

NagaWorld union files rejection of Arbitration Council non-ruling on mass layoff

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Khy Sovuthy



Representatives of the NagaWorld union submit a petition rejecting last week's decision of the Arbitration Council in Phnom Penh, September 17, 2021. CamboJA/Pring Samrang



Representatives of NagaWorld's union on Friday submitted a letter to the Arbitration Council rejecting its refusal last week to consider the demands of workers looking to counter the casino company's mass layoff.



Chhun Sokha, 40, vice president of NagaWorld's Khmer Employees' Labor Rights Support Union, worked for the casino giant for more than 21 years and is one of 373 workers still fighting to keep their jobs after the layoff. Sokha said four union representatives brought the rejection letter to the council to dispute its September 10 decision to defer a ruling on the validity of the layoffs to the inspectorate of the Ministry of Labor.

"[The Arbitration Council] claimed that this case is for the labor inspector," she said, questioning why the council had heard the case at all if it still needed to go through the ministry.

"We do not understand this decision and we also do not support it," she continued, urging the council to make a clear decision. "This decision impacts our workers' benefits because this complaint was filed many months ago."

Last week's decision meant the council would not intervene to prevent the layoffs, which NagaWorld first announced on April 8 and which saw the release of 1,329 employees, almost one-sixth of its previous workforce total of about 8,000 people. However, though the council didn't touch on the core issue brought by the laid-off workers, it did order NagaWorld to properly calculate severance packages and other benefits for these employees.

The group that brought the complaint to the council represents the last holdouts of the mass layoff, people who have refused to accept severance packages and have instead pressed to get their jobs back. The 373 holdouts include many union members and leaders. NagaWorld management refused to negotiate with the union through the mass layoff and has been accused of using staff cuts to bust the influential bargaining group.

Sokha said the holdouts are now weighing their options after hearing the council's non-ruling. Whether that includes a complaint for the courts or protest against NagaWorld is unclear, she said, explaining the disputants need time to discuss.

She said that she and the other laid-off workers have struggled economically since losing their jobs and are trying to make some kind of livelihood in the meantime.

Khun Tharo, a program coordinator with labor rights group Central, said procedure allows both parties

in a case brought to the Arbitration Council to submit an official rejection within eight days of a council decision.

Tharo said the council justified its own decision by stating the work of the labor inspector was not yet done. However, he pointed out, this point is not correct because the case was sent to the council by the labor inspector.

"I question who made the mistake," he said. "Is it a mistake of the [Labor] Ministry or it is a mistake of the Arbitration Council?"

Tharo said that the non-decision has delayed a final resolution of the dispute, impacting workers' benefits.

"It is not justice and equality for the parties who suffered," Tharo said.

Men Nimmith, executive director of the Arbitration Council Foundation, said he hadn't yet seen the letter from NagaWorld's union representatives, so he could not comment on it.

He added that the council did not send the case to the labor inspection to solve but rather to continue the investigation, which Nimmith said was not finished.

Neither NagaWorld human resources chief Hein Dames nor Labor Ministry spokesman Heng Sour could be reached for comment.

686 views

Arbitration Council Foundation, Ministry of Labor, NagaWorld

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