

IMPACTS IN RESTRICTING THE EMPLOYMENT of FOREIGN LABOURS IN MALAYSIAN CONSTRUCTION INDUSTRY

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ABSTRACT

The Malaysian construction industry is greatly depending on the foreign labours to carry out works due to shortage of the local labours. This has increased the amount of foreign labours in Malaysian construction industry and also has affected the social problems in the country. In February 2016, the government has come to an agreement to restrict the employment of the foreign labours in order to lessen the reliant of the foreign labours. Therefore, this research was conducted to study the impacts of restricting the employment of foreign labours in Malaysian construction industry and also to propose the strategies for contractors to overcome the restriction of the foreign labours. A quantitative method was employed in this research by obtaining the data from questionnaire survey to 44 numbers of G7 contractors in Selangor. The data were analysed using statistic method and mean index analysis. The results indicate numerous impacts due to the restriction of foreign labours. Amongst the impacts are the increase of labour cost such as raising the wages, bonus and incentives to attract the local labours to work in the construction industry and increase the employment of illegal and local labours at construction site. However, there are strategies to overcome the restriction of foreign labours which are fully optimize the used of available labour, provide training to the unskilled labours and apply technologies, plant and machineries to substitute the labours. This study will be beneficial to contractors in order to manage the human resources in the construction industry.

Keywords: Construction Industry; Foreign Labours; Resources Management; Restriction.

1.0 INTRODUCTION

Construction projects are extraordinarily complex that contains numerous interdependent and interrelated activities. Every activity must be strictly controlled, so as to accomplish a project successfully by achieving the construction procurement triangle (cost, time and quality). To attain these procurement triangle, management of the resources becomes a significant factor. It is important to deal with the resources such as labour, money, machinery, materials and time that contribute to the attainment of the project activities effectively (Nagaraju et.al, 2012). Among the resources, labour is a precious asset as the construction sector requires labour intensive to complete the construction works.

According to Malaysian Employers Federation (2014), Malaysia is predominantly a destination country for the foreign labours from South East Asian and South Asian countries. The foreign labours are generally employed as unskilled and semi-skilled labours in manufacturing, plantation, agriculture, and construction sector. Throughout the last few decades, Malaysia suffered the shortage of local labours in certain industries of the economy

(Marhani, 2012). The foreign labours that were employed to fulfill the demand of the industry cause high dependency and increment numbers of foreign labours in Malaysia.

Employment of the foreign labours has influenced the economic growth, health and social problems in the country. As the government has agreed to bring the employment of the foreign labours to an end in February 2016, it will constrain the admission of the foreign labours to Malaysia (The Star, 2016). The restriction is aimed to mitigate the dependency of foreign labours, to concentrate on the social problems produced by a huge intrusion of foreign labours and to enforce the contradiction of illegal foreign labours in Malaysian construction industry (The Jakarta Post, 2016). Hence, restriction of foreign labours has been done to limit the number of foreign labours in Malaysia by the government (Ling, 2016). Thus, the focus of the paper is to study the impacts of restricting the employment of foreign labours in Malaysian construction industry and also to propose the strategies for contractors to overcome the restriction of the foreign labours.

2.0 LITERATURE REVIEW

2.1 Foreign Labours

As stated by the Malaysian Employer Federation (2014), a foreign labour is expressed as the non-Malaysian citizen or the Permanent Resident (PR), nonetheless, the individual is allowed for employment and a short-term stay on Visit Pass (Temporary Employment) – VP (TE) or Pas Lawatan (Kerja Sementara) – PL (KS). The legal foreign labours are employed under the lawful Temporary Employment Pass distributed by the Department of Immigration. In other words, the foreign labour is an individual who employed in a country on a temporary basis to which the individual is not a citizen of the particular country to deliver the skills on a contractual base that the country pursues.

Those labours consist of skilled and unskilled, legal and illegal labours (Mohamed, Ramendran & Yacob, 2012). Above and beyond, The United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families lawfully describe a foreign labour as an "individual who is to be engaged, is engaged or has been engaged in a remunerated event in a status of which he or she is not a national". This agreement has been approved by Mexico, Brazil and the Philippines (in the company of many other countries that contribute foreign labours) though it has not been endorsed by the United States, Germany and Japan (along with the countries that be contingent on the cheap foreign labour) (Aman, 2008).

2.2 Labours in Malaysian Construction Industry

The construction sector is one of the greatest advanced and developing sector in Malaysia. As said by Sundaraj (2007), the construction sector is one of the constructive sectors that regularly contribute to the economy of the nation. The construction industry in Malaysia was expressed as the industry that involves a great rate of labour force (Ahmad, 2009).

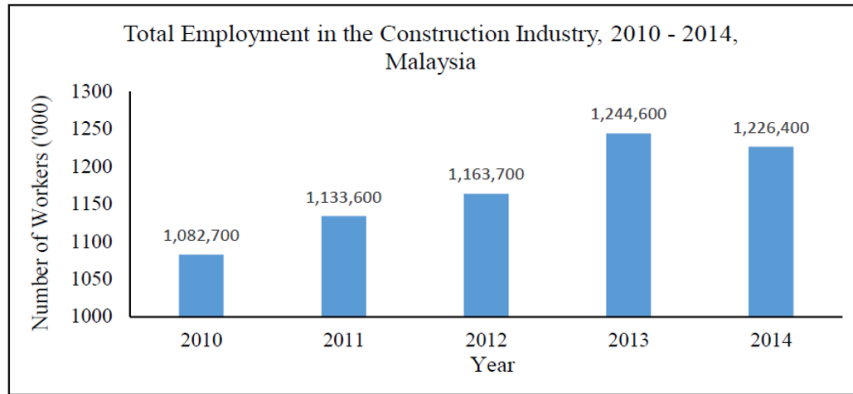


Figure 1.0: Employment in the Construction Industry. (Economic Planning Unit, 2016)

Fundamentally, there are two categories of labours in the construction sector in Malaysia, which include the foreign labours and the local labours. In the research conducted by Hamid et. Al (2011), 50% from the total labours in the construction sites are foreign labours. In accordance with the statistics from the Ministry of Home Affairs (2016), the tendency of the foreign labours to be employed in the Malaysian construction sector was raised from 2011 to 2015. As a result, the requirement to employ the foreign labours has increased.

According to Skills Development Division of the Ministry of Human Resources (2013), the labours can be divided into three categories:

- (i) Non-skilled and semi-skilled labours with diminutive or without construction experiences.
- (ii) Skilled site managers with great experiences of their skills, expertise and profession.
- (iii) Technical and administrative labours comprise of high levels of experiences such as undergraduates from university and training to accomplish the construction process.

Majority of the foreign labours in the subsector is non-skilled and semi-skilled labours which they will attain job experience as soon as they join the industry (Ministry of Human Resources of Malaysia, 2013). The non-skilled and semi-skilled foreign labours are those who have narrow experience and skills as well as low payment. In Malaysia, the labours who have low education and lower payment which is less than RM3 000 monthly are categorized under low-skilled foreign labours. Additionally, they are distributed with the Visit Pass for Temporary Employment (VPTE) to regulate and control their admission and recruitment. VPTE of low-skilled labours with one year validity are able to be renewed for five years (Ministry of Human Resources of Malaysia, 2013). The non-skilled and semi-skilled labours are only allowed to be employed in the manufacturing, construction, plantation, agriculture and the services industries.

The foreign labours are employed from fifteen source nations such as Thailand, Nepal, Myanmar, Vietnam, Philippines, Bangladesh and India. All countries allowed labours to be employed in the construction industry except Bangladesh. Nonetheless, the labours from India are only permitted to work for high tension cable in the construction sector. (Immigration Department, 2016).

According to Rahim et.al. (2014), construction sector is facing a shortage of local labour force issue. For example, Mass Rapid Transit (MRT) project requires estimated of 130,000 construction labours of numerous trades. Recently, the local labours are incapable to achieve the demand of the construction market. Thus, the contractors are eager to bring

in the foreign labours to fulfill the requirements of the labour market in the construction industry owing to the nation's economic growth tremendously. This has been supported by Wong (2011) who stated that the construction sector in Malaysia has been going through a serious shortage of labour force. This is also supported by Human Resources Minister Datuk Seri Richard Riot Jaem that Malaysia needs foreign labours to meet the shortage of workers recently to meet country's economic growth (New Straits Times, 2018).

Hamid et al. (2013) stated that the foreign labours are able to benefit the employers due to low wages and eager to work over-time compared to the local labours. The local labours are turning out to be reluctant to work with extra hours or to work in the night shifts. Though, the foreign labours are keen to bear with the risks of this kind of job.

2.3 Impacts in Restriction of Foreign Labours to Malaysian Construction Industry

Restriction of foreign labours contribute various impacts to the construction sector in Malaysia. In general, the positive impact will be the ability to mitigate over reliance on foreign labours and the occurrence of the social issues (Rahman et al., 2012). Meanwhile the negative impact cause shortage of labour force in the industry (Wong, 2014).

As stated by Hind & Moss (2011), the ability of employment was affected by employee's knowledge, experience, skills and expertise. Such employability was caused by both supply and demand factors. It is believed that restricting the admission of the foreign labours in Malaysia may increase the demand of local labours. As a result, the dependency of employer on foreign labours in construction industry can be reduced.

According to Kanapathy (2006), the illegal foreign labours who evaded the compulsory health examination had been a source of infectious diseases like malaria, tuberculosis. Moreover, the arrival of the foreign labours affects the public safety and security as some of them are proven involved in the crime issues. So, the restriction of foreign labours may be able to reduce the existence of social issues in the country.

As mentioned in a labour shortage survey report by the Manpower Group (2017), the shortage of workforce may cause the contractors to raise the costs. The contractors are forced to pay more in order to maintain and improve the usage of the subcontractors to achieve the project goals. Based on the survey, 59% of the construction companies had risen the base income rates for the construction labours in an attempt to draw the labours' attention, whereas 24% were delivering the incentives and/or additional benefits as well as 23% have improved the contributions to, or providing the subsidies for the labours. Henceforth, the labour wage rate is the significant issue that influences the construction cost estimate and has considerable impact on the cost of the project (Mahadik, 2015). As reported by Eshofonie (2008), unequal labour availability rated 13th within 40 main reasons influencing the cost of construction. Lack of workforce encourage the construction firms to raise the payment, provide allowance and extra pay for the overtime to assure the labours are able to complete the task willingly.

In accordance with Healy, Mavromaras & Sloane (2011), lack of inner skill or narrow job arrangements can also be the obstacles in contending with the workforce shortages. As a result, the labours who are experienced only in a particular set of job may be not capable to perform a wide range of works in other tasks that eventually will influence the project performance.

As said by Ali et al. (2012), lack of labours was rated the first issue that contributed to postponement in the construction projects by the contractor. Subsequently, delays turn out to be one of the significant issues in the construction sector. It happens in most of the construction projects and the importance of these delays differs substantially from a project to another project.

Lau (2016) echoed that the restriction of the foreign labours will raise the entry of illegal labours in Malaysia. Besides, Kanapathy (2008) mentioned that regardless of the strict penalties on employers who employ illegal foreign labours, certain employers persist to do so, that eventually cause the employment of illegal foreign labours to be much cheaper.

2.4 Contractors' Strategies on Restriction of Foreign Labours in Malaysia

The contractors' approaches are significant to overcome the restriction of foreign labours in Malaysia. Consequently, the construction projects can be done efficiently and successfully without affected by the restriction of the foreign labours.

According to CIDB (2013), the subcontracting or outsourcing the labour helps the main contractors to reduce the liability for the labour retention, decreasing the overhead and enhancing the quality and output as well as greater cost control. This approach can be employed in countries where the cost of the workforce is enormously high or where the rules and regulations are intricate.

The restriction of foreign labours set off limitations on the amount of the foreign labours available in the construction sector. So, it is essential to create a resource planning schedule to identify the category and quantity of resources as well as the period for which they needed (Memon & Zin, 2010). Leveling of the resource is the alternative technique for identifying and mitigating the consequence of the low resource to ensure that no resource is in excess of allocated.

In addition, the organization is able to come to a decision to raise the productivity of the labours for allowing them to work for extra hours, lengthening the full-time working period and employ the part-timers to work for the full-time period (Henkens, Remery & Schippers, 2008). This approach is able to decrease the amount of labours needed to meet the demand. The contractors can direct the vacant labours to work overtime with the intention of ensuring the work to be accomplished within the specific time frame.

It is essential for the contractors to constrict the work plan by selecting a strategy that is able to speed up the project while reducing the cost impacts to the entire construction activities. It can be accomplished by introducing multiple shift work system (Hanna et al., 2008). The positive impacts of establishing the multiple shifts on the productivity turn out to be a great option in place of overtime and over-manning.

For the hasty construction with less risk and greater quality, there has been an increment in the usage of the machinery and the equipment in the construction sector. The human endeavors and risks are mitigated by the consumption of the machinery. The machinery raises the outcome of the construction project, shortens the duration and minimizes the labour works, improves the construction safety as well as enhancing the quality of the work as compared to the unskilled labours (Momin, Patil & Nale, 2015).

According to Hamid, Singh & Mazlan (2013), completely optimize the available labour had the greatest index on the approaches taken by the contractor to solve the issue of labour shortage. The keenness of the construction firms in bidding the price in the market triggered the contractor to establish the optimal strategies for mitigating the irrationally high expenses (Šiškina, Juodis & Apanavičiene, 2009). The construction firms can optimize the labours by the rearrangement of the labours workload flow as well as the exact job assignment. Relatively, the basis was concern on the maintaining a foreseeable work flow and hence to be able to attain the available work load that is suitable with the working hours.

The other strategies that has been found by Dada & Ekpe (2006) is by encouraging labour to have multi-skilling. Multi-skilling refers to labour utilization techniques whereby the labours are capable to work in numerous trades. Multiple skills caused the labours to be more valuable, hinders specialization, with the potential of more unceasing recruitment, decreases the idle period of the labours together with enhancing the productivity in the construction projects. Moreover, Lill (2008) stated that the labours with multiple skills allow them to be adaptable to unpredictable activities and permit the manager for more adaptable usage of their abilities. As stated by DeVaro & Gürtler (2016), to develop multiskilling, construction firms should allocate the labours into the proper training.

3.0 METHODOLOGY

A quantitative method was adopted in this research. The data was collected through questionnaire surveys. Random sampling method was applied to select the targeted respondents. A total of 100 questionnaires were sent out to G7 contractors' companies in Selangor through email and 44 respondents replied. The questions of survey were designed in multiple choices format using Likert Scale (1= strongly disagree 2=disagree, 3=neutral 4=agree, 5=strongly agree). The outcome from the questionnaire were made based on the ranking of mean index analysis for each sub-question. The results collected were analysed and interpreted accordingly in order to achieve the research's objectives by using proper tabulations.

4.0 FINDINGS

In the questionnaire survey, the respondents were asked on their perspectives of labour in the construction sector in Malaysia. The results show that the contractors are strongly agree that majority of the labours in the construction industry are foreign labours and there is a lack of local labours participating in the construction industry, which both attains the mean index of 4.24. In addition, the respondents are also strongly agree that the construction site has high dependency on foreign labours and they play a significant role in the construction activities, which both carries a mean score of 4.26. Besides, the respondents also agree with the statement saying that "there is a lack of foreign labours in the construction sector" which has a mean score of 3.35 as shown in Table 1.

Table 1: Mean index on contractors’ perspective of labour in the construction sector in Malaysia

Perspectives	Mean Index
Majority of the labours in the construction site are foreign labours	4.24
Lack of local labours participated in construction site	4.24
High dependency on the foreign labours	4.26
Foreign labours play a significant role in the construction activities	4.26
There is a lack of foreign labours in the construction sector	3.35

4.1 Impacts in Restriction of Foreign Labours to the Construction Projects

Table 2 indicates the research findings on the impacts of restriction of foreign labours to the construction projects. It is found that the dominant impact is raising the cost of the construction project in term of the Labour cost (raises the wages of the existing labours and offer incentives or bonuses), which contribute to the greatest mean score of 3.93. As said by Eshofonie (2008), construction cost may increase due to labour shortage in the industry as the contractors are required to pay high salary for employing local labours. Plus, they need to raise the wages of the existing labours, offer incentives or bonuses and enhancing the benefits of the labours with the intention to retain the existing labours (AGC of America, 2014).

Additionally, the next impact is increases the employment of the illegal labours by the contractors. This impact carries a high ranking in the table with the mean index of 3.81. As stated by Lau (2016), the restriction has raised the amount of the illegal labours in order to save cost and to overcome the labour shortage issue. It explains that the illegal labours were employed to substitute the shortage of the foreign labours in the construction sector. Increases the employment of local labours to work in the construction industry as well as mitigates the dependency on the foreign labours have been considered as one of the impacts of the restriction of the foreign labours by the respondents with mean index of 3.73 and 3.53 respectively. According to Mohammed, SPR and Yacob (2012), the increasing number of foreign labours threatens the employment rate of local labours and cause great competition for jobs. Hence, this is prove that the restriction of foreign labours are able to mitigate the dependency of the foreign labours and enhance the employment rate of local labours.

Furthermore, it discloses that restriction of the foreign labours influences the time performance of the construction activities in the industry. As shown in Table 1, it illustrates that majority of the responded contractors agree with the key statement of “delays in a construction activity” with the mean index of 3.50. The analysis result is tolerated by Ali et al. (2012), that the shortage of the labours was ranked as the first factor that allowed the delay in the construction activities by the contractors. The construction project cannot be accomplished within the specific time frame and obey the schedule because of the shortage of the labours.

In addition, the results show that there are low mean index (2.93) of respondents agree that reducing the quality of work is an effect of the restriction. This has been supported by CIDB (2015) stated that Labour productivity has been affecting by the quality of the workmanship or skill of the labours. Generally, the unskilled labours have been deducing that they produced low quality of workmanship during the construction process. Thus, this is able to support the analysis of the study that the restriction of the foreign labours does not influence the quality performance of the construction activities.

There are also less respondents agreed that the restriction of the foreign labours is able to reduce the social issues in Malaysia, which has the lowest ranking in the list with 2.90 mean index. This is parallel to Kanapathy (2006) who found that there is an average of 4 foreign labours carrying out the crimes per 1000 foreign population daily in the international construction industry whereas the Malaysians construction industry are about 6 foreign labours over 1000 foreign population committing crimes per day. This means that the accountability of the foreign labours in dealing with the social issues in Malaysia is low.

Table 2: Ranking for the Impacts of the Restriction of Employment of Foreign Labours in Construction Project.

Key Elements	Mean Index	Ranking
Raises the cost of the construction project (raises the wages of the existing labours and offer incentives or bonuses).	3.93	1
Increases the employment of the illegal labours by the contractors.	3.81	2
Increases the employment of the local labours.	3.73	3
Mitigates dependency of the foreign labours.	3.53	4
Delays in the construction activities.	3.50	5
Reduces quality of work.	2.93	6
Reduces social issues in Malaysia.	2.90	7

4.2 Strategies to deal with the restriction of the foreign labours

Table 3 shows ranking on Contractors' point of view regarding strategies to deal with the restriction in employment of foreign labours. The results indicate that there are two main recommendations with a high mean scores and engage the top rank among the other recommendations. These includes fully optimize the used of available labour (4.30) and provide training to the unskilled labours (4.14).

Amongst all, it is found that the most recommended strategy is to fully optimize the available labour including resource levelling. This analysis is similar to the report carried out by Hamid, Singh & Mazlan (2013) that depicted fully optimize the used of available labour was the most common strategy that established by the contractors to deal with the shortage of the Labour.

The next recommended strategy is providing training to the unskilled labours. This finding is parallel to Broek (2012), who found out that training of the unskilled labours is successfully to work with the long term shortage of the labour. Therefore, it is believe that this is one of the recommended strategy to overcome the restriction of the foreign labours in Malaysia.

Other than that, it is found that applying technologies, plant and machinery to substitute are also the effective options in mitigating the restriction of foreign labours in the construction sector with mean index 3.89. As stated by Momin, Patil & Nale (2015), the plant and machinery increase productivity of the construction activities, decrease workloads of the labours, mitigates the construction risks and produces a better performance of work as compare to the employment of the unskilled labours.

Subsequently, another effective strategy with mean index of 3.84 goes to encourage the employment of multiple skills labours in the construction industry by providing training. With the utilization of the multiple skills labours in the construction activities, it is able to improve the labour utilization in a construction project (Lill, 2008).

The three lowest mean index goes to subcontract of the labours (3.27), establish multiple shifts work system (3.09) and also encourage the labours to work overtime (2.80). Most of the respondents suggest that these strategies are acceptable in overcoming the restriction of the foreign labours in Malaysia. According to CIDB (2013), subcontracting of the labours generates benefits to main contractors in the construction activities. It is appropriate to establish in countries that contain tremendously high cost of Labour or complicated regulations. Plus, establishing the multiple shifts work system occupies a higher ranking than encouraging the Labour to work overtime, which was supported by Hanna et al. (2008), who mentioned that establishing multiple shifts work system on the productivity was a greater option rather than working overtime.

Finally, prolong the full time working week was suggested as one of the strategy with 2.59 mean index and it occupies the lowest rank in the list among the other strategies. Broek (2012) urges that contractors' firms require to contribute higher wages to maintain the labours to work for a long hours. Therefore, prolonging the full time working week is not a preferable strategy for the contractors to deal with the restriction of the foreign labours in Malaysia as workers who works in a shorter time were more productive rather than working in a longer time (Pencavel, 2014).

Table 3: Ranking of the Contractors' Point of View Regarding the Effectiveness of the Strategies to Deal with the Restriction of the Foreign Labours.

Key Elements	Mean Index	Ranking
Fully optimize the used of available labour including resources leveling	4.30	1
Provide training to unskilled labours	4.14	2
Apply technologies, plant and machinery to substitute the labours	3.89	3
Encourage the employment of multiple skills labours by providing training	3.84	4
Subcontract of labours	3.27	5
Establish multiple shifts work system	3.09	6
Encourage labour to work overtime	2.80	7
Prolong the fulltime working week	2.59	8

5.0 CONCLUSION

As a conclusion, the main impacts in restricting the employment of foreign labours in Malaysian construction industry is the rises of construction cost especially in labour cost. This is because construction firms are required to raises the wages of the labours, bonuses, incentives or benefits to maintain the existing labours in the industry. In addition, it also will increase the employment of illegal labours by the contractors. It is also found out that by restricting the employment of foreign labour, it will increase the number of local labours working at construction site. Therefore, to overcome the restriction of the foreign labour

issue, this study suggests to fully optimize the used of available labour, provide training to the unskilled labours and apply technologies, plant and machineries to substitute the labours.

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