

Sri Lanka

International Solidarity Works !



Take the case of North Sails, Sri Lanka: In March 2002, 207 Sri Lankan workers were unfairly dismissed for taking strike action because management refused to pay their quality bonus, which workers need to supplement their low salary and survive. Workers and their union, the Free Trade Zone Workers Union (FTZWU), tried to negotiate with management. When this failed, they took the case to the Labour Department. At the same time, with the support of TIE Asia, they launched an international campaign asking activists worldwide to send letters to management, the Sri Lankan Minister of Employment and Labour, and KJ Jacobs AG with copies to Boards & More. North Sails manufactures and exports sails and sailing garments. It is part of Austrian based company Boards & More, which is a subsidiary of Zurich based KJ Jacobs.

Following the circulation of the North Sails appeal by the Clean Clothes Campaign (CCC) throughout their network, hundreds of letters were sent. Some trade unionists from Germany who were just visiting Sri Lanka as part of the ExChains project (organised jointly by TIE Germany and TIE Asia) met with North Sails management in October 2002. This combined international pressure led to management stating in a conciliation procedure before the Labour Commissioner they would be willing to consider taking back all workers who wrote to management individually. The remaining workers, 80 by then, met and decided that each of them would submit such a letter. Later the same month, mana-

gement called six of them, saying North Sails was willing to take them back if they signed a letter stating that key people (named) forced workers to go on strike. Workers refused to sign this letter.



In September 2003 an international day of action was organised to increase the pressure on the company to resolve the dispute.

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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 production 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:

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One more success

The conflict at garment factory Jaqalanka Ltd., Sri Lanka (see report in previous newsletter) has been won. Workers and FTZWU had been fighting for recognition of the FTZWU as representative of the factory's workers for several months. The company tried to avoid this by any means, including severe harassment and threats. Thanks to the courage and commitment of the workers, but also thanks to overwhelming international solidarity, the FTZWU was able to reach an agreement with the company in October 2003. This is a significant and substantial victory for the brave union members of Jaqalanka, the FTZWU generally and the workers of Sri Lanka.

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✓ In Sri Lanka the North Sails Lanka workers with the FTZWU picketed in front of the Katunayake Free Trade Zone main gate. They distributed 10,000 leaflets demanding the reinstatement of the North Sails Lanka workers and the recognition of the union. The next day the FTZWU organised a public seminar where the North Sails dispute was discussed.

✓ During a North Sails surfing event in Makkum, the Netherlands, surfers who supported the action signed a North Sails surf sail. Lip gloss (with the print »North Sails wipes out«) and action cards were distributed. Surfers said that the North Sails brand has a good image in the surfing scene, but that a good image should include a guarantee of workers' rights.*

✓ In Australia, the Fair Wear Campaign organised an action on Manly Beach, close to the North Sails Australian Office in Mona Vale. Beach goers signed a banner and a sand-structure was made, spelling out the words »North Sails Wipes Out On Workers' Rights«.

The painted North Sails surfing sail from the Netherlands, the banner with signatures from Australia and the

action cards from Sri Lanka were handed over to the management of Boards & More by the Clean Clothes Campaign in Austria.*

A delegation of three Sri Lankan women unionists, one of them dismissed North Sails worker Indrani Wijabandara, and Anton Marcus of the FTZWU visited Germany in November 2003, along with Bangladeshi trade unionists as part of the ExChains programme. Following their visit to Germany, they went on to the Netherlands and Austria as part of a programme of action organised by CCC in support of the North Sails workers. In Austria, along with the Austrian CCC and the ÖGB (Austrian Trade Union Confederation), the FTZWU and Indrani met with the management of Boards & More / North Sails Lanka and agreed that:

- ✓ North Sails will reinstate workers, found to be dismissed unjustifiably by the courts;
- ✓ North Sails will negotiate directly with the FTZWU and allow a union to be formed at North Sails providing that the Board of Investment of Sri Lanka agrees;
- ✓ North Sails management acknowledges the workers' right to strike and will not persecute strikers and/or pickets through police action;
- ✓ the FTZWU will negotiate with North Sails management on a proce-

cedure for managing conflict in the factory;

- ✓ CCC and ÖGB will stop their campaign on Boards & More / North Sails Lanka, as long as substantial negotiations between North Sails Lanka and unions, including the FTZWU, occur and the above mentioned points are implemented;
- ✓ representatives of ÖGB and/or CCC will visit North Sails Lanka to convince themselves of the compliance with the standards set out by the International Labour Organisation (ILO) and the points agreed above.

The FTZWU is working hard to ensure that this agreement is implemented, and the court cases for the dismissed workers continue. While the struggle continues, one thing is clear – it would not have gone this far without international solidarity!

* information: CCC (www.cleanclothes.org)

Flood disaster in Bangladesh

The NGWF's work is currently focused on emergency aid in the aftermath on the massive floods experienced by the country in July 2004. Since workers in the export-producing garment industry have been severely affected by the floods and their catastrophic consequences (homelessness, lack of drinking water, disease, food scarcity), the union, supported by many volunteer helpers, is currently mustering all its efforts to provide the basic necessities for as many women as possible.



Situation of the workers in H&M supplier factories in Bangladesh



The National Garment Workers Federation (NGWF) interviewed workers from five factories that produce garments for H&M about their working conditions.

This survey revealed that in all the factories it is not only workers' rights (see above: national labour laws, constitution, ILO conventions, BEPZA rules) that are being violated on a regular basis, but also H&M's own code of conduct. For example:

- ✓ Workers are forced to do overtime, and this regularly lasts until the early morning hours (with workers having to start work again at the normal time the next day); this overtime is neither counted properly nor paid properly.

- ✓ Employers frequently pay below the minimum wage levels in force, so that workers are unable to live on the payments they receive.

- ✓ There are usually only 1 or 2 days off per month.

- ✓ Appalling conditions in the factories: no clean drinking water; insufficient sanitary facilities; it is often dark, hot and noisy; no canteen or separate place to eat.

- ✓ No First Aid box, let alone medical provision; workers are not allowed to leave the factory if they are sick.

- ✓ Women are often treated badly; they are frequently subject to verbal abuse and sometimes to physical – in some cases even sexual – abuse.

- ✓ While the factories generally do have fire extinguishers, the factory doors and emergency exits are locked during working hours; workers are rarely informed about what to do in case of fire.



- ✓ Companies generally – and successfully – meet union organising

efforts with massive resistance. This even goes as far as physical abuse of union organisers by management representatives or hired thugs.

- ✓ Maternity leave is rarely granted; there are no child-care facilities and no social safety provisions.

- ✓ No employment protection whatsoever, no employment contracts.

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»EPZ Workers Centre Bangladesh« established

The first countrywide conference for workers in the Export Production Zones (EPZs) took place in Dhaka on 30th/31st January 2004, organised by the National Garment Workers Federation (NGWF), the EPZ Workers' Welfare Association and the EPZ Workers' Forum, and supported by TIE Asia.

As workers' accounts of conditions in the factories show, violations of existing laws are an ongoing occurrence in the EPZs. For example, the right to organise in a trade union is recognized in hardly any of the factories, even though this right is firmly anchored in national labour law, the country's constitution and in the International Labour Organisation (ILO) conventions that have been ratified by Bangladesh.

Not even the rules established by the authority responsible for the EPZs, BEPZA, itself are being upheld. To take wages as an example, BEPZA recommended in 1993 that wage levels be set at between

25-70 USD; it has since lowered this to 22-65 USD – yet it is often the case in reality that workers are not even paid these wages.

The conference participants agreed that an »EPZ Workers Centre Bangladesh« should be set up, with the aim of supporting and carrying forward the concerns of the workers in the EPZs. The following priority objectives were established:

1. Full implementation of the right to organise
2. Full implementation of the right to collective bargaining
3. Establishment of a new age structure
4. Full implementation of the BEPZA rules
5. Struggle against poor working conditions
6. Establishment of a social safety net for workers



Workers' most urgent demands for change are:

1. One day off per week
2. Employment contracts
3. Right to organise
4. Overtime on a voluntary basis only

In the context of the ExChains project we are planning an ongoing campaign of support so that the NGWF union can continue its efforts to improve working conditions in factories known to produce for the companies represented in the project, such as H&M und WalMart, on a permanent basis. The aim is

- ✓ to do research on workers' situation in the factories on a regular basis
- ✓ to organise workers in these factories
- ✓ to establish a working relationship on monitoring working conditions between the union and factory inspectors from the buyer companies ■

Germany

H&M - an employer showing social responsibility in Europe?



H&M is still expanding in Europe. The Swedish company is very popular in Germany – young trendy fashion from a progressive, dynamic enterprise well aware of its own social and ecological responsibility as a 'global player'. It's great to be part of the big international H&M family – isn't it?

Strangely enough, employees at German H&M stores are frequently making experiences that don't seem to fit in this picture. The figures are telling: works councils exist in under 25 of around 250 H&M stores in Germany. Are German H&M workers entirely happy with their situation in the company, so that they just don't need a works council? Unfortunately, this is not the case. Our interview with an H&M worker, documented in ExChains Newsletter 2/2003, provided some evidence: H&M imposes problematic forms of employment on part of their workforce. For the workers concerned, this causes a precarious situation, and potentially even a serious threat to their existence, including their families. Consequentially, there is a need for worker representation in the stores.

In its contry of origin, the company has an organising rate of about 80 percent, and Swedish store managements sometimes send workers straight to the union when problems turn up. So why do only a few German H&M stores have works councils

yet? It may seem hard to believe, but this young, dynamic, open-minded company doesn't really act open-minded when it comes down to organising efforts in its German stores.

In confrontation with workers who wanted to establish a works council, managements of various German H&M stores have been reported by workers to employ quite 'creative'



methods. It seems that works council candidates had better be prepared for intimidation tactics and personal attacks by the store management in numerous cases. This has reportedly cumulated in direct personal offence by management (»I don't want you here«). A single mother was even declared a »bad mother«: The increase of workload resulting from a

works council position would certainly cause her to neglect her children.

In another case, management tried to isolate potential works council members from the other workers. They were forbidden to inform their colleagues about the planned election. Their colleagues were requested to stop talking to them. Management tried to mobilise the workers against the election of a works council, arguing this would only cause conflict. It was also reported that management brought in their own candidates, who then started agitating against potential works council members and undermining the whole election process.

Problems are regularly being reported from existing works councils, too. In one case, for instance, management ignores the works council and denies cooperation: works council members are either being treated as non-existent, attacked, or even mobbed; management ignores its own legal rights and obligations towards the works council. In another case, there have been reports of management playing off works council and non works council workers against each other. This happened by simply not providing substitute for absent works council members in the work schedules, at the same time telling workers that works council members are letting them down and are to blame for the increased workload. ■