

“Production of Torture”

A Study on Working Conditions including work place harassments facing by Women Garment Workers in Bangalore and other districts

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A. BACKGROUND NOTE:

Garment and apparel manufacture industries that supply garments to countries such as Europe, USA, Australia and Canada are almost entirely based in countries in Asia and South America.

The global supply chain of the garment market worldwide consists of brand companies and retail companies in the western world and its manufacturing units in Asia and South America. Asian manufacturing units based in India, China, Thailand, Sri Lanka, Bangladesh, Pakistan, Indonesia, South Korea, Vietnam, Cambodia, etc. manufacture about 60-70% of the demand for apparel.

The garment industry in India that started as small apparel manufacturing units in 1970s has now become the second largest manufacturer and supplier in the global supply chain and contributed 14% to industrial production and 4% to GDP for the year 2014-15. The industry accounts for nearly 13% to total exports of the country. (Source: <http://www.ibef.org/industry/indian-textiles-and-apparel-industry-analysis-presentation>)

The garment and apparel manufacturing industry in India is spread over several states, with principal centres being Gurgaon-UP, Bombay-Maharashtra, Bangalore and surrounding

districts in Karnataka and Tirupur in Tamilnadu. Bangalore is known for IT companies and also the export garment manufacturing industry – which has an annual business turnover of thousands of crores. There are small, medium and large export garment units, employing from 500 to over 50,000 workers. The garment units are spread across locations on the outlying areas of the city such as Peenya, Hosur Road, Mysore Road etc. In recent times, with increasing business and rising costs of running units within Bangalore City, as well as for other reasons that will be elaborated in this report, the industry has spread to districts and towns around the City, such as Ramnagaram, Doddaballapur, Nelamangala, Tumkur, Maddur, Mandya, Shivamogga, Hasan and even as far as Mysore. According to Government estimates, there are 900 recognised garment manufacturing units in the city of Bangalore alone, with a total workforce of 355,000. In reality, there are over 1500 unit, small and big, employing more than 500,000 people, out of which over 85% are women with an overwhelming number working at the shop floor level.

Typically, the industry employs women who are from rural and urban poor localities, with little educational background. Their need for employment with regular income to manage their families makes the women highly vulnerable to exploitatively low salaries, inadequate facilities, and hostile work conditions in the factories. The workforce in the industry in general and women in particular are subjected to verbal, physical, sexual, and mental harassment with high levels of pressure for more production, with ever-increasing production targets. The state Labor Department, which is the monitoring agency for workers in all establishments, is more often than not a silent spectator to the management practices against labor in this industry. Deprived of the right to associate or unionize for their rights as workers due to intimidation and reprisals by management, the space for articulation of protest against management harassment and low payment is very limited. The existing unions in the industry have been able to mobilize only a small fraction of workforce due to management tactics that keep Unions out.

The garment industry ownership and management, who execute work orders from international fashion brands, do have ‘Code of Conduct’ agreements signed for fair work policies. But the agreements are more on paper than in force at the shop floor level with little monitoring by the state and brand buyer agencies. The few cases that have been brought to the state and public notice by the Unions or civil society organizations indicate an urgent need to address the reality of the work conditions for workers in this industry. There is an urgent need to ask why an industry that enjoys high returns and generates export business cannot ensure fair work practices and create an enabling and safe work atmosphere for its

women workforce, just as other export-oriented businesses that Bangalore is famous for – Information and Bio technology, for instance – have created.

B: ABOUT THIS STUDY:

Garment Mahila Karmikara Munnade is a membership organisation, formed to address the social concerns of women in Garment industry such as family violence, social and civic entitlements, education needs of children and capacity building trainings etc for over a decade. In course of this work, it was evident that women in the industry were highly stressed due to workplace pressure, stress that impacted their family and social relations negatively. In 2015, Munnade initiated consultation with other social and human rights organizations for a study to assess the depth of the harassment and abuse of women in Garment factories in Bangalore and other centers in Karnataka and for recommendations to reduce the same.

In response to the widespread complaints about abusive conditions faced by women workers in the garment industry in Bangalore, a number of human rights organizations and activists including Peoples Union for Civil Liberties-Karnataka, Alternative Law Forum, Concern-IISC, Garment Mahila Karmikara Munnade, Vimochana, Manthan Law and National Law School-of India university, Bangalore, came together to institute a joint fact-finding inquiry to go into such abuses and their deleterious impact on the workers, and suggest measures for redress of complaints by the state, brand buyer agencies and other bodies.

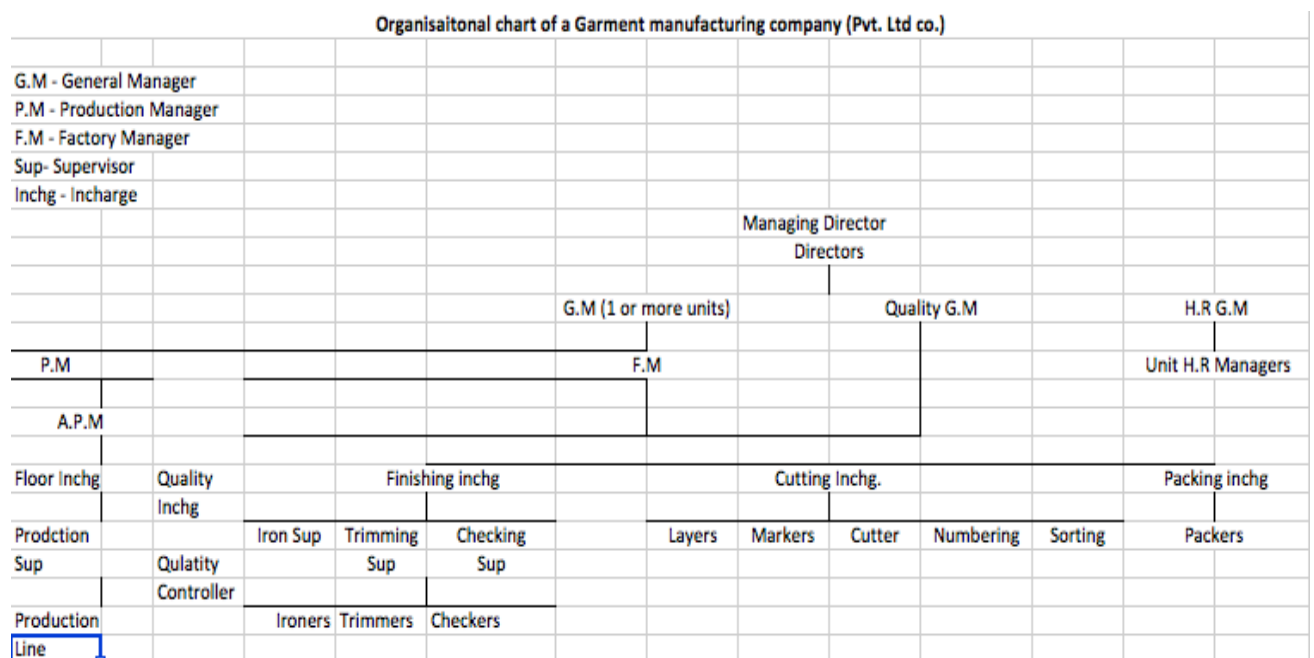
As part of this study 27 interviews and 8 Focus Group Discussions (FGDs) with women garment workers, men garment workers - each of which discussions comprised not less than 20-25 workers – were undertaken. The conversations during the interviews and FGDs revealed various forms of violations and harassment that the garment workers are subjected to. Almost all conversations were unanimous in pointing to the impossible targets set for the workers per day as the primary source of most forms of harassment they faced.

The workers in one voice summed up their anguished feelings about their workplace by giving it a name: “Production of Torture”. While we had originally envisaged investigating the issue of sexual harassment of women in garment industry in Bangalore, we concluded that the perception of the women garment workers extended beyond this behavioural dimension, and embraced wider issues of gender violence, worker oppression, and class exploitation. It is for this reason that we have chosen the title “Production of Torture” for this report.

The first part of the report provides details of the working conditions of women workers in garment factories. For the sake of better understanding, these have been divided into the

following categories: lack of amenities, physical, mental, sexual, and financial harassment and exploitation, responses of and coping strategies adopted by the garment workers, and the impact of these violations on them. The second part of the report attempts to show, from the perspective of the women workers, that such abysmal working conditions are not mere accidents but inherent in the garment factory system of production. The third part of the report details the existing Protocols and Codes of Conduct that the industry is bound to follow, but regularly fails to do so. The final part of this report comments on the existing safeguards to prevent / redress harassment, and the effectiveness of the same through the perspective of the garment workers. At the outset, we acknowledge that the various forms of violations are not mutually exclusive categories, but are inter-linked and reinforce each other to further subjugate the workers, and render them vulnerable to exploitation by the management.

C: ORGANISATIOONAL CHART OF A GARMENT MANUFACTURING UNIT:



D: WHO IS THE GARMENT WORKER WE SPEAK OF IN THIS REPORT?

- Woman Aged between 18 and 45
- Wanted to study, but could not continue after school
- Married before she was 18.
- Has one or two children.... pre-school to middle-school students
- Likes to wear colourful clothes and flowers every day.

- Joined a garment factory in Bangalore / Mysore / Maddur soon after marriage to make both ends meet
- Is the main earner in the family, husband has lesser or irregular income.
- Would prefer to work elsewhere, as she feels women garment workers have no respect in society
- Husband / in-laws do not object to her work but are nasty when she is late or is unable to complete household work
- Housework including caring for children / aged people in the family, cooking/cleaning and running the house are solely her responsibilities
- Production targets are what stress her most – as she is often targeted by the Production manager, Supervisor with insults or threats if she does not meet them.
- She is reduced to tears at work at least once or twice a month on humiliating comments from the supervisor / production Manager
- Health is poor, as her meal times are irregular, has ESI facility, but the ESI services have only basic health facilities.
- She does not answer back at work, as she is afraid of losing the job or of getting an increment cut.
- She is irritable and often has angry outbursts at home against her children, husband or family.
- Her husband feels neglected and so do the children, as she has no time to spend with them, except at night during dinner.
- Has no time to supervise her children's school work.
- On holidays, she likes to catch up on lost sleep, TV viewing etc. More often than not, has to catch up on her social duties such as visiting relatives, going to temple etc.
- She often thinks of meeting her friends from school or neighbourhood – but has no time.
- She has loans that she had incurred for family emergencies/ festivals/ children's school expenses etc. and tries to earn extra by doing small household jobs like tailoring etc. as much as she can.

A day in the life of a garment factory worker:

- Her day starts at 4 AM, with next 3 hours for cooking for the day, getting children, husband and she ready, doing pooja etc.

- She starts for work at about 7.30 AM and reaches factory after taking a bus, then a private tempo, at 9 AM. Has to run the last few yards not to be late. Gate checking finishes at 9.30 AM and she can enter the batch room.
- On days when she is late, she has to stand at the security for an hour or so, till HR Manager permits her to enter and start work – on days like this, she has to make up the lost one hour by missing her lunch time or sitting after work hours to finish the given target for the day.
- At 5.30 PM, she hurries out of factory. She starts her long journey home, on the way – she stops to finish her marketing for vegetables / household items, reaches home after dark, sometimes at about 8-9 PM.
- AT home, the work of preparing dinner, finishing leftover jobs, dinner for the family and then, preparing for next day's cooking have to be finished, before she gets to sleep at about 11-12 in the night.

E: WORKING CONDITIONS AT THE FACTORY

I. Lack of Amenities

There is a marked lack of amenities at the factories that the garment workers we spoke to highlighted. This lack of amenities leads to physical health problems as well as contributes to mental harassment for the garment workers. Since provision of basic amenities is the duty of the management of the concerned factories, the details below indicate that the management has abdicated its responsibility to provide the same, resulting in inhumane and hostile working conditions for the garment workers.

- a) Lack of Clean Drinking Water: Workers from all factories spoke about the failure to ensure the provision of clean drinking water. Two garment workers from Wonder blue unit in Mysore road reported that the water from the factory well was not suitable for consumption, and there was no other water source, and yet they were prohibited from carrying their own bottle of water. Garment workers from Shahi exports in Maddur reported that they were compelled to drink water from unclean tanks while the management drank packaged water. A garment worker from Gokaldas Exports at Gorguntepalya reported that the drinking water was highly polluted. Others reported that though there was no express prohibition on drinking water, the water was stored in places far away from their work stations, and as they have the sword of production pressure hanging over their heads, they could not afford to waste time to drink water.
- b) Lack of clean toilets: While there were many toilets in the factory, many complained that the latches to the toilets were broken and were not repaired despite repeated

complaints in this regard. During an FGD with garment workers from a factory in Mysore road we were told that when a woman goes to use the washroom, a security person is sent behind her to note the timings and make sure she comes back soon. If she does not, the matter is reported to the management and a warning is issued. Further, the manager's and supervisor's offices are located opposite the bathroom so that they can keep a check on the amount of time spent on a bathroom break. In an FGD with male garment workers at Shahi Exports at Maddur, the workers stated as follows:

“We have 2 toilet basins and 2 toilets for 150 men, the toilets are in a terrible condition, they do not clean the toilets properly, it is blocked and is overflowing but we still have to make do with it. The toilets are not completely separated completely, there are no doors, we have to pass the ladies toilet and they have to pass us. From the men's bathroom you are able to look into the ladies bathroom if one is able to reach a little higher. The men can hear everything the women say and the women can hear everything we say.”

- c) Absence of Proper Commute to Factory: Complaints of lack of transport facilities, and at best provision of overcrowded and unsafe transport were commonly found. Many workers face difficulties with commuting to and from the factory. A woman worker from Shahi Exports at Maddur reported that she had to walk over one kilometer after changing two buses to reach the factory, and was often shouted at if she reported late for work. Workers from a factory in Mysore road), reported that the transport provided by the factory is usually overcrowded and sometimes meets with accidents, and in such cases of accidents if the workers are injured, the Management would refuse to accept responsibility or even take care of medical reimbursements. A garment worker from Gokaldas Exports (Trayangle apparels) at Gorguntepalya, Tumkur road, reported that though the factory bus was a two seater, it was extremely overcrowded, compelling four women to share two seats. This often led to a mad rush for seats after work, leading to physical injuries and verbal exchanges between the workers, she said.
- d) Poor crèche facilities: Crèche facilities were reported to be satisfactory at some factory sites and poor at others. For example, in an FGD conducted with workers of Shahi Exports at Maddur, they reported that, childcare facilities were being provided for children between 9 months and 5 years, and that the childcare facility could

accommodate around 30 children. The children were given biscuits, milk, and boiled water regularly. Lactating mothers require and are given the prior permission of the HR Welfare Officer to take breaks for feeding their infants. However, this was not so at Gokaldas Export (CCC-1) in Mysore. A garment worker employed at this factory reported that she had been forced to discontinue her job till her child was two years old, as the crèche refused to take care of children below the age of two. She resumed work after her child was two years old. She said that although her child, who was five years old at the time of the interview, went to the crèche after his school, she was prohibited from meeting the child during the lunch hour and was allowed to meet him only after the day's work was completed. A woman garment worker working with Unitex factory at Sumanahalli reported that the crèche in the factory did not take good care of children – the children are often scolded and beaten up, so she said that the crèche is not safe place for children.

- e) Unsatisfactory medical facilities: Garment workers are prone to health problems like, back ache, head ache, Knee pain, Asthama and menstrual problems etc., which are occupation health hazards, caused by the hazardous nature of work performed by them. This requires them to take regular medical treatment. Although it is mandatory for the factory which is employed more than 500 workers, to ensure the provision of a nurse, Doctor, ambulance, the same are not provided. Workers from Shahi Exports at Maddur reported that although a nurse was present at the factory, very few medicines were available with her and for any ailment, only pain killers were issued. No ambulance, doctor, or other emergency health assistance was available. Despite the availability of a resting room, the nurse discourages the workers from using it beyond ten minutes. A garment worker from Gokuldas Exports (Triangle apparels) at Gorguntepalya, Tumkur road, reported that the nursing room in the factory had no medicines; she has witnessed workers collapsing from exhaustion and fever on the floor, yet they were given no medical treatment but were sent back home, losing their day's wages. Further, workers also spoke about the difficulties faced by them in accessing treatment under the Employees State Insurance Scheme (ESI). Most women garment workers reported that the ESI hospitals did not function properly, as a result of which they were forced to seek medical assistance from private hospitals, and bear the expenses of the same. In the experience of a woman garment worker working with Unitex factory at Sumanahalli, who frequented the ESI Hospital on Mysore Road,

medical facilities at ESI hospitals were time-consuming; since many did not stock up on medicines, she was forced to travel to another ESI Hospital for the same.

f) No communication with family/the outside world: Once workers enter the factories, they are required to be cut off from all contact with the external world, even in case of emergencies. Most factories whose workers we interviewed prohibit the workers from carrying mobile phones into the workplace. Upon a violation of the rule, some confiscate the mobile phone, others impose a fine, and some others compel the worker to give a written apology and guarantee that she will henceforth not carry the phone into the workplace. Many workers surreptitiously carry their phones into the factory and keep them on a silent mode, as they wish to be contacted at a time of emergency. The landlines in most factories were reported to be non-functional, and in those that were functional, we were informed that the supervisor or floor-in-charge conveyed the information to the concerned worker only after the day's work is completed, even in the case of an emergency.

g) Sub-standard safety equipment: The work performed by garment workers being noise intensive and constantly resulting in contact with dust (rephrase?) require the provision of ear plugs, eye guards, Masks, gloves, Rubber mat. However, those provided to the workers are often defective leaving them vulnerable to health risks, both short-term and long-term. Defective ear plugs provided to the employees in the Khaja Button section (where the machines make very loud noise) of the same factory were a frequent source of headache and nausea. The eye-guards provided were also of poor quality and often blocked their clear vision, resulting in accidents where fingers got cut in the machine, told a woman who showed us the wound on her finger from such a cut. Garment workers from Texport creation reported that fire hazard precautions and safety material are kept around only when the buyers visited the factory, after which they are promptly taken away to make space to move around.

h) Absence of measures of occupational health: Garment workers from Shahi exports in Maddur reported that there were problems with the temperature and dust within the premises at their workplace.. There was hardly any ventilation and no fans or air conditioner. Only the supervisors and managers have a fan, but the *“employees do their work while sweating all the time.”*

II. Mental harassment

The garment workers have been subjected to both subtle and more tangible forms of mental harassment, over a prolonged period of time. The forms of mental harassment, most in the

name of reaching production targets take on very serious form hitting at the very dignity of the worker.

1. Corporal Punishment and use of humiliation to workers: Workers are subject to several forms of corporal punishment, including the following,:

- Being scolded in public at the shop floor in the presence of all other workers, or through the public address system so that all the workers in the entire hall come to know about who is being scolded
- Privately being scolded in the manager's cabin
- Forcibly switching off the machine and being compelled to stand at the shop floor on for long in front of other workers, which is humiliating;
- Being made to stand outside the work place / gate of the factory for a long period of time for taking leave without prior permission or for reporting for work a few minutes late;
- Being denied a new needle until the worker searches for the broken needle point of the old needle, leading to a loss of production time and contributing to further mental stress;
- If workers get any technical problems with their machines, its their responsibility to get repair by approaching factory mechanics. Being made to wait for the mechanic for a long time, leading to a loss of production time and a consequent delay in completion of the day's work till the production target is met;
- When a woman garment worker goes to the toilet, sending someone to follow her to ensure that she does not waste time;
- Threats of corporal punishment [can this be elaborated?]

A common form of harassment is to keep the worker waiting and compelling her to stand in the presence of the supervisor / other garment workers for a long time without assigning her any work

2. Verbal abuse: Verbal abuse has become an everyday aspect of the lives of workers.

- The male supervisors, floor incharges, including managers, call the women workers by abusive names, such as dog, pig, "loose", "goobe", "munde", "putkosi", "loafer", "loafer munde", "bewarsimunde", "suvar", "guggu", "kachadagala", "bewarsi gala", "lowdekebal", "monkey" etc. and cast aspersions on their character. Scolding the woman by asking her if she ate food or shit, whether she is a woman who lives on the

streets, and asking her why she was late to work – which lodge did she go to (suggesting she is a sex worker?)

3. Refusal to grant workers earned leave

Workers are made to deprive of their basic rights including leave and even when granted are forced to endure humiliation for the same.

- Being compelled to beg the supervisor to sanction leave, even when there are exigencies due to health or family;
- Summary and routine rejection of leave applications, with threats of dismissal or wage cuts;
- Being compelled to give a written letter of apology for taking an emergency leave without permission;
- Women workers also reported being harassed when they have health problems and have to go to an ESI hospital – the supervisor refuses to sanction them leave, alleging that they were “doing a drama” or lying to avoid work, and threaten the worker that she would be terminated from her job.

4. Creating an atmosphere of fear amongst workers

- Constant efforts are made to create an atmosphere of fear amongst workers that also actively disincentives any effort to collectivize.
- Prohibition from talking to other workers: Since the shop floors are arranged one behind another, it prevents any form of interaction between the workers except during the 15-20 minutes’ lunch break - this prevents any form of cohesion among the workers.
- Extreme pressure to reach the production targets sometimes led to poor quality of the garment stitched; however, the workers are expected to meet both the quantity and quality, failing which they face humiliation and insults from the supervisor.
- Repeated threats of termination of job;
- Threats of deduction of production bonus or termination of the job for mistakes committed by other batch mates, leading to hostility among the workers;
- Giving higher and higher production targets to reach in a day, that are close to impossible;
- Targeting those workers who are members of trade unions for severe mental harassment.

III. Physical harassment

The forms of physical harassment faced by the garment workers include:

- i. Physical harassment of the women garment workers is often accompanied by physical assaults, including throwing the garment at the worker's face (most frequently reported by the workers), hitting the woman worker on her back, dragging her out from her workstation, and physically compelling her to stand away from it. A woman worker from Shahi Exports in Maddur reported that the floor in-charge became so angry when she questioned him that he intentionally dragged a chair on to her foot in order to cause injury. A woman garment worker working with Unitex factory at Sumanahalli reported witnessing several instances when workers who protested against the inhumane working conditions were physically dragged away from the working floor. In the FGD held with garment workers from Gokaldas Exports in Peenya, the women stated as follows:

As a punishment ... chairs are kicked away from under us to assert that we should work harder. Sometimes, they pull the chair away from us and we have to stand the whole day and work. They drag us out of the floor, they hit us on the head. Men workers are beaten up, and sometimes banged against the wall or a pillar. But Supervisors fear assertive men workers and steer clear of them since they can take revenge outside the factory gates. Women workers face crude abuse. They single out some women for special praise and some for condemnation. Pretty women are treated lightly whereas less pretty women get crudely abused.

- ii. Refusal to permit workers to use the toilet: The women workers are allowed very few toilet breaks; many reported that if they exceeded two minutes, security officers would summon the workers to hurry up. Further, during a toilet break, the work must temporarily be assigned to a colleague. In order to avoid going to the toilet, the workers considerably reduce their consumption of water; a worker reported that she had seen many women faint inside the factory due to dehydration; a woman garment worker from Gokaldas Exports (CCC-1) in Mysore reported that she had contracted urinary infection due to being prevented from drinking water.

The women garment workers are not allowed any breaks during menstruation. They told us – “we learn to control our urge to use the toilet or to change sanitary napkins.” A woman garment worker from Texport creations in Mysore road, reported that she found it embarrassing to ask for time to change her sanitary pad, and further as the workers either had

to pay Rs.5 for a sanitary pad at the nursing room or obtain factory waste cloth. Further, she found it difficult to get away from her work station even to change her sanitary pad due to the continuous production line.

- iii. Refusal to provide for adequate lunch breaks: Although the lunch break is officially for 30 minutes, in effect, the workers have only 15-20 minutes for lunch. This is due to various reasons:
 - a) in Shahi Exports at Maddur, the workers reported that they have to collect their lunch bags from the Security on ground floor and then climb to 2nd floor to the canteen
 - b) in Gokuldas factory at Mysore, a worker reported that they are not allowed to immediately break for lunch when the bell rings, and are instructed to work for the first 10 minutes of the lunch break;
 - c) in a factory in Mysore road, the garment workers reported that due to the pressure set by high production targets, they often skip lunch or barely eat anything.
- iv. Harassment to pregnant workers: The law on maternity benefits is blatantly violated and no concessions are given for women garment workers during advanced stages of pregnancy in most factories. A worker at Wonder blue at Mysore road reported that she has seen women working till the commencement of their labour pains. A woman garment worker at Shahi Exports in Maddur reported that a six month pregnant woman had labour pains due to standing at work continuously throughout the day, leading to a miscarriage, and that other women have been forced to resign without any benefits upon the sixth month of pregnancy. A woman from Gokaldas Exports in Peenya reported that women in advanced stages of pregnancy are compelled to work throughout the day standing, and not provided a chair to sit on. At an FGD with workers from Shahi Exports, we were told that pregnant women are typically asked to discontinue working at the factory from the sixth or seventh month, and that hardly any maternity benefits are provided. However, a woman garment worker from Gokuldas Exports at Gorguntepalya, Tumkur Road, reported that due to her intervention, women in an advanced stage of pregnancy in the factory were being given lighter work that they can sit down and undertake.
- v. The work undertaken by garment workers is both exhausting and repetitive. A garment worker from Mysore road reported that at least out 5-6 workers faint every

month due to exhaustion or sheer repetitive work, and that though there are nursing facilities, rest room etc., the work pressure deters them from using such facilities.

- vi. Workers who protest against such tactics are singled out and targeted. “Punishment transfers” were reported to be common. A group of male garment workers at Shahi Exports in Maddur said that both men and women are routinely subjected to punishment transfers to the boiler and washing departments where the conditions of work are abysmal; they routinely work in areas of dust and with acids and other harmful chemicals with little or no protection, often with bare hands. This is particularly so in the case of employees who are very active in the trade union, or are vocal in their opposition to the management practices. When the workers request safety equipment, they are told to go someplace else and find a job if they needed safety equipment. Due to the conditions of work, workers are reported to have frequently quit the job. This practice was also reported by garment workers from Shahi exports in Maddur, where workers associated with trade unions are given ‘punishment’ jobs.

IV. Sexual harassment

The garment factories employ a disproportionately large number of women workers. The supervisors, floor-in-charge, production managers, mechanics, HRD personnel are mostly men. The women garment workers we conversed with reported rampant incidents of sexual harassment at the factories where they worked. Forms of sexual harassment reported by the garment workers interviewed for this study included the following:

- i. verbal abuse of a sexual nature;
- ii. sexually colored remarks and jokes;
- iii. commenting on the woman’s appearance, figure and / or her clothes;
- iv. staring hard at a woman worker in a sexual manner; making obscene threats, such as saying that chilli powder will be applied on the woman’s vagina if she did not work efficiently;
- v. making sexual advances towards the women with statements such as “if you are not happy, should I come to you?”
- vi. constantly touching / dashing against a woman worker;
- vii. inappropriately touching a woman worker’s hand / shoulder while pretending to pass something, and making the touch seem accidental while it is actually deliberate;
- viii. Scolded the garment worker using sexual expletives;

- ix. Threatening to harm the woman garment worker or others close to her if she did not comply with his demands for sex;
- x. Withholding benefits or entitlements (leave/ bathroom token / bonus other benefits) as punishment for not meeting the demands of the supervisor, Production Manager, or other superiors;
- xi. Unwelcome invitations to the woman worker to go out for an outing;
- xii. Contacting the woman worker by phone / text message / letter outside hours of work, with sexual messages; (the supervisors / floor managers / production managers possess the phone numbers of all garment workers and are able to do this)
- xiii. Offering to promote a worker or assign her less strenuous work with more income if she meets the sexual demands of the superior;

A woman garment worker from Shahi Exports at Maddur reported to us two incidents of sexual harassment. In her words:*In my presence, once a male colleague approached my floor-in-charge and asked for a punching machine. My floor-in-charge asked him with a vulgar gesture – what do you want to pinch or squeeze with it? I felt horrible and walked away from there. I had tears of anger and felt helpless...In many other instances, the floor-in-charge and male supervisors pass comments with double meaning like “Pataki odithini” when I or other women are around. This makes me feel very uncomfortable.*

At an FGD conducted at Shanti Sadana, the women garment workers recalled a recent incident where a girl working in a factory in Mysore road committed suicide as she was asked for sexual favours from her supervisor, and another girl was forced to quit her job while her superior who had a relationship with her at the factory continued to work at the same. They explained that women workers do not report about sexual harassment to higher authorities, either out of a fear that they would lose their job, or out of a fear that they would not be believed, and instead labeled as a liar. It is equally impossible for the women to report at home about such harassment in the factory, as they not only have to face the blame of instigation but also demands from husband or the family to stop working.

V. Financial exploitation and harassment

As mentioned in the earlier part of this report, most of the women garment workers hail from a modest financial background, where they are either the sole breadwinner of their families, or where their income plays a substantial part of the family income. Hence their job at the garment factory gains utmost importance despite the hostile working environment, making the workers more vulnerable to various forms of harassment, including financial exploitation and harassment.

Forms of financial harassment and exploitation include the following:

- Failure to pay wages on time: Financial difficulties caused by delayed payment of salary – many women reported that they were earlier paid on the 5th of each month, but now they receive their salaries only by 10th or 15th of the month.
- Failure to pay for higher production: A worker from Texport Creation at Mysore road reported that each time a new design has to be produced, the workers are asked to produce five extra pieces without any additional financial benefit; upon refusal, they are threatened that they would be pulled out physically from the production line and their increment cut.
- Failure to pay for over-time work done: The practice of being compelled to do O.C. (overtime without any financial compensation) rather than O.T. (overtime with pay) for inability to reach impossible production targets in a day was reported across most factories, which illegally extends the working hours from the regular 8 hours a day to 11-12 hours a day. The modus operandi used by the factories is to compel the women workers to punch in their exit at the end of 8 hours, and then again enter the factory for the extra hours of work. In this manner, the extra hours of work put in by the workers remains off the record and unaccounted for. The Gokuldas Export (CCC-1) at Mysore reportedly follows this abhorrent practice, while women from other garment factories reported similar practices.
- Denial of promotions despite several years of work at the same factory
- Refusing promotion to workers active in Union activities: Providing increments and promotions selectively to those women workers who comply with superiors' demands and are docile, while penalising women who assert their rights and question the management about harassment, by denying them increments and promotions. For example, a woman worker from Wonderblue at Mysore road reported that she was given very few increments because she was assertive and protested against the harassment meted out to her. Another worker from GokuldasExport (CCC-1) at Mysore said that in the last two years, she had received no increments at all, and prior to that, she received only Rs. 10/- as an increment while all her colleagues received Rs. 20/-. She said that none of them could question the ad hoc nature in which increments were being given for fear of losing their job.
- Denial of profit sharing based bonus to the garment workers, which they have a right to receive

- When the factory gets reduced or gets no new orders, the workers are forcibly required to take a day off, and are not paid for the said day; when there are orders and the production targets are high, they are compelled to work even on their holiday, again without pay, setting off against the day they were given off. In addition to the financial exploitation involved in this practice, they are told only when they are leaving at the end of their day of work about the next day being an off day or an OC day – this prevents them in planning their personal life and commitments.
- Frequent threat of dismissal from work
- Difficulty in finding a new job at another garment factory, if a worker leaves a factory on a bitter note [needs to be elaborated?]

VI. Reactions to the Harassment

Most women interviewed as part of this study reported that they felt a range of emotions and reactions to the various forms of harassment meted out on them. These include:

- Anger
- Frequently crying in the factory
- Emotional breakdowns
- Contemplating to leave the job
- Helplessness at inability to leave the job (due to lack of skills etc.)
- Thinking about suicide
- Attempting to commit suicide
- Humiliation and shame at being scolded at the factory, and
- Dejection at being looked down upon, due to work at the garment factory.

VII. Coping Mechanisms

The most common coping strategy was to ventilate one's feelings with a friend / co-worker. Most women garment workers expressed an inability to share such feelings with their husbands, as they feared that the husband would compel the woman to leave the job, which she desperately needs to financially support her family. In a few instances, though, where the woman reported the harassment to her husband, who then confronted the superior, resulted in the harassment being stopped.

A few women workers have individually protested against the harassment meted out to them, and have confronted the harasser – the supervisor in most instances. However this was not always a successful strategy. They reported that this often led to increased targeting and victimization, including assigning them “punishment work” which involves more hardship.

For example, a woman garment worker from Texport creation Mysore road - whose supervisor threw the garment she had stitched on her face, not once but repeatedly - felt insulted, protested against the treatment, and asked him to behave properly. However, there was no change in his behavior subsequently, she said.

Most women reported that when one woman is being humiliated or harassed, all other workers who witness the incident remain quiet as they fear that they will lose their jobs. Similarly, if one woman protests the treatment meted out to her, she does not get the support of her colleagues, as all of them are in a financially vulnerable position and do not want to risk losing their job. Many regretted the fact that when they are individually harassed, no one speaks up. Some also said that their colleagues had advised them not to protest, question or “back answer” the floor-in-charge and the supervisor, so that she does not have to face their wrath. In one instance, the colleague to whom the harassed woman confided in sneaked the information to the superiors in order to win a favour with them.

Being associated with a trade union seems to have brought reprieve to some, as they are able to vent their grievances at the union meeting, and take advice and suggestions on how to address the various forms of harassment they face. In extreme forms of harassment, the trade union has also provided legal assistance. As a woman worker who worked with Gokaldas Export(CCC-1) in Mysore explained:

When I was scolded very badly, saying that I am fit for standing on streets, I have no self respect (“maana, mariyadailla”), I was angry and humiliated. I returned home and shouted at my husband, as I was being subjected to all this humiliation only because he wasn’t able to earn adequately. He called up the Product Manager and shouted at him. I was then made to leave the job by deceptive means. I was tricked into writing an outpass, and was compelled by the superiors to sign on blank paper. I approached the trade union (GATWU) and with their help, I have filed a case against the supervisor, floor manager, and production manager, among others, in the labour court. I made this move as I do not want any other woman to be subjected to mental harassment the way I was. When the management received the court summons, they wrote a letter to me, falsely accusing me of theft, and of not reporting for work without giving notice of leave, asking me to immediately re-join work. I have decided not to do so as I do not want to be mentally harassed again, and I will try to earn a livelihood independently as a tailor.

Many women workers reported that once the management came to know that they were members of a trade union; they were targeted for further harassment on a day-to-day basis, assigned more difficult tasks with impossible production targets, and never sent to speak to

buyers during brand audits. As a result, many women workers resorted to concealing the fact that they were members with a trade union. Some reported that all garment workers were frequently told that the Union cannot solve any problems, and that the solution was for the workers to abide strictly by the instructions given and targets set by the management.

Some expressed that they try to treat the violations, the violence, and the harassment as a part of their job, while some others have unsuccessfully tried to forget about the incidents, in an effort to cope with the ill-treatment.

VIII. Impact of the Violations

Impact of the violations and harassment was felt on three fronts: at the workplace, on the physical and mental health of the woman, and on their personal and family lives.

a. At the workplace

Almost unanimously, the women workers interviewed reported that the factories they worked in were unsafe due to workplace violence. Reflecting on the various forms of harassment, lack of amenities, and the hostile working environment they faced, they stated that the impact on their work and workplace was as follows:

- Decreased level of co-worker trust
- Decreased morale
- Decreased productivity
- Decreased sense of safety/security
- Increased absenteeism
- Increased fear
- Increased stress levels
- Greater concern for work/life balance

b. On their physical and mental health

Physical health issues faced by women include:

- urinary infection (due to inadequate consumption of water)
- gastritis (due to irregular intake of food)
- headache (due to lack of sleep and the high noise level in some departments of the factories)
- problem with eyesight (due to straining the eyes continuously for 8-10 hours a day)
pain in the legs, knee and arm joints, shoulder, and back (due to the posture of

work);acute dust allergy and chest congestion (as they are provided unclean/defective masks at the factory)

- They spend long days at work in the factory and at home, and are often deprived of adequate rest.
- Many women reported that it was a common sight to see many women crying and weeping in the factory on a day-to-day basis. This indicates the level of mental stress and agony that they would be undergoing. Many women complained of being severely depressed, frustrated, edgy, emotional, and faced mood swings. Many workers complained of sleeplessness, and of having nightmares about the work atmosphere during their sleep. Some workers admitted contemplating suicide, more than once. A woman working at Gokaldas Exports (CCC-1) in Mysore said as follows: *Several times, I have felt like committing suicide; I also attempted suicide once last year as I was facing extreme mental harassment both at home and at work, and I felt that life is not worth living.*

c. On their personal and family lives

The long hours of work, coupled with commuting time and responsibilities at home, has taken a toll on the social lives of the garment workers. Many reported that they were unable to attend social functions or meet their friends, as they had no time, energy, or leave.

The abysmal conditions at the garment factories have adversely impacted the relationship that the women garment workers share with their children and partner. Many said that they are not sanctioned any leave for attending the monthly Parent-Teacher Meetings held at their children's schools, as a result of which they are unable to keep track of their children's studies, or help them with their studies. They also reported getting very little quality time with their children. Many reported venting their anger and frustration on their husbands and children, which led to a strain in their relationships.

A woman worker from Wonder blue at Mysore road said as follows: *"I have no time for my family. My work is so stressful, that I go home in a bad mood and many times I end up scolding my husband/ children for even smallest of issues. My relatives think I am money minded since I do not have time to attend any social functions."*

IX. Safeguards & Their Effectiveness

Although there are various safeguards that exist for preventing and redressing forms of harassment at the workplace, the women workers reported that most such avenues for redress were dysfunctional.

For example, although the workers are required to report threats and violence at the workplace to the management, most do not do so due to fear of being disbelieved and / or losing their job. In the experience of many women, the Human Resource Department sides with the management rather than taking care of the workers' welfare.

In Shahi Exports at Maddur, there is a woman welfare officer who is expected to address issues related to the workers' welfare. However, the women interviewed said that she always supported and sided with the HRD, supervisor and floor-in-charge, and hence they had no confidence in her to air their grievances regarding harassment and violence.

A complaint box is kept in the factory for the workers to anonymously send in their complaints. However, in their experience, the HRD has taken no visible action to complaints in the past, and hence, most workers do not use the complaint box even if they have grievances. Some fear a backlash / retaliation, while others say that they have witnessed the complainant being targeted for further harassment once the HRD comes to know her identity.

A woman worker from GokaldasExport(CCC-1) at Mysore said as follows:

Yes, there is a procedure is to report to the HR Manager. But the HR Manager sides with the other supervisors and does not intervene on behalf of the workers. Retaliation is sure. Other than reporting to HR Manager, there is a suggestion box. Whoever makes a complaint and puts it in the suggestion box, is personally scolded and insulted for doing so. Also Factory Inspectors come but we are unable to complain to them – they are bribed by the factory owner. Police has sometimes come into the factory and made rounds. I am not aware of the purpose for which the police came into the factory; I have seen the police being bribed...I know that some committees exist, but I do not know their names. I know that the employers do not allow the committees to function properly.

Although the law requires prohibition against sexual harassment at the workplace to be displayed on notice boards prominently, and the management is duty-bound to take proactive steps to prevent and redress sexual harassment, such legal provisions seem to have been flouted. For example, a garment worker from Shahi Exports Maddur was emphatic that no policies and programs exist in her factory to prevent and redress workplace violence and harassment. A woman garment worker from Wonderblue at Mysore road reported that she has seen an announcement on the noticeboard about sexual harassment, but was not aware of policies and programmes that existed for preventing violence and harassment at the workplace. Most women do not know if an internal complaints committee existed, and if so, who the members were. A few women reported that they had been called for meetings which

created awareness about sexual harassment at the workplace, but the supervisor / floor in charge would compel the workers to complete the target even if they were participating in the meetings for an hour. For example, a woman worker from Texport Creation at Mysore road at said as follows: *“I was called for a training, to recognize, prevent and deal with workplace violence – but did not go, since the Supervisor insisted that in spite of losing one hour for training, I will still have to reach the target.”* A worker from Wonderblue ,Mysore road at also reiterated this observation.

Often they were not given permission to attend the meetings, or the women workers themselves decided not to go for the same, due to the high production targets. Clearly, not only is the management flouting the legal provisions, but also creating conditions that would deter the women garment workers from effectively participating in these meetings that would help them assert their rights. The HRDs, floor in charge, supervisors, production managers and all other superiors require be making aware of the legal provisions and strictly warning not to impede the women from participating in the meetings.

The routine practice when brand audits take place or when buyers visit the factory for inspection is that the management picks and chooses the workers that the buyers can converse with. Reportedly, only the docile and submissive workers are chosen, and they are tutored about what to speak with the buyers before the arrival of the buyers. In this manner, brand audits are made a farcical exercise that cover up the various forms of harassment meted out to the workers by the management. In the exceptional instances when the garment worker has managed to report about harassment to the buyer, she says that no action was taken. For example, a garment worker from Shahi Exports at Maddur did manage to converse with a buyer, and complain about sexual and physical harassment by the floor in charge, but she says that no action was taken and that in future, she will refrain from complaining.

A woman garment worker from Shahi Exports at Maddur said that when buyers visited the factory for inspection, there were announcements made on the Public Announcement system, asking the workers to complain about any misconduct or harassment they have faced. She said that this was for the buyer’s benefit, to create a façade of fairness, while none existed. She and her colleagues refrained from making any complaints to the buyers as they would face retaliation from the management subsequently.

X. The Factory System of Garment Production—A view from Below:

It is important to see that the features we have noted above are not merely accidents, but part of a larger system of production where torture is an inevitable outcome. This system is marked by the following features:

1. Architecture of the workplace

The spatial organization of the factory itself is designed to separate the workers from the middle levels of management physically and therefore socially. The design of the buildings themselves creates a feeling of hopelessness and discourages workers from speaking with anyone except their immediate supervisors. Many respondents say that they cannot access HR managers, and in times of complaints, the latter side with the immediate supervisors.

The resulting culture is one of hierarchy, power, and distance. As there is no association between the management and workers, complaints get ignored, and management often goes against worker, leading to reprisals against the worker. Protest can lead to punishment, and further complaints against worker. The very architecture of the buildings is designed to isolate workers in order to make them a subservient work-force.

2. Gendered nature of the workplace

Women are often seen as a more malleable workforce. Many women who work do so due to financial problems in the family, and can often be threatened on multiple levels. Beyond that, the “male ego” often allows men workers to negotiate better work conditions for themselves and makes tactics of worker humiliation less effective. Hence, management in garment industry takes advantage of the relative vulnerability of women workers in order to harass and exploit them financially as well as in other ways, and generally, fashion a more disciplined and hence cheaper workforce of women.

This way, when women work in the factory, the effect of disciplinary tactics can be harsher. The culture of discipline affects the workers' home life, and, equally, the home life affects the workplace. Women when they go home at the end of a stressful working day have household responsibilities that they have to perform, which in turn makes the work place more stressful. Finishing factory work and meeting the set targets within the work period, becomes crucial. This affects the work culture in two ways.

1. Women are forced to work longer hours than stipulated, and more intensively, in order to get their quotas over with, sometimes producing 2-3 times the amount they normally would. This can be used by the management to coerce them to meet increased targets or work unpaid overtime.
2. The stress can cause them to quit and be replaced with new workers who are easier to manipulate.

3. Abuse and Shaming

Social segregation can have a dual effect. If workers feel they are separate from the management, then they can also feel that they are united. To prevent this eventuality, the management enforces social isolation of the individual worker from other workers as a tool to keep the entire workforce subservient. Shaming of the worker in front of the others on the factory floor is a common tool of discipline. For example, a worker is sometimes made to stand aside for an hour as punishment before the assembly. This often reduces the humiliated worker to tears. Equally, this isolation of worker from the assembly of the workers, who look on helplessly and silently, makes all of them feel lost and incapacitated.

Shaming has physical, social, and economic dimensions. Workers have complained about being physically dragged from their work station, being scolded on the public announcement system, facing threats of dismissal, and being made to write apology letters. Some will be body searched while leaving. Coercion, forced labor, verbal and physical abuse, and corporal punishment are all built into the working day of the woman garment worker.

4. Favoritism

Consistent shaming has the potential to galvanize the workforce. Therefore it is important for the management to ensure that some culture of worker favoritism prevails in the factory. We could not ascertain specifics from the worker testimony, but many women do claim that some women workers get favored and gain sympathy and benefits by being nice to management. Acts of favoritism can be quite capricious and arbitrary, and keep workers in a constant feeling of indebtedness to the management for any sense of relief. This creates a hostile environment where workers either compete against fellow workers for the favors of the management, or, disgusted, decide to leave.

5. Worker Surveillance

On top of the nominal supervision, there is a system of continuous surveillance of the workers. When not being present at the work stations, workers are consistently questioned about their whereabouts. Even toilet and canteen visits are monitored by security.

6. Production targets

Production targets have their own logic, being often unattainable and expanding. Targets are pegged to wages through the piece per hour and wage per hour. This allows for two levels of manipulation. One, the number of pieces per hour can be increased to maximize returns, though the number of hours remains the same. Second, targets are set through a time study, with the machine acting as the pace setter. The machine-time effectively determines the pace of the workers.

Targets are changed arbitrarily. Orders come from above, and are not explained. The intensity of the work can be very high, and sometimes the workers collapse due to sheer exhaustion. On the work floor, the targets end up having a coercive dimension. When a worker falls behind, she is often threatened with dismissal.

The stress causes many workers to quit, which makes the environment even more coercive. When a worker quits, often she is not replaced, and her work load is shifted to the rest of the workers in the section, in turn increasing the intensity of the work for all.

7. Impact of the work environment:

The result of this is that the factory becomes a harsher place to work in. Toilet breaks, lunch timings, and tea breaks are often cut to make workers meet targets. The working conditions, workforce composition, and even the basic layout of the factory are designed to create a subservient labour force.

The women, at the end of a hostile working day, often carry home the hostile environment of their work place, compounded of feelings of harassment, discouragement, and hostility with them, thereby affecting their personal life. Many workers reported experiencing spells of forgetfulness, sleeplessness and nightmares, and constant bickering and fights at home.

Summary:

Garment workers are predominately women workers. There is constant effort at every level to break the workers, on one hand by ever-increasing production targets, and on another hand by constantly creating an atmosphere of fear, humiliation and shaming the worker and punishing any effort to unionize. The Human Resource Department whose stated role is to look at the concerns of the workers, in reality becomes a tool for oppression by the Management, who also use it to find and punish workers who stand up to such oppression. The factory becomes a place of complete oppression where all forms of physical, sexual and mental assaults are carried out daily in the name of production targets. In sum, production targets lead to a rigid and impersonal hierarchy in the workspace, which in turn leads to an intimate and hostile relationship with immediate supervisors and a feeling of distance and remoteness from the HRD. This in turn allows the HRD to shirk its responsibility and side with the management and deny workers their legitimate rights, while allowing their immediate supervisory staff to enact cruel forms of punishment. Workers are actively discouraged from expressing their grievances, even in silent whispers, let alone organize to take legal action or join a union. In this context, workers are deprived of any hope of help, while at the same time they are encouraged to leave. The feeling of

desperation leads to a hostile work environment which breeds gender violence, sexual harassment, continuous surveillance, humiliation, and even corporal punishment. The high rate of worker turnover produces a malleable and subservient workforce, which readily accepts existing work conditions because it lacks the history to negotiate effectively with the management. This culture of subservience prevents any scope for intervention on behalf of workers by visiting inspectors, either from brands or from the state, who rely on worker's testimonies to evaluate factory conditions.

F: Table of various conducts which violates Labour law, ILO guide lines and Brands code of conducts

Sl No	Conduct	Code National & State Legislations	ILO	Brands' Code of conduct	Judgement
	Lack of ventilation or any fans. Work temperatures are high and loud noise conditions.	Factories Act, 1948 - Sections 11 &13 Karnataka Factories Rules, Rule 19(1)		Puma, H&M, Gap, Nike, Walmart, Columbia Sportswear	
2.	Asked to work even	Article 19(1)(g) of the Constitution		Puma, H&M, Gap, Nike,	

	after punching out - forced unpaid overtime work.	Factories Act, 1948 - Section 59 & 64(1) Karnataka Factory Rules, Rule 109 Minimum Wages Act, Section 13		Walmart, Columbia Sportswear	
3.	Approximately 8 hour long official work day with only one half an hour break for lunch - that is turned into a 20 minute break.	Factories Act, 1948 - Section 44, Section 55		Puma, H&M, Gap, Nike, Walmart, Columbia Sportswear	
4.	No proper segregated sanitation options available.	Factories Act, 1948 Karnataka Factory Rules		Puma, H&M, Gap, Nike, Walmart, Columbia Sportswear	
5.	Promotions based on looks and relationship with the owner/ Manager.	Article 14, 15, 19(1)(G) of the Constitution Sexual Harassment act			Dr. Punita K. Sodhi v. Union of India, 2010 (Delhi HC)
6.	Management picks only workers who are submissive and docile and those who are not part of the Union and those who do not speak up.	Article 14, 15, 19(1)(G) of the Constitution Unfair labour practice under the industrial dispute act		Puma, H&M, Gap, Nike, Walmart, Columbia Sportswear	
7.	Verbal Abuse - calling one dog, pig, or other verbal comments meant to insult	Sexual Harassment Act, 2013	Threat, Psychological har	Puma, H&M, Gap, Nike, Walmart, Columbia Sportswear	

			ass me nt, Sex ual Har ass me nt		
8.	Physical Harassment - throwing garments on face, made to stand for long without reason.	Factories Act, 1948	Ass ault , Har ass me nt	Puma, H&M, Gap, Nike, Walmart, Columbia Sportswear	Dr. Punita K. Sodhi v. Union of India, 2010 (Delhi HC)
9.	Sexual Harassment	Sexual Harassment Act, 2013	Sex ual Har ass me nt	Puma, H&M, Gap, Nike, Walmart, Columbia Sportswear	Dr. Punita K. Sodhi v. Union of India, 2010 (Delhi HC)
10.	Creches - Mothers not allowed to visit	Karnataka Factories Rules, 1969 - Rule 103		-	
11.	Creches - No appropriate Staff	Karnataka Factories Rules, 1969 - Rule 104		-	
12.	Creches - not available	Factories Act, 1948 Karnataka Factories Rules, 1969		-	
13.	Transfers to harass	Article 15 of the Constitution Industrial Disputes Act - Unfair Labour Practice			Dr. Punita K. Sodhi v. Union of India, 2010 (Delhi HC)
14.	Hire and Fire Policies	Industrial Dispute Ast, 25F and 25N		Puma, H&M, Gap, Nike, Walmart, Columbia Sportswear	
15.	No access to drinking water and toilets	Article 19(1)(g) of the Constitution Factories Act		Walmart	

16 .	Absurd restrictions in housing facilities [need to mention this in the report?]	Article 14 and 15 of the Constitution		Gap	
	Non-provision of maternity benefits	Maternity Benefits Act			

G: OUR RECOMMENDATIONS:

STATE GOVERNMENT:

- a.i.1. Revision of minimum wages to ensure proper and fair wages
- a.i.2. Audits and checks by the Brands as well as Labour Department of the Government, should be conducted regularly and must include inspection of facilities and the running of provided at the factory such as – canteen, rest room for women, medical support room, Creche for children of workers, transport needs of workers, sanitation and drinking water.
- a.i.3. A Living Wage tribunal must be immediately constituted for the garment industry by the State to curb the exploitative financial practices of the management, such as extracting unpaid work, often beyond the working hours, and not accounting for this extra work, overtime without compensation—all of which is in fact nothing but wage theft; arbitrary sanction and withholding of increments; denial of promotion, denial of performance-based bonus, delayed payment of salary, and so on.
- a.i.4. Underlying the exploitation and harassment of women in the garment industry is the fact that rural distress and decreasing of agricultural work is driving more and more women in rural areas to exploitative work in urban areas. The state needs to address this fundamental economic issue and create conditions for women workers to make a dignified choice regarding where they want to take up employment.
- a.i.5. The State Nodal Authority set up as per provisions of Sexual Harassment of Women at Workplace (Prohibition, Prevention and Redressal) Act 2013 must form a special cell to address the issue in Garment Industry on a regular basis. The Authority must ensure proper functioning of the Grievance Committees in each workplace – especially regarding the selection of outside independent member, awareness and reach to the grievance process to all women employees in the factory at all levels and regular meetings, reporting etc.
- a.i.6. The State must upgrade ESI facilities provided for workers by ensuring up to date diagnostic and treatment facilities. The ESI hospitals must be inspected regularly by the Health Department as well as the Labour Department, to ensure staff attendance and extension of services to the workers.
- a.i.7. Ensuring that factory does not practice unfair labour practices and take action against factories and establishments that threaten union activities
- a.i.8. Ensure the provision of profit sharing bonus to all workers
- a.i.9. Anything on migrant garment workers?

Brand Buyers and their Local representatives:

a.i.10. Brands must take primary responsibility for the worker harassment that occurs in any factory of the manufacturers they deal with, irrespective of whether a specific factory is manufacturing the brand's product or not, since the manufacturer in question has violated the code of conduct that the brand has stipulated for its products manufactured across the world.

a.i.11. To avoid collusion during brand audits between the management of the manufacturing unit and visiting representatives of foreign brands, surprise audits must always be conducted with representatives of both foreign brands and workers of the manufacturing unit participating in the audit in equal measure.

a.i.12. During buyer audits, the brand representatives / buyers would do well to exercise more circumspection, and independently choose the workers to converse with, and speak to them in a private space without the presence of superiors, in order to obtain a clearer picture of the extent of compliances. They should also act with due diligence, and intervene after hearing the complaints and grievances. Extra care would need to be taken to ensure that the women workers face no backlash or retaliation from the management for having aired their grievances to the brand representatives / buyers in confidence.

a.i.13. Audits and checks by the Brands as well as Labour Department of the Government, should be conducted regularly and must include inspection of facilities and the running of provided at the factory such as – canteen, rest room for women, medical support room, Creche for children of workers, sanitation and drinking water.

Factory managements:

a.i.14. Since a lot of the harassment seems to arise out of pressure on the worker to meet unattainable production targets, a a sample section of workers must be included in fixing targets through a scientific, fair, and transparent method that is selected through a democratic process. The present system of fixing production targets arbitrarily and at unreasonably high levels that causes havoc with the workers' physical and mental health must be replaced with one where targets are fixed realistically in regular consultation with the work force taking into account various factors at work on the factory floor at any given time.

a.i.15. Medical care and transport must be made more feasible and must be included as a part of the contract of such workers.

a.i.16. Entry-level and Periodic training for supervisory and Management level staff on Gender sensitivity, Laws Governing well-being of women, Work-related laws and Human relations must be a part of training policy and not just for workers.

a.i.17. Monetary and non-monetary Incentives system for supervisory staff for good behavior and non-abusive healthy relations with workers must be a part of HRD initiatives to ensure a safe and enabling work atmosphere.

a.i.18. Mandatory Committees for worker benefit such as Canteen Committee, Complaints Committee, Sexual harassment Complaints Committee etc must have representation of women workers selected for their aptitude for committee work. The committees must be allowed to function fairly, independent of management interference and for the benefit of workers.

a.i.19. In all workplace women workers must be provided with a rest room and clean toilet facilities, safe drinking water and canteen.

a.i.20. Complaints procedures should be clearly displayed in all sections of the factory in English and Kannada. Care should be taken to see that women are not intimidated by staff at supervisory or management levels against making complaints for better facilities or on harassment / abuse. There should be clear policy for handling complaints and post-complaint harassment/ discrimination of women complainants must be strongly made punishable.

a.i.21. Mothers of children in the factory Creche, must be allowed to visit their children in cases when the child is ill, or is being breastfed by the mother. The staff in the creche must be selected for their ability to handle children with gentle care.
