

# STATUS REPORT

## MIGRATION IN READY MADE GARMENT INDUSTRY: CAUSES AND IMPACT ON YOUNG WOMEN WORKERS

In Jharkhand and Delhi-NCR

Lead Agency



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## ACKNOWLEDGEMENTS

Change Alliance (CAPL) would like to warmly thank and acknowledge individuals and organisations for their contribution to this study. This study has been both challenging but also inspiring in more ways than one. To minutely study the lives of women garment workers, their concerns, their aspirations and their difficulties has been a wonderful opportunity for researchers.

We would like to take the opportunity to thank all those who at various stages of the research have contributed immensely in various capacities, be it feedback, be it administrative support and coordination, be it research inputs, and be it understanding by the concerned stakeholders for enforcing the required research protocols needed for this kind of robust study.

We would like to thank Mr. Pradyumna Bora from British High Commission (BHC), Mr. Ranjeeb Sarma and Ms. Fatima Wahid from Marks and Spencer (M&S), and Change Alliance's Gender Diversity, Inclusion (GDI) and Impact Advisory teams for conceptualising the project to promote safe and responsible migration in garment supply chain with a special focus on Jharkhand which exhibits high levels of migration to the tune of almost 75% of its population as per last data available of 64th round of NSSO 2007-08.

We would also like to extend our thankfulness to Mr. Viraf Mehta, Senior Consultant of Change Alliance, for providing shape to the study with his innovative ideas and insights by bringing Human Rights perspective of Migrant Workers and Dr. Vinti Agarwal, Senior Consultant of Change Alliance, for developing the tools, analysis and report writing with vital inputs from the Change Alliance team consisting of Dr. Archana Shukla Mukherjee, who led the programme within CAPL and Mr. P V Narayanan, Mr. Santosh Kumar Sharma and Ms. Meenakshi Gandotra.

We thank Mr. Johnson Topno, Mr. Prakash Kumar, Mr. Santosh Kumar and other Jharkhand team members of Partnering Hope into Action (PHIA) Foundation for data collection in Jharkhand and Mr. Virender Jha, Ms. Divya Singh and other Aider team for data collection in Delhi-NCR.

We also thank Mr. Shivkumar Sharma, Digital Giving Officer of Change Alliance for designing this report.

Lastly, immense gratitude for British High Commission and Marks and Spencer for supporting this research study on women migrant workers and the underlying background conditions that influence their migration choices and journey. This work will indeed be valuable to a cross-section of stakeholders spanning industry, policy makers, academia and civil society.



## FOREWORD

Change Alliance, with the support from British High Commission (BHC) and leading garment brands such as Marks & Spencer (M&S), Superdry, Mothercare and Levi Strauss and Co, has been implementing the Gender Equality Project (GEP) in readymade garment (RMG) factories since 2017. This is an ongoing programme and we continue to work in partnership with the BHC, M&S and Superdry and their select sourcing factories on promoting gender equality. So far, we have reached a workforce of over 25,000 people including both women and men in 17 factories in the locations of Bengaluru and National Capital Region (NCR).

Various estimates show that the RMG factories have the largest proportion of women workers amongst factories that employ both men and women in manufacturing. The other side of the story is that majority of these women in garment factories are migrant workers from marginalised and underprivileged sections of the society.

Our current study is looking at factors that make women migrate to Delhi and NCR regions for work in the apparel sector. Many issues that came to the fore during the study include various social and economic conditions that enhance their vulnerability to migrate for work. This study, also, looks beyond the macro scenario and narrows down to focus on other issues such as the role of contractors, recruitment processes, health, safety, challenges of housing and living conditions.

Some interesting similarities and differences between the experiences of migrants in Jharkhand and the National Capital Region (NCR). Interestingly, in certain aspects, the satisfaction among the migrants working close to their native place in Jharkhand is relatively better than that of those who are working in Delhi-NCR. Jharkhand as an emerging garment manufacturing hub shows a lot of promise with a favourable policy environment and is becoming an attractive place to seek jobs. The study also delves into the issues of both interstate migration and intrastate migration in Jharkhand.

A sincere attempt has been made to present the voices of women migrant workers who participated in the study and we hope that the findings of the study will be of much relevance to the industry, policymakers, researchers and other stakeholders especially to those working on empowerment of women, promoting Business and Human Rights (BHR), and migration.

We sincerely thank the British High Commission, Marks & Spencer and their sourcing factories for their support and collaboration. We also thank our civil society partners- PHIA Foundation and AIDER for their full support for this study and their commitment towards promoting a safe and responsible migration, with a focus on women and marginalised communities. Special thanks and appreciation to my colleagues, Dr Archana Shukla Mukherjee, Mr. P V Narayanan, Mr. Santosh Kumar Sharma, Ms. Meenakshi Gandotra, Mr. Ajit Lenka and Mr. Shivkumar Sharma for their contribution.

**Anand Kumar Bolimera**  
Chief Executive Officer  
Change Alliance



# LIST OF ABBREVIATIONS

ABRR	Annual Business Responsible Reporting
AEPC	Apparel Export Promotion Council
AIOE	All India Organisation of Employers
ASHA	Accredited Social Health Activist
BPL	Below Poverty Line
CIE	Council of Indian Employers
CMAI	Clothing Manufacturers Association of India
DDU-GKY	Deen Dayal Upadhyay- Grameen Kaushalya Yojana
GFASLI	General Factory Advice Service and Labour Institutes
EFI	Employers' Federation of India
EPF	Employees Provident Fund
ESI	Employees' State Insurance
ETI	Ethical Trading Initiative
FEDINA	Foundation for Educational Innovations in Asia
FGD	Focussed Group Discussion
GAFWU	Garment and Fashion Workers' Union
GATWU	Garment and Textile Workers Union
HR	Human Resource
IC	Internal Committee
IDI	In-Depth Interview
ILO	International Labour Organisation
JSLPS	Jharkhand State Livelihood Promotion Society
MCA	Ministry of Corporate Affairs
MGNREGA	Mahatma Gandhi National Rural Employment Gurantee Act
NAP	National Action Plan
NCR	National Capital Region
NGO	Non-Governmental Organisation
NGRBC	National Guideline of Responsible Business Conduct
NOS	National Occupation Standard
NSDC	National Skill Development Corporation
NSDP	Net State Domestic Product
NSSO	National Sample Survey Organisation
NVG	National Voluntary Guidelines
OBC	Other Backward Class
PF	Provident Fund
PHIA	Partnering Hope into Action
PIA	Parter Implementing Organisation
PoSH	Prevention of Sexual Harassment
QP	Qualification Packs
RMG	Ready Made Garment
SC	Scheduled Caste
SCOPE	Standing Conference of Public Enterprises
SDG	Sustainable Development Goals
SEBI	Securities Exchange Board of India
SIMA	The Southern India Mills' Association
SRSG	Special Respresntative to the Secretary General
ST	Scheduled Tribes
UNGC	United Nations Global Compact
UNGP	United Nations Guiding Principles

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## EXECUTIVE SUMMARY

Indian textile and clothing industry directly employs more than 45 million people in 2018-19, making it the second largest source of employment in India after agriculture. The Indian textile and garment industry today is the second largest manufacturer and exporter in the world after China. With an extensive jurisdiction stretching from farms to ready-made garments, the textile industry's contribution to India's GDP increased from 1.69 percent in 2011-2012 to 2.3 percent in 2016-2017, as per the National Accounts Statistics. Around 35 million are employed in the Indian textile industry of which nearly 20 million are women (Confederation of Indian Textile Industry, 2016). The Ready-Made Garment (RMG) sector directly employs 12.9 million people of which more than 60% are women, while estimates of the number of home-based workers in the industry remain opaque. The industry is also known for employing a large number of migrants. In fact, as per an ILO report, 2017 on the working conditions of migrant workers in the garment industry of India, not only were migrants largely employed in the lower end of the industry but they also suffer because of lack of documentation, job insecurity, non-payment or delayed payment of wages, lack of leaves and restrictions on movement. They are, thus, particularly vulnerable to exploitation. The abuse of migrant workers in textile and garment supply chains is a growing problem.

This study is one of the components of project, "Promoting Responsible Migration in Garment Supply Chain" along with other three components which are training for factory management and workers, awareness programmes for community and policy advocacy with key stakeholders.

This report has very comprehensively dealt with all major Human Rights and other issues that affect the migrant workers; reasons of migration, process of recruitment and hiring, working conditions, multiple forms of discrimination and gender based violence experienced at workplace, their living conditions to their overall experience of migration.

Guidelines and Principles, which aim to provide guidance on protection for migrant workers have been recommended by global development agencies. Respective governments internationally have enacted laws to protect the vulnerable sections of workers. The Indian government has also issued its own voluntary guidelines and compliance requirements. These are, unfortunately, not effectively implemented in many cases leading to concerns about the human rights of these workers. The United Nations Global Compact is a global sustainability initiative with a set of 10 principles on duties and responsibilities of businesses towards human rights, labour, environment and anti-corruption. The United Nations Sustainable Development Goals (SDG) too have clearly outlined goals, targets and indicators that specially pertain to migrant workers. The garment industry has its own set of ethical issues and therefore the Ethical Trading Initiative as well as certain legislation such as the Modern Slavery Act of 2015 passed by the British Parliament and Section 1589 of US Code too cover a wide variety of human rights violations in the garment industry. In India, the Ministry of Corporate Affairs (MCA), Government of India, released its own National Voluntary Guidelines on the Social, Environmental and Economic Responsibilities of Business (NVGs). After, revision and updating, the new principles are called the National Guidelines on Responsible Business Conduct (NGRBC) and have been designed to assist businesses to adopt responsible business practices. In addition, the top 1,000 listed companies in India are required by law to file their annual business responsibility report (BRR).

The present study by Change Alliance was designed along with British High Commission and Marks and Spencer to understand factors surrounding unsafe migration with women Ready-Made Garment (RMG) industry workers in Delhi-NCR and Jharkhand. The different aspects of migration have been studied at two different locations of Delhi-NCR and Ranchi. Both the locations had fairly different profiles of migrant workers enabling comparison of working and living conditions in these to altogether different milieus. The study had a distinct focus on:

1. Socio-economic background of the respondent: Includes age, education, marital status and other demographic and socio-economic information.
2. Reasons and compulsions for migration: Exploration of the various economic, personal, land ownership and family reasons for migration. In addition, analysis of the role of family, relatives, friends, peers, community members and recruitment agents.
3. Living conditions of the respondent: Includes ownership of identity documents, standard of living, access to schooling for children and medical treatment
4. Working conditions of the respondent: Factors such as compensation and salary payment terms, access to social security benefits, leaves and overtime, working environment of the workers, incidence of sexual harassment at the workplace and exposure to any other kind of Gender Based Violence (GBV)
5. Effects of migration: Information captured on aspirations, expectations, challenges and despair experienced by the women migrants.

Certain qualifiers were also used to sample the respondents such as age, duration of migration, marital status and length of employment within the factory premises. The interviews of 481 women were conducted outside the factory premise to enable these young women workers to share information and speak freely. The study has focused on causes and impact of migration keeping the names of the factories anonymous. Further, almost 76 interviews and focused group discussions were also held at source within villages in Jharkhand to understand the actual ground level situations that lead to migration and how migrant workers are influenced to migrate to the city. Several other stakeholders were also reached out to understand industry practices, trends, regulation and policy in order to develop a holistic understanding of the issues surrounding migration. In fact, one of the sub-objectives of the study was to ascertain whether migration was occurring under safe and responsible conditions and if not, to explore the possible loopholes that need to be plugged in to ensure the same. Our findings show that respondents working in the garment factories were more or less largely in the younger age category especially in Ranchi. They were from socially disadvantaged backgrounds, migrating usually for economic reasons due to either lack of land for cultivation or low income from agriculture. A major factor contributing to women's migration was migration by spouse.

The influence of manpower contractors in encouraging or facilitating migration was negligible in recruitment specially in Jharkhand. However, such contractors were active in Delhi-NCR. In Jharkhand, the recruitment was largely being driven through the state government initiative that was put in place by the Jharkhand government to give a fillip to the garment industry in the state. Other forms of recruitment were through internal references and walk-in. However, the process of recruitment, training, employment and dismissal lacked transparency and it was observed that the respondents faced repercussions if they asked for or complained about pay, leaves and increments.

The working conditions in terms of basic amenities with regard to lighting, ventilation, fans and canteens were largely in place though we observed the lack of adequate number of toilets and toilet breaks in Jharkhand. Safety training and equipment was a huge gap and so was crèche in the factories.



Overtime was given at single rates and Delhi-NCR had a huge incidence of overtime both in terms of hours per day as well in number of overtime days. There may have been a problem of overtime in Jharkhand and forced working on holidays as well but it seems respondents were not comfortable reporting it in unstructured interviews. Fear of reprisal was definitely palpable among the respondents. Delhi-NCR workers were largely on contractor rolls and hence issues of non-payment of social security benefits were fairly widespread.

Sexual harassment and its prevention is an issue that factory managements on paper appear to have taken complete care but it definitely exists in subtle forms and in a manner that makes it difficult for women to complain. Intimidation by supervisors is a real issue and that along with long hours and humungous work pressure lead to conditions of occupational illness including mental stress. Training is a weak area and awareness of legislation regarding sexual harassment or related to working conditions is extremely low. Living conditions of workers are not very healthy either in Delhi-NCR or Ranchi. In Delhi-NCR, it has more to do with cramped conditions and lack of subsidized rations owing to absence of ration cards while in Ranchi, hostel facilities are poor and exploitative. Even shared private places of living in Ranchi appear to keep the women workers in dependent conditions of local lodge owners who seem to jointly work with factories for creating such controlling conditions for the women.

Delhi-NCR respondents have higher living expenses and lower savings than those in Ranchi. On the other hand, satisfaction levels of Ranchi respondents are slightly better than Delhi-NCR respondents on some parameters.

Overall, our findings show that the choice of migration has a number of positive outcomes for the women migrant workers, although they have met with challenges in terms of health, safety, living conditions and environmental concerns. Improvement in living and working conditions are required to ensure greater satisfaction for these women migrant workers both on and off their workplaces. Efforts in this direction are required by all stakeholders who support human rights to ensure that the women migrant workers live a life of human dignity.

The findings are comprehensive and thus it is hoped that the results will be useful to a wide cross-section of textile industry stakeholders including academia, government and policy makers.

# CHAPTER 1

## INTRODUCTION

### 1.1. MIGRATION IN INDIA

The UN Convention on the Rights of Migrants defines a migrant worker as a *"person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national"* (UNESCO, 2016). "The term 'migrant' should be understood as covering all cases where the decision to migrate is taken freely by the individual concerned, for reasons of 'personal convenience' and without intervention of an external compelling factor" (UN Commission on Human Rights. Working Group of Intergovernmental Experts on the Human Rights of Migrants (2nd sess., 10th March 1998).

According to the Census, a 'migrant' is someone *"who is enumerated at a different place than his/ her place of birth or place of last residence. A resident, in turn, is defined as one who has been staying in a location for six months or more, except for newborn infants"* (UNICEF in collaboration with ICSSR and Sir Dorabji Tata Trust, 6-7 December, 2011). The household surveys carried out by the NSSO to measure migration use the change in usual place of residence definition.

The number of migrants who moved from rural to urban areas stood at 52 million out of a total population of 1.02 billion, as per the 2001 Census. This grew to about 450 million out of a total population of 1.3 billion Indians according to the Census 2011 data. Of this, 78 million, or 15.6% of all domestic migrants, moved from rural to urban areas. Thus, the 2011 number of 78 million is a jump of 51% from 2001. The share of rural-to-urban migrants in the population rose from 5.06% in 2001 to 6.5% in 2011. Women outnumber men in making the rural-to-urban shift. Of the 78 million, 55% were females and they outnumbered males in 554 of the 640 districts.

The share of male rural-to-urban migrants in the total male population rose from 4.6% to 5.7%, for females, the share rose from 5.5% to 7.4% (howindialives.com, 2019).

Using the definition of migrant as per the place of last residence, the incidence of inter-state migration in 2011 was estimated as 3.6% of total population as against 4% of population in 2001. The total estimated inter-state migrants were estimated to be 3-4 million persons in 2011 based on using the Life Table Survival Ratio Method with Forward and Backward Estimation in India. This worked out to be a migration rate of -0.33% between 2001 and 2011 (Mistri, 2015).

Recent evidence from the 2011 census suggest that the annual rate of growth of labor migrants nearly doubled relative to the previous decade, rising to 4.5% per annum between 2001 and 2011 as compared to only 2.4% during the previous decade. Therefore, the stock of migrants stating economic reasons for migration increased to 51 million in 2011. It was estimated that over 80% of these migrants were male. In fact, there is enough evidence to suggest that even married women also eventually join the workforce and therefore there is an economic aspect related to even married female migration. These aspects are clearly brought out in this study.

The Cohort Based Migration Metric (CMM), based on the Census data, estimates a much larger stock of labour-related migrants compared to traditional estimates. This metric, developed in the Government of India's recent Economic Survey, considers net migration to be the percentage change in population between the 10-19-year-old cohort in an initial census period and the 20-29

-year-old cohort in the same area (state or district) a decade later, after correcting for mortality effects. It is likely to capture labour migration, as other bilateral movements for reasons such as marriage are netted out. According to this metric, the stock of all the out-of-state net migrants in the 20-29 age cohort between 2001 and 2011 exceeded 11 million people, up from around 6 million people during the previous decade. The 20-29 age cohort formed a fifth of all migrants who moved for economic reasons. Therefore, using a scaling factor of five, the number of out-of-state net (labour) migrants between 2001 and 2011 can be estimated at over 55 million people. The stock of all economically motivated inter-district migrants is similarly estimated at over 80 million. Although 80% of that is male, 20% of that is female, and representing therefore at least by conservative estimates 11 million female migrants.

In 2011-12, the share of internal migration flows within and between Indian states was 55% and 45% respectively. In terms of spatial movements, rural-urban migration expectedly dominates migration for economic reasons. Migration from rural to urban areas accounted for more than half of internal migration flows in both 2004-05 and 2011-12. Further, migration from rural to urban areas appears to be correlated with migration over longer distances. When considering the movement of people across states, about three-fourths was accounted for by rural-urban migration flows in 2011-12.

The stock of “intrastate” migrants is also negatively correlated with per capita state NSDP.<sup>1</sup> While some richer states, such as Maharashtra and Gujarat, had sizeable stocks of intrastate migrants (presumably individuals moving from less to more prosperous regions within the state), poorer states

like Jharkhand, Bihar and Odisha on average had a larger number of individuals migrating between states.

According to an ILO report on the working conditions of migrant workers in the Garment Industries of India, migrants who are largely employed in the lower end of the industry suffer because of lack of documentation, job insecurity, non-payment or delayed payment of wages, lack of leaves and restrictions on movement.<sup>2</sup> Seasonal migrants appear to be dominating low-paying, hazardous and informal market jobs in key sectors in urban destinations, such as construction, hotel, textile, manufacturing, transportation, services, domestic work, etc. They have very poor access to health services which results in poor occupational health. Non affordability of medical services often forces them to go back to their villages resulting in loss of wages and lack of opportunities. These migrant workers often enter the job market at an early age, have very limited upward mobility and usually remain unskilled, poorly paid and in hazardous jobs for the better part of their life. This was also the result of our findings from the field wherein we interviewed multiple stakeholders in the villages and we found that most migrants tend to find jobs in unorganised sectors. They are and were less or uneducated and largely seasonal migrants

## 1.2. GARMENT INDUSTRY

In India, the readymade garment sector forms an important segment in the broad-based textile industry. The activities of the textile industry include spinning, weaving, and production of cloth and garment items. It accounts for about 4 per cent of GDP, 25 per cent of the industrial production, and 30 per cent of the export earnings of the country.

<sup>1</sup>Net State Domestic Product (NSDP) is defined as a measure, in monetary terms, of the volume of all goods and services produced within the boundaries of the State during a given period of time after deducting the wear and tear or depreciation, accounted without duplication.

<sup>2</sup>Working conditions of migrant garment workers in India: A literature review / International Labour Office, Fundamental Principles and Rights at Work Branch - Geneva: ILO, 2017.



Besides, the industry provides gainful employment to millions of people directly and indirectly. The Indian textile and garment industry today is the second largest manufacturer and exporter in the world after China.

The Garment Industry of India is an INR one trillion industry. Almost 33% of its knitwear production and about 20% of its woven-garment production, both by volume, enters export markets. Overall about 25% of the volume of its garment production goes into export markets, leaving 75% for domestic consumption. Organised sector of the garment industry is roughly 20% of the total industry, concentrating chiefly on exports. These are usually Limited Companies while the rest are proprietary or partnership Companies.<sup>3</sup> In terms of fiber, 80% of the production is of cotton garments, 15% of synthetic/mixed garments and the rest of silk and wool garments. Fabric constitutes 65% to 70% of the cost of production with labor making up a further 15% and the rest are constituted by overheads and manufacturer's profit (Panthaki, 2008).

India is among the world's largest producers of Textiles and Apparel. The domestic textiles and apparel industry contribute 2.3% to India's GDP and accounts for 13% of industrial production, and 12% of the country's export earnings.

The textiles and apparel industry in India is the second-largest employer in the country after agriculture providing employment to 45 million people. It is expected that this number will increase to 55 million by end of 2020. FDI in the textiles and apparel industry reached up to \$3.1 billion during 2018-19. Exports in the textiles and apparel industry are expected to reach \$300 billion by 2024-25 resulting in a tripling of Indian market share from 5% to 15% (Tyagi, 2020).

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<sup>3</sup><https://www.indiainfoline.com/company/mandhana-industries-ltd/management-discussions/28574>

Garment production in India is mainly concentrated in hubs, which are characterized by the specific products manufactured. Some of the common hubs are Tirupur in Tamil Nadu, Delhi-NCR, Noida and Gurgaon, Indore in Madhya Pradesh, Ludhiana in Punjab, Bengaluru in Karnataka, Mumbai in Maharashtra, Kolkata in West Bengal, Jaipur in Rajasthan and Bareilly in Uttar Pradesh (Fair Wear Foundation, 2016). Ranchi is slowly emerging as one of the hubs given the promotion of export oriented textile units in the State of Jharkhand.

Evolving from colonial and post-colonial industrial and trade policies, today the Indian textile industry directly employs an estimated 45 million people, making it the second largest source of employment in India. With an extensive jurisdiction stretching from farms to ready-made garments, the textile industry's contribution to India's GDP increased from 1.69 percent in 2011-2012 to 2.3 percent in 2016-2017, as per the National Accounts Statistics.

Apparel manufacturing hubs are few and far between, and output demands are high. Consequently, the local labour supply is supplemented by a moving workforce. More than 70 percent of the workforce in the biggest hubs - NCR, Tiruppur, and Bangalore - comprises of circular or temporary migrants, making migration an essential factor for production.

There are several instances that hint at the over-reliance of the sector on migrants and also expose the vulnerabilities that migrant workers face in the largely informal textile industry: the mass exodus of migrant workers from Gujarat after horrifying instances of violence in 2018; the reduction in output from the Tamil Nadu manufacturing clusters when migrants returned home to vote; job crunch in the informal economy following the implementation of GST and demonetisation; to name a few. In India, the short-term contracting system has become uniquely linked to migration patterns.

A combination of contracting and the use of migratory labour makes business viable and labour subdued and manageable for manufacturers and subcontractors (thekedaars).<sup>4</sup>

Data show that in the past five years, the number of women employees has increased by 15% in the textile industry, and in Gujarat, the rate is double. Around 35 million are employed in the Indian textile industry of which nearly 20 million are women (Confederation of Indian Textile Industry, 2016). The Ready-Made Garment (RMG) sector directly employs 12.9 million people, more than 60% are vulnerable women, while estimates of the number of home-based workers in the industry remain opaque.

The organised garment sector alone employs an estimated 8 million workers. Statistics on garment factories across the country are scarce and vary due to the large numbers of unregistered units. Medium and small factories with less than 100 workers or even micro enterprises employing less than 10 workers are very common, and often operate in an informal economy. Still, there will be factories that employ an average of 2000 workers as well and the smallest formal company may be employing between 500 to 1000 employees as well.

The social composition of the employment force in the garment sector varies depending on production hubs, though in general, workers are between the ages of 20 to 40. In certain hubs, an increasing number of adolescent female worker proportion has been noticed as well. In general, female garment employees often stop working for a period of 2-3 years post maternity. This finding resonated in our study as well given that most of our respondents were below 35 years of age and in the particular case of Jharkhand, predominantly below the age of 25. Based on the responses, it appears that workers working in the garment factories are

largely belong to any one of the social categories of Scheduled Caste, Scheduled Tribes and Other Backward Castes. The younger migrants are likely to be more educated maximum till higher secondary and somewhat skilled but for the most part workers are uneducated and categorized as unskilled workers

In Delhi, migrant workers mostly come from Bihar and Uttar Pradesh and to a lesser extent from Madhya Pradesh. In the Southern region, migrants largely come from the North-Eastern states, such as Assam, Manipur and Meghalaya, as well as Odisha, in addition to the Northern states of Jharkhand, Bihar and Uttar Pradesh. In recent years, there has been an increase in the migration from Jharkhand as well to parts of Northern India and hence there was a need for this study with focus on female migration from Jharkhand.

## MIGRATION IN JHARKHAND

In Jharkhand, approximately 42,000 girls<sup>5</sup> have been trafficked from Jharkhand to metropolitan cities. According to the economic survey of India 2017, Jharkhand lost close to 5 million of its working age population between 2001 and 2011 due to migration. More than 5% of the working age population migrates annually to other states in search of better employment opportunities, education or because of loss of traditional livelihood.

The net outflow of the working age population is the highest among all the states in the country. West Bengal serves as a home to the highest number of migrants because West Bengal has a developed industrial sector and a sprawling metropolitan capital. Bihar and Uttar Pradesh have been identified as states with the second and third highest inflow of migrants from Jharkhand respectively.

<sup>4</sup> <https://idronline.org/stitched-together-migrants-in-indias-textile-sector/>, accessed on 11th March 2020

<sup>5</sup> a report published (2010) by an NGO coalition Action against Trafficking and Sexual Exploitation of Children (ATSEC) working in Jharkhand.

A high net migration, greater than <sup>15</sup>%, was observed in the districts of Dhanbad, Lohardaga and Gumla. More than <sup>90,000</sup> people travel from Dhanbad to Howrah each year, which has been identified as the top route for migration in eastern India. The reason, the economic survey cites for this is that both men and women from impoverished families travel to other places for employment opportunities leaving behind their children and older members of the family in Jharkhand. However, a survey conducted by the state's skill development department in <sup>2011</sup> showed that <sup>80</sup>% of the respondents had not observed any improvement in their economic condition since their family members had migrated. Often thousands of distressed migrants return to their respective villages due to lack of employment, exploitation, irregular payments, concerns over safety and other specific challenges at the destination point.

54.4% people migrate within their state while in Jharkhand it's around 25.7% which is less compared to other states due to lack of employment opportunities within the state; while Interstate migration in India, 45.65% people move out of their states but in the case of Jharkhand around 74.3% move outside the state. (NSSO, 64th Round, 2007-08 (Migration in India 2007-08, Ministry of Statistics and Programme Implementation, Government of India, New Delhi)

### 1.3. REGULATION RELATED TO MIGRATION - INDIA

Migrant workers are particularly vulnerable to exploitation. They often do the same job as local workers but for lower wages and in less safe conditions. Also, they face specific barriers in articulating and demanding their rights as workers. Abuse of migrant workers in textile and garment supply chains is a growing problem. There has been a dramatic shift from the use of permanent, regular employment to temporary and contract labour, often carried out by vulnerable groups of workers such as migrant workers.

There are however series of guidelines, acts and legislations which however provide either guidance or protection to migrant workers.

India has formulated the following laws and policies in place for workers employed in factories:

- i. **Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979:** <sup>6</sup> This is applicable to workers that migrate internally within the country.
- ii. **Contract Labour Act 1970:** This covers all conditions of employment of contract labour.
- iii. **Social Security provisions:** This covers the mandatory requirements of factories and contractors to provide social security benefits such as Employee Provident Fund (EPF) and Employee State Insurance (ESI).

Some of these factory laws that are also applicable to garment factories include:

The 1947 Industrial Disputes Act, amended in 2010, provides that employers with at least 20 employees must provide for a Grievance Settlement Authority to settle individual disputes. The law also provides for the establishment of a Works Committee in factories with 100 or more employees. This committee should be composed of an equal number of management and worker representatives. The Works Committee should promote "*good relations between the employer and the workmen.*"

<sup>6</sup> The Interstate Migrant Workers (Regulation of Employment and Conditions of Service) Amendment Bill, <sup>2011</sup> is proposed to make this Act gender neutral by amending its title and replacing the word 'workman and workmen' by the words 'worker and workers' respectively. However, the lawmakers have not thought of bringing additional provisions to implement this Act strictly with more accountability and punishments for violations.



The 2013 Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act applicable to factories with more than 10 employees provides for the establishment of Internal Committees (IC) and mechanism for addressing sexual harassment incidents. In actual practice, many of these provisions are not functional and workers in general are not aware of the same which results in human rights issues pertaining to sexual harassment, physical and verbal abuse go unreported. Workers often prefer to change jobs rather than raise a complaint. They also do not unionize because that might be negatively perceived by employers.



It is to be noted that that six out of the eight ILO (International Labour Organisation) Core Conventions, which are concerning forced labour and discrimination in employment, have been ratified by India. Those pertaining to freedom of association and right to organize and collective bargaining remain to be ratified.

Similarly, Conventions regarding migrant workers remain unratified. And, even where ILO standards are reflected in national laws, challenges remain when it comes to the implementation of those standards in factories and along the supply chain.

**The Government of India in April 2017 ratified the International Labour Organisation (ILO) Convention 182 on the worst forms of child labour and Convention 138 on Minimum Age of employment in 2017. The Worst Forms of Child Labour prohibited under Convention 182 are::**

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

**The ILO convention 138 prescribes the minimum age of employment for children, which is set as fourteen years or such age as may be specified in the Right of Children to Free and Compulsory Education Act, 2009, whichever is more.**

## 1.4. GUIDING PRINCIPLES FOR STATES AND BUSINESSES FOR HUMAN RIGHTS

At the World Economic Forum in January 1999, the former UN Secretary General Kofi Annan floated the idea of UN Global Compact (UNGC). The Compact, which was officially launched in 2000, comprises 10 principles in the areas of human rights, labour, environment and anti-corruption. The UN Global Compact's ten Principles are derived from: the Universal Declaration of Human Rights, the International Labour Organisation's Declaration on Fundamental Principles and Rights at Work, the Rio Declaration on Environment and Development, and the United Nations Convention Against Corruption

Kofi Annan also appointed Professor John Ruggie of Harvard University as a Special Representative to "identify and clarify standards of corporate responsibility and accountability for transnational corporations and other business enterprises with regard to human rights."

With the aim of devising a framework that would "reduce corporate related human rights harms to the maximum extent possible in the shortest possible period of time" the UN Special Representative of the Secretary General (SRSG) on the issue of human rights and transnational corporations and other business enterprises, Professor Ruggie sought to apply an approach of "principled pragmatism" to his mandate. He conducted extensive research and consultations with governments, civil society and businesses in five continents.

In 2008, the SRSG presented the "Protect, Respect and Remedy: Framework for Business and Human Rights to the UN Human Rights Council." The framework provided conceptual architecture and outlined respective roles and responsibilities of the governments and businesses for human rights. The United Nations Guiding Principles (UNGPs) elucidate the duties and responsibilities of the State and Businesses in addressing business related human rights and their impacts

## United Nations Guiding Principles on Business & Human Rights

### State duty to protect

- Policies
- Regulation
- Adjudication

### Corporate responsibility to respect

- Act with Due Diligence to avoid infringement
- Address adverse impacts on Human Rights

### Access to remedy

- Effective access for victims
- Judicial and non-judicial

Encouragingly, India was part of a group of nations that supported the drafting of the UN Guiding Principles on Business and Human Rights, which affirm the "Protect, Respect, Remedy" framework of the United Nations.

### These principles relate to:

a) States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms;

b) The role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights;

c) The need for rights and obligations to be matched to appropriate and effective remedies when breached

*(United Nations Guiding Principles on Business and Human Rights, New York and Geneva 2011)*

In June 2011, the United Nations Human Rights Council endorsed the UNGP. During the same time, the Ministry of Corporate Affairs (MCA), Government of India, released a set of guidelines in 2011 which were called the National Voluntary Guidelines on the Social, Environmental and Economic Responsibilities of Business (NVG). This was expected to provide guidance to businesses on what constitutes responsible business conduct. In order to align the NVGs with the Sustainable Development Goals (SDGs) and 'Respect' the pillar of the United Nations Guiding Principles (UNGP), the process of revision of NVGs was started in 2015. After, revision and updation, the new principles are called the National Guidelines on Responsible Business Conduct (NGRBC). As with the NVGs, the NGRBC has been designed to assist businesses to perform above and beyond the requirements of regulatory compliance<sup>6</sup>(Ministry of Corporate Affairs 2018). The NGRBC has taken cues from the UN Guiding Principles for Business and Human Rights, UN's Sustainable Development Paris Agreement on Climate Change (2015), Core Conventions 138 and 182 on Child Labour by the International Labor Organisation (ILO) and Annual Business Responsibility Reports (ABRR). The NGRBC (2019) is designed to be used by all businesses, irrespective of their ownership, size, sector, structure or location. It is expected that all businesses investing or operating in India, including foreign multinational corporations (MNCs) will follow these guidelines. The Principles 3 and 5 give impetus to issues of migrant workers and their well-being as given below.

**Principle 3: Businesses should respect and promote the well-being of all employees, including those in their value chains.**

This Principle encompasses all policies and practices relating to the equity, dignity and well-being, and provision of decent work (as indicated in SDG 8), of employees of a business or in its value chain. The principle recognises that the well-being of an employee also includes the wellbeing of her/his family.

**Principle 5: Businesses should respect and promote human rights**

This principle recognises that human rights are inherent to all human beings, and that everyone, individually or collectively, is entitled to these rights, without discrimination. It further recognises that human rights are inherent, inalienable, interrelated, interdependent and indivisible. The Principle is further informed and guided by the UN Guiding Principles on Business and Human Rights in its articulation of the responsibility of businesses to respect human rights. It affirms that the responsibility of businesses to respect human rights requires that it avoids causing or contributing to adverse human rights impacts, and that it addresses such impacts when they occur. The Principle urges businesses to be especially responsive to such persons, individually or collectively, who are most vulnerable to, or at risk of, such adverse human rights impacts.

**Business Responsibility Reporting**

In 2012, the Securities and Exchange Board of India (SEBI), made it mandatory for the top 100 listed companies in NSE and BSE stock exchanges to file Business Responsibility Report each financial year. The applicability was extended to 500 top listed companies 2015 and to top 1000 listed companies in 2019.

**1.5. SUSTAINABLE DEVELOPMENT GOALS (SDGs)**

There are certain SDG goals and targets which were formulated to support the well-being of migrant workers with special focus on women workers. These are as follows:



**Goal 5: Achieve gender equality and empower all women and girls**

Gender equality is not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and sustainable world.

<sup>6</sup>[https://www.mca.gov.in/Ministry/pdf/NationalGuideline\\_15032019.pdf](https://www.mca.gov.in/Ministry/pdf/NationalGuideline_15032019.pdf)

**Target 5.2** Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

**Indicators:**

1. Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age
2. Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence

**Target 5.4:** Recognise and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate

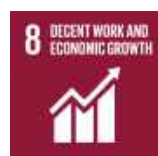
**Indicators:**

1. Proportion of time spent on unpaid domestic and care work, by sex, age and location

**Target 5.5:** Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life

**Indicators:**

1. Proportion of seats held by women in national parliaments and local governments
2. Proportion of women in managerial positions



**Goal 8: Promote inclusive and sustainable economic growth, employment and decent work for all**

**Target 8.5:** By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value

**Indicators:**

1. Average hourly earnings of female and male employees, by occupation, age and persons with disabilities
2. Unemployment rate, by sex, age and persons with disabilities

**Target 8.7:** Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms

**Indicators:**

1. Proportion and number of children aged 5-17 years engaged in child labour, by sex and age

**Target 8.8:** Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, particularly for women migrants, and those in precarious employment.

**Indicators:**

1. Frequency rates of fatal and non-fatal occupational injuries, by sex and migrant status.
2. Increase in national compliance of labour rights (freedom of association and collective bargaining) based on International Labour Organization (ILO) textual sources and national legislation, by sex and migrant status



**Goal 10: Reduce inequality within and among countries**

**Target 10.7:** Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.

#### Indicators:

1. Recruitment cost borne by employee as a proportion of yearly income earned in country of destination
2. Number of countries that have implemented well-managed migration policies

## 1.6. ETHICAL ISSUES IN GARMENT INDUSTRY

The global supply chains of western brands have faced sustained consumer pressure and campaigns to improve social and environmental conditions in the countries they source from, and there are a number of initiatives and organisations working on these issues in India.

NGRBC has core principle-1 clearly guiding that Businesses should conduct and govern themselves with integrity, and in a manner that is ethical, transparent, and accountable on which businesses are supposed to report in Business Responsibility Reporting (BRR) every year. This Principle recognizes that ethical behaviour in all operations, functions and processes, is the cornerstone of businesses guiding their economic, social and environmental responsibilities.

It recognises that businesses are an integral part of society and that they will hold themselves accountable for the effective adoption, implementation, and disclosures on their performance with respect to the core elements of the guidelines.

#### The garment industry faces certain key ethical issues:

1. The presence of gender inequality and the discrimination faced by women in the industry. This could be in terms of pay, recruitment practices and sexual harassment at workplace.

2. The rampant use of child labour and forced labour which is akin to conditions described by the Modern Slavery Act. The Modern Slavery Act 2015 passed by the United Kingdom is designed to combat modern slavery in the UK and consolidates previous offences relating to trafficking and slavery (Modern Slavery Act, 2015). Similarly, the United States too has enacted legislation to cover forced labour. Forced labour is language criminalised under Section 1589 of the US Code, and attracts the same penalties as for human trafficking. Section 1589 was further amended by the Trafficking Victims Protection Reauthorization Act 2008. The TVPRA 2008, includes an offence of knowingly benefiting from forced labour
3. Workers being exposed to hazardous chemicals that have negative health impacts
4. Workers are given a low wage which does not allow the workers to meet basic needs nor allows them to maintain a safe and decent standard of living
5. Workers are often required to work for excessive working hours which is unsafe as most workplace accidents happen when workers are tired
6. Workers are not allowed to become part of elected unions
7. The grievance mechanisms are neither anonymous, nor working and sometimes even if present, are not in their native language

The Ethical Trading Initiative (ETI) has come out with a base code that should form the ideal conditions so far as the garment industry is concerned (The ETI Base Code, 2018).<sup>7</sup>

<sup>7</sup> <https://www.ethicaltrade.org/eti-base-code>



## 1.7. CURRENT STATUS OF MIGRANT REALTED LEGISLATION IN INDIA

India has taken quite a few steps towards protection of workers' rights and prevention of forced labour. The International Covenant on Civil and Political Rights, which contains a prohibition on forced labour, was ratified by India in 1979. The country also ratified the two ILO Core Conventions related to forced labour that is Convention No. 29 on Forced Labour in 1954, and Convention No. 105 in 2000 on the Abolition of Forced Labour. The prohibition of forced labor is however stated in the Constitution. The Bonded Labor System (Abolition) Act, 1976 prohibits any service arising out of debt, although this does not cover the full extent of forced labor practices.

While migration is normal and happens across national, state and district boundaries, unsafe migration can sometimes be a veil for human trafficking. The definition of trafficking in human beings refers to "the recruitment, transportation, transfer, harboring or receipt of persons by threat, use of force or other forms of coercion, abduction, fraud, deception, the abuse of power or of a position of vulnerability, for the purpose of exploitation." (United Nations Office on Drugs and Crime, n.d.) It also derives from the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation includes, at a minimum, sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or removal of organs.

The ILO Committee of Experts on the Application of Conventions and Recommendations has repeatedly criticized India for its inaction to implement its legislation on bonded labor and for failing to prosecute perpetrators. Human trafficking is regulated by the Indian Penal Code, but forced labour is not included in it, even in its 2013 amendment. The newly proposed Trafficking of Persons (Prevention, Protection and Rehabilitation)

Bill of 2016 has been criticized for not being detailed enough on the implementation of its provisions. The enforcement of the law, which is the responsibility of state governments, varies from state to state.

## 1.8. STAKEHOLDERS TO MIGRANT ISSUES

As earlier mentioned, migration is a complex phenomenon and therefore it becomes extremely challenging to study and derive conclusions from a policy making perspective. Devising policy is difficult since there are several stakeholders involved and include both government and non-government organisations. The government stakeholders include Ministry of Labour and Employment, Ministry of Textiles, Ministry of Women and Child Development, National Commission for Women, National Human Rights Commission, Labour Bureau, Directorate General Factory Advice Service and Labour Institutes (DGFASLI), and the Apparel Export Promotion Council (AEP). The non-government stakeholders include factories, NGOs, apparel brands, retailers, trade unions, trade union leaders, labour rights organisations and vendors to the factories.

The factory owners need to engage with a host of organisations such as the All India Organisation of Employers (AIOE), the Employers' Federation of India (EFI) and the Standing Conference of Public Enterprises (SCOPE). The Council of Indian Employers (CIE) represents the employer's interests at the Government and the ILO is affiliated to the International Organisation of Employers. There are some garment specific employer organisations that are largely South India based and include the Clothing Manufacturers Association of India (CMAI) and the Southern India Mills Association (SIMA). The factory workers can choose from the various trade unions and civil society organisation active in industry or geography of their work. Some of the trade unions that are specific to the garment

industry include the Garment and Textile Workers Union (GATWU), Garment and Fashion Workers' Union (GAFWU) and the Garment Labour Union (GLU). There are some civil society organisations working with migrant workers organisations such as Civil Initiatives for Development and Peace India (Cividep), Foundation for Educational Innovations in Asia (FEDINA), HAQ: Centre for Child Rights, Partnering Hope into Action (PHIA) Foundation, Social Awareness and Voluntary Education (SAVE), Freedom fund, Homenet South Asia, Society for Labour and Development (SLD) and a host of others. Some specific private sector initiatives that cater to the garment industry and empowerment of the workers include Change Alliance, Partnering Hope into Action (PHIA) Foundation, Swasti Health Catalyst, Ethical Trading Initiative (ETI), IDH, CARE, Traidcraft India, Breakthrough and the C&A Foundation.



# CHAPTER 2

## RESEARCH DESIGN AND METHODOLOGY

### 2.1. THE PRESENT STUDY

The present study was designed along with the British High Commission and Marks and Spencer with lead agency Change Alliance to look at conditions that may result in unsafe migration and to arrive at recommendations to strengthen existing institutions and communities to combat unsafe migration by creating robust evidence, policy advocacy and awareness.

Migration is a complex subject, more so because there are various aspects to it. Apart from the employment and production aspects, the question of extremely important human dignity and equality aspect is also associated with it. In this study, migration has been studied only in respect of women migrant workers employed full time in the Ready-Made Garment (RMG) Industry. Even though one was targeting only women migrant workers in the RMG Industry, a comprehensive set of research objectives were defined for the study with a view to understand the entire gamut of issues that affect migrant workers. This was done to gain a holistic perspective of their needs and aspirations.

This study is one of the components of project, "Promoting Responsible Migration in Garment Supply Chain" along with other three components which are training for factory management and workers, awareness programme for community and policy advocacy with key stakeholders. The goal of the study is to promote responsible migration in garment supply chain. The intervention focuses on tackling unsafe migration and strengthening institutional mechanism through gathering evidence.

The study is led by Change Alliance while data collection in Jharkhand was conducted by

Partnering Hope into Action (PHIA) Foundation and in Delhi-NCR by Aider. For this study, rural areas/districts of Jharkhand have been taken as source areas and Delhi-NCR and Ranchi (location of upcoming apparel manufacturing units) as destination areas.

Migration is a complex subject, more because there are various aspects to it. Apart from the employment and production aspects, there is the extremely important human dignity and equality aspects associated with it. In this study, migration has been studied only in respect of women migrant workers working in full time employment in the Ready-Made Garment (RMG) Industry. Even though we were targeting only women migrant workers in the RMG Industry, a comprehensive set of research objectives were defined for the study with a view to understand the entire gamut of issues that affect migrant workers. This was done to gain a holistic perspective of their needs and aspirations. The study objectives are as follows:

### 2.2. STUDY OBJECTIVES

The specific objectives of the study include:

1. Socio-demographic background of women migrant workers in RMG factories
2. Reasons of migration among women migrant workers in garment factories and factors influencing migration and mobility among women
3. Working conditions of migrant workers in RMG factories with reference to salary terms, hours of work, wages and other remunerations, overtime wages, and access to social security benefits

4. Working ambience of migrant workers with respect to access to basic conveniences, and safe, healthy and dignified working conditions
5. Prevalence of violence against women, in the form of verbal and sexual harassment
6. Living conditions and quality of life of women migrant workers including any kind of incidence of harassment based on age, caste and ethnicity.
7. Presence and use of grievance redressal mechanisms by workers in factory and prevalence of unionisation.
8. Role of stakeholders involved in recruitment of labour with a focus on role of labour recruiters.
9. Roles of factory management, their associated agencies in Identification of migrant workers, their recruitment, training, supervision, prevention of sexual harassment and other worker- related policies.
10. Awareness among migrant workers of relevant legislation pertaining to specific labour related Acts including the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013, (commonly known as Prevention of Sexual Harassment at Workplace, PoSH Act 2013).

The Study has largely focused on issues of migration as clearly outlined in the objectives; some questions were designed to know if there was any element of any kind of human trafficking implicit in the migration patterns.

## 2.3. PROPOSED LAYOUT OF THE STUDY

Although the scope of migration is immense, for the purposes of the study, one concentrated on some important aspects. Some areas that were explored included:

- 1. Socio-Economic Background of the Respondent:** This includes the age, education, marital status and other demographic information. It also looks at the economic background of the respondent in terms of previous employment and ownership of land.
- 2. Living Conditions of the Respondent:** This largely looks at the ownership of identity documents, living conditions and access to schooling for children and medical treatment. It also looks at whether there is a provision of housing by employers
- 3. Working Conditions of the Respondent:** These look at an array of factors such as compensation and salary payment conditions, access to social security, leaves and overtime, working ambience of the worker including access to safety equipment and training. It also looks at sexual harassment at workplace and also exposure to any other kind of implicit or explicit intimidation which limits the workers' ability to complain.
- 4. Reasons and Compulsions of Migration:** This explores the various economic, personal, land related and family reasons for migration and the role, if any, played by family, friends, relatives, community members and agents as potential influencers in migration. The conditions leading to unsafe migration are also therefore explored
- 5. Effects of Migration:** The overall experience of migration, aspirations, expectations and the dissatisfaction are also integrated into the study. The overall health effects of working in the industry, the caste-based discrimination faced are the facets that have been explored.



## 2.4. METHODOLOGY

The research has used a combination of qualitative and quantitative approaches for studying issues related to migrant women workers in the RMG industry. Hence this study is based on mixed methods. A comprehensive structured quantitative instrument was used across both Delhi-NCR and Ranchi to interview women migrants working in garment factories there. However, none of the interviews were carried out within factory premises. Within Delhi-NCR a special focus was laid on interviewing migrants hailing from Jharkhand. Before designing the final questionnaire, immersion visits in both Faridabad and Noida were carried out. Similarly, feedback on translation and applicability of the questionnaire to Ranchi respondents were carried out in Ranchi as well feedback of the local team there.

Qualitative instruments consisted of Focused Group Discussions (FGDs) and In-Depth Interviews (IDIs) at both source and destination. The destination qualitative interviews and discussions were carried out at both Delhi-NCR and Ranchi while the source interviews were carried out in villages of Jharkhand having higher prevalence of migration. Special efforts were taken to ensure that all relevant stakeholders connected to migration were interviewed and included in the study to ensure that all relevant aspects of migration were covered. The analysis has considered round off value of the percentage. There are many data points where multiple choice options given thus there might be many graphs having total more than 100%. An overall snapshot of the location and sampling has been given below:

### Quantitative Sample

- 481 in total, 253 in Ranchi and 228 in Delhi-NCR. Delhi-NCR included Noida, Manesar, Khandwa and Faridabad. Total quantitative surveys were taken in Destination areas.

### Location

- Destination included community locations near factory in Ranchi and Delhi-NCR.
- Source included certain villages in districts of Gumla, Ranchi, Ramgarh and Lohardaga districts of Jharkhand.

### Qualitative Sample

- Focused Group Discussions (FGDs) and In-depth Interviews (IDIs) used at source across 3 districts (9 villages) and destination using discussion guides. A total of 76 FGDs and IDIs (18 FGDs and 38 IDIs from Jharkhand and 20 interviews from Delhi/NCR).
- The in-depth interviews were held with village officials, panchayat members, HR managers, representatives of garment factory associations, migration experts, NGOs, recruitment agencies, contractors, skill training representatives, government officials etc.
- The FGDs were held with families of migrant workers.

## 2.5. LIMITATIONS OF THE STUDY

Every effort has been made to make the study as comprehensive as possible. However, despite the efforts taken to cover all aspects related to female migrants with special reference to the Ready-Made Garment Industry, like any other study, there would be certain limitations.

The structured survey has captured responses from specific locations which have a strong presence of export-oriented units so that leading export buyers / apparel brands could plan interventions to promote safe and responsible supply chain in their operations.



In order to ensure the required anonymity and to enable respondents to answer freely, respondents were not asked questions about their organisations. The interviews were also not taken inside the factory premises. Nevertheless, the fact that few interviewees especially in Ranchi were selected from locations having export oriented large units, it could be reasonable to assume their employment with such units.

There were also challenges faced by the lodge owners and Masterji (a person who coordinates with families of the women workers in villages to mobilise them to skill centers and to factory based in Ranchi for work, they are on roles of factory and work as mediator between factory and families of the women workers) affiliated to factories on kinds of information research team was able to gather. The research team had to continuously engage with them so that they provide them space wherein respondents (young girls) could open up and respond freely.

The study does not claim to represent the viewpoint of all migrant workers in various kinds of garment factories in the geography covered as part of this study. This limitation is addressed to some extent in the qualitative part of the study where concerns of migrant workers in the RMG sector were covered.

In fact, as part of the qualitative study, concerns of the migrant workers regardless of the sector in

which they work were covered through focus group discussions and in-depth interviews from Ranchi and remote areas of Jharkhand with focus on Gumla, Lohardaga and Ramgarh districts based on higher migration of girls migrating to work in apparel sector.

We have tried to ensure authenticity of the data. However, certain amount of investigator bias cannot be ruled out depending on the supervision and the skill of the investigator. In many of questions especially the ones related to income and expense and in some cases of caste and religion, there is also a high incidence of non-response which does lead to non-response bias.

Nevertheless, despite the limitations, the research design and data quality have been robust with multi-layered quality checks and assurances and the results are expected to shed valuable insights on many aspects of life and working conditions of women migrant workers in the RMG sector. A great deal of relevant literature was referred to while designing the study as well as at the time of writing the report.

Further, since it was a mixed study using both quantitative and qualitative research methods, it was possible to integrate the qualitative and quantitative findings resulting in triangulation of data for analysis.



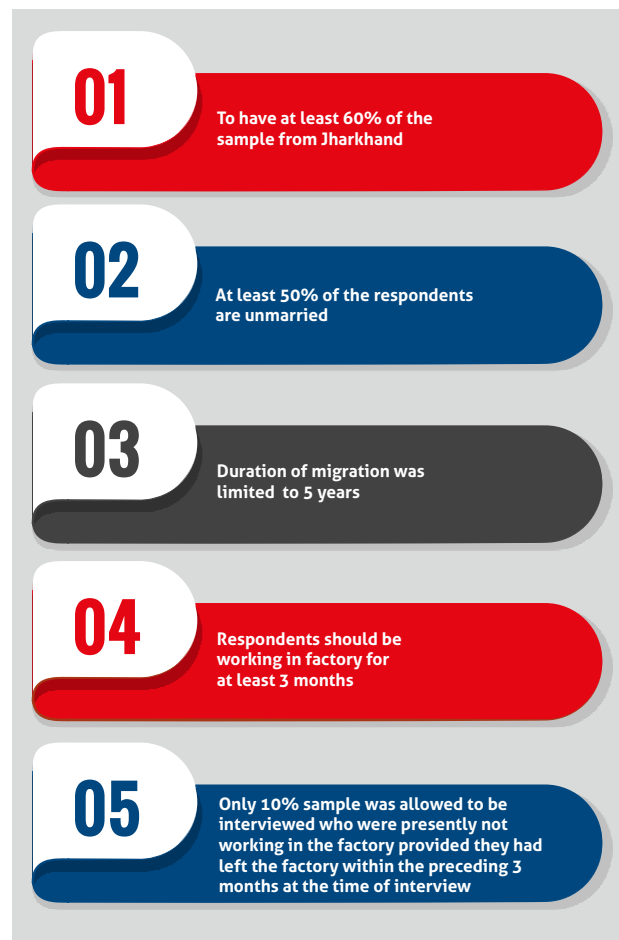
# CHAPTER 3

## RESPONDENT BACKGROUND

The respondents' background is extremely important both from the point of view of research findings as well as in the context of the specific issues faced by migrant workers. Understanding the background is important even for factory managements since they need to abide by the legal provisions and create arrangements based on gender and social identity of the workers.

### 3.1. QUALIFIERS

To ensure the study objectives were met, certain qualifiers were specified and integrated into the Computer Assisted Personal interview (CAPI) software to capture the right profile of respondents.



These qualifiers ensured that only those respondents were included in the study who had migrated to the city within the last 5 years back, were presently working in the factory premises and had at least 3 months working experience in the present factory. These qualifiers were added to ensure that migration-related concerns were current and that the respondent profile included only recent migrants and not those who migrated many years ago and were relatively well-settled in their new location. The requirement of including those respondents who were currently working and that too within the factory premises ensured that responses correctly reflected the current status of working. At the most we allowed about 10% responses for migrant who had left their current employment not earlier than 3 months with the sole objective of finding out reasons for leaving their current employment. In order to ensure a due representation of unmarried girls and their issues in the survey, a quota of 50% unmarried was introduced, especially in Delhi-NCR.

#### 3.1.1. STATE OF ORIGIN

Of the total 481 responses received from both Delhi-NCR and Ranchi, 349 respondents hailed from Jharkhand. Of these 349 respondents hailing from Jharkhand, 98% of respondents interviewed in Ranchi were from Jharkhand while 43% interviewed in Delhi-NCR had their origins from Jharkhand. Overall 73% of the respondents had their state of origin in Jharkhand while the balance came from states of Bengal, Bihar, Uttar Pradesh and Odisha. (Figure 3.1) The study remained focused on Jharkhand while, at the same time not neglecting concerns of migrants from other States.

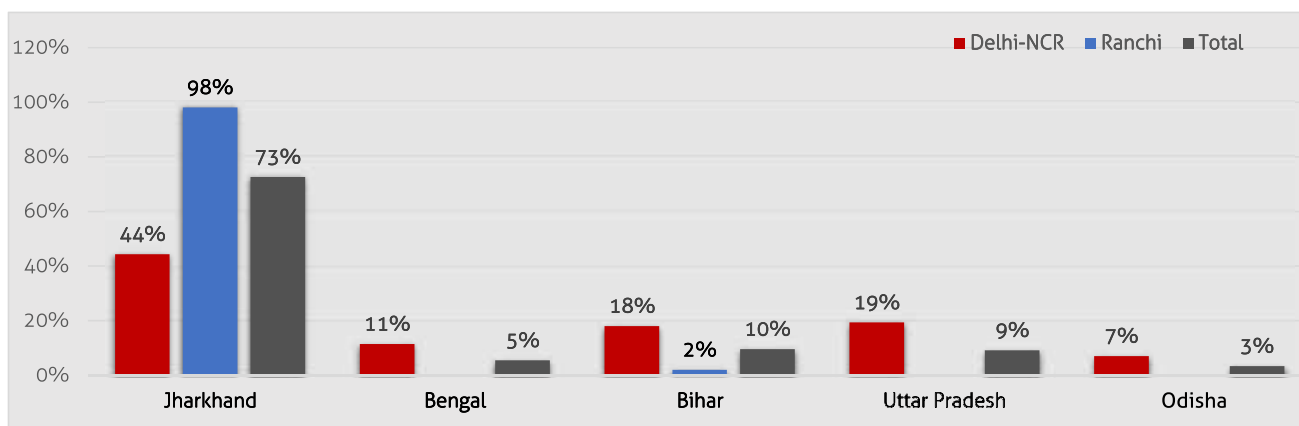


FIGURE 3.1: STATE OF ORIGIN

### 3.1.2 DURATION OF MIGRATION

As evident from *Figure 3.2*, the duration of migration varied as per the location. Ranchi had more recent migrants with 95% of migrants migrating there within the last 24 months. The figure for Delhi-NCR correspondingly was only 44% in the previous 24 months. This however went up to 62% of the respondents if we take a time frame of 36 months. 38% of the respondents in Delhi-NCR region migrated within the last 3 to 5 years.

### 3.1.3 DURATION OF WORKING WITHIN THE FACTORY

As per the breakup of respondents working for different durations in the factory as shown in *Figure 3.3*, it is apparent that for most respondents interviewed, this factory assignment would have been their first job. Less than 10% of the respondents had worked elsewhere than the current job.

Further, only 12 participants reported not working currently within the factory which translated to 10 from Delhi-NCR and only 2 from Ranchi.

### 3.1.4. AGE PROFILE

There is a great deal of difference in the age profile of respondents from Ranchi and Delhi-NCR. As shown in *Figure 3.4*, 68% of the respondents from Ranchi were between 18-21 years and another 30% between 22-25 years. The corresponding figures for Delhi-NCR in these age categories was only 21% and 24% respectively. 32% of the respondents in Delhi-NCR were between 26-28 years and another 21% in the age category of 29-35 in Delhi-NCR. Only 1% of the total respondents were above 35 years which clearly shows that it is only a relatively younger group which works in the RMG sector.

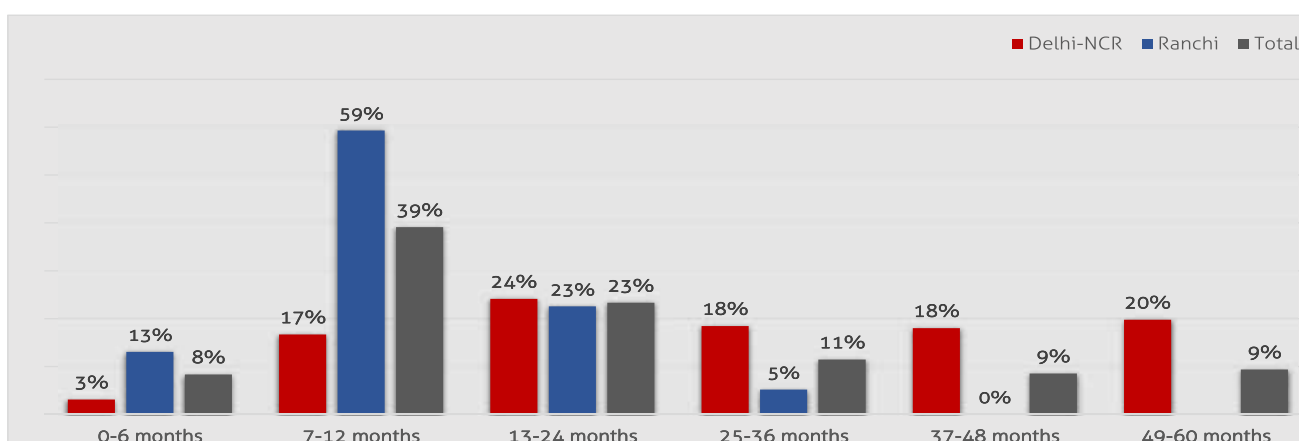


FIGURE 3.2: DURATION OF MIGRATION

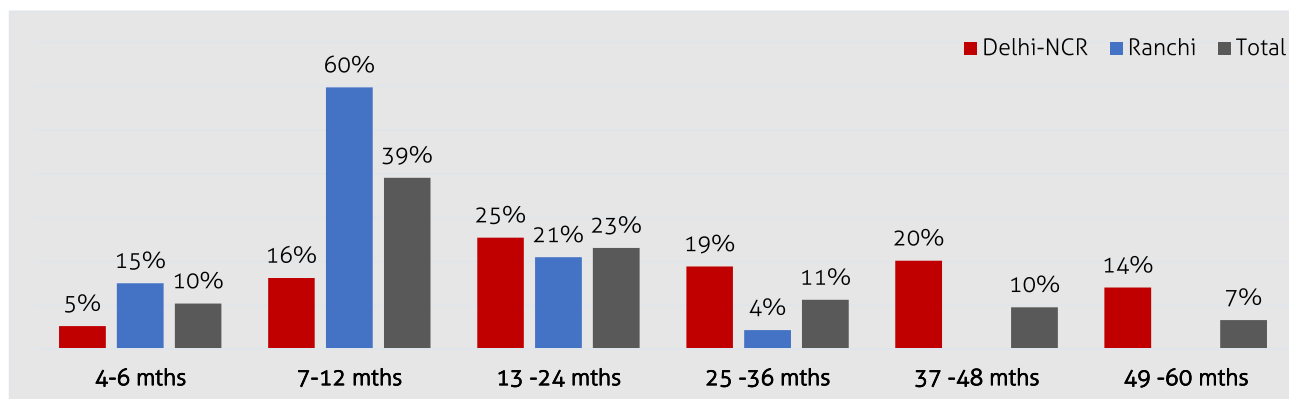


FIGURE 3.3: DURATION OF WORKING WITHIN THE FACTORY

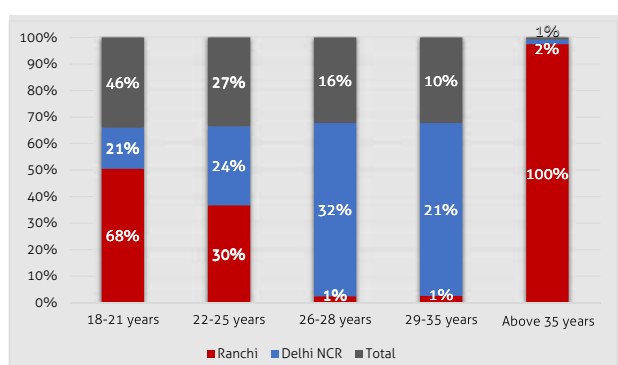


FIGURE 3.4: AGE PROFILE

### 3.1.5. MARITAL STATUS

As shown in *Figure 3.5*, 63% of respondents in Delhi-NCR region were married compared to only 5% in Ranchi. In Ranchi, 92% of the respondents were unmarried compared to only 31% in Delhi-NCR region. The separated, divorced and widowed category respondents were negligible as most of the migrant workers were under the age group of 25 year of age and were unmarried. The marital status would have an impact on many aspects especially with regard to living conditions,

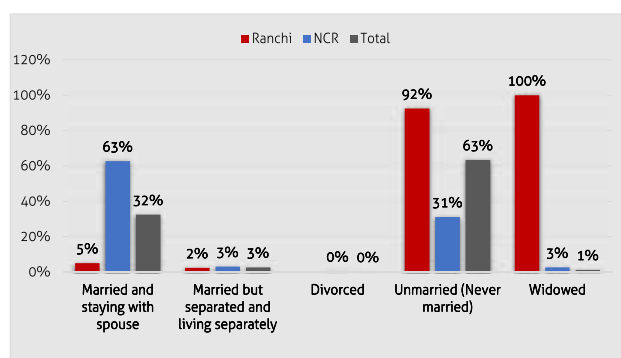


FIGURE 3.5: MARITAL STATUS

satisfaction with company facilities and expectations from company management.

## 3.2. RELIGION PROFILE

As shown in *Figure 3.6*, at both locations, 67-69% of respondents reported that they follow Hinduism. However, 28% of respondents in Ranchi and 7% in Delhi-NCR said they follow tribal religion and related practices. Around 25 respondents in Delhi-NCR did not respond to the religion category. The rest of the categories, which included Christianity and Sikhism, were negligible.

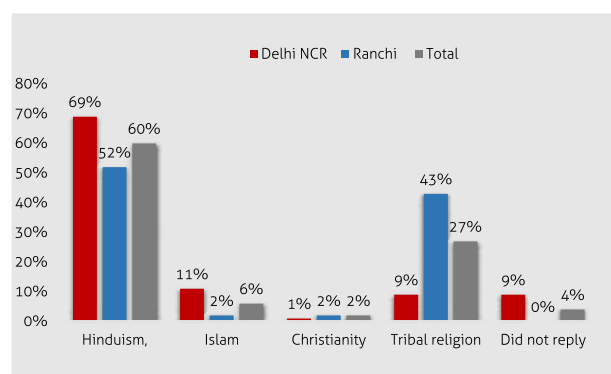
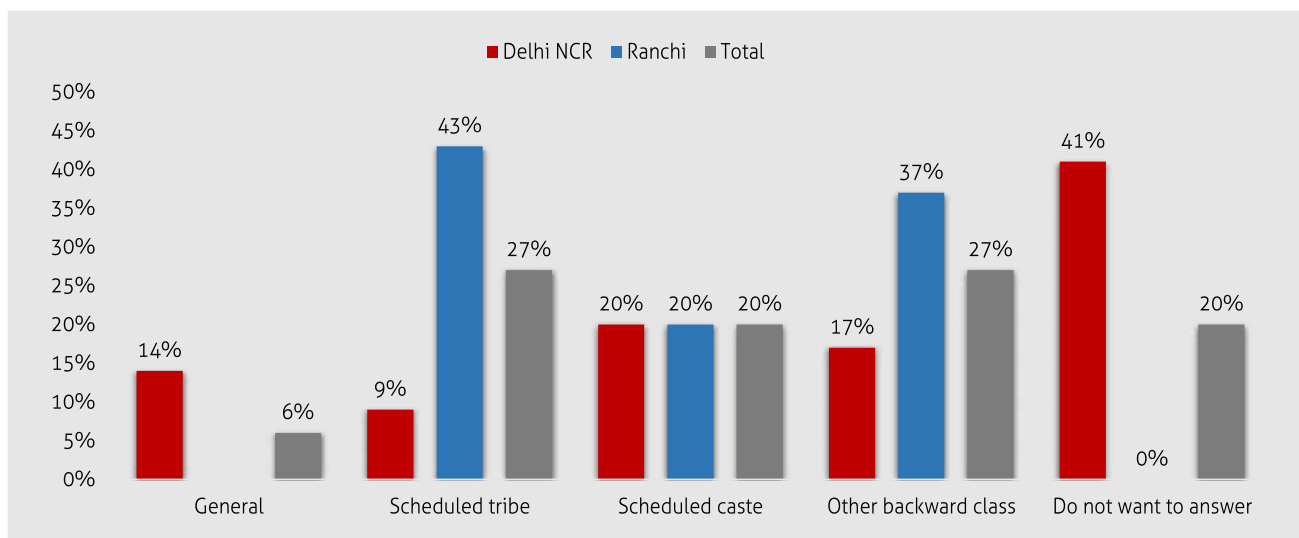


FIGURE 3.6: RELIGION PROFILE

## 3.3 SOCIAL IDENTITY PROFILE

There was considerable non-response bias as far as caste was concerned in Delhi-NCR, where almost 41% of respondents did not reveal their caste. As per the *Figure 3.7*, notwithstanding the non-response, at least 27% of respondents come from the ST community, another 27% from OBC and 20% from the SC category, thus total 74%.

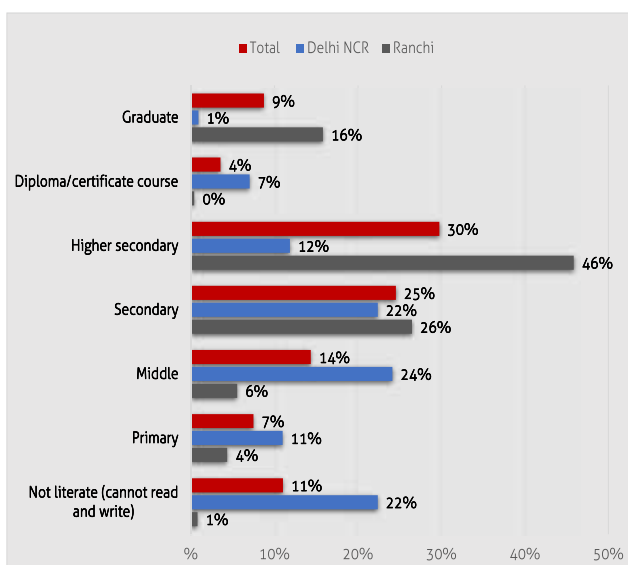


**FIGURE 3.7: CASTE AND ETHNICITY PROFILE**

This gives an indication that the RMG industry is a large employer of people from marginalised sections. Based on responses from the village, one also figured out that most people migrating were those without any land, from marginalised caste or sections and were largely dependent on wage labour.

### 3.4. EDUCATIONAL PROFILE

As evident from *Figure 3.8*, there appears to be a vast difference in the educational profile of the respondents between Ranchi and Delhi-NCR.



**FIGURE 3.8: EDUCATIONAL PROFILE**

The respondents in Ranchi are more likely to be educated with 16% graduates and 46% having completed their higher secondary. This can be contrasted with 1% graduates in Delhi-NCR and only 12% having completed their higher secondary. 23% of respondents are illiterate in Delhi-NCR. About 57% of respondents in Delhi-NCR fall into the slabs of not literate, primary and middle school educated as against only 11% for this category at Ranchi.

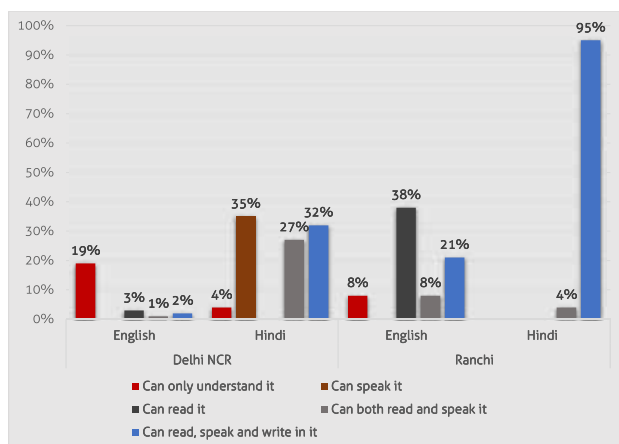
This shows that in Ranchi, almost 90% of respondents joining the RMG sector with at least secondary school education.

### 3.5. LANGUAGES KNOWN

The difference in the educational profile also equally reflects in the difference in comfort of the respondents in English and Hindi in Delhi-NCR vis-à-vis Ranchi.

It may be noted that respondents in Ranchi are far more comfortable in English as compared to Delhi-NCR. Even for Hindi, 95% of respondents in Ranchi can read write and speak in it as compared to only 32% in Delhi-NCR. 21% of respondents in Ranchi can read, speak and write in English compared to only 2% of respondents in Delhi-NCR. (*Figure 3.9*).





**FIGURE 3.9: LANGUAGE PROFICIENCY IN HINDI AND ENGLISH**

As far as the other languages are concerned, only 44 respondents in Delhi-NCR said they could understand other languages. This included 10 respondents for Bangla, 7 for Maithali and another 9 for Bhojpuri. The other languages and dialects mentioned include Awadhi, Baghelkhandi, Brajbhasha, Karmali, Kharia, Khortha, Magahi, Mundari, Odiya and Paharia. In Ranchi, however, 226 respondents mentioned that they understood one or more languages. Khortha and Nagpuri seem to be the most popular languages with approximately 72 and 50 respondents respectively saying that they understand these dialects and languages.

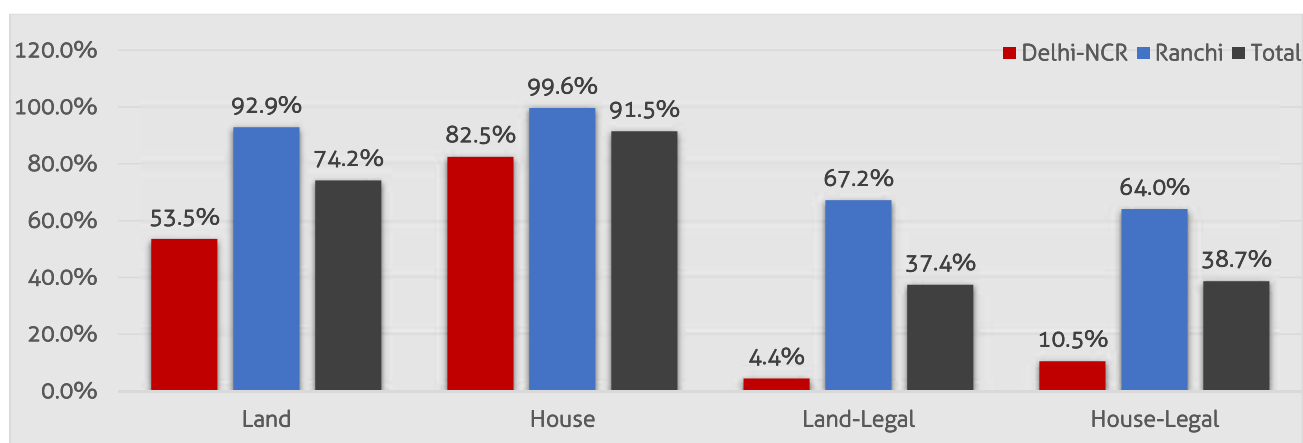
Other languages that respondents in Ranchi said they understood include Odia, Mundari, Bangla, Sadri, Panch Parganiya, ho, Kuduk, Santhali, Magahi, Bhojpuri, Howasa, Kormali, Theth and Munda.

### 3.6. OWNERSHIP OF LAND AND HOUSE

The ownership of land and house is an important variable in terms of migration. Land ownership at 53.5% was substantially less among Delhi-NCR respondents as compared to Ranchi respondents who quoted land ownership at 93%. When asked whether they had legal ownership of the land, only 4.4% of migrants in Delhi said that they or their spouse had legal ownership as compared to 67.2% legal ownership of land among Ranchi respondents.

The house ownership was much better at 82.5% among Delhi respondents and 99.6% among Ranchi respondents. However, it may be noted that the legal ownership of the house was only 10.5% among Delhi migrants as compared to 64% among Ranchi respondents.

These estimates as given in *Figure 3.10* clearly indicate that the ownership of house and land is much lower among respondents in Delhi-NCR. In a later question, when asked regarding where the respondents are staying in Delhi-NCR, none of the respondents mentioned staying in their own house. This would tend to place the migrants in Delhi-NCR as far more economically insecure and subject to exploitation with nowhere to go in case the employment terms for them are in jeopardy.



**FIGURE 3.10: OWNERSHIP OF LAND AND HOUSE**

### 3.7. HOUSEHOLD INCOME IN THE VILLAGE

It was found that the major reason for migration is low income levels in their villages of origin. We have noted that in the source area under the study, the large majority of the respondents, both who migrated to Delhi-NCR and within state to Ranchi, had a monthly household income of Rs. 2000 to Rs 4000. As seen in *Figure 3.11*, the percentage of respondents falling in this range of income is 60% for those who migrated to Delhi and 34% who migrated within state to Ranchi. Nevertheless, the average monthly household income among Ranchi respondents was Rs 5540 and that of Delhi-NCR respondents was Rs 4129 before they migrated from their villages.

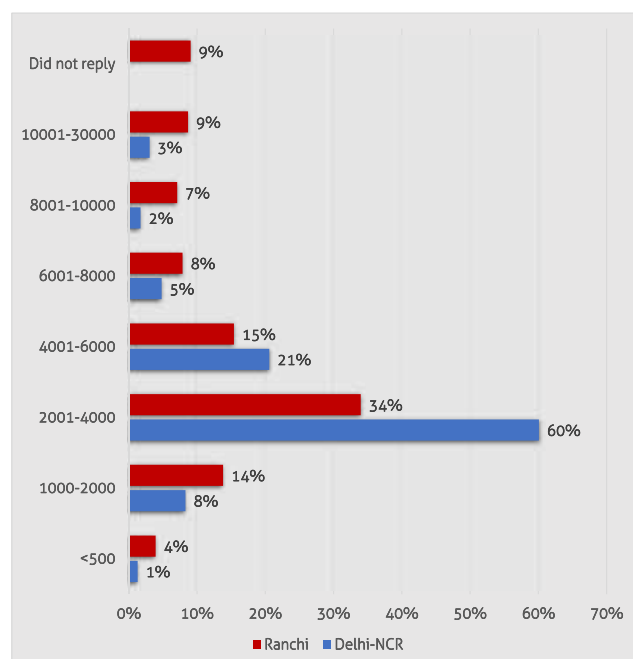


FIGURE 3.11: INCOME IN THE VILLAGE



### 3.8. OCCUPATION IN THE VILLAGE

There is a huge difference in the occupational profile of the respondents of Delhi-NCR and Ranchi before they migrated. 75% of the respondents from Delhi-NCR reported that they were housewives at home while the percentage from Ranchi is far lower at 10%. 11% of respondents mentioned petty shop owner as their occupation, while 7% were occupied with artisan jobs in Delhi-NCR. In the case of Ranchi, 52% of respondents cited farming in agriculture land of their family and another 16% as labour in the farms of other people. It may be noted that 36% of respondents in Ranchi mentioned that they were students and hence not working.

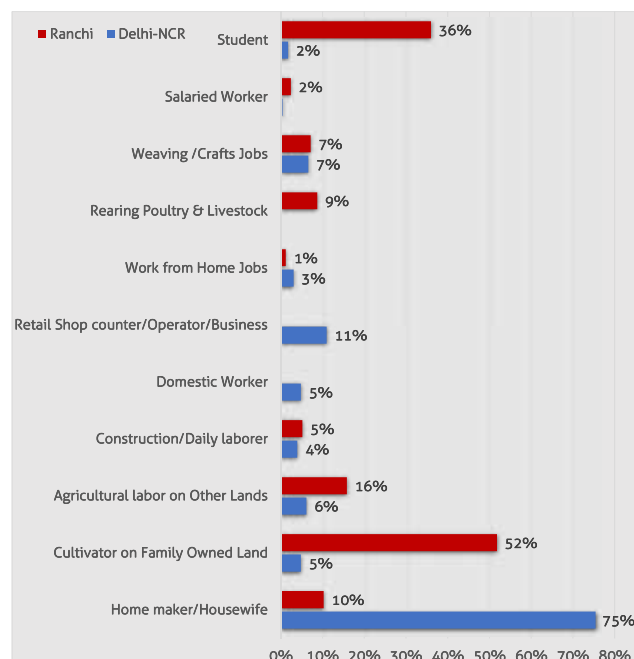


FIGURE 3.12: OCCUPATION IN THE VILLAGE



# CHAPTER 4

## REASONS AND INFLUENCING FACTORS IN MIGRATION

There is no single reason for migration with multiple influencing factors and influencers at work resulting in the decision to migrate. The analysis of reasons to migrate becomes even more complex when one is dealing with migrants at different locations. Each of them has a different story to tell and a different perspective on why they migrated. Nevertheless, we have tried to form a narrative that will present the reasons of migration considering the responses received both from the quantitative survey as well as the qualitative study.

### 4.1.REASONS FOR MIGRATION

There could be multiple reasons for migration and therefore the Study had classified reasons for migration in the quantitative survey into categories of land, income, family, financial and personal. The reasons for migration were entirely based on spontaneous responses without any prompting. Within each major category, there were sub-categories to try and capture as many reasons for migration as possible.

The study also tried to integrate quantitative findings with qualitative findings as far as reasons of migration were concerned. Several focus group interviews with families of migrant workers were carried out at the source to understand the ground realities resulting in migration within Jharkhand. While some reasons can be generalised to life and realities of migrants across India who are dependent on land, there may be other reasons which are specific to conditions in Jharkhand. To assess this, focus group interviews and in-depth interviews were carried out in the following places:

- Anandpur Village, Rampur Panchayat of Chainpur, Gumla

- Bathauli Village, Rampur Panchayat of Chainpur Block, Gumla
- Jhadgaon Village, Rampur Panchayat of Chainpur Block, Gumla
- Premnagar Village, Chainpur Panchayat of Chainpur Block, Gumla
- Rampur Village, Rampur Panchayat of Chainpur Block, Gumla
- Rampur Village, Chainpur Panchayat of Chainpur Block, Gumla
- Babandiha Village, Badagaien Panchayat of Bhandra Block, Lohardaga
- Bhaunro Village, Bhaunro Panchayat of Bhandra Block, Lohardaga
- Bhita village, Bhita Panchayat of Bhandara Block, Lohardaga
- Brahmandiha Village, Badagain Panchayat of Bhandra Block, Lohardaga

In case of Ranchi respondents, there were certain aspirational factors at play as well. There were also different reasons for migration to Delhi-NCR and for those who migrated to Ranchi.

#### 4.1.1. LAND RELATED

As one can see that from *Figure 4.1*, for 26% of respondents based in Ranchi, the major factor related to land was that the income from farming had drastically gone down. Another 20% of respondents in Ranchi said that the produce from land is too less to provide for everyone in the family. On the other hand, 27% of Delhi respondents said that there was no land with them to grow crops. 14% of respondents in Delhi said that the produce from land was too less to provide for everyone in the family. This was also clear from the earlier question related to land ownership in the previous chapter.

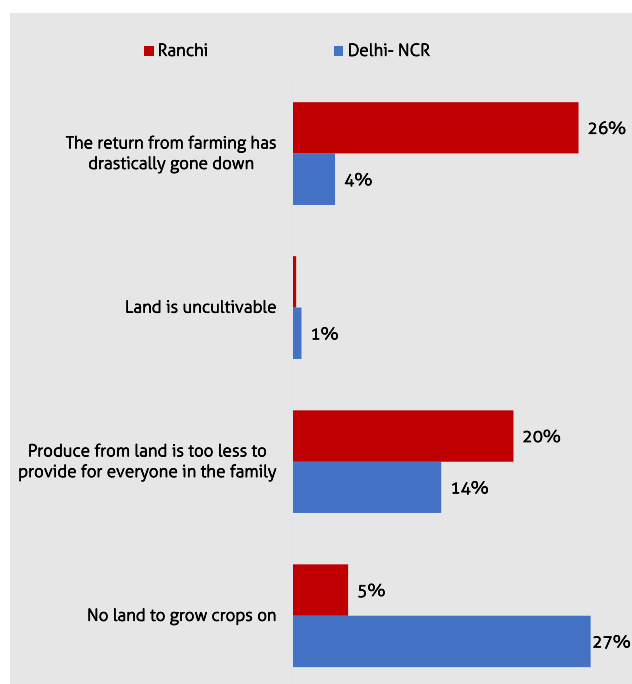


FIGURE 4.1: LAND RELATED REASONS FOR MIGRATION

In all villages (of selected three districts), the predominant aspect that came out during qualitative interviews was inadequate income or yield from agriculture to support families. Agriculture was primarily dependent on rainfall and hence farmers were able to “cultivate only one crop in a year”. The returns from agriculture were doubly affected because of the “high cost of agri inputs”. This led farmers to under-cultivate with tillage ratio less than 100%. This resulted into “subsistence level of farming” which further affected income from agriculture.

As a result, families had no other option but to migrate out of the village specially “during lean season to look for work”. This came out clearly in responses from the quantitative survey from respondents based in Ranchi who identified that “returns from farming had come down” and the “produce from land was too less to provide for everyone in the family”.

Another facet that also came out was the presence of many families who were “from the SC community and who do not have agricultural land and therefore migrated on a regular basis to earn their livelihood.”

### 4.1.2. INCOME RELATED

As far as income related reasons were concerned, the predominant reason was having no work opportunities for women in the family which was as high as 45% for respondents based in Delhi-NCR and 47% of respondents based in Ranchi. As shown in Figure 4.2, 11% of respondents in Delhi-NCR cited lack of market for traditional skill- based products and crafts. On the other hand, 18% of respondents in Ranchi mentioned low and irregular daily wage rates as a reason for migration compared to 7% of respondents in Delhi-NCR.

It appeared that not only the income and work opportunities in the village were low, but casual labour work also paid quite less. The respondents said that “the casual labor wage rate was Rs 200/- per day for males and only Rs 100/-for females.” To add to this, casual labour work opportunities was “available only during Kharif season (paddy cultivation).” The daily wage rate in the urban areas/cities was “just double or could be even more than that.” This was also a reason for people to migrate in the hope of getting “steady and higher level of income”. In some villages, villagers migrated to work in brick kilns.

Migration should be voluntary and driven by aspirations rather than being distressed.

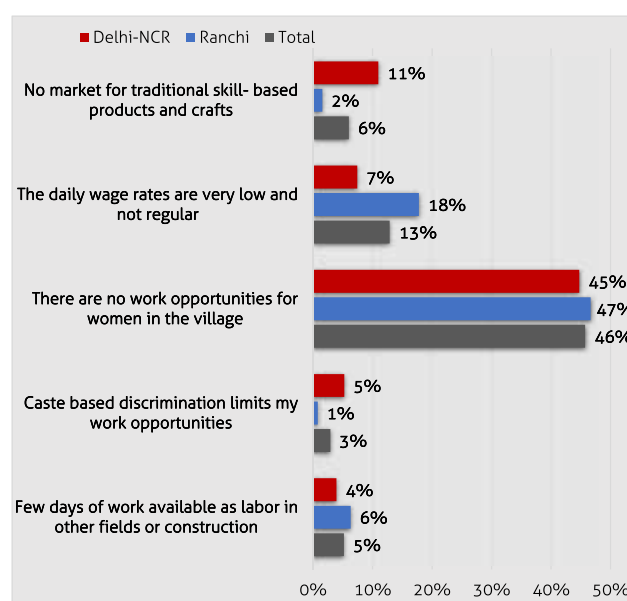


FIGURE 4.2: INCOME RELATED REASONS FOR MIGRATION

Currently agriculture does not seem to be profitable and alternate employment opportunities in the form of MGNREGA are also not there always to fill in the gaps in between crops. The required work days under MGNREGA are not available and even if work is available payments are invariably delayed for months which results in villagers not taking them up. The lack of water for irrigation reduces the number of crops one can grow and the low income from agriculture is the single biggest reason why migration happens.

Respondents also cited the failure of government schemes like Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) to provide the required 100 days of employment to the families. Respondents said that even those who got limited work in MGNREGA had complaints of “delayed payments” and officials making them “to get their payments.” As a result, people were not very keen to work under schemes of MGNREGA.

The village economy revolves around agriculture but lack of crop diversity and low cropping intensity makes this non profitable. The local market does not fetch proper prices for the produce. In order to sustain the family, people prefer to work as daily wage labour during the lean agriculture months. But low wages in villages and non-availability of alternative livelihood options force the communities to look for work outside the village and hence they migrate.

### 4.1.3. FAMILY RELATED

As seen in *Figure 4.3*, family related reasons appear to be the most important for Delhi-NCR respondents. 26% of respondents in Delhi-NCR cited joining husband after marriage, 28% of respondents cited inadequate school facilities for children, 14% for fight between family members and 18% for supporting siblings because of education and marriage. Family based reasons were also prominent for Ranchi based respondents wherein 11% cited death or

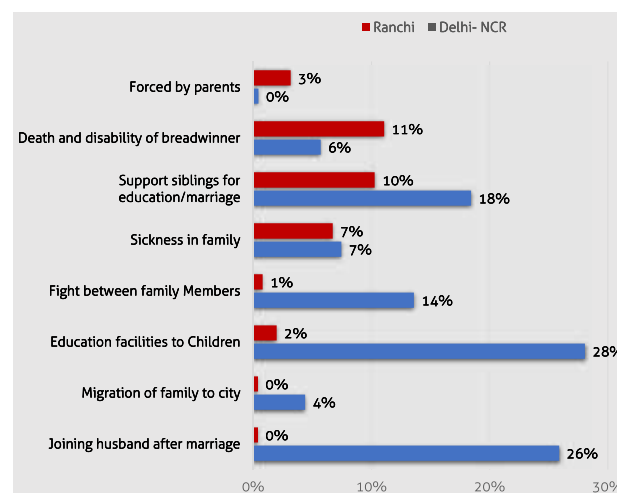


FIGURE 4.3: FAMILY BASED REASONS FOR MIGRATION

disability of breadwinner, 10% of them cited sibling support 7% mentioned sickness in family, 3% forced by parents and 1% migrated due to fight in family.

### 4.1.4. FINANCIAL RELATED

As shown in *Figure 4.4*, it appears that 46% of respondents in Ranchi wanted to save for creating assets mainly to construct their houses and another 8% said they wanted to save for their dowry and marriage. The high aspirational quotient for respondents based in Ranchi was also evident in the higher saving behaviour exhibited when asked about the pattern and direction of expenses. It is however noteworthy that most respondents did not cite indebtedness as a reason for migration.

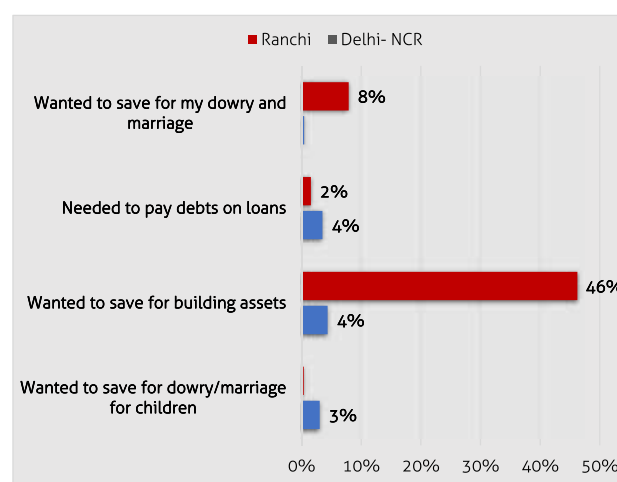


FIGURE 4.4: FINANCIAL RELATED REASONS FOR MIGRATION



This was confirmed by the negligible expenses on interest and debt repayment. While not clearly stated, it appears that respondents in Delhi-NCR are preoccupied with running their homes and making ends meet and aspirations of owning a house seem too farfetched for them.

### 4.1.5. PERSONAL RELATED

As seen from *Figure 4.5*, personal reasons did not seem to be very visible as a pattern although some respondents might have certain specific issues. Some respondents used the other option to specifically state some reasons for migration that might not have been covered in the structured questionnaire. 15 respondents from Delhi-NCR quoted other reasons but they too were varied and ranged from income, financial difficulties, wanting to pursue acting career, lack of family support, and wanting to increase income. In contrast, 51 respondents from Ranchi used the other option to describe their personal reasons for migration.

A key phrase analysis of those reasons showed three dominant themes of wanting to be self-dependent, augmenting income and some even wanting to study further. This constitutes approximately 19% of respondents from Ranchi.

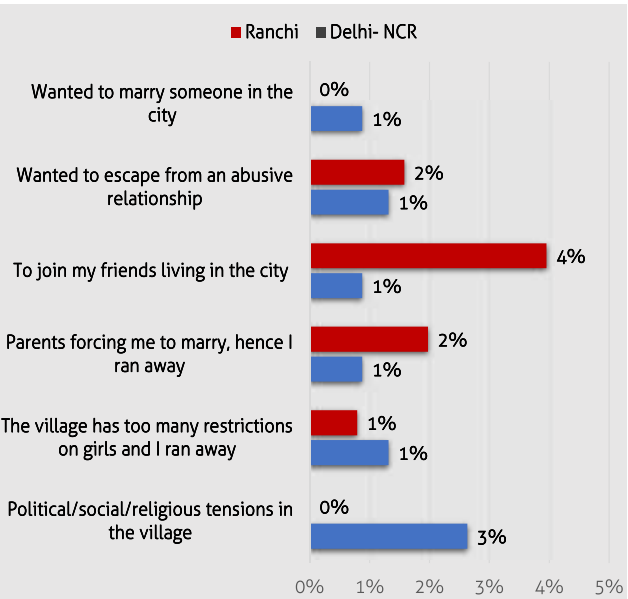


FIGURE 4.5: PERSONAL REASONS FOR MIGRATION

There is also an aspirational aspect of migration especially among young people who have completed education till the 10th class. The young people in the age-group of 15 to 20 years, especially males do not want to “engage with agriculture as it entails hard physical labour without regular income and they prefer to work in steady jobs.” They are therefore keen to move to cities to find steady work that does not involve hard physical labour and is less uncertain.

In some villages, respondents mentioned the trend of youths taking jobs in hotel, food delivery services, packing companies simply because they did not want to take up agriculture. Further, government's skill and jobs placement programme was also cited as being instrumental in encouraging young females from the village to acquire jobs outside the village. These jobs were “becoming an attractive source of jobs among young women”

### 4.2.REASONS FOR MIGRATION: VILLAGE STAKEHOLDERS PERSPECTIVE

The reasons for migration were also put forward to important stakeholders in the village to see whether they could provide a different perspective to the reasons for migration. Such stakeholders can often provide an objective assessment of the village ground realities.

The first basic reason of migration was poverty. The poverty was both due to agriculture not being remunerative enough as well as lack of other income earning opportunities that could feed the family when agriculture income was not enough or during lean agricultural seasons. These twin reasons were put forward by quite a few stakeholders and these included the NGO worker in Chainpur Block, Chainpur, Gumla as well as the Sahayika of Premnagar, Chainpur. Sahiyka of Anandpur, Rampur East, Rampur, Gumla and other Aganwadi Workers ( AWW) as well.

“

The Anganwadi worker of one of Bhatauli, Rampur Gumla, outlined several factors which led to poverty and hence migration. She cited the rainfed nature of agriculture as being instrumental in not being able to sustain livelihoods leading to lack of cash. Villagers are often dependent on wage labour but that is not reliable since they only get work in the agricultural season. The low wage rate in the villages of Rs 100 and Rs 50 for men and women respectively for a half day work was hardly enough to sustain families. The wage rate in cities was almost double at Rs 200 to Rs. 300 per day. The delays in payment in MGNREGA is another accentuating factor for making people migrate since they are never paid weekly as required. The same set of reasons were also outlined by stakeholders in Lohardaga and Babandiha.

”

The District Programme Manager, Jharkhand State Livelihood Promotion Society attributed poverty and lack of sustainable livelihood sources in the village economy as the main reason for migration. According to him, given the fact that the village economy is mainly dependent on agriculture. *“The lack of irrigation sources, lack of technical knowledge and high input cost in agriculture makes agriculture less profitable. Moreover, absence of markets for agriculture products makes it less lucrative. People are forced to sell their harvests at throw away prices.”*

The daily wage rate being low in the villages, people from villages close to Ranchi preferred to go to Ranchi on daily basis. The wage rates in Ranchi were apparently twice that of villages.

As far as the migration of youth were concerned, most of the stakeholders said that they were dissociated from agriculture and wanted to earn more in the short term.

They also get influenced by their peers who have migrated to the city and appear to be living a good life as seen by their possession of good clothes and mobile phones. The seasonality of migration was quite a recurring feature in migration.

The Anganwadi worker from Konkel, Rampur, Gumla however maintained that long term migration was limited in the village. She however maintained that seasonal migration was quite rampant, and many youths go regularly to Kerala for work but return to their villages for paddy cultivation. There is a big church center which provides information for jobs outside the city.

There is also a caste factor in migration. Even in the demographic profile of workers, predominance of people working from the SC and ST community was observed and very few from the general community. It is likely that the SC and ST communities are the ones who have little access to lands along with other marginalisation and are therefore forced to migrate.

“

One of the healthworkers, Premnagar, Chainpur Gumla said that in her village 60% of households belong to ST community and the rest belong mostly to the OBC community. Though the villagers are cultivators, they only grow paddy. Seasonal migration is quite high purely due to lack of local earning opportunities. The modus operandi for migration is through own efforts, through contacts or through labour contractors. She however did mention that trafficking is also a major problem in the area and agents, some of them are women, are quite active in the area. She specifically mentioned the Lohra community who operate as labour contractors. In certain cases, she mentioned even family members are found to be involved in trafficking of girls.

”

# CHAPTER 5

## RECRUITMENT AND RECRUITERS

The process of recruitment and the role of recruiters are extremely important to understand the factors at play at the time of recruitment of migrant workers and whether it differs from recruitment of local workers. It is important to understand the underlying factors of coercion, or differentiation, if any, in the recruitment of migrant workers. It is equally vital to understand whether agents play any role in the context of recruitment of these migrant workers in garment factories. While insights from quantitative surveys were important, qualitative assessment was also done at source and destination by reaching out to migrant families, HR managers of factories, contractors, skill development, placement agencies and civil society organisations.

### 5.1. INFLUENCERS IN MIGRATION

To understand whether there was any active role of agents, respondents were asked about influencers of migration both at Ranchi and Delhi-NCR through the structured survey. The results are presented in *Figure 5.1*. Interestingly in Jharkhand, 49% of the respondents cited the government department/agency as the influencing factor responsible for migration which is basically nothing but the Training centre. These training centres are run through specific initiatives taken by Jharkhand State Livelihood Promotion Society (JSLPS).<sup>1</sup>

For 55% of Delhi-NCR respondents on the other hand, their husbands already employed in the city acted as the main influencing factor in decision making.

<sup>1</sup> The Rural Development Department of Government of Jharkhand (GoJ) has established a separate and autonomous society named as Jharkhand State Livelihood Promotion society (JSLPS) which works as a nodal agency for effective implementation of livelihood promotion in the state. JSLPS is also the nodal agency for implementation of National Rural Livelihood Mission (NRLM) Project in state of Jharkhand

In an interview with Field Mobiliser & Trainee recruiter with one of these training institutes set up under the government agency's training initiative, it was discovered that that his training institute located at Bakshidipa, Lohardaga has skill development course available only for stitching & machine operation. These courses were only for female candidates from rural areas and the basic eligibility is 5th standard pass. They also prefer to train candidates who come from the Below Poverty Line (BPL) category.

Parents as an influencing factor was stronger among Ranchi respondents as 19% of respondents cited this compared to only 11% of respondents for Delhi-NCR. Other prominent influencers were friends and relatives/other family members who were living in the city or who had worked in the city.

The percentage of responses citing agents, mukhiya, contractor or even contractor of the company and private placement agency was negligible. Some of the respondents also mentioned the death of breadwinner as the main influencing factor for migration. All these influencers including the death of breadwinner have been clubbed together under the head of others.

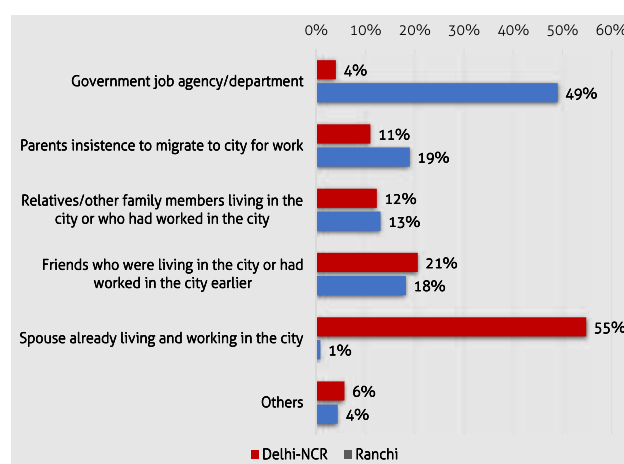


FIGURE 5.1: INFLUENCERS IN MIGRATION

## 5.2.INFLUENCERS IN GETTING THE JOB IN THE FACTORY

To further understand whether there is any chain that links migration from the village right up to the factory, respondents were asked whether there were any influencers who helped them get a job in the factory. The results are given in *Figure 5.2*. There appears to be considerable difference between Delhi-NCR and Ranchi in the modus operandi of getting a job in the factories located in these destinations. 32% of the Ranchi respondents cited the training centre facilitated by government as the instrumental factor in getting a job in the factory. In Delhi-NCR region, 41% of respondents said that they got relevant contacts from their own family. Internal reference in recruitment was an important criterion for getting employment in the garment factory. 40% of respondents in Ranchi and 50% of respondents in Delhi-NCR mentioned that they already had friends/people from their village working in the factory. The use of agents is almost 2% among Delhi respondents but around 21% of the respondents in Ranchi did mention being approached by the company through an agent operating in the villages and the cities. This means that although low, the use of agents in recruitment of migrant workers by the garment industry cannot be ruled out altogether.

Walk-in recruitments were generally low although 8% of respondents in Ranchi did mention that they walked in the factory themselves. Interestingly, 59 respondents mentioned that they received a displacement allowance from employer as per the Inter- State Migrant Workmen Act 1979. This included 30 in Delhi-NCR and 29 in Ranchi. The average displacement allowance received was Rs 1240 for Delhi-NCR and Rs 1917 for respondents in Ranchi. Only 10 respondents mentioned paying any agent any fee, which was a nominal amount. Out of these 10, only 7 respondents who mentioned paying an agent to get a job with an average agent fee of Rs 2822. This supports the view that the use of agents for recruitment of migrant workers in the RMG sector is minimal.

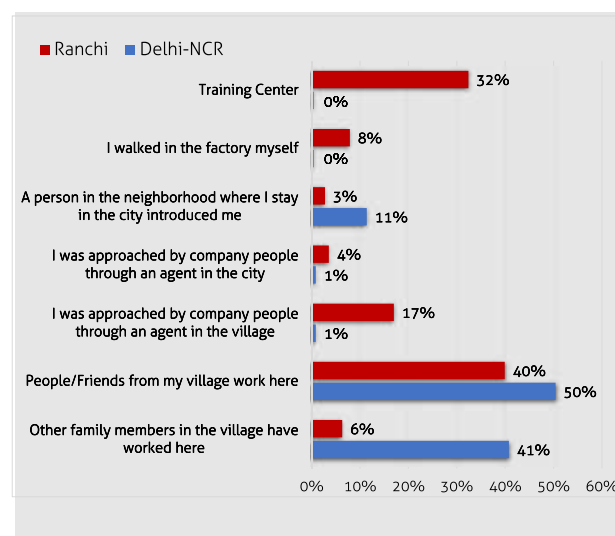


FIGURE 5.2:INFLUENCERS IN GETTING THE JOB IN THE FACTORY

### Hiring of workers in Delhi-NCR

The HR Managers of 6 garment factories were interviewed. It appears that there are a number of ways in which hiring is done.

If there is an immediate requirement, it is displayed on the gate and the eligible workers come directly. The more experienced ones are hired.

Hiring is also done through internal references of other workers and internal staff and this appears to be one of the popular ways to hire workers.

There appears to be no separate modus operandi of hiring migrant workers since no differentiation was done between local workers and migrant workers.

In some cases, workers are hired through contractors and some factories have their own registered contractors. However, in general, workers are hired only through contractors when there is a need for specialised jobs.

## Hiring of Workers in Ranchi

Ranchi has recently seen setup of garment factories in the last 3 years in the state. Most of these factories will employ a large female workforce owing to an MoU with the Jharkhand Government

**Ranchi Factory 1:** "The present workforce strength is approximately 1600 of which male workforce is not more than 1%. The workers recruited in the factory are from Jharkhand barring 5 or 6 supervisors who are from Bihar. The attrition rate of workers is 4%."

**Ranchi Factory 2:** The present workforce strength is approximately 1650, with male to female workforce ratio being 20:80. However, in the production line, the workforce is mainly women. The workers are mainly from Jharkhand. The company has recently come up with another unit in Khelgaon and it is being planned to increase its capacity to employ around 25,000 workers.

**Ranchi Factory 3:** "The present workforce strength is 468 of which 305 are females. The factory has a MoU with the government of Jharkhand wherein female workers need to be given preference during recruitment"

The HR Managers of these 3 factories said there were only 2 ways to hire workers and that is either from the gate (walk-in) or from all those who are trained from the Skill Mission of the Government of India. The hiring is apparently done in bulk. Also, there may be many other female workers working in the factories from Jharkhand who previously worked in other states earlier but now prefer to be stationed in Ranchi to be close to their homes.

Delhi-NCR Factory 1, 2, 3: The workforce is approximately 1000 workers, with 20% women population. Of the total, 90% of the workers are migrants and 70% are on contract role.

## 5.3. INFLUENCERS IN MIGRATION FROM RANCHI- GARMENT INDUSTRY

It appears that the majority of the recruitments in RMG factories are made directly from Skill Training center functioning under Deen Dayal Upadhyaya-Grameen Kaushalya Yojana (DDU-GKY). These Skill Training centers have contacts with potential employers through which placements are done. The Jharkhand State Livelihood Promotion Society (JSLPS), which also runs a skill-based training initiative in Jharkhand under DDU-GKY, has captive training-cum-placement contract with training centres operational in Jharkhand. The training center run by Ranchi Factory- 2 in Lohardaga is one of its Partner Implementing Agency (PIA). JSLPS's current financial year's quota of 50% placement target under skill programme is met by garment sector alone. Most of the placements are happening in factories located in southern states of India.

There is also a parallel domino effect that was prevalent in the context of employment in the garment factories. Once a migrant was employed, it led to spreading the message through internal references and word-of-mouth. This led to more and more workers approaching the factories directly. The role of agents was low in case of garment factories. In fact, the skill training agency's representative in Lohardaga revealed that the competition among PIAs working under Skill Mission programme had become so stiff that it has rooted out all private agents from the operation. Now, PIAs have their own mobilisers and placement personnel who handled the recruitment process.

## 5.4. ROLE OF INFLUENCERS IN SEASONAL MIGRATION IN OTHER INDUSTRIES/FACTORIES

It appeared that private agents were more active in the case of seasonal migrant workers wherein they supplied labour to brick kilns, mines etc. Brick kilns in fact have their agents in the village who are known as 'Sardars'. They are someone either from



the village or residing near the village and remain in constant touch with the poor families who often migrate. When the families require cash, the Sardars provide them with the loan with the promise that they will migrate with him in the brick kiln when the season starts. The youths of the area are now also migrating to big cities to work as daily wage labourers with the help of peers from the village or nearby areas. Representatives of different brick kiln units approach the migrant families. These families bargain with the representatives based upon their previous experiences and new opportunities they decide on the next migration destination.

There is also a lot of migration among the youth who prefer to work in online food delivery companies such as Zomato, Swiggy, Food Panda etc. They either directly approach the companies themselves or through their network. Thus the role of agents in this case is negligible.

## 5.5.PERSPECTIVE OF MANAGEMENT ON MIGRANT WORKERS –DELHI-NCR

The management view has been largely provided by the HR Managers. Since they may be quite different at different locations, they are presented separately for both Delhi-NCR and Ranchi.

### Origin of Workers:

The origin of workers is generally from Uttar Pradesh and Bihar although in one case Jharkhand was also mentioned. However, none of the HR managers said that they hired workers based on a preference of migrant workers vs local workers. In one case, the HR manager was categorical in saying that no migrant worker was hired. Only in one case, certain districts of origin were mentioned, but in all other cases, they said none of them had done any survey as to which district do the workers belong to and only have some idea of the State origin. Most of them mentioned Uttar Pradesh and Bihar as being the states where the maximum migrants came from.

### Identity Documents:

All factory managers universally mentioned that no worker is hired without identity documents. The Aadhar card is the mandatory identity document which is checked before any worker is hired. Some other documents that HR managers insist on include bank account, address proof and age proof. There appears to be no procedure put in place under the Interstate Migrant Workers Act, 1979 simply because there is no differentiation carried out between migrant workers and local workers. One manager specifically mentioned that they do identity verification and background check which may be a practice carried out by all factories though it was not explicitly mentioned by all.

### Competence of Workers:

The factory management put the assessment of workers as 70% skilled and semi-skilled while the rest 30% were unskilled workers. Another one put this estimate at 60% skilled and semi-skilled and the rest 40% as unskilled workers. The third one said that his factory has 25% unskilled workers, 25%-30% semi-skilled workers and the rest are skilled workers. This bifurcation of skilled, semi-skilled and unskilled therefore varies as per factory and its requirements.

- In general, workers are verbally interviewed by supervisor, then the supervisor refers them to HR department. Then HR people verify their documents and do the background check.
- A 2 to 3-hour trial is done for each worker by the supervisor and/or the Master. If the person does well or shows promise, then the person is hired.
- There are some workers who had no formal education, though most workers had some degree of education, about 10th or 12th class. It appears that certain jobs like tailoring, measurement and checking are done by educated persons. On the other hand, those employed in stitching and helper profiles are uneducated.

**Training:**

Fairly similar types of responses were received from HR managers and they largely consisted of not more than one day of induction training in which the workers are told about social security benefits, code of conduct, rules and regulations, health and safety and also about the work they are supposed to do. Some additional training may be on topics that pertain to safety measures and fire-drills. What differs is the person who provides the training, it could be the HR manager along with the supervisor, or with the welfare officer or even third-party training persons. Usually the HR person is involved in the training.

**Use of Recruitment Agents:**

All managers denied using recruitment agents simply because they did not need them. Their requirements were filled through the gate entries, internal hiring or contractors. In one case, the manager said that their requirements were filled through the gate while another said that they did not have any contractors.

**Presence of any formal or informal selection criteria for migrant workers:**

There appeared to be no difference in the selection criteria for migrant and local workers and the HR managers said that as far as they are concerned "they are the same for them". Another said that they treat every worker as the same and they are employed as permanent or on contract as per their skill and experience.

**Protection of Migrant Workers:**

The HR Managers said that no separate mechanism exists for migrant workers and "*facilities are equally available to the workers*". The work committee works equally for both local and migrant workers. One HR manager said that he is a member of the Works Committee and tries to solve their problems and even gives incentives such as Rs 500 if the worker works for the full month. He however said that with "*female workers there is a problem that they can't work after 7 PM but he feels that this violates gender equality since they cannot compete with their male counterparts.*"

**Problems of Migrant Workers:**

The problems are not specific to migrant workers but to all types of workers. Some of the managers mentioned the presence of committees to deal with their work-related problems.

**Provision for women migrant workers:**

There was no specific provision for female migrant workers since rules and regulations were same for local and migrant workers. Therefore, any specific facility for female migrant workers did not exist. This calls for gender trainings on workplace policies and provisions for both management and workers.

**Unsafe Migration:**

None of the six HR Managers interviewed felt that unsafe migration is an issue in the garment industry. They only felt that factory owners should maintain and follow all rules and regulations framed by the government. They however maintained that factory management generally follows the prescribed rules and regulations.

The predominant message that came out was that since they do not differentiate between local and migrant workers, any special treatment for female migrant workers was unnecessary. Further the feeling was that "*if they provide good working conditions with proper security then no worker will feel unsafe.*"

“

One HR manager said that if they "*provide proper facilities there will be no problem of unsafe migration*". Another said that if unsafe migration was an issue then "*why workers will work in the industry*". He further went on to say that "*if we don't give a secure environment to female migrant workers then why they will work with us*". However, he did say that factory owners should train supervisors so that they behave well with workers and all committees should work in a manner that they represent views of both management and workers.

”

When asked for suggestions on roles of both the government and factory managements in ensuring safe migration, most of the responses were fairly similar across all HR Managers.

### **Government Measures to ensure safe migration**

Government should monitor whatever law they have made for migrants and keep check on factories too. Implementation of policies should be an ongoing process.

Government should implement the relevant Acts in the Private Sector. The rules and regulations should be effectively implemented in the private sector.

Government should take proper actions against factories in case non-compliance to migrant worker related laws/acts thus ensuring zero tolerance policy.

### **Government Measures to ensure safe migration conditions for Women**

Government should do something to improve housing conditions since they live in rented accommodation.

Government should not make different laws for them. They should not feel that they are outsiders. There should be only one rule.

Government should make strong laws that work for both local and migrant workers.

Government and factory owners should ensure safety and security of workers so that they don't go back to village

#### **Concerns of Factory Management:**

There were some concerns that were voiced by some HR managers.

- The time limitation for women should be relaxed, like the way Rajasthan and Kerala

has done. This will enable them to work more. Right now, even if they are more efficient than male workers, they still earn less

- *Apprehensions of factories on providing skills:*  
One factory manager said that earlier they were providing training to the workers within the factory premises for 3 months but have now stopped because after training, the workers joined other factories or went back to their villages. This becomes a counterproductive policy on the part of the factory management.
- Factory owners should give more power to HR so that they have more power over disturbances in the factory.

## **5.6.PERSPECTIVE OF MANAGEMENT ON MIGRANT WORKERS –RANCHI**

#### **Origin of Workers:**

The factories only hire workers from Jharkhand because of the Memorandum of Understanding (MoU) with the Government of Jharkhand. Hence, migrant workers from other states are not considered to be employed within the factory. Within Jharkhand, the specific districts from where the workers will come depends from which of the "training institutions (PIAs) hiring is done." However, Ranchi Factory- 3 manager said that in his factory most of the workers come from "Ramgarh, West Singhbhum, Ranchi and Bokaro." Ranchi Factory- 2 on the other hand has workers coming from "Lohardaga, Simdega and nearby districts of Ranchi."

#### **Identity Documents:**

Since the factories are hiring workers from only Jharkhand, the identity document issue was not a problem. Also, one found from the quantitative survey that nearly all migrant workers in Ranchi had an Aadhar card.

#### **Competence of Workers:**

Since the workers were recruited from training institutes, it was found that the workers were at least educated till high school and in some cases,

were also educated till intermediate. Some of them were also pursuing graduation. Generally, all of them came to the factory equipped with basic skills required for the job. This was also clearly visible in the responses received from the workers in the survey for Ranchi respondents.

### **Training:**

There were some differences in the type of training provided by the factory management.

**Ranchi Factory-1:** The company has the policy of providing two-month induction training. During this period the company conducts technical assessment. "We have our trainers who provide training to the workers based on our need. During this two-month training, the workforce is also oriented on the factory rules, safety measures, HR rules and provisions, etc".

**Ranchi Factory-2:** The company inducts the workforce for probation of 6-months. During the first month of their recruitment, workers are given induction training of 2 days and are placed in assisting role under the supervision of trained workforce. When the new recruits are ready, they are placed in their jobs.

**Ranchi Factory-3:** The company inducts the workforce for a probation of 6- months. During this period the staff is oriented on HR rules, factory rules and regulations. If required, the staff is provided technical training to carry out their jobs.

**Delhi-NCR Factory-1:** It has four manufacturing units in Gurgaon. They provide three months of training along with hostel facilities to the migrant workers and train them not only on hard skills but on soft skills as well. They also get 14 days on the job training as a compulsory element of their work along with induction training.

### **Use of Recruitment Agents**

All the managers denied using recruitment agents simply because they did not need it. Their requirements were filled through gate entries and hiring through the training institutions.

### **Presence of any formal or informal selection criteria for migrant workers**

There were some differences in the way selection is carried out by the different factories

**Ranchi Factory-1:** There is a basic recruitment process which consists of test and a formal interaction. If the candidates pass the test, they are recruited. Post recruitment, they undergo induction training for a few days, wherein they are informed about the company and HR policies. Thereafter, new inductees are trained for two months, which is a sort of probation period. If their performance during the 2- month period is satisfactory, they are absorbed in the main manufacturing process. Generally, 99% of the candidates pass through this stage. Workers are then given an appointment letter, which stipulates all necessary conditions for the job they are employed either in permanent or contract categories as per their skill and experience.

**Ranchi Factory-2 :** A basic recruitment enquiry is done which consists of tests by its master trainers or supervisors. If the candidates can pass the test, they are recruited. Post recruitment, they undergo induction training for a few days, wherein they are informed about the company and HR policies. Thereafter, they are put in production line under the supervision of the line master/supervisor.

**Ranchi Factory-3:** The company has a selection criterion for hiring workers. The candidates are required to pass a technical test in order to get employed.

### **Protection of Migrant Workers:**

Since most of the workers are hired directly and there is no agent system, no separate measures are needed to protect migrant workers.

Further, entitlements of the workers are given as per factory standards. This was evident for Ranchi workers where most of the workers during the survey reported as being permanent workers.

## Government Measures to ensure safe migration

The government should look at other avenues where female workforce can be absorbed.

Further, since the government is promoting females to join factories, it should open hostels and mess centres in areas close to the factories.

Police patrolling, which should include female police, should be regular in the areas where these workers live.

The private lodges where workers stay should be registered with the government.

The government should also look at ways of creating a labour welfare fund where the factories, government and the workers can make contribution for the well-being of the workers.

The government can also provide cycles or scooters to the girls on easy loans.

Hostel and lodge facilities for girls should be made by the government.

Legal processes required to set up factories should be made easy.

The roads which connects the factories should be constructed and the surrounding areas need to be cleaned.

### Provision for women migrant workers:

**Ranchi Factory-1** reported that they have a team of doctors and nurses in the factory. Sometimes the factory also organises health checkup camps and has tied up with the health department to distribute iron folic acid tablets to the girls. They have also installed sanitary pad vending machines.

The company has also provided dormitory to workers through third party arrangements. They also have buses for its workers to commute from their home to the factory and vice versa.

**Ranchi Factory-2** HR manager did not outline any specific challenges or provisions for female workers. On the contrary he said, "*factory benefits from employing female workers as they are more dedicated towards their work and take fewer breaks during production process.*"

**Ranchi Factory-3** on the other hand outlined benefits such as canteen facility, clean drinking water, medical room, separate toilets and pickup and drop arrangements in case there is a requirement or request.

### Unsafe Migration:

None of the HR Managers in Ranchi felt that unsafe migration is an issue in the garment industry. They did however have some suggestions for government and some for factories.

## Measures by Factory Management to ensure safe migration conditions for women

The managers did say that they interact regularly with the worker community to understand their aspirations within the factory. However, they mentioned some of the initiatives that factories could take:

- Factories setting up hostel facilities for the women workforce in nearby areas
- Health camps at regular intervals
- Organising yoga classes to release stress at the factory location
- Counselling platform in the office
- Encouraging workers to continue studies





## 5.7.PERSPECTIVE OF LABOUR RECRUITERS-DELHI-NCR

Ranchi had no possible role of labour recruiters since they were recruiting directly from training agencies or through internal reference. Though according to quantitative survey estimates there seemed to be no clear explicit role of recruiters, it appears that labour recruiters are active in Delhi-NCR. Some labour recruiters were therefore interviewed in Delhi-NCR and asked specific questions on recruitment and documentation.

### Selecting workers for recruitment:

Workers themselves approach the recruiters and then they locate somebody who is in need of workers. As one recruiter put it, "We don't bring workers from their state, they come to us." They also print pamphlets according to the requirement of the factory and when workers contact them, they are taken to the factory and kept for 2 hours of trial to see if they are suitable. Generally, the practice is not to approach anyone unless they are efficient.

### Documentation for Recruitment:

We only ask for their Aadhar card for verification and their local address and permanent address proof. One such labor recruiter had this to say:

*"We must make ESI Card and give ESI, and register them through their Aadhar number. We have to take them to hospital when a problem occurs. We have shared these details online with government. If we are working in some factory, then we have to issue license for the number of workers they require and how many workers we can place. So, we have to upload the information of workers associated with us on the online portal. This is mandatory and we can't hide it from anyone."*

### Requirements of garment factories:

Experience is more sought after than educational qualification. The workers themselves approach the supervisors. The supervisor places them with other experienced workers so that they learn in 3-4 days.

There is no preference given to either male and female workers nor is there any age preference. *"There is grade system in tailoring, i.e. grade A and grade B. According to their experience and skill, Grade A workers get paid extra. Grade A workers get Rs. 200 extra than Grade B."*

Factories generally want more experienced workers because they are more efficient than a fresher. *"An experienced worker makes 15-20 pieces in an hour whereas a fresher can make only 2-4 pieces. Most workers that are hired are under 40 years because they are more active."*

Since there were no private agent or contractor employed in hiring workers in Ranchi, interviews of labour contractors was rendered unnecessary in Ranchi.

## 5.8.DIFFICULTIES IN TRAVEL AND MIGRATION

In both locations, Delhi- NCR and Ranchi, findings from our survey do not appear to show major concerns in migration.. However, the study has tried to identify potential difficulties in travel and accommodation while migrating to destination. .

Our finding show that 138 respondents, that is 28% of respondents, cited difficulties in travel and accommodation while migrating. This translated into 53% of respondents in Delhi-NCR and 6% in Ranchi.

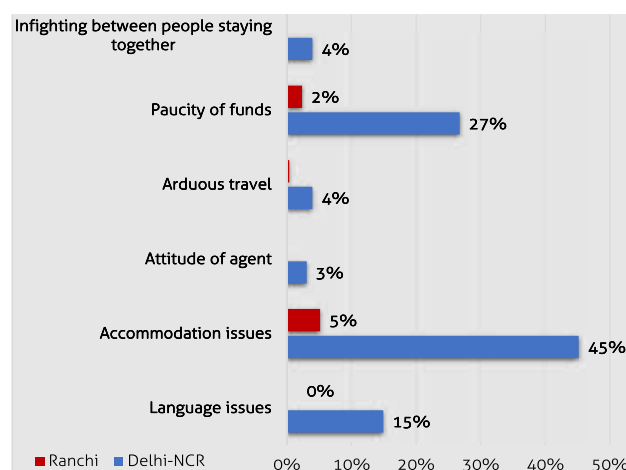


FIGURE 5.3: TRAVEL AND ACCOMMODATION DIFFICULTIES FACED BY MIGRANT WORKERS

the nature of difficulties faced by migrant workers on account of travel and accommodation is shown in *Figure 5.3* below. As one can see accommodation issues are the biggest problem followed by paucity of funds and language among Delhi-NCR respondents. Respondents in Ranchi, comparatively have much lesser problems because there is a complete eco-system available in Ranchi for migrant workers.

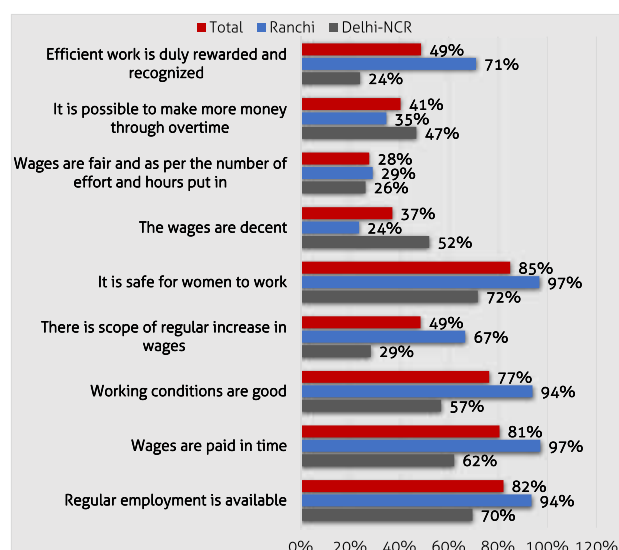
## 5.9.REASONS FOR CHOOSING GARMENT INDUSTRY

There are substantial number of women migrant workers in the garment industry. It is important to therefore understand their preference to work in choosing the garment industry and the satisfaction level differs among the respondents in Delhi-NCR and Ranchi.

Except for safety for women at work, the reasons to work for the garment industry differs considerably between the respondents at Delhi-NCR and Ranchi. The satisfaction level among Delhi respondents was higher than Jharkhand respondents only in the case of decency of wages. In all other parameters, Delhi respondents were relatively less satisfied. Higher dissatisfaction can also be associated with higher living costs in Delhi, more family related responsibilities and lack of

eco-system for reasonable accommodation arrangements at low costs. It would also be related to poor work conditions in Delhi-NCR. The comparative reasons for choosing the garment reason are shown in *Figure 5.4*.

Ranchi respondents were more likely to recommend the garment industry for rewards given for efficient work, whereas Delhi-NCR respondents were more likely to recommend it for giving opportunities to make more money through overtime. Only a third of the respondents both in Delhi-NCR and Ranchi were likely to say that wages were fair as per the hours put in. On decent wages 52% respondents from Delhi-NCR and 24% from Ranchi mentioned it as one of reasons for choosing the garment industry 29% of Delhi-NCR respondents were positive about wage increments as against 67% of Ranchi respondents. There was more dissatisfaction about working conditions among Delhi-NCR respondents compared to respondents in Ranchi. Only 62% of respondents in Delhi-NCR reported receiving their wages on time as against 97% of Ranchi respondents. Only 70% of respondents in Delhi-NCR said that regular work is available as against 94% of Ranchi respondents.



**FIGURE 5.4: REASONS FOR CHOOSING THE GARMENT INDUSTRY**



# CHAPTER 6

## COMPENSATION AND BENEFITS

The most important aspect for the women migrant workers was their working conditions. There are many aspects of working conditions, including job profile, salary, benefits, overtime, payment terms, working conditions.

### 6.1.JOB PROFILE

The respondents in Delhi-NCR were clearer about their role definition and, therefore, one could clearly define three major profiles which are basic stitching (44% of respondents), thread cutting (35% of respondents) and finishing the garment (13% of the respondents). The other roles were minor and at best only warranted mention by few of the respondents.

The Ranchi respondents did not clearly define their roles and preferred to define their roles more explicitly using unstructured responses. About 60% of respondents in Ranchi had their roles revolving around stitching.

### 6.2.SKILL PROFILE

There appears to be a vast difference in the percentage of skilled and unskilled workers in Delhi-NCR compared to Ranchi. A far greater percentage, that is 49% of Delhi-NCR respondents identified themselves as unskilled compared to 24% of Ranchi based respondents.

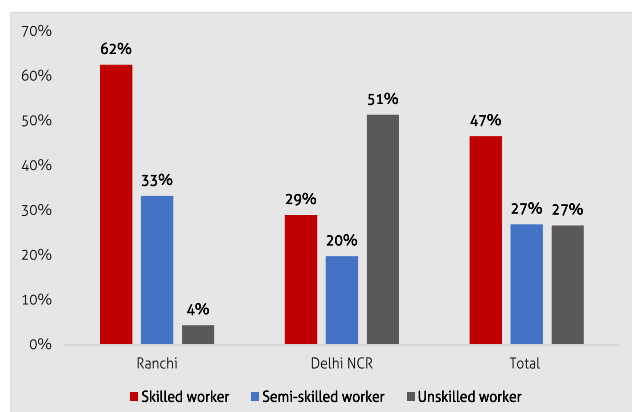


FIGURE 6.1: SKILL PROFILE OF RESPONDENTS

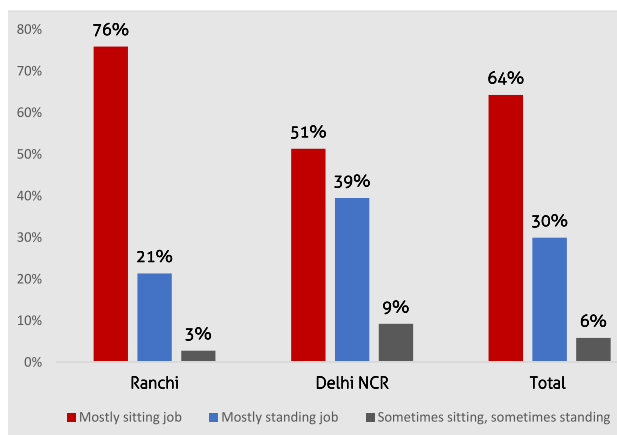
Conversely, 62% of respondents in Ranchi identified themselves as skilled compared to only 29% of Delhi-NCR respondents. This is clearly shown in *Figure 6.1*.

These figures are hardly surprising given that we find a far greater percentage of workers in Delhi-NCR were not having formal education and without the advantage of any formal training and were more likely to be trained on the job. The respondents based in Ranchi were for the most part educated at least till the matric level. Further, all of them had the benefit of some sort of training in government training facilities for about 45 days which gave them an edge. It is important to mention here that the skill level of respondents in Ranchi was based on their perception of skill training received rather than their job profile. The respondents in Delhi-NCR even with more experience, are still classified as unskilled.

### 6.3.NATURE OF JOB

Whether the job, requires sitting, or standing or a combination of both gives an indication of the difficulty of the nature of the job. It was found that only 51% of the Delhi-NCR respondents had a sitting nature of a job whereas it was as high as 76% for Ranchi respondents. 39% of the respondents in Delhi reported a standing nature of job as against only 21% of respondents from Ranchi. The overall percentage of respondents who reported mostly a standing job across both Ranchi and Delhi was 30%, that is almost one third of all respondents. (*Figure 6.2*)

Of those who reported a mostly standing job, when asked whether they could take sitting breaks 3 or 4 times a day, only 4% of Delhi-NCR respondents replied in the affirmative whereas this percentage was 24% among Ranchi respondents.



**FIGURE 6.2: NATURE OF JOB**

This shows that the level of difficulty borne by respondents in Delhi-NCR was far more than that of respondents in Ranchi. It is also indicative of a high level of exploitation of respondents in Delhi-NCR.

## 6.4.SALARY AND OTHER PAYMENT TERMS

There appears to be a great difference in the salary and payment terms in the two locations as well. In Ranchi, all respondents were on monthly salary basis, whereas this figure is 87% in Delhi. 24 respondents or 11% of the respondents in Delhi-NCR were piece rate workers and 6 workers that is 3% of respondents, in Delhi-NCR were daily workers.

The finding show that whereas in Ranchi all respondents stated getting their salary on a monthly basis, the corresponding figure for Delhi-NCR was 88%. In addition, nearly everyone in Ranchi got paid by the 10th of the month, which in case of Delhi-NCR was a considerably lower 98%. Employment status also appears to be more favourable for the workers in Ranchi where all were on factory rolls.

	Delhi NCR	Ranchi
Workers on factory rolls	36%	100%
Receive wage slips	33%	98%
Paid the same wages as promised at time of employment	60%	83%

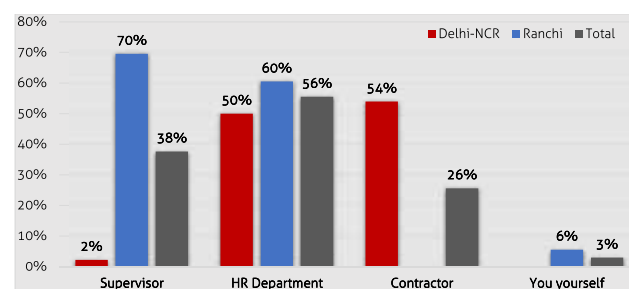
**TABLE 6.1: EMPLOYMENT AND WAGES**

In case of Delhi-NCR, this figure was 36%. A large majority, that is 57% of the respondents, stated that they were on the employment rolls of a third party contractor. The remaining 7% in Delhi-NCR were either casual workers (3%) or daily wage labour (4%).

These findings are completely based on the qualitative findings received from the HR managers and the labour recruiters in the previous chapter. The payment terms for respondents also greatly varied. 99% of the respondents from Ranchi reported received their salary in bank accounts and only 3 respondents or approximately 1% of Ranchi respondents reported receiving salary by cheque. On the other hand, in Delhi-NCR, 32% of respondents received their salary in cash, another 30% by cheque and only 38% of respondents said it was directly credited to their bank accounts. All respondents in Ranchi reported receiving salary directly from the employer whereas in Delhi-NCR only 44% reported receiving from the employer and another 56% from the contractor. This corresponds to the terms of employment of the respondents.

## 6.5.WORK VALIDATION AND SALARY

The terms of employment also seem to determine the work validation and salary given to workers. Therefore, there will be a difference in the process followed in Ranchi and Delhi-NCR. *Figure 6.3* shows the responses as per different categories whereas *Table 6.1* shows the different combinations of each of the categories on person that verify the salary to be paid to as per the days of work done or the number of pieces produced.



**FIGURE 6.3: WORK VALIDATION AND SALARY**

Ranchi, 31% said it was a combination of Supervisor and Human Resource (HR) manager, only Supervisor for 39% and the rest 29% of respondents said only HR. In Delhi-NCR, only 6% of the respondents said it was a combination of HR and Contractor, 2% said only supervisor, 44% of the respondents only HR and remaining 48% of the respondents said only Contractor. It was interesting to know that 6% respondents in Ranchi stated that they do their own verification. The 54% dependence on Contractor implies a very high dependence on the Contractor which exposes workers to potential exploitation in their hands. This reduces the role and responsibility on factory managements.

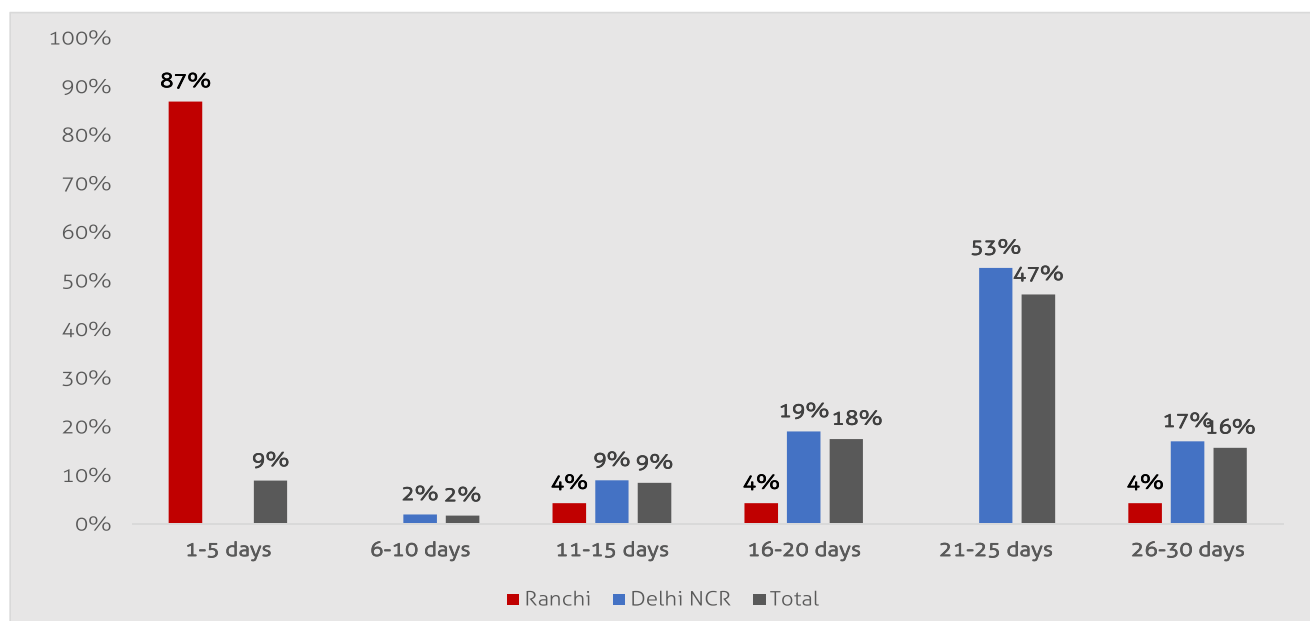
## 6.6.OVERTIME

Of the 199 respondents in Delhi-NCR who reported working overtime, 21% said they worked overtime for an average of 2 hours, another 67% mentioned 3 hours, and as high as 12% of respondents said they worked for an average overtime of 4 hours.

As against this, 9% of Ranchi respondents, that is only 23 respondents said that they worked overtime whereas 87% of Delhi-NCR respondents reported working overtime.

As one can see from *Figure 6.4*, of the 199 respondents in Delhi-NCR reporting that they did overtime, 9% reported 11-15 days of overtime, 19% reported 16-20 days of overtime, another 53% of them reported 21-25 days of overtime and another 17%, 26-30 days of overtime. On the other hand, of the 23 respondents in Ranchi, 87% reported 1-5 days of overtime, another 4% between 11-15 days and yet another 4% mentioned doing overtime for 26-30 days. Other categories were almost miniscule and therefore not reported. This shows that there is a huge incidence of overtime among respondents in Delhi-NCR.

Ideally overtime should be rewarded with double the wage rate. Instead, we find that 98% of the Delhi-NCR respondents who cited doing overtime reporting that they received overtime at single rate. Further, 65% of the respondents who worked overtime said that they were forced to do overtime. In Ranchi, of the 23 respondents (9%) who cited doing overtime, 15 respondents (65%) of them said that they received overtime at single rates while 7 (22%) of them said they were forced to do overtime.



**FIGURE 6.4: OVERTIME DAYS**



The findings show that garment factory workers in both Delhi-NCR and Ranchi are working in demanding conditions. In case of Delhi-NCR respondents indeed seem to have to work long hours and in stressful conditions, while the respondents in Ranchi appear as yet to be only relatively better off.

### 6.7.LEAVE STATUS

The exploitation of Delhi-NCR respondents is also evident from their access to different types of leaves. From *Figure 6.5*, it appears that while Ranchi respondents get the mandatory one day off per week and leave on national holidays, only 49% of Delhi-NCR respondents get a mandatory one-day off with 13% of them not even getting leave on national holidays and festivals. They also seem to be heavily discriminated as far as casual leave, sick leave and earned leave are concerned. Not a single Delhi-NCR respondent reported getting earned leave and only 1% reported getting casual leave. 77% of Delhi-NCR respondents did not even get paid sick-leaves. The non-access to sick leaves, casual leaves and earned leaves is visible even among Ranchi respondents but it is far lesser than respondents of Delhi-NCR. At least 42% of Ranchi respondents reported getting earned leave. 31% of the Ranchi respondents said that they got paid casual leave and 33% of them said they got paid sick leave.

This aspect came out clearly during our immersion interactions with women working in the factories.

Although women workers would usually get leaves when unwell or had to take leave due to family reasons, it meant losing proportionate wages.

### 6.8.IDENTIFICATION AND TERMS OF EMPLOYMENT

To understand the terms of employment, several questions were asked. these are captured in *Table 6.2*. Previous employment experience with the same employer was not considered as per 35% respondents in Delhi-NCR and 47% respondents in Ranchi when they return to work after a break of more than two weeks. In this respect, Delhi-NCR residents scored better than Ranchi respondents. It, however, must be considered that the experience levels of Delhi-NCR respondents are far greater than that of Ranchi respondents who are mostly recent entrants in the workforce in the garment industry.

	Delhi-NCR		Ranchi	
	Valid Responses	% of Respondents	Valid Responses	% of Respondents
Post a leave of more than 2 weeks, does your factory consider your previous experience while employing you and assigning you work in a specific department?	228	65.4%	253	53.4%
Have you been issued an identity card that carries your photo and an employee code?	228	74.1%	253	99.6%
Do you mark your attendance while entering and leaving the office?	228	97.8%	253	100.0%
Did you receive an appointment letter when you started work in the factory?	228	21.9%	253	93.3%
The appointment letter is in a language that you understand	50	98.0%	236	99.0%
The appointment letter mentions the terms and conditions of your salary structure and social security benefits like EPF and ESI	50	88.0%	236	94.1%

TABLE 6.2. IDENTIFICATION AND TERMS OF EMPLOYMENT

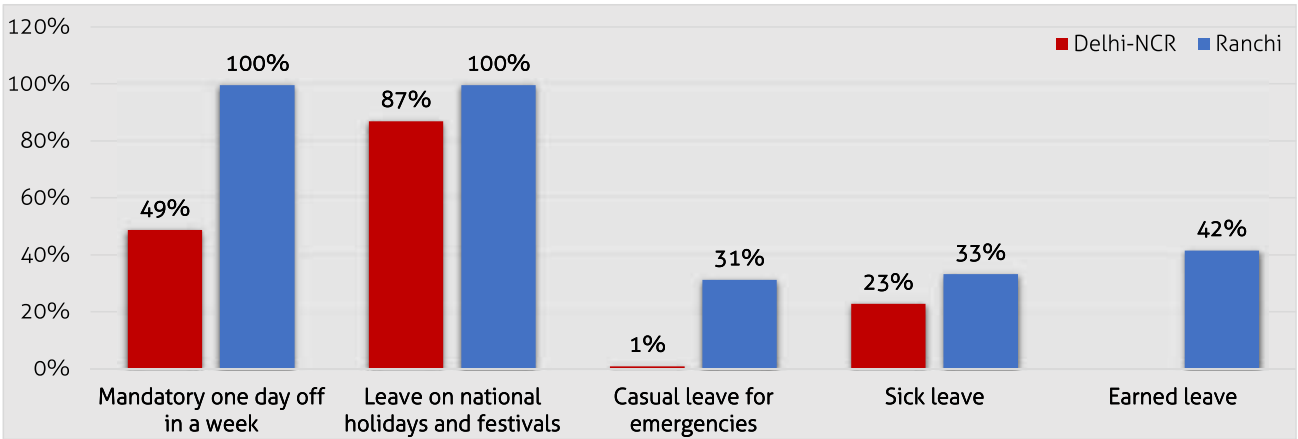


FIGURE 6.5: LEAVE STATUS

Approximately 26% of the Delhi-NCR respondents did not receive an identity card, whereas all respondents in Ranchi had one. Only 22% of Delhi-NCR respondents received an appointment letter while in case of Ranchi, the percentage of respondents receiving it was 93%. However, for the workers who got an appointment letter, it mentioned their social security benefits for most of them; although the percentage of Delhi-NCR respondents was only 88% compared to 94% of respondents in Ranchi.

## 6.9. SOCIAL SECURITY BENEFITS

The contrasts in receipt of social security benefits is very stark between the respondents of Delhi-NCR and Ranchi. Only 46.5% of Delhi-NCR respondents said they received social security benefits compared to 94.1% of Ranchi respondents. (Table 6.3) ESI benefits too was reportedly received by 32% of Delhi-NCR respondents as compared to 80.2% of respondents in Ranchi. Only 34.2% of Delhi-NCR respondents said they had a pension account against 97.2% of Ranchi respondents. However, a much higher percentage of Delhi-NCR respondents were aware of the balance in their pension account as compared to Ranchi respondents.

	Delhi-NCR		Ranchi	
	Valid Responses	% of Respondents	Valid Responses	% of Respondents
Do you receive social security benefits in the form of pension contributions from your employer	228	46.5%	253	94.1%
You have ESI benefits that allow you to access medical facilities at subsidized rates at ESI facilities	228	32.0%	253	80.2%
Do you have a pension account which has funds received as contributions from you and your employer	228	34.2%	253	97.2%
You know the balance in your pension account	78	73.1%	246	15.9%

TABLE 6.3: SOCIAL SECURITY BENEFITS

## 6.10. MATERNITY BENEFITS

As evident in Table 6.4, there were very few responses that reported the factory paying maternity benefits and even fewer respondent receiving maternity benefits. Only 24 responses that is 5% of the 481 responses, said that the

factory paid maternity benefits at the time of maternity leave. Only 38% of the total 24 responses said they received those maternity benefits. This appears to be non-compliance of the Maternity Benefit Act 1961 and Maternity Benefit (Amendment) Act 2017.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
The factory pays maternity benefits in the form of salary at the time of maternity leave	1% (2)	9% (22)	5% (24)	228	253	481
Did you receive maternity benefits by the factory in the form of 12 weeks?	0% (9)	41% (9)	38% (9)	2	22	24
Do you know anyone in the factory who has received maternity benefits in the factory?	0% (8)	36% (8)	33% (8)	2	22	24

TABLE 6.4: MATERNITY BENEFITS

## 6.11. WAGES, OVERTIME, AND BONUS

As part of the survey, we explored other facets of working to get information of any other sources of discrimination and exploitation of workers in the garment industry. We found confirmation of further indications of exploitation among respondents in Delhi-NCR. This has been shown in Table 6.5. Only 33% of them received a wage slip compared to 98% among respondents in Ranchi. The respondents were also not given the benefits that were promised to them, only 60% of Delhi-NCR respondents replied in the affirmative compared to 83% of Ranchi respondents. It was however good to see that at least 30% of respondents of Delhi-NCR received bonus compared to only 19% of Ranchi respondents. The incidence of forced overtime due to loans taken was negligible at both locations.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
Did you receive a wage slip along with your wages?	33% (76)	98% (249)	68% (325)	228	253	481
Are you paid the same wages as was promised to you at the time of employment?	60% (136)	83% (210)	72% (346)	228	253	481
Do you receive bonus given by the company?	30% (69)	19% (49)	25% (118)	228	253	481
Has the factory forced you to do overtime because you might have taken loans?	3% (6)	0% (1)	1% (7)	228	253	481

TABLE 6.5: WAGES, OVERTIME AND BONUS

# CHAPTER 7

## WORKING CONDITIONS

In the last chapter, we looked at the wages including over time payment, social security and leave benefits. Based on the responses, it seemed to indicate a much greater level of exploitation of respondents based in Delhi-NCR and comparatively better working terms for workers employed in Ranchi. It remains to be seen whether this kind of differentiation extended to the working ambience for workers which relates to working conditions in the factory.

### 7.1. WORKING HOURS

Overall, 25% of total respondents said that they had worked in the factory between 9 PM and 6 AM in the factory. This worked out to be 15% of the respondents in Delhi-NCR and 33% of the respondents in Ranchi. In Ranchi, government has allowed to work night shifts in factories, currently restricted upto 11 PM and employers are required to ensure their workplace safety and drop facility to their homes. In Delhi-NCR it is, although, not allowed to employ women at night (beyond 7 PM) unless permission has been taken from labour department.

When asked about pick and drop facilities provided by the factory management if it gets late, 48% of total respondents replied in the affirmative. This however translated to only 11% of Delhi-NCR and 82% of the Ranchi respondents. This implied that the factory management encouraged women to work late at night at Ranchi and ensured that pick and drop facilities were provided to the women working late night.

Further, factories in Ranchi had a greater percentage of women working in the factories, so it would be comparatively safer for women to work given the large numbers. Yet, during conversations with respondents at Ranchi, we discovered that they were not entirely comfortable with the late night shifts.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
Have you ever worked in the factory between 9 pm in the night and 6 am in the factory?	15% (34)	33% (84)	25% (118)	228	253	481
Does the company provide for drop facilities for women employees if it gets late in the night?	11% (24)	82% (207)	48% (231)	228	253	481

TABLE 7.1: LATE NIGHT WORKING

### 7.2. CRÈCHE FACILITIES

As per the Factories Act 1948, the management is supposed to provide facilities of crèches in case they had 30 or more women working in the factory. The Act clearly says that *"in every factory wherein more than thirty women workers are ordinarily employed there shall be provided and maintained a suitable room or rooms for the use of children under the age of six years of such women."* Further, the rooms should provide *"adequate accommodation, shall be adequately lighted and ventilated, shall be maintained in a clean and sanitary condition and shall be under the charge of women trained in the care of children and infants"* (Advocate Khoj, n.d.). The Maternity Benefit (Amendment) Act, 2017 also further requires factories with 50 or more employees to provide crèche facility.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
Does the company have a crèche facility where women can get their small children	23% (52)	34% (85)	28% (118)	228	253	481
The facilities in the crèche are satisfactory	12% (6)	47% (40)	34% (46)	52	85	137
Women routinely get their non-school going children in the crèche	8% (4)	15% (13)	12% (17)	52	85	137

TABLE 7.2: CRÈCHE FACILITIES

As evident from *Table 7.2*, only 28% of respondents said that the company had a crèche facility. This was only 23% of the respondents in

Delhi-NCR and 34% of the respondents in Ranchi. For all practical purposes, given the higher percentage of women who were married in Delhi-NCR, each factory should have had a crèche facility to cater to children below 6 years. Of the 137 respondents who said that there was a crèche facility, only overall 34% said it was satisfactory. This worked out to be a very low 12% of the 52 respondents in Delhi-NCR and 47% of the 85 respondents in Ranchi. Only 12% of total 137 respondents were using it. The breakup was 8% of 52 respondents in Delhi-NCR and 15% of 85 respondents in Ranchi. The non-provision of a crèche facility especially in Delhi-NCR where the predominant working population consisted of married women, is non-compliance of the Factories Act 1948.

### 7.3. TOILET FACILITIES

Where there are many women, it is imperative for factory managements to provide not only separate but also adequate toilets which are clean and well maintained. As evident from [Table 7.3](#), it appears that factory managements are quite proactive in this. At both locations, all respondents said that there were separate toilets for women working in the factory. 89% of respondents in both locations said that they were clean and hygienic. The satisfaction with the adequacy of toilets however was more for Delhi-NCR respondents wherein 96% of Delhi-NCR respondents said they were adequate given the number of women working in the factory compared to only 79% of respondents based in Ranchi. This implied that factories in Ranchi had not constructed enough toilets. This become even more apparent when 53% of respondents in Ranchi said that they had to wait for more than 5 minutes to use a toilet.

There were also more restrictions put on the number of toilet-breaks that one could take in Ranchi since 21% of them responded in the affirmative to this question. 4% of the respondents in Delhi-NCR said that they had to wait for more than 5 minutes to use a toilet and were subjected to toilet restrictions.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
Are there separate toilet facilities for omen working in the factory?	100% (227)	100% (253)	100% (480)	228	253	481
Are toilet facilities clean and hygienic?	89% (202)	89% (225)	89% (427)	228	253	481
Are they enough toilets for women considering the number of women working?	96% (219)	79% (201)	87% (420)	228	253	481
Are you required to wait for more than 5 minutes to use a toilet?	4% (10)	53% (135)	30% (145)	228	253	481
Does the company put restrictions on the number of toilets breaks you can take?	4% (10)	21% (54)	13% (64)	228	253	481

TABLE 7.3: TOILET FACILITIES

### 7.4. LUNCH AND TEA BREAKS

There appeared to be similar responses regarding half an hour breaks for lunch at both locations though slightly lower in Ranchi. 99% of Delhi-NCR respondents maintained that they got a half an hour break for lunch compared to 81% of Ranchi respondents. Only 7% of respondents in both locations said they got a 15- minute break twice a day for having tea. It was also apparent that factory management did not provide tea breaks to workers at either of these locations.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
Are there separate toilet facilities for women working in the factory?	99% (225)	81% (206)	90% (431)	228	253	481
Are toilet facilities clean and hygienic?	7% (16)	7% (18)	7% (34)	228	253	481
Are they enough toilets for women considering the number of women working?	3% (7)	2% (6)	3% (13)	228	253	481

TABLE 7.4: LUNCH AND TEA BREAKS

### 7.5. CANTEEN AND WATER FACILITIES

Based on the figures in [Table 7.5](#), it appeared that most of the respondents in both locations were satisfied with the canteen and water facilities. 95% of Ranchi respondents said there was a canteen facility compared to 88% of respondents based in Delhi-NCR.

Similarly, 94% of Ranchi respondents said there was a separate place to have lunch and tea compared to 87% of Delhi-NCR. 94% of Ranchi r

## Restroom break is not a legal right at workplaces

Back when we were in school, many of us will remember asking the teacher for permission for urgent bathroom breaks and would be disappointed at not getting the teacher's nod for an immediate relief. The situation for adult workers employed in many factories which are focused on productivity is much harder and even less accommodative.

Workplaces all over the world, especially in production centres, tend to stipulate some form of restriction on breaks, and not so uncommonly on the number of times workers can visit the restroom. Such visits are considered by employers as loss of productive work hours or a disruption in production process.

It is different for workers who face this restriction. For them, it is more than merely a matter of controlling the urge. It can range from a feeling of great discomfort to a possibility of developing serious bodily ailments or ill-health.

We came across a factory as part of our study where visits to both restrooms and for drinking water are restricted through a limit of 4 or 5 access cards, shared in turn between a number of workers. It is a kind of rationing system for use of restrooms and even for access to drinking water. A number of female workers often fail to get access to the "permits" when they need due to the high demand for the cards.

There are also restrictions on the number of visits to restrooms. At times, the women simply do not use the restroom even when they ought to. Unfortunately, it is not an isolated case. The question of right to bathroom breaks at workplaces is not a settled issue between employers and employees especially in production centres. Nor is there a clear-cut legal ruling for this in most countries. In India, the only legal right is a break for 30 minutes after working for five hours. This quite often is the highly awaited lunch-break.

While employers are well within their rights to have concerns about disruption in production, what they do not take into account is that there may be better alternatives than restrictions bordering on impinging basic human rights and inadvertently causing great inconvenience or ill-health to workers.

Stakeholders in India, including employers with good intentions, who are interested in the general well-being of workers have a responsibility to debate on this issue and consider relief for the workers through alternative measures. There is a window of opportunity under the National Action Plan on Business and Human Rights. May be India can show the way for the rest of world with progressive measures.

espondents replied in the affirmative about having separate tables and chairs to sit on during lunch breaks compared to 84% of Delhi-NCR respondents. Drinking water facilities seem to be a problem for respondents in Ranchi since only 82% replied yes to that compared to 97% of respondents in Delhi-NCR.

Although the majority of respondents are satisfied with the canteen and water facilities, there is scope of improvement for in all parameters.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
Does the company have a canteen facility?	88% (200)	95% (240)	91% (440)	228	253	481
Is there a separate place to have lunch and tea?	87% (198)	94% (239)	91% (437)	228	253	481
Are there tables and chairs that one can sit on and have lunch and tea during breaks?	84% (192)	94% (237)	89% (429)	228	253	481
Is there a provision of clean drinking water in the workplace?	97% (222)	82% (207)	89% (429)	228	253	481

TABLE 7.5: CANTEEN AND WATER FACILITIES



## 7.6.WORKING ENVIRONMENT

Since workers work for long hours and almost continuously to ensure both quantity and quality, it is imperative that their working environment is conducive to attainment of that objective. For the most part, it appears that factories are quite proactive on this parameter since this affects the productivity of workers. One finds that factories in Ranchi score better on most parameters as given by figures in *Table 7.6*.

93% of respondents in Ranchi and 78% of respondents in Delhi-NCR confirmed the presence of a fully equipped medical room. Almost all respondents in both locations said there was adequate lighting to do their work. 98% of respondents in Ranchi and 88% of respondents in Delhi-NCR maintained that there was adequate ventilation. Almost all respondents said that the factory installs enough fans for the workers.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
Does the company have a separate medical room having fully equipped medical kit?	78% (178)	93% (236)	86% (414)	228	253	481
Does the factory ensure that there is adequate lighting for you to work?	96% (220)	99% (251)	98% (471)	228	253	481
Is there adequate ventilation at your place of work?	88% (201)	98% (248)	93% (449)	228	253	481
There are enough fans to provide air to the worker?	96% (220)	98% (248)	97% (468)	228	253	481
The factory installs coolers at peak temperatures to reduce heat while working?	62% (141)	51% (130)	56% (271)	228	253	481

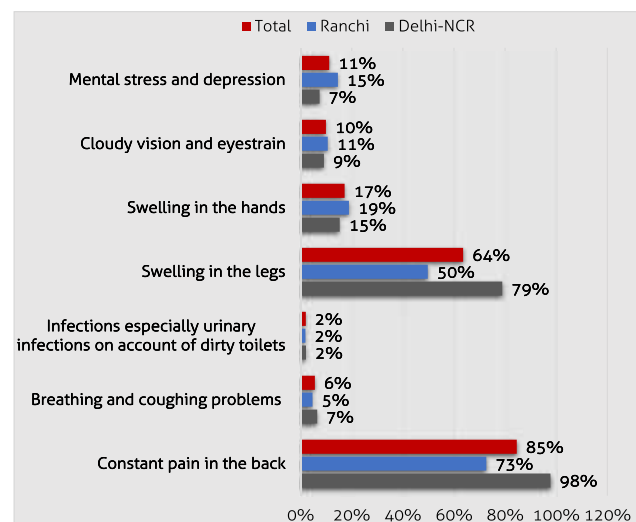
**TABLE 7.6: WORKING ENVIRONMENT**

However, about 56% of the respondents said that the factory installs coolers during peak heat in summer months. This was also confirmed by the researchers visiting the factory. In some of the sections especially those related to pressing, the heat was even worse.

## 7.7.OCCUPATIONAL HEALTH HAZARDS

With long hours and working conditions, the question remains whether it results in poor occupational health for workers.

As part of the survey, questions were put forward to the workers to know whether they suffered from some medical conditions. Their responses are given in *Figure 7.1*. Almost all workers seemed to suffer from one ailment or the other. The predominant ones were related to swelling in the legs and constant pain in the back. 79% of respondents in Delhi-NCR and 50% of respondents in Ranchi reported swelling in the legs. Even worse was the constant pain in the back where 93% of respondents in Delhi-NCR and 73% of respondents in Ranchi reported suffering from it. Surprisingly, 15% of respondents in Ranchi reported having mental stress and depression higher than 11% of Delhi-NCR respondents. 19% of Delhi-NCR respondents reported swelling in their hands as compared to 15% of Ranchi respondents. Other ailments included cloudy vision, eyestrain, infections, coughing and breathing problems.



**FIGURE 7.1: OCCUPATIONAL ILLNESSES**

Above findings show that workers are facing occupational health issues. We have previously analysed that the work involves long hours, few breaks, stressful work conditions and inadequate facilities in their workplace.

## 7.8.PERSONAL AND MACHINE SAFETY

Working in the garment factory has its own set of safety related concerns. 33% of Delhi-NCR respondents and 44% of Ranchi respondents said

that they needed safety equipment based on the nature of their work. However, all respondents were asked a set of questions regarding the safety measures that the factory adopted to ensure their safety. The options were me only, to some workers apart from me and to me and some workers and finally to nobody in the factory. The me only responses were inconsequential. In Ranchi 76% respondents cited requirement of safety training. The safety related responses are given in *Figure 7.2* for both Ranchi and Delhi-NCR responses.

It appears that in Delhi-NCR, 21% of respondents were not aware of anyone receiving masks, 94% were not aware of anyone receiving shoes, 19% of them not aware of anyone receiving gloves and 93% of them not aware of anyone receiving safety training.

In Ranchi, 13% of respondents were not aware of anyone receiving masks, 92% of them not aware of anyone receiving shoes, 46% of them not aware of anyone receiving gloves and 15% of them not aware of anyone receiving safety training.

These figures implied that workers getting shoes was a rarity in both locations. Much lesser percentage of workers were getting gloves in Ranchi and finally a predominant percentage of respondents in Delhi were not being imparted safety training.

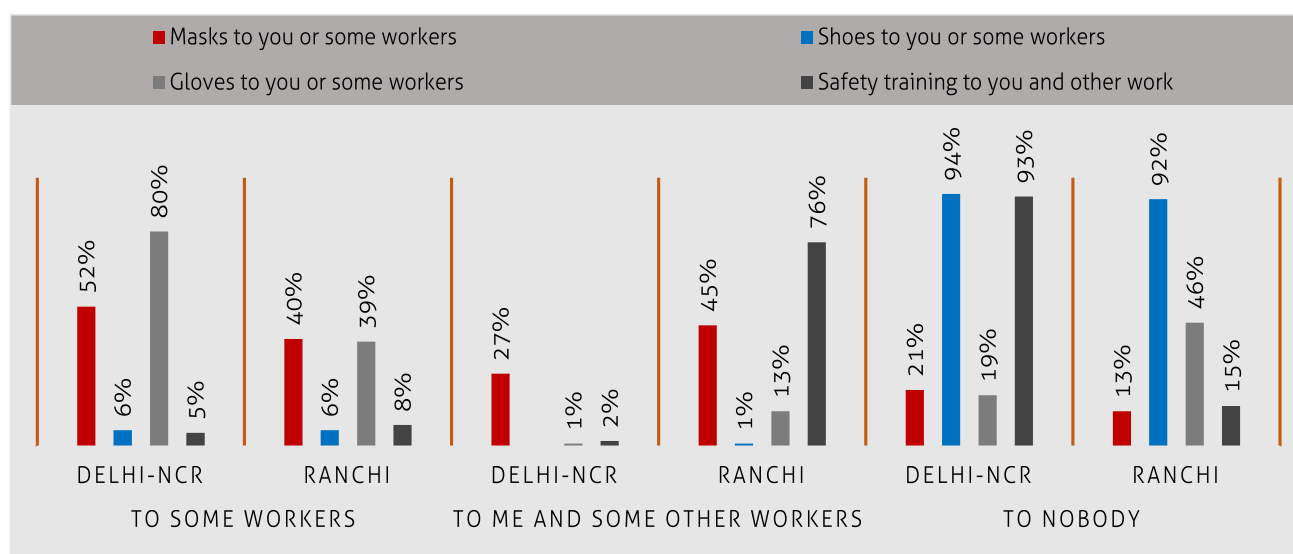
## 7.9.ACCIDENTS IN THE FACTORIES

Only 68 respondents of the total of 481 respondents, that is 14% of total respondents, reported knowing of any incident that resulted in an injury to the worker (*Table 7.7*). This was true for 5% of respondents for Delhi-NCR and 22% of Ranchi respondents. However, the fatality rate was higher for Delhi-NCR though the actual numbers were lower than that of Ranchi given the low base of responses.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
Were there any incidents in the last year in the factory that resulted in injury to the worker?	5% (12)	22% (56)	14% (68)	228	253	481
Was it fatal for the worker?	58% (7)	16% (9)	24% (16)	12	56	68
Did it result in any temporary disability?	25% (3)	43% (24)	40% (27)	12	56	68
Did it result in any permanent disability?	8% (1)	4% (2)	4% (3)	12	56	68

**TABLE 7.7: ACCIDENTS IN FACTORY**

Temporary disability rates were higher in Ranchi at 43% compared to 25% of respondents in Delhi-NCR. Permanent disability rates were, however, very low.



**FIGURE 7.2: SAFETY EQUIPMENT AND TRAINING**

## 7.10. TRAINING PROVIDED BY MANAGEMENT

Only about 30% of the total respondents said they were provided training by the management. The breakup suggests that only 2% of respondents in Delhi-NCR or only 4 respondents said that they received any kind of skill training. Therefore, one can assume that skill training in Delhi-NCR is non-existent. On the other hand, 56% of respondents in Ranchi said that the company provided skill training. Of those 142 respondents who said skill training was provided, 83% said that they received safety training as part of their induction training, while 80% maintained training was provided separately in groups

If one goes by the responses given by the HR managers in Ranchi who talked about training given to all, it appears that almost 50% of the respondents consider that training was not enough or not satisfactory enough to be classified as training. The expectations of the respondents would therefore be at variance with the stance of the management.

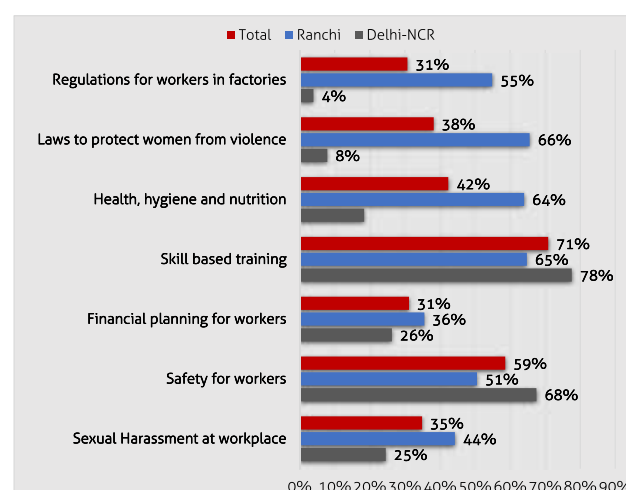
	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
The company has provided skill training for its employees?	2% (4)	56% (142)	30% (146)	228	253	481
Has it provided induction training at the time of joining the job?	75% (3)	83% (118)	83% (121)	4	142	146
Has it provided training separately in groups related to the work that you do?	50% (2)	80% (114)	79% (116)	4	142	146

**TABLE 7.8: TRAINING PROVIDED BY MANAGEMENT**



## 7.11. TRAINING ASPIRATIONS

There appears to be a big difference in the training desired by the workers at the different locations as seen in *Figure 7.3*. Respondents in Ranchi are farkeener to learn about regulations for workers in factories (55%), laws to protect women from violence (66%), health, hygiene and nutrition (64%), Prevention of Sexual Harassment (PoSH) at Workplace (44%), and financial planning for workers (36%). Delhi-NCR respondents on the other hand seem to be more interested than the Ranchi respondents when it comes to skill-based training (78%) and safety of workers (68%). The four areas of training that workers at both locations are interested in are skill-based training, safety for workers, PoSH and financial planning.



**FIGURE 7.3: TRAINING DESIRED BY WORKERS**



# CHAPTER 8

## GRIEVANCE MECHANISM

All the survey interviews were conducted outside the factory premises and anonymity of the respondents was ensured. Despite that, we were careful to ensure that no direct questions linked to factory were asked and all questions that related to personal information were asked in an extremely sensitive manner. The topics that caused hesitancy on the part of the respondents mainly consisted of complaint mechanism, harassment including sexual harassment and finally awareness of legislation regarding laws and regulations. In this chapter and the succeeding ones, analysis of all the responses pertaining to these areas have been taken up.

### 8.1.POTENTIAL AREAS OF GRIEVANCE

Knowing well that the respondents would not like to be asked direct questions regarding their issues with factory managements, we asked them about the areas that they would like to complain about, if they had a choice to. The results are presented in *Figure 8.1*.

Respondents from Delhi shared that the areas which concern them the most in descending order of importance are long hours of work with no break, rude and difficult attitude of supervisor, not being paid overtime rates, unrealistic deadlines for completing work, lack of promotion facilities, salary deduction even after working full days, lesser wages than prescribed as per skill level and not getting the required paid leaves.

On the other hand, if one looks at respondents from Ranchi, their areas of concern in descending order of importance were lesser wages than those prescribed as per skill level, long hours of work with no breaks, lack of promotion facilities, rude and difficult attitude of the supervisor, not getting the required paid leaves, lack of adequate breaks

for toilets, water, tea and lunch, and being forced to work at the same efficiency even during periods, and required to work late in the night beyond 9PM.

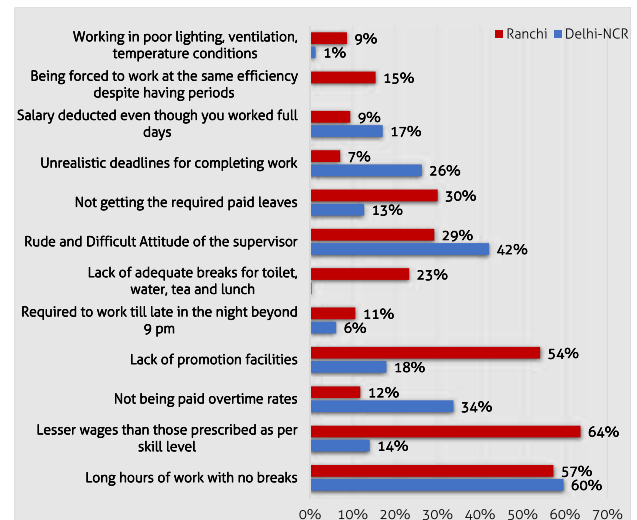
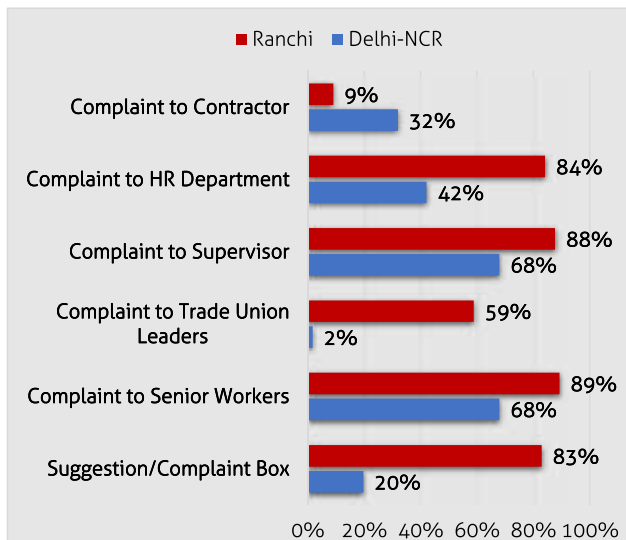


FIGURE 8.1: POSSIBLE AREAS OF GRIEVANCE

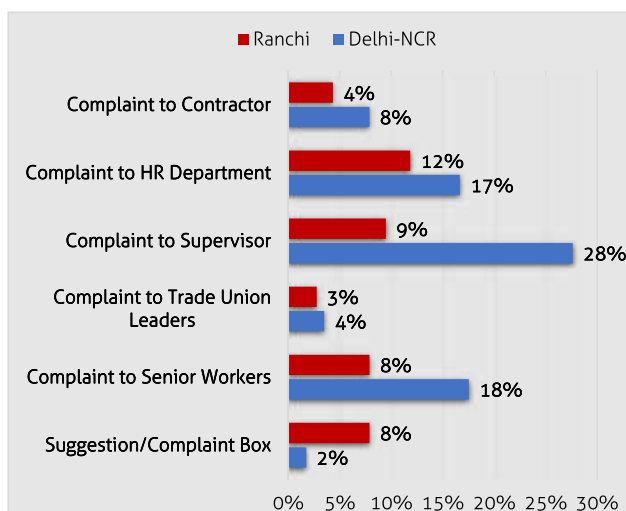
These complaints give an indication of the issues that bother the respondents the most. It is however amply clear that long hours of work with no break, rude and difficult attitude of supervisor, lack of promotion facilities, and not getting required paid leaves are common concerns across both areas. In Ranchi, the inadequacy of toilets was a fair enough indication that they had to wait for longer and they were subject to toilet restrictions. The sensitivity towards women's menstrual cycles and their special needs during that period also appeared to be missing.

### 8.2.GRIEVANCE MECHANISM AND ITS USAGE

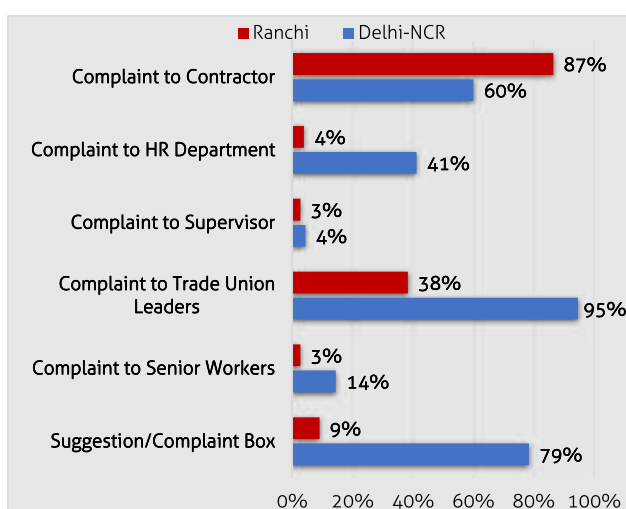
The next level of understanding of issues relates to existence of a complaint mechanism present, and whether it was used by the respondents. In the next set of figures, *Figure 8.2*, *Figure 8.3* and *Figure 8.4*, we look at the access to the complaint mechanism and its usage by respondents.



**FIGURE 8.2: COMPLAINT MECHANISM AVAILABLE BUT NOT USED**



**FIGURE 8.3: COMPLAINT MECHANISM AVAILABLE AND USED**



**FIGURE 8.4: COMPLAINT MECHANISM NOT AVAILABLE**

From *Figure 8.2*, it appears that, while the avenues of complaints of HR, supervisor, senior workers, trade union leaders and suggestion/complaint box

are there but are not being used by most of the respondents in Ranchi. The avenue of contractor is obviously not an important complaint mechanism given that most workers are recruited directly. The surprising result is the access to trade union leaders by Ranchi respondents, although 59% of them say that they do not make a complaint there. The fact that so many respondents say that these complaint mechanisms exist but are not used, show that respondents in Ranchi are not very confident and secure about using these mechanisms for fear of being targeted.

The Delhi respondents on the other hand appear to have access to the contractor far more since 32% say that they can make a complaint to the contractor but do not feel comfortable about doing so. Access to trade union leaders is non-existent for Delhi-NCR respondents.

*Figure 8.3* is probably the most definite indicator of grievance mechanisms which are used. It indicates conclusively that only a very small percentage of respondents choose to make a complaint specially those based in Ranchi. The ones based in Delhi largely use making complaints to supervisor, to senior workers and to HR department as the avenues to voice their dissatisfaction.

*Figure 8.4* on the other hand gives an insight into the respondents understanding of the mechanisms not available to them. 60% of Delhi-NCR respondents feel that contractors are unavailable and 79% feel that suggestion/complaint boxes are non-existent or ineffective or both. The low percentage of responses by Ranchi respondents indicate that non-availability of complaint mechanisms is not such a big issue in the case of Delhi-NCR respondents.

The takeaway from these analysis is that respondents in Ranchi have access to complaint mechanisms but are not using them for reasons which may relate to fear and insecurity. Delhi-NCR respondents on the other hand do not even have access to these mechanisms.



### 8.3.REASONS FOR NOT COMPLAINING

It appears that Ranchi respondents are far more apprehensive about complaining. These results were confirmed by the responses as per *Figure 8.5*. It appears that 63% of Ranchi respondents do not complain because they fear losing their job. 32% of the respondents in Ranchi also fear that they will be harassed or troubled at their workplace. A fair number of them appear not to have faith in the supervisor/HR department given that 27% said that the supervisor/HR department will not listen. Only 17% said that they do not have problems to complain.

In the case of Delhi- NCR, 45% of them had concerns about losing their job, 19% had apprehensions on possible harassment if they complained. However, a high percentage of 23% respondents felt that they will not be given a fair hearing. Only 11% of respondents in Delhi-NCR and 17% in Ranchi said they do not have problem to register complain.



**FIGURE 8.5: REASONS FOR NOT COMPLAINING**

From the results, there is a strong indication that complaint mechanism is not as robust as desired and even if present are not used because of fear of reprisal. The access to HR department and supervisor may be there but the hesitancy in approaching them is quite high. Managements in garment industries therefore need to work strongly on this aspect and initiate more confidence building measures.

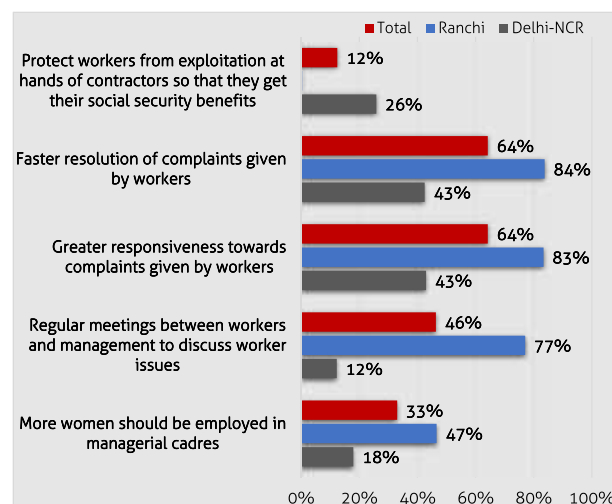
Further, although the Ranchi respondents said that

they have access to trade union leaders, only a very small percentage are formally part of trade-unions. It was found that no respondent from Delhi was a member of the trade union while in Ranchi only 16 respondents said they were members of a trade union.

### 8.4.EXPECTATIONS FROM MANAGEMENT

There are a number of changes that respondents wanted from management based on the selection list that was provided. The results are given in Figure 8.6. There again seems to be big difference in what Ranchi respondents wanted and the Delhi-NCR respondents. The aspiration level of respondents in Ranchi appears to be much greater given the higher level of response on all parameters except on the one related to exploitation at the hands of contractors since it was not relevant to them. They were keen to have faster resolution of complaints, greater responsiveness towards complaints made by workers, regular meetings between workers and management and even greater representation of women in managerial cadres.

The respondents in Delhi are more focused on greater responsiveness on complaints given by workers and faster resolution and finally ensuring protection of workers from exploitation at the hands of contractors so that they get their social security benefits.



**FIGURE 8.6: CHANGES DESIRED FROM MANAGEMENT**

As part of the survey, certain unstructured questions were asked from workers on the role of government and the role of management as well as whether there was a works committee like structure that worked to find resolution of the workers' problems.

### **8.5.ROLE OF THE FACTORY MANAGEMENT-DELHI-NCR**

Around 30 respondents voiced some of their problems and these mainly pertained to regulation of contractors who were not complaint on social security benefits. The contractor would deduct workers' Provident Fund (PF) but would not deposit them with PF authorities. The second was the rude behavior of contractors and supervisors. Other concerns were safety of women, providing safety training to women at workplace and improvement of working conditions. A few of them did mention the desire to have more awareness training on legislation so that they can negotiate better. Only one respondent mentioned sexual harassment at the hands of the contractor.

### **8.6.ROLE OF THE FACTORY MANAGEMENT-RANCHI**

In contrast there were 216 responses from respondents from Ranchi. The bulk of the responses pertained to free hostels, increase in salary and payment of bonus. Some responses however related to providing free breakfast, uniforms, safety gear, training and rude behavior of supervisors. It also seemed that food was another concern since couple of respondents raised the issue of food in terms of its quality.

### **8.7.ROLE OF THE GOVERNMENT: DELHI-NCR**

There were 53 respondents who had suggestions regarding the role of the government. The respondents wanted the government to enforce the rules and regulations. They found it hard to get a ration card because the landlord would not give a rent or electricity proof.

The attitude of the Aaganwadi worker was rude and uncooperative and she did not give rations to migrant workers. The respondents wanted more awareness of government schemes and legislation so that they could possibly access them at the city level. The need for a ration card was urgently felt. One of them however mentioned harassment of a girl child.

### **8.8. ROLE OF THE GOVERNMENT: RANCHI**

There were 109 respondents who had suggestions regarding the role of the government. Their main requirement was the provision of free hostels. Some other suggestions included more training by government, more medical facilities and need for permanent jobs. They felt that government should step in to ensure higher salaries. One of them wanted a caste certificate so that she could pursue higher studies.

### **8.9. PRESENCE OF COMMITTEES AT WORKPLACE**

In Delhi-NCR only two respondents mentioned any committees and specifically named the Internal Committee (IC) and Works Committee. In Ranchi, however, the explicit mention of any committee was not there though they mentioned names of certain individuals who were heads of committees. The predominant mention at both locations was however not of committees but of HR managers and in some cases line manager and supervisor. It therefore appears that the concept of works committees does not exist at the factory level and is an area where managements must take proactive steps to establish and encourage.

### **8.10. OBSERVATIONS AT DESTINATION AT RANCHI**

While collecting data from the field, certain observations were made by the surveyors. These are valuable as they were unguarded responses and not possible to be included in structured surveys. Therefore, the factory names are not revealed here.

The most important of these were related to hostel accommodation.

#### **Condition of hostels for women migrant workers**

In one of the hostels, managed and run by the factory, the girls were incurring high accommodation costs of Rs 1000 per month and an additional Rs 200 per food. The food was delivered from the factory canteen. It was also found that 8 girls were put up in one single room.

In the hostel, there was strict disciplinary restriction on the movement on girls. All entries and exit from the hostel were recorded in a register. The hostel was under the supervision of a factory appointed female warden. The girls were also not happy with the quality of food and there was also less diversity in number of food items given. The warden had also expressed her displeasure with the quality of the food. The girls also said that the second serving of food was not allowed. The rice quantity was restricted to 2 big spoons given only once.

In contrast, private accommodation, which were arranged by girls themselves was in the range of Rs 500 to Rs 600 per month per head, and on average only 4-5 girls shared the accommodation. Although factories had opened some hostels in the areas, but these were shut down. This was probably due to the fact that the girls got the experience and understanding of the local area and market, they preferred to move out of the company hostels and find their own accommodation.

Factory's establishment in the region has strongly influence in its local economy. One of the primary businesses being run by the local community is renting out accommodation to factory workers (primarily women). This has also influenced the local retail market in the area, as factory workers now constitute a substantial consumer percentage. This worked to the advantage of the factory.

The survey team also experienced strong resistance from the local lodge owners during the

survey. A large number of them demanded from the survey team to show a permission letter from factory for allowing them to talk to female workers, who resided in their lodge.

#### **Nexus of private lodge owner and factory**

In another case, although there was no hostel accommodation provided by the factory, they had established close network with big private lodge operators that were in operation in and around their factory. It was observed during the survey and substantiated by submission from respondents that factory management exercised strong control over women workers who lived in private lodges. These lodge owners were informally affiliated to factory through local contacts and were found dependent on them for renting out rooms to factory's employees.

#### **Agitation on low wages and poor working conditions**

In one case, the factory workers had organised an agitation on the issue of wages and working conditions. The agitation was forcefully stopped by the local community since factory management used the local community against them by instilling fear that if the factory closes down due to the agitation, it would result in loss of rent and business. The respondents alleged that at the time of agitation they had received veiled threats from local influence groups and feared retribution if the agitation was not stopped. The workers had to finally withdraw their agitation.

#### **Holidays and Leaves**

All non-scheduled holidays if given by the factory had to be compensated through working on Sundays. For example, the 4 days of holiday given during Durga Puja had to be compensated by working on Sundays for which no extra payment was given. Any non-sanctioned leave taken by worker was penalized in form of deduction of 2 days of salary against one day of leave. Even if leave for a day was sanctioned on emergency grounds, half a day of salary was deducted.

The other issues that were raised by the girls were long working days and unfair deduction of wages.

### Workplace Issues

Some of the girls also reported that there were deductions from their salary against which no clarification was given. The girls also complained about the production target pressure being too high and the behaviour of supervisor and manager extremely rude. Any sickness reported is never entertained for leave from work. They are referred to sick room for not more than 15 to 30 mins and asked to get back to their work station. Peers are discouraged to assist or help co-workers if they are sick, while in production line

It also seemed that workers were not given the due freedom to reach out to third parties to press their case. During factory audits, it was ensured that all workers had basic safety gears such as masks, glasses and gloves but this was not the case on normal working days. Workers were coached on answers in case there was an audit by client companies. This was a practice that the researcher also discovered during immersion visits in Delhi-NCR as well. The workers ensured that they followed instructions, and any deviating behavior in giving answers resulted in removal from the job or severe reprimands. During factory audit by client companies' workers were coached for answers for probable questions and if not complied with were removed from the job or severely reprimanded.

A case was quoted wherein post a seminar where the Chief Minister of Jharkhand in his speech in 2018 mentioned a minimum salary of Rs 12000 per month, some workers summoned courage to speak to the management for implementation of the same. This resulted in severe reprimands and forced resignation. The fear of speaking up was fairly apparent in the structured survey wherein a fair percentage of respondents said they feared speaking up because it would cost them their job.

The auditors were always accompanied by factory's senior management. This gave no opportunity for the worker to speak freely to the auditors. A larger number of respondents expressed their suspicion on the objectives of the audit exercise and submitted that they felt it is conducted for namesake only.

There were some general complaints that were faced by the girls and these included:

- a) Simple mistakes during course of work could result in getting removed from the job.
- b) Complaints are not appreciated by the management and complainant normally have to face ire of the management
- c) Girls objecting to permissible dress code, as enforced by the factory, would result in removal from the job
- d) Majority of the respondents interviewed said the first two months of their salaries were deducted by factory. The reasons cited to them was that during the training period they are entitled to lesser payment to cover the cost of training
- e) 30 minutes of lunch time was compensated through 30 minutes of extra working time. This was done through 15 minutes added onto the end of both working shifts
- f) There was no scope of promotion or salary increment
- g) The language used by some of the supervisors for communicating with girls was very derogatory and most of the time was laden with threats of termination from job. Almost all girls reported the high incidence of abusive language and rude behaviour by line master and supervisors
- h) Some girls also mentioned sexually laced comments by male supervisors'/line masters
- i) Preferential treatment to some female workers, who were in good books of supervisors

- j) Hiring bias was reported by large number of respondents
- k) No drop facility to female workers working in 2nd shift ending at 11 PM- if they resided within 1 km area of the factory.
- l) A substantial number of girls interviewed were forced to work in the 2nd shift despite their reluctance and were threatened of termination if they did not comply.
- m) Incidences of harassment like eve teasing and stalking while returning home after second shift was reported by some of the respondents.
- n) Any complaint by workers pertaining to sexual harassment was met with stern action against the complainant.
- o) Firing of workers by the company was guised as voluntary resignation
- p) Drinking water was provided straight from the water tap without any filtering arrangement.

### 8.11. QUALITATIVE RESPONSES AT DESTINATION AT DELHI-NCR

Some of the common problems faced by the workers in the city included:

- a) They are often forced to work at marginal wages, especially if they have no information or knowledge
- b) Since most of them are contractual workers, they often receive no social security benefits such as Provident Fund (PF) and Employees' State Insurance (ESI) which is a health insurance scheme for Indian workers to provide cash and medical benefits to them
- c) Some of them complained routinely of exploitation by contractors and supervisors
- d) They are not paid overtime rates and are often forced to do overtime work.
- e) There is no provision for their registration as migrant workers
- f) They are unable to avail any government schemes/plans because they cannot

make ration cards. That in turn is because they do not get electricity bill from their landlords. As a result, they are unable to get subsidised or free ration like rice, wheat, sugar and kerosene oil.

- g) In some areas of Gurgaon, workers are forced to buy rations from the ration shops of their landlords, even if they charge higher than market rates.
- h) The landlords also discriminate against them on regional basis and also pass comments on their caste and community. They therefore sometimes find it difficult to get accommodation in the city.
- i) Sometimes they are sexually harassed by their supervisors, contractors and line masters and they don't have any option rather than leaving the job. They don't have the option of complaining to anyone as nobody listens to them.

### Case Study of a Gurugram (NCR) factory

In the course of a visit to one Gurgaon based factory, there were 9 labour contractors and 10 sub-contractors under whom their entire workforce of workers and supervisors was recruited. Hence, the head of the contractors was almost behaving like the factory manager. The head of contractors would hire workers from the village of Kisanganj district of Bihar and would largely manage rental accommodation, transport and food for majority of the workers. The living conditions of these workers was pathetic, 90% of sewing workers reported that they were working on a fixed piece-rate system without any social security and other benefits. They were forced to work long hours and on Sunday with some of the workers reporting that they worked in excess of overtime hours of more than 150 hours in a month. They would also get a measly salary in some cases of not more than Rs 5000 to Rs. 7000 a month in cash.



# CHAPTER 9

## GENDER BASED VIOLENCE AND RELATED COMPLIANCE

There can be different forms of harassment of women at the workplace and it can include sexual harassment as well as work-related harassment. Women may also face harassment outside their workplace. Given this situation, it is important to understand if factories are providing a safe workplace to women

### 9.1.NUMBER OF PEOPLE WORKING IN A LINE

The average people working in the section vs the average total women in the production line and the ratio of women to total person ratio is given in *Figure 9.1*. The average number of people in the line in Ranchi was only 32 vis-à-vis 295 in Delhi-NCR. The average women in the line in Ranchi was 27 as against 168 in Delhi-NCR. The female to total ratio was 53% in Delhi-NCR vis-à-vis 88% in Ranchi.

As clearly seen in *Table 9.1*, respondents working in Delhi-NCR work in bigger production line although the percentage of women working in those sections is far lower than that of Ranchi. 86% of respondents in Delhi-NCR said that the total number of people working in the line was between

251 and 1500, whereas in Ranchi 92% of respondents said that the total number of persons working in their line was between 1 and 50 persons.

		0-10	11-50	51-100	101-250	251-500	501-1000	1001-1500
Delhi-NCR	Total Number in Section/line	0%	0%	3%	11%	42%	36%	8%
	Total Women in Section/line	0%	4%	12%	39%	26%	20%	
Ranchi	Total Number in Section/line	29%	63%	4%	3%	0%	0%	0%
	Total Women in Section/line	33%	60%	4%	2%	0%	0%	

TABLE 9.1: NUMBER OF PEOPLE WORKING IN THE SECTION

### 9.2.AWARENESS OF SEXUAL HARASSMENT AT WORKPLACE

When we asked respondents if they were aware of what is sexual harassment at workplace, a very low percentage in both locations were able to give a definitive yes as shown in *Figure 9.2*. It appears that in Delhi-NCR, 48% of the respondents were somewhat more aware of sexual harassment as against only 21% of respondents in Ranchi. Taken together with the Yes answer, about 62% of

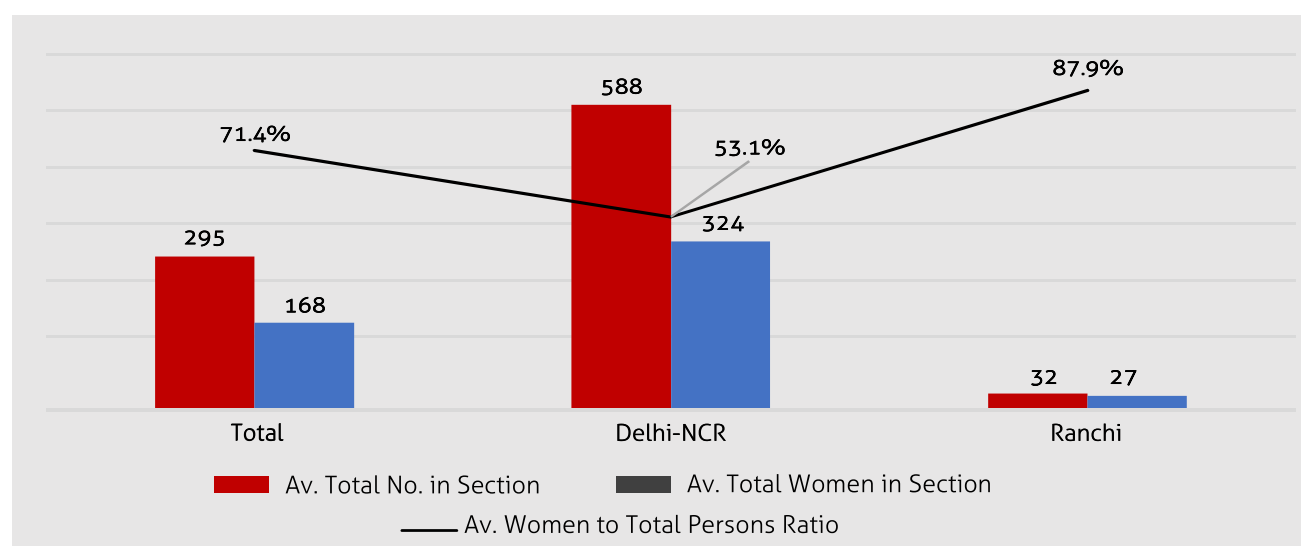
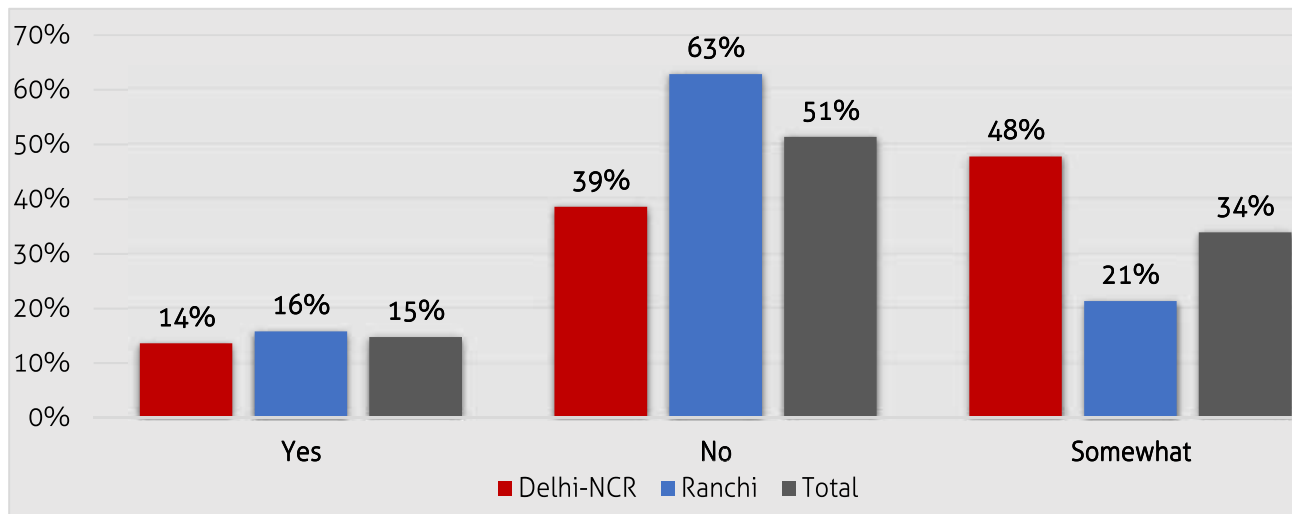


FIGURE 9.1: AVERAGE NUMBER OF PEOPLE WORKING IN THE SECTION/LINE



**FIGURE 9.2: AWARENESS OF SEXUAL HARASSMENT AT WORKPLACE**

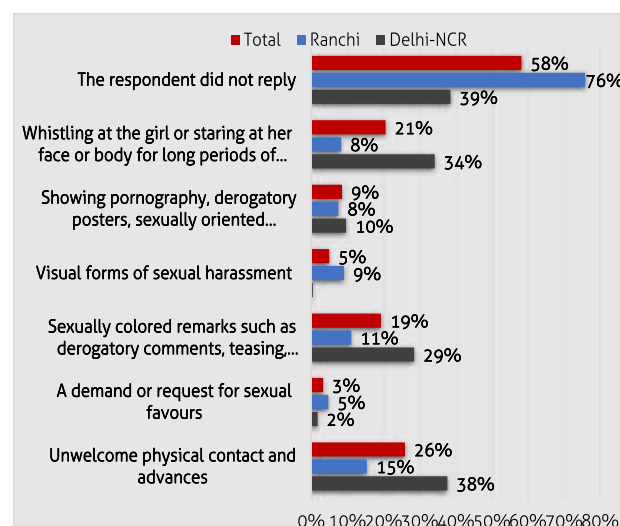
respondents in Delhi-NCR has some inkling of what sexual harassment at workplace is. The corresponding figure for Ranchi is only about 16%.

### 9.3. SEXUAL HARASSMENT AT WORKPLACE- MEANING AND COMPONENT

Spontaneous responses were elicited from the respondents as to what is sexual harassment at workplace. If one looks at *Figure 9.3*, one can clearly see that the non-response percentage among Ranchi respondents is far higher than that of Delhi-NCR respondents. 76% of Ranchi respondents did not reply compared to only 58% of Delhi-NCR respondents.

The respondents in Delhi-NCR cited unwelcome physical contact and advances, whistling at the girl or staring at her face or body for long periods of time or gazing at her body up and down, sexually coloured remarks such as derogatory comments, teasing, jokes commenting about appearance, gender-based comments, inquiries into one's sexual experiences constituting as major forms of sexual harassment. The answers were similar to Ranchi respondents, except the percentage of respondents was far lower. A notable difference was that 9% of respondents in Ranchi specifically mentioned visual forms of sexual harassment.

which is akin to sexual harassment using digital media. This was not mentioned at all by Delhi-NCR respondents.



**FIGURE 9.3: AWARENESS OF FORMS OF SEXUAL HARASSMENT AT WORKPLACE**

### 9.4. HARASSMENT AT THE WORKPLACE

In order to arrive at an assessment of harassment at workplace, a series of questions were asked about if this happened at the workplace either with the respondent themselves or with someone else at the workplace. Some of the questions were related to sexual harassment and some other were related to other types of harassment at workplace. The results are given in *Table 9.2*.

	Delhi-NCR	Ranchi	Total
Someone making unwelcome physical contact and advances such as touching, brushing, pinching or even standing too close	7%	12%	10%
Being targeted with sexually loaded comments or double meaning sentences in your presence	3%	8%	5%
Someone making unwelcome comments on appearance or clothes that you wear	2%	6%	4%
Someone following you while you are going to work or coming back from it	1%	1%	1%
Someone staring at you constantly and moving eyes up and down your body	7%	5%	6%
Someone showing pornography, derogatory posters, sexually oriented drawings, display of suggestive objects or pictures	1%	0%	0%
Someone making a demand or request for sexual favors	4%	1%	2%
Someone cracking sexually loaded jokes and comments in a group loud enough for women to hear	9%	1%	5%
Someone calling you multiple times to discuss something in the room when no one is there and then making small talk	39%	2%	19%
Refusing leave and cutting wages if you report sick	34%	4%	18%
Shouting or needling with the threat of terminating you from work	43%	2%	21%
Making derogatory remarks about caste, religion or the state of the garment worker	7%	1%	4%
Physically intimidating you or threatening to hit you	2%	1%	1%

**TABLE 9.2: HARASSMENT SUFFERED OF DIFFERENT KINDS AT WORKPLACE**

The percentage of respondents that mentioned any type of sexual harassment was less than 10% of respondents in that location. This implies that although the incidence is low, it is although not absent. There may be certain amount of under-reporting of the same as well and that cannot be altogether discounted.

Surprisingly the percentage of Ranchi respondents mentioning incidence of unwelcome physical contact and advances such as touching, brushing, pinching or even standing too close, targeting with sexually loaded comments or double meaning sentences, making unwelcome comments on appearance or clothes was more than that of Delhi-NCR respondents. This, however, correlates very well to the observations recorded by the research team as part of their interactions with the respondents in Ranchi.

On the other hand, the percentage of Delhi-NCR respondents mentioning incidence of staring

constantly and moving eyes up and down your body, making a demand or request for sexual favours, cracking sexually-loaded jokes and comments in a group loud enough for women to hear, was more than that of Ranchi respondents. What stands out prominently among respondents in Delhi-NCR was the incidence of calling one multiple times to discuss something in the room when no one is there and then making small talk, refusing leave and cutting wages if one reports sick and shouting or needling with the threat of terminating you from work. In all these above-mentioned types of harassment, at least a third of Delhi-NCR respondents cited such incidents. While it is not classified as sexual harassment, it is harassment and not the kind wherein women can report to an Internal Committee and ask for relief.

## 9.5.AWARENESS ON PREVENTION OF SEXUAL HARASSMENT LEGISLATION

The awareness of any legislation that pertains to sexual harassment at workplace is woefully low among the respondents. Only 27 respondents, that is 5.61% of total respondents, were aware of any legislation regarding Prevention of Sexual Harassment (PoSH) Act 2013. Of those 27 respondents, only 18 were able to point out the legislation correctly.

All the respondents were then asked certain questions about any training received about sexual harassment or about the presence of the Internal Committee. The results are given in *Table 9.3*. One would recall that almost all the HR managers were categorical in mentioning that they had fulfilled all the requirements of the Prevention of Sexual Harassment (PoSH) at workplace Act 2013. What is more, all of them had an Internal committee and regular trainings were conducted in the factory.

Only 2% of respondents in Delhi-NCR said that they had received any training on prevention of sexual harassment at workplace as against 22% of respondents in Ranchi. Similarly, 20% of respondents in Delhi-NCR replied in the

affirmative to the presence of an Internal Committee (IC) on sexual harassment in the factory which was far lower than 51% of the Ranchi respondents. Of the 45 respondents (20%) in Delhi-NCR who said that there was an Internal Committee, only 6 of them (6%) said that the contact details of the Internal Committee members were communicated to them. In Ranchi, out of the 128 respondents who mentioned the presence of the Internal committee at the workplace, 82 respondents or 64% of the respondents said that the contact details of the Internal Committee were made available to them. However, the number of respondents registering a complaint was extremely low and only 5 persons, 4 in Delhi-NCR and only 1 in Ranchi said that they had registered a complaint for sexual harassment. This number is although low but extremely significant information on cases of women working in formal and first tier of garment suppliers to leading brands.

	Yes (No and % of responses)			Valid Responses		
	Delhi-NCR	Ranchi	Total	Delhi-NCR	Ranchi	Total
Have you received any training on prevention of Sexual Harassment at workplace	2% (4)	22% (56)	12% (60)	228	253	481
Does an Internal Committee on Sexual Harassment exist in the factory?	20% (45)	51% (128)	36% (173)	228	253	481
If yes, are the contact details of the IC members communicated to you?	13% (6)	64% (82)	51% (88)	45	128	173
Have you ever registered a complaint for sexual harassment?	2% (4)	0% (1)	1% (5)	228	253	481

**TABLE 9.3: RESPONDENT ASSESSMENT OF PoSH IMPLEMENTATION**

## 9.6. IMPLEMENTATION OF PoSH ACT IN FACTORIES: A MANAGEMENT PERSPECTIVE

As part of the interviews with HR managers in both Ranchi and Delhi-NCR, we asked management about the implementation of the Prevention of Sexual Harassment (PoSH) Act 2013, requirements at workplace. In general, the managers quoted a high degree of compliance with the provisions and

absence of sexual harassment at their workplaces. Given the results in the sections above, it seems there is a high difference between the version given by the workers and that given by the management. The total absence of sexual harassment at workplace is apparently not supported based on the responses given by workers. Nevertheless, we present the responses given by the various HR managers on the implementation of the Act in their factories.

### HR Managers in Delhi-NCR

We have implemented the PoSH Act through ICC Committee. We also hired a third-party NGO member as part of the IC Committee. We also conduct quarterly training programme to make them aware about their rights.

We have implemented PoSH through Internal committee (IC) and we have third party involvement too. We have hired an NGO as well. Quarterly training is also organised by the factory.

There is an IC which works according to the rules and regulations recommended. An NGO has been hired which conducts an audit as well. We also conduct training every 2 months. We have implemented PoSH through the IC Committee. We have one advocate as a member and our merchandising manager is the head of the IC Committee. We have hired 2-3 NGOs too. We also regularly conduct meetings, workshops, awareness programmes through IC member and police personnel at regular intervals of time.

### Sexual Harassment related Grievance Redressal Mechanism in Factories

**Factory 1:** The factory has the system in place. We have a committee for the same. Complaint boxes are installed which are opened by the committee members on weekly basis. We also have a suggestion box which can be used by the workers to raise their grievance. Till now, the factory has not received any complaints in this regard.

The company understand the need of women at workplace and has deputed a welfare officer to investigate their issues.

**Factory 2:** The factory has the system in place. A committee has been constituted in this regard. No complaints have however been registered till date.

**Factory 3:** The factory has the system in place. A seven member committee has been constituted in this regard. No complaints have however been registered till date.

## 9.7.OTHER FORMS OF HARASSMENT

In order to understand whether migrant workers were facing any other forms of harassment in places apart from their workplace, questions were asked about discrimination or harassment in their living spaces. Results are given in *Table 9.4*.

It is noteworthy that unfortunately 18% of the respondents in Delhi-NCR listed caste and/or religion- based discrimination. Equally of concerns the geographic origin- based harassment with 36% of respondents in Delhi-NCR citing the same. The respondents in Ranchi did not list any such harassment. This was probably because Ranchi has mostly people from within the state of Jharkhand (intra-state migrant workers), while migrants in Delhi-NCR, are from outside the state (inter-state migrant workers). Therefore, there are potential vulnerability factors leading to discrimination, targeted comments and exclusion

	Delhi-NCR	Ranchi	Total
Any kind of sexual harassment or teasing	1%	5%	3%
Any kind of discrimination faced due to caste or religion	18%	1%	9%
Any kind of discrimination faced due to geographical identity	36%	0%	17%
None of the above	53%	83%	69%

**TABLE 9.4: OTHER FORMS OF HARASSMENT**

## 9.8.AWARENESS OF LEGISLATION

The awareness of legislation relating to prevention of sexual harassment at workplace was very low among respondents. The situation was not much better regarding awareness of other legislation regarding Factories Act 1948, Maternity Benefit (Amendment) Act 2017, Contract Labour (Regulation and Abolition) Act 1970 and Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979<sup>1</sup>. The results are given in Table 9.5. Some of the respondents, that is 12% were aware of the presence of a law that pertains to violence against women though they might not be able to recall the name of the Act. For the rest of the laws, the knowledge of respondents in Delhi-NCR was nil, although respondents in Ranchi were just about marginally better. Only 16% of the migrants in Delhi-NCR reported receiving a migrant passbook whereas this figure was 93% for Ranchi residents.

	Delhi-NCR	Ranchi	Total
Are you aware of any law that protects women from violence perpetrated against them	12%	12%	12%
Factories Act	0%	6%	3%
Maternity Benefit Act	0%	8%	4%
Contract Labor Act	0%	1%	0%
Interstate Migrant Workmen Act	1%	1%	1%

**TABLE 9.5: RESPONDENT AWARENESS OF LEGISLATION**



<sup>1</sup>. The Interstate Migrant Workers (Regulation of Employment and Conditions of Service) Amendment Bill, <sup>2011</sup> is proposed to make this Act gender neutral by amending its title and replacing the word 'workman and workmen' by the words 'worker and workers' respectively



# CHAPTER 10

## LIVING CONDITIONS

The living conditions of migrant families is an important aspect of understanding migrants' living conditions. This is because it is important that the terms and conditions at the workplace also translate into a life of dignity outside their workplace. While we have looked at some of the workplace conditions, we have also tried to understand the constraints and conditions of their family life.

### 10.1.FAMILY

The average size of the family in the village sharing a common Chulha of Delhi-NCR respondents is 16 while that of Ranchi respondents is only 6. On the other hand, for Delhi-NCR respondents, the average size of the family living in the city is of 5 members. As we recall, majority of the respondents in Delhi-NCR were married, In Ranchi, 223 of the 253 respondents were living alone without their family . The corresponding figure of single persons living alone by themselves among Delhi-NCR respondents was only 65 respondents and thus constituted only 28% of total respondents in Delhi-NCR.

Only 9 respondents, or 4% of total respondents in Ranchi reported having children while in Delhi-NCR, 152 respondents, or 66.7% of respondents had children. The average number of children each family in Delhi-NCR had was 4 although the average number of children who stayed with them is only 3.5 per family. This implied that almost 12% of migrants choose to leave their children back in the village. 88% of the respondents in Delhi-NCR said that the children were studying in government schools, 5% in the private school and another 4% in government aided schools (*Figure 10.1*). The high percentage of children studying in government schools or government aided schools shows that parents may not be able to afford the cost of education in private schools.

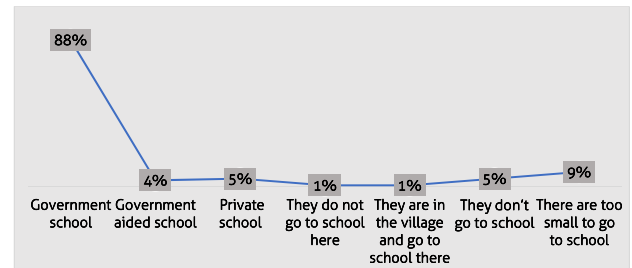


FIGURE 10.1: EDUCATIONAL AVENUES FOR DELHI-NCR RESPONDENT CHILDREN

### 10.2.ACCOMMODATION

None of the respondents have said that they live in their own accommodation. As shown in *Figure 10.2*, 87% of respondents in Delhi-NCR live in rented accommodation compared to 69% of respondents based in Ranchi. In Ranchi, 31% of respondents live in hostels. Within hostels as well, respondents in Ranchi seem to prefer private hostels compared to employer hostels. The reasons for living in private hostels as compared to company hostels have already been explained in detail. A very small percentage of respondents of Delhi-NCR, that is 13% live in hostels.

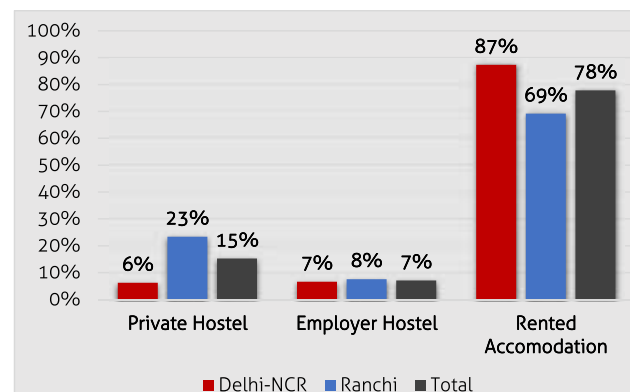


FIGURE 10.2: ACCOMMODATION

Further, as evident from *Figure 10.3*, 85% of Ranchi respondents were sharing it with other workers as compared to 26% of Delhi-NCR respondents. 71% of Delhi-NCR respondents were sharing it with family members but were otherwise living exclusively in rented accommodation. 59 respondents (26%) in

Delhi-NCR were sharing accommodation with other workers which included 30 members in rented accommodation and another 29 were living in hostels. In case of Ranchi, there were 14% respondents who were living in hostels but with family members. Of the 175 respondents who were living in rented accommodation, 152 of them were sharing it with other workers.

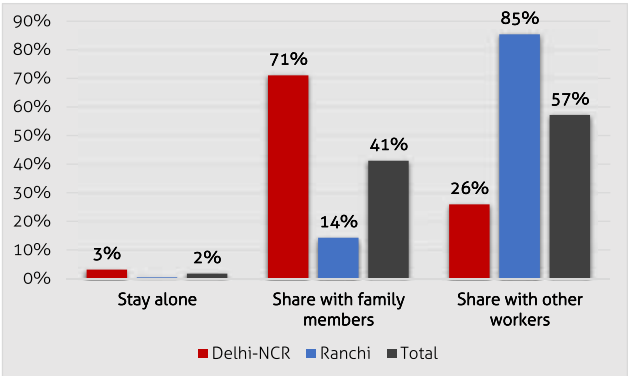


FIGURE 10.3: SHARING OF ACCOMMODATION

In Delhi NCR, although the number of people who are staying with other workers is only 59, they are more tightly packed together. One respondent remarked that she was staying with 30 other persons. Even if that figure is not included in the calculation, the average count for persons living together in Delhi-NCR was 7. The average number of people living together for Ranchi respondents was 5 members based on the responses from 216 members who said they were living with other members. This meant that housing was far more cramped for Delhi-NCR respondents.

The respondents were also asked about the overall size of the accommodation. Based on that data and the number of people staying together, it was possible to find out the average living space per

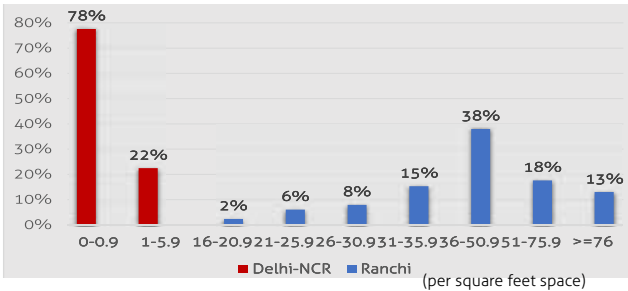


FIGURE 10.4: AVERAGE SPACE PER PERSON LIVING WITH OTHER WORKERS

person living in shared accommodation. The same is presented in *Figure 10.4*. It appears that residents in Delhi-NCR were living in really cramped conditions given that 78% did not even have private space of 1 square foot. In contrast, respondents in Ranchi appeared to be far better since 69% of them at least had private space of at least 6X6 feet. Even if one goes by some amount of under reporting, living conditions in Delhi-NCR seem to be very unhealthy.

### 10.3.TOILET FACILITIES

Around 214 people in Delhi-NCR and 248 respondents in Ranchi reported using a shared toilet. This constituted 94% of the respondents in Delhi-NCR and 98% of respondents in Ranchi (*Table 10.1*). It was found that on an average, a Delhi-NCR respondent was sharing a single toilet with 27 other people while in Ranchi, the average number of people sharing a toilet was 8.

	Individual	Shared with other people/families	Toilet facility is not available
Delhi-NCR	6%	94%	0%
Ranchi	1%	98%	1%
Total	4%	96%	0%

TABLE 10.1: TOILET FACILITIES

### 10.4.LIVING CONDITIONS

Since bulk of the respondents in Delhi-NCR region were living in family accommodation, it may seem that access to civic amenities was relatively better given the responses in *Figure 10.5*. Except for separate kitchen within dwelling unit, majority of the respondents in Delhi-NCR appear to have better amenities than for respondents

in Ranchi. 45% of respondents based in Delhi-NCR however cite the presence of open drains near their house. Since bulk of the respondents in Ranchi were living in hostels, they do not have garbage collection facilities and the quality of hostels was not be very good.

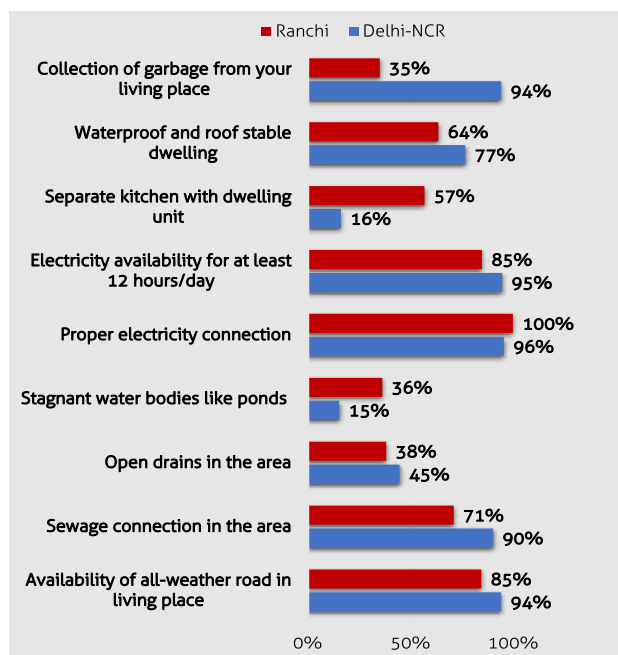


FIGURE 10.5: LIVING CONDITION

## 10.5.ACCESS TO SAFE DRINKING WATER

Table 10.2, Table 10.3 and Table 10.4 somewhat give an indication of water access including bathing facilities. It appears that in both locations, the water tap connection for washing dishes and clothes is shared. Similarly, the bathing unit is largely shared among many residents. This means that migrant workers are staying in shanty like accommodation in Delhi-NCR. This may also be partly true for Ranchi respondents who are living in rented accommodation.

Almost 56% of Delhi-NCR respondents said that they depended on bottled water for drinking and only the balance 44% said that they used a tap for potable water. In contrast, only 2% of respondents depend on bottled water for drinking, while 68% of the Ranchi respondents depended on tap water and the balance 25% of respondents

	Individual	Shared
Delhi-NCR	8%	92%
Ranchi	2%	95%
Total	5%	94%

TABLE 10.2: WATER TAP CONNECTION FOR WASHING DISHES AND CLOTHES

on hand pump. This means that Ranchi respondents did not spend extra on procuring water which however was a necessity among Delhi-NCR respondents.

	Individual	Shared
Delhi-NCR	7%	93%
Ranchi	2%	97%
Total	5%	95%

TABLE 10.3: BATHING UNIT

	Tap	Handpump	Bottled water	Any other
Delhi-NCR	41%	1%	56%	2%
Ranchi	68%	25%	2%	4%
Total	56%	14%	28%	3%

TABLE 10.4: DRINKING WATER SOURCE

## 10.6.IDENTITY DOCUMENTS

98% of the respondents from both Delhi and Ranchi had an Aadhar card. However, 64% of Delhi respondents said it was updated with their current address. In contrast, only 2% of respondents in Ranchi said that they had the address on Aadhar card updated with their current address of working and living. This was probably expected since for Ranchi respondents who continue to have links to their village in the same state, they do not have the necessity of changing the address.

As noted in the findings in Chapter 8, respondents in Delhi-NCR struggle to get a ration card. Estimates given in Table 10.5, indicate that 93% of residents in Delhi-NCR do not have a ration card. This was one of the major problems faced by respondents in Delhi-NCR as noted earlier.

	APL	BPL	Antodaya	I do not have ration card	Others
Delhi-NCR	0%	5%	1%	93%	1%
Ranchi	8%	58%	24%	10%	0%
Total	4%	33%	13%	49%	1%

TABLE 10.5: RATION CARD

## 10.7.FINANCIAL INCLUSION

Nearly all the respondents across Delhi-NCR and Ranchi have a bank account as seen in Table 10.6. 94% of the respondents in Delhi-NCR have it majorly only in the city whereas 62% of respondents in Ranchi have a bank account both in the city of Ranchi and in their village of origin. A lower percentage of Delhi-NCR respondents seem to deposit and withdraw money compared to Ranchi respondents. Nevertheless, respondents seem to be fairly financially literate although there may be a small percentage which may not be using banking facilities especially in Delhi-NCR.

	Yes, have a Bank Account	In the village	In the city	Both in the city and the village	Deposit Money- Yes	Withdraw money	Recipient of Government DBT
Delhi-NCR	95%	2%	94%	3%	68%	79%	3%
Ranchi	99%	6%	31%	62%	73%	96%	9%
Total	97%	5%	61%	35%	71%	88%	6%

TABLE 10.6: BANK ACCOUNT

## 10.8.DIGITAL INCLUSION

The level of digital inclusion or more appropriately mobile inclusion was high at both locations since 99% of Delhi respondents had a mobile phone and so did 98% of Ranchi respondents. However, the use of the mobile phone differed among the respondents at both locations. As evident from Table 10.7, Only 15% of Delhi-NCR respondents were making video calls against 54% of Ranchi respondents. The usage of WhatsApp too was much lower among Delhi-NCR respondents as compared to respondents in Ranchi. This implied that far more respondents in Ranchi had access to a smartphone whereas in Delhi-NCR residents, the ownership of a smartphone was comparatively lower.

	Delhi-NCR	Ranchi	Total
Make and receive voice calls to the village	100%	100%	100%
Make and receive video calls to the village	15%	54%	35%
Use for WhatsApp	25%	56%	41%
Use for Facebook	3%	3%	3%
Use for sending and receiving money	0%	1%	1%

TABLE 10.7: MOBILE PHONE

## 10.9.EARNING POTENTIAL AND FINANCIAL AUTONOMY

Most of the respondents appeared to be the only earning members of their family in both the places. Only 145 respondents reported having husbands as other earning members of their family. In Delhi-NCR, 138 respondents are stationed there i and they constitute 60% of the Delhi-NCR respondents. Total number of responses listing other relatives as earning members were very few. In Ranchi, however, 41 respondents listed their friends and co-workers who were living with them as earning members who contributed to the running of the household.

The fact that these women were earning members should ideally result in a high level of economic empowerment and ability to take financial decisions. Figure 10.6 shows that 72% respondents in Delhi-NCR have a far greater degree of autonomy in making financial decisions of what to spend and where to spend either alone or jointly with their spouse made decisions on spending. The corresponding figure for respondents in Ranchi was only 26%. In fact, 60% of the Ranchi respondents said that it was the elders in the family who were making the financial decisions in the family.

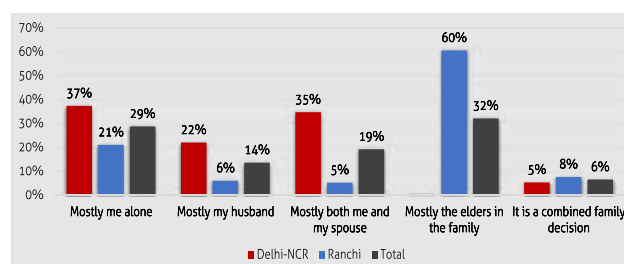


FIGURE 10.6: FINANCIAL AUTONOMY

## 10.10.DIRECTION OF EXPENSES

Figures 10.7 to 10.15 give the breakup of expenses for both Ranchi and Delhi-NCR. These figures are indicative since there may be substantial number of cases where respondents have not given their response. For a complete analysis, all the categories under Did Not Reply category has been included although the non-applicable category has been removed in the analysis.

We find that in all categories of expenses, the expenses of Delhi-NCR respondents is far more than that of the Ranchi respondents. Consequently, saving was far lower for Delhi-NCR respondents.

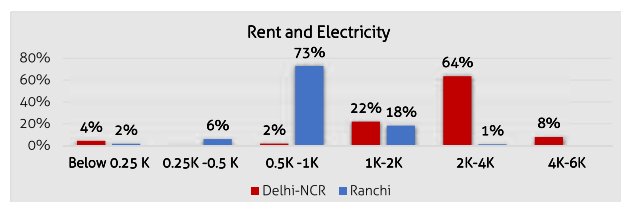


FIGURE 10.7: RENT AND ELECTRICITY

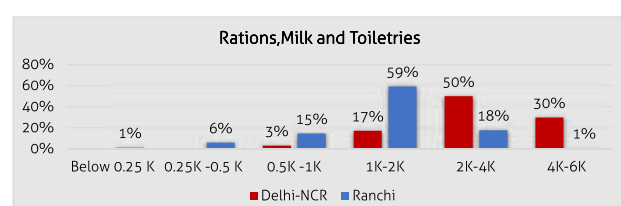


FIGURE 10.8: RATIONS, MILK AND TOILETRIES

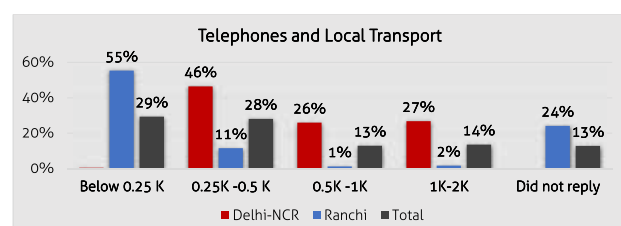


FIGURE 10.9: TELEPHONES AND LOCAL TRANSPORT

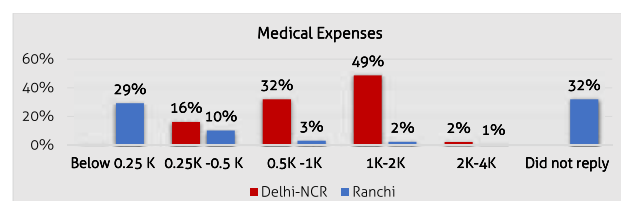


FIGURE 10.10: MEDICAL EXPENSES

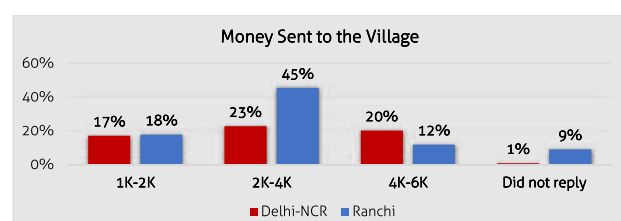


FIGURE 10.11: MONEY SENT TO VILLAGE

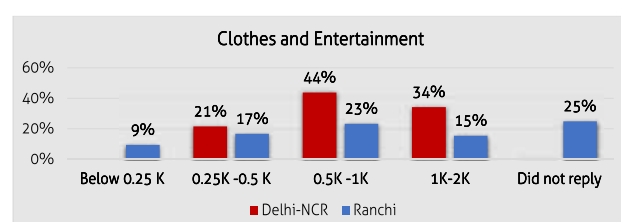


FIGURE 10.12: CLOTHES AND ENTERTAINMENT

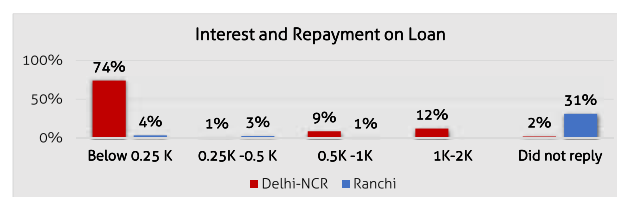


FIGURE 10.13: INTEREST AND REPAYMENT ON LOAN

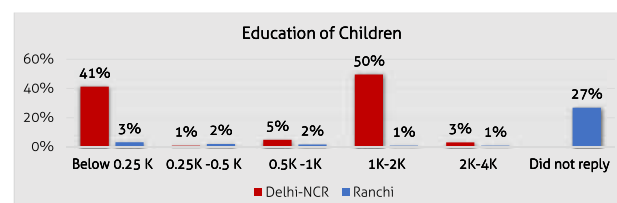


FIGURE 10.14: EDUCATION OF CHILDREN

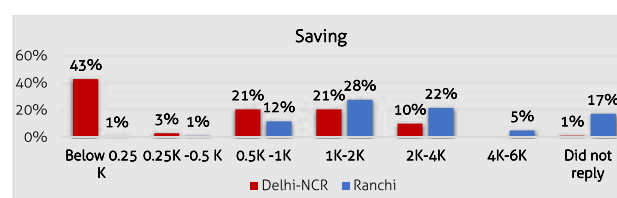


FIGURE 10.15: SAVING

Based on the above categories, the midpoint of each category was taken and accordingly the average expense in each of the heads was worked out separately for both Delhi-NCR respondents and Ranchi respondents. In general, the average total expense across both locations was Rs 9927. The average expense for Ranchi respondents was however only Rs 7217 per month while for Delhi-NCR respondents, the average total expense was Rs 12934. The average expenses of each category has also been shown in *Figure 10.16*.

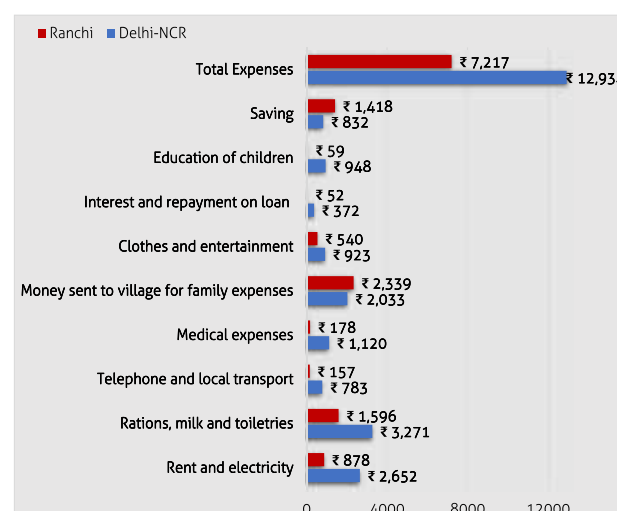


FIGURE 10.16: AVERAGE LEVEL OF EXPENSES



It is evident that in each of the heads, the expense of Delhi-NCR respondents is more than that of respondents in Ranchi. This leads to lower level of saving for them. There may be a possible push factor to do more overtime work by Delhi-NCR respondents simply to meet their basic expenses, though there are other reasons for overtime work as observed in point 6.6

## 10.11.SATISFACTION WITH MIGRATION

It was important to assess the overall levels of satisfaction with migration. Respondents were asked to rate their assessment of certain parameters of living in the city with respect to the village; same or worse than the village. The assessment for Delhi-NCR respondents is given in *Figure 10.17* while that of Ranchi respondents is given in *Figure 10.18*.

For Delhi-NCR residents, the satisfaction levels are highest for medical facilities for family and educational facilities for children. It was found that 91% of respondents in Delhi-NCR went to government hospitals when they were sick. Living conditions are better for 44% of the respondents but about 45% said they were worse than that in the village. 50% of respondents said that the level of household expenses was worse than that of the village. So far as the ability to save was concerned, 54% maintained it was better, another 21% said it was the same and another 24% said it was worse. 45% of the respondents said that the ability to repay debt was better. Based on the reading from satisfaction index and the analysis of the expense pattern of the Delhi-NCR residents, it appears that

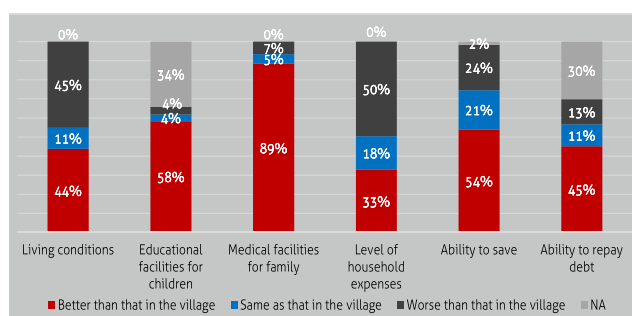


FIGURE 10.17: SATISFACTION LEVEL OF RESPONDENTS-DELHI-NCR

if the income levels went up, their level of satisfaction would undoubtedly improve. Even if they were paid overtime at double rates, it would improve their living standards and allow them to live their life with far more dignity.

As far as Ranchi residents were concerned, their satisfaction level was lower than that of Delhi-NCR respondents. Only 43% said that living conditions were better while 49% reported no change in living conditions. Educational facilities were for the most part non-applicable since they did not have children. Only 38% said medical facilities were better, while another 56% said that there was no change. It was found that a large percentage that is 82% went to private clinics when they fell ill. This is probably due to lack of good government medical facilities. 55% of the respondents said that household expenses were the same as in the village while 34% said it was worse than that in the village. Only 24% said that the ability to save had improved while another 44% said that there was no change. The apparent reading of this analysis that respondents in Ranchi felt that their life had improved only marginally and for the most part, conditions were the same as they were in the village. In fact, in terms of household expenses and ability to save, a sizeable number felt that they were worse in the city as compared to that of the village. These results correlate very well to the demand for free hostels and increase in salary and more promotion avenues.

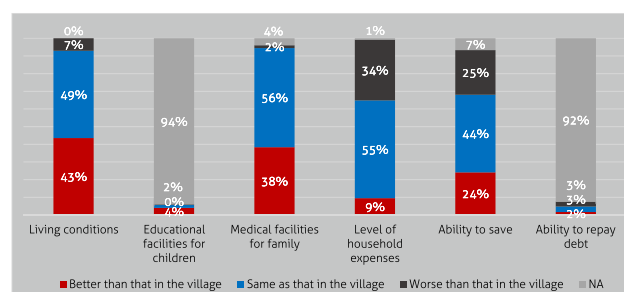


FIGURE 10.18: SATISFACTION LEVEL OF RESPONDENTS- RANCHI

# CHAPTER 11

## MIGRATION AND THE READY-MADE GARMENT INDUSTRY

Migration has various aspects to it and therefore it is imperative that some independent views are also explored with regard to the overall issue of migration and with special reference to the Ready Made Garment (RMG) industry. The purpose was to understand the gaps that need to be addressed by government and industry to ensure safe and dignified migration.

It appears that the garment industry was set up in Jharkhand as a face-saving exercise after the failure of Momentum Jharkhand. The skill missions have apparently managed to create dedicated skilled human resources to cater to this sector but it may be too early to predict the direction in which the industry will move in the State. In recent times, more RMG factories have announced setting up of units in the State. Obviously with the industry growing, there are quite a few implications that need to be addressed.

### 11.1. WOMEN PARTICIPATION IN THE INDUSTRY IN RANCHI

- **Reasons of High Female Participation:** The industry has been more female oriented and this has many reasons. The industry globally is dominated by women on the production side. It was easier to manage women as compared to men. As a stakeholder said *"Women generally shy away from confrontation in public set-up, are not very active in forming or being part of trade unions"*.
- Skill based job placement opportunity in RMG sector becomes very attractive option for women, where educational qualification requirement is not very high.
- The other significant reason is that under the Deen Dayal Upadhyaya- Grameen Kaushalya Yojana (DDU-GKY) programme, Partner Implementing Agencies (PIA) had a

preference to mobilise women candidates for the garment industry.

**Implications for the Industry:** The high female participation obviously leads to some pertinent implications for the industry. Some of the key requirements that stakeholder mentioned as being imperative for the industry include the following:

- Lack of healthy industry practices in providing the much needed health and insurance facilities, safe work environment and good working conditions.
- Absence of adequate measures and processes to prevent sexual harassment at workplace
- No checks and balances to prevent women from being overly pressured to meet production targets often at the cost of their mental and physical health
- Lack of suitable career development policies for recognition, morale building, increments and promotions.
- Not enough women at higher supervisor and managerial levels which can lead to gender sensitive work supervision and will help prevent cases of sexual harassment. Most supervisory positions are held by men who are not formally trained for managing a female workforce, its specific needs and the need to take steps towards a safe workplace for women

However, the major area of concern relates to the lack of accommodation. The lack of good factory based accommodation forces the women to find accommodation in private lodges which are not registered and may be devoid of basic hygiene facilities. It also exposes them to hostile and unsafe living arrangements.

A pertinent point was also raised by a skill development industry representative quoting the case of factories in South India where the entire workforce in RMG factories was of females.

They therefore made arrangements for accommodation inside the campuses which was not happening in Jharkhand. One of the NGO representative said that *"I have seen companies which follow all labour related legal process on pen and paper and cosmetically put everything in order but in reality, the story is different. I strongly doubt that barring few big names in RMG sector, most of the factories fail to even provide basic entitlements to the women working in the factories or not"*

**Implications for Government:** The stakeholders felt that the government has been largely focused on skilling the migrant females but has not worked in parallel to ensure coordination with the labor department to get them registered as migrant workers. This is especially important when they are placed outside the state. As one stakeholder remarked, "The skill mission has failed to keep the labor department in loop in its training and placement programme". This hampers the security of women workers when they move out of the state and also affects their access to labour rights and entitlements.

**Implications for Migrant workers:** Owing to the industry being subject to the travails of demand and supply, there would be high pressure on the workers specially in situations of high demand. This would lead to a lot of challenges for women who have to balance both work and family. This therefore limits the maximum retention for only 3 to 4 years since once they get married, they leave their job. Further because the females want to live near their homes, their mobility to other cities is limited. This affects their growth. Often their parents call them back home and do not allow them to work again.

On the positive side, these women now have alternative means of employment and opportunities to work. It has contributed to raising the aspiration level for women especially because work in garment factories is generally seen as dignified for women with some level of education. It also gives them far more independence.

## 11.2.ENSURING SAFE MIGRATION -RANCHI

Most stakeholders held that there were no formal systems in place to ensure safe migration of women. Women who migrate had to rely on their relatives, friends or agents with whom she is migrating. Many a times the migrating women has someone in the city where she can take shelter but all these are informal arrangements. In RMG industry, since the skill required is technical, women who migrate still have some prior knowledge or link with the factory, be it their peers or through training institutions and hence there is some safety. But this by itself does not guarantee safe migration. Though the labour department also has a system of registration of migrant workers but focus on migrant workers working in RMG sector is missing. The problem gets compounded if the females are being placed in states other than Jharkhand due to the lack of coordination between the skill mission and labour departments.

In the context of RMG sector in Jharkhand, all the recruitment in factories is primarily through the training agencies which is documented, tracked and thus safe since movements can be monitored. Nevertheless, as another stakeholder puts it, the girls who are getting absorbed in the jobs are very young and mostly in the 18-22-year-old age

### Recent initiative by the Women & Child Development (WCD) department, Jharkhand for the inter-state migrant workers

The department has setup two centres for support of migrant worker, one in Ranchi and other in Delhi-NCR. Both the centres is run by one of the civil society organization. The role of the center includes the rescue of migrant workers, if they have been trafficked and providing temporary shelter, till the rescued person is restored to their family. They are also supposed to provide counseling support.

bracket. That, and their educational qualification being around 10th pass makes them quite vulnerable to exploitation as their awareness and understanding of their rights and entitlements is pretty low. Further, at the moment, there are very few agencies and Civil Society Organisation(CSOs) working to protect their rights

### **Registered Recruitment Agency to ensure Safe Migration in Ranchi: Systems and Procedures**

The system for registered recruitment agency involves teams visiting various industries, analysing the factory standards, HR policies, facilities for women etc. before tying up with them. After they found the factory complying with the norms (set by them and the government), only then they reach an agreement with them to provide them with workforce. Once the trainees complete their training, a meeting is arranged with the parents of the trainees to inform them about the job, its location, etc, after which consent is taken. The list of these trainees is given to the District Collectorate Office to get a formal letter issued to \_register as per Inter- State migrant act before migrating to other state. The team from agency accompanies these trainees to the factories, remains there for four to five days to see that the trainees are settled there. One of the skill training agencies has also set up a Migration Support Centre in Tirupur with two permanent staff. The staff regularly visit the factories, keep contact with the migrants over mobile phone to provide them with support as required.

The government apparently is also trying to come up with a system of a Migration Support Centre to cater to the need of the migrating persons. The support centres will align with the factories to place the workers when they migrate, provide them with financial literacy, help them in getting accommodation, gas connections, etc.

These centres will have a counsellor to help the migrants. The system has not become operational still due to the paucity of funds.

### **Need for Registration of Agents and Labour Recruiters:**

While some stakeholders had no idea of the same, some stakeholders said that though the labour department has a system of registering labor contractors/agents, it is virtually defunct. There is very little role for agent in the RMG sector but it is quite prevalent in the unorganised sector. Most of the labour contractors working in Jharkhand are not registered with the labour department. The nexus of private unregistered labour contractors working in the state is strong and powerful. They operate with opaqueness and law enforcement machinery has no control over them. Further though the government has a provision and dedicated department and people to check registration, papers and compliances with all required acts such as interstate migrants act. Yet, the system appears to be defunct. The labour department representative agreed that due to the paucity of staff, they are unable to function effectively.

It also appears that there are a lot of bogus agencies in the name of PIA who have sprung up in the business of training and placement. This has been largely due to near to impossible compliance standards of National Skill Development Corporation (NSDC) for accreditation for becoming a PIA. This has created a space for corrupt practices, wherein a nexus of agencies has emerged who indulge in corrupt practices pertaining to training and job placement.

One of the government registered agency's representative in fact had to say that, "*When our trainees are placed outside the State, no identity cards from the government are issued. As a mechanism to ensure safety, with the help of District Collectorate, we get a letter issued in three copies for the persons who are migrating. One copy remains at the district level, other at our office and one with the agency who takes the trainees to other states for placement.*"

### Services that need to be provided by the labour department

- Registration with labour department, either independently (Red Card) or through registered labour contractor (Green Card). This helps the registered worker in accessing all the benefits provisioned under Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
- The department also provides support and benefit to unregistered workers. In case of unregistered workers, process of verification and scrutiny is required after which the worker's family gets benefit, though the kind of support is less than that for registered workers
- Labour department, through District Commissioners, in each of districts of the state conducts labour survey for identifying migrant labour
- The department has Shramik Mitra working at Panchayat level for facilitating process of registration of migrant workers
- The department has toll free helpline phone number for addressing complaints of migrant worker. The toll free number is "18003456526"
- The department also acts on written complaint received from complainants

**Improvements in the Training Eco-system:** There was near agreement among stakeholders on the fact that most of the females in the RMG sector are matric and inter pass from the semi- rural/ urban areas. Skill development mission of the respective state government ensure training cum placement facilities to the workers in this sector. These trainings are organized by PIAs who are contracted/empanelled under skill development mission.

These Partner Implementing Agencies (PIAs) are also tasked with the responsibility of arranging job placement for trained workers and also in ensuring that they are retained for at least 3 months in the job. During induction in the job, representatives of PIAs travel along with the trained candidates to the job site and facilitate induction in the factories for few days. All these arrangements have been specifically made to facilitate integration of workers in RMG sector. However, although the representatives feel that the trainings provided under the skill development mission of the government are mostly in tune with the industry needs, it needs improvement. The training that is being provided at the moment is very basic and suited for entry level jobs in RMG sector and gives jobs in the unskilled grade. These training are as per Qualification Packs (QP) & National Occupation Standard (NOS) norms are defined under the skill development mission.

**Lack of data and monitoring support:** There was near unanimous agreement among all stakeholders that there was no process to check and verify recruitment processes by factories. Neither was there any work done on migration and migrant workers in an organised manner. Jharkhand did not have any data or mechanism to track the extent of migration and even civil society work on this issue is very minimal. The labour department is supposed to take action in this regard but their role gets limited to migrant workers who are working in different states as the "Inter-State Migrant Workers (Regulation of Employment and Conditions of Service) Act, 1979" and not to intra state migrant workers.

**Government Measures for Safe Migration:** Quite a few suggestions came from stakeholders as to what government should do to ensure safe migration. They include the following:

- a) Government should come out with a policy that makes it mandatory for companies to employ a person for at least a year unless the worker voluntarily relinquishes the job



- b) The government should build a credible system, which creates a database on migrant workers covering both seasonal as well as long term migration that is updated at regular intervals. A system should be developed at the panchayat level, where data of all the migrants of the panchayat needs to be maintained
- c) Implement Inter-State Migrant Workers Act 1979 in its true sense. The labour department should be made more active in this context. Migration support centres of government should be established.
- d) CSO's should also actively engage with government on the issue of migration
- e) The government should ensure that awareness is built in villages regarding migration. This is very important because currently people are not aware about the implications of migration.
- f) Government should ensure that their policy for RMG should contain clauses for career progression.
- g) It should ensure that residential model of production (for women) is adopted by the factories.
- h) When the factories are recruiting trained youth, they should be treated as skilled workers
- i) Government through its labour department should also initiate registration of workers at PIA training premises after completion of training course. This will help PIA in taking placed such registered female candidates outside the state for job placement. Otherwise, PIAs have to face lot of unwarranted scrutiny and harassment at the hands of law enforcement agencies.

### **Ready Made Garment Factory Measures for Safe Migration**

Some of the suggestions made by key stakeholders interviewed include the following:

- a) Factories should provide accommodation facilities to women workers which are affordable.
- b) The factories on their own or as a CSR activity should impart life skills training to the workers and converge their efforts with agencies like health department or independent private or not-for-profit organisations, especially those focused on gender work, for the well-being of the female workers
- c) Factories may consider health clinics, including mobile medical units, as part of their CSR
- d) Factories should be open to hiring married women, which at the moment does not seem to be happening.
- e) Pick-up and drop facilities should be provided to all workers, especially to those who work at night shifts. The factories should implement an emergency helpline for prompt support in case any distress call. They should also coordinate with law enforcement agencies so that security of females during travel to home and factories could be ensured
- f) Owners should ensure implementation of PoSH guidelines and efforts should be made to enforce it in letter and spirit.
- g) Factories should make policies for career growth of female workers, who are talented and enterprising.
- h) In the senior management, especially at supervisor level, factories should hire more female workers.

### 11.3.ENSURING SAFE MIGRATION -DELHI-NCR

There were some interactions with some of the industry stakeholders but responses on the issue of migration were mixed with some stakeholders were not able to say conclusively whether unsafe migration was happening or not. However, some others were quite vocal in saying that there is rampant unsafe migration happening in Delhi-NCR because of the factory and contractor nexus. In Delhi-NCR the migrant workers are treated at par with local workers so there are no separate protocols. However, certain suggestions did come forward which included the following:

- a) Urgent need for transparent protocols for engagement of migrant workers
- b) Need to work on the policy framework for workers with a need to change/update some of the rules and regulations according to current scenario of the garment industry.
- c) Ensuring that workers get all applicable social security benefits.
- d) Workers should be made aware of each and every rule that relate to hiring and employment of labour, Interstate Migrant Workmen Act 1979, Prevention of Sexual Harassment (PoSH) Act 2013, Factories Act 1948, Contract Labour Act 1970 etc.



- e) Compulsory registration of contractors, mechanism for monitoring status of recruitments through contractors and registration of such migrant workers
- f) Ensuring that the workers employed through contractors get an appointment letter, their full payment on time, preferably through bank transfers
- g) The rampant use of home based workers which frees factories from their responsibilities. This needs to be curbed.
- h) Lack of documentation of migrant workers is a major gap and the labour department needs to develop mechanisms for addressing this requirement
- i) Support centers to help migrant workers avail of basic benefits due to them from government
- j) Training schemes to make workers more skilled and improve their negotiating position.



# CHAPTER 12

## POLICY CONCLUSIONS AND RECOMMENDATIONS

The whole purpose of this report was to come out with robust evidence for evolving policy recommendations for all key stakeholders which include government, businesses, CSOs Recruiters, Labour Organisations, academia and research agencies.

Based on the findings of the report, here are some policy recommendations for different stakeholders having some sort of ownership on migration and the lives and working conditions of migrant workers

### Key Findings

- Poverty, hardship and lack of earning opportunities are the primarily driving forces for migration for these women
- The women also migrate due to poverty, marriage, peer or family pressure or at times encouraged by a skill development centre set up by government
- The employment often involves going through agent contracted by garment factories. They act as middle men and a recruiting channel. They also sometimes perform the role of third-party employer, in which case the wages and benefits are low, with high possibility of economic or social exploitation
- Unregulated overtime work is common and payment for such overtime work is less than the amount stipulated under law
- There are restrictions on the frequency of use of toilets at workplace by employing various mechanisms and even inadequate provisions of toilets in some cases, which can cause health related issues
- Women work for long hours, get less number of leaves, face unrealistic deadlines, get low wages and rarely move up in career

- The women workers in these factories face occupational health problems especially ophthalmological, respiratory problems, joints or muscular ailments and mental health
- Low awareness of both workers and communities on legal statutes and laws in India governing factory employment, safety, health, social protection and safe migration
- Many women have low awareness or understanding about sexual harassment and the regulations for protecting the workers such as Government of India's enactment of Sexual Harassment (Prevention, Prohibition and Redressal) at Workplace Act of 2013. Besides the possibility of exploitation of the ignorant, sufferers also abstain from reporting incidents for fear of losing their jobs.

Our experience shows that no one particular institution alone can ensure achievement of the outcomes for these women migrant workers as envisaged in various guidelines and frameworks. We require all the key stakeholders affected by or working on issues related to migrant women to make a concerted effort and with a common purpose. Only then, we can hope to create a positive environment for the women migrant workers of India.

### 12.1. GOVERNMENT

Based on the findings of the report, here are some policy recommendations for stakeholders that have interest in and influence on the lives and working conditions of migrant workers:

#### Ministry of Labour and Employment:

1. The "Inter-State Migrant Workers (Regulation of Employment and Conditions of Service) Act, 1979" \*should

- have strong and periodic monitoring mechanisms and reporting by the department on its strict compliance.
2. The state level Inter-State migrant cells and grievance redressal mechanisms of the labour departments should be strengthened so as to enable safe and responsible migration
  3. The Inter State Migrant Workmen Act should be amended to cover other vulnerable workers as well who are not on contract roles, as of now the act is limited to only contractual workers. Act should include special provisions for women migrant workers at source, transit and destination. on migration are backed by credible data and evidence.
  4. The ministry should try to ensure that workers get their social security benefits and factories comply with the Inter-State Migrant Workmen Act 1979, Factories Act 1948, and other legislations relating to employment of contractual workers.
  5. The ministry should engage with expert agencies and Civil Society Organisations (CSOs) to support workers' facilitation centres at source areas
  6. The ministry should endeavour to have processes, systems and technology in the areas of documentation, data and policy development vis-à-vis migrant labour. These can include support centres for migrant workers in specific industry clusters, compulsory registration, and processing of paperwork and in a broader sense, more training across skill domains and opportunities of skill development
  7. The ministry should encourage implementation of internal and external monitoring mechanisms in factory premises to ensure that working conditions are safe and hygienic and that all facilities, as mandated under different legislations, such as separate toilets, creches and canteens, are in place
  8. As per the findings of this study, the role of agents appears to be miniscule in the case of recruitment in garment factories. However, their role is critical in other industries, especially brick kilns, which employ sizeable numbers of migrant workers. There is a pressing need to enforce strict guidelines on the role of agents in industries that rely heavily on migrant labour.
  9. The government needs to focus on obtaining good quality data on migration and migrant workers through multi-state research and mapping of migrant workers so that policies and programmes on migration are backed by credible data and evidence.
  10. All weather road, proper sewage and sanitation should be ensured in and around the factories where migrant workers reside
  11. Government should ensure affordable housing for the migrant workers in and around the factories

### Other Ministries:

1. Factory policies and practices on forced, labour, must have stringent monitoring by the by the competent authorities.
2. The Ministry of Corporate Affairs can consider taking up greater engagement with businesses through policy interventions, training and capacity building to align factories with the broader national and international human rights and gender equality initiatives.
3. Ministry of Skill Development & Entrepreneurship along with civil society organisations has a role in building a bridge between factories and workers, through training, skill building and knowledge dissemination.

## 12.2 FACTORY MANAGEMENT

1. Factories should implement and monitor all legal requirements such as provisions under Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, Factories Act 1948, Maternity Benefit (Amendment) Act 2017 and other applicable laws both in letter and spirit.
2. Factories employing contractual labour should establish and implement clear guidelines and oversight mechanisms on the role of contractors in order to ensure that workers are paid on time, at the prescribed rates and social security provisions in place.
3. Factories should articulate clear policy on its hiring, recruitment and termination practices. Alongside, they should also have transparent documentation processes for its policy commitments.
4. There are noticeable gaps in the training and grievance redressal mechanisms at the factory level. Factories should have robust and regular training programmes on Prevention of Sexual Harassment (PoSH) at workplace, women empowerment, occupational safety, career advancement and women empowerment,
5. Factories should take the lead in creating good working facilities including adequate lighting, ventilation, safe working temperature, toilet, water and canteen facilities as well as regular breaks.
6. Workers need to be given more freedom and opportunities to form workers union. Unionisation, from the perspective of factory management, appear to have a detrimental impact. However, it remains one of the most effective mechanisms for management - workers cooperation.

7. Factories should map and report migrant workers and their needs and challenges to develop policies and programmes that are need based and effective.

## 12.3 CIVIL SOCIETY ORGANISATIONS (CSOS), BRANDS AND INDUSTRY ASSOCIATIONS:

1. Gaps in all aspects relating to living and working conditions of migrant workers need to be effectively and consistently highlighted by CSOs. Further follow up with governments, policy makers and factory management are critical so that correct and timely measures are taken.
2. CSOs should engage with business and government on various issues such as both in hiring of workers, role of agents, grievance redressal mechanisms, receipt of social security benefits, women-friendly working conditions and adherence to all requirements of applicable Acts.
3. CSOs and industry associations should play a key role in establishing facilitation centres for workers in collaboration with the government, factories and apparel brands. These facilities will not only help the current and prospective factory workers but also their family members and the larger migrant communities.
4. Industry Associations can work in close collaboration with each other to ensure better conditions for migrant workers, making it easier for factories to understand and implement policies, and work out collaborative arrangements for training, placement of workers and providing them with decent and dignified living and supporting arrangements. They can also undertake knowledge building and capacity building initiatives regarding human rights of workers and implementation of ethical trading practices.



5. Industry association and apparel brands should establish mechanisms and systems to integrate responsible migration and human rights issues as part of their commitment to transparency in their supply chains.
6. Industry associations and CSOs can establish reward and recognition programmes that encourage factories to have proactive and progressive policies and programmes

## 12.4.ACADEMICIANS AND RESEARCH AGENCIES

The key role of academicians, research agencies and think tanks is research, documentation and knowledge creation which will give a fillip to awareness and advocacy work.

1. Without research both at the policy level and the ground level involving both primary and secondary data, it is impossible to develop a coherent policy for migration and migrant workers.
2. Good quality research is therefore integral to all initiatives at various levels to support responsible and safe migration and to ensure the human rights of migrant workers.

This study is based on extensive primary and secondary data and conducted with standard protocols for research so that data quality was maintained, and an unbiased approach was taken giving due coverage for all relevant viewpoints. At all levels, whether it was the instrument quality and testing, literature reviews or training of investigators, efforts were made to ensure that research findings provided effective and credible information for policy making and advocacy that is evidence backed. We hope the document stands the test of a high quality work and acts as a dependable study for considering further actions on engagements between stakeholders, and efforts towards training, capacity building and sensitisation both at factory level as well as for other involved participants in the welfare and well-being of migrant workers.



## BUSINESS AND HUMAN RIGHTS, AND MIGRANT WORKERS

There is a wide recognition that businesses have a legitimate role in the well-being of its workers, both through multiple national legislations and calls from brands and CSOs for responsible practices in supply chains. The current study and its respondents conform to the ongoing wider business and human rights (BHR) discourse. Therefore, the study would like to delve into the opportunities, as detailed hereafter, for advancing the cause of women migrants within the business and human rights framework.

### Responsible Business Conduct and Human Rights

One of the most significant developments in the field of responsible business conduct is the introduction of Human Rights as one of its core aspects. This was achieved through the release in 2011 of the United Nations Guiding Principles on Business and Human Rights (UNGPR).

In the same year, the Ministry of Corporate Affairs (MCA) took cognizance of this international development and included a Principle on Human Rights in the National Voluntary Guidelines on the Social, Environmental and Economic Responsibilities of Business (NVG). NVG was updated in 2019, as the National Guidelines for Responsible Business Conduct (NGRBC), and the Human Rights Principle was aligned with the precepts of the UNGPR, with the additional responsibility of promoting human rights in value chains.

Notably, the NVG also contained a Business Responsibility Reporting (BRR) Framework based on its Nine Principles which, in 2012, was mandated by the Securities Exchange Board of India (SEBI) as a submission of an Annual Business Responsibility Report (ABRR) by the top 100 listed companies (this was later expanded first to top 500 and currently stands applicable for top 1000 listed companies). It is pertinent to note that SEBI will need to update the BRR framework to be in sync with the NGRBC, and that this provides an opportunity for:

- a) The advocacy for and development of sector-specific commentaries or guidelines based on the NGRBC, and,
- b) Inclusion of questions pertaining to migrant workers.

The above developments have been given further momentum with official announcement in 2019 of India's commitment to join a growing list of nations in the development of a National Action Plan (NAP) for Business & Human Rights. The Ministry of Corporate Affairs or MCA is the nodal ministry for the NAP in India, and is being provided technical support by the United Nations Development Programme (UNDP).

The issue assumes urgent consideration given the MCA's intent to release the NAP in 2020, and the opportunities that it presents to advocate for the inclusion of human rights issues of migrant workers in the garment and other sectors. It is the collective view of the contributors of this study to follow the UNGP-guided Business & Human Rights approach to policy advocacy in highlighting issues of migrant workers in garment industry. We have identified the following actions as the way forward for advocacy opportunities on issues of women migrant workers in the framework of NAP:

1. Solicit content inputs from CSO, garment industry, workers union, a National Commission for Women (NCW), International Labour Organisation (ILO), Ministry of Labour and Employment and project partners and associates on articulating the rationale for inclusion of women migrant workers issues and outlining those that are most important from a human rights perspective.
2. In developing the submission for the NAP, our view is that recommendations pertaining to State duties, business responsibilities and access to remedy are made against each of the three respective pillars of the UNGP;

### ➔ Pillar 1: The State duty to protect human rights

- a) Take cognizance of the State's separate roles vis-a-vis business: as a regulator, partner, implementer etc, and as a procurer (including of garments) and its attendant obligations under UNGP Pillar 1 to integrate human rights clauses in its commercial relationships with the private sector;
- b) Recommendations are specifically addressed to Central and State Governments as per jurisdiction governing migrant workers related issues, and further addressed to specific ministries and government bodies in respect of their duties and jurisdictions;
- c) Recommendations for modification to the Inter State Migrant Workmen Act 1979, particularly from a human rights lens, may be submitted as well.

## ➡ Pillar 2: The corporate responsibility to respect human rights

- a) Recommendations are aligned with Principle 5 (respect and promote human rights) and Principle 3 (employee well-being) of NGRBC;
- b) Recommendations include reference to supply-chain transparency and responsibilities
- c) Recommendations include specific reporting and disclosure questions that can be incorporated into the ABRR;
- d) Recommendations are made according to key business processes including recruitment, transportation, workplace and living conditions issues and highlight the adverse impacts of human rights abuses or violations in the processes.

## ➡ Pillar 3: The need for greater access to effective remedy

- a) Recommendations be made to the specific authorities and bodies (Ministry of Women and Child development- National Women Commission (NCW), State Human Rights Commission, labour Tribunals, etc.) responsible for different rights-holders, at Central and State levels
- b) Work towards bringing businesses within the ambit of access to effective remedy in line with the UNGP and NGRBC.

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