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Using HRDD Laws to Address Human Rights Issues among Macau Bus Drivers At Work

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Abstract. Although Macau has laws such as the Labor Relations Law and the Domestic Violence Prevention and Control Law to protect people's basic rights and interests, it lacks a more professional Human Rights Due Diligence (HRDD) Law. Macau bus drivers, who play an important role in Macau's tourism industry, suffer from emotional exhaustion due to long working hours, a single salary structure and management's tendency to take punitive measures. This research examines the application of Macau's HRDD legislation, specifically analyzing its role in detecting, addressing, and reducing workplace rights violations within the public transportation sector. The five steps of HRDD include: human rights impact assessment, integration of assessment outcomes with corporate processes, publication of policy commitments, establishment of internal remedial mechanisms, tracking of response measures and external communication. This paper examines the HRDD legislation in both France and Germany, applying the five-step HRDD framework to address human rights concerns among Macau's bus drivers.

Keywords: Human Rights Due Diligence Law, Macau Bus Drivers, Labor Rights Protection, Emotional Exhaustion.

1. Introduction

As an international tourist city, Macau's public transportation system is the core pillar of the city's operation. Bus drivers undertake high-intensity transportation tasks. However, in recent years, problems such as overtime work, occupational health hazards, and salary disputes have been frequently exposed, reflecting the defects in the protection of labor rights and interests in the bus driver industry. In terms of physical health, drivers have long-faced problems such as unreasonable shift systems and insufficient rest time. In terms of mental health, there is a lack of systematic intervention for occupational health problems such as psychological stress and emotional exhaustion caused by the closed driving environment. Although Macau has introduced a Macau Labor Relations Law to protect workers' rights, it lacks a professional HRDD Law. Compared with Macau Labor Relations Law, HRDD Law requires companies to proactively identify and prevent human rights issues and expand from a single labor relationship to human rights impacts through the whole value chain [1]. This paper aims to introduce the concept of HRDD Law to solve the problem of emotional exhaustion that Macau bus drivers have at work. This paper addresses the problems faced by Macau bus drivers at work through the five steps of HRDD. Furthermore, this paper discusses related

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French HRDD Law and German HRDD Law. French legislation outlines a civil liability framework that allows victims to pursue compensation via legal means. Meanwhile, German regulation requires a specific government body to consistently scrutinize and audit firms in compliance with the HRDD Law. This paper hopes to provide a reference for the introduction of a dedicated HRDD Law in Macau in the future.

2. Overview of HRDD

2.1. Definition of HRDD

Continuously identifying, resolving, and reducing human rights risks in supply chains and company operations is known as human rights due diligence [2]. In order to increase their accountability for rights of humanity and environmental norm violations in operations and value chain, companies covered by due diligence regulations should adhere to certain due diligence standards [3].

2.2. Origin and development of HRDD

The development of HRDD laws stems from advancements in global human rights frameworks, especially the UN Guiding Principles on Business and Human Rights (UNGPs). The launch of UNGPs highlights an increasingly prominent role of informal norm-making mechanisms and private entities in the field of international law [4]. Consequently, many countries have introduced domestic laws concerning business and human rights, transforming HRDD from a voluntary commitment into a mandatory legal obligation.

2.3. International status of HRDD

In the past decade, multiple jurisdictions have progressively enacted specialized legislation mandating HRDD, including pioneering frameworks like the EU's Non-Financial Reporting Directive and more recent adoptions such as Canada's Modern Slavery Act. At present, although there are certain legal areas in Macau, China, which involve the protection and research of human rights. For instance, the M acau Labor Relations Law that guarantee the right to work and the Macau Domestic Violence Prevention and Control Law that focuses on vulnerable groups. However, there is no clear evidence that Macau has a special HRDD Law.

3. Problems existing in the work of Macau bus drivers

According to scholars from Taiwan, they studied the impact of role overload and work-family conflict on emotional exhaustion [5]. Role overload refers to the huge psychological pressure caused when employees perceive that the actual work requirements exceed their own capabilities. Since Macau belongs to the Hong Kong, Macau and Taiwan regions, Macau and Taiwan have similarities in many aspects. Therefore, the premise of this paper is that Macau bus drivers face the problem of emotional exhaustion due to role overload.

In the workplace, human rights encompass the essential entitlements and liberties that employees are inherently entitled to during employment [6]. Workplace human rights ensure fair treatment, guard against bias, and maintain occupational health and safety standards. Human rights include the right to a safe and healthy working environment, which ensures workers perform duties without compromising physical or mental health [7]. Mental health problems can violate human rights by

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affecting healthy work environments. Emotional exhaustion is a mental health problem, so emotional exhaustion can intermittently violate human rights.

The study identifies three primary causes of emotional exhaustion among bus drivers in Macau: Problem one, unreasonable working hours arrangement. Problem two, the remuneration mechanism is single. Problem three, management measures tend to be punitive rather than rewarding. This paper takes the Transmac Company, one of the two major bus companies in Macau, as an example.

First of all, the bus driver's work tasks are set by the government and the New Welfare Corporation. In addition, the 2023 edition of Macau Daily News reported that bus drivers did not have enough rest time [8]. Therefore, it is difficult for bus drivers to have flexible working hours and manage their own working hours. Long working hours and sedentary working posture lead to cardiovascular problems and obesity among bus drivers [9]. Secondly, the variable-pay programs' options of the Transmac Company are very limited. According to the official website, Transmac Company has passed the quality management ISO9001:2015 certification. The ninth point of performance evaluation in this certification system manual repeatedly uses the terms "process performance" and "performance of external suppliers". This shows that the Transmac Company chose to use merit-based pay and bonuses for performance wages. Finally, according to the improvement measures of bus service evaluation, the bus company will take various measures to improve the safety awareness and service quality of the drivers, including recall education and retraining, bonus deduction, suspension, etc. For repeated safety or service problems, such as violating safe driving regulations, being involved in serious traffic accidents resulting in passenger injuries, unreasonable absences, etc., the driver concerned may be persuaded to resign or dismissed [10]. The data provider for this improvement includes Transmac Company, so it is reasonable to infer that Transmac Company has taken punitive measures. Transmac Company has had negative consequences such as bonus deductions and suspensions to reduce bus drivers' violations of safety regulations and unreasonable absences.

4. Application of HRDD law to labour rights issues of Macau bus drivers

The passage of the HRDD Law by Macau's legislature marks a groundbreaking regulatory strategy, mandating that multinational corporations integrate human rights compliance mechanisms throughout their international activities, in accordance with globally recognized standards.

Partiti E's study highlights that effective human rights due diligence extends beyond policy declarations and internal reforms. It necessitates comprehensive impact evaluations, systematic integration of results into business processes, continuous performance tracking, and transparent stakeholder engagement. Therefore, this paper will provide comprehensive solutions from the following five aspects. The process of due diligence in human rights is: human rights impact assessment, integration of assessment outcomes with corporate processes, publication of policy commitments, establishment of internal remedial mechanisms, tracking of response measures and external communication.

First, in terms of human rights impact assessment, following the EU's CSDDD Law, the target company's due diligence obligations include a designated list of international human rights and environmental standards. Among them, "adverse human rights impact" is mainly defined in CSDDD Law as: violation of human rights and fundamental freedoms. Regarding question one, Extended working hours for bus drivers contribute to both physical and mental health issues. Macau bus companies can publish relevant questionnaires to understand the physical and mental health of Macau bus drivers. Regarding the second question, the limited salary structure of bus drivers leads to emotional exhaustion in an unhealthy working environment. Macau Bus Company can choose a

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flexible benefits policy and add a corresponding reward mechanism. Regarding question three, the management's tendency to take punitive measures leads to emotional exhaustion in an unhealthy working environment. The Macau Bus Company can adjust its management policies appropriately.

In terms of integration of assessment outcomes with corporate processes, the Macau Bus Company embeds the assessment results into corporate decision-making and operational processes to ensure that human rights risks are systematically managed. Regarding question one, after the bus drivers filled out the questionnaire, the Macau Bus Company reasonably changed or arranged a new work schedule and shift system. This ensures that the human rights of bus drivers to work in a healthy environment are protected. Regarding question two, Macau Bus Company can increase the diversity of its reward mechanism based on flexible benefits policies. For example, if bus drivers complete a certain number of bus trips, those who voluntarily work overtime can receive bonuses or small shares. Regarding question three, the Macau Bus Company can implement more encouraging measures, such as holding commendation conferences regularly to commend outstanding employees.

In addition, in terms of issuing policy commitments, for Macau bus companies that fail to fulfill their due diligence obligations, the Macau SAR government can refer to the French Duty of Vigilance Law to introduce a civil liability system. Victims can start legal proceedings in local courts to pursue compensation for damages caused by a company's neglect of its due diligence responsibilities. When the human rights of Macau bus drivers are violated, they can file a lawsuit in the local court and obtain financial compensation from the bus company.

Regarding the establishment of internal remedial mechanisms, the Macau Bus Company can set up an anonymous complaint box within the company to provide employees with a safe channel for complaints. In addition, after receiving complaints from employees, for complaints of a lesser degree, the Macau Bus Company can choose non-material remedies, such as public apologies, provision of training, etc. In the face of more serious complaints, even to the extent of violating relevant local laws, the Macau Bus Company faces material compensation, such as wage compensation, medical expenses payment, etc. Finally, after the compensation is completed, the Macau Bus Company needs to make systemic improvements, such as revising the company's internal policies.

Finally, tracking response measures and external communication. In terms of tracking response measures, the Macau SAR government can refer to the German Act on Corporate Due Diligence in Supply Chains. Macau government can set up a special agency to establish a public supervision, inspection and enforcement mechanism, conduct regular reviews and audits, so as to achieve the purpose of continuously monitoring the effectiveness of measures. In terms of external communications, the Macau Bus Company maintains transparency by continuously communicating progress with stakeholders and the Macau Federation of Trade Unions.

However, there may be problems with the legal connection between the existing laws in the Macao Special Administrative Region to protect human rights, such as the Macau Labour Relations Law, and the HRDD law that this paper hopes to introduce in Macao. When the specific content of Labor Relations Law overlaps with HRDD law, the issue of legal hierarchy becomes prominent. Specifically, when Macau bus drivers file lawsuits or arbitration for infringement, the issue of applicable law arises. In addition to constitutional laws and national laws, Macau's local legal hierarchy includes laws, administrative regulations and other normative documents. Since laws protecting human rights, such as the Macau Labour Relations Law, belong to the legal level, this paper suggests that the Macau legislature could supplement the HRDD Law with administrative regulations.

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5. Conclusion

This paper aims to introduce the concept of HRDD Law to address the problem of emotional exhaustion among Macau bus drivers at work.

Firstly, this paper provides a solution to the problem of Macau bus drivers according to the five steps of the HRDD approach. In terms of human rights impact assessment, the Macau Bus Company can publish questionnaires on relevant issues, increase reward mechanisms based on performance evaluation, and appropriately adjust management strategies to alleviate the emotional exhaustion problems caused by the above three reasons. In terms of integration of assessment outcomes with corporate processes, after understanding the health status of Macau bus drivers, Macau Bus Company can update the work schedule or shift system. At the same time, Macau Bus Company can appropriately incentivize outstanding employees with bonuses or small shares based on flexible benefits policies.

Secondly, in terms of issuing policy commitments, the Macao SAR government could refer to the related French HRDD Law to introduce a civil liability system, allowing Macao bus drivers to initiate legal proceedings in local courts to seek compensation for damages. In terms of establishment of internal remedial mechanisms, the Macau Bus Company first needs to set up an internal complaint channel to allow employees to have the right to complain. After that, in the face of minor and serious complaints, the Macau Bus Company can choose non-material redress and material compensation respectively. After completing the remediation, in order to ensure that similar problems do not occur again, the Macau Bus Company needs to make systematic improvements to the company's internal policies.

Finally, in terms of tracking of response measures and external communication, the Macao SAR government can refer to the related German HRDD Law to set up a special agency to establish a public supervision, inspection and enforcement mechanism. Furthermore, this paper suggests that Macau bus companies need to maintain real-time communication with stakeholders and trade unions to improve transparency.

While Macau’s existing legal framework, including the Labor Relations Law, provides fundamental protection for workers, it lacks comprehensive HRDD requirements. This study proposes the adoption of dedicated HRDD legislation in Macau to bridge this regulatory gap. Such legislation would enhance workplace protections—particularly for vulnerable groups like public transport workers—while aligning legal accountability with broader social justice objectives.

A key limitation of this research is its insufficient examination of how the proposed due diligence law would interact with Macau’s current labor regulations. For instance, the Labor Relations Law does not incorporate structured risk assessment mechanisms. Drawing inspiration from international models, this paper suggests integrating provisions akin to France’s Plan de Vigilance, which obligates companies to systematically identify and address risks such as forced labor and child exploitation.

This study explores the prospective adoption of dedicated HRDD legislation in Macau, analyzing its potential to strengthen corporate adherence to global human rights standards, protect labor rights and entitlements, and optimize regulatory structures to promote equitable social development.

References

[1] Proforest. (2024, November 26). Human rights due diligence: a systematic approach to respecting human rights. Retrieved from https: //www.proforest.net/fileadmin/uploads/proforest/Photos/Publications/BN_15_HRDD_26_November_2024.pdf

DOI: 10.54254/2753-7048/2025.LD25480

[2] Li, Z. and Xiang, Y. (2024). Domestic mandatory human rights due diligence laws as global business and human rights regulation. American University International Law Review, 40(2), 319-415.
[3] Lichuma, C.O. (2024). Mandatory human rights due diligence (mHRDD) laws caught between rituals and ritualism: The forms and limits of business authority in the global governance of business and human rights. Business and Human Rights Journal, 9(2), 250-269.
[4] Partiti, E. (2021). Polycentricity and polyphony in international law: Interpreting the corporate responsibility to respect human rights. International & Comparative Law Quarterly, 70(1), 133-164.
[5] Chen, C.F. and Hsu, Y.C. (2020). Taking a closer look at bus driver emotional exhaustion and well-being: Evidence from taiwanese urban bus drivers. Safety and Health at Work, 11(3), 353-360.
[6] International Labour Organization. (n.d.). ILO declaration on fundamental principles and rights at work. Retrieved from https: //www.ilo.org/about-ilo/mission-and-impact-ilo/ilo-declaration-fundamental-principles-and-rights-work
[7] Vijayakumar, G. and Rajagopal, S. (2024). Addressing workplace bullying: Protecting human rights in the modern workplace. Revista De Gestão Social E Ambiental, 18(2), e04994.
[8] Exmoo. (2023, August 31). Two buses: Ensure that the bus driver has sufficient rest time. Retrieved from https: //www.exmoo.com/article/225116.html
[9] Zhang, Z., Yang, J., He, H., Huang, C. and Lin, Z. (2021). Analysis of results of an annual health checkup of male drivers from a bus company in Macau. Clinical Research, 23(2), 6-40.
[10] Transport Bureau of the Government of the Macao Special Administrative Region. (2023, December 31). Evaluation of bus service. Retrieved from https: //www.dsat.gov.mo/dsat/subpage_bus.aspx?a_id=1515642906&nav=1612341669