



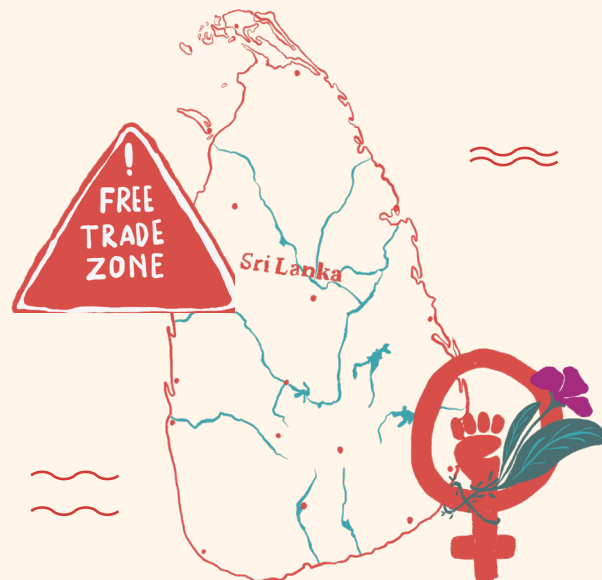
Uncovering Worker Rights Violations in Sri Lanka's Free Trade Zones During COVID-19

Labour FPAR Country Briefer

The situation of women workers in Sri Lanka's Free Trade Zones (FTZs)

The garment industry is one of the most prominent industries in Sri Lanka. As of 2021, it comprises seven per cent of Sri Lanka's GDP and 15 per cent of the country's employment.¹ Garment Industries in the Free Trade Zones (FTZs) of Sri Lanka hire workers based on gender-based stereotypes. Gender stereotyping ascribes women workers as 'innocent' and not productive players so that they can be hired at lower wages. Sri Lankan societies believe that young married women are not the primary bread earners of their families and hence can be paid less.² This has resulted in an overrepresentation of women within the Sri Lankan garment industry with over 85 per cent³ of workers being women and paid less.⁴ Despite this, the female labour force participation rate in Sri Lanka has remained low between 30 – 35 per cent in the past two decades.⁵

In Sri Lanka, the FTZs were introduced in the later part of the 1970s paving the way for the apparel industry to become the largest export revenue for the country for the last 30 years. Approximately 85 per cent of workers working in FTZs⁶ in Sri Lanka are women. The majority of these women workers migrate from rural areas of Sri Lanka. Generally unmarried, these socially and economically marginalised women are actively being recruited by garment factories in FTZs. With the end of 30 years of armed conflict in Sri Lanka in 2009, FTZs were established in former war-torn areas (i.e. Vavuniya and Kilinochchi of the Northern



Province, Sri Lanka) enabling hundreds of women and men to contribute to the national economy. Women from rural and war-torn areas of Sri Lanka tend to occupy the lowest grade of employment in garment factories such as machine operators, storekeepers, store managers, technicians etc, and these employment grades are not identified as decent occupations within the Sri Lankan society. Further, these employment grades attract lower levels of salaries and benefits packages. Hence, their social and economic status continues to remain low.

Sri Lanka was one of the Asian garment-producing countries where the COVID-19 outbreak had a direct impact on the living and working conditions of garment workers who produce for international apparel brands, including garment workers in FTZs.⁷ Despite several promises from the Government of Sri Lanka and the factory owners, garment factory workers who are largely women workers continue to suffer due to poor working conditions and low levels of social protection.

1Fibre2Fashion. (2021, May 28). *Sri Lanka's 2021 exports may reach pre-pandemic levels: TexPro*. F2F. Retrieved from <https://www.fibre2fashion.com/news/apparel-news/sri-lanka-s-2021-apparel-exports-may-reach-pre-pandemic-levels-texpro-274224-newsdetails.htm>

2Asia Floor Wage Alliance and Global Labor Justice-International Labor Rights Forum. (April 2022). *Voices from the Field: Reprisals and Repression of Garment Worker Unions and Workers Organisation During COVID-19 in Sri Lanka*. AFWA. Retrieved from 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

3The Island Online. (2012, March 12). *Female apparel workers demand dignity and recognition*. The Island Online. <https://island.lk/female-apparel-workers-demand-dignity-and-recognition/#:~:text=Women%20make%20up%20about%2085,strengthen%20the%20economy%20of%20women>

4Savchenko, Y. & Acevedo, G. L. . (2012). *Female Wages in the Apparel Industry post MFA: The Cases of Cambodia and Sri Lanka*. World Bank. <https://openknowledge.worldbank.org/bitstream/handle/10986/9343/WPS6061.pdf?sequence=1&isAllowed=y>

5International Labour Organisation. (2016). *Factors affecting Women's Labour Force Participation in Sri Lanka*. ILO. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-colombo/documents/publication/wcms_551675.pdf

6APWLD and Women's Major Group. (n.d). *Feminist Collective Statement on the Sri Lankan crisis*. Women's Major Group. <https://womensmajorgroup.org/feminist-collective-statement-on-the-sri-lankan-crisis/>

7Asia Floor Wage Alliance. (2021). *Money Heist: COVID-19 Wage Theft in Global Garment Supply Chains*. AFWA. https://asia.floorwage.org/wp-content/uploads/2022/02/Money-Heist_Book_Final-compressed.pdf

Women Centre Sri Lanka's Feminist Participatory Action Research (FPAR)

The women workers in the Free Trade Zones (FTZs) along with the Women Centre Sri Lanka⁸ (WCSL) conducted the FPAR to document and investigate the impact of COVID-19 on garment factory employers towards workers of FTZs in Sri Lanka. The FPAR was undertaken with the aim to empower and develop skills for collective bargaining, negotiation, lobbying and organising among the 100 women workers so that they will be able to collectively organise to win their labour rights and share their knowledge with their colleagues.

Garment workers as co-researchers

Using participatory engagement, a series of pre-research consultations were held with 60 women workers representing the FTZs and garment factories to design the objectives, research questions and critical changes that they aim for using the FPAR. The FPAR areas include Katunayake (Gampaha – Western Province), Koggala (Galle -Southern Province), Kilinochchi and Vavuniya garment factories (North & Northeastern Provinces). The data collection took place in several approaches,

including survey questionnaires, Focus Group Discussions (FGDs), indepth interviews and critical media research.

Together with WCSL, FPAR researchers and co-researchers mobilised 100 women workers to demand their labour rights. They also conducted 12 FGDs engaging 60 women from the research sites regardless of their civil status, union experience, ethnicity, class, educational background and length

⁸Women's Centre Sri Lanka is a grassroots organisation that empowers women and girls working in the garment sector in Sri Lanka. They are on a mission to empower female garment workers to amplify their voices and end the violence they experience daily.



of their service. The 100 women workers are community co-researchers from different ethnicities in Sri Lanka, including survivors of sexual and gender-based violence within the factories, migrant workers and women with disabilities, unionised workers, non-unionised workers and those with varying degrees of education levels. The FPAR approach has been designed to ensure that the multiple layers in

which discrimination is experienced by women workers on the factory floor are well captured, and the multiple layers of oppression and systemic barriers imposed on women workers from diverse backgrounds come to the fore.

Shocks faced by women workers during COVID-19

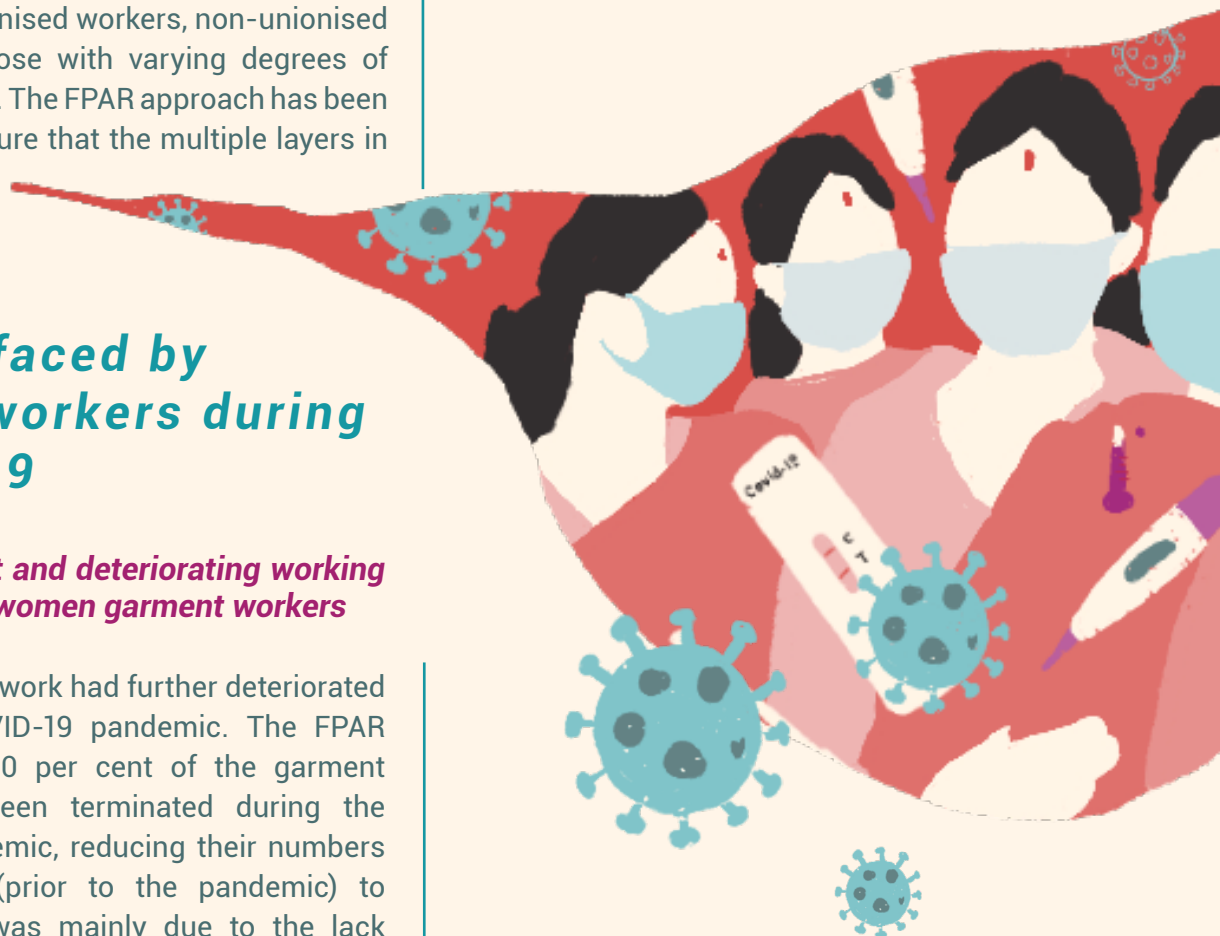
Unemployment and deteriorating working conditions for women garment workers

The situation of work had further deteriorated during the COVID-19 pandemic. The FPAR reported that 30 per cent of the garment workers had been terminated during the COVID-19 pandemic, reducing their numbers from 500,000 (prior to the pandemic) to 350,000. This was mainly due to the lack of transport facilities, meals and incentive payments provided by the employers. The minimum basic salary of USD 44 (LKR 16,500) was insufficient for workers to make ends meet. Factory owners did not provide any compensation package or incentives to the workers even though severance pay is mandatory according to Sri Lankan labour policies.

During FPAR, participants reported that their rights were further infringed, with an increasing workload and a lack of adequate paid leave. The condition within the factory was that no two workers could take leave at the same time (even if they fall sick or someone in their family falls sick) as this may disturb the production line of the garment factory. Many workers reported that their employers

also denied them overtime payments. On top of low wages, workers were forced to pay for poor-quality food in the canteen even if they did not want to eat it. This added to their existing financial burdens.

Furthermore, workers were not provided with basic lodging facilities while the lockdown measures were being implemented. Eighty-eight per cent of the workers shared that not having proper sanitation and hygienic toilet facilities within the factory premises often led to Urinary Tract Infections (UTIs) among women workers. Factories have not offered transportation services for one year. When the factory's bus service resumed, the number of buses was limited and less frequent, which caused workers to travel in overcrowded buses leading to the easy spread of the virus.





Denial of women garment workers' right to health to extract profits

Half of the workers reported not receiving free personal hygiene kits while some received cloth masks instead of surgical masks. During the first lockdown phase, as high as 71 per cent of FPAR participants did not believe that working in the factory was safe. Out of all the FPAR participants, 69 per cent stated that the factory premises were not properly cleaned or sanitised on a daily basis to ensure that the place was safe for them to work. Even though as high as 97 per cent of the participants noticed that each factory had a designated sick room with a health nurse for first aid and emergency health support, the quality of such support was inefficient. Also, 77 per cent of participants indicated that they were not provided with in-house facilities for antigen and PCR⁹ testing. These factors contributed to the women workers' fear of getting infected

with COVID-19, bringing down their mental health. The workers commonly felt that, 'One's health and safety was entirely up to oneself, and the factory was only concerned about getting maximum work from workers.'

In most of the factories, when workers were showing symptoms of the virus, they were not promptly facilitated to get the PCR or antigen tests done within the factory premises. Instead, the workers were left on their own to get to a government or private hospital for testing.

The women participants of FPAR noted that workers could get a leave of two to 14 days if found infected with COVID-19. However, this would result to a reduction of wages as shared by 80 per cent of participants and a reduction in the annual quota of leaves which was experienced by 84 per cent of participants.

⁹Polymerase chain reaction (PCR)

Oppression of women workers in unjust industrial relations

Out of the 100 Katunayake FTZ workers, fifty-one per cent of the workers reported a significant increase in the work targets during the lockdown periods along with an unhealthy work environment. This was characterised by a high rate of termination of workers and reduction of wages once a worker reports back to work after being cured of contracting the virus.

Moreover, the factory management and the boarding house owners were unsupportive during the first and the second waves of COVID-19 as reported by the workers. Women workers reported being stuck in the boarding houses without food and basic essentials during the early stages of the lockdown. They received no help from the factory management during this time. Workers also reported that the male supervisors used filthy language and angry gestures when the production targets were not met. This was simply done in order to instill fear among the factory staff.

In addition to these challenges, FPAR also

surfaced the existing shortcomings of the factory management, revealing hardly any protection for workers' rights to a safe and healthy work environment. Participants shared that there was limited to no action taken on any of the complaints registered by the workers. If there is any complaint registered by workers, they are often asked to leave the factory. On occasions when workers reported complaints related to compensation, overtime payment and health rights to their supervisors, they were often ridiculed. No effective solutions could be reached as supervisors always take the side of the management.

Most of the factories reported not having a trade union for organised and collective actions for workers – leaving more power in the hands of the management. Workers' testimonies suggested that most of them were working under the constant threat of being replaced.

COVID-19 poses a threat to the livelihoods of women workers in Sri Lanka

The high inflation rates in the country and the depreciating value of the country's currency¹⁰ against the US dollar forced the country's cost of living to increase exponentially, especially for South Asia. In the FPAR, 59 per cent of the workers reported that they cannot match their monthly expenditure with the current levels of their poverty wages. This was further exacerbated by the denial of workers' wages during the first phase of the lockdown, and the reduction of wages on months they could not work according to 60 per cent of participants.

There was no significant salary increment to align with the increasing cost of living. The recent salary increment of LKR 2,750 (7.54 USD) was a result of a four-day labour strike. Workers also do not receive much support from the regional labour offices. Labour officers were claimed to be taking the side of factory management.

¹⁰Reuters. (2022, July 7). *Sri Lanka central bank raises rates, targets inflation despite contraction in economy*. The Hindu. <https://www.thehindu.com/news/international/sri-lanka-central-bank-raises-rates-targets-inflation-despite-contraction-in-economy/article65610672.ece>

Failed responses from the Government of Sri Lanka (GoSL) to the workers' demands

Women workers cannot expect adequate social assistance to mitigate the crises and protect themselves from the risk of poverty and hunger, let alone vaccination. There was no specific social protection programme run by the GoSL regarding salaries, transportation, housing, health, lodging, safety and dignity of women garment workers during the time of COVID-19 pandemic.

Furthermore, FPA found that the garment factory workers did not receive the COVID-19 relief package of LKR 5,000 (USD 14) which was announced by the GoSL for low-income households due to the targeting methods. Similarly, 82 per cent of the participants reported that they were excluded from the relief package of LKR 2,000 (USD 6), which was made available for COVID-19 patients, when they contracted the virus.



Women Workers-Led Actions through the FPAR

Women's leadership in political and decision-making spheres in Sri Lanka is lagging behind many countries in South Asia. Even though women's leadership is accepted by society, structural and cultural barriers discourage women's leadership – both for entry into leadership and maintaining leadership roles. As a result, women's leadership in politics continue to remain low in Sri Lanka. Despite this condition, FPAR has mobilised over 100 women garment workers in the FTZ. Women workers from Koggala FTZ created a new trade union after the FPAR intervention. They engaged with a network of women workers' trade unions in Sri Lanka resulting in a space where they can voice their concerns and demands, and connect with other women advocates.

WCSL recently introduced a strong network of Women of women workers which has membership across sectors with a large concentration of women workers in intensive and low-paying jobs. The measures taken by the organisation will help the women-led workers' unions to enhance their participation and leadership capacity, strategic roles and decision-making power, and increase their visibility in society to attract and engage with other unionised women workers.

Recomendations:

For the Government of Sri Lanka:

1

Adopt an approach to re-brand the garment industry in order to take steps toward improving the image and dignity of women garment workers. This will help sustain qualified and experienced women workers who would otherwise deviate from the industry.

2

Regulate and punish garment firms or supplier factories with violations of workers' rights, including forced labour practices and lay-offs without adequate compensation.

3

Ensure an easily accessible, affordable and quality public healthcare system for all workers and maintain occupational health standards in the factories especially in relation to COVID-19.

4

Design and implement universal cash and food transfer programmes for the workers and cancel targeted relief programmes which cause further exclusion.

5

Increase investments in the social safety nets for all, especially for women in rural and urban poor communities.

6

Invest in diversifying peoples' livelihoods including their access to land and resources so that workers livelihood options outside the garment industry.

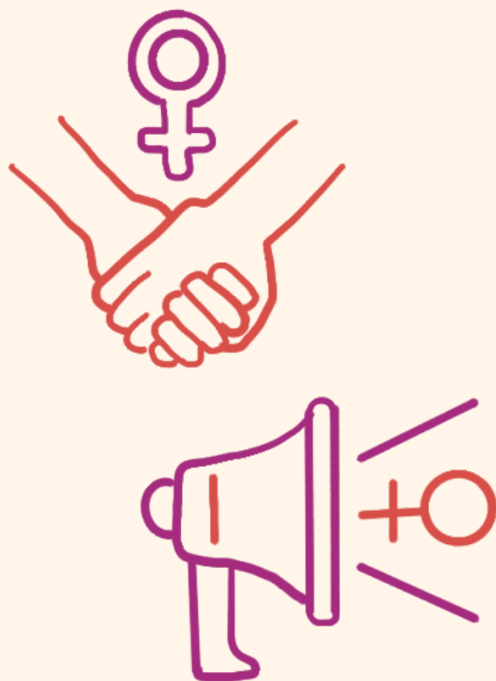
For International brands:

Exert pressure on the GoSL to promote, protect and fulfil the international labour rights and conventions that Sri Lanka has ratified. Create strong policies to ensure that the products they receive are clean from any form of labour exploitation and rights violations of workers.



For the suppliers in Free Trade Zones:

Re-establish industrial relationships which do not thrive on maximising the exploitation of the workers but provide good working conditions to the workers within factory premises. This can be achieved by ensuring proper compensation to workers during layoffs and allowing freedom of association and collective bargaining within the factories. Further, employers must discuss with unions before engaging in layoffs or pay cuts.¹¹



For trade unions:

- ♦ FTZ trade unions need to be more inclusive of women workers. FTZ unions must reach women workers for their membership and leadership positions within the union.
- ♦ Create and ensure spaces for women's leadership so that more democratic decision-making takes place within the union space. This also leads to quick action on issues related to sexual and Gender-Based Violence (SGBV) and pregnancy benefits for women workers.
- ♦ Work towards creating a system of work that recognise and upholds the dignity and human rights of women workers.

¹¹Asia Floor Wage Alliance. (2020). *The Emperor Has No Clothes: Garment Supply Chains in the time of pandemic, Issue III*. AFWA. <https://asia.floorwage.org/wp-content/uploads/2022/01/Emperor-Has-No-Clothes-Issue-III-July-2020.pdf>



About Women Centre Sri Lanka (WCSL)

The Women's Centre (WC) was established in 1982 as a supporting role /platform to the Polytex garment struggle in Sri Lanka in 1982. Presently, WC is working in eight districts in Sri Lanka and has five branches in Free Trade Zones in the Southern part of Sri Lanka (Ekala (HO), Koggala, Wathupitiwala, Biyagama and Katunayake) and one chapter in the Eastern province (Vavuniya).

The WC has identified several apparel factories in Vavuniya & Kilinochchi districts and has a healthy relationship with women workers there. Their FPAR will support the organisation to scrutinise women's labour issues related to the violation of labour rights, harassment and lack of legal protection for women.

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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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This publication was produced with support from the Swedish International Development Cooperation Agency (SIDA), Foundation for a Just Society (FJS) and Wellspring.

Year of Publication: 2023