

# Workers Sabay Project



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# Foreword

Hospitality workers are hostesses and waiters, chefs and kitchen attendants, cashiers and managers. They work in restaurants, guesthouses, hotels, KTVs, bars, beer gardens and massage parlours providing essential services to millions of tourists each year.

Although there are no specific statistics regarding the hospitality industry, we know that the number of tourists visiting Cambodia grew by 16% annually over the last 5 years. We also know that the tourism industry contributed to 16% of the country's GDP in 2013.

In Phnom Penh, one only needs to walk through the streets to realise the importance of the hospitality industry: the city's face is changing and the hospitality industry is at the heart of that process.

Such growth offers thousands of young Cambodians opportunities for employment and freedom. It also offers entrepreneurs the opportunity to build successful busi-

nesses and contribute to Cambodia's development.

Yet, such growth also presents challenges: How to manage the relationship between employees and employer? How to build up a successful business whilst improving workers' conditions of employment? It is the purpose of the Cambodian Labour Law to answer these questions and provide owners and hospitality workers with a structure to manage their relationship to the benefit of all.

ACTED is proud to present you the Workers Sabay project funded by the European Union and being implemented in collaboration with the Ministry of Tourism, the Phnom Penh Department of Labour and the Cambodian Food and Service Workers Federation.



Ginny Haythornthwaite  
Country Director,  
ACTED in Cambodia

# ACTED & CFSWF



## The Cambodian Food and Service Workers Federation



**ACTED** is an international NGO working in Cambodia since 2009. ACTED's values are shaped around the principle belief that every human deserves to live in dignity. ACTED thus aims to enable this right by developing peoples' potential; providing them with the ability and knowledge necessary to achieve their desired goals, building a brighter future for them and their communities.

**CFWSF** is a federation of unions representing approximately 3000 members working in the food and service sector. CFSWF activities aim to ensure Cambodian workers have their labour rights respected, safe working conditions and a better standard of living.



# IMPROVING LABOUR LAW COMPLIANCE

There are several benefits to improving labour law compliance in Cambodia, including:

- Attracting more tourists
- Lifting up employees' living standards and well-being
- Increasing productivity
- Fostering economic growth

However, those benefits are not always accepted by all. Some business owners may view regulations pertaining to hours of work, health and safety or entitlements, as a burden and a cost.

It was decided early on that a central part of the Workers Sabay project was to actively communicate with hospitality establishment owners in order to raise their awareness on Cambodian labour law.

ACTED therefore first undertook the task to approach as many business owners, managers and hospitality workers as possible in order to understand their concerns.

*“Today, both employers and employees need strong skills and trainings in order to intensify the quality of the tourism hospitality industry as well as to continue to successfully improve the tourism sector in Cambodia. That is why the Ministry of Tourism is supporting the Workers Sabay project which can allow both employers and employees to grow together whilst increasing compliance to the Cambodian Labour Law within the tourism industry.”*

Ministry of Tourism



# INDUSTRY SNAPSHOT: WHAT DID THE EMPLOYERS TELL US?

ACTED spoke with 144 decision-makers. Those decision-makers either owned or managed bars, restaurants, KTVs and massage parlours.

Here is what they told us:

- When asked about the challenges facing their business, 43% of respondents declared having troubles with human resources, including hiring, retaining and training staff.
- Staff turnover was in fact a problem for 63% of employers
- 60% of employers had written policy documents for their establishment
- 56% had a good opinion of unions while 5% had a bad opinion of the union and 39% were not sure.
- 6% billed their customers for service charge.
- 98% did not know what a collective agreement was.



*“In Phnom Penh, there are so many hospitality businesses opening and closing each day so competition is very strong both to attract local and foreign tourists. I want my business to be successful and that is why I’ve joined the Workers Sabay Project.”*

Ms Sovanden NA  
General Manager  
Happy Grill  
Phnom Penh



## INDUSTRY SNAPSHOT: WHAT DID THE EMPLOYEES TELL US?

ACTED interviewed 702 hospitality workers (513 female staff and 189 male staff), including 434 waitresses and waiters, 57 room keepers and 31 mekars. Here is what they told us::

- 67% had worked in the industry for 12 months or less while 24% had worked in the industry for 3 years or more
- 77% were not sure about what health and safety exactly was. Of those who knew what it was, 40% mentioned guest-related violence, including alcohol fuelled violence as the main safety hazard in their workplace. 26% spoke about gas, fire and electricity dangers and 31% talked about other occupational risks, such as slipping on the floor and handling glass or knives.
- When asked about the reason why they liked their job, 23% said it was because they liked interacting with their colleagues and/or customers. 16% said it was because they liked their managers.
- 83% received other forms of benefits, including food for 67% and accommodation for 41% of all hospitality workers. 47% declared receiving tips.
- 58% of hospitality workers reported working days of 7 to 9 hours. 42% worked 10 hours or more, including 8% who worked 12-hour days.
- 20% declared having no days off. 77% said they had 1 or 2 days off a month while 3% had 4 days off a month.
- 6% knew what a collective agreement was. Of those, 100% thought a collective agreement would improve their conditions of employment.

# WORKERS SABAY CERTIFICATION

The surveys' results led us to consult with the Cambodian Tourism Federation, the Cambodian Food and Services Workers Federation and the Ministry of Tourism to create a certification process that would encourage employers to adopt the Cambodian Labour Law as an essential management tool for their business.

## *Workers Sabay certification process: what is it?*

The Workers Sabay certification is a quality standard. By engaging in the workers sabay certification process, employers commit to improving their human resource practices, as well as employees' well-being and productivity.

## *How does it work?*

Employers who wish to participate must agree to adopt the Workers Sabay Code of Conduct, a series of workplace principles implemented in each establishment through workplace policies.

## *What is the purpose of workplace policies?*

Workplace policies serve both practical and legal purposes. Workplace policies are written documents that enable employers to implement labour law, while adapting it to the specific needs of their workplaces. It is important that employers adopt workplace policies because the government has recently issued instructions (Praka 194) that may lead to employers being fined for not implementing the labour law within their workplace.



Furthermore, workplace policies tell employees how to behave and what to expect. They are a critical tool of modern-day management.



***But I already have developed workplace policy documents for my workplace...***

That's great! There are still several benefits for you to join the project and have your establishment certified as Workers Sabay. Some of those benefits include receiving:

- Support to assess and adapt your workplace policies if necessary (for employers)
- Training on labour law (for employers and employees)
- Training on communication skills and how to resolve conflicts in the workplace (for employers and employees)
- Free advertising in tourist guides, food and beverage publications, websites, etc.
- Long-term development and competitive advantage for your business

***I don't understand – how can I receive free advertising?***

To provide value to business owners, quality standards must be advertised broadly and recognised by customers. In the case of Workers Sabay, it is important that customers understand the choice they make by choosing an establishment certified as Workers Sabay over a non-compliant establishment. Customers, especially foreigners, are very interested in knowing how an establishment's staff are treated. The Workers Sabay certification gives them proof that the establishment complies with labour law and gives staff decent conditions of employment. Over time, as awareness amongst tourists grows, they will give their business to Workers Sabay establishments only and non-compliant businesses will lose business.



# Timeline of activities

1. Employer agrees to implement Workers Sabay Code of Conduct at his/her establishment
2. Employer attends a free 1-day workshop in regards to labour law, communication and the resolution of issues and concerns in the workplace
3. Employer signs the code of conduct and schedules 3 outreach education session for his employees at the end of the 1-day workshop
4. Employer receives free on-the-job mentoring the help ensure the hospitality business is labour law compliant
5. Ministry of Tourism official visits employer's workplace and certifies the establishment as "Workers Sabay"
6. The employer receives a framed code of conduct and certification document
7. Employees receive three outreach education sessions for free in regards to labour law, communication and the resolution of issues and concerns in the workplace
8. ACTED visits the employer's workplace to resolve issues, if any, and support the implementation of the Workers Sabay