



# Fast Fashion Labour Disciplining and Violence

in the Readymade Garment Industry in Gurgaon



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This report was prepared in 2019 by **A.R Associates**,  
New Delhi as part of the  
**Labouring Women and Violence:**  
**Building workplaces free of violence against women.**

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## 1. Introduction

A number of studies in recent years have reported disturbingly high levels of violence against women workers in the workplace. A European Economic and Social Committee Report (September 2015, Brussels) claims, that across the world, “35% of women fall victim to direct violence at the workplace, and of these between 40% and 50% are subjected to unwanted sexual advances, physical contact or other forms of sexual harassment.” A previous ILO study (2012) on the working and living conditions of garment workers in Cambodia reported high levels of discrimination, harassment and sexual abuse in the factories. Additionally, a report by Sisters for Change (2016) reveals widespread sexual abuse suffered by workers in garment factories in Karnataka, India.

Violence affects women’s workforce participation and mobility, undermines their dignity, and negates the formal guarantees of gender equality and citizenship. It also works as a means through which gender inequality in the workplace is produced and reproduced. To enhance women’s employment and support women workers’ right to employment without violence and with dignity, strong workplace policies are required. The garment sector is pivotal in the development of Asian economies, providing employment to large numbers of women while contributing significantly to the GDP and export revenue. If women workers’ safety improves in this leading sector, it will impact a majority of the working women and provide a benchmark for women employed in other sectors.



Photo Courtesy: Natasha Badhwar

## 1.1. Locating the Garment Industry in the Nation's Economy

India is one of the leading textiles and apparel manufacturing and exporting countries in the world. It has strong vertical integration with a presence in almost all the sub-sectors of the industry - from raw material, yarn, fibre and fabrics to apparel retail and exports. The apparel sector, also known as the Ready-made Garment (RMG) sector, is the final stage of the textile value chain and the maximum value addition takes place at this stage. India produces both natural and man-made fibre-based textile and apparel. The share of cotton garments in India's apparel exports is higher than that of man-made fibre, 51% and 28% respectively, even as global consumption is shifting towards man-made fibre garments.<sup>1</sup> The textile industry contributes to 7% of industry output in value terms, 2% of India's GDP and to 15% of the country's export earnings. With over 45 million people employed directly, the textile industry is one of the largest sources of employment generation in the country.<sup>2</sup> In the apparel sector, "total employment (as measured by NSS) increased to 99.1 lakh by 2011-12, although the pace of employment growth slowed down after the mid-2000s.

By 2011-12, the ratio between factory employment (according to ASI) and total employment (as measured by NSS) rose to 9.3 per cent in the garment industry (up from 5.9 per cent in 2004-05)".<sup>3</sup>

However, the industry is facing some challenges, such as increased competition from Bangladesh and Vietnam, slowdown in some markets that it exports to, and changes in the domestic taxation structure. "India's apparel exports are estimated to de-grow by 4-5% in FY2019, following a similar de-growth of 4% in FY 2018 and modest growth rates of 1% and 3% in FY2016 and FY2017 respectively, according to an ICRA report."<sup>4</sup> Another estimate suggests that "at \$16.2 billion in FY19, India's apparel exports fell by 1.2% from FY18, which in turn was 4% lower than the previous year. Even the share of apparel exports in the country's total textile exports has fallen sharply from 51% in FY17 to 45% in FY19."<sup>5</sup>

The labour-intensive form of production has made this industry a crucial foreign exchange earner for several developing countries such as Bangladesh, Cambodia, China, India, Indonesia, Pakistan and Vietnam. The post-Fordist regime which has massively restructured the production process, has provided emerging economies a platform to shift from simple export-oriented industrialization to higher value activities in the global production networks (GPNs).<sup>6</sup>

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<sup>1</sup> *LiveMint*, 2019

<sup>2</sup> Government of India, 2018.

<sup>3</sup> Thomas and Johny 2018, p.11.

<sup>4</sup> *Economic Times*, 2019. ICRA is an investment Information and credit rating agency.

<sup>5</sup> *LiveMint* 2019.

<sup>6</sup> Jha and Chakraborty 2014.

This form of global integration has unfortunately created a ‘race to the bottom’, a condition where the workers in the lower echelons of the supply chain suffer and their conditions are made worse by those at the upper, managerial end of the supply chain. In addition, the imbrications of social oppressions based on gender, caste, religion among others, with economic exploitation, becomes worse for workers at the bottom of the supply chain. Gender discrimination, patriarchal structure at the workplace<sup>7</sup>, exploitative capitalist or neo-liberal workplace structures<sup>8</sup>, ‘flexibilization’ of production<sup>9</sup>, have led to concentration of female workers in the lowest rung of occupation, especially in several low wages, low skill, export-oriented industries, such as the garment industry.

The clusters of Gurgaon, Bangalore, and Tirupur are the three main production centres in the Indian garment value chain. As of November 2012, “these three industrial centres together accounted for nearly 55% to 60% of the total ready-made garment exports from India.”<sup>10</sup>

But the gender composition across the three clusters varies, with a clear north-south divide. While in Bangalore and Tirupur female workers comprise nearly 80-90% of the workforce, in Gurgaon they barely comprise 15-20% of the workforce, although it is rising.

Human rights and labour abuses are prevalent across the global garment supply chain as is gender-based violence. Several studies<sup>11</sup> have documented the many kinds of violence and harassment common in garment factories, ranging from shouting, verbal abuse and humiliation, hitting, hair pulling or ridiculing a worker with offensive sexual remarks, to more extreme forms of sexual violence. Women are disproportionately affected by violence and harassment and the perpetrators of violence are almost always male (supervisors, managers, line in-charge, co-workers etc.). Human Rights Watch (2019a) argues that “brands’ poor sourcing and purchasing practices are a significant cause for rampant labour abuses in apparel factories, undercutting efforts to hold suppliers accountable for their abusive practices.”

Currently, the scale and nature of gender-based violence at the workplace is fairly well known; as is knowledge of the lack of redressal at all levels – from governments to brands to factory management. Social audits and voluntary codes of conduct have proven to be ineffective in capturing and addressing gender-based violence in the global garment supply chain.<sup>12</sup> It is thus important to understand the nature of this impunity, what shapes and sustains it, to address

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<sup>7</sup> Siddiqi 2006.

<sup>8</sup> Jenkins 2004.

<sup>9</sup> Holstrom 1993.

<sup>10</sup> SLD 2013.

<sup>11</sup> Fair Wear Foundation (2016, 2019), Human Rights Watch, Sisters for Change (2016), PUDR et al (2016), various Asia Floor Wage Alliance reports between 2016-19.

<sup>12</sup> Human Rights Watch 2018.



the prevalence of violence, especially gender-based violence, in the world of garment production.

## 1.2. Research Objectives

This research focuses on understanding the routinization of impunity at workplace and impact of cultural and social norms and practices in shaping impunity, including mechanisms of transmission of impunity from family and community to the workplace. Kalpana Kannabiran rightly highlighted that impunity in the world of work is hard to track except with regard to formal law.<sup>13</sup> Tracking impunity is made even harder according to Sujata Gothoskar, because certain forms of violence and discrimination are recognized and acknowledged in law, while some, such as bullying, are not.<sup>14</sup> Vaibhav Raaj<sup>15</sup> underscored the fact that migrant women, who are brought to places of work by agents and subagents, find it hard to hold these same recruiters accountable as they tend to be from the same communities as these women, thus being embedded in extended kinship networks. Kinship and community norms of patriarchy are sustained in the workplace through these kinship-based recruitment practices.

In addition, attitudes of family, community and society, in general, toward working women also shape the culture of violence and impunity. In the words of Kannabiran and Menon (2007) the ‘interlocking of public and private patriarchies means that women experience linked or connected forms of violence that extend from the home to the street and on to the battlefield.’<sup>16</sup> It starts with the families’ strict policing of women’s mobility and sexuality and the practice of early arranged marriages which when “coupled with women’s economic dependence, more or less guarantees their submission to routinized, everyday violence in the home”.<sup>17</sup> Kannabiran and Menon argue that the normalization of violence and systemic cruelty within families is the bedrock on which violence and impunity within families and communities operates. Articulating the internalization of this violence and the forbearance required to bear it, one of the respondents said that this is the tax that women have to pay for being present on this earth (“*dharti par aurat hone ka tax hai ye*”). Sexual abuse within families, son preference, ‘honour’ killings, dowry deaths and caste panchayat<sup>18</sup> sanctioned violence blur the distinction between private and public, family and community and “strengthen the power of class, caste and community patriarchies and sanction the use of violence in their service.”<sup>19</sup> Kannabiran and Menon further demonstrate that the public sphere too mirrors the unequal gender relations of the domestic sphere and the state acquires patriarchal privilege through inaction and non-

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<sup>13</sup> Kalpana Kannabiran, Project Workshop, 23-24 October 2017, New Delhi.

<sup>14</sup> Sujata Gothoskar, Project Workshop, 23-24 October 2017, New Delhi.

<sup>15</sup> Vaibhav Raaj, Project Workshop, 23-24 October 2017, New Delhi.

<sup>16</sup> Kannabiran & Menon 2007, p. 23.

<sup>17</sup> *Ibid*, p. 24.

<sup>18</sup> Panchayat is a village level council, so a caste panchayat is a caste-based council at the village level.

<sup>19</sup> Kannabiran & Menon 2007, p. 26.

interference in the 'private' domain of the family and the domestic sphere. Impunity stems from this power to arrogate to themselves the power of being above the law in various degrees. Thus social groups and communities, state agents and custodial institutions, caste groups, and also agents of employers (we would add) have accreted to themselves 'habits of impunity'<sup>20</sup> that various peoples and mass movements continue to struggle against (such as the feminists, labour movement, *dalits*, *adivasi*, religious minorities' groups). It is with this preliminary understanding that this research attempted to understand impunity at the workplace (especially a factory shopfloor where caste, gender, impunity, labour disciplining system coalesce) and impact women's experience of work and violence.

Mezzadri (2017) characterizes garment production as a sweatshop regime to highlight the link between the physical and social materiality and to "capture the process through which the garment industry has been able, across time and space, to always reconstitute itself as a realm of harsh labour conditions and relations", a regime in which "systematic processes of depletion of the labouring body are even too visible".<sup>21</sup> An oft-heard lament has been that nothing seems to change in the system of garment production and the kinds of violence and oppression it engenders.

The key may lie as Mezzadri points out in the "broader networks of oppression that exceed (or pre-exist) the constitution of 'labour' and 'labouring' in the sweatshop and that strongly shape them at the same time. ...Strongly shaped by social structures, divisions and differences, these networks are mediators of processes of class formation as well as constitutive elements of processes of accumulation."<sup>22</sup> A point also made in other classic studies such as Karin Kapadia (1995), Maria Mies (1982) to name a few.

An insight from Jenkins (2012)<sup>23</sup> is also extremely relevant in understanding women workers' perceptions and fears, especially those coming from the 'field to the factory'. Their "social conditioning is highly relevant to their fear of 'organisation' writes Jenkins, and for the women concerned, there are multiple layers of risk and disadvantage to contend with, beginning with their status on entry to factory work."<sup>24</sup> She correctly identifies that "first generation female rural migrant garment workers...have expectations built around 'feudal-style', gender-based norms of duty, deference and obligation and have most likely been subject to the 'multiple social and gender discriminations' typically associated with the low socio-economic status afforded to women in the poorer sectors of Indian society".<sup>25</sup> In addition, though "wages in the garment sector are low, and effectively below subsistence level, they are better than what

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<sup>20</sup> *Ibid.*, p. 35.

<sup>21</sup> Mezzadri 2017, p. 3 & 7.

<sup>22</sup> *Ibid.*, p. 3.

<sup>23</sup> Jenkins 2012.

<sup>24</sup> *Ibid.*, p. 5.

<sup>25</sup> *Ibid.*, p. 6.

women could earn in agriculture or elsewhere in the informal sector. In conditions of poverty, small houses, overcrowding and tensions over having enough food, there is a great deal of inter-marriage conflict, associated with a high incidence of domestic violence as well as desertion of women with children.”<sup>26</sup> Several of our informants fit this picture.



**Photo Courtesy:** Anita Yadav

Mezzadri’s point is also well taken and in fact informs our own understanding of how the continuum of violence, oppression and exploitation shapes the lives of workers,

...one cannot understand the hardship of India’s garment proletariat without considering the garments they produce and the entire set of relations of exploitation, commodification and oppression moulding the sweatshop, as they cross India’s factories, workshops and homes, industrial colonies, slums and villages. (5)

The context for focusing on impunity in the workplace was to understand ‘workplace violence’ from the perspective and experiences of female (and male) respondents in the context of barriers to women’s employment as these barriers are shaped by not just economic factors but also social, cultural practices and multiple forms of inequalities. As Mezzadri (2017) points out, integration within the global commodity chain “has not attenuated the social regulation of the workforce; rather, it has placed a further premium on it, as a way to boost India’s competitive edge in the global economy, and reinforce its comparative advantage in multiple, distinct forms of cheap labour.”<sup>27</sup> Our field research reveals a complex interplay between various axes of

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<sup>26</sup> *Ibid.*, p. 5.

<sup>27</sup> Mezzadri 2017, p. 38.

vulnerability (anchored in different forms of dispossession, migration, social identities, social relations and social oppressions), and the ability of workers, especially female workers, to withstand or resist in various ways the multiple forms of violence they encounter across the continuum of home, commute and workplace.

We were interested in examining factors that enable or prevent women from accessing paid employment outside or within homes; how does violence and its stigma as well as structural vulnerabilities shape women's decisions or choices of employment and their incorporation into global production networks; and linkages, if any, between nature of work and sexual harassment and/or violence at workplace. What are the factors that make women more susceptible to sexual harassment and/or violence (age, marital status, ability, community, migrant status etc.)? Are there linkages between workplace violence (especially sexual harassment and/or violence) and other sites and forms of violence against women (domestic violence, intimate-partner violence or sexual harassment at public spaces)? How does each site of violence and the violence it creates and/or promotes affect a woman's ability to negotiate through the other spaces?

## 2. Research Overview

### 2.1. Sources of Data

To obtain information, both primary sources and secondary data were used with a focus on primary qualitative data to better understand the *experience* of violence and the imbrications of violence across different spaces occupied by the female worker – home, community, public spaces, workspaces. Semi-structured individual interviews were conducted with the workers at a site that they were comfortable with. These included their homes; a temporary field office established for the few months of field work in one of the working-class colonies at Kapasedha border where many garment workers live; at homes of neighbours, at labour chowks (labour markets located at street corners) ; at a local temple. It is important to note that many of the public sites such as labour chowks and temples were chosen by some of the workers because a meeting with strangers could be camouflaged in case their male family members or neighbours happened to spot them. The longer case-study interviews were primarily conducted in the worker's homes as they worked or rested (in the case of one worker who was also a victim of severe domestic abuse). Several times, if male members (husbands, teenage sons) happened to come home while the interview was being conducted, they would interrupt the interview and sometimes even ask the researcher to leave, while reprimanding the wife/mother for talking to strangers, or they would sit in the same room and answer for the woman.

In such cases, the researchers would diplomatically stop the interview and return on another day when it was ascertained that the interviewee would be alone. Case-study interviews had to be conducted over a couple sessions for these reasons.

Secondary information was obtained from a review of existing literature.

Interviews were conducted with utmost attention to security and confidentiality. Researchers conducted the initial data collection by first seeking consent from the respondents. Most respondents were wary of signing consent forms, in which case their verbal consent was noted by the researchers. If the respondent agreed to an audio recording, their verbal consent was first recorded, and then the interview was conducted. Otherwise, the researchers made notes only with pen on paper. There was no use of video recordings. In both cases, researchers typed up detailed notes of the interviews. Transcriptions were done only for some case-studies.

### 2.2. Researchers

Four researchers were engaged to conduct field research. Three were females, one was male. All were fluent in speaking Hindi and had prior field research experience. Training workshops were conducted to familiarize them with the structure of the garment industry, organization of

the shopfloor and nature of production. Some of the procedures that the researchers were required to follow included:

- Obtaining and documenting consent to speak with the interviewee prior to conducting any discussions;
- No photographs, or video recordings were taken of any of the interviewees; audio recordings were taken only after obtaining explicit consent;
- No payments were allowed for interviews, but a small amount of food or beverage during the conversation was permitted especially if the respondent had small children.
- Researchers were asked to familiarize themselves with the questionnaire as best they could and conduct interviews casually, rather than following a formal list of questions; researchers were allowed to take notes during their conversations with the subjects, or audio record them if consent was obtained;
- If consent was not provided, the individual was not interviewed.
- Researchers were asked to explain to the interviewee that if at any point during the conversation they asked not to continue, the conversation would be terminated immediately. However, once the respondents began talking, none asked for the interview to be terminated.

### **2.3. Phases of Research**

The research was carried out in three phases. Phase one was a pilot stage, followed by one phase of full research and a third stage of follow-up research. The aggregate pilot and research period spanned December 2017 to May 2018.

During the pilot stage, two teams of two researchers each was tasked with testing the questionnaire and interview process as well as mapping the three geographical areas where the garment factories were concentrated and the neighbouring villages where workers resided. The full research phase involved all the researchers. The follow-up phase involved one researcher. Researchers were to submit their field notes each week and weekly meetings were held to both discuss their findings as well as plan the following week's work, and to collectively address any challenges that arose in the field.

### **2.4. Research Questions that guided the qualitative research**

- What is the self-perception of women as workers?
- What is the perception of women regarding violence at the workplace?
- How is the culture of impunity constructed socially?
- How does the culture of impunity transform into supervisory structures given kin/social networks of recruitment?

- What are the specific vulnerabilities of workers and how do they intersect with new(er) vulnerabilities engendered by current socio-economic and political conditions which may also increase vulnerabilities to violence at the workplace and within recruiting, migration chains?
- How is sexual identity (re)constituted in the workplace?
- How do women internalize violence?
- How do women cope with, resist, and/or challenge violence?
- How does the power and disciplinary power integrate with a gendered framework and how is it routinized in the workplace?
- What are the dimensions of stigmatization in the workplace and does the workplace reinforce existing 'cultural artefacts' or reconstitute them?

## 2.5. Methodology

For this research, mixed qualitative research methodology was used. Four techniques were deployed to collect qualitative data - individual interviews with workers (female and male), community members and other stakeholders; FGDs (focus group discussions) with workers (female and male), community members and other stakeholders; short questionnaire survey with female workers; and case-studies with women workers.

Short surveys were useful in getting a broad overview of the working women's lives and experiences with violence in various spheres of their lives. Qualitative methods such as, semi-structured interviews, focus group discussions and case studies were used to understand in greater depth the intensity, implications and real life experiences of the workers as well as their own understanding of their experiences.

Three areas were chosen for fieldwork of the research – (1) Gurgaon (2) Manesar Industrial area, also known as IMT Manesar. (3) Working class neighbourhoods around these two areas.

200 stakeholders were contacted. 108 semi-structured interviews were conducted which included 76 workers (45 female; 31 male). Of these 68 were garment workers (37 female; 31 male) and 8 were workers in other sectors (all female). 10 FGDs were conducted with 64 respondents (38 female, 24 male) which included 44 workers (25 female; 19 male) and 18 other stakeholders (13 female, 5 male). 30 female workers were contacted via short surveys.

Workers were interviewed from across ten garment factory departments (of which 4 were all male departments). In addition, fabricators; skill centres proprietors; subcontractors; home based workers were interviewed.



## 2.6. Site Selection - Areas of field work

Within the Gurgaon-Manesar industrial belt there are 3 clusters of factories, at Udyog Vihar (at the Haryana-Delhi border), Khandsa road (in Gurgaon town) and IMT Manesar (an integrated manufacturing township in Gurgaon district, about 25 kms from Gurgaon town on the national highway that cuts through Gurgaon district). Interviews were spread across these 3 locations and their surrounding areas and villages where workers live: Udyog Vihar – villages of Kapasheda, Dundahera and Mullaheera; Manesar – villages of Navada, Naharpur, Bassgaon, Bhangrola, Kakrola, Aliyar, Kasan and Khogaon. We focused only on workers from companies manufacturing for the export market since it is understood that working conditions and salaries would be better in these production units as compared to units that cater to the domestic market. In addition, it was also our understanding that integration of export production units in the garment global supply chain results in pressures transmitted to the production system, the shopfloor, the labour disciplining systems, wages and working conditions and its relationship to violence as a disciplining mechanism – all of which need to be understood.



**Photo Courtesy:** Natasha Badhwar

In addition, interviews were also conducted with fabricators, subcontractors, daily wage workers and home-based workers. Most of the older workers were migrants from Uttar Pradesh and Bihar, while the newer migrants are from Bengal, Orissa, Madhya Pradesh, Himachal Pradesh, and the Northeast indicating a widening of the migration stream.



## 2.7. Respondents

The study utilized a purposive network and snowball sampling to identify respondents. Key interviewees were identified and recruited through the following mechanisms:

1. Informal discussions with community members living in areas where garment workers were known to live;
2. Informal discussions at labour chowks, areas where workers and subcontractors congregated in mornings and evenings;
3. Informal discussions in the industrial areas where garment factories are located, with workers as they left the factories after their shift to walk home;
4. Snowball sampling, which occurred if a key informant recommended interviewing other individuals as part of the study. If a key informant shared possible subjects to include in the research, the researchers would then include the prospective individual on a list of individuals to approach for a potential interview;
5. Contacts given by local unions, NGOs or grass roots women’s organizations.

**Table 1: Sampling Structure**

<p><b>Gurgaon-Manesar Industrial Area</b></p> <p><i>Focus:</i> How impunity is shaped on the shopfloor; impact of cultural and social norms and practices in shaping impunity.</p>	<p><b>108 semi-structured interviews:</b></p> <p><b>76 workers</b> (45 female; 31 male)</p> <ul style="list-style-type: none"> <li>• 68 garment workers (37 female; 31 male)</li> <li>• 8 workers in other sectors (all female)</li> </ul> <p><b>Other stakeholders: 32</b> (16 female, 16 male)</p>	<p><b>10 FGDs:</b></p> <p><b>64 respondents</b> (38 female, 24 male) –</p> <ul style="list-style-type: none"> <li>• 44 workers (25 female; 19 male)</li> <li>• 18 other stakeholders (13 female, 5 male)</li> </ul>	<p><b>30 surveys :</b></p> <p>All females</p>	<p><b>200 :</b></p> <p><b>Industry 165</b></p> <ul style="list-style-type: none"> <li>• 150 workers (95 female; 55 male)</li> <li>• Fabricators 3;</li> <li>• Skill Centres 4;</li> <li>• Subcontractors 3;</li> <li>• male guards:5;</li> </ul> <p><b>Others stakeholders: 35</b></p> <ul style="list-style-type: none"> <li>• govt officials 9;</li> <li>• company officials 2;</li> <li>• industry official 1;</li> <li>• NGO 5; INGO 2;</li> <li>• women’s org 3;</li> <li>• community radio 2;</li> <li>• community women: 11;</li> </ul>
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## 2.8. Categories of workers interviewed

150 workers (95 female, 55 male), 3 fabricators, 3 subcontractors, 4 skill centre proprietors, and 5 male guards were interviewed. Female workers were concentrated in only three departments - handwork, thread-cutting and machine operations/tailoring. A couple female checkers were also interviewed. Male workers were mainly machine operators/tailors including some master tailors, 2-3 helpers, pressmen, quality control and quality assessment, supervisors, floor in-charge, one fusing operator.

Some female workers had quit the garment industry and switched to other work but were willing to share their experience. Some female sub-contractors were also interviewed. Among male workers, interviews were done across departments such as sampling, quality control, production, washing, press, cutting, fusing, packaging, and designations such as supervisors, masters, line-in-charge, quality checker, pressman, sampling master. Some fabricators and contractors for home based work were also interviewed to understand the reach of the supply chain into smaller fabrication units and home based work.

## **2.9. Difficulties Encountered**

The researchers encountered a handful of challenges during the course of the research project, though none of them would be considered severe. It took the researchers some time to establish trust and rapport for the workers to open up about their experience of violence, especially domestic violence, sexual violence and harassment. It also took some time to establish a rapport with some of the subcontractors before they agreed to be interviewed.

One subcontractor eventually took two researchers into a factory where she supplied labour and allowed them to see the layout of some departments. Sometimes workers would agree to be interviewed but on the appointed day and time they would fail to show up or answer their phones. Some, who eventually did meet the researchers subsequently, shared that they were wary of talking to strangers.

With female workers, as pointed out earlier, surveillance by male family members was a challenge that the researchers had to work around creatively and persistently. Many female workers were not allowed to have mobile phones. So, the only means of contacting them was to call on the husband or son's mobile phone and negotiate a meeting time through this medium rather than directly. Consequently, researchers had to deal with the presence of the husband or son, if they happened to walk in while the interview was in progress.

Interviews with fabricators and skill centres were also a bit difficult as they were not inclined to share information and researchers were not allowed beyond the reception area. It was similar in the police stations where researchers were often kept waiting and then eventually told that the officer could not meet them as s/he had been called away to a meeting.

Except for one factory, all other factory owners, human resource managers, compliance managers, did not respond to our requests for meetings.

At times researchers felt uncomfortable when some respondents (factory owners, labour department and police officials, Local Complaints Committee members under the Sexual Harassment Act) shared views about workers or sexual harassment complainants that were derogatory or rooted in patriarchal or casteist views. It was difficult to remain neutral when faced with comments that were diametrically opposed to the researchers' own views and

understanding. At times, when it seemed possible, researchers did present an alternative perspective but without sounding confrontational or judgemental.

It was also sometimes difficult for researchers to keep themselves from actively helping respondents facing domestic violence or abuse. In such circumstances, researchers were allowed to offer to connect such respondents to a women's organization or some local group that could help them, if the respondent wanted to seek help. Active counselling or personally helping the respondent was not permitted. While the researchers understood the need for such boundary setting and adhered to it, their discomfort and other feelings that were evoked in such circumstances were discussed in the weekly meetings and they were supported through it.

Only once, during the pilot phase, did the researchers face sexual harassment while walking around in a workers' colony one afternoon, in the form of persistent staring by a male pedestrian that made the researchers uncomfortable. The team of two researchers chose to actively approach the perpetrator and address him, following which he walked away. No other incidents were reported by them.

### 3. Key findings

The research in India focused on understanding how impunity is shaped on the shopfloor and how community cultural norms influence gender interactions on the shopfloor as well as the construction of a gendered labour disciplinary system in the factory, given that recruitment is kinship based and supervisors are often from similar backgrounds and geographical locations as the workers themselves.

#### 3.1. Home and community:

- Gender norms, stereotypes and patriarchal cultures shaped women's experiences particularly with respect to waged work.
- Several women interviewed faced some level of domestic violence – due to a variety of factors such as alcoholic and abusive spouses, suspicions because women stepped outside homes to work, perceived neglect of domestic work due to long working hours and overtime.
- Other restrictions that women faced included restriction on use of mobile phones – phones were owned/used only by male members (husbands and sons), restriction on talking to 'strangers' including the researchers who went to interview them, restriction on mobility outside the home.
- Victims of domestic violence were often derided and isolated by other family members and neighbours, many of whom were also women.
- Caste equations influenced access to housing and toilets. In one instance, a tiny number of upper caste families had reserved the use of 1 toilet for themselves while leaving only 2 toilets to be shared by the rest of the nearly 20 families on the pretext that "those *Biharis* are dirty and can't keep toilets clean" with *Bihari* indexing the darker skin colour and caste location of other families living in the same housing tenement.
- Migrant status of most workers and their families put them at a disadvantage which was then mitigated or aggravated to some extent by caste, social status and gender. Being migrant, female and of a lower caste or Muslim religion, often placed them at the bottom of the privilege pyramid; making them most vulnerable and most unable to speak up or fight back.
- In north India, work in the garment industry continues to have some lingering stigma attached to it. There is an assumption the permeates the community and hangs in the air invisibly that women working in garment factories don't engage in 'honourable' work, but do 'other' work in the garb of a garment job. Some workers were immune to it, others commented that they would not let their daughters or wives work in the garment factories both due to the stigma as well as due to the harassment, especially sexual harassment, which women workers face in the factories.

- *Majboori* (compulsion) was voiced by several women as the reason they stepped out of their homes to work in the first place and therefore it was a *majboori* to bear with some amount of violence and harassment in order to earn a livelihood.
- On the other hand, some women did not disguise the pleasure they get from going out to work, they shared that they like going to work, don't like sitting at home, feel bored and stuck at home.
- Patriarchy and resistance was noted – some women reported not being allowed to work full-time by their husbands who want their wives to be home to serve them lunch or go to work only on some days and not others. A woman, who had gotten married young, did not get along with her husband and would actively seek daily wage labour on the days her husband was home. Several women workers shared that they had to seek *permission* from their male family members (fathers, husbands, in-laws) in order to step out of their homes to work. Some shared that it took months of persuasion before they were granted permission. But this was *a double-edged sword*, since any 'slip-up' in domestic chores would result in abuse and taunts asking the woman to stop working for a wage and concentrate on her 'real' work which was to take care of the household.
- Given the general taboo against women's waged work outside the home that permeates North Indian culture, many women had to hide their working status from the extended family that resided in the village from where they had migrated. On days there was a family member or acquaintance visiting from the village, the woman had to stay at home in order not to reveal that she was a working woman. Sometimes this led to women losing their jobs due to absence from the factory; adding to their precarity and vulnerability.
- Women also shared that their personal and social relations were often strained due to lack of time, anxiety, health problems due to overwork and stress.

### 3.2. Perceived identities and entering the job market:

- Sexualization of recruitment at the labour chowk<sup>28</sup>; younger women are preferred; women who dress up and apply make-up are preferred; older more experienced women barely get any work. Male co-workers endorse that young women are preferred "as they are fast and efficient".
- Several women left work as they got older as there was no scope for promotion, no matter how educated or skilled they were. Almost no opportunity of promotion in the same company for the women working.
- Gender, regional and caste biases are rampant among co-workers.

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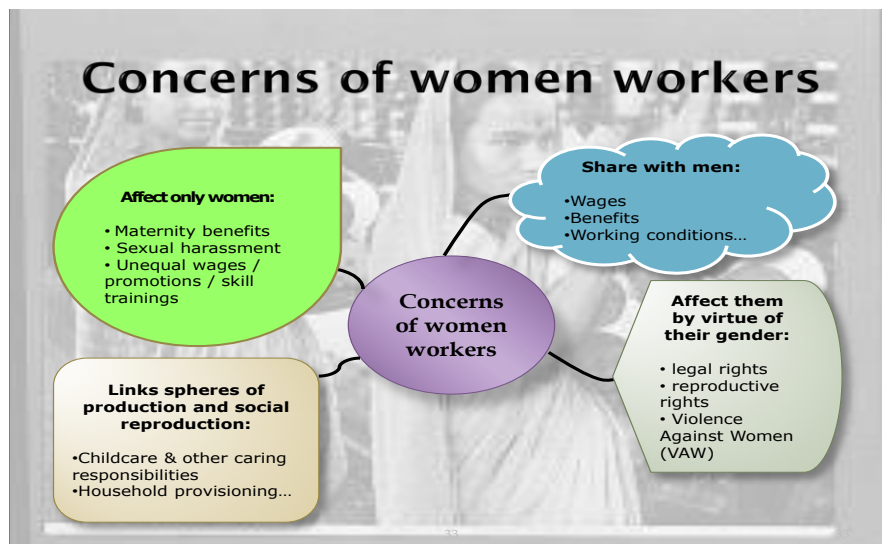
<sup>28</sup> Labour chowk is a street corner which turns into a labour recruitment zone for a few hours a day to recruit daily wage workers or temporary workers.

- Rhetoric of policing of women’s sexuality is rampant along with referring to a woman as a prostitute by other workers if she takes up work at below market rate at the labour chowk. The use of the word prostitute is derogatory to both occupations and hence it is used.

### 3.3. Understanding workspaces and shaping of impunity on the shopfloor:

- Women workers are concentrated in only 3 out of 65 tasks identified in an RMG factory.
- Skill centres are a source of training and placement of workers in factories. Their network/reach is through masters and line-in-charge who take care of the workers placed via their network and shepherd them through the initial hiccups and thereafter as well.
- Multiple exclusionary mechanisms are used on the shopfloor to isolate assertive women workers who speak up for their rights or against violations of any kind – hazing, boycotting, humiliation, withdrawal from employment – general and sexualized, are some tactics.
- Male domination is asserted by co-workers, supervisors, masters, line-in-charge, managers with a sense of power and mastery and familial and cultural linkages bring patriarchal values onto the shopfloor.
- Sexualized labour strategies to survive substandard wages of paid employment.
- Gendered construction of the workplace and only few ‘lighter’ tasks are fit for women. Women themselves believe or are made to believe ‘work that requires lot of brain’ or ‘knowledge’ (of chemicals, for example, for washing) should be done by men.
- A factory owner even justified this by saying that we are doing this to take care of our female workers as we know they have to go home and work again on domestic and household chores.

**Figure 1: Concerns of Women Workers**



**Figure 2: Issues flagged by respondents**



## 4. Recommendations

It is well known that the agency of workers and their unions (where they exist) are deeply constrained because of the power of companies, even as we acknowledge that the power of manufacturing companies in global production networks is constrained due to the power of the brands and retailers. However addressing local institutional and regulatory conditions to support the agency and voice of workers and their unions would be a good starting point to address the iniquitous power balance.

Our main recommendation is that both government and industry should act with urgency to ensure formalization of recruitment and employment contract. Secondly, both industry and government should ensure that there is zero-tolerance of all abuse, bullying, intimidation and predatory practices that create an environment of fear in the workplace. Thirdly, both industry and government should encourage union formation instead of attacking the right to freedom of association and collective bargaining. All other recommendations will fail to improve the condition of workers unless grounded in these fundamental rights.

### 4.1. Garment Sector Employers and Industry Associations

- **Formal mechanisms:** Create formal channels of recruitment and ensure that workers have formal employment contracts, decent wages, no age or gender discrimination (or any kind of discrimination for that matter) and where workers are continually trained for skilling up.

*There is anecdotal evidence from factories that in the aftermath of sexual harassment complaints, they were forced by brands to organize workshops to make workers aware of their rights and how to access the various grievance redressal mechanisms in the factory – women from these factories reported a change in their self-perception. Once they started seeing themselves as rights-bearing workers/persons, not only were they more confident and assertive in the workplace but also in public spaces and at home. Such initiatives need to be replicated and scaled-up, even supported by the local and national industry federations and the apparel export council.*

- **Right to Unions and Collective Bargaining:** Encourage and respect the right to freedom of association and collective bargaining.
- **Right to work environments free of sexual violence/harassment:** Make sincere efforts to create a safe and non-hostile working environment by making all sexually-laced comments, jokes, and innuendos immediately punishable at all levels – from recruiters and co-workers to top management.
- Implement the sexual harassment and labour laws meaningfully and not superficially.

*There is already evidence of this from one of factories of the top exporting firm in India where women workers say that because the management does not tolerate ‘any loose talk’ and takes action immediately, they feel safe and enjoy their work. However, the same firm does not*



*follow the same system in all the factories it owns where workers complained of violence and rampant sexual harassment, extreme stress and unhappiness. Rather than having one show-case factory that is compliant with all laws, employers should ensure that all their units/factories are compliant.*

- **Training and skill based development toward promotions:** Out of 65 tasks that we mapped in a garment factory in North India, women are employed in only 3 – thread cutting, handwork (like embroidery etc) and machine operators (tailors). While the first two which are lower paying jobs, employing 99.9% women, the tailoring department which pays a little more, employed only 15-25% women and all the supervisors and managers were male. This means that the incorporation of women continues to be at the lowest rungs and lowest paying jobs even though women are increasingly coming out to work. Businesses and governments will have to step up to do their bit to support the women, through training and skill development of the women workers and ensuring they move up the jobs and supply chain.
- Hire more women and promote them to supervisory positions. Several companies that worked with organizations like the Fair Wear Foundation and Cividep in Bangalore to train women workers as supervisors, saw nearly 75% of these women workers get promoted with an average salary hike of 30-50%, with one of the top exporters reporting that promotions resulted in higher self-regard, which increased the women workers'/supervisors' productivity and efficiency by up to 50%.

*A surprising consequence of increased recruitment of women in nearby factories was reported in one location which is a newer industrial area, where the local community women shared that because of the increasing presence of migrant working women in public spaces and the interaction between male and female migrants in public spaces, they experienced a change in the attitudes of their own menfolk and community (who are deeply conservative and patriarchal) towards the women in their families. They felt an easing up of the restrictions on their mobility and interactions with outsiders (non-family members). The women from the community welcomed the presence of migrants which was quite the opposite from the older industrial area 25kms away where the local community was hostile to migrants.*

- **Ensuring safe living and working conditions:** Create a robust local grievance redressal system at the factory level along with a brand-level grievance redress mechanism where women workers and union leaders can give confidential feedback or lodge complaints. Invest in workshops and trainings where the workers become aware of these avenues of redress and how to access them.
- Constitute functional Internal Committees (ICs), as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. All workers should be in possession of this IC members' contact number. The ICs must be open to monitoring/auditing, as the case may be, by the relevant State authority, unions and buyers.
- No restrictions on mobility of workers, especially women workers, during breaks and in hostels.

## 4.2. Buyers (international brands and retailers)

- Make the supply chain public and transparent.
- Fast Fashion and onerous contracts with supply companies are the main cause of high, unachievable targets which in turn, is a core reason for violence on the shopfloor. The industry as a whole, led by key brands and retailers should review its purchasing practices and make public, a plan to transition into ethical buying practices.
- Encourage right to freedom of association and collective bargaining. The best auditing tools are unions.
- Third party audits are unable to detect non-compliance with labour standards and especially unable to detect violence at the workplace. Brands should require auditing to include off-site worker interviews, so that workers can speak freely without fear for reprisals. Audits of hostels and recruitment chains should be included. Audit findings, corrective actions and timeframe should be made public.
- Brands should develop standards for hostels that apply to all suppliers in India. These standards should at the very minimum meet the standards contained in the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014 and be part of the brands' Code of Conduct.
- Brands should engage with stakeholders and attempt to establish a Delhi NCR or North India Garment Round Table along the lines of the Bangalore Garment Round Table which is considered a good practice within the industry, as it facilitates dialogue between employers and workers' representatives.
- Encourage supplier companies to pro-actively adhere to the standards of the recently adopted ILO Convention 190 and Recommendation Concerning the Elimination of Violence and Harassment in the World of Work (2019) even if the government of the supplier country is yet to align domestic laws with the Convention.
- Support the establishment of a binding *United Nations Treaty on Business and Human Rights* that requires businesses to adopt and apply human rights due diligence policies and procedures; has a strong focus on access to effective judicial recourse for victims of human rights violations; and a basis for "parent-based extraterritorial jurisdiction", which will allow workers to have access to justice in the home countries of multinational companies.

## 4.3. Government

- Create formal channels of recruitment and ensure that workers have formal employment contracts, decent wages, no age or gender discrimination (or any kind of discrimination for that matter) and where workers are continually trained.

- Encourage formation of unions either at factory level or sectoral level and expedite registration of unions once applications are submitted. Unions provide the best social audit and monitoring service.

*Voluntary codes of conduct and third party social audits are ineffective, as shown by a recent Human Rights Watch survey and report. In addition, the strength and confidence that women gain from working in groups, sharing comradeship and friendships and learning to recognize themselves as rights bearing citizens/persons, has far reaching benefits for their dignity, safety and security as well as economic empowerment. Focusing on economic empowerment in isolation has proven to be ineffective.*

- Exempt garment factories from the ease-of-doing business inspired transparent inspection policies and reinstate mandatory and regular inspections by the labour department.
- Make it mandatory for skill development agencies to register long-distance migrant garment workers with the labour departments in both the state of origin and destination in compliance with the Inter-State Migrant Workmen Act, 1979; and allocate labour department staff to monitor the labour conditions of these migrants at both the workplace and in hostels.
- Build and operate working women’s hostels in industrial areas so that women have safe and affordable housing options as per the 2015 Vision, Strategy and Action Plan of the Ministry of Textiles.<sup>29</sup>In addition, formulate guidelines for hostels that regulate the living conditions in hostels and guarantees freedom of movement, along the lines of the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014.
- Increase investment in safe, reliable and affordable transportation in industrial areas.
- Ensure that pathways leading from industrial areas to housing colonies are well-lit and not isolated. Invest in police patrolling (that should include women police officers too) to ensure safety of women workers.
- Improve the functioning and monitoring of the Local Committees that are supposed to function under the Prevention of Sexual Harassment law.
- Local government should partner with local industry associations and community based organizations to organize training camps in working class colonies to educate workers about their rights, especially the sexual harassment law and the grievance redressal provisions at factory and district level.

**Box 1**

*Vision, Strategy and Action Plan 2015, Ministry of Textile, Government of India*

“Workers accommodation has not received the attention it deserves. It is, therefore, recommended that worker housing / dormitories should be an intrinsic part of development of Textile Parks with accommodation being either inside the Park, or, at a reasonable distance with transport arrangements depending on what industry prefers.”

<sup>29</sup> Government of India, 2015, pp. 10-11.

- Paid leave has been sanctioned for government employees by the national government, should an employee require leave to deal with violence or sexual harassment at the workplace. Similar leave should be legislated and extended to women in the private sector too.
- In the post-Covid 19 pandemic world, the Central and State governments should consult with industry and worker/union representatives to formulate and implement policies to ensure that the chaos and destruction of health and livelihoods of 2020 is avoided in the future, especially since global health experts are predicting the emergence of several pandemics in the times to come.



Photo Courtesy: Anita Yadav

#### 4.4. Trade Unions

- Trade unions must insist on a zero-tolerance policy towards abuse, bullying and intimidation, sexual harassment and violence at the workplace in order to build a dignified and non-hostile workplace.
- Implement a strategy to map commonly used sexually laced words and phrases in garment factories and negotiate with company management to prohibit use of the same in their premises.
- Trade unions must innovate strategies to have hostile workplaces recognized as unfair labour practice under the industrial relations code of the country.
- Trade unions need to be creative in order to organize garment workers all along the supply chain, down to the last homebased worker, while recognizing the precarious

nature of employment as well as the fact that industry and government are hostile to union formation or collective bargaining in general, especially in this sector.

- Trade unions should be at the forefront of addressing issues of skill development, occupation and wage discrimination in the garment industry, ensuring equal wage for equal value of work, leadership training and promotion for higher waged tasks as well as supervisory roles for women garment workers, and the provision of reproductive healthcare and childcare.
- Trade unions should be at the forefront and undertake cultural campaigns so that the working men recognize women's unpaid work and participate in the struggle for socialization of domestic work and enable participation of the women of their families in trade union activities.
- Trade unions should focus on increasing women's participation in unions, especially leadership within trade unions.
- Trade unions can innovate by ensuring that not just economic rights, but workers' families and their rights are also part of the trade union mandate and action, including alcoholism and domestic violence.
- Trade unions must advocate with the governments and industry to address the challenges of migrant workers, who form the bulk of the labour force in the garment industry.
- In the post-Covid 19 pandemic world, trade unions must engage with industry and government to advocate policies which ensure that the chaos and destruction of health and livelihoods of 2020 is avoided in the future, especially since global health experts are predicting the emergence of several pandemics in the times to come.

## 5. Inside the Factory: Violence, Impunity and the experience of women workers

### Emergence of Gurgaon as an Industrial Hub

Gurgaon is located just 30kms southwest of the national capital city of New Delhi and is part of the National Capital region. It is the second largest city in the state of Haryana and has become a leading financial, retail, real estate and industrial hub with nearly 250 'Fortune 500' financial and manufacturing companies located here along with 26 shopping malls and 7 golf courses. It boasts of having the third highest per capita income in India after Chandigarh and Mumbai. The city shook off its sleepy small-town past to become home to major automotive and auto components manufacturing companies, export garment manufacturing companies, IT, telecom companies, warehouse and logistics companies (given its proximity to the Delhi airport). It is now a city known for its glass and chrome facades of modern buildings, shopping malls, metro and monorail, and highways. Alongside, older villages remain and coexist, enclosed within the labyrinths of residential gated communities, highways and industry. The city has also recorded the fastest growth in real estate in the country<sup>30</sup>.

**Figure 3: Profile of Haryana**

4th Largest	Haryana is 4th largest producer of cotton, a critical raw material for the textile industry, in the country
US\$ 1.3 billion export <sup>18</sup>	Readymade garments worth around US\$ 1.3 billion are exported from Haryana annually
1 million employment	Employs around one million workers
Renowned Handloom Centre	Panipat, known as the "city of weavers", has established itself as a centre for handloom products on the global map.
150 Ginning units <sup>19</sup>	There are more than 150 ginning units established in the western region of the State

**Source:** Haryana Bureau of Industrial Policy & Promotion 2016, p.12

Until 1966 Haryana was a province in the state of Punjab. After becoming a separate state it remained largely an agricultural state. In the 1960s the state was a key beneficiary of the Green Revolution that made India self-sufficient in food grain production. Expansion of the transportation network, especially of the railways facilitated Haryana to become a major

<sup>30</sup> IBEF 2018.



collection and distribution centre of food grains. However, its chronic water shortage was an Achilles heel that constrained its development until it was connected to the Bhakra Dam.

Interestingly Gurgaon remained free of local administrative control. Land acquisition and development was directed by the Chief Minister's office in Chandigarh, nearly 268 kms away. In 1975 the Haryana Government passed the Haryana Development and Regulation of Urban Areas Act and it became the first state to involve the private sector in the acquisition, development and disposal of land. Land in Gurgaon was much cheaper than other industrial districts such as Faridabad, primarily because the land was not fit for agricultural production. In addition, conversion of land for non-agricultural purposes became easier. Consequently, in 1980 Maruti Suzuki India Limited set up its first car factory in Gurgaon on 300 acres of land. In 1981 the now iconic DLF (Delhi Land and Finance) became the first real estate developer to get a license to develop 40 acres of land. By 1991 when Indian economy was opened up through liberalization policies, Gurgaon had emerged as an ideal investment location with availability of cheap land and proximity to Delhi and its airport. In 1997 General Electric (GE) was the first multinational corporation to establish itself in Gurgaon, followed by others soon thereafter. Since then, most of the agricultural land has been acquired by the government, to promote an industrial base and service sector. Many of the landowners who had sold their land, or had their land acquired by the government, reinvested in agricultural land elsewhere or rented out their properties for commercial or industrial purposes. Several households also extended their buildings horizontally and vertically to capture the growing rental market to accommodate the increasing influx of migrant workers, who now constitute over 80% of Gurgaon's population. The transformation of the use of land was the catalyst for transformation in Gurgaon from a small town to a vibrant economy.

The garment producing clusters in Delhi's Okhla, Uttar Pradesh's NOIDA and Haryana's Gurgaon form the nerve centres of India's Global Garment Production Network. The United States of America and the United Kingdom are the major importers while new markets are also emerging in Australia. Since the mid-1980s, the

National Capital Region that includes Delhi, Noida and Gurgaon has emerged as the major site for production and exports of readymade garments. ...The knit fabric used by firms in NCR comes from Ludhiana, yarn-dyed fabrics are sourced from Chennai while cotton cloth is produced in Delhi. Dyeing and printing jobs are largely done by firms located at Sahibabad and Faridabad and sometimes firms get polyester printing done from specialized units located at Ahmedabad and Surat. Printing of tags, stickers and barcodes required for garments are also produced in the same cluster and there are some specialized embroidery units doing job work for the garments unit located nearby. Firms in Delhi, Noida and Gurgaon mostly produce ladies' and kids' woven garments.<sup>31</sup>

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<sup>31</sup> ISID 2010.

Apart from meeting the global demand, the firms in Delhi, in particular, had remained crucial in catering to the domestic needs of the country, especially in Northern India. “Production for the domestic market traces long back since Delhi housed a number of large textile mills. Earlier most of the garment units were concentrated in and around Okhla, Karol Bagh and Gandhinagar but gradually because of civic regulations industrial units were not allowed to do business within residential areas. As a result of this, garment units along with other industrial activities moved away from Delhi to newer industrial sites of Noida and Gurgaon”<sup>32</sup>. Escalating land and real estate prices in Delhi coupled with regulatory norms and structural change in the scale and technology of production, “primarily because of phasing out of the quota system supported by the Multifibre Arrangement”<sup>33</sup>, has led to firms either being relocated from Delhi, or emergence of new start-ups or extension of(multiple) plants of an existing unit, in Gurgaon. The garment units in the NCR region are largely concentrated at Noida Sector 6, 10, 57, 58, 59 and Hosiery Complex at Noida Phase-II; Udyog Vihar Phase I to VI in Gurgaon town as well as in Manesar and at the mid-way point between Udyog Vihar and Manesar on Khandsa Road in Gurgaon town. According to the ISID study, in recent years, several entrepreneurs in NOIDA have been relocating their production base to Gurgaon, because of availability of cheap labour and provision of modern warehouses and production sites.

Many of these firms share the same management, some of them being brother and sister concerns. “In NCR one can easily find several cases where the single owner owns 3 to 8 similar sized firms located in the same area as separate legal entities. Firms reported employment of 250 to 450 workers on an average although there are firms of larger size employing 1500 to 6000 workers considering all its subsidiaries.”<sup>34</sup>

**Table 1: Percentage Share of Textiles and Apparels in Total Manufacturing Employment**

	<b>1983-84</b>	<b>1993-94</b>	<b>2004-05</b>	<b>2009-10</b>	<b>2011-12</b>
<b>Textiles &amp; Apparel</b>	33	32	31	34	33
<b>Textiles</b>	23	21	17.5	17	16
<b>Apparel</b>	10	11	13.5	15.5	17

**Source:** Annual Survey of Industries Rounds.

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<sup>32</sup> *Ibid.*, p. 116.

<sup>33</sup> *Ibid.*

<sup>34</sup> ISID 2010, p. 118.



## 6. Workers in the Garment Industry

### *Profile of workers in the garment industry in Gurgaon*

As mentioned earlier, the garment industry is a crucial sector of economic activity, providing employment to millions of workforce and has remained fairly labour intensive despite technological shifts. Employment in apparel manufacturing employment rose from 3.17 million in 1983 to 9.18 million in 2011-12, overtaking textile employment. Large numbers of women are absorbed in the garment sector, but mainly at the lowest tiers.

The female employment in apparel manufacture has grown at a faster rate in all sub-periods, except the crisis period. The share of female employment in the industry across India has increased from 30 percent in 1983 to 40.3 percent in 2011-12 (Figure 5).

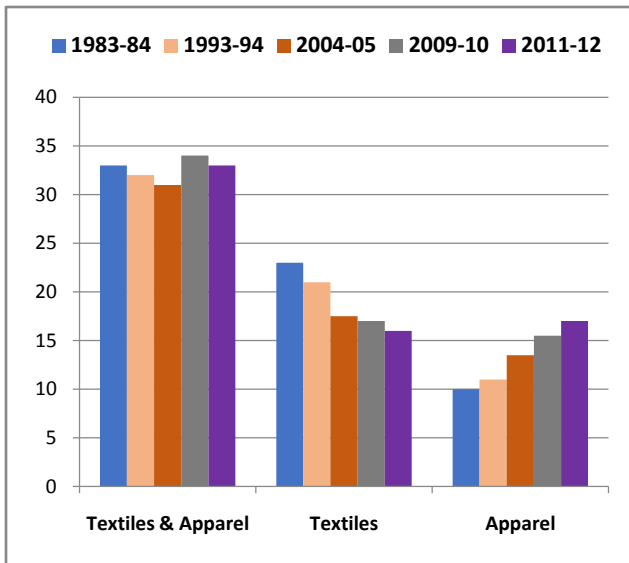
However, in Gurgaon, employment of female workers in these factories is not more than 10 to 15 per cent of the total workforce of the garment factories. Between 2010 and 2018 the percentage of female workers employed in the Gurgaon region has risen marginally and we would estimate it to be around 20-25% of the workforce in Udyog Vihar and Manesar. The share of women workers in the Khandsa-Mohammadpur part of Gurgaon town seems to be higher based both on anecdotal evidence about the growing uptake of the DeenDayal Upadhyaya Grameen Kaushalya Yojana (DDU-GKY) implemented in the garment factories situated in this location, through which established garment companies are bringing young women from Bihar and Jharkhand for 3 to 6-month long training, during which time the trainees are housed in hostels, trained for a month, and deployed on the shopfloor for the remainder of their training period, i.e. 5 months.

Reasons given for low numbers of female workers in the RMG industry of Gurgaon are that firstly, “migrant workers from different parts of the country usually do not come along with their families and hence the pool of female labour itself is low. Secondly, in the northern part of India unlike the south, there is cultural taboo against females going to work in factories along with men.”<sup>35</sup>

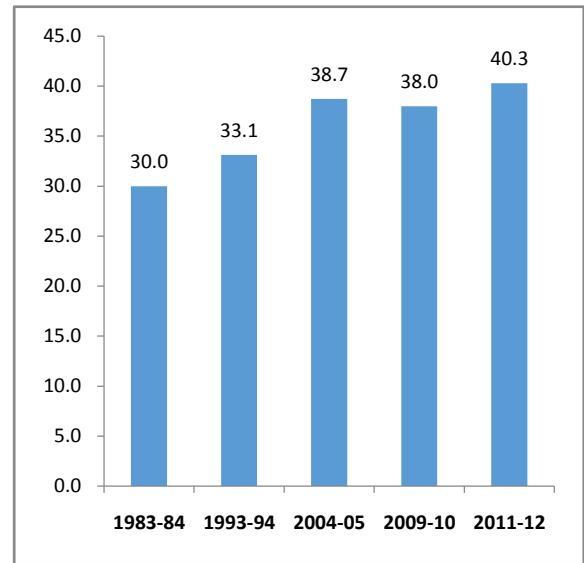
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<sup>35</sup> *Ibid.*, p. 123-24.

**Figure 4: Percentage Share of Textiles and Apparels in Total Manufacturing Employment**



**Figure 5: Share of Women Workers in Apparel Manufacturing**



Source: As Computed from Annual Survey of Industries Rounds

**Box 2**

**Workforce Composition in Udyog Vihar, Gurgaon**

“A vast majority of workers employed in the garment factories of Udyog Vihar hail from Uttar Pradesh and Bihar. Many are Muslim and belong to the Julaha community from various districts of Uttar Pradesh. Workers employed in this industry are predominantly employed through labour contractors (estimates varying from 95 % to 99%) rather than directly by the companies. The workers are employed both on time-rate i.e., monthly (and sometimes daily) salary, and piece-rate, wherein they are paid per unit of piece made by them. There was a time when ‘full piece tailors’ were common. These tailors were responsible for stitching the entire garment and thus were necessarily required to have requisite skills. However, since at least the 1990s, the industry has been working with a ‘chain system’ or an assembly line. Here, a large number of workers sit in an assembly line and the garment passes from one worker to the other where each of them is responsible for small part of the work such as stitching the collar or stitching one arm of the shirt. The chain system does not require the earlier skills which also means that the workers now can be paid less.” (PUDR 2015)

Workers who work in Udyog Vihar that lies on the Delhi-Gurgaon border are mostly migrants and generally live in neighbouring villages of Kapasheda, Dundahera and Mullahera. There is a street corner, *Peerbaba chowk*, in Kapasheda where daily wage workers congregate in the mornings in search of work, hoping to be picked up by a subcontractor for the day or the week. Kapasheda is primarily occupied by migrant workers, many of whom are garment workers, a

mix of piece rate workers, daily wage workers and regular workers. In addition, the narrow, congested lanes of Kapasheda also house many small fabrication units and home-based work units. Kapasheda is also home to a number of women and Muslim workers.

### *Living conditions of workers*

Most migrants are from Bihar and Uttar Pradesh in Kapasheda. Most housing for workers comprises of 8x6 feet or 8x10 feet rooms, some with concrete roofs and others with tin roofs – all owned by local people who rent tiny rooms to migrant workers. These tiny rooms are used for multiple tasks – cooking, eating, sleeping, storing of meagre belongings, and sometimes even bathing. In buildings with multiple floors, each floor usually has 3-4 bathrooms, lavatories and at least 15-20 rooms, and each room can house upwards of 4 people. Thus, the number of bathrooms and lavatories is inadequate for the number of people residing on each floor, in each building. Room rent starts from ₹2000 per person, with additional monies to be paid for water and electricity. Many landlords also run grocery and ration shops at the entrance and force workers to purchase their monthly provisions from these stores, often at a premium of 15-25% above market rate. Public transport in the form of shared autos is available only from the main roads and often workers have to walk out along narrow lanes that spill onto the main road, to avail the shared autorickshaws or buses. Most workers do not waste money on transportation if they can walk to their factories, usually a half hour walk. Some share bicycles and cycle to work. In other cases, subcontractors will often stuff workers into one autorickshaw and transport them to their workplace but deduct the autorickshaw fare from their daily wages. Kapasheda is emblematic of the working-class colonies around the Gurgaon-Manesar industrial belt.

### *The dynamics of the labour chowks*

Peerbaba chowk is overflowing with daily wage workers between 8-10 am, and is a beehive of activities, with workers sitting or waiting in clusters, gathered around subcontractors and autorickshaws, negotiating daily wage rates, demanding wages for previous work done. By about 9:30am the buzz of activity dies down after the bulk of the workers, subcontractors and autorickshaws leave. Left behind are the unfortunate ones who did not find work for the day. Before they make their way back to their respective homes, they linger around, sitting in clusters, chatting. This is where we learnt about the sexualized recruiting practices, with older more experienced women workers complaining that they are no longer preferred for work in spite of having more experience because subcontractors are instructed by supervisors and managers to only recruit young, pretty women irrespective of their skill level. Even among the young women, workers who wear makeup and jeans and are sociable, are preferred.

Peerbaba chowk is also where we learnt about a woman who got a raw deal from her subcontractor and was blacklisted when she became assertive and decided to become a

subcontractor herself. Against all odds, she has managed to establish herself and on many days she could be seen facing her former subcontractor albeit from a distance. We were surprised by the number of women subcontractors who operate from Peerbaba chowk. Although it was difficult to ask about their social identities, it appeared that the women subcontractors were primarily *paharis* (from the hills, meaning either from Utrakhand or Himachal Pradesh) and possibly of members of the OBC community.

During the peak season, the chowk would bustle with activity again in the evening between 6-8pm. Autorickshaws would arrive with women workers after the day shift; male family members would wait for the women, to escort them back home; workers would try to find employment in the night shift that is common during the peak season. This is when we learnt that most factories do not employ women after 8pm, even though the ban on employment of women in night shifts has been lifted by the Government of India.<sup>36</sup> Interviews with workers, subcontractors and factory owners revealed that no-one wants to take the responsibility (the liability) for women workers in a night shift. This would entail increased cost to ensure safety and security. Additionally, family members may not allow a woman to work the night shift. Some women workers complained that it deprived them of employment and opportunity to earn some extra through overtime, but other women said that they had to return home to cook dinner, attend to children and other household tasks and therefore were not bothered by the practice of an 8pm deadline imposed on women workers.

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<sup>36</sup> Section 66 of the Factories Act, 1948 amended by the central government in 2005 and subsequently by various state governments. The State of Haryana notified night work by women in August 2017. See Box 3.

### Box 3

#### HARYANA GOVERNMENT LABOUR DEPARTMENT NOTIFICATION, 11 August 2011

No. 11/45/2017- Whereas in the Judgment given by Hon'ble Madras High Court in Case No. W.P.4604-06 of 1999 and in other matters, it has been declared that Section 65(1Xb) of the Factories Act 1948 is unconstitutional and has been struck down. By virtue of which, now women can be employed in factories in the night shifts i.e. from 07:00 P.M. to 06:00 A.M. Hon'ble High Court in this judgment has also laid down certain conditions for employing women in night shift in respect of their security and safety so as to safeguard the interest of the women workers.

Since the Hon'ble Madras High Court has declared Section 66(1Xb) of the Factories Act, 1948 as violative of Articles 14, 15 and 16 of the Constitution. Therefore, now the said provision will not create any obstruction to the working of women in the factories during night shifts. In view of the above decision, the State Government of Haryana will allow to employ women workers in the factories during night shifts i.e. from 07.00 P.M. to 06.00 A.M. Any factory in the State, registered under the Factories Act, 1948 may apply for this exemption. Such exemption will be valid for one year from the date of its publication in the Official Gazette. The exemption shall be granted on the following conditions:-

1. It shall be the duty of the employer or other responsible persons at the work places or institutions to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, statement or prosecution of acts of sexual harassment by taking all steps required.
2. All employers or persons in charge of work place or factory should take appropriate steps to prevent sexual harassment and they should take the following steps:
  - i. Express prohibition of sexual harassment in any form such as unwelcome sexually determined behaviour either directly or by implication or advances or contact to gain contact or demand sexually favours or make sexually coloured remarks or showing pornography or any other unwelcome phisic verbal or non-verbal contact of sexual nature;
  - ii. The Rules or regulations shall be framed by the factory managements relating to conduct and discipline prohibiting sexual harassment and provide for appropriate penalties in such rules against the offenders and also introduce amendments wherever necessary which are existing in the Standing Orders;
  - iii. Provide appropriate working conditions in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at workplaces and no woman employee should have reasonable grounds to believe that she is disadvantaged in connection with her employment.
3. In case of any criminal case the employer shall initiate appropriate action in accordance with the penal law without delay and also ensure that victims or witnesses are not victimised or discriminated while dealing with the complaints of sexual harassment and wherever necessary, at the request of the affected worker, shift or transfer the perpetrator, if circumstances so warrant. The employer shall take appropriate disciplinary action if such conduct amounts to misconduct in employment.
4. The employer shall maintain a complaint redressal mechanism in the factory itself and the said mechanism should ensure time-bound treatment of complaints. Such mechanism should be at any rate to provide, when necessary a Complaint Committee, a special counsellor/or other support services including the maintenance of confidentiality.
5. Such Complaint Committee should preferably be headed by a woman and not less than half of its members should be women besides a non-governmental organisation's representation in the committee. Such person should be familiar with the issues of sexual harassment.
6. The Female employees should be allowed to raise issues of sexual harassment to workers in the Workers' meeting and other appropriate forums.
7. The female employee should be made aware of their rights in particular by prominently notifying the guidelines on the subject.
8. Wherever there is harassment at the instance of a third party, either by an act or omission the employer and person in charge of the factory should take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

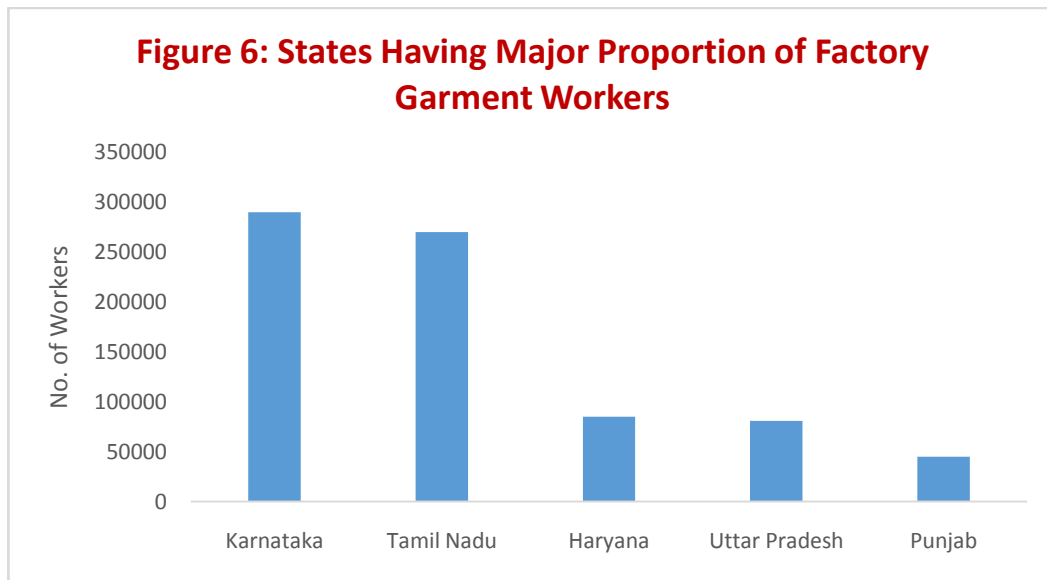
9. The employer shall provide proper lighting not only inside the factory, but also surrounding of the factory and to all places where the female workers may move out of necessity in the course of such shift.
10. The employer shall see that the women workers are employed in a batch not less than ten and the total of the women workers employed in a night shift shall not be less than 2/3rd of the total strength.
11. Sufficient women security shall be provided during the night shift at the entry as well as exit point.
12. Sufficient number of work sheds shall be provided for the female workers to arrive in advance and also leave after the working hours.
13. Separate canteen facility shall be provided for the female employees.
14. The employer shall provide transportation facility to the women workers from their residence and back (for the night shift) and security guards (including female security guard) and each transportation vehicle shall also be equipped with CCTV cameras.
15. Apart from the facilities, which are permissible under the Factories Act, an additional holiday shall be permitted for the women workers during their menstruation period, which shall be a paid holiday for the night shifts.
16. The factory shall provide appropriate medical facilities and also make available at any time of urgency by providing necessary telephone connections and where more than hundred women workers are employed in a shift, a separate vehicle be kept ready to meet the emergent [sic] situation such as hospitalization, whenever there is a case of injury or incidental acts of harassment etc.
17. Wherever the factory provides boarding and lodging arrangements for the women workers, the same shall be kept exclusively for the women under the control of women wardens or supervisors.
18. During night shift not less than 1/3rd of strength of the supervisors or shift-in-charge or foreman or other supervisory staff shall be women.
19. There shall be not less than twelve consecutive hours of rest or gap between the last shifts and the night shift wherever a women worker is changed from day shift to night shift and so also from night shift to day shift.
20. In order respects, the provisions of the Factories Act and the rules of other statutory provisions with respect to the hours of work and the Payment of Equal Remuneration Act and all other Labour Legislations shall be followed by the employer.
21. The employer shall appoint not less than two female wardens per night shift who shall go around and work as special welfare Assistants.
22. The female workers who work in night shifts and regular shifts shall have a monthly meeting through their representatives with principal employer once in eight weeks as grievance day and the employer shall try to comply [sic] all just and reasonable grievances.
23. The employer shall be at liberty to employ women workers as a whole or in part during night shift, provided, the above directions be complied with. The employer shall send a fortnightly report to the Inspector of Factories about the details of employees engaged during night shifts and shall also send express report whenever there is some untoward incident to the Inspector of Factories and local Police Station as well.

**VIJAI VARDHAN, Additional Chief Secretary to Government, Haryana, Labour Department.**

**No. 1114512017-4Lab Dated, Chandigarh 09.08.2017**

## Invisibilization and Undervaluing Women’s Labour

According to a recent study, the two major Indian states with factory based production of garments are Karnataka (2.9 lakh/0.29 million factory workers) and Tamil Nadu (2.7 lakh/0.27 million factory workers). There is a sizeable presence of garment factories also in Haryana (85,000 factory workers), Uttar Pradesh (81,000 factory workers) and Punjab (45,000 factory workers). Bangalore in Karnataka and Tirupur in Tamil Nadu are two of the major centres of factory-based production of garments. The National Capital Region (NCR) (which extends over the States of Delhi, Uttar Pradesh and Haryana) and Ludhiana in Punjab are two of the major garment-manufacturing centres in the northern part of India.”<sup>37</sup> (Fig.4)



Source: Thomas and Johny 2018, p.15

Thomas and Johny capture the mix of regular and irregular employment in the sector. “In 2011-12, the ratio between factory workers and total workers in the garment industry was 45 per cent in Karnataka, 28 per cent in Tamil Nadu, and 50 per cent in Haryana, but 7 per cent in Uttar Pradesh, 8 per cent in Punjab, and less than 5 per cent each in West Bengal, Maharashtra and Andhra Pradesh.”<sup>38</sup> The study correctly points out that in the southern Indian states of Tamil Nadu, Karnataka and Andhra Pradesh the proportion of contract workers is relatively low. For example, while in Karnataka, “workers employed through contractors accounted for only 0.8 per cent of all factory employees in the garment industry. The corresponding proportion for Haryana was 32.5 per cent.”<sup>39</sup>

<sup>37</sup> Thomas and Johny 2018, p. 13.

<sup>38</sup> *Ibid.*, p. 14.

<sup>39</sup> *Ibid.*, p. 15.

Thomas and Johny also report that, “Directly employed women workers (by the company) as a proportion of all employees was 39.1 per cent in the garment industry compared to 10 per cent only in the factory sector as a whole.

Compared to the nation-wide averages, Tamil Nadu and Karnataka employ a relatively high proportion of women workers. In the garment industry, directly employed women workers as a proportion of all employees were 62.5 per cent in Karnataka compared to 9.6 per cent only in Haryana and 39.1 per cent in India as a whole.”<sup>40</sup> In contrast, in Bangladesh<sup>41</sup> and Cambodia<sup>42</sup>, 85 per cent of the workforce employed in the industry is female.

In Northern India, the garment industry had been male dominated until the last decade. Interaction with the supervisors working in the industry revealed that the garment factories are male dominated with approximately 10-25 per cent of the total workforce comprising of women who are primarily employed as thread-cutters and tailors and for handwork (embellishments etc). As per the PUDR report (2015),

Delhi-NCR garment belt is exceptional in the country in terms of high proportion of male workers. However, the number of women workers has been increasing even here. The women workers are typically employed in the ‘finishing department’ where they are given work like cutting off stray threads from a garment, putting on buttons or folding and packing. Such work is perceived to be ‘lighter’, thus justifying even lower salaries. It is not that men and women are paid differential salaries for the same work but the patriarchal notions of women’s income being supplementary income for the family or the notion of women being able to do ‘lighter’ work, makes it acceptable for the women to be given work which entails lower wages. However, this ‘lighter’ work is quite strenuous and requires continuous bending which often causes health problems.<sup>43</sup>

In fact, a factory owner who heads one of the top export firms in Gurgaon, justified employing women in ‘lighter tasks’ saying that “we know that women have to go home and do household work as well, so we take care of them by employing them in light tasks”.<sup>44</sup> The factory owner ignored the fact, even when it was pointed out, that in garment factories in Bangalore women are employed in tasks that are reserved exclusively for men in Gurgaon. Yet, the same firm has established a factory in Jharkhand where it primarily employs women and highlights this fact in the company’s public relations communications. The factory owner also pointed to several other factors that could shape the decision of women to migrate and seek paid work, such as the paucity of safe housing, lack of women’s hostels in the Gurgaon-Manesar industrial belt, the fact that women rarely migrate alone in North India but do so as part of a household, and the social constraints in North India regarding women seeking waged work outside the home.

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<sup>40</sup> Thomas and Johny 2018, p.15.

<sup>41</sup> War on Want.

<sup>42</sup> Care Australia 2017.

<sup>43</sup> PUDR 2015.

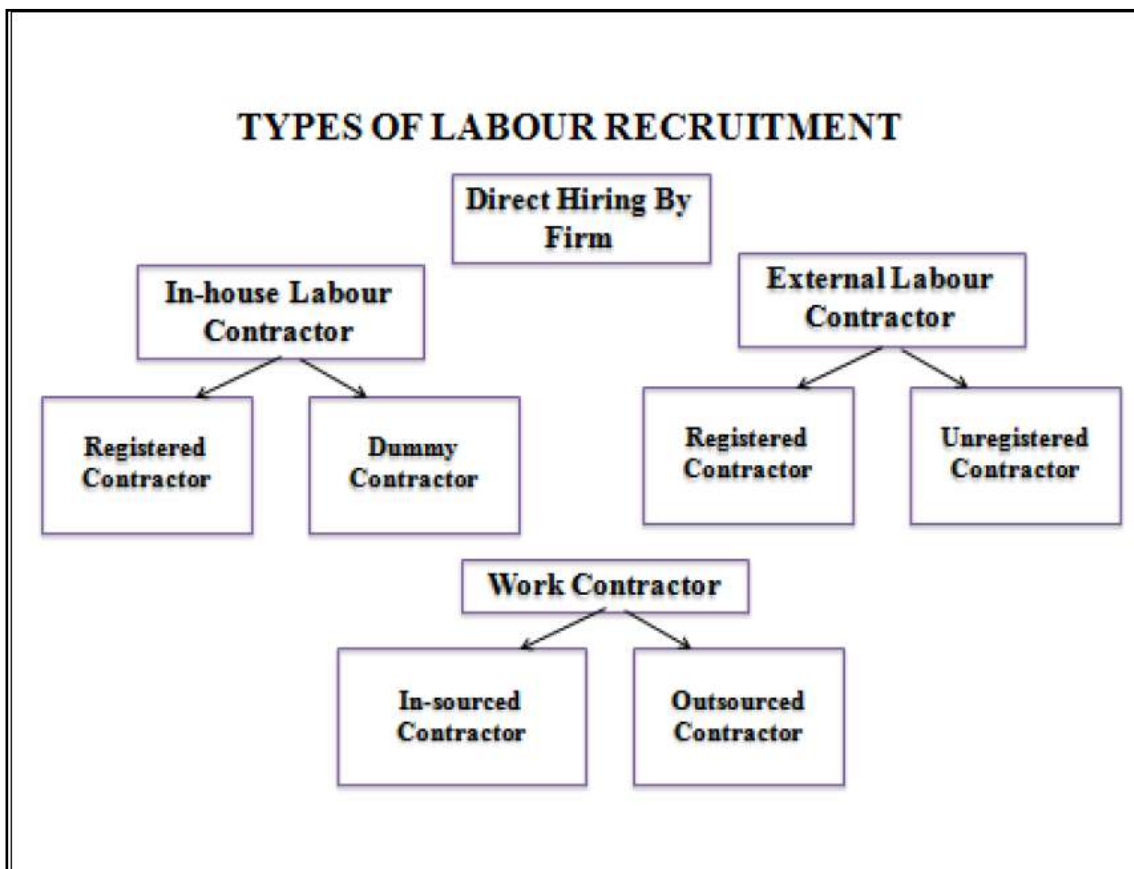
<sup>44</sup> Interview conducted on 27 March 2018.



Strong occupational segregation based on gender is apparent. Our study reveals staunch vertical and horizontal segregation at occupational and wage levels. The lowest earners are always the female irrespective of whether the workers are engaged as regular workers, daily wage workers or on piece-rate basis. Most women reported that usually they are not included in the higher pay group of tailors as the work done by men is ‘harder’ and requires ‘higher skill’ for the ‘stitching of collars and cuffs’, cutting, pressing, washing, dyeing. Women are thus made to believe that it is their low skill or lack of skill which restricts their occupational mobility or makes them ineligible for the higher paying (higher skilled) jobs. Women’s social location and prevailing social norms make it difficult for them to access worlds outside home. This includes education, skill development and other forms of exposure and experience. Their labour is also undervalued by the labour market across the blue and white collar employment opportunities. Women’s labour is often equated with cheap/er labour.

The complex employment and recruitment structure in the garment industry is elucidated in great detail in Mezzadri and Srivastava (2015) and is worth quoting at length (Box 4 & Figure 7).

**Figure 7**



Source: *Ibid.*, 103

## BOX4

### RECRUITMENT SYSTEMS

Many of the firms in the industry—virtually all small firms and several medium-large firms—use in-house labour contractors. These contractors are production managers, accountants, supervisors, master tailors or master cutters in firms. Some of these (i.e., production managers and accountants) could be registered contractors. Some of them also operate their own fabricating units, set up with the assistance of the owner. Others are small unregistered contractors ("dummies"), helping to hire workers either throughout the year or in peak seasons. These workers do not appear on the official roll of the enterprise. Workers hired by these in-house contractors could be approached by word of mouth or they could be hired at the factory gate and placed under the contractor. These are cases where the worker does not know whether his direct employer is a contractor or the firm, and the researchers have had to look at other supporting evidence in order to determine this. External labour contractors are usually larger, and might supply several hundred workers to the enterprise. They could also be registered or unregistered. They could supply one type of worker (e.g., helper, thread-cutter, tailor or pressman) or several types of workers (usually either in the stitching or finishing departments). These contractors further fall into two categories--those providing workers who labour under the firm's supervisors or those who are in-contractors and undertake garment production inside the firm's premises on a piece rate or commission basis.

External labour contractors may also function as in-contractors, taking over the work of entire departments and even the entire shop floor and undertaking work in that capacity for the owner on a piece rate.

...Production managers or accountants of a firm may be dummy contractors for that firm and simultaneously operate independent fabrication capacity where they can carry out sub-contracting work for the parent firm as well as for other firms. Labour contracting may often border on in-contracting since labour contractors may offer a package of services (for example, tailoring work, helpers, and supervision - required for an assembly line) on a piece rate basis. We have also found production managers of large firms doubling up as owners of manpower supply firms as well as labour contractors for the parent firm. All this provides a great deal of flexibility to firms in the ways that they can employ or manage labour and operate production lines. But the implication of this flexibility for industrial productivity remains unclear. Moreover, a large number of manpower agencies have merged in the NCR, supplying different types of workers to one or more industries, including the garment sector. There appears to have been slow and increasing concentration in labour supply by contractors. In some cases, contractors may supply up to several thousand workers to a group of factories of a single firm or to different garment firms.

The contractors receive a commission for the workers supplied or engaged by them. The amount of commission depends on the functions performed by the workers, negotiations with the owner or manager, and the type of payment involved. This could be ten per cent or more of the wages of workers. (pp. 102-04)

## 6.1. Cheap Labour and Axes of Vulnerabilities

Factors affecting women's work and women's decision to work are much wider and diverse compared to her male counterpart. They range from her education level and skill acquirement to her age, marital status, family size and composition, demographic characteristics of the family, husband's earnings, status of the family and area of location (urban or rural) etc. Cultural norms, social practices, life events and household characteristics condition the participation of women in the labour market.

A defining characteristic of the garment industry across time and space has been the reliance on cheap labour. Questioning this notion of cheap labour, especially in an era of neoliberal globalization, Mezzadri (2017) argues that the "reproduction of garment workers' vulnerability is strongly linked to processes leading to the creating of 'cheap labour' as a key component of the production process." (18) In other words, there is nothing natural about cheap labour, but in fact it is manufactured on the basis of various socio-economic divisions and inequalities or vulnerabilities, as our field researchers also discovered. The relationship between vulnerability in the realm of production and vulnerability in the realm of social reproduction (highlighted by Mezzadri) was stark. For instance, garment workers who had some land back in the village were less desperate than the distress and poverty driven migrants, and therefore could withhold their labour for a higher price. In another instance, some upper caste workers felt protected by their caste privileges and found it easier to assert their voice against discrimination or violence both in their worker's colony as well as on the shopfloor, articulating it terms of social and cultural practice ("*humare samaj mei aisa vyavhar bardaash nahi karte*"- *We don't tolerate this behaviour in our community*). In another instance, Phoolan<sup>45</sup> Devi, belonging to the Pandit caste shared that they are known in their neighbourhood as 'the pandit family' and her 19-year-old daughter is known as 'the pandit's daughter' and they have "never faced a problem, no one harasses me or my daughter" she shared. Caste privilege brings protections in all parts of life.

We found a linkage between channels of recruitment and vulnerability or protections (rooted in patronage) afforded to women workers on the shopfloor. Women who had been placed in a factory through a company-run skill centre were placed higher in the protection schema than women who been placed via a private skill centre – depending on the social connections of the proprietor running the skill centre. Many skill centres are run by former workers or fabricators who maintain their relationships with erstwhile managers, supervisors and master tailors. The higher up the management chain, the connection of the contractor or skill centre proprietor, the more protections were afforded to the workers placed by him. In turn this meant that those who could afford the higher fees of skill centres, that gave slightly more advanced training, could buy themselves more protection – from harassment, over production targets, sexual

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<sup>45</sup> Names of all respondents have been changed to maintain confidentiality.

harassment, from making mistakes in production etc. Keen to protect his labour supply via the skill centre contact, the manager was also in a position to offer greater protections. For example, workers placed in smaller skill centres run by former tailors. These centres, for a few hundred rupees, taught workers in a few days, basic skills such as how to stitch in a straight line. These workers were generally placed through connections of the skill centre proprietor with the master tailor, or line supervisor. The protections afforded to the worker then, extended only up to the authority of the master tailor/line supervisor. In other words, the workers' economic capacity is determined the level of skilling they could afford and this in turn, determined the level of protection from harassment they faced on the shopfloor. The most vulnerable were women who were recruited from the factory gate (in response to signs for vacancy posted at the gates) who had no patrons looking out for them. This was just one axis of vulnerability/protection that our research uncovered, linked as it is to a myriad of factors in the social and reproductive spheres. Geographic location was another source of vulnerability depending on the biases and stereotypes held by co-workers and management staff.

## **6.2. Women in the Garment Industry: Experiences of home, public space and the factory**

### **6.2.1 Cultural factors influencing the participation of women in the workforce**

The participation of Indian women is determined by factors that are not limited to her skill and ambition, but are rather determined by complex socio-cultural factors. Work participation of women at the lowest rung of occupation is often distress driven. Strong intersectionality exists between poor households and deprived castes in India; hence participation of women from deprived castes is highest. Migrants from higher castes such as from Thakurs and Yadavs were also found in this sector during the field research.

Sunetra Sharma ('Brahmin', upper caste), a migrant worker from Arrah district of Uttar Pradesh, shares that her in-laws back in village are not aware of her working in the city. Her being upper caste is the main reason for this subterfuge. *"Women from higher castes, like us, are not allowed to go outside the house, for paid work. In rural areas it is easy for women from lower castes to visit the field to prepare for sowing, however, if some unmarried young woman from our caste (or caste groups) does the same, it is difficult for her to get a marriage alliance"*.

## Box 5

### Caste and Women

In an FGD with the local village women in Manesar, participants stated that they are not allowed to work because of their caste identities – that the *Thakurs* do not allow women from their community to go out and work. Interacting with the field researchers, the *sarpanch* (village head) shared that though she is a *sarpanch* it is her husband who goes and sits in the office and is the de facto sarpanch. The FGD participants observed that the Thakur men “don’t know how to behave with women”, which is why there is an overall suspicion. However, they also shared that with industrialisation of Manesar and the rising participation of women workers from all over the country, their own families and community appear to be relaxing the restrictions placed on women. Thakur families are slowly allowing their women to earn a living.

The men of the Thakur community now see how men of different communities and regions behave and talk, so they are also learning. Before this, they hardly treated women with respect, “our existence was not even acknowledged. Because there are so many women working in these companies, we are hoping that the men of our community see what a difference it makes when even women can earn and help in the household, That women are not just commodities to be kept at home” shared the FGD participants.

Women’s participation in the labour market, have been a complex outcome of factors that are not only economic but social as well. The highest participation of women is from the poorest households, due to *majboori*’ (compulsion, helplessness), poverty and a lack of options, that pushes women into the labour market. The ‘missing middle’ is reflected in the U-shaped graph depicting Indian women’s participation in the labour market. As household income increases (perhaps the income effect of husband’s earning), the women withdraw (or are withdrawn) from work, to maintain or reinstate household status. These are the women in the missing middle. Work participation of women who are highly educated, have lower fertility rates and can maintain work-life balance, are concentrated at the other end of the curve.

In the garment industry, women are engaged at the lowest rung of the production chain, primarily as tailors and helpers. For most women, working in this industry is their first experience of working in an organised sector; although this does not necessarily mean that they receive the benefits of working in the formal sector. Most women workers in this industry note that their primary reason to work is to augment family income for reasons such as supporting children’s education, marriage of daughters, illness or irregular employment of husband or male earning members. These remain the principal factors behind participation of women workers in the labour market in general and in this industry in particular. Only six women (out of 100 workers with whom our researchers spoke), explicitly mentioned financial independence or career being the motivating factor behind their taking up jobs.

Similar findings are noted in other studies. For example, Lahiri (2017) found that almost 61 per cent of women in this industry in north India have migrated in search of employment opportunities (either individually or with the household). In fact, several women expressed that they would not prefer going back to their villages as it would mean restrictions on their freedom of movement and foregoing their employment.

Drawing on Arrighi, Silver, Bernstein and other scholars, Mezzadri (2010) rightly points out that not only does capital segment and fragment labour markets but increasingly maintains it “by exploiting informal institutions and deep-rooted structural differences and inequalities, based on gender, caste, ethnicity, geographical provenance or mobility.” (3) Elsewhere Mezzadri (2017) refers to the ‘social regulation of the workforce’, which is validated by an earlier study that observed that “Caste, religion and gender, structure and regulate the recruitment and contractual conditions of the overwhelming mass of labour, as they do the social composition of enterprise ownership.”<sup>46</sup> Our study’s findings validate that this continues to be the case.

### 6.2.2. Sexualization of recruitment

Our researchers discovered “sexualization of recruitment” at the Peerbaba *labour chowk*. Both workers and contractors shared that younger women are preferred; women who dress up and apply make-up preferred; and that older more experienced women barely get any work. Bindu and Ritu, two daily wage workers from Kapasedha who frequent the Peerbaba chowk to seek work shared that older women of Ritu’s age (40-45 years old) are called *budhiya* (old woman) and are rarely given work. Our research found that several women left work as they got older as there was no scope for promotion to supervisor no matter how educated or skilled they were. Ritu shared that she witnessed a ‘companywala’ (a managerial staff) telling her contractor, Poonam, to bring only young pretty girls. This angered her and she shouted at him “Do you want Aishwarya Rai<sup>47</sup>, if she comes she won’t work, she will only sit on the chair, it us *budhiyas* who do more work” (*Aishwarya Rai chahiye tumko, wo aayengi to kursi par baithengi, kaam nahi karenge, kaam toh budhiya hi zyada karti hain*). However, she admitted that due to this blatant preference for younger girls, many who are younger than 18 and have no skill or experience are getting fake identity cards (Aadhar card) made in order to get some employment.

Gender, regional and caste biases are common among co-workers. Rhetoric of policing of women’s sexuality is rampant along with referring to a woman as a ‘prostitute’ (*randi*) if she takes up work at below market rate at the labour chowk.

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<sup>46</sup> NCAER 2004, p. 10.

<sup>47</sup> Famous Indian actress, former Ms World.

Bindu and Ritu shared that women are preferred in daily wage work since the contractors are able to drive down the wage rate of women but not for men. They shared that the company probably gives the contractor Rs 350 per worker and the male workers stay put at Rs 300/day while some women who do not want to go home emptyhanded will sometimes take the work for Rs 250-230, even Rs 180/day. Men get very angry and hurl sexual abuses at such women (*randi chali gayi, rate kharab kar diya; that damn prostitute, she went to work, she's spoiled the going rate*). Sometimes women hurl the same abuse at other women, without understanding their *majboori*, the fact that they would be unable to put any food on the table if they do not earn daily wages.

Geetali, a sub-contractor added her views on sexualized underpinnings in labour hiring processes, and said "*Mujhe bolte the contractor isko mat laana, usko laana, hum layenge toh sab humare liye barobar hai. Supervisor bolta tha ki eisa ladies leke aana waise ladies leke aana*". (She was asked by the supervisors in the shop floor to bring prospective women workers who are attractive, sexually and visually appealing to men). When she asked what he meant by "eisa waisa" (this type and that type), he replied that "*jo sundar hai dekhne mein, sundar ban ke aati hai wo, lipstick lagati ho*" (those women who are beautiful and who put make up and lipstick and come to shopfloor). Geetali said that "*do number ka kaam bahut chalta*" implying that sex work ('do number ka kaam') was rampant. The field researchers were unable to verify such claims, but noted that the perception is rampant and influences the decision of women and their family members regarding seeking employment in this industry or staying away. Such a generalized perception also presented additional challenges and danger to women workers who have to battle sexual harassment from co-workers, contractors and managerial staff.

Women workers who have other avenues for earning money such as through rent and other business (*kirana/grocery shop, tea stalls*) usually leave work when working conditions are poor. One of the respondents stated that she left the work in 'garments', because she got tired of handling work pressure and abnormal targets. She used to be constantly monitored by the line in-charge, and when the target was not met, she was asked to explain, "*Jab 2 piece kum ho jaata tha, toh bolta tha, do piece kam kyu hai, lekin jab kayi baar jyada piece hote hai tab kya hota hai, main kyu sahu kisi ka do baat*" (when number of final pieces are marginally less, the in-charge would pester me and harass me for not meeting the target while on the other hand when output were more than the target, no amount of appreciation or recognition was made. Why should I put up with it? ).

Deepika suggests that women have to be bold and assertive in a city, "in the city you have to rough it out. I have developed a thick skin over the years because I have seen very bad times in my life, so struggles in the city do not intimidate me, I came to the city only to earn enough money to buy some land for myself so that we can build a small home and do not have the pay rent."



Though use of innuendos is common in this male-dominated industry, she had resigned from two companies as she was unable to bear it. She was unaware of any complaints committee<sup>48</sup> to report cases on sexual harassment, at any of the factories that she worked. Most women workers that the field researchers interacted with had not heard of any law or committee to address their complaints of sexual harassment.

### 6.2.3 Negotiating Gender norms

Caste and religious discriminations have also been reported among the workers. Neeta a respondent says though the shopfloor is heterogeneous – there are workers from Uttar Pradesh, Bihar, and Bengal, and there are Pandits (upper castes), as well as from lower castes along with women from the Muslim community – discriminatory practices or prejudices against women from minority backgrounds is not uncommon. Women in her factory eat together, share food, but when a woman from the Muslim community who worked with her, brought food and wanted to join them for lunch, many women declined and also asked fellow women not to partake food with the women from the Muslim community.. “The Muslim women always eat alone” Neeta shared.

#### In conversation with male workers



**Photo Courtesy:** Anita Yadav

In an FGD with male workers a few men were surprised to find women working as hand pressmen and supervisors in factories. They noted that the presence of women workers has increased considerably in the tasks which were earlier dominated by men. Some men stated

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<sup>48</sup> Constitution of internal committees has made mandatory since the Vishakha Guidelines 1997 and now under the POSH law 2013.



that "*yeh Bihar nahin hai*", *jahan aurte kaam nahin kare*'(this is not Bihar where women won't work) intending to convey that in urban locales like Delhi NCR, women are not constrained by local cultural and gender norms and therefore can work outside home for wages. Some shared that women have been working for some time in this sector and there are many women migrants from Bihar, Jharkhand, and Uttar Pradesh. In their view, garment companies are not bothered about the gender of the worker as long as production targets are met (*'usko kaam se matlab hai, chahe gents kaam karke de chahe ladies kaam karke de*).' Male workers opined that women participate in this kind of work in the factories as they get bored in the house and can also earn some money. They continue to see women's work and wages as secondary even when their households might rely significantly on women's earnings. Men were conflicted about 'allowing' their wives and daughters to work in garment factories under such harsh conditions. The need for additional income does compel men to let their wives engage in waged work, although otherwise they restrict women's freedom and mobility. Some men state that *'hum mard hain, hum jab kama sakte hain, tab aurto se kyu kaam karwaye*'(we are men, as long as we can earn, why should we ask the women to work).

Phoolan Devi, from pandit caste whose upper caste status brought her and her daughter protection from harassment said that "I won't let my daughter work before marriage. If people hear that you've worked in a company, it's like a black mark on your character (*charitra par kala dhaba lag jata hai*), only Muslim and chamar [Dalit] girls work before marriage, so my daughter won't."

Maneka a married woman in her thirties, started working in the garment sector as she was struggling to make ends meet, and there was no work in her village. The villagers back home used to ridicule her husband saying, "Why do you make your wife work? Don't you feel ashamed of yourself?" Bindu too tried to convince her husband to give her permission to work in the factory like her neighbour but he refused saying 'I am earning, you look after the house and children'. After much persuasion, even by their neighbour, he 'allowed' Bindu to sometimes go for daily wage work, but she is forbidden from working every day. In addition, she is only allowed to go with her neighbour. Even though Bindu knows how to stitch, she does the low paying thread-cutting work since tailoring is not available as daily wage work, only thread-cutting is. Nevertheless she is happy with the little that she earns, as now she does not have to ask her husband for money for daily expenses. On the other hand 45 year old Ritu, was forced to quit by her 20 year old son after her husband's death but she still sometimes seeks daily wage work along with Bindu as she gets bored at home. Both Bindu and Ritu prefer to live in Gurgaon as they would have restrictions on what they wear if they were to return to their villages. Ritu would have to veil her face while Bindu would not be able to wear salwar suit and

would have to wear only sarees. This tiny bit of freedom is cherished by both and they do not want to lose it.

Notions of modesty continue to inform the kinds of work women are comfortable with on the shopfloor. If work requires bending over exposing their posterior to passers-by (on cutting tables, in washing, even in tailoring sometimes when they have to bend down to pick up fabric or thread), then they are hesitant to take up the task. Notions of modesty are also at play when women are uncomfortable talking back to supervisors, and this is taken advantage of by management as we discuss in the next section. It is not clear if women feel comfortable sharing such concerns with management or unions (if they exist, which is rare in north India) and have them addressed so they can take up other higher paying tasks. Especially since these gender norms are also shared and enforced by the male stakeholders.

## Box 6

### Shanti Devi

Shanti Devi is a 32 year old married woman from Chapra (Bihar) who lives in Kapasedha with her husband who works as a checker in a garment factory in Udyog Vihar, Gurugram. They are from the Rajput caste and live in a single rented room but their two sons live in the village in her natal home. She has studied until the 7<sup>th</sup> standard, while her husband has a Bachelors degree in psychology. She was married at 16 while her husband was 24, 8 years older than her.

Shanti came to live with her husband after a couple years of marriage. After two years she decided that she wanted to work and started with part-time seasonal work – packing dry fruits during the Diwali festival season. She worked for ten days and would go with her neighbours who did the same work. Then she worked as a homebased worker on pieces brought to her by a contractor. She was introduced to the contractor by a neighbour who worked with him. Initially Shanti was paid 1 rupee for every buckle she put on a belt and managed to earn only Rs 500 per month. She did this work for 6 months. The first time she got Rs 500, she bought sandals for herself and shoes for her sons and felt very good about it.

After this Shanti wanted to join a garment factory like her neighbours but her husband would not give her “permission” saying *hum logon ke caste mei auratein ghar se bahar kaam karne nahi jaati hain*. In fact, when Shanti was planning to leave the village and join her husband in Gurgaon, her own brother objected saying your husband will make you work (even though his own wife used to work as a security guard and quit only when she was pregnant).

It was only after much persuasion by the neighbours who used to work at garment factories that Shanti’s husband “allowed” her to work. She worked on piece-rate with a fabricator for a few days in Gali No 4 in Kapasedha and picked up some skills such as working on an electric sewing machine, doing simple overhook-stitching etc. Then she joined a major export manufacturing company in Phase 1, UdyogVihar as a trainee for 10-15 days and then as a production worker for 8 months. Shanti shared that while all the trainees in her batch were women, all the managerial staff were men – supervisor, master tailor, manager, general manager. She left because there was a lot of surveillance and pressure from the supervisor on the shopfloor and guard outside the toilet (*chik chik zyada hoti thi*). She also felt extremely pressurized because of the high hourly targets. When she fell ill with dengue fever and had to take leave, “personnel” [personnel or HR department staff] just told her *baith jao, mat karo kaam*(sit, don’t work) and forced her to submit a resignation.

Although the wage rate was higher than in other factories, she felt suffocated by the discipline and surveillance saying *jaise ghuse bathroom mei vaise hi bhagaane lagte the, wahan idhar udhar nahi uthne dete the, jaise paise dete the, us hisaab se kaam bhi lete the* (as soon as we entered the bathroom they would start chasing us out, we were not allowed to step away from our workstations, they would extract work from us according to the wages they paid). In other words, even though the salary rate was higher, the production targets were also high and there was intense work pressure along with supervision surveillance – which she found suffocating.

She worked for a couple months but did not like it and so she quit and joined another large manufacturing factory, again with the help of a neighbour. She worked for 9 months and then was ‘let go’ but here too her experience was not good. She was initially hired on salary of Rs 6000/month, with overtime included she used to earn Rs 10,000/month. But without being informed, she was shifted to piece-rate work and she was unable to earn more than Rs 6000/month. So, she left and joined yet another reputed factory. She shared that she was thrown out and rehired by the same companies several times with no reason being given for it.

#### 6.2.4. Solidarities on the Shopfloor: Potential and Challenges

A common complaint from several women workers was that other women do not support them when they speak out or complain against abuse or violence. In interviews, FGDs, case studies, an oft repeated complaint was the lack of solidarity from women co-workers. Meena's words were echoed by several women,

*baaki auratein bas chup chap dekhti rehti hain aur saath nahi deti jab hum master ya supervisor se bhidte hain jab who kuch galat bolte yak arte hain. Lekin jab ek bhi mard kaarigar bhidta hai, khaas karke tailors, toh baaki saare kaarigar uska saath dete hain aur supervisor ya manager par toot padte hain. Haatha paayi bhi ho jaati hai. Isiliye master ya supervisor bahut soch samajh kar unko kuch bolte hain. Leikin auratein humara saath nahi deti hain, dar ke mare chup rehti hain toh phir kaun apna gala daw par lagaye. Saha nahi jata toh wahan ka kaam chod kar koi doosra pakad lete hain.*

*When I take on the master tailor or supervisor when they say or do something wrong, then the rest of the women co-workers just look on in silence and do not support me. But when a male worker, especially a tailor, takes issue with the manager or supervisor, then the rest of the male workers support him and even resort to getting into a scuffle with the manager/supervisor. This is the reason why managers/supervisors think twice before saying something to the male workers. But the women don't support each other, they stay silent out of fear. So then why should I stick my neck out? When I can't bear it anymore then I quit and look for another job.*

Building collective resistance is quite challenging for women workers, as is evident from Meena's experience. So like most women, she does what she can to resist, including quitting and joining another factory, knowing full well that they cycle is likely to be repeated there as well. Quitting as a form of worker resistance, as weapons of the weak, has been noted in several studies.

Several women shared that the shouting and verbal abuse, sometimes even attempts by supervisors to humiliate them, while distressing for some women, did not bother them since they were used to such behaviour at home from the men in their family. The normalization of violence and male impunity also shaped their response to violence on the shopfloor. They would tolerate a lot more than the men and hence were preferred by management – this might be one of the reasons for the increase in hiring of women that is being seen in some parts of the Gurgaon garment industry.

Women also internalize patriarchal gender norms, and in turn, might blame other women for being targeted sexually. Often, survivors of sexual violence do not get support from other women, due to such socialization.

#### 6.2.5 Women in the Factory: Notions of Gender, Labour and Stigma

Women's mobility, including women stepping out of homes to work, to earn a livelihood have caused moral panics and been stigmatized in various ways, across time and geography. The garment industry and we would argue many other low waged jobs or non-conforming jobs (these vary across different locales and local cultures) have been stigmatized. A lot has been

written about how many migrant women would be seen as ‘bad women’ when they returned home on leave, from the cities and towns where they had found employment. ‘Bad women’ always carries the connotation of the woman doing something other than what she purports to be doing in the city— be it the new factory in the village or town or construction work – migration being the worst offence, especially if the migrant is a single unmarried woman.

‘Other work’ is equated with ‘sex work’ even if not uttered explicitly, but alluded to.<sup>49</sup> In fact, most often, the stigmatization is done through innuendos and moral judgement. Even in the garment industry, respondents, both female and male, speak about ‘other women’ as being bad, morally corrupt, wanting sexual attention (and therefore by extension “asking for it”) while defining themselves as above such actions and moral corruptions.<sup>50</sup> Several female garment workers said – “if a woman doesn’t want it, no one can force her”; “no one put a gun to her head”; “she can always say no”; “why would only she be targeted there are so many of us there, she must have done *ishara* [gesture]”, when asked about sexual harassment at the workplace.

Several male workers said that they would not allow their wives or daughters to work in the garment industry because everyone knows it is a dirty (“*gandi*”) industry (see Box 7).

Drawing on South African sociologist Stanley Cohen, Crossman correctly points out that people or behaviour that threatens established social norms and community interests generates panic. “Moral panic is often centered around people who are marginalized in society due to their race or ethnicity, class, sexuality, nationality, or religion. As such, a moral panic often draws on known stereotypes and reinforces them. It can also exacerbate the real and perceived differences and divisions between groups of people.”<sup>51</sup> Gothoskar (2013) writes that “women’s work has always been contested. It has been viewed from various prisms – family, society, employer, morality – but not from the point of view of women themselves.” (p.11) The “underlying fear of women indulging in sexually lax practices at the workplace” results in severe restrictions, such as on women’s mobility and use of mobile phones. It can also result in domestic violence in cases where the woman is unable to inform her husband or family members regarding unannounced overtime at the garment factory or other reasons for her delay in returning home. In the hyper-patriarchal Hindi belt of North India, a “good woman” is seen as one who only goes from home to factory and factory to home, does not step out of the factory at lunch time, does not work beyond 8pm, goes straight home at the end of her shift and is accompanied by a male guardian (husband or family member) when stepping out of her home or travels in a group with other women and is not seen to be occupying the public space alone. Writing on rural Haryana, Prem Chowdhry (2014) notes how spaces are constructed as

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<sup>49</sup> See a similar discussion in Shah 2014, p.14.

<sup>50</sup> Shah 2014 also discusses a similar manoeuvre by sex workers when talking about other sex workers.

<sup>51</sup> Crossman 2019.

masculinised spaces where the presence of men and absence of women is seen as ‘natural’ (p. 41)

“Women are extremely vulnerable in these spaces as their presence there invites attention, ridicule, sexual harassment and even greater violence. Indeed, all such male gatherings act as means of controlling women.” (*Ibid.*)



**Photo Courtesy:** Natasha Badhwar

Based on the information gathered in this and other studies, we would argue that the garment factory in North India, particularly the Gurgaon industrial belt is constructed as a hyper masculine space – women are barely 10-25% of the workforce, some women are present in the design department or administrative departments such as human resource or personnel but almost all the production staff – master tailors, supervisors, line-in-charge, department managers, general managers are male. Local cultural and gender norms pervade the shopfloor and inform the behaviour of all – female and male workers, lower-level managerial staff, HR and personnel department staff, even general managers. Due to the prevailing culture resting on gender stereotypes and discrimination, an assertive woman is ‘shown her place’ and if she fails to confirm or be disciplined, she is usually fired.

Rapid urbanization and the blurring of urban and rural spheres in Haryana ; the giving way of gender segregated public spaces to gender neutral public spaces has aroused deep insecurities in the local men especially since urban spaces can be relatively emancipatory in both class and

caste terms and thus create great uncertainty around gender issues.”<sup>52</sup> In a scenario where women are perceived to have become a central problematic to be constrained, their mobility and invasion of the male bastion – the streets – especially during “unorthodox” times is deeply disconcerting.

At such times men drinking in groups, swearing, fighting, gambling, or just standing or lurking at street corners, watching passers-by, especially the odd woman, are a menacing site for women. The increasing visibility of women on the streets has in many respects accompanied an increase in crime against them, since in many ways it is a reaction to a perceived loss of masculine control over this space.<sup>53</sup>

Dissent is barely tolerated even by younger men vis-à-vis older men of the community, where age and experience have to be deferred to. In such a scenario every opportunity to prove their masculinity and importance is eagerly grabbed and this “‘united rural male strength’ acts as a united repressive force and exercises ideological pressure on females and weaker members of other castes, especially low-caste groups.”<sup>54</sup>

The inner/outer boundaries of community, ‘us-them’ permeates the garment shopfloor as well. In interviews with male stakeholders, it emerged that women workers who came from the same areas (state, district, village or neighbouring village) as them were under their ‘protection’ while all others were fair game. (*“Jo auratein humare ilake se hain, unko chodd kar baaki sab...[followed by a shrug]*).

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<sup>52</sup> Chowdhry 2017, p. 47.

<sup>53</sup> *Ibid.*

<sup>54</sup> *Ibid.*, p. 44.

## Box 7

### Male Garment Workers' Statements

- Our line (work/occupation) is such that even if a 'good' woman goes to work, she will go bad.
- Our manager and supervisor tells the women workers that if you want to work in the export line, you will have to tolerate all this 'bad language' and men's behaviour.
- In our company 80% of the women don't know any work, they get acquainted with the supervisor. Supervisor says stay in touch with me, or you will be thrown out of the gate. Women are given small tasks, main pressure is on male workers to give production. Women don't want to work, they just want to take home ill-gotten money (*haram ka paisa*).
- Once a woman complained to her manager that a co-worker is winking at her. The matter went to the GM [general manager], who asked her how do you know that he is winking at you. She said that whenever I look up/at him he winks at me. The GM said have you come to work or to look around? We also think the lady was at fault because there are so many women workers around, why did he wink only at her?
- Women who come to work due to life's compulsions (*majboori*), knows that she has to work in order to earn money. But there are some who come to work, but go to the bathroom ten times to apply lipstick and fiddle with their bindis. But the master tailor doesn't say anything to these women. He tells us to help them finish their work/targets. But men won't help. At most he will make an extra 2 pieces. In any case women are given lighter tasks.
- Is it better for the company when there are women? No. It's nice to have women in the room with us, but not in the company. There's too much competition for jobs, especially since jobs are scarce after GST and de-monetization.
- Many women come to work, enter into relationships and marry here only. Why should we respect them? Why should they marry on their own, when their parents are alive? [But another worker in the FGD disagreed.]
- There was a Bengali woman in one of the companies, Everyone- was harassing her, she had no option but to work but they gave her a lot of work and a defective machine.
- One woman was pretty and the man who got her the job got her acquainted with the supervisor before joining. The staff was local,- he told her if you don't come to me, I will kill you. She was a migrant and got frightened so she went with him. He kept her all night. When she went home the next day, her husband threw her out.
- Even the in-charge is afraid of locals.



## 6.2.6. Pathways of Entry into the Labour Market

### Permission required

Many of our respondents shared that entering the job market is difficult because first they need the permission of the men in their family – father, brother, husband, in-laws – to ‘step out of the house’ Since implications for family honour, including the status of the man as the sole earner are considerable, especially in the north Indian context. While negotiating patriarchal norms that determine their life’s trajectory, women also have to be mindful of ensuring that they are able to satisfactorily discharge all ‘their’ household responsibilities because any failure to do so would result in verbal or physical abuse or withdrawal of permission to engage in waged work outside the home.

## 6.2.7. Commute to the Factory

There was a time in the early 2000s when Gurgaon was not as densely populated and even in the sectors populated by middle class residents, sexual assaults on the road were common. Women, accompanied by a man, would be pulled off moving cycle rickshaws and sexually assaulted while the man was held or beaten up. At that time the news reported these incidents as a culture clash with the locals either drunk on newly acquired money from having sold their lands to government or angry at being left out of the glut of wealth they saw around them. Most analysis pointed out that behind the chrome and glass building visible from the newly built highway, centuries old traditions continued to thrive in the villages and by-lanes, like women continuing to wear *ghoonghat* (veils covering their faces) and restrictions on mobility without the supervision of a male family member. By the end of the decade the blame shifted to migrants flooding the industrial and commercial area, bringing law and order problems with them. The usual narrative dominated, of a rapidly urbanizing area jolted out of slumber and its semi-rural origins to make sense of the hyper-urbanization that was overtaking the visible parts of Gurgaon.

In the rush to create a hyper-urban city entirely on the back of private real estate developers and gated societies, very little attention was paid to making space for the workforce that would be required in the industrial and commercial establishments and residential areas that would follow. The huge infrastructure gap also resulted in a non-existent public transport system, public health or education system. Cramped shared autos, infrequent and overcrowded buses, have been a longstanding complaint. Workers spill out onto main arterial roads from the many lanes and by-lanes of unplanned slums and workers colonies. The walk through the narrow lanes upto the main roads and the commute in overcrowded auto-rickshaws and buses makes women especially vulnerable to harassment by bystanders and other commuters. Many women interviewed continue to demand that the roads leading from industrial complexes to their

colonies, and from the main roads to their homes be well-lit and adequately patrolled so that they can feel safer. Lack of adequate lighting and affordable and robust public transportation that forces workers to walk long distances between work and home means that, it is not just women, but also male migrant workers who are subject to harassment and theft especially around the payday.

While this is a reality, another aspect of these commutes is that it forces women to move in groups thus creating spaces for comradeship, friendship and solidarities that are rare luxuries given that their mobility is severely restricted or monitored by male family members. Women share their days' experiences – both at work and home – with their friends, laugh, get advice, and strategize on how to respond to unwanted attention from co-workers, managers, neighbours and tease each other. This is their only time for socializing – during the commute either on foot or motorized transport. This is also the time for some stolen moments on a borrowed mobile phone talking to family, a beau, a paramour, a friend. That's how a 15-year-old Safina managed to talk to her friend in the neighbourhood whom she was not allowed to visit or talk to; this is also how Sofia and Abdul managed to keep their love affair going.

An interesting comparison (shared in Box 5 earlier) cropped up when local community women shared that the presence of migrant women in public spaces in Manesar – going back and forth to work, accompanied by men, or as part of mixed gender groups, as well as tenants, is also leading to a subtle change in the strict gender norms they usually follow. They reported slight relaxation in the strict controls imposed on their mobility and freedom to talk to 'strangers'. These local women were of the opinion that women should be allowed to step out of their homes to go to work and that they themselves would like to work, not because of the money, but for the sake of the experience.

Initially, when Manesar was being developed as an industrial zone, the locals in the area would look down upon working women. Two decades later no one cares about working women, their caste, and with whom they are living – as long as they pay rent. Interestingly they shared that men from their community, the Thakurs are learning mannerisms from male migrant workers, especially in how to interact with women. Local women have been allowed to operate petty businesses to cater to the needs of the migrant population and earn some money. Even violence in the public spaces has reduced due to the establishment of both a police station and a *mahila* police station (women's police station) due to the development of an industrial cluster. This enables women to be out until at least 8pm without any fear. The only drawback is that the industries do not employ their men. "Only the local men are a nuisance, most of them have no jobs, they have shops which are run by their wives. So they just sit and drink all day or smoke the hookah and then become garrulous by the evening hours." The garment companies in Manesar too, do not employ women beyond 8pm.

The experience in Manesar, while very different from the older area of Kapasedha, is in line with most studies that find that the increasing presence of women in public spaces alters the dynamics and encourages other women to venture out and occupy more space.

### **6.2.8. Importance of Social Networks (Kin, neighbours, labour chowk, factory gate)**

For most workers migrating for work involves several factors. Trusted networks of family/friends/community members and a place to stay in a new city are critical. Radha shared that a crucial factor regarding their decision to migrate, was that her husband's brother and sister-in-law lived in Gurgaon and agreed to have them stay for a week or ten days while they looked for employment. Without such support she said, it is not even possible for them to imagine moving out of their village. A sentiment echoed by several workers. Ramlal shared that even with such support there is pressure to find work quickly, as they would not want to outstay their welcome and impose on their hosts who are themselves just barely eking out a living. The kinship network – either of immediate family members or village kinsfolk (*janane wala, gaon ka bhai*) is an important stepping stone.

For both males and females working in the industry, peer networks remain the strongest source for entering the industry. However, there might be variations to this. In most cases, peers form the first point of information for workers seeking employment. Through them, contact is made with either the labour contactor or the floor manager. Most of the women who are engaged as daily wage or piece-rate earners reported that it is mostly with the help of their women neighbours that they entered into employment. The women looking for jobs go to the labour chowk, as suggested by their neighbours, in order to be hired by contractors. While almost 30 per cent women in our respondent pool stated that they found employment with the help of female neighbours, around 25 per cent stated that they found employment through their immediate or extended kinship network. Another 10 per cent of the women stated that they have entered the industry with the help of skill training centres. The remaining said that they went to factory gates and found employment directly at the gate. (Figure 8).

**Figure 8: First Point of Entry into the Labour Market**



*Source: Field Survey, 2017-18*

The experience of women workers and the challenges for entering the workforce are complex. Komal, a migrant from Uttar Pradesh shared that she had migrated to Delhi-NCR with support from her sister and sister’s marital family to find better work opportunities. She also invested money to get trained in tailoring work, on sewing machines, and thus got odd jobs in different garment factories such as sewing of chains etc.

Home based work is another avenue for women with families and husbands who do not permit women to step out of the home for paid work. According to Kavita, a lot of women in her neighbourhood wanted to work in the company but their husbands would not allow them for various reasons such as ‘company work is not good’, ‘women get harassed daily’ and they did not want their ‘wives to come under bad influence’.

When asked if women’s entry into the garments industry is increasing, Zahir felt that women are entering because a single breadwinner cannot support the family. Hence it has become imperative for women to take up wage work outside the home, to support the household. He also felt that in tasks such as thread cutting, where the ratio of women to men is higher, women are paid less. Companies thus find it profitable to employ women. In his opinion, with the increasing participation of women in the garment industry, companies have started to prefer hiring younger women whom they consider to be more efficient women.<sup>55</sup> In his opinion

<sup>55</sup> For the same task, both men and women are paid the same wages in the Gurgaon belt. We did not find that workers doing the same task were paid different wages even though women workers were found to be employed in only 3 tasks – threadcutting, handwork, machine operator (tailor in production department).

with time as more women have entered this work, companies have started preferring younger and more efficient women.

Bina, a mother of three children living in the Manesar industrial belt had entered the occupation under pressure, to earn more money to save enough for her daughters' marriages and son's education. She had to lie to her relatives and extended family in Balia, Uttar Pradesh from where she migrated to Delhi with her husband after marriage. Whenever someone from Balia visits, she does not go to work and takes leave. Initially she had to convince her husband to allow her to work and this was possible with the help of an acquaintance who visited their home and convinced her husband. The burden of the housework then fell on her daughters who dropped out of school. Irrespective of waged work outside the home, housework is seen as the sole responsibility of the women of the family and many women shared that the housework was handled by their daughters in their absence. Sons were not burdened with this responsibility. Inter-generational adjustments between women have to be made. Manjri shared that once her daughter got married, she had to stop working in the garment factory, in order to take charge of the household again.

Many women respondents had been introduced into this work by their mothers and other female members of the family and clan. Sabiha was introduced to this work by her mother. After an initial phase of training for 20 days, she started working. She received no appointment letter or identity card from the contractor under whom she was employed. He ran off with her salary and since then Sabiha does not trust garment factory contractors. Such instances are common in this sector. After this experience, she prefers to go directly to the factory gates to find work. At first Sabiha struggled as piece-rate worker making shirt collars. She has now risen to the rank of tailor (machine operator) after a brief stint of skill training at the worksite.

## 7. Understanding Shopfloor dynamics and shaping of impunity

### 7.1 Horizontal and Vertical Segregation

Women workers are concentrated in only 3 out of 65 tasks identified in an RMG factory in Gurgaon. The gendered construction of the workplace means that only few 'lighter' tasks are deemed fit for women. A factory owner even justified this by saying that we are doing this to take care of our female workers as we know they have to go home and work again on domestic and household chores. The factory owner seemed to be comfortable with established gender norms and cultural logic to keep women away from higher paying tasks, and maintain them as a precarious and flexible pool of workers, all in the name of care and protection.

The perception seems to be that women lose their knowledge and skills once they cross the thresholds of their homes. The very tasks that women perform capably at home come into question in a factory setting. For example, some justifications given for not employing women in the higher paying jobs include – women cannot be employed in the washing department, because they do not understand the chemicals that need to be used on different fabrics; women cannot be employed in the press department because these irons/press are heavy and difficult to manoeuvre; women cannot be employed in the cutting department because they will not be able to layer 500 layers of cloth and cut through it or use the grinder, metal gloves have to be worn to do this job; targets have to be achieved; women cannot become master tailors because they do not have the understanding and skill to stitch complicated patterns and garments.

Multiple exclusionary mechanisms are used on the shopfloor to isolate assertive women workers who speak up for their rights or against violations of any kind – hazing, boycotting, humiliation – general and sexualized, are some tactics.

Women tend not to report workplace harassment as the consequences are against them. Instead of being heard, women are retrenched from work as they disrupt the workplace by reporting against perpetrators. Sometimes the men involved are also dismissed from work without notice to maintain smooth functioning of work. Usually the supervisors themselves 'throw the women workers out' and these incidents are not even reported to the factory managers and owners. The supervisors term these incidents as 'minor and insignificant' (*choti moti baat*). Very few women have the courage to report sexual harassment incidences to unions as it would mean losing out on days and wages by boycotting work and demonstrating outside factories. Very few women reported to resort to legal recourse against incidences of sexual harassment.

Some male respondents in their interview revealed companies pressurize workers for impossible targets. If the maximum work that can be done is 10 pieces per hour or day, they ask

for 20 pieces, and if the worker is not able to produce it, then he/she is abused and outrageously disrespected (*'gaali dete hai'*) and some added that "there is nobody to hear their plight in the company".

Women who talked to male colleagues were branded promiscuous, and have to endure stares, taunts and condemnation even from other women as they tag her as bad or immoral women saying, "*yeh aurat kharab hai*".

Perna, a 48 year old former worker encountered workplace harassment and thus forced dismissal. Perna was verbally abused by her master tailor in the shopfloor for getting help of a co-worker. She was abused with sexual expletives '*behenchod*' ('sisterfucker'). Upon registering a complaint against the tailor in the personnel department, no action was taken against him. However she was paid wages due to her and was asked to leave the work. But Perna recounts that there had been a skirmish in the factory earlier where she, along with other workers had protested against the tailor who had physically manhandled a male worker for not performing at work as expected. Perna feels that the master was actively looking to fire Perna on the slightest pretext. Being actively engaged in a general garment workers union, Garment and Allied Workers Union, she fought for her labour rights and demanded to know the reason for her dismissal without notice and she asked for compensation. The company used administrative excuses to counter her claims and she lost her case in the district court but still thinks of taking the matter to the high court, though at the same time, she fears for her livelihood.

**Table 2: Women employed predominantly in only 3 out of 65 tasks**

Fabric store	Cutting dept.	Sampling dept.	Production dept.	Washing	Finishing	Packing	Personnel
Helper	Helper	Helper	Helper	Helper	Helper	Helper	HR Dept.
Checker	Checker	Pressman	Pressman	Spotter	Thread Cutting	Packer	
Recorder	Layerman	Checker	Tailor	Supervisor	Spotter	Tag Man	
Fabric in-charge	Stickerman	Pattern Master	Checker	Washing Master	Checker	Packing Supervisor	
GM	Cutting Dept	Tailor	Handwork	Washing In-charge	Pressman	Packing In-charge	
	In-charge	Master	Recording	Washing Supervisor	Pressman Supervisor	QC	
	Manager	QC	Supervisor		General Checker	QA	
	GM	Merchandiser	Line In-charge		Measurement Checker	GM	
			Floor In-charge		Refiner Checker		
			QC		QC		
			QA		Packer		
			Production In-charge		QA		
			Production Management		Line Supervisor		
			GM		Finishing Supervisor		
					In-charge		
					Finishing Manager		
					QA Manager		
					GM		



## 7.2 Skill centres are a source of training and placement of workers in factories

The skill centre is usually operated by a former male garment worker, who relies on his contacts in the industry to appoint workers at his centre. Depending on this network and contacts in the industry- master tailors, supervisors, line-in-charge, managers – he is able to secure a foot in the door for some of his clients who train at this centre. An interplay of power and vulnerability was uncovered when in independent interviews, some of these skill centre operators, tailors and supervisors shared that the contact in the factory through whom the new workers were recruited and employed would offer some degree of protection to their ‘asset’ by helping them to understand the work, covering for them if they were unable to meet targets or made mistakes, allowing them some time to recover from minor accidents (such as the needle poking them and drawing blood). The higher up the management authority chain sat the skill centre operator’s contact, the more protection was accorded to the worker. After a few more interviews with workers where researchers probed in order to understand this dynamic, it became apparent that an unwritten but intricate web of patronage operates on the shopfloor – a layered interplay of protections and vulnerabilities – where gender, caste, geographical origins, source of patronage all have a role to play. Our preliminary understanding is that workers of upper caste origin, placed through contacts higher in the factory’s chain of authority enjoy the most ‘protection’ while workers who gained employment at the factory gates in response to announcements of vacancy enjoyed the least ‘protection’ (since they did not come through any patronage network) but their caste status or area of origin could mitigate their disadvantage especially if they happened to be from the same state or district.



**Photo Courtesy:** Natasha Badhwar

Similar conscious or unconscious insider/outsider dynamics appeared to inform other decisions of the relatively more powerful managerial or supervisory staff or sometimes even co-workers. Male domination is asserted by co-workers, supervisors, masters, line-in-charge, managers with a sense of power, mastery, familial and cultural linkages bring patriarchal values onto the shopfloor.

Given the sexualisation of recruitment and operation of the shopfloor, the fact that some women deployed some degree of sexualized labour strategies to survive substandard wages of paid employment demonstrated that it was not always a one-way street. Even though the women engaging in such a strategy were susceptible to rumour-mongering and taunts even from co-workers, they did not deploy the face-saving manoeuvre of '*majboori*' but in fact actively used their sexuality to secure various kinds of minor relief –for example, a slightly lower production target, or leave. The women did not share details but indicated that they thought it was only fair that they should be able to use whatever social capital they had to address the onerous working conditions.

### **7.3 Fast Fashion, Labour Disciplining and Violence**

Workers – both male and female – shared that they did not think that the lower rung managerial staff operated without the tacit understanding or permission of the upper management. Whether it was verbal abuse, bullying, or other forms of harassment, including the normalization of certain forms of sexual harassment (use of double meaning words; propositioning and liaisons between supervisors and workers – forced or consensual; sexually laced verbal abuse, inappropriate touching), many workers did not think it was solely the actions of the individual manager, supervisor, line-in-charge or master tailor. Many were convinced that the management ignored these occurrences as long as it suited them, and yielded the production targets they demanded. Even when complaints were lodged, the potential of disruption was measured against the potential advantage of continuing with the same manager/supervisor or disciplining him and most often the management saw an advantage in continuing with the same manager/supervisor and the workers' complaints were ignored or superficially addressed to ensure normalcy. Only egregious violations were addressed – most often by transferring (not firing) the manager to another unit of the company, often only to be brought back after a few months.

An experience from a factory located in Manesar bolsters this view of the workers. In this factory management frowns upon 'looking up' – neither male nor female workers are supposed to look up from their work. The norm enforced by management is that workers keep their eyes on their task on hand. Women shared that because this practice is enforced by management it makes for a comfortable work environment since they do not have to worry about the potential

male gaze and the work environment is 'clean'. They also shared that they worked 8-hour days and got paid a little over minimum wages and they did not face the kind of harassment they hear about from other workers. While it is not ideal that workers are not allowed to look up from their work or otherwise confined solely to the tasks at hand, the women workers were trying to convey that there are simple and effective professional norms that could be enforced by managements which result in drastic reduction in women's discomfort and harassment. And that such norms should be implemented across the company's units and not just in the model factories that are showcased to brands and buyers. Lower wages and hostile work environments seem to go hand-in-hand leading us a provisional conclusion that sexualized labour disciplining systems are more prevalent in factories (and perhaps sectors) with low wages.

Both men and women agreed that managerial staff was more circumspect with male workers because male workers could potentially respond physically (*'wahin thappad maar dete unko'*) whereas women workers would withstand the abuse and humiliation heaped on her. Some workers shared that one worker, often a woman, would be picked on by the supervisor or master tailor and made an example of to convey the message to all workers in the vicinity. Because a woman is less likely to and less able to retaliate; because notions of modesty and good behaviour ingrained in her since childhood would restrain her from talking back or retaliating.

While all the women agreed that working in factory as a factory worker is better than *dehadi* [daily wage work] or home-based work, Pooja spoke about a supervisor called Kunti who would really harass women and get favours out of them under the garb of continuous employment. Despite CCTV cameras, this discrimination takes place mostly with women and nothing happens to the men on the factory floor. "This is how they discourage women from working", is what one of the respondents stated.

**Figure 9**

**Table 1: Detailed spectrum of gender based violence in Asian garment supply chains**

	<p>Gendered aspects of violence, including:</p> <ol style="list-style-type: none"> <li>1. Violence against a woman because she is a woman</li> <li>2. Violence directed against a woman that affects women disproportionately due to (a) high concentration of women workers in risky production departments; and (b) gendered barriers to seeking relief</li> </ol>
<b>FORMS OF VIOLENCE</b>	
(a) Physical and sexual violence/dis-crimination	<ul style="list-style-type: none"> <li>• Assault, including pushing to the floor, beating and kicking, gendered aspects (1) and 2(b)</li> <li>• Slapping, gendered aspects 2(a) and (b)</li> <li>• Pushing, gendered aspects 2(a) and (b)</li> <li>• Throwing heavy bundles of papers and clothes, gendered aspects 2(a) and (b)</li> <li>• Sexual harassment, gendered aspect (1)</li> <li>• Sexual advances, gendered aspect (1)</li> <li>• Unwanted physical touch, including inappropriate touching, pulling hair, and bodily contact, gendered aspect (1)</li> <li>• Rape outside the factory at accommodation, gendered aspect (1)</li> <li>• Overwork with low wages, resulting in fainting due to calorie deficit, high heat, and poor air circulation, gendered aspect 2(a)</li> <li>• Long hours performing repetitive operator tasks, leading to chronic leg pain, ulcers, and other adverse health consequences, gendered aspect 2(a)</li> <li>• Serious injury due to traffic accidents during commutes in large trucks without seatbelts and other safety systems, gendered aspect 2(a)</li> </ul>
(b) Verbal and mental violence	<ul style="list-style-type: none"> <li>• General verbal abuse, including bullying and verbal public humiliation, gendered aspect 2(a)</li> <li>• Verbal abuse linked to gender and sexuality, gendered aspect (1)</li> <li>• Verbal abuse linked to caste or social group, gendered aspect 2(a) and (b)</li> <li>• Verbal abuse targeting senior women workers so that they voluntarily resign prior to receiving benefits associated with seniority, gendered aspect 2(a)</li> </ul>
(c) Coercion, threats, and retaliation	<ul style="list-style-type: none"> <li>• Threats of retaliation for refusing sexual advances, gendered aspects 1, 2(a) and (b)</li> <li>• Retaliation for reporting gendered violence and harassment, gendered aspects 1, 2(a) and (b)</li> <li>• Blacklisting workers who report workplace violence, harassment, and other rights violations, gendered aspect 2(a)</li> </ul>
(d) Deprivations of liberty	<ul style="list-style-type: none"> <li>• Forced to work during legally mandated lunch hours, gendered aspect 2(a)</li> <li>• Prevented from taking bathroom breaks, gendered aspect 2(a)</li> <li>• Forced overtime, gendered aspect 2(a)</li> <li>• Prevented from using legally mandated leave entitlements, gendered aspect 2(a)</li> </ul>

**Source:** Asia Floor Wage Alliance, 2019: 8.

Komal a migrant woman, who works as a tailor relates her experience in garment factories. Breaks for freshening up and toilet visits were limited to 2 to 3 minutes and line managers kept a strict vigil on break timings. Sick leaves were absent usually for the machine workers, but women often had to resort to concealing their actual sickness due to fear of shaming and naming. Komal shares that she often fell sick with severe hip pain and body aches due to 12 to 13 long hour long shifts in front of machines. Asking for sick leaves meant submitting to unbearable probing and she would try to avoid it. However, the stress of being unwell and yet having to meet production targets can make workers, especially vulnerable women workers even more vulnerable. Jenkins captures these complexities aptly.

These 'sparkingly' modern buildings, replete with the best technology, do not readily fit the stereotype of sweat-shop working. However, the sheer scale of the power imbalance in the employment relationship within these units is difficult to convey and any external observer...managerial style may be disguised and cannot be identified...crucially, the effect of poverty wages and long working hours can truly be seen only in the homes and personal lives of the garment workers themselves. (Jenkins 2012, p.6)

The power imbalance at the workplace is supplemented by the patriarchal context of wider society...managers unconstrained by countervailing forces of organised labour at the point of production will simply sweep away any chance for enactment of employment rights, be they statutory or contractual, or based in the sanitised 'soft-law' of the corporate code of ethics. (p.8)

For some women workers, notwithstanding the workplace harassment and abuses, societal rebuke and fear of violence, there is fondness and likeability towards the work they do at the factories. This is justified by the sense of autonomy of being able to contribute to the household, and performing work that furthers mobility/increase in wages, relative to doing domestic work in their villages. Working as domestic helpers in others houses in the native places is primarily looked upon as a lowly job which is derogatory and demeaning. Many respondents have stated that working in cities and in stitching clothes is more gratifying than washing clothes and dishes in others houses. City life and lifestyle is an attractive factor for most women, as they aspire to learn new ways of the world.

Sonal, a 30 year old production checker, also feels that women are to be blamed for crimes against them as they themselves attract such activities. According to her experience, women who *"seek adventure and an aspirational comfortable lifestyle of luxuries, of eating out, new clothes and expenses on personal items, notwithstanding being married with children, are the ones who are sexually exploited"*.

## **7.4 Occupational/Professional Mobility**

Mandira, a subcontractor for home based workers, rose through the ranks. Her trajectory, although not common, still sheds some light on the possibilities of women's occupational

mobility. She is from Nepal and came to Gurgaon after marriage at the age of 16. Her husband worked as a cook. At that time, she did not speak Hindi and had never been in a city. Her husband would get drunk and gamble away his earnings, so it was difficult to sustain themselves in an alien place. She started making friends with the women around her while standing in line to take water back to their rooms. That is how she learnt about how women can find jobs in the industry. She started work as a thread-cutter in the year 2000. After working as a thread-cutter for a couple of years, she learnt tailoring at the company's own skill centre and became a tailor. After working as a tailor for 6 years, she became an unofficial supervisor for 2 years, and finally, before the leaving the company, she worked as a checker for two years.

When she was a thread-cutter, sometimes women would insinuate that she can also find 'other' kinds of work to make more money ['other' as in 'sex work'], so she went out of her way to give the impression that this [thread-cutting] was the only kind of work she was interested in. She also recounted that sometimes the sub-contractor or the master tailor would tell her that they hired her because of 'how she looks'. Her way of dealing this unwanted 'pressure' was to ignore these comments, not complain, and be very good at her work. It was difficult to work in a company she said – long hours of standing without any real break where one could rest properly for a while. Moreover, when she started working in the year 2000, there were very few women, and the garment industry in Kapasedha was in its initial days of operation. At that time, very few women would go out to look for work, and therefore the presence of the women on the factory floor according to her was negligible – for every 100 men, there were around 10 women she estimated. The salaries were not much and the women were only very grateful to be hired so they did not get respond to the people who harassed them. Mandira has worked in the industry for approximately 12-13 years, and according to her not much changed.

Discussing her training period, she said that she would train at the skill centre in the mornings between 7:45-9:15, and then work in the company from 9:30am-5pm. After training internally for about 3 weeks, she started working as a tailor (machine operator) in the same company from 2006 onwards. After working as a tailor for about 4 years, she became a checker in the production department. It also gave her some kind of cross-line mobility, where she interacted with a lot of workers, learning about different aspects of production, which is when she discovered that she can take work for home-based workers.

But such instances are very few and far between. Most women do not find upward mobility. A woman in her 50s, shared that she quit working because even after 17-20 years of working as a tailor, she had no possibility of a promotion. The other women sitting with her in a group, nodded in agreement.

Vaishnavi, a widow from Mainpuri, Uttar Pradesh, belonged to a poor landless family but she was married into a landed family of Rajput caste. Since farming was not profitable and she lacked the capital to start any business, her household/ family migrated like "fellow villagers

from the village to the city for company jobs". Vaishnavi's husband decided to migrate because they had to save money for their daughter's marriage. The scale of earnings in the city helped them marry off their eldest daughter. Vaishnavi migrated to Delhi in the year 2010 and started work in an export garment factory as a threadcutter.

Social networks can sometimes be a push for women to explore the world of waged work. Mala is from Uttarakhand and her neighbour who is also from the same state inspired her to enter this work. Mala learnt measurement and tailoring from her neighbour who also arranged for her professional training in a small shop in Delhi. In time Mala rose to the rank of contractor; a rare occurrence in male dominated profession, she now coordinates and supplies women workers to factories. In between she worked as checker, finishing tailor and at various other levels for this work. According to her she became supervisor because she is a fast learner and due to her knowledge of the work. She then learned the work of a thekedar (labour contractor). She said "For 2-3 years I learnt from a contractor, and then started my own work as a contractor." ("*ek thekedar tha uske pas se maine 2-3 saal knowledge liya, phir apna kaam shuru kar diya*") and that is how she has been working since 2013.

It was interesting to note that during our short span of field work, the women contractors and subcontractors that we encountered whether for factory work or homebased work were either *pahadi*, i.e. from Himachal Pradesh or from Uttarakhand or Nepali. None were from the Hindi belt or other parts of the country. Snippets of conversations revealed that these women subcontractors thought that the culture in their villages was more liberal when it came to women and they did not identify with the experiences of many of the women in their employ. One of them shared that she thought that the women in Gurgaon were "far more oppressed and took no zest in their own lives for their own sakes; their lives were strictly dictated by their husbands." Such conversations brought to our attention that there are regional cultural factors that shape patriarchies, gender relations and gender norms which have an impact on women's ability to negotiate urban locales, the world of work, and gender relations at work.

Skill training centres are another important pathway for entering the industry. Though none of the trainers guarantee employment to the clients, their links in the factory helps them to find an initial opening for their trainees/clients. Some skill training centres operate around the labour chowk areas where they give machine training on stitching (making collars, cuffs, full garment sewing) at a fee of Rs. 1000 per individual for about a month. Though some companies run their own training centres, skill centres are also run privately, as the one by Akhilesh, where he trains around 50 workers. He says that he has networks in garment companies and thus can facilitate workers trained at his centre to get piece rate work easily in those factories.

Women such as Shashikala have entered this profession after trying out other jobs. Shashikala a 40 year old woman says that even though her husband was well educated and was earning as school teacher in Noida at a salary of Rs 3000 per month, it was inadequate for her and their 6



children. Though she tried going back to the village and doing farm work and rearing livestock, it was hard for her physically and so she came back to live with her husband and both of them started working in the garment sector in spite of the fact that they belong to the Yadav caste, and have reservations of working as employees under others.

Geetanjali, a 28 year old woman from Vaishali, Muzzarpur in Bihar narrates her story of how she entered this industry and how she became a sub-contractor. She describes that her brother started a *gutakha* (tobacco) stall, and asked her to help him out. During her time at the roadside stall, a number of women customers would stop by and talk about their work. Her stall became a hangout point for women who came daily to the labour chowk to find work. This is how she developed her network among women workers. There was a sub-contractor Manjula who earlier used to work in Udyog Vihar. Manjula would ask Geetanjali to provide her contacts for women to work on *dehadi* (daily wage work) and eventually Geetanjali started helping her and became a mediator in the labour arrangements and hiring process. According to Geetanjali, the women workers trusted her more also because she did not charge any commission. Thereafter she joined a company as a worker in hand work (*haath ka kaam*). The supervisor was impressed by her fast work and ability to overachieve the targets. So he asked her to get similar pace of work from the other women saying " *tu aurto se kaam karwa*" (you make the women work). This is how she started working as a supervisor.



**Photo Courtesy:** Anita Yadav



## 7.5 Exclusionary Mechanisms of Women Workers in Recruitment and Work Pattern

Usually women (and men) are hired on daily wage and piece-rate basis. It seems that the preponderance of daily wage labourers is higher among females than male. Some of the women workers expressed their discomfort while being hired at the chowk, as “they feel cheap”, especially when the contractors exhibit their interests in women who “wear jeans and are young”. Older women felt excluded in the process of recruitment. As shared repeatedly, by the older workers as well as some subcontractors, companies now, are more inclined to hire young women.

Another study (Lahiri 2017) on firms in the National Capital Region, exhibits that an overwhelming proportion of workers are young. It is noteworthy that 50 per cent of the women workers are below the age of 30 years. Female workers shared their observation that, while women under 25 years of age have maximum participation, it declines in the next age-group between 25-30 years, thereafter again increasing and declining respectively, between 30-35 years and 35-40 years of age. Child birth and rearing, and gap between child-birth may be the probable reasons behind fluctuating participation of women across different age groups. Such instances are encountered in several interviews with women workers.

Rukimi Devi, a migrant worker from Nawada district of Bihar, mentions how her decision to work was affected by the birth of her two children. While she migrated with her husband in search of livelihood, after a year of employment in another industry, she had to leave her job as her first child was born. She re-joined work for a short period of time until her second child was born. The most productive years of a woman are also her peak reproductive years. While 97.7 per cent of the female workers are below the age of 45 years, a commensurate proportion of male workers (93.4 per cent) are also below the same age group as observed. (Lahiri 2017)

Tailoring requires good vision and also considerable physical strength (to continue in the same posture for an average of 10 hours of work); therefore the nature of work and preference for workers is exclusionary. Bhola Singh, who has experience of working in several odd jobs across diverse industries, has been engaged in the garment industry for the past 10 years. Her wife who also works in some company, as a helper, confirmed that often young women are preferred, as compared to older men. Bhola refuted that, not only young women but also young men, are preferred, as young persons are efficient and energetic.

Nevertheless, work in the garment sector in Delhi-NCR is discriminating towards older women. Middle aged women are not hired and preference is for young women as the contractors opine that young women are more efficient and some contractors unabashedly mention that women “add value” to the workplace. Mansi, a 45 year old respondent laments that ‘*chera dekh kar lete hain*’ (hiring is done on the basis of a pretty face) as managers and supervisors ask for

younger women to be recruited as they are 'pleasing to the eye'. Some women at the labour chowk felt that women who dress in western clothes are hired more easily while women like Mansi wait fruitlessly at labour chowks looking for casual '*dehadi*' work. Women in their forties, especially the ones who have to wear spectacles, report that they have been rejected. Master tailors and male managers often address middle-aged women as '*amma*' (mother) and state that "you are wearing glasses, you are old, please don't come to search for work here, we can't hire you". Some women shared that even if some women are in the 40- 45 year age bracket, they continue to find employment if they look presentable and wear some make-up and lipstick.

Mansi feels that women are never given the rank and role of a supervisor despite having experience, education and knowledge of the work. In her words "I have done thread cutting, checking work and stitching jobs like – *haath banana* (stitching an arm), running a stitch line along the side, working on machines etc.... but I will simply never become a supervisor". In over 150 interviews with workers only few (two to three) women were found to be in the post of supervisor (one had become a contractor) and that too only in the thread cutting or handwork department, none in the tailoring or main production department.

Of course, there are women in white collar jobs such as designers, merchandisers, human resources department, but they were not a part of our sample, which was focused on blue collar production workers.

Prevailing gender and cultural biases do not allow women workers to be aspirational in the apparel manufacturing sector. Anupama, a tailor with an apparel company, adds that women are thought to be less intelligent and not given tailoring work as it requires "a lot of brains", unlike the simple repetitive work of thread cutting. Women are made to believe that sewing of collars and cuffs, for instance are hard jobs (and it is not coincidental that they are high paying as well) and washing of the garment requires good knowledge of chemicals and hence they are reserved for men. According to Anupama, even if women work as tailors in most factories, some companies follow odd rules of not hiring women aged above 30 years because of the belief that women become less efficient with age for activities that require greater dexterity such as tailoring.

Women are not preferred for overtime as it means additional cost on production such as ensuring that there are women security guards, transportation from factory to home; and because in the words of owners and some supervisors companies, they want to avoid untoward incidents "which may jeopardise the company's reputation", clearly indicating that the companies do want to take responsibility for women's safety in night shifts and their commute home and see it as an avoidable cost.

Roshan, a quality assistant, shared that women usually do not get recruited to the sampling department of the factory as it entails work which can last into the late hours. This department often has long schedules owing to the time bound nature of work, delivery and dispatch mechanisms, etc. Since women often do not get family permission to stay back late to complete the quality checks, male workers are given the responsibility as quality checkers. According to him, even if women workers are recruited for this work position, the factory owner has to bear the cost and responsibility for arranging transportation facility to drop the women safely back to their homes. This additional cost is usually avoided by the owners which inhibits women's recruitment for this task. According to Roshan, women are primarily concentrated in handwork and lower tier tasks. Only few are employed as line-in-charge or supervisors. Roshan thinks that this is due to the tasks and work schedules required in these positions of work which sit uncomfortably with prevailing gender and cultural norms.

Shabnam, a 20-year-old college going female HR personnel, shares her experience of being the only girl/ woman supervisor on the floor, with all the rest being men. The men would always be shouting and abusing at workers as a way to assert their power and rank. But she could not bring herself to do this, because all the women who were working under her were much older and she felt embarrassed to abuse them. Eventually she had to leave that job because of a fight she had with one of the male supervisors on the 'decent' way she conducted herself with other women workers.

Some types of work such as stitching label tags into the garments are assigned to workers who are educated and can read English. Safeena is educated till the primary level but could not read English so she was denied this work. The HR person said to her "*agar label mix ho gaye... kyunki tum toh padhi nahi paoge, toh madam sorry aap yahan par nahin kar paoge*" [the labels might get mixed up because you cannot read, so sorry madam you will not be able to do this work].

Male tailors and supervisors have also resorted to ways to exclude women at better paid, higher rank work such as cutting and tailoring assistance. Women workers feel that they are the last ones hired and first ones fired. In spite of working hard and on time, some women *dehadi* workers are suddenly asked not to come back to work the next day, without any explanations. Women who are engaged as daily wage earners (and also the piece-rate workers) are usually the first to be let go during the lean season of production.

## **7.6 Role of Contractors and Skill Training Centres**

To encourage the participation of women in the labour market and empower them, state and central government have initiated schemes, in collaboration with skill training centres (either private) or in-house training centres of several export companies. Malabika, for instance mentions that she and some of her friends have been funded by the state government of Bihar, to acquire skill training in tailoring. This has substantially encouraged women from her village to

participate in the labour market, who otherwise found it difficult to explore avenues to strengthen their financial position. Several large companies in the Gurgaon industrial belt also run associated skill training centres. There are two types of skill training in these export houses. The workers who are trained solely by the company for the company's own production, are generally provided with 2-5 days of training at the shop floor (depending upon the existing skill levels of the worker), then they are allotted different line products or defective products (to re-work or repair them) for the first few days, before being assigned to tasks in the production process. The formal skill training (which is in collaboration with government agencies) is provided primarily to the women workers. This period of training usually extends over a span of three months, during which women trainees are provided with a minimum remuneration (of around Rs. 5,000 per month) before being absorbed into production.

Then there are the private skill training centres dotting the by-lanes of Kapasedha. In Nilkant's skill training centre, which could be described as a medium sized operation, usually 40-50 persons are trained per month. He charges Rs 700-1000 for the training, along with the option to pay in instalments. Rajesh's training centre is much smaller, with the capacity to train 15-20 people at a time (with a similar fee structure).

These centres teach part stitching (of collars, hand cuffs and side stitching) and full stitching as well (meaning training to stitch one entire garment but the training is limited to one garment only, like a shirt or a top). The training usually lasts for about 4 weeks. Nilkant shared that he had been working in garment companies for 8 years and so has enough contacts (several line in-charge and masters) allowing him to find some employment opportunities (in both export and domestic manufacturing) for his clients. He states that lack of employment opportunities is the main reason for workers seeking out training in skill training centres. However, most of the training centres, particularly small scale (as also suggested by Rajesh) do not give guarantees for finding employment, but they provide the workers with addresses of the companies.

## **7.7 Violence and Sexual Harassment at the Workplace**

Mansi reflects that women find ways to deal with the harsh abuse meted out by line managers, supervisors, master tailors. Some move from job to job; some (especially those from slightly higher castes or with social connections) are able to push back; others with no option try to 'develop a thick skin' and learn to ignore or subtly pushback (so as not to invite retribution). We were not able to determine what makes some women decide that they have had enough; that they will not tolerate more and will speak up and protest or complain, even at the risk of losing their jobs. One young worker shared with us that she took to wearing glasses and a fake *mangalsutra* (symbol material for married women) to ward off advances on the shopfloor, and was counselled by a co-worker to tell everyone that she had 2 small children thereby sending a subtle message that she is not available outside factory hours due to family responsibilities. The

co-worker told her that managers do not want to get involved with someone who is too burdened and will not be able to make time for a liaison. Another older worker recounted her early days in the garment factories when she would feel distressed by the uncouth and rough language used on the shopfloor and would feel scared if a male co-worker or manager propositioned her. She would go home in tears and not return to the factory, in the process losing both her job and unpaid wages. However, she reached a stage where she thought how long can she keep changing jobs and running away. She recalled the friendly advice of her older co-workers who would suggest that she grow a thick skin and learn to ignore. As she grew tired of moving from job to job, interspersed with periods of unemployment, she said she finally 'grew a thick skin' and learnt to ignore.



**Photo Courtesy:** Anita Yadav

Workers in Udyog Vihar shared that it is only after some workers took their sexual harassment complaint all the way to foreign brands and buyers (sometimes with the help of activists and unions – before the unions were broken) that some action was taken. Although almost all the complainants were eventually fired from their jobs or left, the increased buyer attention to these issues did result in some long-lasting changes in the factories, especially the Tier 1 companies that contract directly with buyers.

Workers from these companies shared that now there is an orientation meeting at the time of joining, in which the human resource managers brief them on their work, the terms and conditions of employment, and there is some discussion on sexual harassment. Some factories appoint a woman worker in each department as the nodal person to whom workers can take their grievances and complaints and put up a poster with the nodal person's picture for easy identification. The nodal person is supposed to take their grievance to the HR department. Workers shared that both parties – complainant and accused – are summoned separately by

the HR manager but the complainant is then not told what action, if any, was taken to discipline the accused. This causes some mistrust in the minds of the workers and they are left wondering if there is any point of complaining or if this is just a whitewash to comply with conditions laid down by buyers.

Workers from one factory in Manesar identified a '*samasya madam*' (literally translates into problem madam). This *samasya madam* goes on rounds of the shopfloor and talks to the women workers in particular, encouraging them to come to her if they have any problems. The workers reported that they felt safe and comfortable knowing that they could go to her but also stated that so far there was no incident of sexual harassment that they were aware of that was taken to her, so they could not predict how she and the company would handle it.

However, workers told stories about the factories of Udyog Vihar and Khandsa, where women workers are fired for bringing up any complaint, especially of sexual harassment. Some women were especially angry that they were told by the HR managers that they were making a big deal of small incidents and should learn to take it in stride. Only in cases of egregious violations have managers ever been fired. Even then the complainant does not escape repercussions. The brotherhood kicks in and other managers and supervisors then victimize the complainant until she is either fired or forced to quit. The complainant will either be shifted from line to line, ensuring she can settle down and pick up pace thereby falling behind production targets, or master tailors and supervisors will nitpick and find fault with her work. Then 2-3 weeks later on the pretext of her inability to meet production targets she will be fired.

Not every factory has such an organized system as was shared by the workers in Manesar. As shared by several workers, in many factories there is no Internal Complaints Committee (ICC/IC) and only when a complaint is made and manages to make its way outside the walls of the factory (labour department, police) that a committee is constituted overnight and meetings are held to show that the company is seized of the matter. The majority of the workers interviewed were not aware of IC, LC or the POSH Act. Some who were aware recounted stories of fear, victimization, and firing and felt that although the harassment is wrong, the risk of reporting it and seeking justice are too high.

Women especially were wary and even fearful of taking action because they felt not only would they be targeted and blamed, but their own family may or may not support them and might blame them instead and worse prohibit them from undertaking waged work altogether. They make peace with their vulnerability and carry on as in the words of a woman worker, *ye toh iss dharti par aurat hone ka tax dena padta hai* (this is the tax we pay for being women on this earth).

In one instance, our researcher ran into a complainant at the labour department who wanted the assistant labour commissioner (ALC) to lodge her complaint. She had taken her complaint of

sexual harassment to the HR manager who happened to be a woman. In the heated exchange, the HR manager slapped the complainant. She then took the day off to come to the labour department want to file a complaint against both the HR manager (for slapping her) and the perpetrator for sexually harassing her. The ALC was directing her to the Local Complaints Committee (LCC/LC) office across the road saying that my department only deals with industrial relations and the office across the street deals with sexual harassment. The complainant tried to convince the ALC that both matters were inter-related – the HR manager only slapped her because she was insisting that her sexual harassment complaint be addressed by the HR manager – but the ALC was adamant that his office did not deal with matters of sexual harassment.

This exchange brought to light a peculiar problem that arises from the current working of the sexual harassment law. Separating gender issues from labour issues – even though both relate to the workplace – leaves the complainant unable to show victimization, that she was transferred from line to line and department to department in retaliation for bringing a sexual harassment complaint and eventually fired for alleged non-performance when the conditions of work and frequent transfers made it impossible for her to meet production and quality targets. Some workers and activists have been arguing that the LC should be brought under the labour department so that intertwined issues can be adjudicated simultaneously. These experiences and gaps in implementation of the POSH law require some thought and consultation to make it work for the complainants.

## Box 8

### Index of sexual innuendos common on shopfloors

*“Madam Apki Pilai hogi”*

Madam you will be fucked

*“Nikal jao yehan se warna bahot pelunga”*

Get out, otherwise I will fuck you

*“Madam Kyun Pel Rahe ho?”*

Why are you fucking up

*“Badia se banao, badia silai karo, pel pelke mat karo”*

Make it properly, do good sewing, do not fuck it up

*“Sahan nahi hota to chalija”*

If you can't bear, then you leave the work

*“Sab ko deti hai, mere ko nahi degi? Agar raazi ho to bata, nahi raazi to kaal se mat aana”*

You give it [read it as sex] to all, you won't give to me? If you agree tell me, if you don't agree then don't come to work from tomorrow

*“Mother Chod”*

Mother Fucker

*“Behen Chod”*

Sister Fucker

*“Behen ki Lodi, nikaal denge company se”*

Sister's dick, I will throw you out of the company

*“ Aur kitna tarpayegi mujhe”*

how long will you make me suffer like this?

*‘ Humein bhi khilaogi kya’*

Will you feed me too?

*“Ma-behen pel diya piece ka”*

You fucked up the piece like you were fucking your mother-sister

*‘Prasad diya, isliye ladki ko naukri mila ‘*

She gave (sexual) favours [*prasad*] that's why she got the job

*‘Jo aurat chutki degi, usi ko naukri milegi’*

A woman who gives sexual favours, gets the job

*‘bhai maal badha do, maal bahdha do, maal bahut acha hai’*

Brother pass the piece [*maal* is used to refer to both the garment piece and a pretty looking woman], pass the piece, the piece is very nice

*“Maal badhia hai. Phela do. Phela phela kar dekho maal ko. Jitna phelaoge utna andar jaoge.”*

The piece/item is good, work on it very rigorously, spread the material well, the better you spread the more you will be able to go inside



## 7.8 Economic Discrimination and Violence

As explained in the earlier sections of this report, the decision to participate in the labour market or paid employment is an amalgamation of various factors and processes. Work in this industry is often stigmatized and the process of recruiting often makes it an unfair game for these workers.

We turn our attention briefly to other unfair methods experienced as economic violence by the workers.

### 7.8.1 Unexplained salary deduction or commission by the contractors

Mansi a daily wage worker explains that their contractor gets Rs 300 per worker per day from the company but deducts Rs 90 and gives them only Rs 210. The deduction is done in the name of paying for transportation and the contractor's fees. Sometimes they get even lesser – Rs 250 or Rs 280 depending on the nature of work and whether it is simple or complicated. The contractor negotiates the rate with the company as well as with the workers (based on what the company has agreed to pay).

### 7.8.2 Late payments

Chronically late payments are a norm for daily wage workers and all workers employed especially in smaller manufacturing and fabrication units. It was only the workers employed directly by the company in big, established companies that did not make an issue of late payment of salaries. For all others late payment of their dues makes them very vulnerable to the pressures of landlord, ration shops, payment of loans etc. This is why workers often stick with contractors who are able to get them their wages and arrears even if they take leave to go to the village and who can assure them a job when they return.

A few workers and contractors shared that their work was severely impacted by Prime Minister's decision of demonetization in 2016. Overnight cash disappeared from the market and payments were stuck for very long periods of time. Many workers had to take up other petty jobs to pay rent and survive. Others went back to their villages and waited to hear about job opportunities before returning. One of the male fabricators explained that *“work flow has slowed since the past years after demonetisation, anyway we are small scale fabricators. It does not seem like a feasible option anymore. We are thinking of shifting to Manesar for better opportunities, the companies there also pay on time”*.

Savita, a subcontractor, shared that even now the system is not working smoothly because of the new tax code (GST – Good and Services Tax) that has been imposed. Companies often delay payments citing problems with GST, even if that is not the case. One often witnesses heated arguments and even scuffles at the Peerbaba Chowk in Kapasedha – over short payments, non-payments, payments that are stuck. Yet the workers also feel compelled to take what they are offered, fearing that if they protest they will either be fired or they will not get hired again since they are at the mercy of contractors.

### Box 9: Forms of violence

#### *Excerpted from “Production of Torture”*

1. **Lack of amenities in garment factories**
  - a. Lack of clean drinking water and clean toilets
  - b. Absence of safe, reliable transport for commute to the factory
  - c. Non-existent of poor crèche facilities
  - d. Unsatisfactory medical facilities
  - e. No communication with family or the outside world during hours of work
  - f. Non-existent or sub-standard safety equipment
  - g. Absence of measures of occupational health and safety
2. **Mental harassment**
  - a. Corporal punishment and public humiliation of workers (shouted at in front of co-workers, forcible switching off of sewing machine and being made to stand on the shopfloor in full view of co-workers, made to stand at the gate for long periods for being a few minutes late, denied a new needle until the worker searches for the broken needle point of the old needle, sending someone to follow the worker to the toilet to pressurize her to hurry up)
  - b. Verbal abuse, casting aspersions on her character
  - c. Refusal to grant leave even for illness or family emergencies
  - d. Repeated threats of dismissal and termination of employment
  - e. Creating an atmosphere of fear among workers
  - f. Prohibition from talking to co-workers
  - g. Extreme pressure to achieve production targets
  - h. Targeting/victimizing workers who are assertive or members of trade union
3. **Physical harassment**
  - a. Throwing garments at worker’s face
  - b. Hitting the woman worker on her back
  - c. Dragging her out from her workstation
  - d. Causing injury in guise of accident (poking with needle or dragging a chair over her foot)
  - e. Refusal to use toilet (resulting in reduction of water intake and dehydration or urinary tract infections, problems during menstruation)
  - f. Refusal to provide adequate lunch breaks or to step out during the break
  - g. Pregnant workers are not allowed to sit, health issues/miscarriages due to harsh working conditions
  - h. Fainting from heat, exhaustion, stress
  - i. Punishment transfers to areas with dust, harmful chemicals
4. **Sexual harassment**
  - a. Verbal abuse of sexual nature
  - b. Sexually coloured remarks and jokes
  - c. Commenting on women’s appearance
  - d. Sexual advances and propositions
  - e. Supposedly “accidentally” touching a woman worker/inappropriately touching a woman worker
  - f. Victimization for denying sexual favours (withholding benefits)
  - g. Contacting the woman worker by phone without her consent; forcing her to accept a phone so she can be contacted
5. **Financial/Economic harassment**
  - a. Chronic delay in payment of wages
  - b. Mis-calculating hours worked, especially overtime
  - c. Mis-calculating production submitted (number of pieces made per shift)
  - d. Denial of skilling opportunities and promotions
  - e. Denial of statutory benefits (PF, ESI, Bonus, Maternity Benefits, Paid Leave etc.)
  - f. Women workers are the first ones to get fired during the lean season

### 7.8.3 Wage theft

It is very common for ESI, PF to be deducted but not deposited or to misclassify skilled workers as unskilled workers so as not to pay them the higher wage. Overtime is either not paid, or paid at single rate rather than the statutory double rate; women are not allowed to work beyond 8pm and feel cheated out of the extra money they could have earned.

### 7.8.4. Long hours of work and misappropriation of working hours

The working hours at most factories starts at around 9:00 a.m. or 9:30 and continues till 7:00 p.m. However, during the peak seasons of production this may extend up to 8:30 p.m. for female workers and 1:00 p.m. or 2 p.m. for male workers. Garment factories in the Delhi NCR belt have extremely long working hours, stretching on average to at least 12 hours. For male workers, this may extend well up to 18 hours in peak season of production, thus blatantly violating norms of decent work. Women are not allowed to stay beyond that period even if they want to earn some additional income during this period. Hiring women would mean providing for transportation, recruiting women guard for extra hours, which would lead to additional costs and responsibility on the part of the management, as mentioned earlier.

Nimita Devi, a married young migrant worker of 22 years age from Madhya Pradesh, is a new entrant into this job. She shares that she likes her job though she had only been working at a monthly salary of Rs 9,000. At her shopfloor the workers get an hour's break for lunch, and a tea break of 15 minutes. According to her, they deduct money for tea even when they are not served any tea. She further mentions that if a worker is sick, the HR department gives them a gate pass and pays the worker for the number of hours they have worked for that day. In most cases, overtime is not calculated properly and there are little chances of negotiating with the HR personnel as this is a trick that most companies use to minimize labour costs.

The ordeal is similar for Meena who is a 42 year old widow working as line supervisor in the thread cutting section of an export enterprise. She highlights the seasonal nature of employment in this industry. Companies hire daily wage workers during peak production season. She gets a flat salary of Rs. 10,000 per month but gets no overtime even though she has to work overtime often during heavy production targets. The pressures of the job vary according to season.

It is a general notion that workers who are employed by the labour contractors are continued if they are 'liked' by the management but to break the labour contractor-worker nexus, the management sometimes changes their contractor. There is other side of the story too. Often the contractor himself replaces the workers, so as not to continue with the same set of

workers, as long time interaction between workers, strengthen bonding and may lead to unionization. This is what the management expects from the contractor as well.

#### **7.8.5. Last in, First out: Precarious working conditions of Women Workers**

Women shared that when production is scaled back they are the first ones to be fired while male workers are retained even during the lean season. We have also discussed extensively, poverty and lack of options, the *majboori*, which forces several workers to accept low wages even when they are aware that their contractor is getting a much higher daily wage for them, from the company.

Deepika, who is also victim of domestic abuse, shares that *“In daily wage work, the only problem is that you may not get work every day. Since the past year, dehadi work has reduced, there is not much work even during the season”*.

Contrast this with the more educated and skilled workers in the industry. Roshan is a quality assistant in the sampling department in a garment factory. He has been engaged in this industry for more than 15 years. He has worked in sampling as well as in the finishing department, but as Quality Assurance personnel only. He feels that if one is educated, it is easier to get hired. He himself is a graduate and shares that he when he started working he earned Rs.10000 – Rs.12000 per month, now he earns Rs. 20,000.

*If one works for a longer duration with a company, then chances of receiving hikes in salary are less. If one continues for longer duration in the same company, chances of future growth is less...money matters as inflation rate is also high...so there is no reason for continuing in the same factory. If I would have been stuck in the same factory, the owner would have hiked maximum of Rs.1000 or Rs.2000 per month, but changing two factories would lead to an increment of Rs. 2000, after 6 months, if you change another, this will add up to Rs.4000, the next increment becomes of Rs.6,000 and likewise...this is how you can grow”*.

He further mentions that some companies have started to train the workers under the Pradhan Mantri Kaushal Vikas Yojana and accord them skill training certificates upon course completion and this may help in securing work opportunities in the future as well.

## 8 Disciplining Bodies and Minds of Women Workers

As understood, through the detailed interviews of men and women workers, the labour contractor performs not only the task of labour supplying to the companies, but also the “essential function” of labour disciplining alongside meeting the production targets. Most of the workers recruited through the contractor are either on piece-rate or daily wage basis and hardly a fraction get regular monthly salaries.

Women workers in most of the factories complained that they have to control their bowel movement as visiting the washroom frequently invites the wrath of the supervisor. Sangma relates that though the company she works in, is good as per the timely disbursement of the wages are concerned, but the disciplining methods adopted sometimes are too harsh and unbearable. If they spend more than 5 minutes in washroom, the supervisor or the in-charge may send in a lady guard or any female co-worker to call them, asking them to resume work immediately. Rita, in the same context relates that for pregnant women, this system becomes extremely regressive, as an expecting mother needs to pay frequent visits to the washroom. Her friend Sabita, who was pregnant, faced so many problems that she ultimately quit.



**Photo Courtesy:** Anita Yadav

However, it is also clear that the 5-10 minutes in the washroom provides some break from the monotonous work and confinement on the machines. It is also the only opportunity (outside of lunch break) to talk to co-workers or friends, which is otherwise impossible in the ‘semi-public confined space’, which is under constant gaze and monitoring. Disciplining the body and mind of the worker is essential for production systems to work smoothly, without any resistance from the workers. Another reason for controlling the time management of the workers is that

they get less time to interact so that they do not find the scope and space to discuss the challenges they face at the workplace and the possible way out of this.

The regime of disciplining the workers may be highly personalized, especially in smaller units. Siddiqi (2003) argues that the notion of paternalistic tendencies based on existing social tendencies, relations or kinship ties should be differentiated from patriarchy. The former has “connotations of nurturing and care, obscuring the aspects of domination that are fundamental to its operation”; the latter has built-in tensions and contradictions, and threatens, coerces and follows women everywhere.

Domestic violence, and especially intimate partner violence is a sensitive issue that is camouflaged under social norms, particularly surrounding the socially sanctioned institution of marriage and is often not reported or considered as violence against women. Safeena, is a 33-year-old married Muslim woman from Bijnor (Bihar) with 5 children. Though she hesitates in the beginning, once she is comfortable, she shares that that she was forced into repetitive motherhood with small gaps between children, in the quest for a male child. Her husband would force himself upon her, and she had to continue with her pregnancies each time even though her health did not permit it. Safeena has not shared her sufferings and marital struggles with her parents fearing family discord. She had wanted to work to earn money for raising her children but her husband threatened her saying that “*abhi itni nobat nahi aayi ki teri kamayi khaani pade, Khabardaar agar kamane ki baat ki, taange tod dunga.*” (I am not a weak person to live off your earnings, don’t you dare talk about earning again or else I will break your legs).

Mangla is a separated woman from Siwaan in Bihar. A mother of two children, her husband is a construction worker who stays in Bihar with his parents. Her husband is an alcoholic, and her in-laws blame her for it saying that she is not a good wife and hence he drinks so much. Mangla’s mother had helped her raise her children in the initial years because she knew that Mangla was very young and didn’t know how to take care of them. Mangla was a child bride and became pregnant at the young age of 14. Her husband would often get drunk and beat her up and then it would be difficult for her to concentrate on her work the next day. He would also doubt her character. Sometimes the neighbours and the *Lala* (landlord) would come to her rescue. In one instance, her husband had beaten her so badly that he broke her legs and ribs. She recounts that the *Lala* threatened to throw them out of the plot if her husband continued to create such a nuisance. Although the violence has not stopped altogether, she, like many other women is now resigned to it.

On the other hand, some women shared their plight at home where they have to listen to the taunts of their husbands or in-laws if they are unable to find work for the day – “You only like to roam around and not get hired for the day in any factory, why do you waste your daily earnings saying that you are going to search for work?” Often there are fights at home when she is

unable to find work for the day. Women workers also reported that they are under constant supervision and moral policing from their families, especially their in-laws, who check and comment on the clothes they wear and ask them million questions about where they went and with whom and why they are not back on time.

Alcohol abuse is rampant among the male family members and some assertive migrant workers shared that they deal with this by sending their alcoholic and gambling husbands back to the villages from time to time so that they might continue their work.



**Photo Courtesy:** Natasha Badhwar

Kamal shared that she used her body language and gait to become a supervisor. She is a Jat (dominant caste in Haryana) woman with a tall build and broad 'manly' physique, a commanding personality and a deep voice. She works as a supervisor and everyone around her spoke to her and about her with a lot of respect. She also earns by renting out two rooms of her house. She migrated from Hisar in Haryana after her husband sold off their land to build the house where they reside now. She had taken the role of the breadwinner of the family as her husband and children do not want to work under anyone's supervision (a common complaint of the management about local workers and their stated reason for preferring migrant workers). Moreover the men in her family have a reputation of picking physical fights on the slightest of provocation, and thus are not given any work in the locality.



## 9 Factories as spaces of sociability

Kavita, Manju, Savitri became friends during lunch time at the factory when they ended up eating together and venting about their husbands, in-laws, supervisors, master-tailors. They walk back home together, trying to go as slow as possible to stretch out their time together before returning to the drudgery of housework. Walking in a group also ensures safety from harassment on the streets.

Komal and Ruchika share that women in India are also culturally socialized not to share harassment at workplaces with their families, especially if they are married. Rather than supporting them, the husbands and families doubt a women's character, blame her and often pressurize her to stop going to work. So women often do not tell their families and look to their friends for support. A couple of women shared that they take up work in the same factory as their husbands, so that they do not have to walk alone to work, and as a way of avoiding sexual harassment, even in the factory.



**Photo Courtesy:** Natasha Badhwar

Though child labour is a legal offence and various laws are enacted in India to safeguard children's interests, many mothers take their 14-15 year old daughters to work with them as a way to protect them. They fear leaving the daughters alone at home, as they can be vulnerable to sexual assault in their unsafe neighbourhoods.

Women often opt out of workspaces that demand late night or night shifts to ensure their own safety. Sonal, a respondent employed as a production checker, informed us that a few companies have made rules against women working after 8pm in the evening and also not allowing women to work overtime.



## 10. Conclusion

The findings of this report focused on understanding how impunity is shaped on the shopfloor.

It also focuses on how community cultural norms influence gender interactions on the shopfloor and the construction of a gendered labour disciplinary system in the factory because recruitment is kinship based and supervisors are often from similar backgrounds and geographical locations as the workers themselves. Social and cultural responses across these spaces normalize everyday violence which in turn shapes the gendered labour disciplinary system on the shopfloor and concomitant impunity of contractors, supervisors and management. Social identities inform the axes of vulnerability and violence that women face in their communities, public spaces and workplaces.

The context for focusing on impunity in the workplace was to understand ‘workplace violence’ from the perspective and experiences of female (and some male) respondents in the context of barriers to women’s employment. These barriers are shaped not just by economic factors but also social and cultural practices and multiple forms of inequalities. Our field research reveals a complex interplay between various axes of vulnerability and inequalities (anchored in different forms of dispossession, migration, social identities, social relations and social oppressions), and the production of ‘cheap labour’.

The implicit construction of labour-management relations in the mould of master-slave relations continues to inform managerial imaginations and practices and feeds into the normalization of various kinds of violence at the workplace – from verbal abuse to psychological stress, supposedly to enhance speed of work and worker productivity; viewing payment of wages as an act of charity, rather than a right ; extra-economic coercion in the form of fear of loss of employment; gender or identity based harassment (migrants, minorities) or both in order to keep wages low; high work pressure; and blocking assertion of demands by workers.

Informality of employment, i.e. the practice of not employing a regular workforce (which is given appointment letters with clear terms of employment), is the primary form of economic violence which renders workers vulnerable. Without formal proof of employment, workers are unable to access either their statutory rights or meaningfully resist exploitation.

However, it is also clear, that where company management has the will to implement simple policies of zero-tolerance for loose talk, innuendos, abuse, bullying and intimidation by co-workers, supervisors and managers, and makes adequate and timely payments without a fuss and without workers having to curry favours with contractors/ supervisors/ managers, it results in a dignified, safe, pleasant work environment where workers can concentrate on the job on hand instead of expending energies on fending off unwanted advances, exploitation,

humiliation, and stress. Workers gain by engaging in pleasant dignified work and the company gains in productivity and quality that happy workers produce. At one level, it really is that simple!

The question then is – why don't all managements implement these simple policies across their company owned factories? Why does garment manufacturing on slim margins for fast fashion have to rely on extra-economic coercion of various kinds (where caste, gender, impunity, labour disciplining system coalesces) in order for fast turnaround of orders and to extract profit?

Some of the answer surely lies with the predatory procurement practices of brands and retailers located in developed countries that has been the focus of several studies and reports. Another factor is the role of financialization of capitalism and “forms of value extraction based on squeezing labour costs and revenues, [which] exacerbates work insecurity and intensification and strengthens punitive performance regimes”.<sup>56</sup> These lines of inquiry were beyond the scope of our field work, but are important for a holistic understanding of the driving forces of fast fashion, labour disciplining, and violence at the workplace.

But some of the answers also lie in the industry's reliance on low and semi-skilled interchangeable labour without a commitment to building the skills and capacity of the labourforce, where industry exploits pre-existing social structures and systems of social oppressions to enforce a gendered and sexualized labour disciplining system. Some answers also lie with the state and lack of political will to regulate industry and employment relations.

Reliance on 'cheap labour', produced on the basis of economic and extra economic coercion, can be neither a successful industrial strategy nor a strategy of industrialization of a country. This realization and efforts to address it can be a starting point for reducing violence in the world of work.

Therefore we reiterate our main recommendations that both government and industry should – act with urgency to ensure formalization of recruitment and employment contract; ensure that there is zero-tolerance of all abuse, bullying, intimidation and predatory practices that create an environment of fear in the workplace; and, encourage union formation instead of attacking the right to freedom of association and collective bargaining.

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<sup>56</sup> Todd et. al. 2018, p. 8.

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