



UNFREE AND UNFAIR

Poor Living Conditions and Restricted Freedom of Movement of Young Migrant Garment Workers in Bangalore

“A lot of things happen, but we cannot talk about it.” These are the words of a young North Indian migrant worker in the southern Indian city of Bangalore, one of many working in the city’s flourishing garment industry. The industry manufactures apparel for some of the world’s leading clothing brands. Yet the conditions under which these young migrant women work are appalling, sometimes even amounting to modern day slavery. Wages in the industry largely meet the official minimum wage standard, but are too low to add up to a decent living wage. Migrant women are often housed in hostels run by their companies and guarded by male security personnel at night. Their movement is severely restricted and they are herded to the factory and back to the hostel as a daily routine. Most workers are allowed to leave the hostel for only two hours a week. Returning late invites rebuke and sometimes punishment in the form of being made to wait outside the gate for hours till the warden allows them in. Young workers hint at abuse but refuse to speak directly about it for fear of repercussions. The young women have been made to believe that these hostels, the restrictions on their freedom of movement and the presence of male security guards are necessary for their own security in an alien city where they are isolated from the local people.

MIGRANT GARMENT WORKERS

In 2012 *The Hindu*, a prominent newspaper in India, reported that as many as 80 percent of the garment workers in Bangalore are migrants from villages and tribal hamlets in Karnataka, the state of which it is the capital. Some workers hail from the neighbouring states of Andhra Pradesh and Tamil Nadu.ⁱ Now, only four years later, there is a large influx of young female migrant workers from other Indian states, like Odisha, Uttar Pradesh, Jharkhand, Maharashtra and Madhya Pradesh. The *Garment Labour Union (GLU)* estimates that a little less than 10 percent of the migrants in the Bangalore garment industry are from these distant states. The majority of the migrant workers stay in hostels provided by the factories. Earlier studies by *SOMO* and the *India Committee of the Netherlands (ICN)* report labour rights violations in the Tamil Nadu textile and garment industry. One major problem found was that girls and young women - mostly from a Dalit background and often migrants – are exposed to poor conditions in the hostels provided by garment factories and spinning mills. There is little to no interaction with the outside world, let alone with trade unions or labour advocates. They are therefore more vulnerable to labour exploitation and possibilities for redress are absent.ⁱⁱ The increasing

number of young migrant women workers staying in factory-owned hostels in the garment industry in Bangalore raises concerns about the living conditions and human rights of these migrant women.

Bangalore is a major hub for the garment industry in South India. Most of the leading multinational brands like GAP, H&M, Tommy Hilfiger, Inditex (ZARA) and C&A source from Bangalore. According to official figures, there are 962 officially registered garment factories. However, it is estimated that there are around 1200 garment factories in total in and around Bangalore.ⁱⁱⁱ

METHODOLOGY

Data for this article was collected by local researchers¹ through a mix of desk research and interviews with 110 workers, employed at four garment factories, namely K Mohan, Texport Industries, Arvind and Shahi Exports. All of these workers were migrants from rural Karnataka or other states. Arvind Ltd. Exports produces garments for H&M^{iv} and Shahi Exports is a long term supplier for C&A². No specific information is available on the factories' relationship with the other brands. Shirts, trousers and jeans are some of the products manufactured at these units.

Interviews were also conducted with members of the Garment Labour Union (GLU) in Bangalore. At a later date, informal discussions were held with groups of workers from other factories than the four factories mentioned above. The interviews with workers from the four factories were conducted in two phases, in October 2013 and again in December 2014. The research covered a longer time span for more detailed insight into the issue. Discussions with workers from other factories took place in August and September 2015. The four researched factories were also approached for further information, but the researchers did not receive a response from them. Moreover, the companies denied the researchers access to the hostels. The interviews with workers therefore had to be conducted on the roads leading from the factory premises to the hostels. The young women were very reluctant to talk to the researchers.

WORKERS' PROFILE

Over the years, the number of workers coming from other states has increased, as has the distance they travel to come to work in Bangalore. For example, in 2013, Shahi Exports employed female workers from Andhra Pradesh, rural Karnataka and Odisha. In December 2014, 75% of workers were from states further north, like Uttar Pradesh, Jharkhand, Maharashtra and Madhya Pradesh. The migrant workers from North India do not speak or understand Kannada, the local language in Bangalore. This language barrier makes communication between the

¹ Local researchers are known to ICN but are not mentioned by name to safeguard their security.

² See C&A detailed reaction to findings included in Annex.

migrant workers and the local workers nearly impossible. Also migrant workers cannot communicate properly with the security guards, managers or co-workers at their factory. This makes them more vulnerable to exploitation. For instance in 2013, K Mohan had separate hostels for migrant workers from North India, who had to pay Rs. 2000 (€ 27.18)³ for food and accommodation. On the other hand, the local workers paid only Rs. 1300 (€ 17.67) to Rs. 1400 (€ 19.03) per month in their own hostels. The workers also stated that the food served was mostly rice and *sambhar*, which is uncommon to their food habits, as they are used to eating North Indian dishes like *chapattis*, *dhal* and rice.

During a conversation with a group of migrant workers from other factories (thus not from the four factories studied), they told the researchers that the factory management had said that they were not entitled to a Provident Fund (PF)⁴ because they were from North India. The workers asked the researchers if this was true.

The women workers look very young, while most claimed that they were 18. A worker from an unknown factory, whom the researchers met by chance, said that she was 17 years old. Some of the workers look like they could be 16 years old. They are mostly unmarried and work as tailors, helpers or checkers. They have come to Bangalore to work due to financial hardships and a lack of suitable jobs with which to support their families in their native places.

The companies provided information on hostel accommodation to the workers at the time of recruitment. In Texport Industries, most workers were directly recruited by the company after attending two months of tailoring training at their native places. At Shahi Exports, women workers were under the impression that they were coming to Bangalore for a six months' training with a stipend, but realized after getting there that it was permanent factory work. Some women from other factories were made to appear at the local police station with their parents before leaving their home towns in North India. Here, they were photographed and made to sign a document. None of them had read the document, possibly because they cannot read. However, the contractor who was recruiting them had said that the document stated they were going freely and with their parents' permission, and that it contained an assurance of their safety in Bangalore.

³ EUR to INR exchange rate on 20th October 2015: 0.014 Euro = 1 Indian Rupee/73.58 Indian Rupee = 1 Euro.

⁴ The Provident Fund Scheme is a government run investment fund which receives contributions from employees and their employers throughout the former's working life. A lump sum consisting of the accumulated amount and interest is provided to each employee at the time of retirement, resignation or death.

WAGES

The average wage earned by migrant workers from other states found during research in 2013 is Rs. 5600 (€ 76.11) - Rs. 6600 (€ 89.70) per month, depending on their position as trainees, checkers or tailors. At Texport Industries, workers from rural Karnataka earn a higher wage, on average between Rs. 6600 (€ 89.70) and Rs. 7500 (€ 101.93). The wages at all the four factories are slightly above the minimum wage rate fixed by the State Government. The average monthly wages for all workers, with effect from April 1st 2014, varied between Rs. 6306 (€ 85.70) and Rs. 7724 (€ 104.97) depending on the zone and the skill level. After the State Government revised minimum wage rates the following year to fall in the range Rs. 6816 (€ 92.80) to Rs. 7596 (€103.42) with effect from April 1st 2015, (all) workers on average receive between Rs. 7000 (€95.07) and Rs. 8500 (€ 115.44) per month. Again, these figures represent the full range of average monthly wages based on skill level and zone.

ACCOMMODATION AND FACILITIES

K Mohan, Texport Industries, Arvind and Shahi Exports run a number of hostels for the accommodation of migrant workers. During the 2014 interviews, Texport Industries hostels only accommodated in-state migrant workers from rural Karnataka. All the above mentioned factories provide accommodation facilities outside the factory premises. The hostels are usually situated at walkable distance from the factories.

Separate hostels are provided for men and women. The workers have to share the room and a toilet with other co-workers. In a hostel provided by K Mohan factory, where 300 women workers are living, 12 to 15 workers have to share one room and toilet. The hostel also provides them with food. Rs. 2000 (€ 27.18) is deducted from the wages per month for food and accommodation.

Similarly, a total of 220 male workers live in a three storied hostel run by Arvind, which is a supplier of H&M. About 70 workers stay on each floor. The accommodation provided is in a large hall, which is divided into compartment rooms with three-tier bunk beds. The toilet and bathroom is shared by 12 to 14 workers. Rs. 300 (€ 4.08) is deducted from their wages for accommodation, electricity and water charges. The workers have to cook their own food next to the bunk beds, since there is no kitchen facility in the hostel. The factory has appointed maintenance staff, but workers complained that it is not always clean. Irregular water supply is another issue pointed out by them, which affects their ability to cook food.

Living conditions seem to be better in hostels provided by Shahi Exports (a supplier of C&A) and Texport Industries, where 5 to 6 workers share a kitchen, room and toilet. They have to cook their own food and clean the rooms and toilets. Earlier, Texport Industries used to deduct Rs. 100 (€ 1.36) for electricity and water charges from workers' salaries. Presently no amount is deducted from their salaries for their stay at hostels. The workers share the electricity and water bills among themselves. At Shahi Exports, an amount of Rs. 600 (€ 8.15) is deducted from the

salary for water and electricity charges. Earlier, in 2013, an amount of Rs. 1300 (€ 17.67) - Rs. 1700 (€ 23.10) would be deducted for food and accommodation. All the hostels lack basic amenities such as proper furniture, cupboards for storage, beds and mattresses. K Mohan provides a straw mattress, rug and pillows. At Arvind, the workers do not have any facilities other than bunk beds without mattresses. Except for a cooking gas connection, no other facilities are provided at Shahi Exports. The workers have to buy their own bed and mattresses. Texport provides the workers with a bed and a cooking gas connection.

None of the hostels provide any kind of recreational facility or cultural and educational programmes. Workers spend most of their time in the hostel doing household chores, and have no time for entertainment or leisure other than talking to their families on the phone.

FREEDOM OF MOVEMENT

Even though the workers staying in hostels are allowed to contact their family and friends via phone, their freedom of movement is considerably restricted. Women workers are only allowed to leave the hostel once a week, which is usually for two hours on Sundays. They can only leave the hostel after registering with the security guard. The workers usually go out together and use this time to buy groceries and personal items. However, male workers at Arvind can leave the hostel at any time until 11 pm. The *Garment Labour Union (GLU)* told us that workers from other factories than the ones mentioned here are allowed to go out for two hours only once a month, on the first Sunday after they receive their salaries. They use this time to buy personal items.

In all hostels, male security guards are appointed for security. The guards make entry and exit notes for the workers and also make sure that they return to the hostels after work. Women workers are instructed to go to their hostels immediately after work and are not allowed to go anywhere else. One worker said that the guards are appointed “... *to ensure that we do not leave for our villages after taking our salary.*” At the hostel provided by Shahi Exports, a female warden is present in the morning. However, only a male security guard is present at the hostel at night. Most of the security guards are local residents and do not speak Hindi.

At Texport Industries, family members who want to visit workers at the hostel have to get a permission pass from the HR manager first. Only after showing the pass to the security guard they can meet their relatives. The workers also complained that they were not allowed to take leave. The female workers live in the hostel mainly for safety reasons, as well as to save money. As one worker at K Mohan says, “*It is difficult to stay outside independently for women. It is hard to save money outside. So I stay in the hostel.*” The workers are generally unhappy with the available facilities and the lack of provisions for recreation. Some of the women workers at Shahi Exports expressed their desire for a television. A male worker at Arvind states that “*Nothing is good. But we are staying here because we have to live and there is no other way.*” They also prefer to stay at the hostel as they are unfamiliar with the place and culture. One

worker said: “*I am from a different place and I speak a different language. I don't know about the situation here. So I took the company hostel.*”

Workers are afraid to talk about any abuse they may be facing. A group of workers from other factories said that they are scolded regularly by their supervisors. When they were asked if they are facing any abuse, they avoided the question. The women stated that they were afraid of the factory management or others finding out what they said to the researchers. They would not say anything as they were not sure that the researchers were not from the factory management. They are afraid that they would get into trouble if the factory management finds out that they talked to the researchers.

The migrant workers are inaccessible for the *Garment Labour Union (GLU)* and other unions because of the security guards at their hostels and the restricted freedom of movement. The language barrier also prevents any outside communication. Since they are severely restricted in their movement and have no access to unions, migrant women workers have no place to go for effective grievance redressal.

BRANDS' AND RETAILERS' REACTIONS TO THE FINDINGS

Beginning of November 2015, ICN shared the draft report with the leading multinational brands sourcing from Bangalore (GAP, H&M, Tommy Hilfiger, Inditex and C&A) and asked them to react to the findings. All of the named multinational brands have responded and declared to take serious action. The detailed reactions of the brands C&A, Inditex, H&M, GAP and PVH (Tommy Hilfiger) are included in the Annex.

In short, **C&A, H&M, Inditex, GAP** and **PVH** take the issue seriously and generally agree that still more work needs to be done in order to provide migrant garment workers with better living conditions in Bangalore. **C&A's** actions on the ground are twofold; they take individual efforts to further investigate conditions at Shahi Exports (one of the garment factories mentioned in the report and a long term supplier for C&A), and they work together with Inditex and H&M towards a coordinated and collaborative approach. With this collaborative approach they want to ensure freedom of association, liaising with local trade unions GLU (Garment Labour Union) and GATWU (Garment and Textile Workers Union), and to empower migrant workers with training and a grievance handling system, with support of a social entrepreneurial initiative Gram Tarang. The joint effort of **C&A, H&M** and **Inditex** is aimed to review curfew regulations at hostels and ‘evaluate the dichotomy between freedom of movement and ensuring the workers’ safety.’ They engage with industry experts, other brands and stakeholders to implement a comprehensive industry-wide program to institutionalize international standards in the area of recruitment, accommodation, grievance handling, training and development of migrant workers.

H&M decided to apply multi-stakeholder developed dormitory guidelines for all hostels in the H&M supply chain and reinforce the guidance for migrant workers is followed at the hostels and in accordance with applicable existing laws.

Inditex also shared their plan of action, starting with conducting a baseline assessment, through a local NGO, on the status of migrant workers at suppliers and factories in South India, but also expanding to the rest of their supply chain in India. Based on the outcomes, they will implement a project targeting the provision of better hostel facilities, putting in place a grievance handling mechanism and training and counselling sessions for migrant workers and sensitizing management and staff on taking care of the needs of migrant workers.

GAP extensively replied and stated that apart from efforts with individual vendors, they also closely work with ETI and other brands to contribute to an industry-wide multi-stakeholder forum comprising of industry, brands, local unions and other civil society organisations to effectively address the issue in Bengaluru and to find long-term sustainable solutions. They explain to have very strict standards outlined in their Code of Vendor Conduct (COVC) and they shall further monitor, evaluate and strengthen practices to ensure workers' freedom of association and movement, as per law and their COVC.

PVH shortly explained that they asked the named suppliers to report back to them on their individual circumstances and that they were developing guidelines that are intended to address the issues raised in this article.

RECOMMENDATIONS TO IMPROVE THE SITUATION OF MIGRANT WORKERS IN BANGALORE

We appreciate the substantial reactions of the respective brands, as they generally respond with specific actions to be taken on the ground. If the brands commit to these issues and their plan of action, we expect that considerable progress can be made in addressing the working and living conditions of young migrant garment workers in Bangalore. We would like to emphasize three specific issues for brands and retailers and general recommendations for other stakeholders that are key to make this happen.

Work together with relevant local stakeholders; To make considerable progress in addressing the issue it is crucial to identify and work together with the relevant Bangalore based stakeholders. Cooperating with local trade unions and worker representatives is essential in enhancing freedom of association, while local NGOs have expertise in worker empowerment and addressing workers' grievances. In Bangalore local stakeholders – manufacturers, trade unions, labour NGOs –, the ILO, and international brands used to meet regularly to address labour concerns in the Bangalore garment industry. This so-called Bangalore Garment Round Table can be considered a good practice within the industry, since it facilitates a dialogue between employers and workers' representatives. Brands should engage with the stakeholders involved and investigate **possibilities to revive the Bangalore Garment Round Table.**

Tamil Nadu has local regulations on hostels^v which manufacturers are obliged to implement in Tamil Nadu. However, this act does not apply to Karnataka. Due to this legal loophole, the risk emerges that brands follow different ethical standards in their supply chain in different parts of India. To prevent this to happen, **brands should develop standards for hostels that apply to all suppliers in India**. These standards should as a minimum meet the requirements of the Tamil Nadu regulations and should become part of brands' Code of Conduct.

Brands and retailers need to implement a process of human rights due diligence in their supply chain, in accordance with the United Nations Guiding Principles on Business and Human Rights.^{vi} The presence of migrant workers and the lodging of these workers in factory hostels should be 'red flags' during audits. If an audit reveals violations of (migrant) workers' rights, brands and retailer companies need to mitigate adverse impacts for these workers by using their leverage to remedy the situation and take steps to prevent such violations in future. Brands and retailers should communicate openly about their due diligence, monitoring and steps taken to mitigate issues found.

According to the Inter-State Migrant Workmen Act, 1979^{vii} (Regulation of Employment and Conditions of Service) which covers welfare provisions for inter-state migrant workers, the contractors or employers are under obligation to provide and maintain suitable residential accommodation for any migrant workers throughout the employment period. Furthermore, restricted freedom of movement in the name of safety is a violation of the Indian constitutional rights^{viii} which protect the right to life, liberty, dignity and freedom from exploitation as well as of Article 13 of the Universal Declaration of Human Rights on the right to freedom of movement and residence within the borders of each state.^{ix} **The state Government of Karnataka, with the Labour Department** as its enforcement agency, needs to implement the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, and verify compliance by manufacturers on a regular basis.

Local Trade unions such as the Garment Labour Union could improve their outreach to migrant workers by offering training programmes in Hindi or offer language courses in order to enable them to communicate effectively with locals and voice their concerns.

Manufacturers should strictly comply with local labour laws, including the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.

Further research is needed to gain more insight into the correlation between migrant women staying in hotels and their vulnerability to labour exploitation.

ENDNOTES

- i. “80 p.c. garment workers come to Bangalore for sheer survival”, The Hindu, 15 September 2012 (<http://www.thehindu.com/news/national/karnataka/80-pc-garment-workers-come-to-bangalore-for-sheer-survival/article3898214.ece>).
- ii. SOMO and ICN, “Flawed Fabrics, The abuse of girls and women workers in the South Indian textile industry”, October 2014 (<http://www.indianet.nl/pdf/FlawedFabrics.pdf>); “Captured by Cotton: Exploited Dalit girls produce garments in India for European and US markets”, May 2011 (<http://www.indianet.nl/pdf/CapturedByCotton.pdf>).
- iii. Sudeshna Saha, “Women Employees in Garment Industries: A Case Study Conducted in Selected Garment Industries of Peenya Industrial Area, Bangalore”, International Journal of Management Research and Business Strategy, Vol. 3, No. 3, July 2014 (http://www.ijmrbs.com/ijmrbsadmin/upload/IJMRBS_53ba7ce71ff65.pdf).
- iv. See: <http://sustainability.hm.com/en/sustainability/downloads-resources/resources/supplier-list.html>.
- v. The Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014.
- vi. United Nations, UN Guiding Principles on Business and Human Rights, 2011 (http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf).
- vii. The Inter-state Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (http://pblabour.gov.in/pdf/acts_rules/inter-state_migrant_workmen_regulation_of_employment_and_co.pdf).
- viii. Constitutional Provision Related to Right to Life and Personal Liberty (http://www.legalpoint.in/right_to_life_and_personal_liberty.php).
- ix. United Nations, The Universal Declaration of Human Rights (<http://www.un.org/en/documents/udhr/>).

ANNEX

DETAILED REACTION C&A (27 NOVEMBER 2015)

C&A appreciates that India Committee of the Netherlands (ICN) has shared the draft report entitled “Unfree and Unfair” upfront with us and engaging us regarding our position and perspective on living conditions and restricted freedom of movement of young migrant garment workers in Bangalore. We value ICNs input and insight and view it as a support and complement to our ongoing efforts towards the improvement of workers’ rights in our sourcing countries such as India.

For C&A, securing decent labour and workers’ rights is one of our top priorities as a business. We agree with ICN that there is still more work to be done in order to provide migrant garment workers with better living conditions in Bangalore. From our perspective, to further protect migrant workers and to elevate the standards of living, multi-stakeholder initiatives are needed to improve labour conditions in India’s textile industry. Only together with other brands, the hostel owners, suppliers and local NGOs we will be able to make a sustainable impact.

From the four garment factories mentioned in the report, C&A has contractual relationships with only one of those suppliers in Bangalore (Shahi Exports). Shahi Exports is a long term supplier for C&A.

On receiving the article from ICN, we decided to work in two parallel streams in order to more effective in our actions on the ground:

1. Individual efforts with Shahi Exports.
2. Coordinate our activities with other international Brands working in the region to find synergies, jointly tackle the root causes and improve them overtime.

More detailed information of these two approaches are as follows:

1. Individual Efforts done with Shahi:

C&A is currently working with the following Units of Shahi - Unit 9, 12, 14, 19, 26 & 28. Although none of the hostels are owned by Shahi, our team contacted the supplier to ascertain the current conditions at workers’ accommodation facilities and visited them on 19 November 2015. We have completed our visit to Unit 14 & 19, and we are in the process to complete the visit to the other Units except for Unit 26 which does not have hostels.

In Units 14 and 19 and during the course of the visit they had conversations with:

- HR Managers and Welfare Officers of both units,
- 12 male and female workers of Units 14 and 19,
- 5 male and female contractual security guards appointed at worker accommodation facilities,
- property owners of both male and female worker accommodations.

Additionally, they also visited 3 female and 2 male workers' accommodation facilities.

As a result of it, the living conditions at the accommodation facilities are as follows:

- The rooms were spacious and clean.
- The workers staying in each room varies from 4 to 9 workers depending on the size of room.
- There were provisions of drinking water supply at each worker accommodation facility.
- These buildings appeared to be structurally stable and safe.

- At least one fire extinguisher/emergency light was provided on each floor of the buildings.
- At least one first-aid box was provided at each worker accommodation facilities
- A television was provided by the property owner in one of the female workers' accommodation facilities.
- Shahi Exports have appointed the contractual security guards at these facilities and have a plan to appoint wardens.
- Workers claimed that they have made the rental agreements with the property owner and pay the room rent directly to the property owner/representatives of property owner on 10th of every month.
- One of the workers (who signed as witness in the agreement) showed the photocopy of the rental agreement for review.
- The room rent ranges from Rs. 4,725 to Rs. 6,500 per month depending on the size of room and security deposit ranges from Rs. 25,000 to Rs. 40,000.
- The workers share the room rents and electricity bills among themselves and these electricity bills are paid by them directly. As per the request of workers and property owners, Shahi Exports HR staff provide some administrative assistance to the worker representatives to collect and consolidate the room rents.
- As per workers, Shahi Exports currently does not deduct any amount from the salary for water and electricity charges. However, the rent was deducted from the salary and was paid to the property owners in the past.
- Shahi Management did not impose any restrictions on the movement of workers and the same was confirmed by the workers during the interviews.
- Workers are allowed to leave the accommodation facility at any time.
- Security guards verbally instruct the female workers not to go outside the facility beyond 8pm. in the night.
- Workers were extended support by the security guards/Shahi Exports employees in case of medical emergencies.

However, it's important to emphasize that, Shahi Exports Unit 14 & Unit 19 had disclosed 4 hostels. During the current visit, we came across that there were 2 additional hostels not previously disclosed. That fact indicates that different conditions could be found in those undisclosed hostels and further investigations have already started in this regard.

2. Coordinate our activities with other brands working in the region.

In a spirit of coordination and collaboration H&M, Inditex and C&A has decided to jointly tackle the challenges arising from the information enclosed in your article.

Therefore, these are the areas where the three brands have started to coordinate and cooperate:

Seek support and expertise from different NGOs and Unions on the ground: the three Brands have jointly addressed an organization called Gram Tarang. This is a training and skill development institute particularly for the Apparel Industry. They have 8 training centres and conduct a two-month program. Gram Tarang works mainly with the migrant workers and have ties to the Ministry of Rural Development. Upon completion of the two-month program, workers are supported in factories. Till date Gram Tarang has placed 5000 migrant workers in Bangalore. In addition, in certain government funded projects Gram Tarang also does a 1-month

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Post-Employment training programme for migrant workers who are set in new environments with topics such as Finance, Birth Control, Salaries, payslips, among others. In this same program, the workers are provided with telephone numbers of Gram Tarang staff and also with contact details of Garment & Textile Workers Union (GATWU) so that they can reach out when they have challenges.

The meeting with Gram Tarang took place last 23rd November. We believe that Gram Tarang can support us in reaching out to these groups of workers and set up specific training modules. The overall focus would be on Training, Awareness and Grievances. Orlanda Ruthven from Gram Tarang is to come up with a concept note on areas such as Freedom of Association, Annual Leave, Overtime & Forced Overtime, Building & Fire Safety and Restriction of Movement. As brands we will fully map out all the hostels where workers stay and visit each of them. Once completed, we will share among brands and Gram Tarang data on the hostels latest by Friday November 27th.

Additionally, the group of 3 brands also liaised with local unions GLU (Garment Labour Union) and GATWU (Garment and Textile Workers Union) for further information and possible joint actions to ensure freedom of association. C&A will stress the need to have regular approaches will those unions willing to support Brands and Suppliers to ensure Freedom Of Association is respected by all means in their premises.

Enlarge the critical mass to more Brands and Multi Stakeholder Initiatives: the Brand Ethics Working Group met on November 26th, during this meeting, C&A, H&M and Inditex shared with other brands the challenges showed in the ICN report and has asked the other brands to come on board and work towards a collaborative effort on this particular topic. The outcome was very positive and we expect a larger group of brands to cooperate. At the same time, the three brands contacted with the Ethical Trading Initiative to inform them about the report and to secure time to invite all ETI members (including NGOs and Unions) to jointly address this issue. That approach should also help us to jointly review curfew regulations at hostels provided to workers in our supply chains, and evaluate the dichotomy between freedom of movement and ensuring the workers' safety.

In order to guarantee that all the relevant stakeholders are properly embedded in the process we are carrying out, we are going to keep you updated about it. Your expertise and knowledge will be extremely valuable and your feedback much appreciated going forward.

DETAILED REACTION INDITEX (1 DECEMBER 2015)

Work done till date

Inditex has been ensuring the implementation of its Code of Conduct for Manufacturers and Suppliers (which covers compliance with local law and global standards as well as best practices in the sector) in India over the years through internal and external assessments. The compliance systems take care of the requirements related to health and safety, wages, working hours, regular employment, social security and other legal benefits in general, focusing also on ensuring proper grievance handling procedures and on preventing any potential cases of harassment, discrimination and abuses across its supply chain.

With reference to the hostels and accommodations provided and disclosed by Inditex Suppliers and Factories (particularly those which accommodate migrant workers), the following activities are being undertaken on a regular basis by Inditex in India till date:

- Such hostels and accommodations are included under the scope of Inditex Code of Conduct audits.
- Legal requirements related to hostels and accommodations are assessed, while carrying out audits/visits and corrective actions are followed up with the Suppliers and Factories wherever necessary.
- Inditex has also been instrumental in the launching of "Hostel and Recruitment Guidelines" by Tiruppur Stakeholders Forum. This was the first multi-stakeholder initiative in this space and referred guidelines were shared with all Suppliers and Factories in Inditex supply chain, to be implemented in the hostels and accommodations wherever provided.
- Inditex stresses to its suppliers and factories, through trainings and meetings, on the necessity to follow the abovementioned guidelines and being sensitive to the needs of migrant workers.

Work to be done in near future

Inditex will conduct a baseline assessment (to be initiated within next 45 days) through a reputed and competent NGO based in India, to get better understanding of the status of migrant workers (along with the conditions of accommodation facilities wherever provided) at the premises of all the Suppliers and Factories. Initially this assessment will be done for the Suppliers and Factories based in South of India and then it will be expanded to rest of the supply chain in India.

Based on the outcome of the assessment, Inditex will implement a project to sensitize the Suppliers and Factories on the challenges faced by migrant workers and on systems to ensure the compliance with the respective Codes of Conduct (including, but not limited to, the Best Practices prevalent in the Industry related to the same).

The referred project will engage the relevant key stakeholders, as required (process of identification of the partners has already been finalized). While it will target provision of better facilities at hostels and accommodations through the Suppliers and Factories, the project will also put in place the following:

- training and counselling sessions for migrant workers orienting them into challenges of living away from home and living in metropolitan cities, work place culture in terms of productivity targets, supervisor/management relationships, inter-worker relationships,
- grievance handling mechanism etc.

Apart from that, the management, staff and supervisors of respective Suppliers and Factories will be sensitized on taking care of the needs of migrant workers.

On the whole, the project will work towards providing better systems to ensure a constructive work environment to all workers without any discrimination and while upholding the tenets of basic Human Rights.

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Additionally, Inditex is also engaging with industry experts (individually and collectively) with other Brands and stakeholders through relevant dialogue platforms to implement comprehensive industrywide program to institutionalize Best Practices and International standards in the area of recruitment, accommodation, grievance handling, training and development of migrant workers.

As this is a collective and collaborative effort, Inditex will continue seeking the support of external stakeholders such as your organization to further improve implementation of global best practices in its supply chain. We will keep you anyway informed about future evolutions about this matter.

DETAILED REACTION H&M (13 NOVEMBER 2015)

Thank you for your report which raises valid concerns.

All hostels provided to workers in H&M supply chain are currently complying with law and H&M Code of Conduct. However, we do take this issue very seriously and have decided on the following actions to further protect migrant workers.

- Apply multi stakeholder developed dormitory guidelines developed for Sumangali in H&M supply chain for all hostels.
- Review curfew regulations at hostels provided to workers in H&M supply chain, and evaluate freedom of movement vs. safety.
- Assess whether hostels in H&M supply chain are in need of above law improvement to ensure an acceptable living standard.
- Liaise with local Unions (GLU & GATWU in Bangalore) for further information and possible joint actions to ensure freedom of association.
- Develop 3rd party system for grievance handling from workers accommodated in hostels with local NGO and ensure the NGO gets access to hostel and interact with workers living in the hostels.
- Reach out to our suppliers in India once again and reinforce the guidance for migrant workers is followed at the hostels and in accordance with applicable existing laws.
- Discuss on possible options of collaborative actions on hostel facilities with other brands during the brands meeting planned later this month.

Please feel free to contact us if you have any questions.

DETAILED REACTION PVH

Thank you for your consideration in sharing your findings with us prior to publishing them. At PVH, we take these matters very seriously and appreciate both your research and recommendations. Based on your draft report and additional information we assembled, we reached out to and met with our identified suppliers to discuss the issues raised. We also recognize this as a complex issue, as the personal safety, fair treatment and freedom of movement of the workers are all of paramount importance. We have asked all the named suppliers to review, consider and report back to us on their individual circumstances. We are also developing guidelines that are intended to address the issues raised, would require the vendors to comply, and ask them to certify to their compliance. We would welcome the opportunity to speak more about this in the future.

DETAILED REACTION GAP (3 FEBRUARY 2016)

We write to you with regard to the recently released **Unfree and Unfair** Report by the India Committee of the Netherlands (ICN), which highlights key concerns for migrant workers in Bengaluru. We appreciate the report and believe that it raises valid and critical issues that need to be addressed.

As we explained to you over phone, we wanted to clarify that prior to the release of the report we did not receive any communication from the ICN regarding the report draft. Hence, it seems that there has been some miscommunication that Gap Inc. was mentioned in the report as not having responded or having taken any serious action on the issues highlighted. As we explained, we have taken the report findings seriously and making all efforts to address the issues highlighted.

Apart from our efforts with individual vendors, we are working closely with ETI and other brands to contribute to an industry-wide multi-stakeholder approach to effectively address these issues to be able to find long-term sustainable solutions. To briefly update you, we have taken up following three-pronged approach to address the issues:

1. Engagement with Vendors:

We had received draft report from ETI, which we immediately shared with all our vendors and started to work with them to focus on the issues highlighted.

Gap Inc. is one of the key brands to have contributed to the development of "*Guidance for Migrant Women Workers in Hostels & Recruitment Process*" in Tirupur through a local multi-stakeholder forum – Tirupur Stakeholders' Forum (TSF). These guidelines provide a good reference for vendors to make changes in living conditions in housing facilities and also in the Human Resource practices adopted by them. We have also shared TSF guidelines with our vendors and working with them on the housing-related issues as a priority.

We are ensuring that guidelines provided in TSF are implemented by our vendors in Bengaluru. We are also working towards a larger multi-stakeholder approach, in collaboration with local stakeholders, to adapt these guidelines to Bengaluru-context for larger impact.

2. Collaboration with other Brands:

Following initial communication that ICN had with some of the brands, this issue was discussed in the *Brand Ethics Working Group* (BEWG) meeting in India in late-November 2015. The BEWG decided that each brand will communicate with their respective vendors in Bengaluru about the issue, sharing the TSF guidelines to educate them and also to implement these. The idea was to have an aligned communication between brands and their suppliers and to give same message to vendors, rather than having different communication.

Since then, we have organized individual follow up meetings with our vendors and also participated in joint "brands-vendor" one-to-one meetings to ensure progress in communication and guidelines implementation.

3. Industry-wide Collaboration:

We are working actively with ETI and other Brands to contribute to the formation of a collaborative multi stakeholder forum comprising of Industry, Brands, local Unions and other

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Civil Society Organizations to address this issue in Bengaluru. This multi-stakeholder forum will look at various solutions available to address these issues at the industry level and how a joint effort could be made for sustainable solutions and larger impact.

We are also in touch with local unions and civil society organizations, and are keen that they be part of the industry-wide multi-stakeholder forum, so that we all understand the issues better and make joint efforts to address them.

Gap Inc. is committed to safeguarding the rights of the people who work in the factories where our products are made. We have very strict standards outlined in our Code of Vendor Conduct (COVC) and make sure that we only work with vendors who are able and willing to follow the same. We monitor factories against the consistent standards of our COVC and rate their performance over time so that we can more effectively address issues. The value of monitoring extends far beyond uncovering problems; it includes all of the actions we take to facilitate remediation in a sustainable way.

Over the years, we've increased our understanding of the issues faced by workers in the apparel industry. However, we don't always have the ability to solve these multi-faceted problems alone. In most cases, long-term solutions call for collaboration. Hence, we partner with stakeholders such as labor rights groups, trade unions, factory owners and management, governments, non-governmental organizations and other companies to make progress.

We shall continue to monitor and remind the factories of our expectations that they do their utmost to ensure workers' rights. We shall further evaluate and strengthen practices to ensure workers' freedom of association and movement, as per law and our COVC. We also look forward to engaging with all relevant stakeholders to understand the issues better and to ensure that the workers' rights are protected.

We would also appreciate if you could kindly rectify the para in the ***Unfree and Unfair*** report that claims that Gap Inc. has not responded to ICN's draft report, and seems to have happened due to some miscommunication.