

Thailand

Triumph? Not for workers' rights in Thailand



Beginning on October 16, 2009 fired workers of Body Fashion Thailand (BFT), a wholly-owned subsidiary of the German/Swiss lingerie brand Triumph, have set up a "production" camp in front of the Thai Ministry of Labour. Recently they began sewing underwear there.

In July 2008, BFT union President Jitra Kotshadej was fired for wearing a T-shirt with the slogan "Those who do not stand are not criminals. Thinking differently is not a crime" during a TV debate, even though she had not been introduced as a Triumph employee. The slogan refers to having to stand when the Thai national anthem is played. Angry at her firing more than 2,000 co-workers stopped working, demanding her reinstatement – without success. In the end, the court upheld the employer's position: Jitra Kotshadej lost her case for reinstatement.

Meanwhile, workers at Thai and Philippine suppliers of Triumph International are facing large-scale job cuts. The corporation has said the firings are necessary because of the current global economic crisis. More than 1,600 jobs have been lost at two factories in the Philippines. BFT alone has

lost almost half of its workforce – more than 2,000 jobs. Cuts are also taking place at other factories. The unions have fought the job losses saying the cuts were done without proof of declining business or that they had not discussed them with the union. In addition, fired workers are claiming that employers still owe them the severance pay



Developing and strengthening links between workers from Asia and Europe, working along the subcontracting chain of garment production, is the main objective of the **ExCHAINS** project. These links are vital to the global fight against the exploitation of workers and for the eradication of poverty.

In the **ExCHAINS** project, TIE (Transnationals Information Exchange) is collaborating with three regional unions:

- ✓ Free Trade Zones and General Services Employees Union (FTZ&GSEU, Sri Lanka) (former Free Trade Zones Workers Union, FTZWU)
- ✓ National Garment Workers Federation (NGWF, Bangladesh)

✓ Vereinte Dienstleistungsgewerkschaft (ver.di, Germany)

We want:

- ✓ to raise awareness concerning the international production chain in the textile, garment and retail sector;
- ✓ to establish concrete solidarity between workers along the supply chain;
- ✓ to support freedom of association and the right to organise;
- ✓ to support concrete campaigns;
- ✓ to pressure big retail companies to name their suppliers and to support

the right to organise at their suppliers.

This newsletter is being published regularly in Bangladesh, Sri Lanka and Germany, containing information about working conditions in the respective countries, as well as information about ongoing campaigns. We hope this will provide an opportunity for information exchange and raise awareness about the connections between the different countries and unite workers' demands.

For more information:

Website:

www.exchains.verdi.de
www.tie-germany.org

E-mail:

info@tie-germany.org
ftzunion@wow.lk
amin.ngwf@yahoo.com



they are entitled to, and in some cases even the last few months' wages. Basically, there are many reports of violations of legal regulations concerning layoffs.

Prior to the wave of layoffs more than 70 percent of the BFT workforce was organised in unions. Now jobs are being cut there while unorganised supplier factories in the North of Thailand are hiring. The fired workers and their unions have not remained passive. For example, Thai unionists have travelled to Europe. Philippine and Thai workers have exchanged visits and, with support from the Clean Clothes Campaign, TIE and other international allies, have organised joint actions, coordinated publicity, and adopted common demands:

- ✓ Stop dismissals and factory relocations
- ✓ Unconditional reinstatement of all those dismissed
- ✓ No anti-union activities by the company
- ✓ Compensation for lost wages
- ✓ No production in special zones where unions are banned
- ✓ No government retaliation against workers

The Thai government is trying to silence the protestors. They have threatened to put them in prison. They have used on them a military weapon called Long Range Acoustic Device, developed by the US Pentagon, which is known to cause permanent hearing damage. Not only are the workers standing firm, they have stepped up their activity. After one hundred days of protests in front of the factory, they have now set up a "production" camp in front of the Ministry of Labour. They are demanding the Minister support the rights of Thai workers in the global supply chain and want to use the space to get Triumph International to follow international ILO and OECD standards and procedures in the case of dismissals. The first panties to be produced in front of the Ministry will be handed to its Director General.

On October 7, 2009 the Free Trade Zones & General Services Employees Union in Sri Lanka commemorated the 'World Day for Decent Work'. This is the second year in which a range of unions, organisations and institutions, including the FTZ&GSEU, have declared this day worldwide. The Sri Lankan union is linking the call for decent work around the world with the call for a wage that enables workers and their families to live a secure life in dignity, known in many countries as a "living wage". The day started with union members from factories in the Free Trade Zone Katunayake organising a picket in front of the main entrance gate to the zone. The police immediately tried to break up the gathering saying it was a high security area and everyone was to leave immediately. The workers managed to keep the picket going for over an hour. At the end of the World Day for Decent Work the Trade Union Confederation, to which the FTZ&GSEU

belongs, held a seminar in Colombo's town hall on the principles of decent work.

In the final months of every year, companies operating in the Sri Lankan free trade zones renegotiate the minimum wage for the upcoming year with the Free Trade Zones authority BOI (Board of Investment). The FTZ&GSEU has influenced this process during the last years with increasing success by a public and workers' awareness raising campaign. This year it is demanding an increase in minimum wages that not only keeps pace with inflation but is enough to allow workers in the factories of the Free Trade Zones to live in dignity.

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Protect rights – Secure jobs !

This is the campaign slogan/call of AlaRM, an alliance of organisations and unions, including the FTZ&GSEU. In October 2008 the Sri Lankan government applied to the European Commission for an extension of the country's "GSP plus" status. This was granted because of the devastating tsunami of 2004. GSP+ status allows a country to export its products to the EU at very favourable conditions. But the Sri Lankan government has been making only half-hearted efforts to retain this status. GSP+ is granted only to those countries that can prove their respect for human rights, social standards, environmental protection and good governance – but the Sri Lankan government denied entry to EU emissaries who wanted to investigate the current situation in the country. Now the EU is threatening to withdraw the GSP+ status unless the Sri Lankan government seriously chang-

es its mind and starts to cooperate.

AlaRM is calling on the government of Sri Lanka to make an effort to meet the EU/GSP+ requirements and to implement the international standards that it signed onto long ago. This includes specifically:

- ✓ making previously ratified ILO conventions part of the national constitution,
- ✓ creating a procedure for recognising unions as collective bargaining partners,
- ✓ combating anti-union, anti workers company practices by introducing relevant legislation, and
- ✓ placing tougher

standards on companies to make them participate in arbitration processes.

AlaRM makes this call on the Sri Lankan government because the GSP+ status is essential to garment and other export industry workers' future and job security.



A hard job and still poor ? Raise the minimum wage !

This past summer the National Garment Workers Federation (NGWF) of Bangladesh celebrated its 25th anniversary. On October 17, 2009, in honour of this occasion and "International Day for the Eradication of Poverty", the union organised a series of events in Dhaka. One action, a human chain, which lasted for several hours, focused on the demand for a substantial rise in the minimum wage for the 2.5 million workers in the garment industry from 1,662 taka a month to 5,000 taka (about 50 euros) (in the last Ex-Chains newsletter we reported on the start of the NGWF campaign to adjust the minimum wage).

Union activists followed up with a rally highlighting the

need for a "living wage". Even the World Bank designated poverty line of 4,200 taka, far exceeds the current minimum wage of 1,662 taka. Such wages do not even cover people's most basic needs, let alone cover two



nutritious meals a day for the workers and their families. If workers and their families are to live in dignity rather than in poverty and want, several things are needed. First, governments of producer countries must pass and enforce

sufficient ("living wage") minimum wage legislation. Second, multinational companies that buy these products must act responsibly and pay a living wage instead of pushing wages further and further down. Unless they do, wages in the Bangladesh garment industry will remain poverty wages.



Globalisation has resulted in the growing interconnectedness of working conditions around the world. This is the context of the programme “Forum Worlds of Labour – China and Germany”, run by Globalization Monitor (GM, Hong Kong) and Asienstiftung, in which TIE, with the ExChains project, is also involved. The programme is exploring commonalities and differences in the situation of workers in both countries, so that they can learn from one another and develop joint strategies.

One key focus is on China's migrant workers. Mostly peasant farmers and agricultural workers, they are look-



ment contracts that include social welfare insurance, medical care, school attendance for the children, and so on. For this reason, most migrant workers leave their children in the countryside with other family members. It is not unusual for these workers to see their families just once or twice a year.

Due to their difficult civil rights status, migrant workers are easier to exploit than city residents: they usually end up in the sectors with the poorest working conditions (low wages, long working days, unhealthy jobs etc.) and are less able to defend themselves when employers violate their labour rights. In many cases they have no choice but to live in employer controlled dormitories on the factory premises, often with 10 or more people to a room. In many cases workers must still pay a high rent to live there. What the migrant workers have in common with the workers from the city is that they are not permitted to form any independent unions and are not allowed to go on strike. Severe penalties are

handed down to those who engage in wildcat strikes or public protests.

Whenever there are business crises or drops in orders, migrant workers are the first to lose their jobs. Is it not uncommon for companies to ignore Chinese law regarding the process and conditions of layoffs. In some cases workers are cheated of owed wages.

Genuine investigations into violations of the law is not the standard; governmental authorities too often take the side of the companies. Earlier this year when the global financial crisis hit, many people lost their jobs. Workers began to demand their outstanding wages and severance payments. Rather than force the companies to pay up, local administrations started giving the displaced workers a few Yuan in cash and told them to go back home to their fields.

A number of organisations in China are fighting for the rights of migrant workers. Cultural centres have been set up and educational and advice programmes exist on a broad range of topics from health care, to health and safety, to labour rights and union organising. So far, the official unions have not taken much interest in the problems of migrant workers. This is why there is a need for new forms of organisation for all workers. The programme “Forum Worlds of Labour” seeks to contribute towards international networking, exchange and strategic debate. One example of this type of activities is a November 2009 exchange trip organised by GM, TIE/Ex-Chains and Asienstiftung. Here workers from the German retail sector will visit the south Chinese metropolitan export industry regions.



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ing to escape poverty in their home villages. These migrants find work principally in the factories that produce goods for export – textiles, garments, electronic goods, automobile parts, toys etc. Although no official figures exist, by the end of 2008 an estimated 240 million migrant workers were employed in factories in the towns and cities. Migrant workers are subject to major discrimination in Chinese cities. Because of the existing resident registration system (*hukou*) they have no right to live in the city. Even after working and living in the city for years they are still considered strangers and denied basic civil rights. This means specifically that they are denied employ-

Millions of workers in Asia’s garment factories produce clothes for the European and North American markets. About four out of every five workers are women, most of them under 30 years old.

Their working conditions in this sector frequently involve the following – these are not just “extreme isolated cases”!:

- ✓ Poor wages, delayed payment, mandatory and excessive overtime
- ✓ Living from hand to mouth: no employment contracts, no social safety net, no maternity leave
- ✓ Sexist discrimination: visits to the lavatory limited, sexual attacks, general harassment
- ✓ Danger to life and limb: lack of effective workplace safety provisions, e.g. fire protection, up-to-date technology, protective clothing



ness’. In the name of fighting the economic crisis, employers have stepped up their attacks the social achievements and legal regulations that workers and their unions have won through struggle to set limits to worker exploitation.

More important than ever: the workers have to be able to fight back!

In order to bring about real change in the situation in the supplier factories, the partners involved in the **ExChains** project (see p.1) are working together to help enforce the workers’ *right to organise*. In Sri Lanka and Bangladesh we are working to gain union access to the factories and thus to the workers employed there. However, part of effective organising is having enough union organisers available to make the most of the organising opportunities that result from this access. This is the only way to make workers aware of their rights and to enable them to come together to defend these rights.

NGWF and FTZ&GSEU need union organisers!

Both unions can count on the active support of a large number of committed activists from the factories. But these activists can only do so much – not only because they have limited time available, but also because experience has shown that workers risk being fired if they engage in any union activities. This is why there is an urgent and ongoing need for independently financed organisers.

Please support the local unions’ fight against workers’ exploitation in the supplier factories!

tie – Internationales Bildungswerk e.V., Heidestr. 131, 60385 Frankfurt, Germany.

For donations use: No. of account: 861685; Account holder: tie – Internationales Bildungswerk e.V.; IBAN: DE76 5005 0201 0000 861 685; BIC: HELADEF1822; Key word: Organising

Pictures in this newsletter are showing the action of October 7 in Sri Lanka

- ✓ Organising in unions hindered by employers
- ✓ Most of the time legislation exists to prevent such horrible working conditions. A genuine commitment to enforcing them is what is missing.
- ✓ And on top of all this: the ‘global economic crisis’...

Companies in every country have never been at a loss for words to explain why workers’ rights are ‘bad for busi-

