



Sri Lanka's Women Workers from Katunayake Free Trade Zone Unite

Labour FPAR Country Briefer



Introduction

In 1978, Sri Lanka became the first South Asian country to establish Export Processing Zones (EPZs), also known as Free Trade Zones (FTZ) in order to attract Foreign Direct Investment to boost economic growth.¹ These FTZs with their modern infrastructure and generous economic concessions to foreign investors were expected to absorb labour from nearby urban and rural districts with high levels of unemployment.² FTZs were also expected to open up job opportunities and attract workers in this sector. The FTZs in Sri Lanka are administered by the Board of Investment (BOI) of Sri Lanka which was originally called the Greater Colombo Economic Commission. The BOI was a government authority parliament created in 1978 to operate the zones.³



The majority of Sri Lanka's FTZ factories are garment or garment-related sectors.⁴ Sri Lanka's dependence on garment exports started in 1990 when their garment exports rose to 40 per cent of their total exports. Today, the garment industry comprises seven per cent of its GDP⁵ and 15 per cent of Sri Lanka's employment.⁶ The apparel industry majorly employs women and currently represents 40 per cent of all females in industrial employment in the country. This reflects the global trend within the EPZ which typically employs the

majority of women workers and concentrates them on low-wage labour-intensive work.⁷ This trend is often accompanied by the basic problems that women workers face in these work sectors which remain the same and unaddressed over the years. Some of these problems include- workplace discrimination, sexual harassment, and concerns related to maternity leave and childcare.⁸ Many studies have also pointed out the presence of strong resistance to trade unions in FTZs across Asia. This is also true in the case of Sri Lanka.

¹Abeywardene, J., de Alwis, R., Jayasena, A., Jayaweera, A. & Sanmugam, T. (1994). *Export Processing Zones in Sri Lanka: Economic Impact and social issues*. International Labour Organisation. https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_126264.pdf

²Abeywardene, J., de Alwis, R., Jayasena, A., Jayaweera, A. & Sanmugam, T. (1994). *Export Processing Zones in Sri Lanka: Economic Impact and social issues*. International Labour Organisation. Retrieved from https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_126264.pdf

³Asia Floor Wage Alliance and Global Labor Justice-International Labor Rights Forum. (2022). *Voices from the Field: Reprisals and Repression of Garment Worker Unions and Workers Organisation During COVID-19 in Sri Lanka*. AFWA. https://asia.floorwage.org/wp-content/uploads/2022/04/Voices-from-the-Field_Reprisals-and-Repression-of-Garment-Worker-Unions-and-Workers-Organizations-During-COVID-19-1.pdf

⁴Marcus, A. & Sagarika, D. (n.d.) *Sri Lanka Country Report*. International Training Centre of the International Labour Organisation. https://training.itcilo.org/actrav_cdrom1/english/global/frame/epzsri.htm

⁵The Employer's Federation of Ceylon. (2020, December 30). *An industry misunderstood: Sri Lankan apparel's tale of resilience and global leadership*. EFC. <https://employers.lk/2020/12/30/an-industry-misunderstood-sri-lankan-apparels-tale-of-resilience-and-global-leadership/>

⁶Fibre2Fashion. (2021, May 28). *Sri Lanka's 2021 exports may reach pre-pandemic levels: TexPro*. F2F. <https://www.fibre2fashion.com/news/apparel-news/sri-lanka-s-2021-apparel-exports-may-reach-pre-pandemic-levels-texpro-274224-newsdetails.htm>

⁷Sukthankar, A. & Gopalakrishnan, R. (2012). *Freedom of Association for Women workers in EPZs: A Manual*. International Labour Organisation. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_186807.pdf

⁸Sukthankar, A. & Gopalakrishnan, R. (2012). *Freedom of Association for Women workers in EPZs: A Manual*. International Labour Organisation. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_186807.pdf

Stand Up Movement and Feminist Participatory Action Research (FPAR): A participatory and joint initiative by the FTZ workers

Stand Up Movement Lanka (SUML)'s Feminist Participatory Action Research project (Labour FPAR) focuses on exploring the lack of trade unions in Katunayake FTZ and the lack of female worker leadership in the existing unions and councils. SUML's⁹ research aims to provide a detailed analysis of the gap in unionisation and leadership of women workers in the Katunayake FTZ, as well as developing a strategy to form a strong trade union system in Katunayake FTZ.

By the end of the FPAR, it was envisioned that 100 women workers in the Katunayake FTZ (who are representing 10 factories) would be organised as a trade union and demand protection and promotion of workers' rights in FTZs.

SUML's Labour FPAR research site is Katunayake FTZ, located in Katunayake, Sri Lanka. For pre-research consultation, SUML created a co-group of 13 members (aged 20-40 years) which was composed of researcher, assistant researcher, mentor and identified women leaders who also work in



Source: SUML 2022

SUML's research sites. Most of them work in different factories across the economic zone as either permanent workers or as manpower or daily wage workers. While some of these workers are part of an already-existing trade union, others are not. The data collection plan included participatory surveys, in-depth interviews and participatory focus group discussions (FGDs). SUML conducted this FPAR together with 100 women workers in 10 factories in the Katunayake FTZ.

⁹Stand Up Movement Lanka is a women-led organisation that advocates for workers' rights in Export Processing Zones of Sri Lanka.

Mobilisation of women workers in Sri Lanka's Katunayake Free Trade Zone: Challenges and Victories

SUML's Labour FPAR gathered evidence indicating a lack of protection of workers' rights and the underlying reasons behind it. Workers' attitudes toward unionising and women's leadership played a huge role in influencing workers' participation in the union.

Highlights of the FPAR findings:

A. Lack of workers' unionisation

Out of the 10 factories surveyed during the Labour FPAR research carried out by SUML, only two factories- Next Manufacturing (Pvt) Ltd. and Star Garments- had trade unions inside the factory. As per the FPAR findings, out of the 100 women workers who participated in the study, around 84 per cent said that they were not part of a trade union. The women workers shared it was due to the unavailability of trade unions in their factories, or the fear of facing repercussions if they joined a trade union. These repercussions can range from being fired from work, salary and bonus pay reductions, workplace issues and harassment by the supervisor or the line manager, or being transferred to another department inside the factory.

At Next and Star Garments (factories which reported a presence of a union)- nine out of ten workers and four out of ten workers respectively reported being a part of the union. The rest of the workers shared similar reasons as above for not being part of a trade union. A woman worker at Crystal Martin



“They don't allow us to unionise because if we do, they won't be able to control and dominate us.”

Sri Lanka said that, 'Management doesn't allow us to join a union, and instead tells us that being part of the Workers' Council is better. They don't allow us to unionise because if we do, they won't be able to control and dominate us'.

The survey also explored the attitude of the workers toward trade unions as well as their perception of a trade union with women's leadership. Despite the opposition, discouragement and threats by the management, 92 respondents out of the 100 samples stated that they think trade unions are important for them as these help them discuss their issues with others; find solutions; help other women workers, and improve the quality of work life. Participants also shared that trade unions give them a platform to organise and take their problems to management and that trade unions give them the 'power and the right to bargain.'



Workers' Council in Export Processing Zones

In the EPZs in Sri Lanka, the BOI policy statement on labour standards and employment relation (2019) states that the BOI encourages the establishment of an employees' council (workers council) as opposed to a trade union: *'the BOI will facilitate the establishment of employees' councils in BOI enterprises pursuant to the guidelines issued by the BOI, as a measure of promoting employees' participation in decision-making on matters affecting them and labour-management consultation and co-operation on matters of mutual concern at the enterprise level.'*

The council, therefore, consists of elected representatives of each department of an enterprise, thus, oftentimes, employees who work in favour of the management are elected in these councils.

"We have also heard that workers' council members receive a bonus payment from the higher management so they tend to side with the management and not us (workers)." (Nishani, a woman worker from Crystal Martin Sri Lanka)

Women workers identified that although workers councils (in factories), police and brands, and Joint Apparel Association Forum Sri Lanka are influential in decision making and power relations related to worker issues and policies. Therefore, these councils do not actively operate towards the protection and promotion of workers' rights.

B. Gender impact behind lack of unionising in Katunayake FTZ in Sri Lanka

Out of the 100 Katunayake FTZ workers who took part in the survey conducted during the Labour FPAR study, 87 were women, 12 were men, and one worker identified themselves as non-binary. All the members participated in the FGDs. From the discussions, it was evident that the impact of non-unionisation among workers shows a sharp polarisation between the two binary genders: men and women.

Women are more impacted by the lack of unions or the inability to organise, associate and collectively bargain for their rights and better quality of work-life conditions. Similarly, non-binary workers in the Katunayake FTZ are greatly affected by the situation as well. Some of these gendered impacts include increased work burden and lack of work-life balance, increased sexual harassment in the world of work and labour exploitation on the basis of gender.

Thilini's Story

The story of Thilini - a woman factory workervvvvv

Thilini Umayanga, a worker at the apparel factory Expo Lanka in Katunayake FTZ, has unreachable targets at work. She works for about 16 hours a day and has no time for herself or anything else outside work. She works in the packaging unit and her work is long, arduous, repetitive, monotonous and boring. And, she has no outlet to demand better working conditions.

These findings show that Thilini's right to decent work is neglected and exploited. While Thilini understands the importance of organising in a trade union to exercise collective bargaining and to ensure their basic human rights are protected, Thilini is deprived of time. She, therefore, endures long working hours and difficult working conditions at the workplace, sacrificing a healthy work-life balance.



Contrast Reality: The story of Kumara, a male factory worker

This is a complete contrast with Thilini's story, Kumara is a manpower worker in Katunayake FTZ. The daily clock activity as part of the FPAR found that Kumara does not have a tight schedule. He maintains a close relationship with a manpower agency that sends him to one or two factories each day (as the need for work arises). Kumara works for 10 hours from 7 AM - 5 AM each day and receives more than a one-hour break during lunch and teatime. Kumara shares that even though his work as a manpower worker does not provide him with job security, it works for him. The nature of Kumara's work allows him more free time as compared to his fellow women workers in Katunayake FTZ, who work less than women, do not have household responsibilities, and spend several hours a day socialising with their peers.

C. Increased sexual harassment in the workplace

Compared to men working in the FTZ, the findings suggest that many women workers in Katunayake FTZ experience severe sexual and verbal harassment. The existing trade union at Next also neglects many women and tends to overlook harassment outside the workplace. One of them experienced that her supervisor, who is also a woman, tends to neglect and downplay her lived experiences and accepts the social norm of gendered behaviour. 'Men just behave like that,' the supervisor tells the woman and asks her to forget about the incident. As a reason, some women tend to suppress their experiences as it's considered quite the norm.

D. Labour exploitation and discrimination on the basis of gender

Women's labour is often exploited as they endure long working hours, trying to cover unachievable targets while working in poor conditions with limited sanitation facilities. On the other hand, women's lives are multi-dimensional; often, women play multiple roles, leaving them with little to no work-life balance. Women and non-binary people also face an increased degree of sexual and verbal harassment in Katunakaye SEZ.

These impacts could be attributed to the fact that women and non-binary workers don't have a platform to organise and associate, to discuss their problems, and negotiate with the factory management and policy makers. Existing trade unions – such as the trade union at the Next Manufacturing – neglect women's

lived experiences and women's problems. The trade union, headed by a senior man with years of experience managing trade unions, does not represent or take into consideration women's problems. As a reason, most women and non-binary workers in Katunayake SEZ are left without a platform to represent them and their experiences.

While the above examples provide evidence of how women are more exploited in the workplace, in their homes and in the outside community compared to men, people who identify themselves as non-binary experience drastic consequences within the Katunayake FTZ: they are often othered, and face severe discrimination in the world of work on the basis of their gender.

One of the factory workers, who identifies as a non-binary person, shared, *'At the boarding house, our landlord (not managed by companies) sometimes comes inside without knocking on the door. He doesn't seek our permission. He just comes inside and it's making me and my partner very uncomfortable'*. This evidence suggests that workers who deviate from gender norms are othered and considered 'different' from the rest of us because they do not conform to gender binaries enforced by the male-dominated society.

E. Workers' perception of women-led unions

During the FPAR survey, workers were also asked whether they would support a women-led trade union, or would like to be a woman leader in a trade union. Out of the total 100 workers, 85 workers expressed their support for a women-led trade union, five workers stated that they would not support a women-led trade union, while 10 women workers did not respond. These non-respondents were mostly new workers who had joined work just two months ago. They were hesitant to answer questions related to unionising.

When they were asked whether they wanted to be a leader themselves, 54 workers had an affirmative response, 26 said that they would not like to be a leader, while 20 workers did not respond. Reasons shared by both groups varied. Those who wanted to be a leader themselves believe that women can understand their problems better, while those who were in opposition expressed various reasons for their opinion. These varied from- not having enough time, family restrictions, and potential threats to their lives and some even said that. 'women can't stand up against the discrimination.' These reasons are clear examples where women do not share the same resources or time as their dominant gender counterparts and are controlled by men and how patriarchal values are deeply entrenched. This shows that the impact of human rights issues within the Katunayake FTZ has deepened the inequalities of power and resources between men and women in the community.



Women workers' efforts to unionise

Considering women's strategies to address the gendered impact and human rights issues they face, an example comes from Next Manufacturing (Pvt) Ltd. — one of the two factories with a trade union among the factories that were surveyed during the Labour FPAR. Sandhya Malkanthi, a sewing machine operator at Next Manufacturing, shared, 'we didn't get the bonus payment we were supposed to receive. In December 2020, we started asking the management for the bonus but still didn't get it. Then many workers — both men and women — came forward and decided to form a trade union. Each day, new workers joined the union, and when the factory didn't increase our wages (as they had promised earlier), we decided to go on strike, and then demanded the factory an increase in our wages as it was our basic right. Later, we received our bonus thanks to the fight between the trade union and our bargaining. Right now, a woman worker (who works as a sewing machine operator) is heading the union within the factory.'

This is a great example of women workers organising themselves in a localised decision-making platform to seek answers for their own issues from their employers. They are also ensuring that their fellow workers' rights are protected and promoted. With their trade union, workers at Next were able to win the bonus payment twice. Inspired by these events, women workers at Katunayake FTZ and at the Brandix factory also started organising within their factories. During the FPAR interviews, one of the women workers at Katunayake said that she does not feel scared to be a leader anymore. She said, 'I know we can't wake up tomorrow and establish a union. It takes time and we've to go one by one and do it secretly. That's how Next did it as well.' Clearly, the efforts toward unionising have greatly inspired women workers in other factories. Similarly, a



sewing machine operator at Brandix Factory said, 'I want to have a union because then we can fight for our rights and find a solution to our problems. During teatime, we talk with each other about this — forming a union or having some kind of a support group to take our problems to the higher management. We saw that Next did it and got their bonus salary. So, we can do it too'. Clearly, these narratives suggest that Next has set an example for other women workers in the zone.

Further, based on the FPAR findings, there are a number of obstacles women workers face in forming a union or organising some kind of support group or a platform where women workers can discuss their problems and make decisions to improve their work-life conditions. Some of those obstacles include threats and discouragement faced by the higher management, which demotivates most women workers, and at times, scares them to form or join a union. On the other hand, other obstacles include limited time for union activities, resistance from husband/father or other male family members, and intervention by men to contest for leadership positions so that women's interests and expression of their lived experiences are limited and controlled by their male counterparts.

'Without a trade union, we don't have a way to demand our rights and basic requirements. We can't stand for ourselves. Right now, we direct our questions to the Workers' Council members. There's a member from each department of the factory who takes part in the Workers' Council. We don't know if this member takes our complaints to the management. We can't directly deal with the higher staff. No matter how much we complain and raise concerns, we never receive any answer to our existing problems'.

- Nishani, a woman worker from Crystal Martin Sri Lanka (SUML field data, 2021)

However, even within these unions, there are issues related to the leadership and the decision-making process which relate to the negligence of issues related to sexual harassment and women's position in the world of work. It is therefore evident that a trade union headed by men and those who don't represent women's issues cannot and do not bring equality and equity, and therefore, do not consider women's issues through an intersectional lens. Overall, 100 per cent of the respondents shared that they would be willing to organise in a trade union or a decision-making body that conducts union activities in a 'new way', limiting the resistance shown by men. As shared by the participants, the 'new way' could be interpreted as conducting voluntary support groups and activities that help the community, organising in the form of a field trip or a fun group activity that is enjoyable as opposed to a traditional meeting and a free, independent union headed by women workers who understand their ground situation.

Recommendations:

For brands & buyers:

1. Brands and buyers must conduct their utmost due diligence to prevent, address, and mitigate adverse human rights and labour rights violations for the workers at the factories.
2. Ensure decent work principles apply to EPZ workers in the supply chain, including the safety and health as well as living wage.
3. Implement Freedom of Association protocols in factories and monitor regularly in their supply chain.



For the Government of Sri Lanka, the Ministry of Labour and Department of Labour

1. The Sri Lankan government needs to be more supportive of the efforts toward unionising which are led by the workers in order to bring workers' voices to the fore; Take a proactive role to create awareness and encourage workers to join organise in trade unions.
2. Establish a unit under Ministry of Labour to investigate, document, and act upon unfair labour practices and rights violations, especially including unionbusting, violence and harassments.
3. Conduct an overall legal review to ensure (labour) laws protect workers' right to organise and seek remedies when violated.
4. Ratify and implement C190 in order to ensure a safe working environment (and world of work) for all genders without violence and harassment.



For existing workers' unions

1. To strengthen women's leadership in the trade unions in order to create a workspace without any gender-based discrimination for all workers.
2. Women leaders need to forge solidarity with the international and regional community and campaigns that are being led for workers' rights such as Pay up, Living Wage and those related to severance pay.





About Stand Up Movement Lanka

The 'Stand Up Movement Lanka (SUML)' is a leading non-profit organisation in Sri Lanka for promoting and protecting the rights and entitlements of workers and commercial sex workers of the Economic Processing Zones (EPZs). Their FPAR will aim to identify the structural barriers women face in representation and leadership in trade unions.

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About APWLD

The Asia Pacific Forum on Women, Law and Development (APWLD) is the region's leading network of feminist organisations and individual activists. For over 35 years, we have been carrying out advocacy, activism and movement-building to advance women's human rights and Development Justice. This FPAR is part of APWLD's Women Organising Workers Programme. APWLD worked with and supported seven partner organisations from five countries in Asia to conduct Labour FPAR on Special Economic Zones (SEZs) between 2020 and 2022.

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