



GFEMS SOUTH ASIA PREVALENCE ESTIMATION RESEARCH PROGRAM

RIPPED AT THE SEAMS: RMG SECTOR WORKERS DURING A GLOBAL PANDEMIC

December 2020

This publication was produced at the request of the Global Fund on Modern Slavery (GFEMS). It was prepared independently by NORC at the University of Chicago through Christopher Hansen, Ridhi Sahai, Vaiddehi Bansal, Mithila Iyer, and Kareem Kysia with support from Jafar Iqbal and Maansi Parpiani.

Prepared under Contract No.: 8521.02.01

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ACRONYMS

CGWR	Center for Global Worker's Rights
CMT	Cut-make-trim
GFEMS	Global Fund to End Modern Slavery
ILO	International Labour Organization
IOM	International Organization for Migration
IRB	Institutional Review Board
KII	Key Informant Interviews
NCR	National Capital Region
NAEC	Noida Apparel Export Cluster
NGO	Non-government organization
RMG	Ready Made Garments

1. EXECUTIVE SUMMARY

The purpose of this rapid assessment is to understand how the COVID-19 pandemic is affecting vulnerable apparel workers in the Ready Made Garments (RMG) industry in Bangladesh and India. “Ripped at the Seams: RMG Sector Workers during a Global Pandemic” presents a wide range of insights that support the Global Fund to End Modern Slavery (GFEMS) in adapting future programming to new COVID-19 realities on the ground. To this end, three research questions were developed to address descriptive and normative questions about the COVID-19 pandemic’s short- and long-term impacts on Bangladesh and India’s RMG industries, focusing on supply-chains and factory-level business as well as worker vulnerabilities and possible forced labor.

This mixed-methods study was conducted in two phases. In the first phase, NORC at the University of Chicago conducted a desk review of recently published media articles, reports, white papers, and other online content to help address the research questions as well as inform the approach to primary qualitative data collection. Primary data collection was conducted in the second phase, including key informant interviews with sector stakeholders, such as government officials, non-governmental organizations (NGOs), and employers’ representatives and workers’ representatives in the formal and informal sectors. Overall findings and recommendations from the rapid assessment are summarized below.

FINDINGS

The RMG industry employs millions of workers in Bangladesh and India. Garment workers are vulnerable to forced labor due to high rates of poverty, the fragmented and informal nature of textile supply chains, and weak enforcement of legal protections for workers. Though the apparel sector has long come under criticism for poor working conditions, sexual harassment, forced labor, and workplace health and safety issues, the COVID-19 pandemic further exposed major, existing flaws in the global garment supply chain. Many global brands (“buyers”) responded to the pandemic by cancelling orders, halting production, and refusing to pay factories (“suppliers”) in developing countries. Refusal to pay left suppliers—many of which already operate on razor-thin margins—in debt and with excess inventory. As a result, many suppliers could not or did not pay workers, leaving already impoverished workers in an incredibly vulnerable position. Though these trends developed differently in Bangladesh and India, in both cases it led to a heightened risk of workers being subject to forced labor.

Key Finding 1: The COVID-19 pandemic is exposing the power imbalance between buyers and suppliers.

In both countries, the pandemic is exposing and reinforcing the asymmetric power dynamics between buyers and suppliers in the global supply chain, putting suppliers in increasingly vulnerable positions. The fallout from the COVID-19 pandemic is eroding trust between buyers and suppliers.

Key Finding 2: RMG workers, particularly women, migrants, and informal sector workers are especially vulnerable.

Most RMG workers lost wages as a result of closures and lockdowns associated with the pandemic. With increasing amounts of debt, no source of income, and uncertainty about their

future employment and income prospects, RMG workers are in an extremely vulnerable situation. Among RMG workers severely impacted by the pandemic, certain sub-populations, such as women and migrants and those in the informal sector, have been disproportionately affected.

Key Finding 3: The COVID-19 pandemic has led to an increase in the risk of forced labor.

The pandemic has increased the financial insecurity and desperation of workers, as there are fewer RMG sector jobs than before the pandemic and workers have less leverage. Those apparel workers returning to work face increased pressure to accept poor working conditions, including being subject to forced labor, due to the generally uncertain outlook for factory employment and the large number of unemployed workers who could replace them.

RECOMMENDATIONS

RMG sector stakeholders, including private sector supply chain actors, policy actors, and GFEMS implementing partners, can use this research to adapt programs and address the multi-faceted challenges of apparel workers. Based on this report's findings, NORC puts forth a total of 12 recommendations, including 4 general recommendations for both Bangladesh and India and 8 country-specific recommendations. As detailed in the report, recommendations cover activities ranging from the short- to long-terms and involving varying levels of collaboration among RMG sector stakeholders.

General recommendations for Bangladesh and India RMG industries include the following:

- Expanding COVID-19-related occupational safety and health (OSH) training, including awareness campaigns and guidelines for maintaining a safe workplace;
- Increasing overall health awareness and primary health care support through mobile clinics or temporary health centers (provided through collaborative efforts of buyers, suppliers, government actors, and NGOs);
- Strengthening government programming in the RMG sector, including an increase in oversight of informal factories; and
- Establishing worker-focused policies and operations in the private sector that protect against the negative impacts on workers in the case of future crises.

With regard to the RMG sector in Bangladesh, NORC recommends advancing livelihoods programming for vulnerable workers as they may need additional training to enhance their ability to find alternate employment outside formal and informal factories. Other recommendations include broadening social protection programs for all RMG workers, including unemployment benefits and housing, to mitigate the long-term impacts of housing and food insecurity in times of crisis. NORC also recommends rebuilding trust between buyers, employers, and workers through programs that promote a culture of responsible leadership.

In India, NORC recommends the mediation of unpaid wages for workers through government mandate and advocating for the passage of long-term social protection and labor regulation legislation, such as the One Nation, One Ration card initiatives. Other recommendations include promoting workers' collectives as key vehicles for organizing, training, and information-sharing as well as supporting initiatives for home-based workers and children that connect workers to their entitlements and reduce student drop-out rates. Lastly, NORC identified a need for providing

technology and data security support for implementing partner organizations whose work is now virtual due to physical distancing guidelines.

2. INTRODUCTION

RESEARCH PURPOSE

NORC at the University of Chicago conducted a five-month rapid assessment of COVID-19's impact on the RMG industry in Bangladesh and India with funding from the GFEMS. The research presented here has an emphasis on the increased risk of forced labor among vulnerable working populations associated with the COVID-19 pandemic.

The RMG industry employs millions of workers in India and Bangladesh, prior to the pandemic accounting for two percent and twelve percent, respectively, of each country's Gross Domestic Product (GDP) (IBEF 2019). Garment workers are vulnerable to forced labor due to high rates of poverty, the fragmented and informal nature of textile supply chains, and weak enforcement of legal protections for workers (Mezzadri and Srivastava 2015; Verite 2010; Islam 2017; Noman *et al.* 2016).

Though the apparel sector has long come under criticism for poor working conditions, sexual harassment, forced labor, and workplace health and safety issues, the COVID-19 pandemic further exposed major, existing flaws in the global garment supply chain. Many global brands ("buyers") looking to cut corners after a reduction in revenue due to the pandemic, responded by cancelling orders, halting production, and refusing to pay factories ("suppliers") in developing countries. Refusal to pay left suppliers—many of which already operate on razor-thin margins—in debt and with excess inventory. As a result, many suppliers could not or did not pay workers, leaving already impoverished workers in an incredibly vulnerable position. Though these trends have emerged differently in Bangladesh and India, and affected Bangladeshi and Indian workers differently, in both cases there is a heightened risk of workers being subject to forced labor, particularly because of a likely uptick in the number of people who will resort to working in "unregulated" factories, which – as per the name – are not subject to government oversight. In India, this situation is further complicated by large numbers of smaller factories in rural areas, as well as the prevalence of home-based workers.

In response to the effects of the COVID-19 pandemic on the RMG sector, NORC designed a rapid assessment to address descriptive and normative questions about the COVID-19 pandemic's short- and long-term impact on Bangladesh and India's RMG industries. The research team used qualitative methods to gain a holistic and deep understanding of the topic. Qualitative data collection methods included 19 semi-structured key informant interviews (KIs) with governmental and non-governmental stakeholders as well as actors across the RMG supply chain. As a first step to answering these questions, NORC conducted a desk review of recently published media articles, reports, white papers, and other online content to help answer the research questions as well as inform the approach to the primary data collection activities that followed.

RESEARCH QUESTIONS

The research questions for the GFEMS RMG study are as follows:

RESEARCH QUESTION 1

What are the impacts of the COVID-19 pandemic on RMG supply-chains and factory-level business?

RESEARCH QUESTION 2

How have workers been affected by the COVID-19 pandemic?

RESEARCH QUESTION 3

How do the COVID-19 pandemic's impacts on business and on workers affect vulnerability and possible forced labor?

3. RESEARCH METHODS

DATA COLLECTION & TOOLS

RAPID SYSTEMATIC DESK RESEARCH

The desk review constitutes a critical data source for this rapid assessment. In order to conduct this study and gather relevant information in an efficient and timely manner, we conducted a rapid systematic review of grey literature tied to our research questions. Rapid reviews are a useful approach to swiftly provide actionable evidence for informed decision-making in emergency contexts, such as the global COVID-19 pandemic. Our team relied on credible newspaper articles, media reports, government and international organization COVID-19 response statements and policy briefs, white papers, and blogs from research institutions and reputed policy experts.

To structure our search and ensure reliable information, the research team developed an online search methodology and internal databases of relevant sources in consultation with GFEMS and our subject-matter experts. The team completed the searches using the following databases. The detailed search protocol is attached as [Annex B](#).

- General search engines, such as Google and Google Scholar, to identify relevant online content – newspaper articles, white papers, media reports, policy blogs
- Government websites;
- NGOs and service provider websites;
- Websites of local and international research organizations focusing on human trafficking policy issues to source relevant articles, blogs, and online content
- Websites of key international multilateral organizations working in the migration space, such as the ILO, IOM and World Bank;
- Reliable local news sources, using our team’s local language skills to source relevant information from country-specific media reports.

In parallel to this evidence gathering effort, the research team also gathered documents reflecting the larger context in each of these countries as it relates to the overall developments and issues in the RMG sector. These documents included country-specific forced labor assessments, legal briefs on specific force labor related laws, country profiles from reliable sources, and migrant worker statistics and databases.

KEY INFORMANT INTERVIEWS (KIIs)

The research team used a stakeholder mapping tool to identify the key stakeholders working in the RMG sector in Bangladesh and India, including government officials, NGOs, workers’ representatives in the formal and informal sectors, and employers’ representatives in the formal and informal sectors. A detailed list is included as [Annex C](#). Initial sampling for the stakeholder interviews was done in consultation with GFEMS and reviewed and finalized by NORC using a purposive selection method. Over the course of data collection, NORC conducted a total of 19 virtual key informant interviews (KIIs), of which 16 were individual KIIs and 3 were group KIIs.

Conducted via Zoom, KIIs were approximately 60 minutes long. The semi-structured interview guide was customized for different stakeholder groups, but broadly covered topics related to supply chain impacts related to the COVID-19 pandemic, buyer practices, formal and informal sector conditions, experiences of vulnerable workers, and implications and recommendations.

QUALITATIVE DATA ANALYSIS

DOCUMENT REVIEW AND CODING

The research team gathered indexed documents and news reports from March 1 to July 20, 2020. The team used a deductive thematic approach to develop a codebook, which was iteratively refined as new themes emerged during the document review process and imported into Dedoose (version 8.3.35), a qualitative analysis software. Overall 137 sources were reviewed using the final codebook, resulting in 1,043 code applications and 746 media excerpts. Additional documents were also reviewed during the desk research process, but were not analyzed using Dedoose. Some key themes identified during the analysis include the significant effects that rippled throughout the supply chain including buyer cancelation and non-payment of orders, non-payment of workers or closure of factories, government and private sector response (or lack thereof), and recommendations for how factories, governments, and buyers should proceed. Findings are further elaborated in the following sections, disaggregated by research question and sub-question where applicable.

KII CODING

Data gathered from interviews were captured by the research team in interview notes, coded using Dedoose, and analyzed using an inductive approach. The desk review codebook was updated and used to code the KIIs. A total of 19 KII notes were included in the coding process, resulting in 706 code applications and 343 excerpts. Emergent themes are detailed in the report and supported with relevant quotes.

4. FINDINGS: BANGLADESH

RESEARCH QUESTION 1

What are the impacts of the COVID-19 pandemic on RMG supply-chains and factory-level business?

KEY FINDINGS

- The pandemic is exposing and reinforcing the asymmetric power dynamics between buyers and suppliers in the global supply chain, putting suppliers in increasingly vulnerable positions.
- Massive cuts to suppliers' business, buyers' lack of payment for inputs and work already completed on orders, and complexities around the government shutdown affected millions of garment workers across the country.
- Employers feel that they are caught between competing demands—production demands from buyers and new labor and occupational safety and health (OSH) guidelines from the government.

COVID-19 Pandemic Impacts on Formal Sector

The effects of COVID-19 in Bangladesh have rippled throughout the RMG supply chain. As clothing stores in the US and Europe have shut their doors and revenue falls, companies are looking to cut costs (Lalon, 2020). As a result, since the onset of the pandemic in March, over 90% of factories in Bangladesh reported buyers canceling contracts and putting holds on ongoing work orders (The Daily Star, June 4 2020; Anner, 2020). A survey conducted by the Center for Global Workers Rights (CGWR) in March showed that 23.4% of suppliers indicated that “a lot” of in-process orders had been canceled, 22.3% had “most” of their in-process orders canceled, and 5.9% had all of their in-process orders canceled. As of April 2020, 1.5 billion dollars of revenue had been lost – by June, this number rose to 3.15 billion USD (Lalon, 2020; The Daily Star, June 4; Kelly & Ahmed, 2020, Quartz, 2020). As of July 20th, according to the Bangladesh Garments Manufacturers and Exporters Association (BGMEA) 3.18 billion USD has been lost and 2.28 million workers have experienced some negative effects, such as lost wages (BGMEA, 2020). Mostafiz Uddin, managing director of Denim Expert in Chittagong and founder of the Sustainable Apparel Forum, stated, “Orders are being cancelled by buyers and retailers at a rate we’ve never seen before... It is crippling the entire industry. If the buyers do not pay the manufacturers, how will the manufacturers pay the salaries to their workers? Without orders, factories cannot remain operational and will go bust” (Mostafiz Uddin, quoted in Sutherland, 2020). Workers in the formal sector experienced a number of challenges, such as factory closures and termination. One KII respondent notes that 130 Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA) member factories and 398 BGMEA member factories closed their operations temporarily. These estimates primarily include small- and medium-sized factories that were not as prepared to absorb the financial loss as larger ones.

Though buyers have contracts with suppliers that require them to pay for orders, many buyers have asked to delay payments by up to 6 months (The Daily Star, June 22, 2020) while others have managed to cancel orders altogether or avoid payment for orders by invoking a little known “force majeure” clause in contracts (Hafiz, 2020). This clause is usually used in case of natural disasters or war as a justification for not paying suppliers, even if those suppliers have already paid for fabric and workers’ labor (AP News, March 27). However, as the pandemic erupted a number of buyers investigated if their “force majeure” clauses also covered disease or “acts of god” that might allow them to sidestep their normal legal obligations (Quartz, 2020). Furthermore, when buyers did cancel orders, CGWR shows that 72.1% of buyers refused to pay for the raw material inputs, like fabrics, which suppliers had already purchased and paid for. 91.3% of buyers refused to pay for the cut-make-trim (CMT) costs already incurred to complete the orders (Anner, 2020). The government mandated lockdown period, explained in more detail in Research Question two, further halted business and possible income for suppliers.

During the lockdown, buyers increasingly requested air shipment or a combination of air and seaport shipping which increased freight cost from \$2.50 to \$4.25 on average per unit; however, they declined to pay for the additional costs, passing it along to suppliers. At the same time, buyers also reduced the lead time minimum to 15-20 days for suppliers to deliver the product. In these ways, buyers shifted the liabilities of stock inventory to the suppliers, thus increasing the cost of production by 20 to 30 percent for each product, according to one respondent. A research report noted “suppliers bear the up-front cost of production and buyers pay nothing until weeks or months after the factory ships the goods” (Anner, 2020).

Overall, the massive cuts to suppliers’ business, buyers’ lack of payment for inputs and work already completed on orders, and complexities around the government shutdown affected millions of garment workers across the country (AP News, March 27; Quartz, 2020) and resulted in worker termination and lack of payment to workers. Though numbers vary, a number of sources report that approximately 25,000 workers in the formal and informal RMG sectors lost their jobs as a result of the pandemic, and buyers’ response (The Daily Star, June 22; Kelly & Ahmed, 2020). Effects on workers is discussed in more detail below.

Many buyers initially turned a blind eye to the human effects of the COVID-19 pandemic amidst their attempts to save money. In March, the Center for Global Workers Rights cites that 98.1% of suppliers surveyed said buyers did not help cover the cost of paying workers who were furloughed due to in-process order cancellations. Similarly, 97.3% of suppliers said that buyers also did not assist with severance costs for workers who were dismissed due to lack of orders. Given this, as of CGWR’s March survey, 72.4% of factories said they could not provide workers with some income while furloughed, and over 80% said they could not provide severance pay when workers were dismissed (Anner, 2020).

COVID-19 Pandemic Impacts on Buyer Practices

As expected, some buyers are displaying better practices than others during the pandemic, with several large companies taking a leadership role in relation to their corporate responsibilities. Early on, some brands took initiative and agreed to complete full payments for ongoing orders (Anner, 2020, Quartz, 2020, Sutherland, 2020). In March, many brands had not made a commitment to pay for orders. However, over time, as a result of global pressure and advocacy by workers associations, NGOs/CSOs and rights groups, a number of companies did put out statements

promising to pay for orders and many of those companies did sign on to pay orders at various points in time (Kelly & Ahmed, 2020, Quartz, 2020, ABC News, May 12, 2020). The website WorkersRights.org has a tracker that reviews and regularly updates which buyers have agreed to pay for orders. As of July, about 19 major companies agreed to pay full order amounts. However, the Workers' Rights tracker shows that as of July, many large brands are still not paying for previous orders. In some cases, forcing payment will be difficult because companies have declared bankruptcy (The Daily Star, June 4, 2020). Other brands have asked for discounts or planned to cancel orders, but retracted after significant public pushback. Still other brands have gone into bankruptcy, leaving no chance of reinstatement of work order in the future.

When lockdowns in countries were lifted and key demand economies, such as the US, opened up again, garment production resumed in Bangladesh. Employers now feel caught between competing demands—production demands from buyers and new labor and occupational safety and health (OSH) guidelines from the government. Employers see it as a double-edged sword as they are bound to pay the workers' wages in accordance with law at the same time that they are pressured by buyers to lower production costs. As one formal employer noted:

“Bangladesh Labor Code stated to increase workers' wages 5%; we requested the government to suspend this provision as some states in India did it. However, the government strictly opposed this. Everybody talks about workers' wages; nobody talks about sustainable business.” – Formal Sector Employer

The pressure from within the regulatory framework continues to grow and add to the cost of production for suppliers. Similarly, the external push from the buyers of the ongoing delayed shipment and a cumulative payment discount of 20-25% on orders are strangling the industry day by day. Even if most of the orders have been reinstated, continuing the business operation with the current cost becomes difficult. If the existing business terms continue into the future, suppliers expressed doubts as to the viability of their businesses.

“Factory closures are bound to happen, leaving the manufacturers to fall out of business.” – Formal Sector Employer

The pandemic is exposing and reinforcing the asymmetric power dynamics between buyers and suppliers in the global supply chain, putting suppliers in increasingly vulnerable positions. For example, one supplier noted that, when suppliers negotiated the product price with prominent buyers during COVID 19, the buyer simply stopped sourcing from that factory. Consequently, suppliers had to shut down three of their five production units. Suppliers fear that the consolidation of power may lead to an exclusively buyer-driven global supply chain business model.

“All those indicators prove the business model will be a more buyer-driven market in which buyers enjoy absolute power for business decisions and supplier bounds to follow what buyers want.” – Formal Sector Employer

Fallout from the COVID-19 pandemic is eroding trust between buyers and suppliers. For over 40 years, suppliers in the RMG sector considered themselves as partners with buyers. Being partners involved conforming to international labor standards, business ethics, and compliance

frameworks. “We always honor and respect their code of conduct and advice,” one supplier stated. Invoking “force majeure” contract clauses and canceling orders without consultation damaged the partnership approach of the business and, according to some suppliers, exposed the true motivations of buyers.

“The buyers not only canceled orders but also threw away millions of workers into the life of full uncertainty. That behavior exposed their real face of hypocrisy and double standard on ethical business.” – Formal Sector Employer

The pandemic will have long-term implications for the RMG sector. The external pressure from buyers around discounted pricing, shifting liabilities from buyers to suppliers, and the pressures of government-mandated workers’ wages, utility cost, and responsibility for compliance with OSH measures may ultimately force many suppliers to exit the RMG sector and close factories. At the same time, the worsening power imbalances and the trust deficit between buyers and suppliers may exacerbate inequalities in the global supply chain business model, making unclear the long-term sustainability of the RMG sector.

COVID-19 Pandemic Impacts on Informal Sector

Though many studies, including those cited above, have been completed on the effects of the COVID-19 pandemic on the export-oriented RMG sector, comparatively less information is currently available about further trickle down effects on the informal sector. However, several sources point to the precarious nature of informal work, including among smaller, unregulated sub-contractors who produce work under the table for the export-oriented factories. These informal factories typically act as back up when formal factories are past capacity. Informal factories have even less reserves than formal factories, and do not receive government support that could have helped them pay workers during and after lockdown.

There are two types of informal factories in Bangladesh, both of which faced closures, declining orders, and difficulty paying workers as a result of the COVID-19 pandemic. The first type of informal factory produces for local markets, and the second type produces for formal sector factories that are suppliers to global brands. As part of the supply chain effect and the global impact of the pandemic in overseas garment markets like the US and Europe, the informal factories supplying formal factories began closing their businesses in March 2020 and remained closed until mid-May 2020. A leading national newspaper in Bangladesh noted that as of September more than 300 factories had permanently closed, representing a loss of \$1 billion USD, while an estimated 50,000 workers had lost their jobs, most from subcontract factories. (*The Daily Star*, September 13, 2020).

The informal sector faced additional challenges resolving outstanding salary and severance pay during this period as they were not eligible for the government stimulus package and did not receive support from banks. Whereas formal sector factories received various export incentives, including government stimulus as well as financial loans from banks, informal factories did not. Informal sector factories were ineligible for stimulus packages and bank loans as they are not exporting the product directly, not members of the BGMEA or BKMEA, and do not have established banking relationships with banks. Thus, informal sector factories face significant pressures with little relief.

“We cannot sleep at night from the 1st to the 10th of each month, when payment for workers salary appears before us.” – Informal Sector Employer

Informal sector factories in Bangladesh began reopening in late May and early June of 2020; however, they continue to face special challenges and uncertainty. Operators of informal factories tend to be former workers themselves and are owners of petty capital. Therefore, informal sector factories’ capacity to absorb shock is quite limited. Furthermore, one respondent estimated that about 30-40% of all informal sector factories run their businesses based on the availability of day-to-day work orders. So, even as they reopen, some informal sector may have to shutter quickly if steady work does not continue.

RESEARCH QUESTION 2

How have workers been affected by the COVID-19 pandemic?

KEY FINDINGS

- While the majority of workers are unable to negotiate with employers for their outstanding wages or fight against “illegal” termination, those who seek union support are more likely to receive relief from employers or get paid their dues.
- When factories did reopen, those workers who were not terminated returned to work at factories with an increased risk of being exposed to COVID-19 due to the lack of protection and safety measures. In addition, many factories did not retain previous workers and instead employed new workers who were willing to accept lesser pay and longer hours to ensure the financial security of factories.
- Workers who have retained their jobs are also facing an adverse situation due to a lack of timely wage payments or salary cuts. These workers are also in a vulnerable situation as they are working regular or over-time hours but are not paid wages.
- Women workers, workers employed in the informal sector and migrant workers are disproportionately affected by the impacts of the pandemic on the garment sector due to larger debt burdens, exclusion from government support and risky means of travel from rural areas to Dhaka.

Effects on Employment

Workers are feeling the brunt of the failure of the global apparel supply chains during the pandemic due to factories stopping production, lack of payment for hours worked, the government shutdown period, forced furlough, and improper termination processes. Numbers range dramatically, but between one and four million Bangladeshi garment sector workers have had their employment directly affected by the COVID-19 pandemic (Anner, 2020; Sultan et. al, 2020; Quartz, 2020), and up to 10 million people including workers themselves and their families, are affected by canceled contracts, unpaid orders, and factory closures (Hafiz, 2020).

While some estimates of employment termination are based on official factory data usually provided by BGMEA and BKMEA, other information is provided by workers unions and NGOs,

based on their perception and personal knowledge of the situation. BGMEA data indicates closure of 113 factories and retrenchment of 51,529 workers since the pandemic. However, most KII respondents indicate that actual numbers far exceed official reports. In many cases, respondents such as formal employers understated the magnitude of workers who lost jobs, likely because the RMG factories tend to be under public scrutiny. These divergent perspectives on the magnitude of the effect of the COVID-19 pandemic on workers is captured in the quotes below.

“What happened was workers from small and medium-sized factories and sub-contracting factories lost their job, but the big factories recruited them the next day. In real terms, there are no unemployed workers in the RMG sector. There is no such government support program mainly for the RMG workers, but this is also true. This kind of support is not required as there were no unemployed workers in the sector. Even at the time of job separation, employers ensured 100 percent severance pay to the workers.” – Formal Sector Employer

“We cannot claim that workers who lost a job then found alternative occupations. According to the new report, we come to know workers engaged in various occupations such as a vegetable seller, rickshaw pulling, seasonal fruits sale, construction work, fishing in the rural areas. In the city, some workers are engaged in the sale of electronics items, shoes, etc. All of them are informal workers. In general, there is a limited scope of work. Therefore it is tough to find work at this time.” – Government Representative

In addition, it is likely that the number of RMG sector workers who lost jobs is underestimated as workers who are employed in unregulated or informal factories are not counted in formal estimates.

Trade Union representatives further emphasize that many factories are terminating workers without providing compensation or providing service benefits; some factories forced workers to sign blank papers and return their ID cards to further evade their severance responsibilities (Sultan et. al, 2020). Furthermore, another 18,000 workers – or more – have not been paid for their hours that they already worked (*The Daily Star*, June 4; Sultan et. al, 2020, *RMG Bangladesh*, 2020). KIIs with key stakeholders confirm that most workers are being terminated without following proper protocol. In most cases workers are forced to sign their resignation letters, fired without advance notice, and denied severance pay.

“The process they followed, management of the factories suddenly told workers do not need to come tomorrow and hang notice of termination on the factory gate. Unfortunately, most of them were not paid their severance pay.” – NGO Representative

“Employers used late joining as an excuse for firing workers. The first line of attack to firing workers targeted the one-year-old workers, then senior workers' service length of 5 to 10 years and then pregnant women.” – Formal Workers' Representative

“It is not termination; instead, we can define it as massive fire and forced resignation as workers were forced to sign on the resignation letter. As they observed, 150,000 workers lost their job; of them, 140,000 workers get paid according to section 20 of the labor law, which is illegal, rest paid following various provisions of labor law.” – NGO Representative

Workers who have retained their jobs are also facing an adverse situation due to a lack of timely wage payments or salary cuts. These workers are also in a vulnerable situation as they are working regular or over-time hours but are not paid wages.

“After Eid, we saw seven factories in Narayanganj recruited workers without giving preference to workers who served previously. This factory offers 8,600 BDT [101 USD] now from 9,000 BDT, [106 USD] the amount paid previously.” – NGO Representative

Although the government introduced a stimulus package specifically for RMG factories to carry on operations, including paying workers, it appears the benefits are not reaching those who need them most. Several KII respondents highlighted that big factories (which comprise less than 10% of total RMG factories) were more likely to receive stimulus package benefits, therefore, being able to pay worker wages. On the other hand, small, medium and informal factories (90% of total RMG factories) did not get benefits and as a result, it is likely the majority of their RMG workers were not paid outstanding or complete wages after the onset of the pandemic and government lockdown. The fact that many workers have been let go without following proper protocol, or called to work but not paid for that work, indicates that the full scale of the problem is likely hidden.

As a result of these layoffs, wage cuts, and lack of payment, Center for Policy and Dialogue found that 63% of respondent workers could not pay house rent, 39% had unpaid utility bills, and 36% cited unpaid school fees (RMG Bangladesh, 2020). In addition to income loss, workers have to battle rising prices and limited availability of essential commodities, putting them and their families in an even more vulnerable situation.

“Workers’ salary had curtailed on the one hand, and essential commodity price went on high; house rent remained the same, and additional cost for soap, hand sanitizer, and other cost added into the regular costing on the other. Workers faced double challenges in income loss on the one hand and substantial financial pressure from the cost of living during the pandemic period.” – Formal Workers’ Representative

While the majority of workers are unable to negotiate with employers for their outstanding wages or fight against “illegal” termination, those who seek union support are more likely to receive relief from employers or get paid their dues. Research shows that trade unions and local NGOs have taken a leadership role in negotiating with factory owners, employers’ associations, and the government to help promote payment of wages and job security for workers, as well as working with the Directorate of Factories and Establishment (DIFE) to collect information on closed factories, layoffs and retrenchments, and unpaid wages (Sultan *et. al*, 2020).

“One thing I must acknowledge is that union in the factory or union federations get involved in the negotiation, workers get their lawful. Mostly workers were deprived of getting legal severance pay and other wages where there was no union presence.” – Government Representative

Return to Work

At the onset of the pandemic, RMG factories and workers were first affected by the government shutdown and required a factory closure period from March 26 to April 4 2020. Many garment workers left cities to return to their home villages with the plan of returning by the factory

reopening date. However, without prior notice, on April 4th the government shutdown was extended to April 12th. Due to the severe lack of coordination between various stakeholders, and despite limited modes of transportation, hundreds of garment workers walked more than 100 km to Dhaka to get back before April 5th. On returning to Dhaka, they saw that factories were still closed. In addition, many landlords denied workers access to their homes fearing the spread of COVID-19 infection. Factories remained shut until April 26th, with factory owners providing limited to no information to workers about when they could resume work.

Eventually, when factories did reopen, those workers who were not terminated returned to work at factories with an increased risk of being exposed to COVID-19 due to the lack of protection and safety measures. While trade unions, ILO, BGMEA, and BKMEA are making efforts to provide information and safety training in formal factory establishments, workers believe these measures do not translate into appropriate precautions or social distancing in factories. Factory owners do not always choose to enforce regulations on the use of gloves and masks, and some facilities do not provide wash stations or hand sanitizers for workers. Overall, social distancing is not observed and workers continue to live and work in close quarters (Sultan et. al, 2020). One KII respondent noted that the weak enforcement mechanism by DIFE led to workers being very prone to getting infected with the COVID-19 virus – once factories reopened, more than 150 garment workers contracted the virus in a very short span of time.

“Some factories follow some provisions of health guidelines instructed by the government—for example, temperature checks, masks, and hand sanitizers available in some workplaces. However, nowhere in any parts of the industrial hub testing facilities, home quarantine, and isolation facilities exist inside the factories. Social distancing is impossible inside the factories; they have witnessed no single factory reorganizing their work to maintain social distancing requirements. For workers, neither the workplace nor at home, they were able to maintain social distancing.” – NGO Representative

Workers are returning to work in the face of COVID-19 related dangers to protect their income and continue providing for their families. However, employers are exploiting workers' financial vulnerabilities to make them work longer hours for less pay or paying them less for the same amount of work. Therefore, though some workers are retaining their jobs, they are working longer hours and are being exploited by their employers. The combination of financial insecurity, excessive work and limited pay is also compromising worker health and mental well-being.

“Now, the worker comes back to work, work-intensity has increased. That has further gone up while there is a shipment deadline. The management sets production targets too high for the workers they cannot meet even after putting their best effort. That has a severe negative impact on workers mental health.” – Government Representative

“Working hours were squeezed compared to the pre-COVID 19 periods, but work intensity went on high during the pandemic outbreaks. The number of workers reduced significantly; production target sets so high. The same volume of products produced earlier is now providing a reduced number of workers amidst the COVID 19.” – Formal Workers' Representative

Vulnerable Groups in the Garment Supply Chain

Among RMG workers severely impacted by the pandemics, certain sub-populations have been disproportionately affected. These include women workers, workers employed in the informal sector and migrant workers.

“There are three types of workers in the RMG industry: regular (permanent), temporary, and probationary workers (who work for three months and then can be promoted as regular workers). Among them, workers whose length of service is one year were terminated rapidly without following any legal provisions. They are the victim of illegal termination/dismissal by the owners of the factories during COVID-19.” – NGO Representative

Women make up nearly 90% of RMG workers in Bangladesh and are therefore most directly affected by any event that impacts the sector. One trade unionist cites women may also be less likely to push back or speak out against problematic practices in factories given both their vulnerability and social status.

Nazma Akter, the president of the union Sommilito Garments Sramik Federation (SGSF), reported in the Guardian on 9 July, 2020 that her organization “has filed 50 lawsuits on behalf of sacked pregnant workers. In some of these cases, companies had taken workers’ identification cards and forced them to resign, while others simply refused to pay women their maternity benefits. Nazma Akter believes there are many more cases, but with industry-wide job losses, many pregnant workers are too frightened to come forward.” (*The Guardian*, July 9, 2020)

According to the Bangladesh Labor Foundation, 40% of all informal workers are now unemployed and are facing immense financial insecurity, having taken on additional debt at a time with no steady income. Informal workers stranded in industrial belts and unable to return home are borrowing money from relatives and not through formal sources of credit (*Workers’ Representative Informal*). Further, it is well-recognized that informal sector workers receive little to no employment benefits. Such exclusionary practices are also reflected in pandemic-related government subsidies limited to factory owners and workers in formal and export-oriented businesses. The following quote summarizes this sentiment.

“The most unfortunate part of their (informal workers’) life is the exclusion of government welfare support services and the stimulus package. The labor law is absent in the informal sector, including no employment contract or appointment letter, payroll, benefits, and other provisions of labor law. Therefore, owners of the factories failed to avail the stimulus money to compensate workers, making them a particularly vulnerable group of RMG workers.” – Informal Workers’ Representative

It is also common for employers to follow a staggered wage payment process where workers receive the bulk of outstanding wages on *Chand Raat*, the day before Eid festival. However, because COVID-19 was declared a pandemic just two months before Eid, resulting in order cancellations and factory closures, some workers have only received partial payments whereas most others have not received any outstanding wages.

Migrant workers constitute another group of RMG workers facing significant challenges during the pandemic. Having to leave major cities and quickly return to their homes in rural and remote areas at short notice, migrant workers took informal and dangerous transport home – like walking or informal trucks or cargo vans, since formal public transport had been shut down (*Clean*

Clothes, April 4, 2020). Even when they did make it home, ever-changing information on when factories would reopen, and if they were required to be present on opening day to keep their job and collect their back wages created chaos in terms of planning travel and return dates. Consequently, many migrants spent extra time and money going back and forth, or trying to find accommodations in cities as they waited for factories to reopen, often ending up in densely populated and cramped housing or being denied entry as they were perceived to have COVID-19. Although the government introduced relief assistance, citizens were required to produce a national identity card to show that they were a local voter in order to access those services. Facing similar challenges as informal RMG workers, migrant workers who were laid off were unable to access government stimulus packages because these were restricted to those workers who could demonstrate proof of local residency. Political favoritism further excluded these workers, prioritizing voters in their region and affiliated with their party. The quotation below highlights these bottlenecks.

“One of the preconditions to avail of this benefit is to be a local permanent resident. As they are migrants, they were unable to produce necessary documents as proof of local residency. Government assistance or benefits distributed through locally elected representatives who take care of their voters; these workers are not the voter of these areas. Thus, the Government-led social welfare support services excluded these workers.”
– Workers’ Representative Informal

Following months of severe unemployment and income loss, workers were compelled to find other sources of income. Workers living in the rural areas have taken on farming jobs whereas, those in urban centers are working as vegetable vendors, rickshaw pullers, and domestic help. Findings also indicate that male workers have been more successful in seeking alternative employment opportunities, relative to women and elderly workers.

“Old-aged, long-serving workers, including widows who have extended are the most vulnerable group as it is tough for them to find an alternative job and manage finances to run their families. Women are mostly affected because they cannot engage in the kind of work their male counterparts are doing during the pandemic. They don’t have a job, no other option to run their family; thus, they are nearly starving.” – Workers’ Representative Informal

RESEARCH QUESTION 3

How do the COVID-19 pandemic’s impacts on business and on workers affect vulnerability and possible forced labor?

KEY FINDINGS

- Few donors have specifically allocated aid to mitigate pandemic-related adverse impacts on Bangladesh’s RMG sector, such as factory closures and mass lay-offs prompted by order cancellations, delayed shipments, and deferred payments.
- Given the lack of consistent and comprehensive RMG-specific data, the Bangladesh Ministry of Labor and Employment and the Ministry of Finance are unable to provide

an accurate and up-to-date list of terminated employees, limiting their access to relief subsidies.

- RMG workers are working longer hours, accepting lower wages, and tolerating harassment and compromised occupational safety, in exchange for employment.

Possible Forced Labor in Formal and Informal Sectors

The direct and inter-dependent relationship between global buyers and informal factories has been further exposed during the COVID-19 crisis. Triggered by a global suspension in retail, all stakeholders along the multi-tier supply chain witnessed a domino-effect of the crisis. Following nation-wide lockdowns and declining purchasing power, many global buyers coped by closing company-operated stores, cancelling orders, delaying shipments, and discounting the value of merchandise, which compelled factory owners in Bangladesh to halt production and terminate workers. Since many buyers are now demanding both payment deferrals (sometimes up to 4 months or more) and significant discounts from their suppliers, small factory owners are not being paid in a timely manner which has led to a liquidity shortage and large-scale closures. Explained in more detail below, owners and workers of small factories were the most affected by these drastic measures as they were unable to claim stimulus packages provided by the Government of Bangladesh.

Programs and Regulations

Economic Support from International Donors

International donors are introducing a variety of stimulus programs, including private-sector stimulus packages aimed at keeping businesses afloat and more general social safety net programs to support at-risk populations. International donors are generally focusing more on the macro economic conditions in the country. The IMF offered a US\$732 million disbursement to Bangladesh to “help finance the health, social protection and macroeconomic stabilization measures, meet the urgent balance-of-payments and fiscal needs arising from the COVID-19 outbreak” (IMF, 2020). The World Bank Group approved \$1.05 billion for three different projects to help Bangladesh create quality jobs and accelerate economic recovery following the COVID-19 pandemic. However, few donors have specifically allocated aid to mitigate pandemic-related adverse impacts on Bangladesh’s RMG sector, such as factory closures and mass lay-offs prompted by order cancellations, delayed shipments and deferred payments.

The European Union also committed \$113 million to support laid-off workers with an employment history of less than a year. However, given the lack of consistent and comprehensive RMG-specific data, the Bangladesh Ministry of Labor and Employment and the Ministry of Finance are unable to provide an accurate and up-to-date list of terminated employees, who if eligible, would receive 3000 BDT (35 USD) from June to August under this scheme. BKMEA explains the challenges associated with proper implementation of this scheme in the quote below.

“Workers who lost a job, they found a job in another factory. There is no comprehensive data on how many workers were terminated, and how do we differentiate how many of them are migrated and how many are unemployed.” – Formal Employers’ Representative

Economic Support from Government of Bangladesh

The government of Bangladesh launched stimulus packages to provide immediate financial assistance to RMG businesses and workers. A relief package of ~5000 crore BDT (\$590 million) was announced to support workers’ wage payments for severely affected garment factories. BGMEA received a separate stimulus package from the government to compensate workers who were terminated in April and May. Contrary to intentions, findings suggest that 1000 factories were unable to claim the emergency incentives and several workers continued to face wage cuts and withholding. The Center for Policy Dialog study, published in June 2020, confirms that most of the stimulus money did not benefit or create a behavior change on the part of factory owners in terms of wage cuts and lagging payments.

OSH Measures

BGMEA has introduced several short-term measures to alleviate the severe health and economic impacts of COVID-19 among RMG workers. In consultation with the Ministry of Health, ILO and WHO, BGMEA has developed OSH guidelines for member factories, taking into account necessary precautions and feasibility of their actual implementation. BGMEA has since conducted random and unannounced audit checks of factory premises to monitor adherence to the newly enforced OSH protocols. In order to provide COVID-19 testing services exclusively for RMG workers, BGMEA has launched a PCR laboratory which can test up to 180 samples per shift, with adequate provisions to increase the number of health care professionals and medical equipment as required. According to BGMEA records, 559 workers were tested at this lab between June 3 and July 20, 2020. In addition, BGMEA is operating two sample collection booths for suspected COVID-19 patients working in RMG factories. In partnership with Inspectorio, BGMEA is using Rise, an online platform to generate awareness on COVID-19, increase OSH preparedness of member factories, and also build trust between employers and employees by demonstrating compliance with OSH policies. Finally, the partnership between BGMEA and Maya will provide free medical services to minimize the spread of infection, while simultaneously also addressing general medical and mental health related issues among RMG workers through a dedicated hotline that provides direct and free access to health specialists.

While some informal RMG factories enforced closures in March, it was not until the government mandated country-wide shut down that other owners completely ceased operations. In late May, workers returned to work after some factories resumed partial operations mostly in the name of manufacturing essential products. However, employers did not uniformly follow OSH guidelines issued by the Directorate of Inspection of Factories and Establishments (DIFE). Although these factories reopened with a smaller workforce, mandated workers to wear masks, and introduced two shifts, factory conditions were not free from spread of infection, especially given shared toilet facilities and soap, tailoring stations, garment raw materials, and tools. According to Bangladesh Labor Foundation estimates shared during the KII, almost 70% of workers are minors, the majority of whom were unable to return home and stayed on factory premises after work hours, which increased their vulnerability to COVID-19 infection. There is no reliable data on the number of

infected workers given the lack of testing services and tracing mechanisms. The following quote highlights workers' vulnerability to virus exposure:

"According to union observation, workers wore masks, and 4 to 5 workers worked in each factory. Still, workers had potential health risks remained there because they used in one shared toilet, washroom, thread, and wings surrounded them." – Informal Workers' Representative

Increased Risk of Forced Labor

The power imbalance in the global garment supply chain between buyers and suppliers, severity and uncertainty of the COVID-19 situation, financial insecurity, and desperation of workers are key contributing factors putting workers at an increased risk of being trapped in forced labor arrangements.

The lack of support for the most vulnerable creates a potential for increased forced labor among RMG sector workers. Current wage cuts and lack of payment for hours worked are already putting workers in a precarious situation. While it is possible that some of these changes in wage payments will be remedied in the short term, it is also possible that such irregularities will continue – potentially spiraling workers into an even more destitute situation (RMG Bangladesh, 2020). The majority of KII respondents highlighted that instances of "illegal" termination, non-payment of wages, and labor rights violations (including excessive and forced overtime work), continue to increase during the pandemic, resulting in worker exploitation and forced labor.

After returning to work at the end of the government mandated COVID-19 shutdown, workers are facing increasingly stressful conditions on factory premises. In fear of being fired and losing their only source of income, workers are enduring harsh treatment and demanding employer expectations. KII respondents reported instances of workers not getting any leave, being harshly reprimanded for being late or absent, and not being allowed to go to the washroom or drink water while at work. In addition, employers are setting unrealistic production targets for workers to meet the same level of buyer demand. Consequently, RMG workers are working longer hours, accepting lower wages, and tolerating harassment and compromised occupational safety, in exchange for employment.

"All the factors put pressure on the work intensity; the owner forced workers to do more work within limited hours of work. Thus, the owner adopted a policy like 'with less workers, get done the more'. Unfortunately, workers are not getting more wages for more work. Workers do not speak because of the fear of losing their jobs." – Government Representative

Workers likely feel a greater burden because they believe they are easily replaceable in garment factories. Due to the large number of laid off workers, the current supply of garment workers exceeds the demand. Mounting evidence suggests that employers can potentially exploit this equilibrium gap and force workers to take on more work than they are paid for or accept lower wages. Underscoring the severity of the issue, one NGO leader and former child garment worker said, "Our workers are not scared about the disease, but they are scared about starving with their family and children....Our workers are vulnerable but nobody is taking responsibility. We need responsible business because that's not fair." (quote from NGO leader Atker, in Hafiz, 2020).

Given the stressful working environment, some workers may be forced to make difficult decisions about whether to continue working at a factory in the hopes of eventual back payments and/or return to their full salary, versus attempting to leave and find work elsewhere. Unfortunately, most RMG workers have few options in other formal sector jobs. Therefore, it is likely that workers who are unable to get their RMG sector jobs back or decide to leave their current positions will move toward the informal sector, despite lower wages and lack of social protection. (*Fashion Revolution*, 2020).

“The most important trend is a growing informalization of work. Among all other [alternate] occupations, agriculture is the main occupation most people engage themselves in.” – NGO Representative

In addition, workers may be drawn to illegal or illicit income earning opportunities to provide for their families during these uncertain times. The Open Society Foundation cites that many women workers have had to consider other income sources like sex work, in order to provide for their dependents (*Open Society Foundation*, 2020). This is corroborated by KII findings indicating that workers, especially those who are stuck in Dhaka, are now seeking alternative income opportunities, such as selling fruits and vegetables and rickshaw pulling. Worker Akhi Akther, quoted in an article in *The Guardian*, highlights the exact risk of forced labor, saying: “We can’t go back to our village because we don’t have anything there, what will we do? Our jobs are our only source of earnings. Orders have shrunk, factories are getting rid of workers left and right. I am emotionally and mentally devastated.” (Kelly & Ahmed, 2020). Due to exhaustion and in an attempt to simply sustain themselves, there is a risk that many vulnerable workers – including those that previously had formalized employment in registered factories – could be coerced into forced labor including involuntary work, forced overtime, or trafficking.

5. FINDINGS: INDIA

RESEARCH QUESTION 1

What are the impacts of the COVID-19 pandemic on RMG supply-chains and factory-level business?

KEY FINDINGS

- The COVID-19 pandemic and resulting lockdown in India sharply affect both the formal and informal garment sectors.
- Some exporters took advantage of the lockdown in India to exploit their workers by not paying them and extracting involuntary hours and services.
- Although work resumed in some formal and informal factories, there continues to be uncertainty on future orders.

COVID-19 Pandemic Impacts on the Formal Sector

The formal RMG export sector in India is severely impacted by the coronavirus pandemic, particularly in the producing and exporting hubs of Tirupur and the Delhi NCR region. Prior to the pandemic, the apparel industry currently accounted for over 2% of India's GDP and employed an estimated 45 million workers (KPMG, May 2020). At the time, this industry was growing rapidly but unsustainably, with large brands transferring production risks to suppliers throughout Asia. The combination of unrealistic production targets, depreciation of local currencies relative to the dollar, and increased costs of importing raw materials compelled suppliers in the region to reduce their pricing to stay competitive (Asia Floor Wage, July, 2020). Exporters were hence forced by the supply chains to lower wages to stay competitive.

As a result of the pandemic, companies have suffered substantial revenue losses due to the cancellation of orders by buyers, amounting to nearly \$4 billion (Reuters, April 20, 2020). According to a study by the Apparel Export Promotion Corporation (AEPC) in May, 72% of exporters stated that buyers had not paid for materials that they had already purchased, and this had repercussions on the company and the employees. One formal sector employer noted, "Unlike hospitality and other sectors that were also drastically impacted, garment factories had products and materials that they could not do anything with. It was just lying in the factories. Buyers cancelled orders, and payments were deferred for at least 120 days." These cancellations have dangerous implications for garment workers, as the study also highlighted that 88% of exporters "felt challenged" in paying the workers' wages, in turn rendering the workers highly vulnerable (Society for Labour & Development, June 21, 2020). This is representative of a larger pattern of retailers offloading risks in the global supply chain by cancelling orders, affecting businesses, and, to a greater degree, garment workers. "This meant that factories, which fronted the costs for fabric and labor, were often left without the money to pay their workers," explained Dr KSelvaraju, at The Southern India Mills Association (SIMA), a textile mills association comprising of South India's entire textile value chain. (*New Indian Express*, June 9, 2020).

Following the government lockdown in March, work began resuming in May in some of the large, formal factories in the Delhi-NCR region. One employer of a formal export factory noted that even though operations began and the factory had resumed to almost 100% of its previous orders, “a month of production was lost. This erased any scope of profit for this year, and has made this year only about survival.” Another representative of the formal sector attributed the slow recovery of the sector to its long production cycle. “The apparel supply chain functions on a cycle of 90-120 days. So even to re-start production, it took a month for this sector [to recover].”

COVID-19 Pandemic Impacts on Buyer Practices

Buyer responses to decreasing customer demand differed greatly across brands. In interviews, two buyer best practices were mentioned. It was noted by one formal factory employer that one brand took out a loan of two billion dollars to pay its suppliers. They understood that they could not abandon their supply chain and jeopardize the long-term survival of the industry. Another brand was able to continue paying suppliers because of online operations. It was noted that this brand did not have brick-and-mortar stores and did not face the same kind of loss in sales, and the burden of fixed costs of running stores, they were even able to give suppliers advance money and financial support to restart work. Responding to its commitment to Bangladesh, spokespeople for a third brand stated that, despite being impacted by the drop in customer demand, they would remain in dialogue with suppliers in India to support them as best as they could, including determining solutions to delayed orders and cancellations (*The Business of Fashion*, April 30, 2020).

However, not all large brands are making the same pledges, and some are reneging on corporate social responsibility promises. As referenced in the Bangladesh section of this report, some of these large retailers in India are resorting to force majeure clauses in their contracts to justify not paying exporters for orders that have already been placed (*Associated Press*, March 25; *The Business of Fashion*, April 30, 2020). At the same time, certain brands are demanding high discounts from suppliers. These actions disproportionately benefit actors at the top of the supply chain (*The Economic Times*, April 9, 2020). This inequality between buyers and suppliers was noted in interviews, as captured in the quotation below.

“The pandemic exposed the risk that suppliers take in the garment industry where they get paid three months after producing and shipping the products. Buyers, on the other hand, are protected by force majeure clauses and hence could cancel orders.” – NGO Representative

Further, an additional consequence is exporters using this supply chain disruption to justify crack downs on unions in their factories in an attempt to lower wages or lay off more employees (*Dhaka Tribune*, July 15, 2020). This effect has been seen in factories that also produce for a major brand, suggesting that, while buyers might remain in contact with suppliers, the action that is taken by brands must be nuanced enough to protect workers at all levels of the garment supply chain.

While decrease in demand of RMG by buyers has led to losses for factory owners and suppliers at a large scale, it has other indirect consequences on the supply chain. For example, some factories have anticipated and responded to the huge rise in demand for personal protective equipment by beginning production of masks in their factories. This process involves gaining

permission from district administration and state officials. The Noida Apparel Export Cluster (NAEC), a representative body of exporters, noted that several garment factories in the Delhi NCR region were prepared to make 50,000 PPE kits and masks daily to meet rising demand (*Hindustan Times*, April 11, 2020).

An additional consequence of buyers' inaction and dips in demand is the exploitation of workers by factory owners. In their attempts to recover profits and stay afloat, some exporters have taken advantage of the lockdown in India to exploit their workers by not paying them and extract involuntary hours and services. This has contributed to increased fear and anxiety amongst garment workers, many of whom are migrants trapped in their workplace and unable to return to their hometowns. Despite social distancing measures and masks in place, workers still fear testing positive. However, they have no other choice but to remain at their jobs (*News Trust Org*, July 22, 2020).

Understanding the long-term effects of the pandemic on supply chains is complicated. The crisis has put into question the practices of aggressive growth that have been pursued by export factories. A formal sector employers' representative noted, "It has led to reflection about maintaining a cash reserve for the future, should a crisis like this occur again." Uncertainty on future orders remains, as was highlighted by one observer that formal companies were not taking on credit, despite having a steady credit line from the banks. At the factory-level, support in the form of government bailouts and constructive dialogue with buyers on demand and existing payments is not only vital to ensure their continuation, but an important part of their response to employees. India's garment worker labor force is primarily comprised of migrant workers, and while many migrant workers are subject to exploitative work conditions under the COVID-19 pandemic, a significant cross-section of migrant workers have been forced to return home. Resuming work due to future increases in demand will depend on the relief measures provided for them by factories and the authorities. Currently, exporters who depend on vulnerable migrant workers have been providing incentives for them to return to garment hubs, despite the risk of transmitting COVID-19 (Clean Clothes Campaign, July, 2020). These workers depend on their garment industry jobs for a livelihood and run high risks by returning. Government relief measures are thus vital in improving the work conditions and providing aid to migrants, an area in which responses have so far proven inadequate (*Society for Labour & Development*, June 21, 2020).

COVID-19 Pandemic Impacts on the Informal Sector

In addition to effects on the formal sector, the COVID-19 pandemic and resulting lockdown in India have sharply affected the informal garment sector. The Clothing Manufacturers Association of India (CMAI) notes that 80% of the Indian garment industry is comprised of micro, small, and medium enterprises (MSME) that do not have the reserves to survive the lockdown (*The Economic Times*, April 14, 2020). A large portion of these businesses are home-based and informal, producing goods for the local (Indian and South Asian) markets as well as for export markets (Kara, January 31, 2019). Prior to the pandemic, MSMEs that chiefly operated on liquidity were facing risks due to schemes such as demonetization by the Indian government.

The pandemic hit at an especially precarious time for the informal sector. An informal sector employer noted that normally the months of March to May were considered high peak seasons in the garment business due to a rise in sales during holidays like Ramadan and Eid. In anticipation of these holidays, employers had increased production and stocked up on supplies. "Then the

lockdown happened. We had to sell because one borrows money to make and stock the garments, with the hope that one can return that money after selling the products. So, I could not just sit with the maal [goods]. I had to sell. Usually we sell for [7 USD]/piece. But after lockdown we sold for [4 USD]/piece with around [3 USD] loss on each piece.”

Importantly, the decrease in demand and cancellation of orders due to the COVID-19 pandemic adversely affects workers in the informal sector, who are primarily women and/or migrants and already considered high risk. (Asia Floor Wage, July, 2020). Government bailouts for the textile industry are also not applicable to all MSMEs, as not every business is registered or meets the necessary requirements in terms of the number of workers or size. A large number of MSMEs face the risk of permanent closure in the coming months, unless preventative measures are implemented by the government (*Times of India*, April 14, 2020). Unlike larger exporters in the formal sector, it is also nearly impossible for MSMEs to reopen, as they are not in the designated industrial areas that have state-authorized permission to remain open (*Times of India*, May 12, 2020). In interviews, respondents described how many informal factories have been closed down. According to one NGO representative, not more than 20% of the informal factories and production units had resumed production. Orders have been slow, and have not resumed to their former level. One informal sector employer noted that he was not able to access the MSME loan scheme, and was forced to close his unit due to the losses in the preceding months.

It is unclear to what extent informality will remain an integral part of the RMG sector in Delhi/NCR. One NGO respondent noted that before the pandemic, formal export sector factories preferred to have no more than a quarter of their workforce on steady payrolls. The rest of the work was subcontracted to a range of contract workers, informal units, and home-based workers. This was estimated by some respondents as likely to increase, especially in the wake of new compliance demands on formal factories for sanitation and distancing norms, allowing the informal sector to operate more agilely and with increased capacity due to a lack of regulation and oversight, and thus heralding the need for incentives for the formal sector to adhere to the new compliance demands. One respondent disagreed and said that he anticipated a reverse trend wherein informal sector factories might no longer accept poor rates and order-based sub-contracting.

*“Subcontractors may want to seek to directly work with buyers, or they might not want to be in the business after the pandemic...Buyers may also ask for all capacity in house. When that happens, suppliers will ask for long-term contracts. So, I think going forward, buyers will ask for more compliance, and suppliers will ask for more commitment.” --
Formal Sector Employer*

RESEARCH QUESTION 2

How have workers been affected by the COVID-19 pandemic?

KEY FINDINGS

- In the immediate aftermath of the lockdown, most workers lost wages.
- India’s apparel industry thrives on migrant and women workers. Yet, despite their pivotal role in keeping the industry alive and profitable, migrant and women workers

constitute a vulnerable sub-population among garment workers rarely protected by social security schemes.

- Pandemic-induced lockdowns and factory closures have disproportionately impacted the most vulnerable groups of garment workers – daily wage earners, migrant workers, piece-rate workers, home-based workers, religious minorities, youth, union workers and women and children who neither have a financial buffer nor adequate social protection to survive the crisis.

The COVID-19 pandemic has severely impacted garment workers in India. With the slump in global and domestic demand, it is estimated that as many as 10 million garment workers will lose their jobs during the course of the pandemic (The Economic Times, April 14; Counterfire, July 2, 2020). A recent report published by The Society for Labor and Development states that in the absence of support from fashion brands and the government, garment manufacturers have abandoned their workers (Society for Labour & Development, June 21, 2020). Without adequate protection from the government and employers, workers have experienced unprecedented socio-economic fallout in the form of sudden and mass layoffs, wage theft and reduction, forced furlough and resignation, forced labor, and poor working conditions. Uncertain about their future amidst the government lockdown and shrinking apparel industry, migrant workers were not only forced to return home, but also experienced an arduous journey (Society for Labour & Development, June 21, 2020). Moreover, working in crowded settings where social distancing is not feasible predisposes garment workers to increased risk of COVID-19 infection (ILO, April 15, 2020).

Employment Status and Wage Payments

In the immediate aftermath of the lockdown, most workers lost work and associated wages. According to the Clothing Manufacturers Association of India (CMAI), the majority of its member firms were able to pay wages in March, but have not been able to ensure continued payment in the subsequent months. Additional reports suggest that many factory owners, traders, and shopkeepers have withheld or reduced wages since the onset of the pandemic. Similar to the analysis from Bangladesh, the discrepancy in reported wage payments can be attributed to the variation in month of publication, source of information, employers' cash flow, as well as government regulations. While some employers provided meals, accommodation, and advance payments during the lockdown, others have left their workers in destitution. Similarly, although government directives mandate employers to pay full wages during factory closures, this was not properly enforced and was only applicable for regular workers, excluding short-term contract or piece-rate workers who form a sizable majority of the textile workforce (Asia Floor Wage (AFW), May; Business of Fashion, April 30; Asia Floor Wage, April, 2020). Some terminated workers were asked to collect final wages in person, which was not always possible or advisable for workers due to mobility restrictions during the lockdown (AFWA).

Workers' unique experiences during the pandemic varies by geographic location. For example, New Delhi's Gandhi Nagar area is Asia's largest wholesale hosiery market, boasting approximately 15000 shops and 250,000 skilled workers within a purely indigenous supply chain. Reports suggest that the economic crisis in this garment hub began an entire month before the lockdown when riots broke out in Jafrabad, just 2.5 miles away from Gandhi Nagar. Riots

were concentrated in areas where suppliers of Gandhi Nagar's garment stores lived, forcing skilled workers to flee from riot-affected neighborhoods. Importantly, a large proportion of garment industry workers are Muslims who were particularly targeted during the communal violence (Business of Fashion, April 30, 2020). The pandemic has further compounded the effects of the riots, leaving workers without wages and food. Having spent their savings and loans on procuring rations, thread cutters and tailors and are now finding alternative income generation activities to keep their households afloat (Indian Express, April 20; NewsClick July 20, 2020).

Another example is the state of Karnataka, Bengaluru, the 'Garment Capital of India', which is witnessing mass closure of garment units in the face of the pandemic. Findings from a survey jointly conducted by Alternative Law Forum and Garments Mahila Karmikara Munnade indicate that the majority of workers received no wages in April and only a few received half their wages in May. Additionally, 96% of the respondents claimed they did not receive any support from their employers in the form of food, rations, advance wages or loans, whereas 50% received no support from the State during the lockdown (Clean Clothes Campaign, June, 2020). Arvind Mills Ltd, an apparel manufacturer exporting garments to global brands has laid off 150 workers, mostly women who have not been paid since the lockdown and are now facing hunger, debt traps, and evictions. Women workers complained about being stranded for hours at bus stops 31 miles from the garment factory because bus passes issued by Arvind Mills were not accepted by government busses (Ibid; Indian Express, June 24, 2020). This is further corroborated by the President of the Garments and Textile Workers Union (GATWU) who has received almost 900 complaints about mass layoffs and salary reductions among garment workers across the state (Indian Express, June 9, 2020).

Elsewhere, a survey conducted by SLD of garment workers in Delhi NCR and Tirupur in Tamil Nadu found that only 1 out of 44 contractual workers received some payment from the employer; 15 of the 44 received subsidized food grains from the government. Several media reports indicate that contractual workers were abandoned by their contractors and factory owners, leaving many without wages for over 3 months (Business of Fashion, April 30, 2020). Similarly, as part of its cost-control measures, Raymond, India's apparel giant, coerced almost 400 workers to resign, and laid off an additional 700 workers. Since April, workers have faced a 65% reduction in salaries. A worker from Raymond Suitings shared, "We were even ready for the 65 percent salary cuts as we have given everything to this company in all these years. Over 1,100 of us were sacked by a company that had won the best-place-to-work-with award just two years ago" (Indian Express, June 9, 2020).

Even as some factories reopened, workers continued to face widespread unemployment and wage insecurity. During the medium term, most informal units and home-based workers started to make PPE and masks. However, one informal workers' representative noted that for this work, workers earned 50% of their previous wages. Another NGO highlighted that in July and August many workers were asked by employers in Delhi NCR to return to work in order to complete pending orders. "However just after 15 -20 days of work they were left without work again. Now many of these workers are thinking of returning back to the villages." An informal sector worker interviewed in September who had resumed work noted "20-30 workers come asking for work at our factory every day. I have never seen such pervasive unemployment."

The long-term future of garment workers continues to be steeped in uncertainty. Respondents held that workers are not only faced with unemployment but also with indebtedness and

homelessness. For example, it was reported that, in order to survive the preceding months of lockdown and lack of work, workers in Tiruppur borrowed from a number of sources, including contractors and grocery stores in the neighborhood. “Workers don’t have money to come back to the city. As a result, they might take money from a local lender or dominant caste person, and go back into the loop of indebtedness” said another NGO stakeholder. Furthermore, for workers who are based in the city or chose not to return to their home districts, continued rental payments have also created debt burdens. An informal employer noted that in towns like Kapas Hera in NCR, landlords did not waive rental payments despite government recommendations. Instability in employment is creating new risks of homelessness.

Unique Experiences of Vulnerable Groups in the Garment Supply Chain

Pandemic-induced lockdowns and factory closures have disproportionately impacted the most vulnerable groups of garment workers – daily wage earners, migrant workers, piece-rate workers, home-based workers, and women – who neither have a financial buffer nor adequate social protection to survive the crisis. India’s apparel industry thrives on migrant and women workers. Yet, despite their pivotal role in keeping the industry alive and profitable, migrant and women workers constitute vulnerable sub-populations among garment workers rarely protected by social security schemes. We discuss the unique experiences of these vulnerable groups—migrants, women, union workers, and other minorities (e.g., ethnic, religious)—in more detail below.

Migrant Workers

The pandemic has further exacerbated the exploitative nature of the garment industry. Migrant workers are typically daily or weekly-wage earners, hired at a piece-rate with no social security benefits (*Fair Wear*, April 16, 2020). According to Asia Floor Wage Alliance (AFWA) calculations, garment workers in India before the pandemic were paid approximately Rs.10,000-12,000 per month (\$133-\$160), while their living wage is Rs.29,323 per month (\$386), compelling workers to maximize their earnings through overtime work. Given the current scenario where factories are operating at limited capacity and enforcing reduced work hours, workers do not have the option of working overtime to earn extra money (*Society for Labour & Development*, June 21, 2020). Moreover, since factory owners do not provide identity cards and landlords do not give rent receipts, migrant workers usually lack proof of local residence which makes them ineligible for subsidized food grains in destination states (*Ibid*).

Following the nation-wide lockdown, a mass exodus of migrant workers from industrial cities to their rural home towns did not ensure adequate social distancing and other public health measures, even at a time when such protocols were paramount to containing virus transmission. While many intra-state migrant workers were able to return to their nearby villages, inter-state migrants were trapped in garment clusters without pay, shelter, food, and safety measures. One migrant garment worker in Tiruppur explained, “I am clueless about my next meal. We will walk home – if not given food” (*Ibid*). Eventually, migrant workers were able to return home over time, though the journey was unsafe and traumatic for many. Like in Bangladesh, migrant workers traveled by foot, by hiring expensive transportation, by traveling in cramped and unsafe vehicles including cement mixers – without food and basic amenities. Moreover, their vulnerability did not end with the journey; again, similar to Bangladesh, migrant workers who returned home were perceived as carriers of COVID-19 upon their return, and encountered fear and stigma in communities with scarce healthcare resources and high risk of contagion (*Ibid*; Clean Clothes

Campaign, May & June; *Business of Fashion*, April 30, 2020;). It was not until the first week of June, almost 3 months after the lockdown, that the Supreme Court ordered the government to make complimentary arrangements for migrant workers' safe homeward journey (*Society for Labour & Development*, June 21, 2020).

Of note is Tirupur, the country's largest knitwear hub, which employs nearly 600,000 workers, 170,000 of whom are migrant workers. It is estimated that 40% of inter-state migrant garment workers returned home after the lockdown. However, many of those who remain in Tirupur are housed in squalid and confined company-run dormitories, against their will and without adequate food and safety measures to ensure their well-being (*Business Standard*, May 4; *Business of Fashion*, April 30, 2020). Fear of labor shortages when production resumes normalcy has led factory owners to detain migrant workers during the pandemic. Similarly, the Government of Karnataka opposed provision of transportation services to enable migrants to return to their state of origin, consequently treating them as bonded labor in the destination state (Ibid.). According to Cividep, migrant and women workers constitute almost 75% of the apparel workforce in Bengaluru, including migrants from rural Karnataka and the neighboring state of Tamil Nadu (Ibid.).

In the absence of migrant workers who have returned to their native places, apparel units in Tirupur and Noida are procuring local labor to sustain operations. Currently operating at 50% capacity with mostly local workers from southern districts of Tamil Nadu, garment units will require migrant workers to return to meet production needs once global demand resumes, especially for winter wear. Similarly, since the mass exodus of migrant workers at the start of the nation-wide lockdown and given the reliance on migrant workforce, RMG units in Noida are unable to resume operations due to acute labor shortage (*Economic Times*, June 17; *Times of India*, June 5, 2020).

Women

According to a 2018 report by Global Labor Justice, women account for 60-75% of the garment workforce in India. Despite their dominance in the garment industry workforce, they are among the most vulnerable stakeholders at the bottom of the supply chain. Employed in low-skill, short-term, and low-wage jobs, women are disproportionately affected by patterns of exploitation, violence, and harassment in garment supply chains, including forced labor, unwanted sexual advances, assault, and abuse (Global Labor Justice, May, 2018). Women workers have also been disproportionately affected by the COVID-19 pandemic. A recent study by UN Women found that across the Asia-Pacific region, 50% of women employed in the formal sector experienced a reduction in their paid-work hours, compared to just 35% of their male counterparts. Further, the study highlights that job and income losses are occurring in gender-biased labor markets, where even pre-pandemic, women workers earned less wages than men (UN Women Data Hub, 2020). As one indication of wage insecurity, a civil society organization found that remittances of women workers in April reduced drastically (Good Business Labs and ID Insight 2020).

Pandemic-related factory closures have exacerbated the RMG sector's already unbearable work environments. There are several reports of garment workers being trapped at factories and worksites as employers take advantage to extract benefits through forced labor. International Justice Mission's team in Bangalore encountered one such incident where a rescue team found 199 young women workers trapped inside a garment factory. During the months of the lockdown,

these women were being forced to work long hours with no pay and food, live in cramped quarters, and stay confined to factory premises (IJM, 2020; Reuters, April 22, 2020). Echoing this sentiment one worker said, “Once a week, I would be allowed to walk a little further down my street to buy a few essentials and then back to the room-to-factory routine. So I don’t know what the city I migrated to work in looks like. Now I even miss the five minute walk from the room to the factory and back. That would be freedom now, considering that I can rarely leave my room. There are four floors in this hostel building and I share my room and toilet with nine girls.” (Ibid.)

As lockdown restrictions are eased, many young mothers in garment factories in Bengaluru have been unable to return to work because day care or crèche facilities on factory premises have been temporarily suspended. Such childcare benefits mandated under the Maternity Benefit (Amendment) Act, 2017 enable mothers of young children to pursue employment opportunities outside the home and contribute to the household income. Although factory owners justify the suspension of on-site childcare facilities as a precautionary measure to ensure occupational safety and curb the spread of COVID-19 infection, union leaders see it as a convenient tactic to lay off workers, particularly women (Reuters, June 30, 2020). Lack of such facilities has increased the financial burden of many families as women workers are unable to return back to work and are voluntarily resigning from their jobs (AFW, May, 2020). This is quite a set-back especially because crèche facilities in garment factories were a result of long advocacy efforts by women workers and trade unions. Radha, mother of two children ages four and six, grapples with the dilemma of leaving her children unattended as she returns to work. She said “I stayed home for days but then there wasn’t much to feed my children and no money to pay rent and bills. So I left them alone, prayed they would be safe and went to work.” Saroja Kannappa, General Secretary of the women-led Garment Labor Union stresses that crèche closures violate workers’ basic rights and disproportionately targets working mothers in a country where caregiving responsibilities are largely born by women (Ibid; Clean Clothes Campaign, July, 2020). As factories gradually reopen, unions are willing to negotiate with suppliers and governments to find alternative mechanisms to provide childcare services to ensure women can return to work (AFW, May, 2020).

In addition to working mothers, older women are particularly vulnerable. The employer of a formal sector factory noted that his workforce was 80% women and their average age was between 18 and 28 years of age. One respondent noted that, among formal factory workers, older women were not being re-hired when work resumed after the lockdown, rendering them more vulnerable to financial insecurities as a result of job losses due to their age.

As explained above, home-based garment workers are being increasingly employed by factories to sub-contract work, without offering them minimum wage, social security, and/or health care benefits. Tirupur’s garment workforce includes over 40,000 home-based workers whose tasks include embroidery, stitching, making screen prints and appliques, cutting loose threads, and packaging. Despite being paid low wages, working long hours, and receiving no welfare benefits, women are compelled to work from home to simultaneously fulfil familial responsibilities (*Hindustan Times*, April 9, 2020). Consequently, they have to bear a significant amount of overhead such as thread, needles, special scissors, and electricity to complete their jobs since factories only provide them with material. However, these investments do not provide sufficient returns for garment workers to survive during this pandemic, rendering them even more defenseless (WIEGO, 2020).

Acknowledging the rampant exploitation of “hidden” home workers, majority of whom are women, the government had pledged to provide benefits and assistance in 2019. Several months later, with no aid assistance offered, home workers are struggling for basic survival. Awaiting Rs. 1000 (\$13) and new work when the lockdown was enforced, Indumathi Rangasamy, a young mother and home worker in Tirupur said: “I can’t even take an advance (on wages) because I am not a factory worker. I am unable to feed my child properly. If this continues, we will not be able to live” (*Hindustan Times*, April 9, 2020). Lacking proof of employment, informal home workers are also unable to seek relief packages during the COVID-19 crisis (Ibid). Highlighting the plight of home workers and underscoring the need for social protection measures, Sonia Wazed, Head of Programs at Society of Labor and Development said, “In this situation, homeworkers are not a priority for brands or manufacturers, who may only try and sustain factory workers. The rules for aid need to be relaxed to include them” (Ibid).

Union Workers

Union workers are another vulnerable sub-group. Factory owners have long resented the work of unions and discouraged workers from unionizing, particularly informal workers. An organized workforce makes it difficult for employers to get away with wage disparities and non-payments (Eco-Age).

In Karnataka, a well-publicized case of discrimination against unions and union members emerged during the lockdown. Gokaldas Exports Limited in Karnataka state is India’s leading apparel exporter with over 25,000 employees and \$200 million in annual revenue suddenly suspended factory operations in face of the economic crisis. According to R. Pratibha, President of the state-level Garment and Textile Workers’ Union (GATWU), first signs of factory closure were seen on May 30 when ECC-II removed some of its machinery without notifying the workers. A week later, workers were told not to return to work and ECC-II attributed the sudden closure to pandemic-induced order cancellations and occupational safety measures. Padma, one of the workers laid off said, “I have sweated here for the past 10 years for Rs. 348 (\$4.60) a day.” She was responsible for checking trousers, jackets, and T-shirts (*Morning Star*, July 15, 2020). Another garment worker protesting against ECC-II’s illegal closure comments, “Most of the workers are the sole breadwinners of their households. It is illegal to suddenly lay off all the workers without even having any dialogue. We have no other option but to continue the protests until the manufacturer gives our jobs back” (178).

Trade unions and labor department officials have underscored the illegal nature of factory closure and layoffs, especially since it violates the Industrial Dispute Act, 1959 which mandates establishments employing more than 100 workers to provide sufficient notice period and seek government approval prior to lay-offs (*Counterfire*, July 2; Behan Box, July 12, 2020). Not only was it abrupt and unlawful, but many argue that the closure was a targeted act of union busting. Once COVID-19 lockdown measures were relaxed and factories were sanctioned to operate at 30% capacity, Gokaldas Exports re-opened all 20 factories, including ECC-II, which was soon closed under the pretext of COVID-19. As the only factory with a union, garment workers at ECC-II were disproportionately affected: of the 1,400 women workers laid-off, 900 were union members (*Eco-Age*, July 22; *Dhaka Tribune*, July 15; Behan Box; *Morning Star*; *Counterfire*; *NewsClick*, 2020). Moreover, violating the government mandate ordering full payment of wages, workers received only 50% wages (*Eco-Age*). Since factory closure on June 6, over 600 women workers have been holding daily sit-down protests outside the locked unit, while wearing masks and

observing social distancing measures. Some workers like Pavithra have been walking long distances to join the demonstrations. She said, “It takes me an hour-and-a-half to walk to the factory every day but I still go. It’s a question of life and death. I have to feed my children and mother. We just want the factory open, and we want our jobs back.” (179_Quint) Stressing the illegality of dismissing workers on grounds of union affiliation R. Pratibha, President of GATWU said, “The case is now under consideration. We are also putting pressure on [a global brand] to take responsibility for the 1400 workers because they have worked for them for the last 10 years. This is the only factory in Srirangapatna that employs 1400 workers. 50-60% of the women are single women and sole earning members of their families that depend on this job.” (Behan Box, 2020)

Major global brands are now being urged to use their financial muscle to mediate conflict related to union suppression and actively protect garment workers, the most vulnerable in their supply chain (Dhaka Tribune, July 15, 2020). One buyer recently issued a statement indicating the company’s intentions to mediate peaceful resolution.

Other vulnerable sub-groups: Religious Minorities, Ethnic Minorities, Workers affected by Cyclone Amphan, and Youth

In addition to migrants, women, and union workers, respondents highlighted a number of additional sub-groups with unique experiences during the pandemic. First, although there has not been any robust research on this, anecdotal evidence suggests that Muslim workers also faced discrimination in the return to work. Two stakeholders attributed this discrimination to speculation at the beginning of the pandemic that Muslims were more likely to spread the virus. This also led to biases in relief distribution by the government and civil society organization, as relief often did not reach Muslim neighborhoods.

Second, another vulnerable group was workers who hailed from the regional states of West Bengal and Odisha due to the Cyclone Amphan that hit Eastern India and Bangladesh in May 2020. Workers returning back to these states after the loss of their employment found themselves in a dual risk scenario, as they did not have their usual networks to rely on even in their home districts.

Third, Children are at increased risk of hidden forced labor as informal work becomes more clandestine due to the shifting nature of demand. Child labor has been reported from the garment industry in Tirupur. It was noted that child labor will be difficult to measure given that a law passed by India’s parliament in July allows them to work in non-hazardous, home-based industries outside of school hours. “We have seen that children were already working at home in Delhi/NCR, and this might increase because of no more access to school.” Children’s access to nutrition is also believed to have suffered, given that even when relief work included distribution of foodgrains, it often did not include milk. Access to school, it was pointed out, was already difficult for migrant workers’ children. One NGO representative noted that around 50,000 children in the city of Gurgaon were out of school and were lacking age-appropriate and mainstream learning. These initiatives and programs have seen a setback with children returning back to home districts with their families.

Several respondents mentioned the need for ongoing efforts for specific groups that had been disproportionately impacted by the pandemic. For example, two stakeholders highlighted how

their work in keeping children of workers enrolled in schools had been undone by the pandemic. Initiatives like working with school management committees to demand accountability in public procurement to give children access to textbooks and to create spaces to engage with children to reduce dropout rates, were recommended. Similarly, working with women home-based workers, and connecting them to their entitlements (i.e., state services like subsidized food grains, water, etc.) was also mentioned.

In addition, supporting and working directly with workers' collectives was emphasized by multiple stakeholders as a critical link between macro initiatives and workers. The migrant centers run by skill development programs like Deen Dayal Upadhyaya Grameen Kaushalya Yojana (DDUGKY) and National Skill development Corporation (NSDC) were recommended as models for replication.

'Usually all interventions take place inside the factory. I think one must run programs at the community level, to link workers with entitlements, build capacities, and organize workers. This would be noticed, and help align buyers and suppliers to this project. In my assumption, currently suppliers are not interested in programs, as there is no ownership of these initiatives from their side.' – NGO Representative

Return to Work

As garment factories and businesses began reopening in June, migrant labor shortage forced employers to review their labor policies and lure workers back with incentives of free transportation, accommodation, and food (Times of India, April 12; Economic Times, June 7; Hindustan Times, June 7, 2020). Migrant workers reached home hungry and destitute after the government failed to provide due protection. Workers are unwilling to return to faraway garment clusters after the mistreatment and trauma; as such, they are seeking alternative employment opportunities in their state of origin despite the risk of reduced income (Society for Labour & Development, June 21, 2020). Some are staying back to care for their families who have also been affected by the pandemic. The latter may be especially true for women who often bear a disproportionate share of domestic and caregiving responsibilities (ILO, June, 2020).

While some workers were reluctant to return, others once again began migrating to urban cities due to lack of employment opportunities and significantly lower wages in their home state. Given that Delhi shares borders with multiple states, workers often travel across state borders to work. During the lockdowns, there was no clarity on the border closures. These borders were opened intermittently and then shut down again with little notice to those traveling and incurring additional travel related costs. In the case of workers living in Udyog Vihar/Kapas Hera, they were restricted in their ability to cross the Delhi border to work.

One migrant worker's story captures this sentiment. Despite the arduous 15-day journey, 600km by foot and 700km in a cramped truck, Bind has returned to Mumbai from his home state of Uttar Pradesh (UP). The UP government offered him a daily wage of Rs. 225 (\$3) under the employment guarantee scheme, whereas in Mumbai he makes Rs. 800-900 (\$10-\$12) per day. As the only earning member of the family supporting his mother and 3 siblings, he was compelled to return (Mumbai Mirror, June 28, 2020). Garment workers in Tamil Nadu echoed that government cash transfers of Rs. 1000-2000 (\$13-\$27) are grossly inadequate to meet living expenses, particularly

for larger families where working-age members have been laid off and are unable to seek employment opportunities during the pandemic (AFW, July, 2020).

In an attempt to resume full capacity operations while ensuring minimal labor and social distancing measures, ten state governments passed orders that sanction an increase in working hours from 8 to 12 hours per day. Contrary to global norms mandating a 48 hour work-week, manufacturing units in select states are now enforcing 72 hour work-weeks. Responding to this directive, Rahul Menon, Assistant Professor at Tata Institute of Social Sciences, argues that while longer working hours can increase labor productivity and output growth, the new sanction disproportionately shifts the burden onto workers without a proportionate increase in wages. While some states like Rajasthan have mandated substantially higher overtime wages for increased work hours, states like Gujarat have yet to do so (The Wire, May 6, 2020). As discussed above, women stand to be grossly disadvantaged by the extended work schedule given their role in society, increasing their risk of exploitation and forced labor. Since the lockdown, women are already facing an increase in caregiving and household responsibilities. Extended work hours coupled with crèche closures and compromised occupational safety will further augment these challenges, forcing women to quit their jobs and resulting in reduced female labor participation as the economy re-opens (Apparel Resources, June 10, 2020). This outcome is extremely concerning since India has one of the world's lowest rates of female labor force participation (ILO, June, 2020).

Shortage of labor in garment clusters is inevitable post-lockdown. While industry experts predict that labor shortage will drive an increase in wages, it is unclear whether the sector will observe a similar increase in the ratio of permanent to contractual workers. Manufacturers' preference to retain skilled labor will result in an increased proportion of permanent workers. However, the fates of unskilled and female workforce in both formal and informal sectors remain elusive (Society for Labour & Development, June 21, 2020).

For those workers who were able to resume work, respondents interviewed for this study were unaware of the standard of hygiene and safety that was made accessible to workers. One stakeholder observed that the safety of workers in their 'return to work' depended on whether there was an NGO or civil society organization in the neighborhood who could oversee compliance. For women workers, in addition to COVID-related sanitation measures, menstrual hygiene was also reported to have been severely impacted due to the pandemic, including restricted access to products and a lack of sanitary facilities. An informal worker said that, while there was access to masks and sanitizers in the factory, in the event that they fell ill, there was not a single doctor in the neighborhood in NCR where they worked. The workers were forced to go to one of the large hospitals in Delhi to get treatment.

“Different kinds of awareness raising and educational work on washing hands, etc., are needed. There is also a need to be supported materially – say through the provision of affordable soap. Access to healthcare, in the form of logistical support to get to hospitals, and access to national health insurance scheme, are also requirements.” – NGO Representative

Although most formal factories resumed operations in May, most informal units remained closed. Many workers returned to their home districts. One stakeholder noted that many workers who returned home did work provided by the state under the Mahatma Gandhi National Rural

Employment Guarantee Act and then transitioned into agricultural work. “The usual trend is that industrial work is reduced during June and July, as it is peak agricultural work. It is only after August that we would see the real change as most of the sowing work is now completed, and workers usually return to cities around this time.”

RESEARCH QUESTION 3

How do the COVID-19 pandemic’s impacts on business and on workers affect vulnerability and possible forced labor?

KEY FINDINGS

- The three subgroups of workers that appear to be at especially high risk of increased forced labor include women and girls, migrant workers, and workers in rural settings.
- Overtime is taking place not due to a resumption or rise of orders but rather because employers were cutting production costs and running factories at partial capacity due to demands for discounts by brands.

Risk of Forced Labor

RMG workers of all types reported experiences of abject hardship due to extended unemployment and underemployment as a result of the COVID-19 pandemic (The New Indian Express, June 9, 2020; 223, 118, IJM, 2020, The Indian Express, April 20, 2020). As described under RQ 3.2, workers across RMG sectors and regions reported reduced wages; irregular, inconsistent, and/or extended work schedules; and delays in payment. All of these factors demonstrate increased risk of forced labor.

Widespread unemployment is pushing workers to do any kind of work that is available to them. Two NGO representatives noted that, because of garment work being a low-skill trade, workers may be likely to change occupations. Except those who have reached the highly skilled rank of being a ‘master’ or skilled tailor for example, which is limited to 5% of the workforce, the others may take up small-scale construction work or street vending, even accepting to work for daily wages. This leaves workers in a precarious situation, balancing unfair labor situations with the need to survive in the face of unemployment. The large number of unemployed RMG workers, most looking for new and/or additional work, compounds the issues around unfair labor practices. Employers know that low wage workers have little recourse in choosing work and also have a deep labor pool to choose from if confronted with workers who are unwilling to accept unfair practices.

Overtime work and long-working hours was a feature of the garment industry before the pandemic. Since the pandemic this pattern has continued, however under more stressful circumstances. According to one trade union representative, overtime is taking place not due to a resumption or rise of orders but rather because employers were cutting production costs and running factories at partial capacity due to demands for discounts by brands. The savings brought about by these changes are felt mostly by the most vulnerable and low wage workers. An NGO

representative noted that while before the pandemic, overtime gave the workers an opportunity to earn more, that surplus is now not being paid, decreasing worker income and satisfaction.

Most respondents felt the formal sector is increasingly depending on the informal sector to stay viable, passing down both the risks of an uncertain market as well as new compliance costs related to the COVID-19 pandemic. An informal sector employer who had to close down operations because of the pandemic noted that “Big companies do not want to take the risk/pressure of safety norms. So, they will even pay 2 INR/ piece more to get the work done informally.” This trend was traced by the trade union representative to the brands and their unwillingness to take responsibility for the entire supply chain.

“They have sent memos on hygiene and sanitation standards. But the problem is that brands don’t pay for compliance costs even when they make these demands. They outsource these costs to supplier factories. As a result of this, suppliers lower workers’ wages and increase their hours of work.”. -- Formal Workers’ Representative

The vulnerable groups mentioned above are similar to the three subgroups of workers that appear to be at especially high risk of increased forced labor—women and girls; migrant workers; and workers in rural settings. Several articles contained interviews that highlighted the COVID-19 pandemic’s disparate impact on women and girls who bear disproportionate responsibility for child and family care responsibilities (The New Indian Express, June 24; IJM, Reuters, April 20; Ibid., March 30; Clean Clothes Campaign, July; The New Indian Express, July 5; WIEGO, 2020). As one article reported, “The vast majority of India’s garment workers are women, who generally take responsibility for childcare...managements have targeted working mothers and left many with no choice but to quit” (Reuters, June 30, 2020). A report from IJM explained, “In many cases during COVID-19, garment workers have been trapped at factories and worksites...22 girls and young women from the state of Odisha who were trapped in a garment factory near the city. These young women were being forced to toil for long hours and deprived of their wages” (IJM, 2020).

Migrant workers are also at higher risk of forced labor (Reuters, March 30, Business Standard India, May 4; Clean Clothes Campaign, April & July; AFW, April; Economic Times, June 17, 2020), particularly given the already high risk of restrictions on movement that migrant workers living in dorms faced even before the pandemic. Those who stayed in workers’ hostels during lockdown or returned thereafter reported unsanitary living conditions and overcrowding (Reuters, March 30; News Trust, April 22, 2020). Describing hostel conditions, one migrant worker explained, “I would go for my shift to the factory and come back to my hostel room when it ended. Once a week, I would be allowed to walk a little further down my street to buy a few essentials and then back to the room-to-factory routine. So I don’t know what the city I migrated to work in looks like. Now I even miss the five-minute walk from the room to the factory and back. That would be freedom now, considering that I can rarely leave my room. There are four floors in this hostel building and I share my room and toilet with nine girls. We’re given mats to sleep on the floor and have access to a kitchen, where we can cook small meals” (News Trust, April 22, 2020).

Many migrant workers preferred to go home during the lockdown period. But, both leading up to and following the March lockdown, the federal government placed restrictions on inter-state travel to curb the spread of the virus. These restrictions had a disparate impact on migrant workers, who were forced to decide between the risks of returning to their home and families or

staying on site in workers' hostels provided by their employers in the restrictive conditions described above. A young worker from Odisha trapped in a garment factory said, "We are only waiting to go home and stay with our family. We are not interested in work. The company owner keeps us to meet his target. The rising number of COVID-19 cases creates anxiety and fear within us. If anything happens and we die, our bodies will be left unnoticed" (IJM, 2020). Many migrant workers who did leave and crossed borders for work during this period reported being brutalized by police (The Hindu, May 21; AFW, April; Business of Fashion, 2020).

Lastly, workers in rural settings—many of whom are women and girls and migrants—also appear to be at high risk of increased forced labor. Factories in rural settings were among the earliest allowed by the government to reopen after the lockdown (Reuters, April 20; Economic Times, May 11, 2020). Due to their physical isolation, their conditions are less likely than those in urban areas to be monitored by government actors and/or international corporations.

Government Intervention and Risk of Forced Labor

There is no evidence of direct policy-making to mitigate the risk of forced labor among vulnerable working populations. As explained above, in response to COVID-19, the federal government in India mandated a country-wide lockdown from March 23 to March 31 (WWD, March 24, 2020). The federal and state governments instructed factories to pay their workers during lockdown (Reuters, March 30, 2020); however, as previously mentioned, many workers reported no wages or reduced wages during this period. In terms of government legislation for garment workers, a civil society representative noted that response is lacking.

"We know for a fact that there have not been any specific schemes for garment workers. Apart from food rations and the cash transfer for women holders of Jan Dhan accounts, there has not been any specific government support for the garment sector or garment workers." – NGO Representative

In April, the federal government began lifting the lockdown and easing restrictions in certain areas, starting with factories in rural areas and special economic zones (Economic Times, May 11; Reuters, April, 20, 2020). The federal government instructed those re-opening factories to observe OSH measures, including requiring workers to wear face masks; enforcing social distancing; and maintaining sanitary conditions on site and at workers' hostels (Economic Times, May 11; Reuters, April, 20; Hindustan Times, May 7, 2020). Indeed, through the summer months, factories reported working at reduced capacity (e.g., 20-30%) due to social distancing guidance as well as cancelled orders from buyers (Times of India, May 7; Reuters, June 30, 2020).

Despite OSH guidance from the federal and state governments, there were many reports from union representatives and labor rights organizations of factory noncompliance (NewsTrust, July 22; Hindustan Times, May 20; Reuters, March 30; The New Indian Express, June 9, 2020). A news article from July explained, "As India's coronavirus cases exceeded one million last week, unions say similar spikes in infections in reopened factories are putting workers at risk - accusing companies of skimping on health and safety as they rush to get business back on track" (NewsTrust, July 22, 2020). A union president was quoted in May saying, "Most of the factories are not complying with the safety guidelines' ...adding that dozens of garment workers had been infected with the virus." (Hindustan Times, May 20, 2020).

At the state level, several state governments suspended or repealed workplace protections during the COVID-19 pandemic in a purported effort to gain competitive advantage over other states (*Times of India*, May 8, 2020; *Times of India*, April 14; Sarma 2020). In May, for example, the state government of Uttar Pradesh initiated a 3-year suspension of more than 30 statewide labor laws (*Times of India*, May 8, 2020; Sarma 2020). These included regulations governing the health and workplace safety of unionized workers as well as contract and migrant workers. Similar regulations were rolled back by the state governments of Madhya Pradesh and Gujarat (Sarma, 2020).

As described above, India's formal and informal sectors are deeply linked. This is especially evident in the impacts of the COVID-19 pandemic and the risk of forced labor. Financially, businesses in the informal sector have smaller reserves than those in the formal sector, rendering them less prepared to weather lockdown and a protracted economic downturn (*The Economic Times*, April 14, 2020). Their precarious standing is compounded when cost-saving measures (e.g., cancelled orders, wage reductions) are directly or indirectly passed down from the formal to informal sector through subcontracting agreements. One worker in Shoba says, "We've been producing for [a global brand] for more than 6 years. We built up the factory and the brand and just one fine day they laid us off with no notice. They've left our families to starve. There are no other jobs to be had in this small town (Counterfire, 2020). This shows vulnerability to accept whatever job may be available to meet basic needs, including potentially jobs in the informal garment sector or, as was the case in Bangladesh, other illicit and dangerous activities.

Informal sector workers are not afforded the same, albeit limited, workplace protections as formal sector workers—leaving them at high risk of forced labor. Informal sector workers are often at the bottom of the supply chain and are less likely to be unionized or covered by labor laws than those in the formal sector (ILO, June; *Hindustan Times*, April 9; WIEGO, April 21, 2020). They make lower wages, have less job security, and are often not eligible for public benefits like social security or the government bailouts given in response to COVID-19 (Ibid.). As informal workers are more likely to be engaged in domestic rather than export RMG production, the conditions of their work are less likely to be monitored by international corporations.

In September 2020, 24 federal labor legislations were amended and re-structured into three labor codes - the Occupational Safety, Health And Working Conditions (OSH) Code 2020, the Industrial Relations Code 2020, and the Code on Social Security 2020. A fourth regulatory code called the Wage Code had already been passed in August 2020. Preliminary analyses of the four codes suggest that while the scope of social protection has been expanded, retrenchment might become easier and workers might find it more difficult to organize and strike under the new codes. The special provisions for migrant workers under the Inter-State Migrant Workers Act have been subsumed under the re-structured codes. This could prove harmful for migrant workers. For instance, the OSH code only applies to enterprises that employ more than 10 workers. However, data suggests that informal units employ 6 workers on an average, of which the majority are migrant workers.

Among respondents interviewed, there was a consensus on the absence of any concrete and comprehensive protocols on factory operations. Formal export factories had instituted a range of measures like physical distancing, sanitation, provision of health facilities, particularly to workers who are in at-risk groups, such as pregnant women and older workers. However, there are

concerns on whether these measures are enough and if there is a lack of innovative thinking on how large factories can be run safely.

“Pre-COVID, workers often complained in our audits that there was no soap or water, and no breaks between work. So, I am wondering how they would wash their hands if that is still the case? The government needs to step in to provide safety, employability and restoration of livelihoods.” – NGO Representative

For informal units, the situation was expressed to be more dire. Given that many of the units were run in dense areas like Kapa Sera, physical distancing and sanitation norms were difficult to implement. A civil society representative noted that ‘Small units have never had good working conditions. In the heart of Delhi, major fires in the preceding year exposed the poor working and building conditions’. It was brought to attention that after the increased police vigil during the lockdown on these factories, in the latter months there is no governmental legislation or supervision on factory operations and their compliance on OSH standards.

6. CONCLUSIONS AND PROGRAMMATIC RECOMMENDATIONS

RMG sector stakeholders, including private sector supply chain actors, policy actors, and GFEMS implementing partners, can use our research to adapt programs and address the multi-faceted challenges of apparel workers. Below NORC presents our general recommendations for both Bangladesh and India, followed by country-specific recommendations.

General Recommendations: Short-Term (Next Six Months)

NORC recommends a number of actions in the short term, including the support of occupational safety and health and the promotion of workers' health awareness and primary health care. Both of these recommendations can be provided through collaborative efforts of buyers, suppliers, government actors, and NGOs.

Occupational Safety and Health

Expanding OSH training and incorporating COVID-19 related information is one important area for short-term programming. OSH awareness campaigns focusing on guidelines regarding maintaining a safe workplace could have a strong and immediate impact on worker safety. Since the onset of the pandemic, NGOs have gained substantial knowledge and expertise in running COVID-19 prevention awareness campaign programs. This expertise can be leveraged towards efficiently scaling up such programming. Since OSH regulations pose an added financial burden on employers during a financially stressful time, it is also worthwhile to consider providing incentives to employers to ensure their compliance with OSH guidelines.

Related to the above, this crisis situation provides an opportunity to further support government and NGO policy development in reference to building the capacity of workers to advocate in bipartite and tripartite dialogue to ensure appropriate labor monitoring mechanisms that address the special needs that arise during disaster-like situations.

Medical Treatment

Programming around the provision of healthcare to vulnerable populations is an additional area that would benefit from increased attention. Digital and mobile-based primary healthcare support for workers were highlighted by multiple NGO respondents as something that can be provided in both the short and long term. Funding for mobile clinics or temporary health centers in hard hit areas or within factory industrial zones can provide immediate relief to those most in need. Many RMG workers live in highly-congested areas that exacerbate the spread of COVID-19 and make programming of this type even more important.

There is an urgent need in the short term to promote health awareness and increase workers' access to good health facilities and medical insurance. Digital and mobile-based primary healthcare support for workers were highlighted by multiple NGO respondents as something that can be provided in both the short and long term.

General Recommendations: Medium- and Long-Term (Next Two Years and Beyond)

NORC recommends a number of actions in the medium- and long-terms, including strengthening government programming in the RMG sector and establishing worker-focused policies and operations in the private sector.

Strengthening Government Intervention and Increasing Oversight of the Informal Sector

Expansion of routine labor inspections into the informal sector is recommended, as this sector is largely unregulated. Strengthening labor compliance and improving labor laws to protect highly vulnerable populations during crisis is an essential need to the sector. In Bangladesh, DIFE is under-resourced in terms of manpower and executive power and capacity building interventions can have a long-term impact on the sector.

Establishing Worker-Focused Policies and Operations

In the present crisis, it is paramount to consider how standard business operations in the RMG sector may be contributing to a heightened risk of workers being subject to forced labor. Private sector supply chain actors in particular should consider how cost-cutting measures implemented in response to the pandemic put vulnerable apparel workers at risk of exploitation. For example, mass order cancellation and non-payment of orders can negatively impact workers, including in the forms of lost wages and increased pressure to work longer hours without appropriate compensation. Private sector supply chains actors should collaborate with other RMG stakeholders, including employers' and workers' representatives, to develop worker-focused policies and operations that protect against the negative impacts on workers in the case of future crises.

Bangladesh Recommendations: Medium-Term (Next Two Years)

Over the medium term in Bangladesh, we recommend livelihoods programming for vulnerable workers leaving the RMG sector and the broadening of social protection programs as a way to address workplace inequalities the pandemic is exposing.

Alternative Livelihoods

Many workers lost their jobs and went back to rural villages during the COVID-19 fallout; those who continue working in the sector are highly unprotected and vulnerable. With this in mind, unemployed workers may need additional livelihoods training to enhance their ability to find alternate employment during a crisis through skills development or vocational training, including those in agriculture related to fishing, farming, and livestock. Women workers and single mothers could be given preference for job training and alternative income generating activities considering their particular vulnerabilities. Livelihood programs can also focus on the process for finding alternate employment in times of crisis rather than only focusing new skills training.

The government in collaboration with financial institutions must ensure low interest bank loans for RMG workers to rehabilitate them in alternative occupations. Again, because of their particular vulnerabilities, women workers, single mothers, and elderly women should be given preference.

Social Protection Scheme

Programming focused on developing comprehensive social welfare programs for workers and unemployment benefits for workers and their families to mitigate the long-term impacts of housing and food insecurity in times of crisis can make an impact on those most vulnerable. Current government social benefit programs are closely tied to either proper identification and/or a lengthy and complicated process before funds are released. Programming focused on helping vulnerable populations navigate this system and/or acquire proper identification may have a significant impact in the medium and long term. Given BLF estimates suggesting that children constitute almost 70% of the garment worker population, it is important to also mobilize support to ensure children's continued access to education.

Given the lack of consistent and comprehensive RMG-specific data, NORC recommends a centralized government database that can be used for ongoing monitoring as well as for improving the methods for the distribution of worker relief and aid in the event of future crises.

Bangladesh Recommendations: Long-Term (Beyond Two Years)

Long-term recommendations in Bangladesh include rebuilding the trust between buyers, employers, and workers which has been undermined as a result of the pandemic.

Building Trust between Buyers, Suppliers, Factories, and Workers

The pandemic damaged relationships between employers and workers; programming focusing on trust building exercises that promote a culture of responsible leadership among employers' representatives and workers' representatives including arbitration mechanism can have substantial impacts.

India Recommendations: Short-Term (Next Two Years)

NORC recommends a number of actions in the short term in India, including the support of wage payments and social protection and labor regulation as well as the promotion of workers' collectives and health awareness and primary health care.

Wage Payments

Mediation on unpaid wages is an area ready for immediate action. Given the scale of the problem, it is recommended that the government be involved in this effort and mandate the payment of unpaid wages through a legislative directive that is enforceable. Civil society organizations are advocating for just this at the local level with one NGO demanding employers to pay 6000 INR, or approximately 82 USD, to garment workers in Southern India for the next four months.

Social Protection and Labor Regulation

There is an opportunity in the short term to push for the passing of long-term demands like One Nation, One Ration card that would allow migrants to access rations from the Public Distribution System anywhere across the country, irrespective of their domicile identity.

The government is again needed to be the main partner in this effort. As an informal workers' representative explained, "We need to look beyond private sector for solutions. Companies are

not capable of solving issues of working people. Businesses can be a partner but there is a need for more robust social protection systems as the key enablers of dignified life. We need to also question the big picture issue of the current economic model, where labor is instrumentalized for economic growth. We need to look at the negative externalities created by our growth model. For this one must confront the government and demand a firmer hand of regulation.” An NGO respondent expressed a similar sentiment about the importance of government support. “The workers’ access to provisions tends to depend on the availability of the correct identity documents. With this respect, the state needs to take a more proactive approach. These measures cannot just be demand-driven.”

More research was seen as a requirement for designing social protection programs, which can inform the pathway to better accountability. For example, whether the supplier or buyer should pay for social protection, was pointed out as a question that needs more research.

Workers’ Collectives

Supporting and working directly with workers’ collectives is another area of action in the short term. Workers’ collectives are key vehicles for organizing, both inside and outside of factories, and can also be used to build new skills and connect workers to entitlement programs, etc. As formalizing workers’ collectives takes time, workers empowerment and rights awareness activities can be seen as an intermediate action that may galvanize more long-standing workers collectives.

India Recommendations: Medium- and Long-Term (Next Two Years and Beyond)

NORC recommends other actions for the medium and long terms, including initiatives for home-based workers and children as well as technological support and expansion in human capital for partner organizations.

Initiatives for Home-Based Workers and Children

Special programming tailored to the most vulnerable working groups impacted by the pandemic, such as home-based workers and their children, should be developed in the medium and long terms. NGOs working to keep RMG workers’ children enrolled in school have experienced a number of setbacks during the pandemic. There is a need to work with school management to ensure that students have access to textbooks and healthy learning spaces as a way of reducing student dropout rates. Programming is also needed to better connect home-based workers to their entitlements, such as state-subsidized foodgrains, water, etc.

Technological Support

NGO respondents spoke to the need among partner organizations for support on technology and data security training. With operations having gone virtual, an NGO representative emphasized the need for training on the proper handling of workers’ personal details and Aadhar numbers, etc. The potential of the use of mobile phone applications, community radio, and IVR technology that was used during the lockdown was also being explored as permanent tools to reach more people, and as an area where GFEMS could lend support.

Expansion in Human Capital and Building Partnerships with the Government

NGO stakeholders described hiring and training of additional team members to expand activities as another area in need of support. It was noted that migration had become a human rights issue for the first time in India, and several NGOs and other organizations saw this as an opportune moment to scale up operations by seeking additional funding and building partnerships, particularly with the government.

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ANNEXES

ANNEX A: RESEARCH DESIGN MATRIX

 Research Design Matrix					
#	Research Question(s)	Data Source	Sampling and Selection Criteria	Data Collection Methods	Data Analysis Methods
1	1. What are the impacts of COVID-19 on RMG supply-chains and factory-level business? Sub question 1.1 How has the formal RMG export sector been affected in the short term (such as changes in orders, buyer cancellations/non-payment of outstanding contracts or completed (not yet shipped) orders, shutting down operations, or changes to business models)? Sub question 1.2 How has the informal sector, including unregistered subcontractors, been affected in the short term (such as changes in orders, supplier cancellations/refusal to pay for completed (not yet shipped) orders, shutting down operations, consolidations, reduced access to credit or increased interest rates, or changes to business models)? Sub question 1.3 Have any particular buyers shown best practice? Or worst practice? What are the good/poor practices being demonstrated by buyers?	Grey literature; online news/media	Recently published media articles, reports, and white papers identified through literature search/rapid review	Keyword searches using Google news, Google Scholar, and non-indexed local media sources. Center for Global Workers Rights.	Content analysis to summarize publically available information in relation to research questions
		Non-governmental organizations (NGOs) and donors	Officials at 3-5 local NGOs that focus on workers' rights; RMG; or supply chains and/or donors funding those projects.	Semi-structured key informant interviews (KIIs)	Qualitative data will be captured through typed field notes. Electronic field notes will be imported into Dedoose and coded using pre-specified code frame. This analysis will then be examined in relation to the research questions, desk review, and other relevant data to develop key findings
		Government agencies	2-4 respondents from labor inspectorate, DIFE, police, and any other key agencies	Semi-structured KIIs	
		International Organizations	5-10 ILO, IOM, IFC, and other key agency stakeholders	Semi-structured KIIs	
		Tripartite representatives	3-5 relevant representatives from employers associations, BGMEA, BKMEA, and any unions or workers' representatives available to talk	Semi-structured KIIs	

		Private sector/buyers	3-5 respondents from the accord/alliance and key international brands (e.g., H&M, the Gap, Inditex, etc)	Semi-structured KIIs	
		RMG factory owners	5-10 factory owners, ideally split between formal and informal factories in each country (NORC recognizes it may not be possible to reach informal factory owners)	Semi-structured KIIs	
2	How have workers been affected by COVID-19?	Grey literature; online news/media	Recently published media articles, reports, and white papers identified through literature search/rapid review	Keyword searches using Google news, Google Scholar, and non-indexed local media sources. Center for Global Workers Rights.	Content analysis to summarize publically available information in relation to research questions
	Sub question 2.1 How are workers affected in terms of employment status during the pandemic? Including their job itself, as well as payment of wages, hours, etc.	Non-governmental organizations (NGOs) and donors	Purposive sample of officials at 5-8 local NGOs that focus on workers' rights; RMG; or supply chains and/or donors funding those projects.	Semi-structured KIIs	Qualitative data will be captured through typed field notes. Electronic field notes will be imported into Dedoose and coded using pre-specified code frame. This analysis will then be examined in relation to the research questions, desk review, and other relevant data to develop key findings
	Sub question 2.2 How many workers continued to work though portion of lockdown, since factories were considered essential businesses? And/or, how have workers experienced the "return to work" after lockdowns ended?	Tripartite representatives	3-5 relevant representatives from employers' associations, BGMEA, BKMEA, and any unions or workers' representatives available to talk	Semi-structured KIIs	
	Sub question 2.3 Are particular demographic groups affiliated with the RMG industry (migrants, women, geographic/ethnic groups) differentially impacted by the impact of COVID-19?	Private sector/buyers	3-5 respondents from the accord/alliance and key international brands (e.g., H&M, the Gap, Inditex, etc)	Semi-structured KIIs	

		RMG factory owners	5-10 factory owners, ideally split between formal and informal factories in both countries (NORC recognizes it may not be possible to reach informal factory owners)	Semi-structured KIIs	
3	<p>How do the COVID-19 impacts on business and on workers affect vulnerability and possible forced labor?</p> <p>Sub question 3.1 Is there an identified risk of increased forced labor? If so, who is most vulnerable?</p> <p>Sub question 3.2 What is the relationship between the formal and informal sectors, as it relates to risk of forced labor?</p> <p>Sub question 3.3 Have any programs or regulations been put in place that would reduce vulnerability and/or integrate OSH measures and help curb an increased risk of forced labor?</p>	Grey literature; online news/media	Recently published media articles, reports, and white papers identified through literature search/rapid review	Keyword searches using Google news, Google Scholar, and non-indexed local media sources. Center for Global Workers Rights.	Content analysis to summarize publically available information in relation to research questions
		Non-governmental organizations (NGOs) and donors	Officials at 5-8 local NGOs that focus on workers' rights; RMG; or supply chains and/or donors funding those projects.	Semi-structured KIIs	Qualitative data will be captured through typed field notes. Electronic field notes will be imported into Dedoose and coded using pre-specified code frame. This analysis will then be examined in relation to the research questions, desk review, and other relevant data to develop key findings
		International Organizations	5-10 ILO, IOM, IFC, and other key agency stakeholders	Semi-structured KIIs	
		Tripartite representatives	3-5 relevant representatives from employers associations, BGMEA, BKMEA, and any unions or workers' representatives available to talk	Semi-structured KIIs	

ANNEX B: SEARCH PROTOCOL FOR DESK REVIEW

BANGLADESH



Table 2: Search Protocol for Google Scan

Gateway	scholar.google.com, news.google.com
Search Term #1	“garment factory workers”, “garment workers”, “apparel sector workers”, “RMG sector”, “RMG labor”, “RMG workers”, “clothing factory workers”, “textile workers”, “garment factories”, “informal garment factories”, “workers in textile supply chain”, “female garment workers”, “labor laws apparel industry”, “garment worker rights”, “garment industry stimulus package”
Search Term #2	“COVID”, “COVID-19”, “Coronavirus”, “Corona virus”, “Pandemic”
Search Term #3	“Bangladesh”, “Dhaka”, “Narayanganj district”, “Keraniganj upazila”



Table 3: Search Protocol for Media Scan (Local)

Category	Name	Website
Gateway	The Daily Star	https://www.thedailystar.net
	The New Age	https://www.newagebd.net
	The Dhaka Tribune	https://www.dhakatribune.com
	The Financial Express Bangladesh	https://thefinancialexpress.com.bd/
	BD News 24	http://bdnews24.com/
	Prothomalo	https://en.prothomalo.com/
	New Age Bangladesh	https://www.newagebd.net/
Search Term #1	“garment workers”, “apparel sector workers”, “RMG sector”, “informal garment factories”, “workers in textile supply chain”, “garment industry stimulus package”	
Search Term #2	“COVID”, “COVID-19”, “Coronavirus”, “Corona virus”, “Pandemic”	

Search Term #3	"Dhaka", "Narayanganj district", "Keraniganj upazila"
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Table 4: Search Protocol for Media Scan (International)

Category	Name	Website
Gateway	BBC	https://www.bbc.com
	Bloomberg	https://www.bloomberg.com
	Reuters	https://www.reuters.com
	CNN	https://www.cnn.com
Search Term #1	"garment workers", "apparel sector workers", "sweatshops", "clothing factory workers," "textile workers" "informal garment factories"	
Search Term #2	"COVID", "COVID-19", "Coronavirus", "Corona virus", "Pandemic"	
Search Term #3	"Bangladesh", "Dhaka", "Narayanganj district", "Bangladeshi"	



Table 5: Search Protocol for Web Scan

Category	Name	Website
Research Organizations	Bangladesh Institute of Labor Studies (BILS)	https://bilsbd.org/
	BRAC Institute of Governance and Development (BIGD)	https://bigd.bracu.ac.bd/
	BRAC Migration Division at BRAC NGO	http://www.brac.net/program/migration/
	Better Work (ILO RMG)	https://betterwork.org/where-we-work/bangladesh/
	International Labour Organization (ILO)	https://www.ilo.org/dhaka/areasofwork/labour-migration/lang-en/index.htm
	International Organization for Migration (IOM)	https://bangladesh.iom.int/
	Global Fund to End Modern Slavery (GFEMS)	https://www.gfems.org/
	Sourcing Journal	https://sourcingjournal.com/
	Solidarity Center	

	Verite	https://www.solidaritycenter.org/tag/bangladesh/ https://www.verite.org/
Government Agencies/Policy Makers	Bureau of Manpower, Employment and Training (BMET) Department of Inspection for Factories and Establishments (DIFE) Ministry of Labour and Employment Ministry of Foreign Affairs	http://www.bmet.gov.bd/ http://lima.dife.gov.bd/ https://mole.gov.bd/ https://mofa.gov.bd/
NGOs/Service Providers/Local Associations	Accord/Alliance Bangladesh Garment Manufacturers and Exporters Association (BGMEA) Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA) Bangladeshi Ovhibashi Mahila Sramik Association (BOMSA) Bangladesh Textile Mills Association (BTMA) Businesses for Social Responsibility (BSR) Clean Clothes Campaign Fair Labor Association IndustriALL Bangladesh Council (IBC) National Garment Workers Federation Sustainable Apparel Coalition (SAC) War on Want Workers Rights Consortium (WRC)	https://bangladeshaccord.org/ https://www.bgmea.com.bd/home/about https://bkmea.com/ https://www.bomsa.net/ https://www.btmadhaka.com/ https://www.bsr.org/en/ https://cleanclothes.org/ https://www.fairlabor.org http://www.industrialunion.org/ https://ngwfbd.com/ https://apparelcoalition.org/ https://waronwant.org/ https://www.workersrights.org

INDIA



Table 6: Search Protocol for Google Scan

Gateway	scholar.google.com , news.google.com
Search Term #1	“garment factory workers”, “garment workers”, “apparel sector workers”, “clothing factory workers,” textile workers,” “RMG sector”, “RMG labor”, “RMG workers”, “clothing factories”, “garment factories”, “informal garment factories”, “workers in textile supply chain”, “female garment workers”, “labor laws apparel industry”, “garment worker rights”
Search Term #2	“COVID”, “COVID-19”, “Coronavirus”, “Corona virus”, “Pandemic”
Search Term #3	“India”, “Karnataka”, “Bengaluru”, “Bangalore”, “Tirupur”, “Gurugram”, “Gurgaon”, “Delhi”, “National Capital Region (NCR)”



Table 7: Search Protocol for Media Scan (Local)

Category	Name	Website
Gateway	Times of India	timesofindia.indiatimes.com
	Mumbai Mirror	mumbaimirror.indiatimes.com
	Hindustan Times	hindustantimes.com
	Economic Times India	economictimes.indiatimes.com
	The Hindu	thehindu.com
	Telegraph India	telegraphindia.com
	Indian Express	indianexpress.com
	New Indian Express	newindianexpress.com
	India Today	indiatoday.in
	Live Mint	livemint.com
	Deccan Herald	deccanherald.com
	The Quint	thequint.com
Search Term #1	“garment workers”, “apparel sector workers”, “RMG sector”, “informal garment factories”, “workers in textile supply chain”, “garment worker rights”	

Search Term #2	“COVID”, “COVID-19”, “Coronavirus”, “Corona virus”, “Pandemic”
Search Term #3	“Karnataka”, “Bengaluru”, “Bangalore”, “Tirupur”, “Tamil Nadu”, “Gurugram”, “Gurgaon”, “Delhi”, “National Capital Region (NCR)”



Table 8: Search Protocol for Media Scan (International)

Category	Name	Website
Gateway	BBC	https://www.bbc.com
	Bloomberg	https://www.bloomberg.com
	Reuters	https://www.reuters.com
	CNN	https://www.cnn.com
Search Term #1	“garment workers”, “apparel sector workers”, “garment factories,” “sweatshops”, “clothing factory workers”, “textile workers”, “informal garment factories”	
Search Term #2	“COVID”, “COVID-19”, “Coronavirus”, “Corona virus”, “Pandemic”	
Search Term #3	“India”, “Indian”	



Table 9: Search Protocol for Web Scan

Category	Name	Website
Research Organizations	International Labour Organization (ILO)	https://www.ilo.org/newdelhi/aboutus/WCMS_166809/lang-en/index.html
	International Organization for Migration (IOM)	https://www.iom.int/countries/india
	Global Fund to End Modern Slavery	https://www.gfems.org/
	Sourcing Journal	https://sourcingjournal.com/
	Solidarity Center	https://www.solidaritycenter.org/tag/india/
	Verite	https://www.verite.org/
	Women in Informal Employment: Globalizing & Organizing (WIEGO)	https://www.wiego.org/garment-workers

Government Agencies/Policy Makers	Ministry of Commerce and Industry Ministry of Textiles Ministry of Labour and Employment	https://commerce.gov.in/Index.aspx http://texmin.nic.in/ https://labour.gov.in/
NGOs/Service Providers/Local Associations	Apparel Export Promotion Council Asia Floor Wage Alliance Business Social Responsibility (BSR) Change Alliance Cividep India Clean Clothes Campaign Cotton Textiles Export Promotion Council (Texprocil) Fair Wear Garments Exporters and Manufacturers Association (GEMA) Garment Labor Union IndustriALL Society for Labour and Development (SLD)	http://www.aepcindia.com/node https://asia.floorwage.org/ https://www.bsr.org/en/covid-19 https://www.changealliance.in/ http://www.cividep.org/2017/01/20/garment/ https://cleanclothes.org/ https://texprocil.org/ https://www.fairwear.org/programmes/countries/india https://www.gema.co.in/profile https://glu.org.in/ http://www.industrialunion.org/textile-leather-garment-shoes-and-textile-services http://www.sld-india.org/