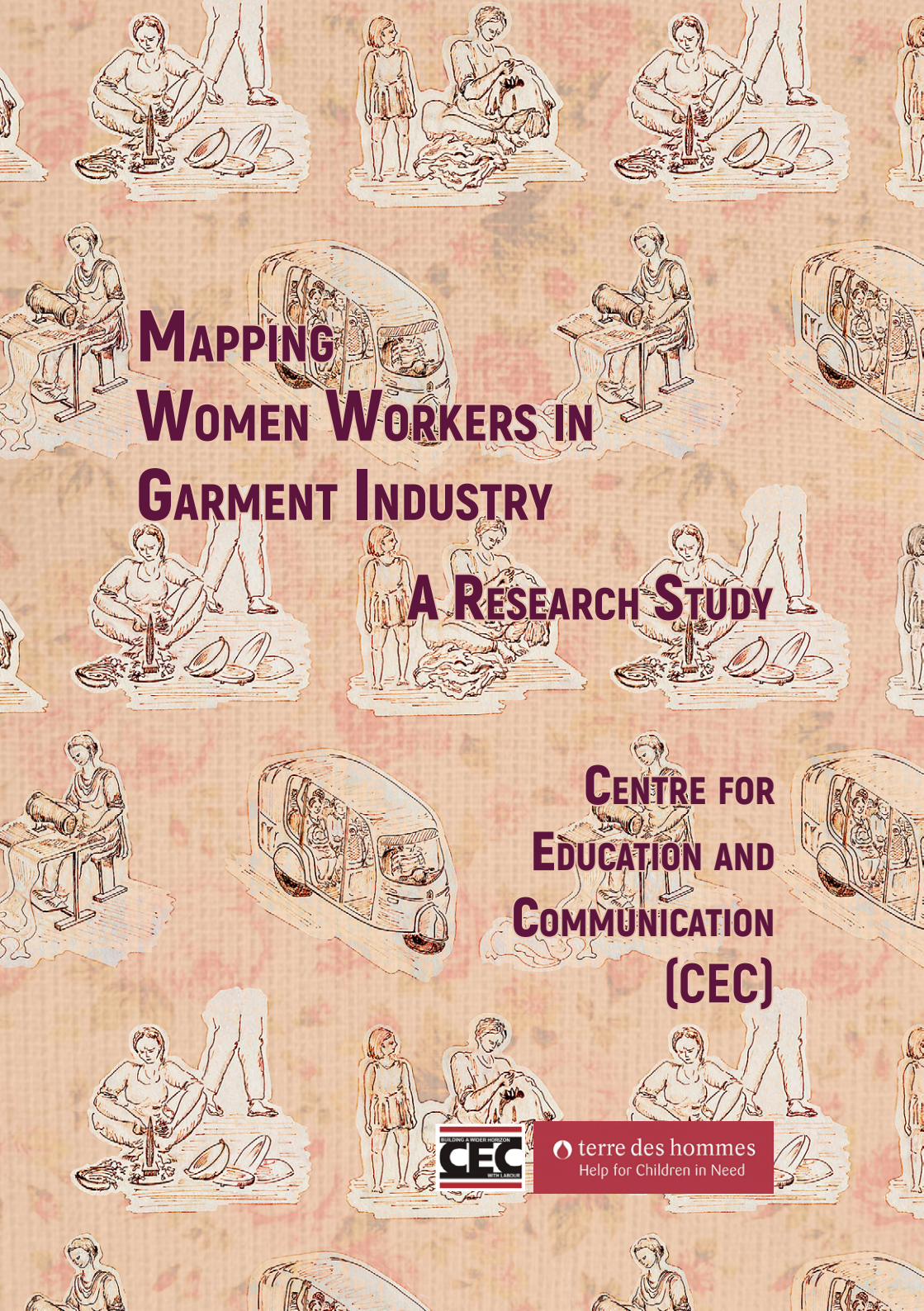

Mapping Women Workers in Garment Industry

A Research Study

Centre for Education and Communication (CEC)

terre des hommes
Help for Children in Need

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Foreword

This research report is being published as part of a terre des hommes – Germany India Programme (TDH) funded project - "Addressing Issues of Discrimination and Violence Against Women in the Garment Industry", which was implemented by CEC. The report is significant because it narrates and analyses the myriad forms of violence and discrimination that women workers face in the garment industry and their adverse effects on the wellbeing and work capacities of the workers. Such violence and discrimination also promotes regimentation of the entire workforce and contributes to their social and economic insecurity. The extreme hardship that the garment workers faced during the Covid-19 pandemic is directly related to the gendered and insecure work relations in the garment sector. There is a sound case to be made that a violence-free and discrimination-free workspace in the garment industry would not only promote decent work conditions for the workers, but also further promote economic productivity and growth of the sector.

On behalf of CEC, I express my gratitude to the garment industry workers and key stakeholders such as members of the civil society organisations and government officials for their time and patience in sharing their experiences and valuable insights with us for this report. The financial support from TDH gave us the opportunity to study the garment industry and gain insights into the grassroots realities of women workers; I express my sincere thanks to them.

This research report is the product of a collaborative effort. I thank Megha Sharma and Avishek Sharma preparing the report. Varsha Mehta, Independent Researcher and Prof. Sudha Vasan from Department of Sociology, Delhi University guided the research team throughout the entire process and I express my sincere thanks to them as well. I also thank Mayur Chetia for jointly preparing the research concept with me. Deepani Seth prepared excellent design and layouts for the study and I thank her as well.

Ananya Bharadwaj and Roshan Pandey – student interns from the Department of Social Work, Delhi University and Shivam Jha, Neha Kumari, Priti Kumari and Fiza Khan (youth group members from Centre for Labouring Women) assisted in the Quantitative Data Collection through Surveys. Avishek Sharma undertook multiple roles during this research- designing of questionnaire, conducting Qualitative Interviews with assistance from Noor Jahan and Santosh from the Centre for Labouring Women, and analysis and presentation of quantitative findings. The research report wouldn't have been possible without their contributions. I express my heartiest thanks to all of them.

Lokesh S
Executive Director
Centre for Education and Communication (CEC)

January, 2021

Introduction

The world of workers and the web of relations at their workplace and home has always been an area of interest to scholars. Traditionally, scholarly work on labour history tended to concentrate on adult factory going males.[1] Archival records' heavy documentation of their work conditions made the task of writing their histories more straightforward. Gradually there was recognition of a range of issues that influence workers' lives, beyond conditions at work, such as caste, community, religion and gender. The inadequacy of purely economic reasons to explain the developments at work and varied workers' responses urged scholars to look beyond work sites.[2]

Gender relations and women workers emerged as a significant category to understand the ways of organisation of production. Women are preponderant in the workforce across worksites, for instance, from formal settings to informal establishments, i.e., smaller workshops and home production.[3] Domestic production came to be strongly associated with women's work. Findings of government surveys also reinforced the connections between informal industries and women's preference for homework. The association with informality became an essential factor in making women invisible from the workforce. Likewise, scholarly literature also tended to view them as auxiliary to male workers.[4]

Increasingly there have been attempts to understand the complexities of women's work at factory and home. Eileen Boris outlines the many roles that are encompassed within a woman worker, 'outworker, household worker, working mother, employer of other women, and consumer of other goods: these often distinct positions in the global economy converged at the end of twentieth century and were sometimes held by the same woman.'[5] One of the initial struggles as Boris describes has been to achieve the recognition of a worker for women, 'SEWA and other feminist organisations thus have had to balance creating new entities to meet the circumstances of their members by insisting on being treated just like any other

kind of worker, maintaining demands for special treatment to compensate for a gendered-derived precarity as part of the quest for social justice.'[6] A woman thus counters dual challenges posed through conditions of work, as well as through her gender. Feminist scholars bring out the issues that need to be raised while studying home-based production. Maithreyi Krishnaraj, Kalpana Ram, Chitra Joshi and Meena Gopal are some of the scholars who have comprehensively explored domestic production.[7] They elaborate on how patriarchal relations at home play an active role in limiting women's movements and work opportunities. They focus on work and non-work settings such as neighbourhoods, self-help groups, etc., to explain how the pressures of domesticity and being home-based producers are managed by women workers.

Existing literature captures multiple nuances of women's work. At the same time, there remain many unexplored areas in scholarly works. Katherine Lippel recounts how violence against women is notoriously pervasive and has been studied at length. Surprisingly though, little is known about the different facets of violence to which women are exposed at work.'[8] She identified the main forms of violence as physical, psychological, sexual, discriminatory harassment, and intimate partner violence. The names of the different categories suggest the essential component of violence within them. These categories act independently and overlap in many ways in everyday negotiations at work. The implications of each of these categories of violence require a full study by drawing out the everyday conditions of work and workers' responses to these pressures.[9] The present study provides an in-depth analysis of conditions of work within the garment industry in the Kapashera region of Delhi NCR. In the scope of the study, the implications of gendered division of work and consequent violence perpetrated because of them, have been studied through interviews with women workers.

The existence of informal employers and employees requires

new kinds of controls to regulate workers and ensure their insubordination to production demands. The entire web of production relations need to be closely examined to understand how these relations have changed and/or are continuing in informal settings. The garment industry provides an interesting case study for understanding the various forms of production units and process, which are linked with the global economy through the value chain. The expanse of the industry ranges from factories to small units and home production. The simultaneous existence of these forms of organization of production across the globe makes it a compelling case study to understand labour relations in the global economy.

Structure and Composition in Garment Industry: India and the World

The garment industry works through a highly globalized network in the economy. The industry was under the Multi Fibre Agreement from 1974 to 2005, which had regulated garment exports from countries of the Global South. After 2005, all such restrictions were rescinded, and the industry saw quick growth and movement across countries of the Global South. The recent trends of movement have been in the direction of the Southeast Asian economies such as China, and India. In recent statistics the estimation of the industry was, 'India's textiles industry contributed 13% of the industry production in Financial Year 2020. It contributed 2.3% to the GDP of India and employed more than 45 million people in Financial Year 2020. The sector contributed 12% to India's export earnings in Financial Year 2020.'[10] The significance of the industry comes from export relations and employment proportion of the industry. The beginning of the industry can be traced back to the increasing involvement of economies through globalization. The 1990s were an important decade for the opening up of the Indian economy to

globalization. K. V. Ramaswamy and Gary Gereffi argue that the Structural Adjustment Policy of 1991 in India led to pressures of increasing exports for better integration in the global economy.[11]

The conditions of globalization have multiple distinct dimensions.[12] An important feature that we need to keep in mind for the present discussion is the impact of global organization on labour relations. A chief feature of regional flexibility has been a search for markets with low labour costs. The garment industry's low reliance on technology enables easy movement of the industry, 'Labour Intensive products exported by third world countries are by nature low technology-intensive ones. This is especially true for the clothing industry. Consequently, the increasing cost competition in the export market leads entrepreneurs to search for newer sources of cheap labour.'[13] Additionally, scholars argue that 'The manufacture of clothing has remained a low-skilled labour-intensive industry with the share of labour generally accounting for 90 per cent of the total value added.'[14] The owners of the big multinational firms tend to relegate the burden of the work to the labour without the responsibility of providing training to them. It is further held that, 'the production process in the manufacture of readymade garments offers limited scope for radical technical change.'[15] Thus making the option of moving the industry to areas with low labour costs a lucrative option for the employers.

Before entering the analysis of the industry, it is relevant to outline the different components that form the production process. There are 3 main stages: '(1) a pre-assembly phase which involves grading and cutting cloth; (2) an assembly or sewing phase; and (3) a finishing process that includes inspection, pressing and packing.'[16] The division of each task enables separate organization of each step forming the global network of the value chain, 'A good is produced in a number of stages in a variety of locations, adding value at each stage. Commodity chains are conceived as networks of business units involved from

the stage of raw material supply to production, exporting and finally marketing and retailing.'[17] The culmination of these layers of production result in formation of the value chains.

The above-mentioned processes are carried out in different units of production, factories for instance are one such unit. Another important system of organization of production is the system of contracting within the industry. The features of contracting are, 'characterised by a number of small tailoring and fabrication units which operate under a contract from a parent firm. Division of labour could be attained by subdividing the production process whereby each of the different subcontracting units had a specified function. This was facilitated by the fact that most of the light machinery used was owned by the various sub-contractors thereby distributing capital costs.'[18] The smaller units of production work in the favour of the employers by reducing the risks of heavy investments, 'The distribution in the burden of fixed capital between the different operational units makes it possible for entrepreneurs to enter the industry without having to make heavy investments.'[19]

The larger goal that the flexibilities help in achieving was facilitating adjustments to the structure with the changing demands from the global economy, 'What could really sustain a garment export firm in the long run was its ability to adapt to fluctuating demand patterns abroad.'[20] The garment industry thus forms a unique structure and involves a multi-layered production process. There is a separation of the workers from the final product. The long chain of intermediaries compels the employer to design new ways to understand the conditions of work. The industry also heavily employs women workers who are engaged in garment work at factories and their respective homes. It will be interesting to understand the roles and positions of women within these layers of intermediaries and their impact on labour relations. Turning to the strategic employment in this sector will help uncover the factors that enable employers' choices.

As discussed above, each of these choice is determined by its potential for making the industry more lucrative for multinational companies. Similarly, the heavy presence of women needs to be studied with reference to the composition of production within the industry.

Women of Work and Informal Economy

A primary characteristic of the industry is the strategic deployment of women for particular tasks. Jayati Ghosh explains the overall proportion of women in the garment industry and what she calls export processing zones and export-oriented manufacturing industries by taking examples from high exporting economies of East and South East Asia, where female employment exceeds 70% of the total workforce.[21] According to Ghosh's research, the high presence of women, although reflective of women's preferences, is indicative of employers' tactics for lowering labour costs. 'Women workers were preferred by employers in export activities primarily because of the inferior conditions of work and pay that they were usually willing to accept.'[22] Ghosh traces back women' willingness to accept the conditions of work without negotiations as a result of lack or absence of collective struggles among them. She further argues that women being more docile than men are less likely to negotiate conditions of work, 'Thus, women workers had lower reservation wages than their male counterparts, were more willing to accept longer hours and unpleasant and often unhealthy or hazardous factory conditions, typically did not unionize or engage in other forms of collective bargaining to improve conditions, and did not ask for permanent contracts.'[23] The heavy reliance on women workers is not only because of their lack of collective and union strength. Another important aspect is the gendered nature of work in the domestic space as well. The greater share of the domestic responsibilities as they

lie with women workers makes it easier for the employers to dismiss them for alleged 'lower productivity.' 'They [women] were thus easier to hire and fire at will and according to external demand conditions, and also, life cycle changes such as marriage and childbirth could be used as proximate causes to terminate employment.'[24] As mentioned earlier the demands of external export networks are crucial in determining the conditions in the industry.

Ghosh's analysis is also helpful in addressing an important statement frequently made in relation to women in official circles. The women workforce has been considered in such body of literature as gaining from new employment opportunities and regular work. The flexibility, however, as explained earlier, is indicative of exploitative tendencies of the employers and recruiters. More importantly, without ensuring adequate social protection for women workers in terms of crèches, there is the double burden of domestic and production targets of garment work.[25] After an exhaustive study of the theoretical with practices on the ground she concluded that '…then the feminization of export-oriented employment may have taken a particularly regressive form in India, whereby the marginal utilization of women workers is at the lowest-paid and poorest-paid parts of the production chain, and such women are therefore effectively deprived of all the benefits that may accrue from outside employment except for the meagre nominal returns that they receive from piece-rate work.'[26] She argued that '…home-based subcontracting activities, or work in very small units that do not even constitute manufactories, often on piece-rate basis and usually very poorly paid and without any known non-wage benefits, may to some extent have substituted for both self-employment and more regular employment on a regular wage or salary basis.'[27] The exploitative side of increased employment opportunities for women poses challenge for policy makers as well. They grapple with the dilemma of either allowing

women to be employed under present conditions that make them viable/suitable options for ensuring lower labour costs. The second option being pressuring employers to implement social security schemes for women that may result in large scale retrenchment of workers as it will increase labour costs for the employers. Thus, so far the status quo has been maintained for the garment industry because the long chain of intermediaries between the owner of the multinational companies and the producers in the small units of production in households and factories reduces the responsibilities for the big portals.

The composition and dynamics of production in garment industry serve the needs of the big firms by ensuring, 'flexible specialization' 'to meet shifting international demand requirements and provide the cheapest possible production for international suppliers.'[28] In this scenario the workers are left at the mercy of the individual sub-contractor who is able to exploit the situation for a larger share of profits.

There is, however, absence of detailed analyses of everyday negotiations that characterize the shop floor for the women workers. While Ghosh's study is crucial in knowing the structures of discrimination with the industry, how do we go beyond these instances to know workers' desires and aspirations from work? More importantly, such studies are required to create an awareness about possible changes that would ensure better conditions of work. The position of the women workers becomes vulnerable due to gendered relations of work and the burden of domestic responsibilities. As Alessandra Mezzadri and Fan Lulu in their work on the non-factory producers in the garment industries of Delhi (NCR) and China (Greater Shanghai Region) forming a part of the global garment commodity chain explain. They delineate the chains in the informal production of the garment industry while helping the reader understand the implications of this setting on the workers' world. By elaborating the category of home production, they seek to address the existing stereotype

about the meaning of domestic work and the role of capital and labour in perpetuating these relations. 'Across the entire spectrum, workshop labour is a male preserve in the NCR; only the factory realm contains a small sub-segment of feminised labour, so far limited to a few large factories.'[29] They identify that women workers predominate home production, 'Unlike other categories of non-factory work, homeworking is a female preserve, and not surprisingly in the Indian context, gender not only results in occupational segregation, but also in extremely poor piece-rate payments.'[30] They refer to the workers' social profile; however, without detailing the characteristics and consequences of their social and economic identities.

The statements in the scholarly works while indicating the current trends and practices do not explain what exactly are the biases against women's work and how they convent in the everyday lives of the workers. 'Women's choices are heavily curtailed by male control and articulated through gendered norms of what is appropriate work.'[31] A possible reason or explanation for women's presence in domestic production were the controls and demands of patriarchy, 'Smaller workplaces and kin-based recruitment systems offer women important opportunities to work. This time, however, their routines are not controlled by the production 'gaze' of the Fordist company and its surveillance systems, but by the family 'gaze' of male kin, be they husbands, brothers, sons, cousins or nephews.' [32]The assumption in this statement that women are free from controls or surveillance of the employer needs to be questioned as piece-rate production ensures workers' subordination and continued commitment to production tasks. Additionally, the responsibilities of the domestic role need to be contextualised within patriarchal relations to understand the complexities of women's work. Within the structural violence of patriarchal relations, both at work and home, women's choices are fairly limited with reference to mobility. Escaping the surveillance

of the factory floor was seen as a positive of homework. These analyses fail to account for the varied forms of surveillance and subsequent violence of the production process at home. The heavier reliance on homework marked by the absence of physical supervision compels employers to increasingly use tactics such as piece-rates for regulating workers' cycles of production.

The present study seeks to address these gaps and provide a comprehensive account of labour conditions and employment in the garment industry situation in the Delhi NCR region of India.

Role of Law in Global Industry

In the Indian context the above mentioned precarity has given birth to a series of legislations to protect the rights of workers. A recent study by the ILO noted, 'In South Asia and other emerging economies, where low cost labour is essential for industry competitiveness, the garment industry has been subject to various allegations of labour abuse, including long hours, forced overtime and low wages.'[33] The intensity of abuse and exploitation will become clear when we understand the privileges and benefits given to the worker under the law.

There are legislative interventions such as the Factories Act of 1948 that comprehensively covers different terms of female employment in factories. The act prohibits night shifts for women and defined night time as 7p.m. to 6 a.m. The act also mandates employers with over 250 workers to provide adequate canteens and washrooms. In establishments with 30 or more women workers there should be crèche facility.[34] It also requires a well-ventilated room for women with children under the age of 6. The provisions for washing and latrines are also included in the Inter State Migrant Workmen (RECS) Central Rules, 1980. The act further gives provisions for safe migration of workers from their homes to the host state. It

instructs contractors to provide workers with all the relevant information about the compensation for migration (displacement allowance) and duration of work in a language understandable to them. In addition, it provides for a journey allowance to cover the expenses of travel to and back from the city of work. It also requires the employer to provide medical facilities and residential facilities for the workers to ensure their comfortable transition to the new city. The act also details that the dining area should also have separate provisions for women migrant workers.

The Minimum Wages Act, 1948, mandates fair wages to the workers that are frequently revised with reference to changes in the economy. it instructs for discussions and decisions on wages to be conducted through committees composed of representatives of employers and employees and an outsider as the chairperson. With direct reference to the practice of overtime in the garment industry as we will see, the act provides overtime wages if the worker works for more than 9 hours. The Maternity Benefit Act, 1961, applicable to any establishment with 10 or more employees, provides 26 weeks of paid maternity leave, to a worker who has worked for more 80 days in the preceding 12 months with the employer. It also reiterates the provisions for crèches as covered in above mentioned legislations. An amendment made in 2017 allows women up to 4 visits during a day to the crèche. The Equal Remuneration Act of 1976, enlists that employers cannot discriminate between the two genders either in pay for the same work or at the time of recruitment.[35] The implementation of these provisions is left to the inspection and surveillance of the labour officer. The workers are also given the resolution to contact the labour department if the contractors and employers do not provide the benefits provided in the legislations.

The legislative intervention goes beyond conditions of work and also intervenes in the aspect of employees' collective action.

The Trade Unions Act, 1926 and the Industrial Disputes Act (hereafter IDA) of 1947 lay out the conditions for forming a union as well as mechanisms for redressal in the work place. The IDA includes any dispute arising between employer and employee at the place of work within legal mechanisms of redressal. It lays down conciliation schemes such as works committees and joint management councils to enable equal participation between employers and employees. The workers are given the option of approaching these conciliatory institutions with their complaints. The unsuccessful cases are forwarded to the industrial tribunals designed specifically for settling labour disputes. However, Jayati Ghosh states that many of the garment industry establishments come under public utilities.[36] There are further limitations of spontaneous strike action by the workers in such establishments without notice of 14 days to the employer.

The uniqueness of the garment industry also comes out from the intersectionality of the workers' identity as labour and as women. We covered the laws that protect and give protection to workers. There are additional legislations to deal with the challenges of being a woman worker. Among these are the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 instated to protect women's interests and safety at the workplaces. The act mandates employers with over ten employees to form an Internal Complaints Committee to address women's complaints. For any other kind of establishment, there is a Local Complaints Committee. The legislation also defines sexual violence against women as ranging from direct favours and unwanted physical advances to implied or implicit negative or positive reinforcements to workers contingent on their willingness or consent to sexual advances. There are also laws such as the Protection of Women from Domestic Violence Act, 2005. The jurisdiction of this law extends to the private sphere and includes any violence against women conducted by members cohabiting the same house. It

also explicitly defines physical, emotional, mental, sexual and economic abuse. It includes within its purview verbal attacks and everyday emotional abuse of women at home. Under the law, there are protection and service offices that facilitate a smooth transition for the affected women from their respective homes to rehabilitation centres for the procedure on their complaints.

The legislations discussed so far focus on women's protection and grant them benefits and privileges against a range of violence at home and at the workplace. There has also been preventive legislation such as the Criminal Law (Amendment) Act, 2013 that includes mentions of perpetrators of violence, highlighting violence committed by men, and brings them under jurisdiction. In this act, there is an extensive list of crimes that men can commit against women, including stalking, acid attacks, sexual harassment, and so on. These amendments, while including contemporary acts of violence against women, are essential in creating a safe environment for them. The legislation serves a critical role by detailing and elaborating everyday struggles and threats to women's identity, body and safety. The legislations combined, address issues faced by women at work and in domestic spaces. However, the primary focus remains on issues arising out of gender relations in society and violence from patriarchal relations. The present study of women workers observes and illustrates the challenges of being a woman in the workforce. Women workers, when they take up any kind of work, face violence besides that related to their sexuality. Among these are demands of productivity, lack of satisfactory work conditions and surveillance from the employers. The intersectionality of their identity as a woman and as a worker needs a detailed analysis. The precarity of their condition due to workers' position in a globalised industry that deploys factories, workshops as well as domestic production requires extensive interventions from governments and employers. However, for these interventions to be successful, the first step needs to be a comprehensive

understanding of the industry and its internal functioning.

Goals and Objectives of the Study

The segmented nature of production and its global linkages have been the focus of many studies and reports. The implications of such multiplicities in the organisation of production are not immediately apparent. The identity of workers within the labyrinthine networks of employers, managers, contractors and sub-contractors are lost, and their issues relegated to the sphere of informality. Informality becomes the blanket cover used by both, the industry and the government, to justify the operation of such units beyond the remit of applicable laws, and the denial of workers' entitlements under various schemes. The end result is the absence of secure and stable employment for workers. The present study, by providing insights using workers interviews, aims to address the gaps within academic as well as action-oriented literature. The objective of the study was to engage with and unpack the forms of violence among women workers in the garment industry. The interviews with the workers focused on their experiences of violence within factory spaces. They enrich our understanding of the forms and degrees of VAW (Violence Against Women) in garment factories situated around Kapashera Colony in New Delhi; how male and female workers perceived and responded to VAW at their site of work. The interviews also help to generate evidence-based research on the practice of gender discrimination and perpetuation of gender-based hierarchies within the garment factory. These findings enable us to develop an advocacy strategy and provide recommendations to address gender-based discrimination and violence against women garment workers.

The area chosen for the study is the Kapashera region in South West Delhi. In the words of Alessandra Mezzadri, the area is

characterised by 'piles of rubbish and an unbearable stench' which welcomes the visitor to the colony and where 'access to water and sanitation is a luxury and workers share filthy common toilets located in the entrance. The colony, as many others hosting endless crowds of India's working poor, is "managed" by many housing contractors and landlords who thrive in the slum economy.'[37] Kapashera is placed strategically in terms of proximity to factories and the heavy cover of workers' residential enclaves provides a suitable entry point to launch campaigns directed to raise consciousness and awareness about violence in the garment industry among different categories of workers. The colony itself represents a mixed profile of workers, ranging from daily wage workers and permanent workers to home-based workers who are predominantly engaged in the garments factories of Gurgaon Industrial Area.

An interesting characteristic of industries in this area has been highlighted by the Fair Wage Foundation. In a recent report, they stated the challenges for the Delhi region: 'Garment factories in Delhi NCR are mostly located in Okhla, Gurgaon, Faridabad, and Noida, where the only Special Economic Zone (SEZ) with garment factories is located. SEZs are exempted from compliance with several labour laws and, according to Le Circle, are characterized by a failure to enforce labour laws.'[38] An in-depth study of the area and the industries included would be critical in filling essential gaps in our analysis of the garment industry. The studies (academic and surveys) conducted so far, are silent on the workers' profile; everyday negotiations of work, and spatial segmentation of the Kapashera area have been overlooked or glossed over. These breaks have caused serious disadvantage to the task of improving conditions of wage and employment for workers tied to the global supply chains, as in the case of the garment industry. Any measures or schemes designed to envision better work conditions fails to make adequate amendments; a primary reason being the variations in the experiences of a

garment industry worker with reference to their geopolitical location. The separation of each stage and step of the production process and ultimately of the producer from the final product leads to variegated challenges and negotiations for the workers. This makes the task of knowing the workers as well as the specificities of the area both extremely significant and urgent.

The absence of a clear connection or linkage between the worker and main employer gives rise to new forms of anxiety, surveillance, and resultant violence. The use and deployment of female labour in third world countries has become an essential policy within this industry. However, we need to know the dynamics of the industry to understand how and why there is increasing dependence on informalization of the production process.

In the case of Delhi when compared to other regions such as Mumbai and Tirupur we will see that there is lack of mobility for women workers.[39] There were cases of horizontal movement but little or no vertical movement for the women workers. To fully grasp the implications of the everyday practices at work, we first need to reimagine what we understand by violence. As the present study illustrates employers' tactics for ensuring production perpetuated varied forms of violence against the workers.

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23 Ibid.

24 Ibid. p. 18.

25 Ghosh identified primarily two aspects or conditions that affect the proportion of female employment in the economy: 'an overall decline in employment opportunities because of recession or structural adjustment measures, or a shift in the nature of the new employment generation towards more skilled or lucrative activities.' Ibid, p.24.

26 Ibid. p.40

27 Ibid. p.37

28 Ibid. p.43

29 Alessandra Mezzadri and Fan Lulu, 'Classes of Labour' at the Margins of Global Commodity Chains in India and China,' Development and Change, International Institute of Social Studies, 2018, p. 9.

30 Ibid. p.11

31 Geert De Neve, 'Fordism, flexible specialization and CSR: How Indian garment workers critique neoliberal labour regimes,' Ethnography, 2014, Vol. 15, No. 2, p.199.

32 Ibid.

33 Insights into working conditions in India's garment industry, International Labour Office, Fundamental Principles and Rights at Work (FUNDAMENTALS) - Geneva: ILO, 2015.

34 The migration act allows establishment with 20 or more workers to provide creche.

35 The employer was defined as 'employer" means, in relation to

any establishment, factory, mine, oilfield, plantation, port, railway company or shop.

36 Jayati Ghosh, 'Globalization, Export-Oriented Employment for Women and Social Policy,' p. 49.

37 Alessandra Mezzadri, Garment Sweatshop Regimes: The Informalisation of Social Responsibility over Health and Safety Provisions, CDPR SOAS Worker Paper 30.

38 India Country Study 2019, Fair wage Foundation.

39 See, Garment Industry and Labour Rights in India: The post MFA context, Sujana Krishnamoorthy, Centre for Education and Communication. 2006.

Methodology

Kapashera Colony: A Working-Class Neighbourhood

The respondents were residents of Kapashera Colony which lies in the South-West district of Delhi. As per the Census 2011, the total population of South West Delhi District stood at 2.3 million with 93.73 per cent of people living in urban areas, and a 34.69 per cent workforce. 'Out of total population, 40,117 were engaged in work or business activity. Of this 37,365 were males while 2,752 were females.' Lying close to the Delhi-Haryana border, Kapashera is in proximity of industrial areas of Haryana, and has a large migrant working-class population engaged in garment factories across the border, at Udyog Vihar, Dhundahera, Maneswar, so on.

The Kapashera Colony represents a microcosm of the garment industry, with its factories, working-class neighbourhoods, suppliers and contractors. The area is inhabited by different categories of workers, ranging from regular, casual, contract factory going workers and home-based workers.

A majority of the workers live in rented accommodation provided by the local land owners of the colony. When one looks deeper into the living conditions of these workers, it is impossible to not sympathise with workers. Poorly constructed three to four storey buildings constituting closely packed rooms with two-three shared toilets per floor accommodates about 100-200 workers. The workers here pay around Rs. 1000-3000 as rent per month excluding drinking water and electricity bills. It is to be noted that in majority of the residential complexes, clean drinking water is not provided and tenants depend upon shared tap water for other domestic use. The electricity per unit rate ranges between Rs. 8-10, depending on different areas in the colony. In such residential complexes, there is no concept of ventilation and hygiene. The migrant workers state that it is because of their 'majboori', meaning helplessness, they have opted to reside in such a place wherein living a life translates to compromising day

to day necessities.

The negotiation of the workers with the landlord or the caretaker of the building is not only limited to the payment of rent. In fact, the workers staying a particular building are coerced to buy the ration from the shops run by the landlord or the caretaker in the same building. Surveillance is enforced on who enters and exits the building and the quantity of items brought into the building from other stores. Interestingly, the items sold in landlord run stores are priced higher than the MRP and the residents do not have any other option but to make their purchases from the same store. Any kind of disobedience on the part of the tenants leads to a quarrel and usually, the tenants are at the receiving end. The class dynamics and regional divide between 'migrants' and locals, and the dominance of the latter over former are reflected in their everyday negotiations Kapashera.

The workers thus become dependent on the landlord nexus for their essential needs and residential requirements. This intersectionality further increases their precarity and reduces workers' agency for collective action to improve their conditions of work.

Formulation of data collection tools

A combination of quantitative and qualitative methods of data collection were used to accomplish the objectives of the study. For the quantitative part, a semi-structured questionnaire was formulated to collect data from workers. The content of the form was translated into Hindi and its digital format was created on 'Google Forms', to enable electronic data input and compilation. The qualitative data was collected through semi structure interviews with women workers, Focused Group Discussions (FGDs) with both women and men workers and Key Informant Interviews (KIIs).

Data Collection Phase

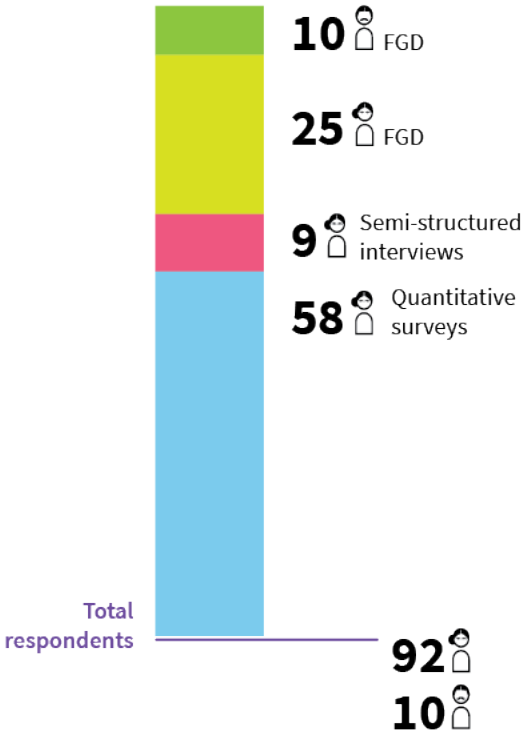
The data from the field was collected in two phases, i.e., pre-lockdown and post lockdown phase. The data collection began in the first week of March; however, due to lockdown implemented in the country in the wake of COVID-19 outbreak, it came to a halt. The second phase of data collection started in the month of August and continued till January 2021. All the FGDs and semi structured interviews were conducted within the premises of Centre for Labouring Women (hereafter CLW). The center also conducted bi-monthly meetings with the workers. The minutes of the meetings recorded by the project coordinator were shared with the research team. The minutes of the meetings were also an important tool for the study of the workers and their world both at home and work. The survey was also conducted at different 'galis' (alleys) of the colony and also at labour chowk wherein the majority of workers (especially daily wage workers) assemble early in the morning to look for work and strike a deal with the labour contractors.

Sampling Method

At the outset, potential respondents were identified with the help of CLW staff. The respondents for qualitative data collection were selected through use of snowballing technique with the first set of respondents. The respondents of the survey were selected on their availability and willingness to participate in the research survey. A majority of the respondents were surveyed at the 'labour chowk' and a few at their residences.

Sample Size

For the quantitative component, 58 women garment workers were surveyed and for the qualitative part, semi structured interviews were conducted with 9 women workers and 4 FGDs with 25 women workers; 2 FGDs were also organised with 10 male garment workers.



4 Key Informant interviews were also conducted with different stakeholders such as LCC members and local CSOs working on issues related to gender rights and women empowerment.

The sample size for each set of interviews was unique, i.e., the respondents included in the survey did not form a part of the qualitative study and vice-versa.

Before starting the interviews or the surveys, prior permission and consent of the respondents were the utmost priority. The respondents were free to withdraw from the interview in case they felt uncomfortable answering the questions. Respondents were not given any kind of monetary or non-monetary compensation that could alter their responses. The data collectors were aptly trained for data collection process and there was constant communication with them in reference to progress and challenges faced while on the field.

Data collection and Management

The survey responses gathered through the Google forms were converted into an excel sheet for further analysis. The information from the data collection is included in the report in a clear and lucid manner. The findings from the surveys were corroborated and understood through in depth conversations with women workers.

Challenges to Data Collection

Garment women workers have a very busy schedule alongside domestic and child care responsibilities. It was difficult to interact with them on weekdays (Monday to Saturday) because of their long work hours. Therefore, most of the respondents were interviewed in late evenings on Sundays. In addition to

their availability as the focus of the study was violence, women workers did not easily open on about these issues. The main field researcher being a male faced problems in approaching and interacting with the women workers on sensitive issues such as discrimination and violence, especially sexual violence. Many of the respondents felt uncomfortable or feared a loss of job. They also feared that by opening up and confessing about harassment and violence at the workplace their families would also find out the conditions of work and probably ask them to discontinue working at the factory. However after a series of conversation and with help of staff members of CLW women gradually started sharing their experiences of work and violence in the garment industry. Anonymity therefore became an important component of the study to protect the workers from the employers as well as create atmosphere where they could talk and share experiences freely.

The outbreak of COVID-19 and lockdown greatly impacted the data collection. Almost in all cases, data collectors were not allowed to enter the residential complexes of the workers. The limitations on movement also restricted the extent to which a photographic archive could be produced of the workers' residential complex. The interviews were conducted in open spaces where women were initially reluctant to open up however after a series of conversation and by making them understand the goals of study they participated in the semi structures interviews and focused discussion sessions.

Due to restrictions imposed on mobility in the wake of covid19 pandemic, interviews with the stakeholders/KIIs such as member of Local Complaints Committee, Civil Society Organisations and representatives from NGOs active with garment workers were conducted through virtual medium.

Findings:
Analysis of Conditions of Work

We begin with a discussion of the reasons and patterns of workers' migration to the city. The quantitative data provided from the survey was complemented by in-depth discussions that helped us understand the integration of workers in the garment industry. The respondents were selected as per their availability as well as willingness to participate in the survey. Therefore, they are not representative of the entire workforce. The findings and data illustrate everyday practices and challenges of the garment women workers.

Social and Economic Profile

The interviewees were predominantly married migrants from UP and Bihar, staying in Delhi for over 5 years. A significant portion (74.1%) of those interviewed came from the different districts of state of Bihar, followed by UP (13.8 %).

From the above information we learn that respondents were predominantly in the age bracket of 25-35 years and from out of town. This information opens up questions about reasons for migration and how the workers came to be employed in the garment industry. Majority of the respondents were married (74.1%) with 13.8% widows and 12.1% of them were unmarried. After migrating to the city, 72% settled with their husbands and children as the chart below depicts. In the interviews as well, the women workers explained that they accompanied their husbands when they migrated in search of employment.

The interviews revealed aspirations for a better quality of life for their children as the primary motivator for male migrant workers. In the case of women, they explained that they were primarily responsible for taking care of domestic chores and the upkeep of their children. Initially women workers were introduced to the city as caregivers in the domestic space.

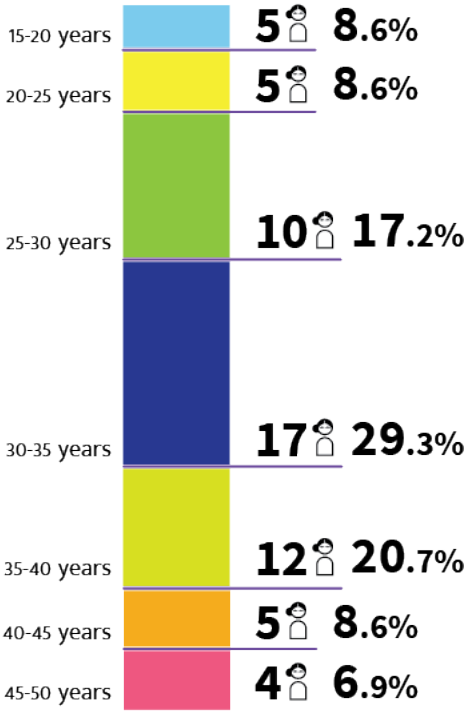


Figure 1
Age distribution of respondents

It was of interest to the study to understand the factors or choices due to which women took up wage labour. We will enter a detailed discussion on their responses, to understand the implications of workers' movement to and their settlement in the Delhi NCR region. The interviews of women workers provided us with valuable insights into understanding how the regional specificities interact with the dynamics of industry to create their conditions of work. However, the availability of paid work

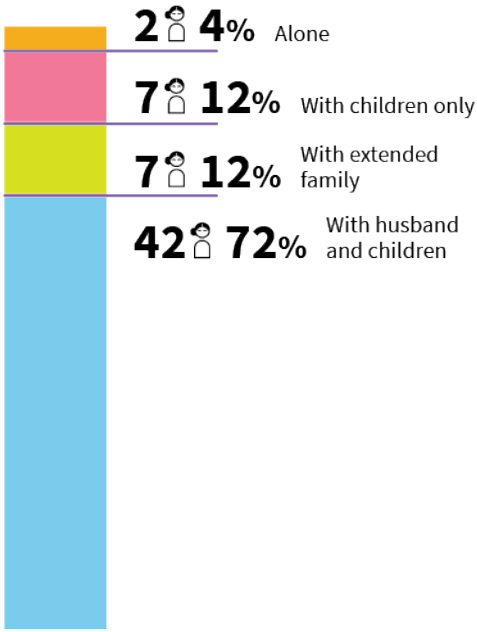


Figure 2
Nature of residence of respondents

as an option for women needed to be understood with regards to the challenges of economic survival. From the surveys as well as interviews, we learned that the lack of employment opportunities and absence of social support systems in villages were key drivers of men and women's migration to cities and of women taking up work in garment factories. The pressing demands of the urban economy made it imperative for the women to start wage labour as well. In the in-depth interviews and focused discussions, women explained that the expenses of living in the city and the cost of educating their children were primary factors influencing their decision to begin work.

In light of this, it was important to learn how they chose where and how they wished to work. How women workers decided whether they will work outside the home or not and the factors influencing this decision needed further examination.

A woman's decision about where to work was contingent on multiple factors such as familial obligations, child care, and so on. The women's responses revealed the difficulties they faced when they stepped outside for wage labour. A common concern for the women was the responsibility of child care. Women identified that lack of child care facilities was the primary reason for engaging in home-based production. Pressures of domestic chores also precluded their chances of going out for work.

In addition to the reasons mentioned above, restrictions on women's movement outside the house made the option of home production viable for them. The detailed conversations explained how women's families, mainly husbands, were reluctant to allow them to work outside. In situations of extreme economic duress women were actively allowed to step out and work, however, with the expectation that they would adhere to the cycles of a 'normal work day', i.e., sunrise to sundown, as their hours of work. The women covered in the survey were predominantly daily wage factory workers indicating that despite challenges women were able to successfully step out to work. Among the respondents 63% were daily wage labour engaged in various low-skill job roles in the garment factories. Of all the respondents, only 22.4% claimed to have permanent employment in the factories, or as stated by them, were 'company workers.' 3.4% were home-based workers. The predominance of daily wage workers among the respondents was a result of the site chosen for the survey: most of them were approached at the labour chowk. In their interactions they explained their reasons for picking up factory work. Among these was the defined hours of work during the day. The most important reason was the low wages for home-based production. A worker at home was paid on

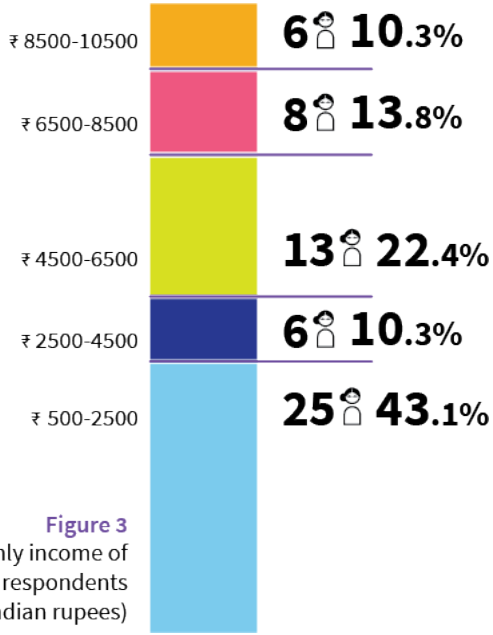


Figure 3
Monthly income of respondents (in Indian rupees)

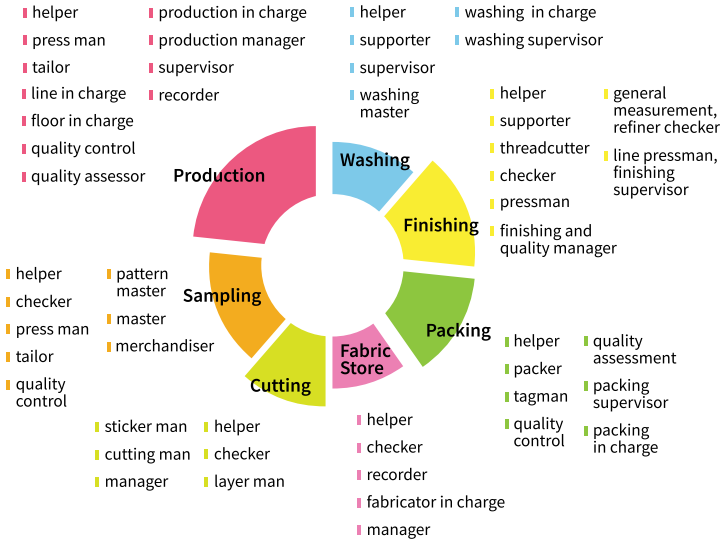
piece-rate basis varying from 50 paise to a rupee. Even though the situation of daily wage workers continued to be bad, they earned more than home-based workers. A majority of workers, 43.1%, earned a monthly income between Rs. 500-2500. About 88% of the daily wage earners fell in this group, followed by the home-based workers. The stark bias against home work could be seen from their complete absence among the higher incomes groups of respondents. 22.4% of the respondents claimed to be earning a monthly income between Rs.4500-6500. In this income group, about 62% of the respondents were daily wage workers and 31% were permanent workers. Only 6 respondents

had a salary ranging between Rs. 8500-10500, of which 4 were permanent workers and 2 were contract workers. Hence higher wages were possible for permanent workers and, following them, for the daily wage labour. Along with wages, home-based workers were also denied social security schemes as they lacked proper documentation and proof of their employment. Here again contract workers were also at a disadvantage as 66.7% stated that they had no documentary proof of employment, while the remaining had documents such as PF, ESI and appointment letter. With the home-based workers, there was no possibility of an employer and employee relationship emerging between the contractor and the worker. The relative disadvantages made working in the factories prosperous and advantageous for workers. The decision to work outside came with its own set of challenges and advantageous. By looking at the processes through which women were integrated in the garment industry we were able to understand their implications for women workers.

Division of Work in Garment Industry

We learned that the proximity of Kapashera to Gurugram industrial area, where several garment industries are located, made these an attractive option for workers. Many of the workers were introduced to the work through their family, local or neighbourhood networks. Women workers were also engaged in garment work as their husbands were employed in the factories. They would gather at the Labour chowk every morning where a contractor would hire them for the day and take them to the factory for work.

There were 7 departments in the garment industry, each representing a separate stage in the production process.



Each post in every department was under layers of surveillance as line checkers, and supervisors, managers oversaw the work. The job titles given in the chart indicate the division of work prevalent in the garment industry. The shop floor reality revealed many overlaps between the different categories of work. For instance as our data depicts below the task of thread cutting was

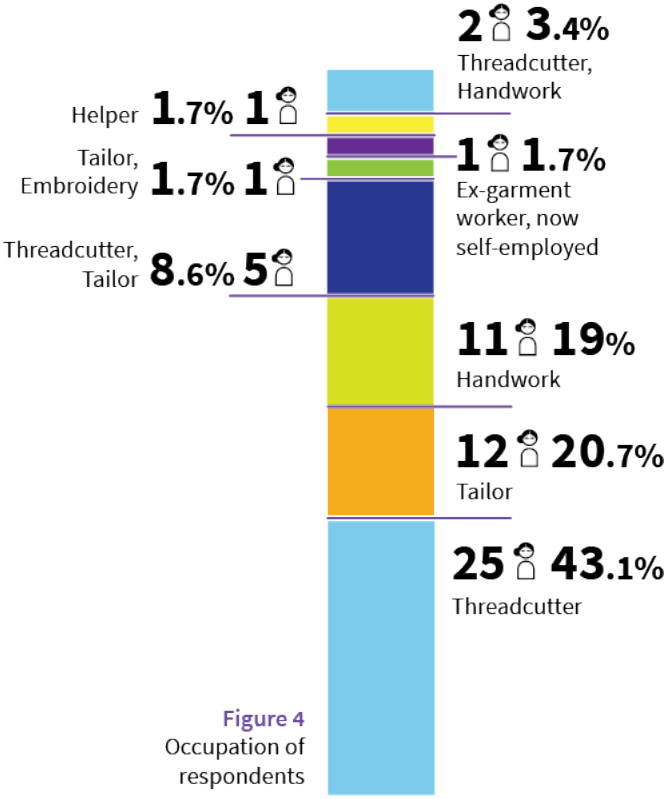


Figure 4
Occupation of respondents

further bifurcated into hand work and embroidery. These tasks were clubbed with tailoring and often, the same set of women were performing both these tasks. From the responses we learned that many women workers were employed in thread cutting and a few of them were involved in tailoring. Among the respondents there was no representation of women in the roles of supervisors and managers.

As suggested in these charts, women were engaged in more than one job role at a particular time. Each task required a different kind of skillset from the workers. Women were engaged in labour intensive roles which comprised of multiple tasks such as thread cutting, handwork, embroidery (in the finishing department), and tailoring in the production department. From the figure, it is quite evident that that 43.1 % of the respondents were 'thread cutters', which mainly involves trimming the residual threads from the garments once they are stitched. Other respondents were also engaged in handwork, embroidery, tailoring alongside thread cutting.

The reasons for selective appropriation of women into the tasks of the industry can be understood from the secondary works.[1] The scholars explain that casualization of the workforce makes women corresponds to women being relegated to the lowest hierarchy of jobs. Sujana Krishnamoorthy further argues that engaging women for low skill jobs make it easier to fire and hire according to demands of labour. Among our respondents, we saw that the lack or absence of education among the workers also denied them opportunities of employment outside of low skilled tasks. Within our respondents, 62.1 % did not have any type of formal education, while 13.8%, 12.1%, 10.3% received primary, middle, and secondary level of education, respectively. Only 1 respondent mentioned receiving higher secondary education (she cleared class 12th). Male workers explained in the FGDs that lack of experience was the primary factor that kept women outside of skilled work. In interviews with women, the reasons

mentioned included the attitude of contractors and supervisors towards women's work ethic. They explained that as women were seen as docile the contractors felt that they could not lead the tasks of monitoring and regulating production. In the FGDs, women spoke of how, in spite of several years of experience of working in the factory, they are not considered for a promotion. The reason, according to them, was the general attitude towards women workers. They explained that 'women are considered soft spoken and cannot control the workers.' However, during interviews, the women expressed their desire for upward mobility. Many of the respondents spoke of how they wished to get promoted to the level of supervisors.

The skewed integration of women in the workforce as revealed by the surveys needed further elaboration to understand the implication of garment work on their lives.

Delineating Form of Violence

Our interactions with workers revealed that everyday interactions at the shop floor were regulated chiefly by two mechanisms, the first of these being the demands of the garment industry. As the secondary material has also explained that demands of export trade dictate the production relations at the shop floor.[2] More often than not, there is a great pressure of work given the time sensitive nature of production. The workers also reiterated this in their interviews with us, stating that 'line manager gets pressured by manager and manager gets pressured by GM [General Manager] to complete targets. If one is not able to complete targets, they are chucked out.' There existed a hierarchy or chain of command starting from the general manager to the lowest worker. Here, the need for meeting the demands of production decided the timelines, to which workers needed to adhere closely. Supervisors therefore

deployed various tactics for surveillance depending on the site of work. For instance, and as will be discussed more elaborately later in the report, supervisors used tactics such as verbal abuse to create pressure of production. This was in contrast to home-based production where piece-rate controlled how many hours of committed labour a worker devoted to the task of thread cutting. In both cases, however, supervisors ensured regular and complete commitment to the task of production.

The second factor of regulation was structural patriarchy, which women internalized, both at home, and at work. By structural patriarchy here we mean the gender stereotyping that causes and promotes unequal division of labour. The division of work between the two sexes where women are regarded as responsible for domestic work and child care played a crucial role at every step in determining their choices and the options of employment available to them. The labour relations, we learned, had naturalized this hierarchy of relations to keep the labour costs low for their production goals in the garment industry.

The structural injustices and prejudices observed in the production process of a globalized industry coalesced with everyday patriarchal relations within which women are placed. The biases of patriarchal set up were less visible and, in many cases, not clear to the women workers also. This veiled violence could be uncovered through interviews where they described everyday life as well as their aspirations and challenges at work. In this section we will go over the different stages where the combination of the capitalistic system of organization of labour, and the inherent bias of patriarchal relations produced the everyday reality of women workers. The women workers involved in our study - workers across the industry - found themselves being subjected to abuse and exploitation by their supervisors and contractors in different ways. There were three main avenues where we witnessed the specific challenges of being a woman worker. The everyday negotiations within these avenues

helped us to understand the forms of violence and workers responses.

1 The first avenue was production demands of the garment industry. The pressures for increase in productive levels cut across gender and impacted male and female workers. However, in the case of the women workers the need for increased production was combined with threats and verbal attacks on their sexuality. Supervisors resorted to scolding workers to ensure higher productivity. For women these were laden with sexual attacks and abuses subjecting them to emotional and mental harassment and violence.

2 The second avenue of violence was the lack of adequate child care for women workers that made it impossible or extremely challenging for them to manage production targets alongside domestic responsibilities. Existing legislations mandate employers to provide adequate child care facilities and breaks to women workers. In reality, none of the provisions or maternity benefits for workers were implemented in the factories. Moreover, as workers' accounts revealed, they were denied even the space to call home while at work to check on the wellbeing of their children. The inability to call their children was a constant source of stress and anxiety for women while at work.

3 The third avenue was the arbitrary hours of work. The legislation mandates the hours for which a worker can be employed; the provision of over time has also been secured through law. However, we learned from our respondents that hours of work were not fixed. Additionally, in the case of women workers, these pressures were heightened by the lack of general safety in the Kapashera area. Women did not have access to a safe means of transportation. This made night travel extremely unsafe for them, thereby leaving the woman worker in the difficult position of either risking travel

at late hours or facing abuse for denying over time at work.

We will illustrate the intricacies of violence in each of these avenues by using women's interviews. We will map out women's responses to these attacks and how successfully they managed to push back against exploitative and violent practices at work.

Forms of Violence: I am a woman. I am a worker.

The intersectionality of the two identities, as a worker in the garment industry, and as a woman in the patriarchal relations as they exist in the Delhi region of India, was seen to create a peculiar social setting for the workers. We will recreate the everyday life of the worker to bring out the interconnections of the two mechanisms of exploitation and resultant violence they produced through the three-avenues discussed above.

The first challenge for women when faced with an economic crisis is the decision of how and where to work. In the case of our respondents, the freedom to take this decision was limited by the biases against women's work and the general atmosphere of Kapashera. The respondents agreed that the area was extremely unsafe for women to travel which made stepping out a difficult transition. At the same time, staying at home did not ensure protection from the risk of sexual crime against them. A Civil Society Organization (hereafter CSO) member informed us that the entire area of Kapashera, including the markets, were unsafe and hostile towards women.[3] He stated that 'Any basic form of interaction with men poses an attack on women and puts them in a precarious condition.' The decision of staying back had serious drawbacks for the workers as they were not paid adequately for their labour. Moreover, staying back implied a lack of separation between home and work. Women working from home were constantly engaged in both the spheres, which extended the duration of their workday. Working at a factory allowed the

worker to clearly demarcate the workday and resume domestic responsibilities as they get home. We learned of the struggles of home-based production through an interview with a woman worker. She recounted that her day starts at 5 a.m. with housework, after which she begins thread cutting for garments such as frocks for girls. Working at her own pace, it takes her about 6 hours to finish a day's work. She made an interesting remark, saying that she does the work to 'pass the time.' As she works from home, she does not consider herself a regular worker even when she is putting in her labour for long hours.

In another scenario, in conversation with women workers who go out to work, we learned more about the issues and challenges encountered by them. Women recounted experiences of verbal, emotional, physical and mental abuse and harassment while describing their conditions of work. The extent of their dissatisfaction could be understood from the statement made by a worker, that for her 'export line aur tavaif ke kothe me koi farak nhi hai' ('there is no difference between a brothel and working in an export line.') In the FGDs, workers agreed that 'Export line ki hawa, aur export line ki naukri bahut gandi naukri hai' (the atmosphere and work in the export line are both filthy.)'

The factories, as we discussed above, were under the control of supervisors. The figure of the contractor and the supervisor became the immediate face of authority at the shopfloor. The manager above them regulated and instructed them about specificities of demands from workers in the garment industry. The supervisor or the contractor was responsible for each step starting from recruitment up till production at the shop floor. Many interviewees noted that in the recruitment process there is a bias against older women. As older workers were not considered attractive by the recruiters, they were less likely to be employed. During the FGDs, the workers spoke of the discrimination prevalent in hiring, saying, 'there is sexualised recruitment. The recruiters see the face value of women.

The pretty, fair and young ones are preferred over skilled and older/ mid-aged women.' From our survey we found that 60% of the respondents agreed that the recruitment process is discriminatory in nature. Among this group, 77% said that there was discrimination based on age, 48.6% said that there was discrimination based on appearance, while 11% felt that the basis of discrimination was women's behaviour. There was consensus among women that 'They want "Chhamiya wala" (attractive) girls to work.' An interview of the contractor further corroborated workers' views on the biased recruitment process. Initially, he said that young workers were preferred due to their strength and stamina to carry out tasks. When probed further, he said that 'Kaam ke sath sath beauty bhi chhaiye. Personality bhi chhiaye.' (Along with work there should also be attractiveness and personality in the workers.) The preference for younger workers on the assumptions of better strength and physical ability also emerged in the FGD with male workers. But among them, the importance of looks, or 'personality' was not a factor, like it was for women. From the first stage of their interaction with the industry, women were judged based on their looks and appearance. Employment being dependent on a few male contractors gave rise to new forms of control over women. In these forms, the focus on their physical aspects made them susceptible to abuse and discrimination at the workplace. The bias against older women can be seen as a first form of violence experienced by women workers.

Even to retain their employment, respondents said, familiarity and likeability with the contractors were important determinants. Instances of internal rivalry and jealousies emerged from the workers' narratives as they explained why and how certain workers managed their jobs better, 'Only those who can 'establish their contact' in the company will be able to tolerate what goes on within the company; ['establishing contact' being a euphemism for sexual relations with a superior

or other male colleague.] The women use makeup to look attractive and lure the supervisors or other male colleagues to be able to continue in the company.' We do not know the extent to which these claims were true. However, they provide insight into workers' explanations of discrimination experienced by them. We were also told of explicit demands for sexual favours made by contractors, in exchange for continuity and stability of employment. A contractor demanded from a worker that 'tum mere saath rahogi toh tumhe koi nhi nikalega (if you will be with me then no one will fire you).' The contractors, by recruiting women of their choice, were able to exert pressure on them at later periods during the employment. There were also instances where the worker was forced to travel with the contractor, and under that pretext, subjected to unwanted sexual advances. The workers, in most cases, were passive to these acts. They feared their husbands would be unsupportive of these incidents and would blame them for inappropriate socialization and/or behaviour.

In these ways, the general movement of the women workers was seen to be closely regulated by and dependent on their relationship with the contractors. The pressures of ever-increasing demands of production, and the limited time available to them created space for further harassment at the hands of the contractor.

The interactions at the shop floor between women workers and supervisors are the second form of violence in the industry. We learned that as each task and sub-task is essential for the production process to move forward, new forms of surveillance are used by contractors. The male workers we spoke to also complained of restrictions on their movement and pressures for meeting production targets. During the FGD, male workers spoke of how 'there is a lot of restriction in the company. Nobody is allowed to come out of the premises once they are inside. We get to leave the workspace only during lunch and after the work

is completed.' In many instances, the pressure of completing production targets elicited verbal abuses from the supervisors. As articulated by one of our respondents, 'at times the workers are verbally abused. Most of the workers who cannot fight back are dominated and made to work under pressure and are also victims of verbal abuse. This applies to women workers as well.' The demands of increased production while applicable to both genders took different forms in the case of women workers. In their case, the identities and burdens of gender roles and lack of social protection made the situation of their employment disadvantageous in many ways.

Violence at Work: Plight of the daily wage woman worker

The experience of women workers differed from that of their male counterparts significantly because of the sexual nature of verbal abuses and attacks they faced. The responses we gathered from women workers and from the Local Complaints Committees (hereafterLCC) members and CSO's, revealed how male supervisors use sexual innuendoes and abuses in their interactions, though in many instances women did not see this behaviour as different from domestic and neighbourhood interactions with men. It was plain to see that everyday domestic abuse and verbal attacks had desensitized women to such forms of violence. In an FGD, a worker remarked, 'Kaam krte hain toh thoda daant dapat hota he hain. Bikul usi tarah jese ghr pe sass aur maa baap bolte hain. Iss ke karan kaam krna chor toh nhi denge na. (If we work, then we also get scolded a bit. Just like mom, dad and mother-in-law scold at home. These are not a reason to quit work.)' The women were unable to see these instances as emanating from an aggressive, patriarchal, social-institutional setup, which is inherently violent and exploitative.

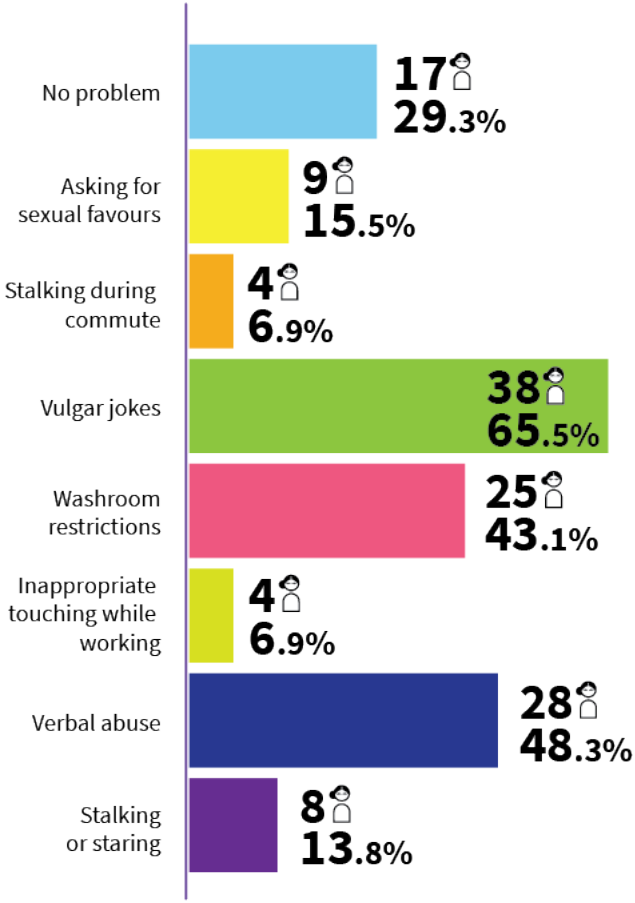


Figure 5 Forms of violence experienced by women in the factory (n=58)

65% of women among our respondents complained about incidents of verbal abuse occurring in the form of vulgar jokes. In most cases, women did not even view these as forms of exploitation. In the cases where women acknowledged the violence underlying the verbal abuse, the reasons or causes were traced back to women instead of men. A woman respondent in the FGD noted that, 'Gents are not at fault. If a gent behaves inappropriately with any lady, then she should resist and not entertain such move.' At the same time, she mentioned her own experience where the supervisor discriminated against her once she disapproved of his conduct, 'When I refused to give my phone number to one of the masters then he started behaving rudely with me. He kept on shifting my work position/tables.' The workers could not articulate these instances as complaints as they were not registered legitimate forms of coercion by the employers and within the existing mechanisms of redressal.

The forms of violence outlined were seen to have several implications for the workers. There was a normalisation of sexually undergirded conversations as part of their everyday interactions at home and at work. The in-depth interviews revealed that constant verbal attacks at work effected their efficiency and productivity. Workers felt less motivated to work and expressed the desire to run away, else they focused more on avenues of retaliating against the contractors/supervisors. When we collated our data we found that more than half of the workers felt that they were unable to complete the targets.

The inability to meet targets was a constant source of worry and concern for the workers. The pressure of targets became an important means of controlling workers' movement at work. Women workers complained about high targets and physical monitoring of their work, due to which they were forced to endure physical pain and discomfort. They mentioned that they 'have to stand day long and work. We are not even given proper washroom break. They force you to work in such a way

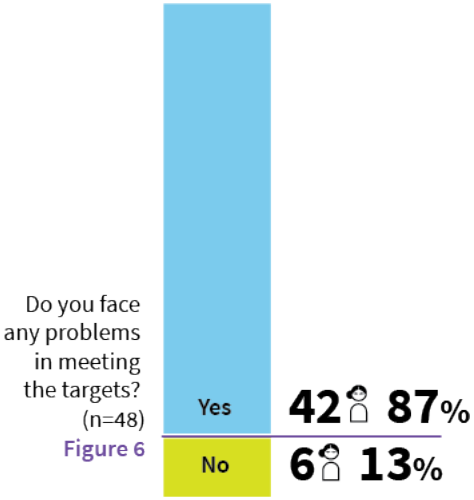


Figure 6

that if you are not able to meet the day's target, they will ask you to work from home.' Supervisors' demands for standing was a common source of physical aliment among the workers. A worker explained that 'The major problems faced by women at my company (105, Modlama) is that they have to stand and work. The supervisor does not let us sit even for a moment.' The women workers recruited as daily wage workers do not receive any medical benefits for the serious ailments resulting from the poor conditions of work.

All of the workers acknowledged that there were negative impacts of and punishments for their failure to meet targets. Negative impacts included increased verbal abuse of the workers and punishments could take the form of being fired from the job.

From the in-depth interviews and FGDs, it was inferred that the majority of women workers were compelled to work overtime. In

the case of most workers the duration of overtime was two hours every weekday and often included Sundays too. Working overtime might appear to be voluntary on the part of the women workers, given their financial crisis at home, but we learned that many a times, the women workers were coerced into working overtime and denial of the same had its repercussions. When asked if they worked overtime, nearly 80% responded in the affirmative. If the workers refused overtime three were serious consequences. 95.7% stated that workers were fired from the job, 40.4% stated that their payments were delayed, and 1 respondent stated that there was increased work pressure.

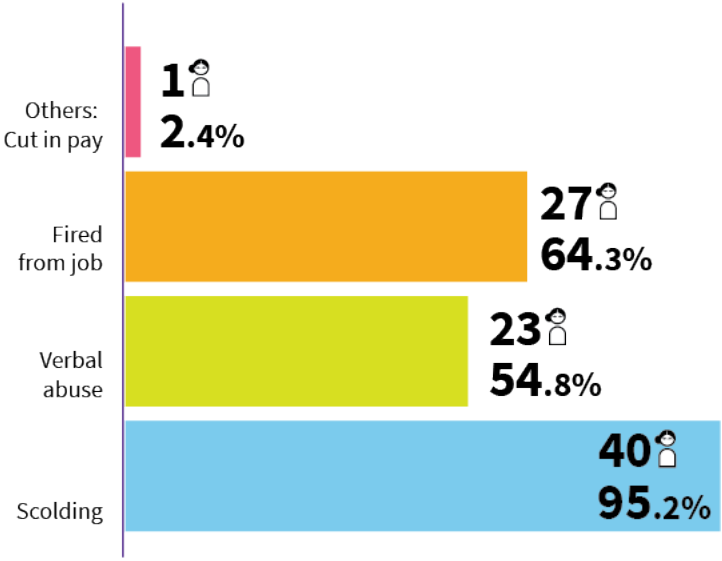


Figure 7 Perceived risks following inability to meet targets (n=42)

The survey findings and the interviews helped us understand the coercion tactics deployed to make women work overtime. We now turn to the third form of violence that comes from these exploitative tactics of the supervisors i.e., the dual pressure of domestic work, and production responsibilities and targets, respectively. We learned from our engagements with the women that the strict physical surveillance of the factories and the burden of domestic responsibilities acted simultaneously to pressurize the workers. During the FGD, a worker noted 'Double the burden when I return. Daughters usually assist in household chores. People in the society mock men who work at home, mock their manhood.' It is relevant to note here that as women internalize their gender roles, they do not see the pressure of housework as unfair or exploitative. The gendered language of work, as mentioned above, contributes to the internalising of structural injustices manifested in patriarchalised domestic set-ups. Women complain about how they do not receive any kind of help from the male members. Domestic responsibility was primarily seen as women's responsibility and males were not expected to contribute in these tasks. Even for the task of garment work that male do in factories they refused to assist their wives at home. A respondent remarked 'Ye saab kaam bss mahila ki krti hain. Gents can't do this work. Sui dhaga is meant for ladies only. They might assist in thread cutting at home but would never pick a needle and string. Company me krte hain lekin ghr me nhi krenge. (All this work, i.e., cutting and stitching, is meant for women. Males cannot do this work. Stitching is meant only for women. Men may help with thread cutting but will not pick up the needles. Men would do this work at the company(factory) but will not do it at home.' The workers have naturalised the gender roles where the 'notion of masculinity' dictates or rather allows men to refuse any kind of domestic responsibility.

The segmented or unequal division of labour thus becomes

a constant source of exploitation and overwork for women. Women's position, irrespective of the site of work, i.e., home or factory, is dictated by the rhythms of domestic work. There was one instance during an FGD, where a woman clearly articulated the unfair division of work, 'it's easy for the male because they can do OT (hereafter over time) and eat dinner in a hotel outside and return home and sleep. But for me, I have to return and cook for my children.' The majority of respondents failed to see the coercion inherent in the unequal distribution of domestic work. Even in the cases where they could see it as exploitative, it was not articulated as a basis for negotiating any kind of relaxations in the conditions of work. These tasks were considered to be outside the purview of the workplace or production process and remained unaccounted for in calculating worker's productivity.

The employers/supervisors seemed to be impervious to these challenges. The supervisors were not only unsympathetic to these pressures faced by the workers, in many instances, they saw the women's failure to fulfil targets as a result of their gender. The constant negotiations and conflicts over time and failure to fulfill targets becomes the third form of violence for a garment women worker. Women workers were generally viewed as lacking work ethic and more likely to waste time at work. The women workers recounted in the FGDs how they were penalised for low production levels, 'While working if we take a little break and talk to the next person standing, they scold us. If we use the bathroom, the master follows and tells us to hurry up. There is no privacy.' Workers in some cases also justified increased surveillance owing to women's habits of wasting more time, 'ladies he ladies ko badnaam karti hai. (Women are responsible for maligning each other.)' They felt that surveillance is needed because women take long breaks and use their time in the bathroom to apply makeup. They conveyed this during the FGD by saying, 'Obviously they will be scolded. Because of a few women's actions, all women suffer.' The challenges

for women are exacerbated by the limitations of working with male supervisors. They admit there is a limit to the extent of interactions possible with them as over-familiarity would be misinterpreted and would raise questions at home and in the workplace about their character and morality. They explained it as 'very less in production because women cannot give enough production. And are pressurised. While men are not pressurised as much as women are because these men have friendly bonding with the master, giving them chai, beer, etc. they hang out together. But in the case of women, they can't be friendly with masters because people start judging their character.' The cycle of exclusion continues with women being treated as the other gender whose place in the workforce is still not comfortably established.

From these narratives recounted, it becomes apparent that the demands for increased production were combined with gendered stereotypes about women workers to further intensify violence against them. However, there was no mention or awareness of employer and contractor's responsibilities towards the workers. The workplace conditions, both relational as well as physical, were detrimental to the women and exploitative in nature, flouting existing legislation that mandates better conditions for women workers. For instance, the workplace did not have adequate and hygienic facilities for sanitation, and there were no crèches or other childcare services available. Our interactions with the workers emphasised the need for contractors to ensure that women can access facilities such as crèches and protect their children.[4] Instead, we saw that supervisors, unchecked by their managers, were able to create exploitative conditions of work for the workers.

Mechanisms for Dispute Settlement: Grievance redressal and workers

The discussions so far aimed to bring out the conditions of work for the workers. The pressures from above take many forms of violence and harassment at the place of work. These practices get clubbed with surveillance at workers' residence to ensure their economic subordination. In prevailing conditions of work it became essential to learn how workers responded to these challenges. We wanted to understand the extent of their awareness regarding of mechanisms of redressal, and more importantly, the accessibility of these grievance redressal services to workers.

The respondents were unaware of any kind of unionisation. As the production process was fragmented and spread across

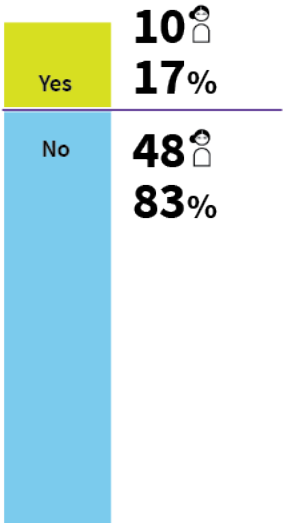


Figure 8
Are you aware of any unions or workers' organisations?

smaller units of work, collectivization of women workers, or even communication between and among them seemed to be difficult. Thus, workers facing similar problems were unable to come together in solidarity for a common cause. Additionally, lack of adequate documentation and contracts with the employees as discussed in the beginning also creates uncertainty about workers employment. The workers are at a higher risk of losing their job as they do not have safety or protection against contractors' arbitrary firing. These insecurities of employment made the task of employer easier. It created a fear of scarcity of employment among the workers, ensuring their constant commitment to the task of production. Therefore, denying workers' identity to women becomes the primary platform for keeping them in a state of anxiety and insubordination. By being employed as either

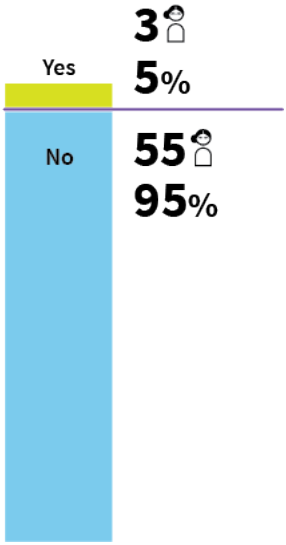


Figure 9
Are you aware of the Sexual Harassmentof Women at Workplace Act, 2013?

daily wage workers or home-based workers, they are denied the recognition but also impact the collective bargaining strength of the workers.

The perceived lack of unity among women workers worked to their disadvantage, making them more susceptible to violence. 'Ladies me ekta nhi hain. Agar koi hinsa kisi aur k sath hua hai toh aage ja ke unke sath bhi ho skta hai. ye baat samjhte nhi hai. (There is no unity among the women, no one understand that if something happens with to someone else, then in the future it may happen to them also). (From this) Male workers get the courage to tease.'

There was also low awareness among women about the existing mechanisms for grievance redressal. In a FGD workers stated 'What ladies will say?! Nobody speaks. Women generally lack

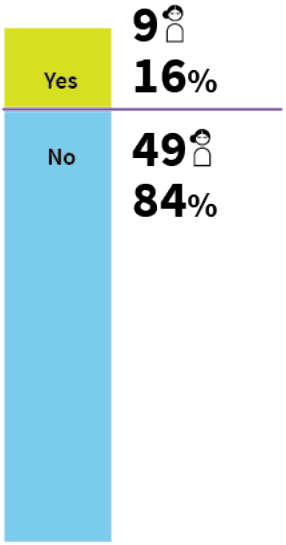


Figure 10
Are you aware of an Internal Complaints Committee within the factory premises?

awareness about what needs to be done in such a situation.' There were sporadic instances of women's protests where they independently chose to raise objection over supervisors and/or male colleagues' behaviour. Consequently, the women complainants were fired from their jobs. Majority of the workers seemed to have themselves to these conditions of verbal abuse, 'Other ladies were talking that it's their habit to abuse and it has become our habit to listen to the abuses. It is better we do not react and work quietly.'

Most of the women were unaware of existing legislation such as

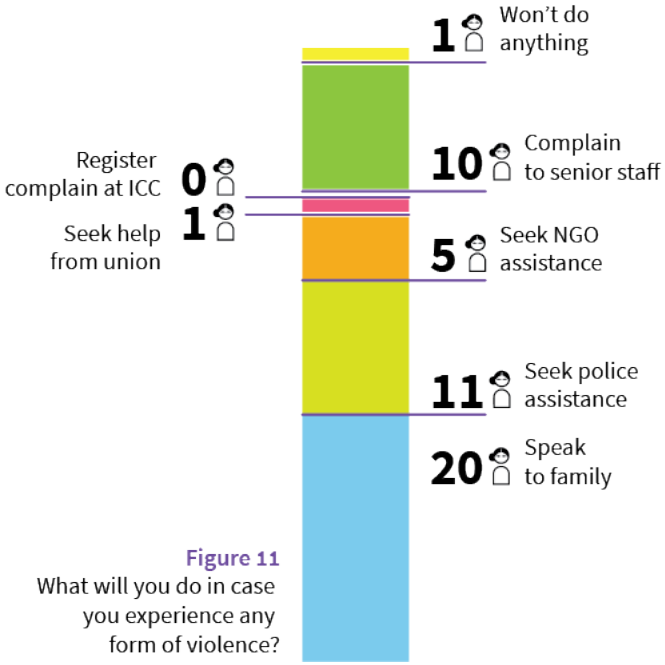


Figure 11
What will you do in case you experience any form of violence?

the Sexual Harassment Act, 2013, and institutions for complaint and redressal such as the LCC, Internal Complaints Committees and CSOs.

The LCC representatives and CSO we spoke to explained that even in the cases where women approached these institutions, there was no resolution of the complaints. Either women were asked to withdraw their complaints as they were directed against members senior to them, or the nature of the investigation was such that women ended up leaving the factory during its course.

In most cases women were forced to quit the factory. In reality, as our CSO representative revealed, it only acted as a temporary escape, as workers was likely to face similar problems at the next site. In some instances, CSOs also provided alternate skilling that enabled self-employment and working from home. Women used this option to quit the unsafe and unsatisfactory factories.

The CSO representatives said that one of the biggest challenges was that women internalized these forms of the gendered labour and violence. The lack of support from their immediate families, in most cases, the husband, contributed to this. They also feared a backlash if their families in the villages found out about their reporting of sexual harassment. These two fears impeded any chances of women openly coming out, registering their harassment at the workplace. Additionally, a LCC member also elaborated that precarity of employment had increased with the ongoing pandemic, and in these circumstances, the need for continued employment overrode any other concern or aspiration from work.

Interviews with the women also foregrounded the inefficacy of the human resources departments in their companies in dealing with their complaints. In many instances, the department tried to conciliate the dispute without any resolution or punishment to the perpetrator of violence. At the same time, in conversations with us, the workers did not mention demands for improvements

or changes in this aspect of work relations. They emphasized the need for better wages along with women supervisors who would understand and be sympathetic to their issues.

To summarise, the three main forms of violence faced by women workers employed by the garment industry were identified as: biases at the time of recruitment, sexually undergirded language at the shop floor and exploitation through forced overtime and double burden of domestic work that increases the difficulties in completing high pressure production demands in garment industry. The workers we interacted with had, so far, been unsuccessful in using the existing mechanisms of redressal. The fragmented nature of the production process added to the difficultis of demanding their rights or registering their grievances. In addition, the interviewees wholly separated from the final brands are left unaware of their rights or possibilities of improving their conditions of work. Identifying their workplace by the address, the workers had no awareness of the final brands or the companies where their production was going.

As a result of our study, we recognised the utmost importance of creating higher level of awareness among workers and demanding accountability from employers. It is also essential to create space within the working environment, the household and the neighbourhood, for questions of gendered labour and violence. A representative of a LCC we spoke to emphasised the need for changing the gender socialisation process among the workers, starting from the base unit, i.e., the family. They stressed on the need for change in the thinking of both genders, so as to promote a balanced and equal division of labour. More importantly, they said, it was important to understand women as workers, to acknowledge their right to dignity of work. This would embolden women to work without being attacked, and without fear of being maligned by their peers or ostracised by their families. The stigma of freely talking about sexual harassment precludes women from approaching authorities such as the police. The

space within these institutions is not sensitive to the women's anxieties and makes them inhospitable to share their complaints. The defects or shortcomings of legal mechanisms such as police and local complaints committees/internal committees (hereafter LCC) were also reported by the LCC members. The police personnel's inabilities to deal with the matters of harassment with required confidentiality and sensitivity negatively impact the probability of women raising complaints.

Lockdown and the Garment Workers of Kapashera

The findings for this study had begun before the onset of the novel corona virus pandemic. As stated in the methodology, the fieldwork was discontinued with the announcement of nationwide lockdown. When the data collectors resumed their work, an important component that gradually emerged was the crisis unleashed through and because of the pandemic. Most of our respondents, as we mentioned, were daily wage workers. We included within the scope of our study the extent to which they could secure the benefits and reliefs that the government assured for them.

COVID-19 pandemic unleashed a massive humanitarian crisis across the world with all types of socio-economic activities coming to a halt and restrictions imposed on the mobility of people. There were restrictions on both international and domestic trade and closure of businesses, factories, offices, schools, and so on and so forth. All of this impacted the lives of humans across the globe. However, a significant impact was visible among informal sector workers. Unlike those engaged in the white-collar jobs, the workers of the informal sector could not work from home and hence, had no option but to step out amidst the looming socio-economic and health crisis generated by the pandemic. With no income and severe loss of earnings,

the labouring people of the nation were faced with acute food, health and income insecurities.

The women respondents we interviewed also shared similar experiences of the lockdown. As depicted in figure 12 above, out of 58 respondents, 91.4% of them reported loss of employment as lockdown was initiated in the country. Almost all of the respondents belonging to this category were either employed as daily wage workers, contract workers or home-based workers. When we enquired about whether they received a payment for the months of March and April (See figure 13), 88 % of the respondents stated that they had not received any kind of payment for those months, while 12 % said that they had received payment. Among these, some said that they received either full or partial payment for the month of March (in

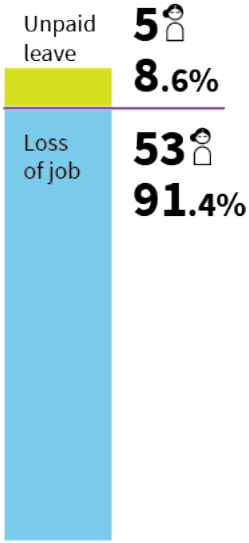
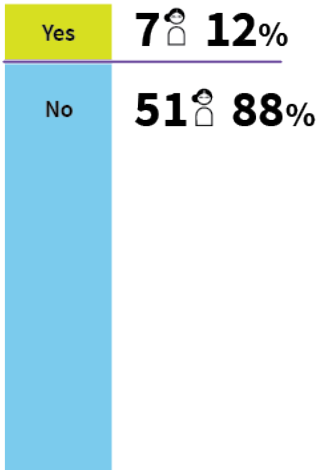


Figure 12
Impact of lockdown on work and employment

Figure 13
Did you receive payment during the months of March and April?



correspondence to the number of working days), while a handful (mostly workers hired directly hired by the company) stated that they received payment for both March and April. Despite the Central Government's advisory on payment of wages to all the workers during the lockdown, most of the workers were denied payment even for the days they worked in March, let alone the payment for April. The period of lockdown further aggravated their precarity when the landlords insisted on the payment of rent. Our quantitative surveys as well as qualitative interviews revealed that a significant portion of the respondents were unable to pay their rent and were able to negotiate with the landlords, promising to pay rent at a later date, in a series of small instalments. However, some respondents were unable to negotiate such deals. Pressed by their landlords for rent, some of the women workers exhausted the little savings they had, or borrowed money from relatives or friends in order to pay the rent on time.

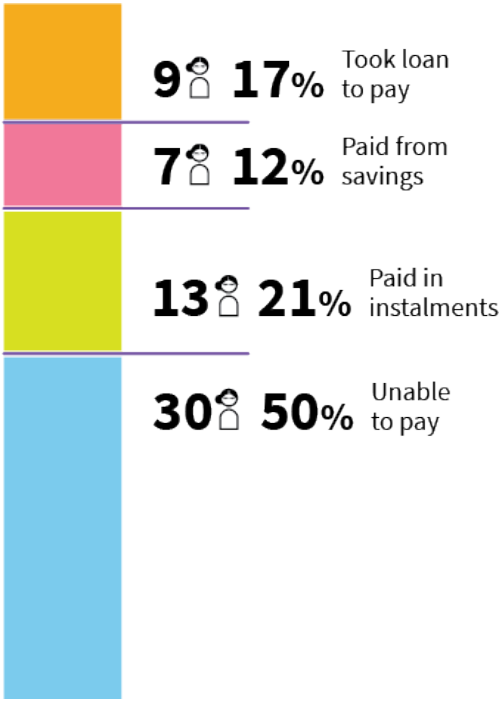


Figure 14
Payment of rent during lockdown

Shortage of money was not the only problem faced by the respondents during the lockdown. In fact, shortage of food, essential and everyday items, was one of their major concerns. From the interviews, it became clear that the initial days of the lockdown were the hardest because the respondents were running out of the supplies which they had stocked up when the lockdown had been announced. It is to be noted that these workers have a hand-to-mouth existence, and therefore, even if they had stocked up on supplies during the initial days of

lockdown, it would not have been sufficient to sustain their families. As a majority of the respondents did not have access to Public Distribution System (PDS), they were excluded from distribution of ration at fair price shops until the Delhi Government came up with the e-coupon scheme.

The surveys showed that 66% of the respondents got some assistance from government and non-government organisations, mainly in form of dry rations through e-coupons or dry ration kits distributed by NGOs. They also received support through hunger relief camps run by government and non-government organisations. 34% of respondents did not get access to even these sources of support.

These effects of the pandemic highlight the precarity and vulnerability of workers who lack a clear employer-employee relationship and are thus reduced to the status of daily wage workers. As the pandemic unfolded, workers were not provided with any legal recourse to help claim their wages or other

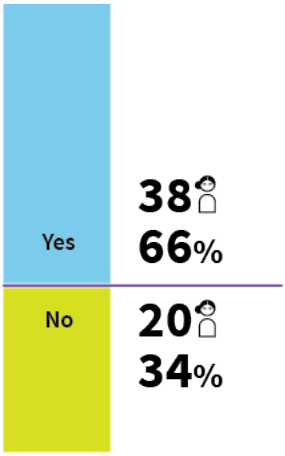


Figure 15
Did you receive help from the Government or an NGO during the lockdown?

essential securities. Not having any documentary evidence of employment exacerbated their inability to demand their rights, and made it near impossible for them to avail many of the support schemes run by the local government.

Endnotes

1 Sujana Krishnamoorthy, Garment Industry and Labour Rights in India, p.159.

2 See, Alessandra Mezzadri and Fan Lulu, 'Classes of Labour', where they explain that 'The management reiterate that any kind of unionism which can lead to a strike, especially in an export firm, can be extremely costly as the production is highly time-bound.' P. 49.

3 The CSO worker mentioned here has been actively engaged with providing skill training to women workers in Kapashera. He is part of an organisation that helps create alternate forms of employment by providing sewing machines among the workers. Women workers are also trained to use the machines and work independently from their homes.

4 In many instances workers spoke of the fear of leaving behind their children, especially girl children, as they were likely to become victims of sexual crimes in the unsafe neighbourhood.

Conclusion: Recommendations and Suggestions

The present study has analysed various forms of gendered violence and discrimination faced by the female garment workers of Kapashera, by locating the question in the context of wider social relations in the industry. The study has made it clear that intense production demands, coupled with a regimented division of labour and absence of basic amenities and ineffective redressal mechanisms make the lives of female garment workers extremely difficult. The everyday humiliations faced by the garment workers – both men and women- at the hands of the supervisors/ contractors–take an immense toll on the mental, physical and emotion wellbeing of the workers. The female workers face the additional burden of sexualised violence, thereby robbing them of the right to a dignified life and livelihood.

The study has also found that there is a direct relationship between the insecure form of employment in the garment industry and the acute distress that the garment workers went through during the pandemic. In the absence of proper employment letters, social security coverage and job protection, millions of workers suddenly found themselves unemployed in the lockdown period, with no social support mechanism in place. Being migrant workers, these labourers also often found themselves excluded from various welfare measures declared by the government, as they didn't have adequate documents. The pandemic period also saw increase in instances of domestic violence, as tensions soared in the distressed families.

The study makes it clear that the garment industry in the present form is not sustainable, either from the perspective of economic growth or providing decent employment. A series of inter-related interventions will have to be made to make the industry sustainable in the long run. In this context, two recommendations made by the key stakeholders are extremely important.

The first recommendation was made by the women workers themselves. During the interactions for this study, the workers clearly said that while their primary desire is to have better wages, they would also like to have more women supervisors who, they hoped, would be more compassionate to their problems, easier to engage with, and potentially less abusive than the male supervisors. They hoped that by having women supervisors, they would be free from the vulgar jokes and sexual innuendos made by the male supervisors.

The second recommendation was made by the CSO and LCC members. During the interviews, they brought forward the larger question of gender equality and gender awareness in the society, specifically in Kapashera. They spoke of the need to build awareness among women workers about different forms of gendered violence and prepare them to resist violence by providing adequate avenues to report such violations. They also felt that often the women workers 'naturalise' the sexual and verbal abuse that they face at their homes and it makes it difficult to build solidarity across the women workers vis-à-vis the violence perpetrated by the contractors and supervisors at the shop floor. They spoke of the need to intervene in the socialisation process itself, in the homes, colonies, public spaces and workspaces. The CSO and LCC members felt that interventions must begin at the most basic level, i.e., the family, wherein children as well as adults can be brought into conversations about gender roles and gender sensitivity.

Both these recommendations are very important to address gender violence in the garment industry. But given the characteristics of the sector as discussed in this study, a set of related steps would also be required.

At the very least, the accountability of employers – the owners and the multi-brand-companies – will have to be ensured. A mechanism will have to be developed to account for the loss of

productivity and value, due to the constant sexual harassment and violence faced by the women workers in the garment industry. Such a mechanism should also be able to demonstrate the cost incurred by the employers due to the high turn-over of the skilled workers, which is related to the usage of sub-contractors and less than optimal work conditions in the industry. Such cost-calculation should then be used for advocacies with the employers – the owners and the multi-brand-companies – for long term employment/retention of workers with written contracts, discourage sub-contracting and promotion of violence free workspaces.

The employers and authorities will have to be convinced that investing on building the capacities of the workers – through skill development, transparent and gender just mechanism for job promotion and proper worksite facilities (drinking water, bathroom facilities etc.) will encourage productivity and in the long run bring down the costs of work related disturbances, worksite accidents and waste of resources.

Another important element that emerged from the present study is related to childcare. Making provisions for safe, appropriate and hygienic child care centres will allow parents, especially women - leave their children without any fear or worry about their safety and encourage productivity and brand loyalty.

Besides engaging with workers and employers, there is a need to strengthen the existing mechanisms for redressal, especially with regard to sexual harassment and dispute over wages. The legislations do cover many details of workers' lives but there is no proper implementation or training of the officials who form the machinery for implementing these laws. A proper tripartite system will go a long way in bringing down the litigation costs and work related anomalies.

In the context of the above mentioned recommendations, initiatives such as the Centre for Labouring Women can play an

important role. The training and meetings conducted by the Centre provide avenues for women workers to learn from the experts in the field of Labour and Gender Rights. It encourages active involvement among women who share the neighbourhood and places of work. Such engagements open up spaces for taking up issues that affect them in their everyday lives. Apart from building awareness and organisation among the women workers, such initiatives can also act as interfaces with the authorities and the employers, to demand and ensure gender rights and labour rights for the garment workers.

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