which include airfare and ground transport are covered by FGV.*

***Concerning the reports that Indian and Bangladeshi workers, employed by FGV in Malaysia for around five years, have been unable to return home to see their families, can FGV provide insights into the reasons behind this situation and any actions taken to facilitate their return?***

*Under immigration procedures, the work permit of a worker is required to be renewed every 12 months. In addition, workers who wish to return to their countries of origin for leave are required to have a valid work permit. On account of this, there are instances where workers are unable to return home for leave for three to four years due to the work permit renewal backlog. FGV has had several meetings and continues to work closely with the Immigration Department to address the work permit renewal matter. At the same time, FGV ensures that workers concerned are informed about the status of their work permit renewals on a regular basis.*

*For workers who wish to terminate their contracts and return to their countries of origin before the work permit renewal process is completed, FGV is required to apply for a Check-out Memorandum from the Immigration Department per regulatory requirements before the workers can return to their home countries. FGV communicates this requirement to the workers and engages regularly with the Immigration Department to expedite these matters.*

**Workers have criticized FGV's complaint mechanism, Suara Kami, stating that it is ineffective and lacks confidentiality. Can FGV provide details about the operation of the Suara Kami grievance mechanism and address concerns raised by workers regarding its effectiveness and confidentiality?**

Since 2023, FGV has partnered with LRQA to pilot a grievance mechanism - Suara Kami (at an initial 20 FGV sites across Malaysia). FGV is deploying Suara Kami at scale across all its estates and mills in Malaysia.

At the same time, all workers from all FGV estates have access to FGV's own grievance mechanism, which allows the workers to raise any concerns or to submit grievances to FGV's management through several channels with the option of anonymous submission of grievances. Such channels include the FGV App, FGV Grievance Management Department Careline, Grievance Management Department email and in-person report. FGV's Group Grievance Management Policy clearly outlines the principles of FGV's Grievance Mechanisms, which includes confidentiality, non-retaliation, non-discrimination, non-exclusivity and freedom of association.

FGV is aware of recent reports which refer to the Suara Kami grievance mechanism. The sites referred to in the articles were not part of the initial pilot program during the time of the alleged incidents. FGV has taken necessary actions to address the recent reports and ensure the alleged violations at the mentioned sites are being verified and if corrective action is needed, swift remediation will be carried out through a structured process. FGV's and LRQA's grievance mechanisms continues to operate in line with the UN Guiding Principles of Business and Human Rights (UNGP) Principle 31.

Please let us know if you require further clarification. Thank you.

Best regards  
Kasim