

CHAPTER- 8

CONCLUSION, SUMMARY AND FINDINGS

8.1 Conclusion

The working conditions of garment workers have been the focus of many studies, labour economists, legal practitioners, activists, trade unionists and even enforcement authorities have been constantly engaged in understanding the struggles of workers working in these sweated units. Many academic studies have focused and compared the situation in different regions of garment manufacturing in India, and have highlighted the conditions particularly those of women workers whose vulnerability is well documented. However, the present studies have brought out comparative analysis of the working conditions in Urban and Rural areas that is Bangalore urban and rural districts. Further, both types of industries exports and domestic market based units have been taken up for the study. The robustness of the research methodology includes both qualitative and quantitative studies, with intense focused group interviews and case studies with relevant cases laws and by utilizing various forms of primary and secondary data.

The research explored the various indicators and characteristics of the garment manufacturing units in urban and rural areas and also differences in the working conditions in exports and domestic market based units. Issues like the working hours, overtime, minimum wages, bonus, maternity leave, social security measures like ESI and EPF, work place hazards like the intense pressures for targets and stress, abuses and sexual harassment; industrial relations issues like termination and dismissals of workers without proper enquiry, lay-offs and retrenchments, transfer, closure of undertakings without observing proper statutory process were observed.

Further, important core labour standards and fundamental workers' rights guaranteed under the Indian labour laws like the Freedom of association and Collective Bargaining was examined. Though most of the codes of Voluntary conduct and Certification like SA8000, WRAP, ETI mention the above labour standards, we have seen how they have been neglected by the manufacturers, Buyers' and also their social auditors.

Labour laws and enforcement of labour laws have been extensively discussed and its impact on the working conditions is assessed. Pressures on the State and national governments with their primary agenda in attracting foreign investments have been replicated in not evolving a clear policy on labour regulations. Policies relating to attracting investments and de-regulation of business and curbing national labour laws from been enforced either in the form of creation of SEZ's and streamlining the enforcement agencies through random inspections and only on specific complaints have made the labour laws defunct. Labour inspections have lost its spirit and it is only used as a weapon to threaten employers and for selfish and corrupt gains rather than to improve the working conditions of workers. Important statutory labour laws like the Industrial Disputes Act, the Industrial Employment (Standing Orders) Act, the Factories Act, the Minimum Wages Act have been violated by the manufactures and not been satisfactorily implemented by the authorities.

The study has revealed that the working conditions in the urban and rural areas differ slightly. Urban centers in Bangalore city has become the play ground for the activities by labor activists, media coverage and constant vigilance either by the enforcement agencies, or trade unions and other pressure groups. Rural areas and other parts of the state like Bellary, Tumkur, Shimoga, Hubli and Mysore have

become the important destinations for garments manufacturers to set up their units. Capitalizing on the availability of the cheap and unskilled labour mostly young men and women, who have no alternative economic activity (since agricultural growth and creation of employment is negligible) export manufacturers are luring them as industrial workers and then into the cob-web of low-wage and low-skilled trap of industrial and global production network.

Theoretical framework and concepts of Hard Law and Soft Law was utilized and reasons as to why Global brands and Suppliers intend and promote voluntary codes of conduct is established. Consumers in the North and Developed countries and also the relentless cry and outrage of many global solidarity organizations against the 'sweatshop' workers' rights violations are some of reasons behind promotion and advancing of the Voluntary codes. Though most of the codes imbibe and proclaim that ILO's core labour standards should be applied, enforced and monitored, the mockery of the situation is that most of the supplier factories, are skeptical and are avoiding any form of workers' organizations either in the form of Trade Unionism or NGO formation.

Various issues, themes and concerns were discussed during the personal interviews within the factory premises and also during the focus groups interviews outside the factory premises with many garment workers. The sample included both men and women workers drawn from both urban and rural areas and also working in both exports and domestic market manufacturing units. Workers' perception and views on many important issues like how they themselves perceive as industrial workers, what is their opinion about the working conditions, scope for improvement, their views on labour regulation and implementation of codes of conduct was very crucial to the research and provided insights into the real issues.

Regarding the enforcement of labour laws and also the codes of conduct and also the combined efforts of regulatory agencies and social auditors, except for the setting up of several committees, not much has been done in terms of qualitative improvements in the working atmosphere, health and safety is not yet standardized in most of the factories. Abuses and instances of sexual harassment are rampant, despite setting up of anti-sexual harassment committees. There are examples of illegal terminations which are malafide, lay-offs and retrenchment and even illegal transfer and closures of undertakings and workers left to their own, without adequate or essential statutory compensation. There are several instances of workers staging dharnas, jatas, demonstrations, hunger strikes for increase in the minimum wages, better enforcement of labour laws, illegal lockouts and closures etc.

The number of industrial disputes/claims filed before the Conciliation officers and Minimum Wages Claim authorities and under other social security legislations like the Payment of Gratuity, Maternity Benefit and Workmen's' Compensation prove beyond doubt the point that workers are isolated and deserted and they don't have any collective and vociferous voice in terms of espousing their causes/disputes before the concerned authorities and also against their own employers.

NGOs are successful only in creating awareness among the workers about their social and economic rights, and work-life balance and also letting workers know, how they are been exploited in the global value chains of garment productions. They are very cautious in their approach, because any onslaught on the industry and extreme pressures may threaten the existence and operation of the industry and workers may lose their jobs and further slide into poverty. National level trade unions and neo-trade unionists who transformed themselves from NGO activists' or culture to the realm of trade unionists did not realize the art of organising workers' and the

language of industrial relations. They are just propagating increase in the Minimum wages and other social security entitlements and safe conditions for women workers, but have miserably failed in building stronger and unit level Trade Unions and engaging the industry in Collective Bargaining negotiations and winning the trust of the stake holders, which is the only way wherein not only industrial democracy but tangible and qualitative working and service conditions of lakhs of garment workers would improve.

8.2 Summary and Findings

The Summary and Findings of the research is presented under the following sections:

Section 1- Characteristics of the garment industry in the sample

Section 2- Perceptions and views of the HR/Welfare officers in garment industry

Section 3- Perceptions of the Management on Labour law compliance and regulation

Section 4-Garment workers' perceptions and views on major critical issues

Section 1- Characteristics of the garment industry in the sample

- 1) 13 garment industries in the sample provide various characteristics which are significant to probe into the various issues raised in the research. More number of garment industries are cropping up in the rural areas of Bangalore Rural district and are also re-locating in other parts of Karnataka. Most of these units are 100% EOUs.
- 2) The garment units in the sample both exports and domestic market units all have (100%) predominantly engaged only regular workers (both male and female in Urban the ratio is 1:6 and in Rural the ratio is 1:3). None of the industries in the sample study have engaged contract workers through the Contractor to work in their units. This disapproves many findings that garment

industries in Bangalore region are resorting to contract labour and the production patterns are moving towards decentralization.

- 3) The maximum number of regular workers engaged in the Urban factory in the sample was 6780 working in two shifts, and minimum number of regular workers engaged in the urban based factory is 300; likewise the maximum number of regular workers working in Rural factory was 2350 and the least workers was 380.
- 4) All the factories in the sample were working on General shift timings; except one factory in rural area which was on three shifts and one factory with largest number of workers had two batches, but only one general shift. Most of the units are giving Overtime, but it is restricted to one hour in most of the rural factories, such restriction is not there in urban factories. Weekly holiday is observed in all the factories
- 5) SA8000 and WRAP certifications are the most important certifications obtained by the factories in both urban and rural areas and are mostly export oriented units. Further, the Factories have developed their own codes of conduct and Policy on important issues like Environment and safety and have displayed the same in the premises.
- 6) Certain provisions under the Industrial Disputes Act pertaining to the applicability of Chapter V-B and with matters relating to Lay-offs, retrenchment, Transfer and Closure, the industries are not complying and are not taking the permission from the appropriate government in this regard and compensation packages are decided arbitrarily.
- 7) Violation under the Industrial Employment (Standing Orders) Act pertains to non-display of the certified Standing Orders both in English and Kannada, and

important factor is that the knowledge of workers about the standing orders is abysmally low.

- 8) However, many export oriented factories have displayed the codes of conduct of many Buyers' and Brands, and it was a fanciful sight that many such codes have occupied the space in the notice boards and some are also displayed in Kannada, however, very negligible number of workers in the factories are aware of the codes and mostly, women who are seniors and who represent the social auditors during their visits to the factories are aware of the importance, otherwise no one really knows what is the implication and impact of these codes in improving the conditions of work. Since, many of the export units in the sample are set up few years ago, time will have to tell us whether, there will be any improvement in this regard.
- 9) All the factories in general have formed committees like Works Committee, anti-sexual harassment committee, Health, Safety and Grievance Committee, but all have remained in books and are just a lip service. The effectiveness of these committees are questionable, and they have just fulfilled the statutory requirement of forming the committees. Most of the committees require leaders among the workers to speak and address the issues, and the management don't want to create any such type of leadership among the workers.
- 10) Most of the factories located in the rural areas have provided transportation with subsidized rates, this is because workers commute from far of places and the maximum distances sometimes ranges from 60-80 kilometers. They are willing to bear the cost of transportation, however factories in Bangalore urban mostly do not provide transportation and the workers have to travel very

long distances to reach the work place and there are number of difficulties faced by them without proper transportation.

- 11) The most important characteristics of the garment industry irrespective of whether they are located in Urban or Rural and whether they are in export market or domestic market, is the absence of the Trade Unions and Collective Bargaining agreements. During the interviews with the HR/Welfare and Top Management, they openly defend their own argument that trade unions are not required, because the industry is taking care of their workers and that all the grievances are handled at the shop floor level and social auditors are verifying each and every worker whether they are happy and that all their grievances are solved. However, one unit in Bangalore city, the HR Manager mentioned during the interview that the factory does not restrict any workers from joining the trade unions.
- 12) Not many units in the sample have received any recognitions or awards except one unit in the Rural area, which has received an appreciation from the Economic Times, that it is the best place for women to work. Two units in the Urban area have received recognitions from CII and FICCI during 2009 and 2010.
- 13) It was surprising that not many units in the sample have initiated any type of Corporate Social Responsibility (CSR) Two units in rural Bangalore provided books and uniforms to the students of the nearby villages, one firm renovated the temple; and the firm in Bangalore city provided educational loans to the children of the workers. These were the CSR issues adopted by the global networked companies, which claim that they are high in Ethical Practices and on CSR issues.

- 14) Most of the industries in the sample claimed that they have no Industrial Relations issue in their firms, except that one unit in rural areas had some IR issues during 2009.
- 15) Most of the industries both in urban and rural areas are facing labour shortage and some firms say that it skilled labour where there is acute shortage, only two firms in rural and one firm in Urban said that they are not facing the labour shortage.
- 16) Since the sample size was large for rural factories, the main reason for these factories to shift to rural and remote areas, is to capitalize on the availability of cheap and unskilled labour, who are young and willing to work in factories, because the employment opportunities in rural areas is scarce and also migration to cities is very costly. Some firms find that operating huge factories in Bangalore is costly and overcrowding in the city and need for the industrial development in rural areas due to certain policies of the government have prompted them to set up factories in the units. Several factories in the Urban areas are also planning to either expand or move to rural areas.

Section 2- Perceptions and views of the HR/Welfare officers in garment industry

The sample industries for workers and HR/Welfare officers were one and the same; this is structured basically to ascertain the views and perceptions of most important stake holders working in the same firms, on various issues which are a concern for all. The detailed analysis is found in the Chapter 6 and under section 6.3, brief summary and findings are mentioned below:

- 1) Out of 22 HR/Welfare officers in the sample of 13 units, 12 respondents were women and 10 were men, this proves the fact that female executives are preferred in the garment units, so that they share the concern of the women

workers, and it is also established that women make better Human resource managers.

- 2) One of the important response to the question was the role of the HR/Welfare officers, wherein most of them claimed that it is the interest of the workers, and least number responded it is the interest of the management and compliance of codes of conduct and labour laws received the same amount of response, but the majority said that it is the all the above indicators which they are interested with.
- 3) HR/Welfare managers have mentioned that implementation of codes (mostly in exports units) and implementation of labour laws (mostly in domestic units) was on high priority and they have rated 9 on the scale of 10.
- 4) The HR/Welfare officers are themselves not sure about the awareness of the labour laws and workers' rights among their own workers. Though none of them responded that none of the workers are not aware, they only believe that they are mostly aware, thus there is a need for the industry to evolve training and other Learning sessions and also the Departments, with the help of Karnataka Legal Awareness Authority to conduct awareness generation camps for the workers in the garment units.
- 5) HR/Welfare officers in the export units are again not sure about their workers' awareness of the codes of conduct and labour standards. The monitoring agencies or the Brands and Buying Houses want the codes to be known and read by each and every worker and also are applicable to suppliers' supplier that is the units where certain production process like washing, dyeing and other activities are outsourced. Further codes of conduct copies are to be translated into the local languages and given to the workers, but in most of the cases it is

not done, further, what utility is served to workers by reading these codes is still wondered.

- 6) Regarding the conditions of labour in the garment industries only 4 of the 22 HR/Welfare officers termed it as 'very good' and a majority of 13 managers considered it 'good', and 5 of them considered the condition as 'average'.
- 7) The response of the HR/Welfare officers regarding their opinion about the Labour laws, 19 of them said that specific amendments are needed to the labour laws. This reflects the point that they are seeking certain important amendments and that at the field level, there are certain problems with applicability or implementation of labour laws.
- 8) With regard to their opinion on Labour regulation, 11 HR/Welfare officers viewed that the labour regulations require moderation and soft approach, and two officers felt that it is too much and punitive in nature and four officers felt that it is 'average' and five felt that labour regulation needed little interventions, thus majority of them are not in favour of the existing labour regulation and wanted lot of changes in the approach and proposed 'soft approach', interestingly none of them said that labour regulation is not required since code of conduct is been implemented. Thus, HR/Welfare officers are in favour of labour regulation, though they believe that it requires moderation.
- 9) With regard to their opinion about the voluntary codes of conduct, 12 of the 22 HR/Welfare officers opined that it supports labour regulation; and only three officers supported it has a good alternative for labour regulation; and again only three responded that it clashed with the labour regulation; and only four officers opined that it is a better approach. Thus majority of the officers do not feel that

codes of conduct is a better alternative for labour regulation and feels that both are complementary to each other.

- 10) One of the most important responses from the HR/Welfare officers which is a real indication of the conditions of work and future of garment industry is that out of 22 HR/Welfare officers 13 of them felt that the working conditions in garment industry will not improve; and four of them believed that will remain the same and only five of them believed that will improve and of course none of them mentioned that will become worse. This is an important indicator for someone who is always at the work spot and trying to understand and solve the grievances either individual or collective in the garment units, and of the 13 who believed that working conditions will not improve, 9 were from rural and 4 from urban units.
- 11) The response of the HR/Welfare officers regarding the way in which labour inspections should be conducted, seven of them opined that it should be conducted independently; only two favored that it shall be conducted with the trade unions; only one favored that it shall be conducted with the NGO's and again seven of them mentioned that it should be conducted with the social auditors and five of them thought that labour inspections should be conducted jointly with employers/employees in the firms. Thus the opinion is scattered, between been conducted independently, jointly with social audits and along with employers and employees in the firm. However, the faith with the trade unions and NGOs is not expressed by many and is not believed to be a better option.
- 12) One of the important questions posed to the HR/Welfare officers was to trace the reasons for the poor working conditions in garment industry. 7 out of 22

HR/Welfare officers gave their opinion that it is because that industry sources low-wages and low-skilled workers; five of them told that industry is not sharing the profits; and five blamed lack of effective enforcement and four on the lack of commitment by the state and only one response traced that it is because of the absence of trade union that the poor working conditions is found in the garment units. Thus in total 12 of the officers know that it is the industry structure and operations that are the main reasons for the poor working conditions and equally responsibility should be borne by the enforcement machinery and the state for the pitiable conditions of garment workers.

- 13) However, the HR/Welfare officers responses to the question how the working conditions will improve, 10 out of 22 officers responded that corporate codes of conduct will improve; 10 of them favored the local trade union intervention; one favored multiple intervention and one believed none of the above, interestingly none of them believed that government regulation will improve working conditions.
- 14) The HR/Welfare officers' perception regarding the most important issue on the garment industry brought out an important feature of the garment industry. Out of 22 officers 11 believed that it is less payment; 3 said heavy targets; 3 said it is long hours of work; 2 believed it is non-payment of equal wages and one said it is non-payment of OT wages. The majority opinion of the officers reinforces that fact that garments industry is low wage industry.
- 15) Opinion on the frequency of labour inspections was elicited from the HR/Welfare officers. 11 of them said that it is conducted once in six months; 6 said it is quarterly; 4 said every year and 1 respondent mentioned that it is conducted more frequent than the above, but none mentioned that it is

conducted every month. Regarding the frequency of conducting of social audits 7 officers said that it is conducted once in six months; 4 officers mentioned that it is conducted every quarterly; and 4 mentioned that it is conducted every year and 5 mentioned that it conducted more frequently than the above and two responded that it is conducted every month. Thus the frequency of social audits and the possibility of such audits been conducted in every month is more than the labour inspections.

- 16) There is consistency in the opinion of the HR/Welfare officers regarding the role of the state and labour regulation. Majority of them that is 14 officers strongly felt that the role of the state and labour regulation has remained same; five have felt that it is increasing; one said that it is diminishing and 2 officers decided that they can't say on this issue. Thus the belief that the role of the state is diminishing may not be true according the opinion expressed by the HR managers. Similarly with regard to the role of the voluntary codes of conduct 11 out of 22 officers believed that it is increasing and will remain in future; 7 believed that it is increasing; only one officer felt that it is increasing and will decrease in future; and one officer said will remain same and one officer was undecided.

Section 3- Perceptions of the Management on Labour law compliance and regulation

Opinion was sought from the HR Managers other than the garment industry sector and top management with regard to issues pertaining to labour compliance and labour regulation. Very important issues came out during the interviews and the summary and findings are presented below.

- 1) The understanding and knowledge about implementation of statutory labour laws and compliance is vital and one of the important functional activity of HR Managers. Out of 40 respondents 40% of HR Managers and Top Management replied that they 'totally observe', labour compliance in their firms and 47.50% replied that they 'almost observe'.
- 2) Regarding benefits of observance of Labour Compliance 67.50% of respondents felt that it improves working conditions and same percentage of respondents (67.50%) felt that it avoids unnecessary litigations. Interestingly, regarding benefits of non-observance of labour compliance 32.50% of respondents felt that it had no impact on working conditions and also compliance procedures are cumbersome and overlapping, only 12.50% of respondents felt the benefits of non-observance of labour compliance saves costs to the company.
- 3) About 95% of the respondents felt that and expected that Labour Inspectors should provide guidance and facilitate the management in labour-management issues. Only 5% of the respondents favored imposing nominal penalty. Even Self-certification process is not popular, because only 12.50% of the respondents accepted self-certification process.
- 4) A majority of 55% of respondents opined that the best way of improving labour standards is through regulation by the Government. Further 32.50% of the respondents felt that labour standards improves through self-regulation by the industry. 22.50% believed CSR initiatives and only 7.50% believed tripartite body type of intervention.
- 5) Another important outcome is that about 40% of the respondents felt that labour regulation in India is 'Normal', about 30% felt that it is 'very high',

and only 7.50% of respondents felt that it is 'low'. This negates the illusion that labour regulations is very high and the feeling that Inspectorate Raj is ruining the business.

- 6) Regarding the ways to improve labour inspectorate, a majority of 87.50% of the respondents felt that modernization and computerization is a must. 25% of the respondents felt that staff and infrastructure development is required to improve labour inspectorate and only 5% supported expansion of duties to the inspectors.
- 7) Regarding Firms and labour standards practice, majority of 70% of the respondents felt that firms should learn to respect labour standards, and about 52.50% of the respondents felt that firms should equip and improve their Human Resources Department. Only 10% of the respondents felt that they firms should hire labour consultants.
- 8) Another important outcome is that of the relationship between labour compliance and costs to the firm. About 52.50% of the respondents opined that labour compliance lead to just 'average costs' to the firm, about 12.50% of the respondents opined that it lead to 'high costs', and about 22.50% of respondents felt that it lead to 'low costs', this proves the fact that labour compliance is not costly and involves nominal cost.
- 9) Regarding the approach of the Labour Inspectors, 30% of the respondents gave their opinion that they are 'flexible and educating' and 22.50% of the respondents felt that labour inspectors are 'rigid, punitive and corrupt', and about 20% of the respondents felt that they are 'flexible and corrupt'.

Section 4-Garment workers' perceptions and views on major critical issues

The working conditions of garment workers is the major concern of the research, thus it is pertinent that large number of sample was obviously the garment workers, working in both rural and urban areas and also comprised of workers working in the exports and domestic market factories. Workers' perceptions and views on the research themes has thrown lot of newer thinking and scope for not only research and policy implications, but also the way forward to understand and solve the vexatious working conditions of garment workers in the global production networked factories and also huge domestic market units. The following summary and findings are the outcome of the interviews with 320 garment workers of which 71 are men and 249 are women workers (35 male & 125 female in rural and 36 male & 124 female in urban areas)

- 1) Interesting feature of the sample group is that about 70% of the respondents are in the age group of 18-27 (39.06% within the age group of 18-22) for both urban and rural areas. Thus the garment manufacturing is predominantly having young workforce, and the number of workers having experience up 5 years is about 76% and workers with work experience of 11 years and above comprise of only 7.81 percent that is only 25 workers of the total of 320 sample size. The educational levels are abysmally low and it is 67% for those who have got primary and secondary education and only 6.88 percent that is 22 workers of 320 sample told that they possess degree and above qualifications. The marital status of the sample was 50:50 that is 50% of the women were married and 50% unmarried.
- 2) More younger workforce of the age group (18-27 years) is found in the rural factories that is 43.13% and the percentage of this age group in the city is 35%. However, there are more elderly (age group of 38+) workers (5.63%)

and more experienced workers (12.50%) (11 years and above) in the urban areas than in rural. (rural it is 1.25% & 3.13 % respectively)

- 3) More number of workers who are primary and secondary educated are working in urban areas (72.5%) and such educational level workers are less in rural areas (63.13%). However more number of educated workers that is who have passed PUC and obtained a degree are working in rural areas (36.88%) and lesser number of workers with the same education level are working in urban areas (27.50). This shows that educated men and women in cities are not willing to work in garments factories and they look out for other alternative jobs, where as the garments units which have been recently set up in rural areas are attracting even the educated men and women workers.
- 4) More number of married workers are working in urban areas (53.13%) and lesser number of married women are working in rural areas (46.88) Likewise, more number of unmarried workers are working in rural areas and lesser number of workers who are unmarried are working in urban areas (46.88%). Economic compulsion and urban life styles are prompting more number of married women and men to work in garment factories even after marriages.
- 5) Awareness of labour laws is the most important indicator among the workers to demand and obtain workers' rights and achieve industrial democracy. 86.25% respondents in the sample mentioned that they are aware of some or the other labour law. Out of which the awareness among the urban workers is slightly more than the rural workers (82.50% for rural and 90.00% for urban). Other positive indicators of greater awareness of labour laws includes those workers who are older (38+), experienced (11 years and above), with better education (PUC & Degree) and with married workers. The knowledge about

the labour laws is the least among the primary educated workers and also with workers with lesser work experience.

- 6) Awareness of the voluntary codes of conduct among the garment workers especially those who are working in the exports oriented units is an important indication of implementation of codes of conduct in such units. However, the number of workers who claimed that they are aware of codes of conduct is less than 50% (48.75%) Urban based workers are more aware of the codes of conduct (64.38%), rather than rural (33.13), though more number of EOUs is operating in the rural areas. Again workers who are older (38+), experienced (11 years and above) and married are better aware of the codes of conduct.
- 7) More number of the workers in the sample has not witnessed the presence or functioning of labour inspector, factory inspector, ESI/EPF officers in the factory (54.38%). Urban based workers are much better because 102 out of 160 sample workers have seen the labour inspectorate inside their factory (63.75%) and fewer workers that is just 44 out of 160 sample workers have witnessed them (27.50%) As said earlier, more number of older workers, experienced workers and married workers have seen the labour inspectorate functioning in the factories.
- 8) Almost 50% of the 320 workers in the sample have seen the presence of the independent monitoring agents or social auditors in the factories. Even here, the urban based workers are much better, 61.88% of them have seen the auditors and only 37.50% have seen the presence of social auditors in rural factories, which clearly indicates that codes of conduct in supplier factories in the rural areas are not been implemented in true spirit. As said earlier, more number of older workers, experienced workers and married workers have seen

the presence of the independent monitoring agents or social auditors in the factories.

- 9) The most significant outcome and overwhelming majority of workers have strong view and support for the enforcement of labour laws and that enforcement of labour laws improve the working conditions in garment industry. 91.25% of respondents strongly believed this. Equal number of respondents from both urban and rural areas believed in enforcement. Further, 100% of older workers (38+) and also the younger age group (94.40%) workers (18-22 years) believed in enforcement and finally, workers with more experience, higher education and both married and unmarried women believed in enforcement.
- 10) The views regarding the improvement of working conditions due to private regulation through corporate codes of conduct, about 75.94% of the respondent believed that working conditions will improve. However, the workers in urban slightly had better belief, than their counterparts in rural (77.50% Urban/74.38% Rural) Both younger age groups and lesser experienced and more experienced workers have bestowed their faith in the private regulation, and these views have mostly emerged from workers working in export units
- 11) The vital information regarding the interests of the workers in joining trade unions have given better insights for organising the workers and their perceptions on this important right which is not found in the garment sector. 60.94% respondents that is 195 workers out of 320 sample size are interested in joining the trade unions. Interestingly, lesser number of workers in the city area are interested in joining the trade unions, it is just 38.13%, and where as

83.75% of respondents in rural areas are interested in joining trade unions. Further, workers who are younger and in the age group of 18-22 (69.60%) and having experience of one year or less than one year (68.09%) and who are educated and having degree (59.09%) and those who are unmarried (67.94%) are interested in joining trade unions. Thus the efforts of many Trade unions and NGOs initiative in Bangalore city seems to have no impact on the faith and belief of the workers in the urban areas, where as the workers in the rural areas want such type of interventions, as they are all mostly first generation workers. It is interesting that older workers and experienced workers are not interested in joining the trade unions and their views and perceptions will help future research to ascertain the reasons behind their views and what should be done to mitigate this situation.

- 12) The workers interest in joining the trade unions is further strengthened by their assertion that majority of workers in the sample that is 75.63% of them do believe that trade union interventions can improve their working conditions. Again only 64.38% respondents from the urban believe this theory and 86.88% of respondents in the rural areas have very strong faith in the intervention of the trade union. Further, as said previously, this faith is stronger among the younger age group of workers and less experienced, and among the educated and unmarried workers. The older age group and experienced work force don't take this idea and it seems they have had enough of experience and bitter experience, which have to be further probed to understand the problems of organising garment workers in Bangalore urban.

- 13) Garment workers face various issues at the workplace, which are the cause for concern of all, in order to know their own perceptions regarding the most important issue faced by them, where the responses were multiple in nature, majority of workers that is 70.00% of them told that it is heavy targets, followed by less payments (67.50%), and the least issue which is not really the cause of any concern is the non-payment of equal wages for equal work (11.25%). Urban workers in the sample put forth their views in such a way that comparatively the most important issue for them in the garment factory is that of less payments (76.88%), heavy targets (71.25%), long hours of work (55.63%), non-payment of wages (54.38%) and non-payment of equal wages (8.75%), which is only slightly lesser than the rural workers (13.75%). Thus the working conditions in urban factories and the issues of concern have to be looked into by all the concerned stakeholders, though the issues raised by rural workers cannot be neglected.
- 14) Regarding non-availability of the most important facility in the factory, 27.81% respondents have mentioned the lack of transportation, followed by the canteen facility (17.19%) Transportation problem is severe among the workers in the urban area and they consider it more than the canteen facility. Further urinals and latrines are the least concern for the workers in the urban and more important concern for the rural workers. Drinking water is not a concern for both the workers in rural and urban.
- 15) Regarding the statutory benefits obtained by the sample workers in the investigation, majority of workers have received NFH facility (91.88%), followed by earned leave (66.88%), Bonus (61.88%), Maternity leave (17.81%), and gratuity (15.94%) Thus it can be seen that leave and statutory

holidays are mostly provided by the employers' but the most important social security legislations like maternity leave and gratuity are the least benefits received by the sample workers.

- 16) Conditions of work and workplace behavior including harassment of workers by the supervisors and other issues were discussed during the interviews. The majority of workers and mostly women workers experienced abuses by the supervisors (73.53%), followed by discrimination at work place experienced by mostly women workers (10.29%), followed by incidents of sexual harassment (8.82%), wage cuts (5.88%) and illegal termination (1.47%). Further, more number of garment workers working in urban areas faced abuses by the supervisors (80%) than the workers in the rural areas (66.67%). However, the incidents of sexual harassment are reported by more number of respondents from the rural areas (12.12%) than the workers in urban areas (5.71%). One respondent from the city garment unit had faced illegal termination, however, it might be difficult to get the data of illegal terminations, because they might not been working in the factory.
- 17) Opinion of the workers regarding the present working conditions in the factory was elicited and the following results are obtained. This should be the most realistic picture of the present problem facing the garment workers. 67.19% of the respondents felt that the working conditions in garment units are 'good', only about 1.25% of the respondents felt that it is 'bad', 26.25% of the respondents felt that it is 'very good', but less than 1 % felt that is 'very bad', and about 4.38% of the respondents felt that it is normal. This is a very important indicator, as to the perceptions of the workers themselves, who feel that the working conditions are generally good and it is not normally bad or

never very bad. This negates many of the studies, which amplify the situation of garment industry by describing them as 'sweated', 'pathetic', 'appalling working conditions' and garment industry been characterized as feminized, casualized and contractualized. Because in the sample firms, the engagement of the contract and casual employees are very negligible.

- 18) Further, the garment workers vision for the future and their perception of the future of the garment industry and whether the working conditions will improve or not, a majority of 73.44% of the respondents were optimistic and mentioned that it will improve and only a negligible 1.56% said the it will not improve and less than 1% of the respondents believed that it will become worse. However, 19% of respondents were not sure of the future and said cant say and about 5% of them believed will remain the same. Thus the optimism of the garment workers about their future working conditions is an important indicator that they are hopeful of a better future.
- 19) More than 50% of the respondents believed their working conditions will improve by government regulation; 26.56% of the respondents believed that it will improve by corporate codes of conduct; 21.88% of them believed that local trade union intervention will improve their working conditions and also a whopping 43.44 believed that their working conditions will not improve by any of the above interventions and 15% believed that all the three interventions mentioned are required to improve the working conditions.
- 20) Wage slips were received by 96.25% of the respondents in the sample, followed by the appointment orders (78.44%), training (66.56%), copy of the standing orders in Kannada was received by 31.88% and only 20.63% of the respondents received copy of the codes of conduct that are implemented in

their units. However, more number of workers in the urban areas have received the above entitlements and documents than their counterparts in the rural areas.

- 21) The immediate action plan from the point of view of workers' perception to improve the working conditions in the garment industry is the increase the minimum wages(87.50%), to provide job protection (58.44%), enforce labour law regulations (55.63%), enforce labour standards through code of conduct (54.38%) and finally to provide safe working conditions (48.13%) Thus minimum wages are the most important aspect that has to be ensured and implemented by the stake holders.

8.3 Recommendations and Policy Implications

The research on the working conditions of garment workers and enforcement of labour laws and the code of conduct in the firms located in Bangalore urban and rural districts and in export oriented units and domestic market oriented units have provided enriched information and field level realities.

The following recommendations flow from the research output and analysis:

- 1) The garment industry should ensure that the minimum wages and all other social security legislations are implemented without any violations.
- 2) The Brands/Buyers and manufacturers should work out a policy for enhancing the wages and other benefits to the garment workers, and should be considerate towards the pressures and stress that the young workers are undergoing in the production factories.
- 3) The HR/Welfare officers and other management practitioners should be more sensitive and positive towards the two available approaches to improve the working conditions of garment workers, they are respect for the law of the

land and proper compliance under all the applicable labour laws and appropriate means to educate the workers and implement the codes in its true spirit.

- 4) The garment industries should try to honor the core labour standards of freedom of association and collective bargaining and stop victimization of workers and malafide and unfair labour practices.
- 5) Since, the garment industries especially the export oriented units are starting their operations in Bangalore rural district and other districts to capture the low-wage, inexperienced and young workers, proper training and awareness is required to these workforce, so that they are not exploited because of their innocence and lack of collective strength and voice
- 6) Corporate Social Responsibility is very low in the agenda of the garment industry, they should as an enterprise initiate an appropriate and innovative CSR programmes
- 7) Government should introduce an appropriate policy for uplifting the garment workers because, as a sector they are the most exploited, voiceless, un-unionized, lacking in freedom of association and collective bargaining agreements, lack proper transportation and other statutory facilities like canteens, gratuity, bonus etc.
- 8) Strengthening of the enforcement agencies is a must, because both HR/Welfare officers and also the workers have reposed faith in government regulation and enforcement of labour laws.
- 9) Trade union intervention is also preferred by the workers in the garment sector, more so in the rural belt, because of the re-structuring and re-location of the garment industries into the rural areas. De-centralization of union

activities is the need of the hour, because the hitherto un-known regions are developing either in the form of Government and private investors setting SEZs or regional development taking place across the state.

- 10) National level trade unions and central trade unions needs to re-work and develop newer organizational structure to bring the garment workers into the fold of unionism, with proper care and caution, so that the workers' perspectives and interests are not lost in the melee.
- 11) The new initiative of some NGO's who have later transformed into the trade unionists and registered trade unions for the garment sector, needs to understand the language of the industrial relations and adopt strong sense of tripartite framework, rather than going all alone and building overseas networks, which will eventually fail because local industrial disputes have to be settled within the framework of national and federal labour laws.
- 12) There is a need for a thorough revamping of the existing enforcement machinery and also the policy on labour inspections. Labour inspections are the most effective method to check workplace violations, and the authorities under the various acts are the only source of remedy available to the garment workers, thus statutory authorities should be more sensitive and sensible to the woes and violations referred to them by the workers or their organizations.
- 13) Civil society organizations have been successful in bringing out the critical issues of garment workers in various forums and also through campaigns and solidarity meetings and also by holding public hearings, these should be continued and there is need for these organizations to decentralize and concentrate on the situations in rural and other parts of Karnataka, where garments workers are seeking help and support.

- 14) It is the responsibility of all the stake holders more so the government, to safeguard the interests of the industry, because garment industry is one of the largest employment generation sector and also one of the highest foreign exchange earner, it has provided jobs to the millions of workers and many women workers have been the prime bread earners in the families are dependent on the survival and sustenance of the garment industry.
- 15) Specific recommendations include suitable amendments or administrative guidelines to the Industrial Disputes Act, 1947, which makes the constitution of works committees and grievance handling machineries compulsory. Enforcement and compliance in this matter should be strengthened.
- 16) Lack of Trade Unions in the Garment sector is also due to ineffectiveness of the Trade Unions Act and also due to lack of sanction or penalty provisions under the Act. Further the absence of Recognition of Trade Union in the Act creates vacuum and Managements are taking shelter pretending that there is nothing in the Law regarding the recognitions. Thus suitable amendments are required both in formation of trade unions and also its recognition.
- 17) Government should set up Welfare Boards to protect the social interests of the garment workers, and ensure that social protection is guaranteed through mutual contributions.
- 18) Strict monitoring of sexual harassment cases and other cases of abuses and assault by the male colleagues should be checked both through setting up of Prevention committees within the factory and also through external agencies.
- 19) Illegal lay-offs, closure, retrenchment should be checked and compensation should be ensured to those workers who suffer such illegal actions resorted by the managements.

- 20) Enforcement departments should institute complaint boxes and separate cell to help address the grievances of the garment workers, because of lack of trade union representation and fear of counter-action resorted by the managements.
- 21) Labour enforcement should be strengthened in SEZs and Textile Parks, labour law violations and human rights violations are reported from such zones, governments should realize that protecting LHR are more important than attracting investments from abroad.
- 22) There is a need to have a common code of corporate law for the firms operating in India, instead of multiple codes and audits, which are cumbersome, further there should be a proper legislation to legalize the implementation of law of the land and other constitutional provisions.

Apart from the suggestions that emerge out of the present study and research, there are number of national and international consultations which have been held in the recent past both in India and abroad, which needs to be mentioned and brought into the framework of general suggestions and policy to be adopted by the concerned stakeholders. Below is the summary of such recommendations.

There are several consultations both national and international and several declarations made in terms of policy suggestions and other measures to be adopted to improve the working conditions of workers working in the garment industries. The most important is the Delhi Declaration (adopted at Delhi in April 2003) by the participants of the National Consultation Understanding Garment sector in the post MFA context, the affiliates of Central Trade Unions and independent trade unions of garment workers, NGOs working with garment workers, academics, lawyers and labour support organizations from different garment manufacturing centers of India. They had demanded:

- Demand garment manufacturers and exporters to observe a voluntary code of conduct on labour rights in particular allowing the organization of workers at appropriate levels.
- Decide to consolidate trade union presence in the garment sector
- Demand to launch a national campaign on the rights of garment workers
- Demand from government promulgation of a policy on garment workers which include a rational wage policy, directive on working conditions and living conditions and provision for social welfare
- Demand constitution of garment workers' welfare board to regulate employment in the garment sector and provide social welfare to workers in the sector
- Develop discrete alliance and partnership with national and international programme that monitors MNCs engaged in garment manufacture.

At the International level, we have the Dhaka Declaration by the International Solidarity Forum for Garment Workers of Least Developed Countries for the protection of Rights, Livelihood and Security of Garment workers (August, 2003) A consensus was reached, that the garment workers situation in each participating country share common problems and concerns, therefore, decided to form 'Asian Garment Workers Action Alliance' (AGWAA). The Dhaka Declaration action plan and policy recommendation at the National Level included:

- Take appropriate initiatives in their respective countries to realize the workers' rights as assured under the ILO Conventions and Declarations
- Each government should enforce countries labour laws effectively and strengthen their labour departments and other regulatory authorities to enforce and oversee proper implementation of labour laws at all levels

- Each government should formulate a National Policy on Ready Made Garments(RMG) through consultative committees with participation of workers, trade unions, employers and relevant civil society organizations
- Each government, with equity participation from employers, should embark on intervention programmes including setting up of Social Safety Net programmes and Workers Insurance Fund for protecting rights, interests and livelihoods security of RMG workers
- Each government and employer should uphold decent work and embark on programmes for low-cost housing, free health care and education and safe transport
- The government and employers should embark on programmes to upgrade and diversify the skills.

The issues pertaining to garment workers' and their deplorable working conditions and meager earnings and hardships have been at the centre of debate at various forums in the country. Rajya Sabha Member Smt. Viplova Thakur raised the question on 9-3-2011 at the highest forum of the Upper House in the Parliament asking a important question to the Government of India: "Whether Government has taken the cognizance of the pitiable working conditions and low wages of the employees working in the Garment Industries in the country and she sought an explanation from the government for the past couple of years from 2008-2011, If so the details thereof and the steps being taken by government to improve the working conditions and the wages of this said employees in the country."

The need to for concerted action to educate and empower garment workers on their rights within the workplace is clear and urgent. Garment workers tend to be vulnerable young women, very often the primary breadwinners for their families. They migrate from rural to urban settings with low levels of education, limited

awareness of their rights, and insufficient access to social security within their new factory environments. Within these women face a variety of challenges, including being placed on short-term contract, making below minimum wages, excessive and frequently unpaid overtime, occupational safety and health hazards, limits to freedom of association, low levels of trade union representation, and sexual harassment and discrimination.

To conclude, it is only with the concerted efforts of all the stake holders, that the conditions of work in the garment industry will raise to the expected levels of the workers and all other activists who are fighting for the decent work and to achieve meaningful work-life balance of the toiling garment workers working not only in Bangalore but elsewhere in the world.