PART 1

Organizing for Safe and Fair Workplaces

1 Working for a living and living well

Work should be safe, dignified, and fair, and should not harm our health nor the planet. But for millions of factory workers around the world, dangerous jobs harm their health. And after working long, hard days, they still may not earn enough to live on.

This book describes the safety and health problems workers in export factories face and some of the solutions they have tried. It shows how workers have organized — sometimes with and sometimes against their bosses — to improve conditions, do away with poverty wages, install safer equipment, and use fewer and safer chemicals. The examples in this book focus on export factories, but the problems and concerns are common to other factories and jobs as well.

The industries covered in this book — garment, shoes, and electronics — produce enough profits to improve conditions for workers. Companies that have invested in making work safer and better have found significant benefits: healthier, happier employees work better and stay in their jobs longer, and factories with worker representation produce better products, dispose of less waste, and create more equal workplaces.

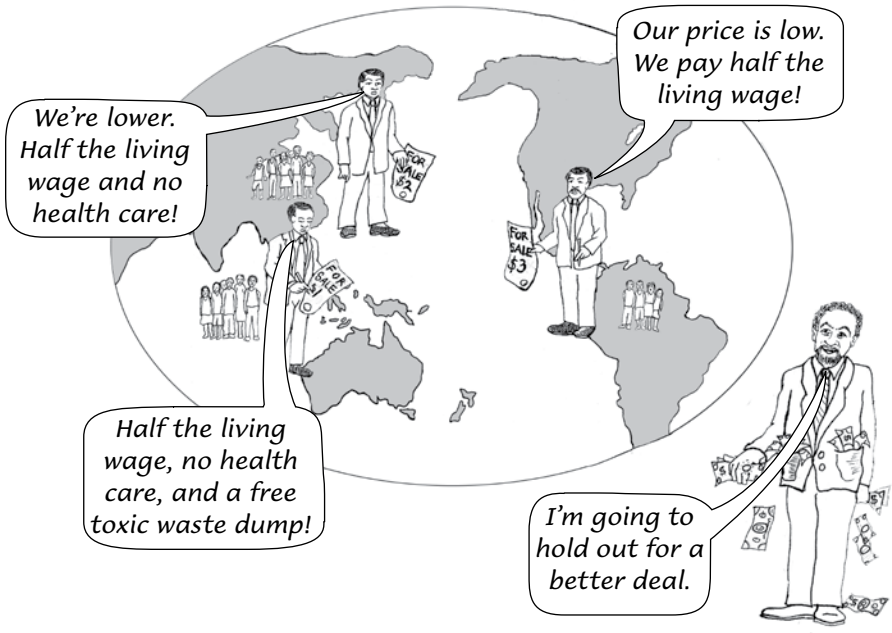
The global factory system

Global companies contract factories all over the world, especially in poor nations, to make their products. These companies — well-known "brands" such as Gap, Walmart, Apple, Adidas, and others — tell the factories exactly what to produce. In this system, the brands don't have the responsibility to actually build or run any of the factories themselves. But because their orders are so large, they can dictate the terms of the contract (price, quality, schedule) that the factory must meet if it wants the job.

These global companies also bargain with the governments of poor countries in order to get low or no taxes, low wages, weak laws protecting workers' and environmental rights, and inexpensive facilities, electricity, communications, and roads. These conditions usually guarantee low costs for factory owners who are providing jobs, and especially for the brands who can sell the products for many times what it cost to have the factories make them.

Around the world, export factories compete with each other to offer the lowest prices in order to win contracts from the global companies. This has been called a "race to the bottom" as the brands bargain with the next factory in the next country to offer its workers at lower wages and accept its pollution with fewer rules about paying for clean-up.

This "race to the bottom" has created the conditions that have made jobs in the global factory unhealthy, unsafe, and unfair for workers.



Who designed the factories and the jobs?

Someone planned the factory you work in and decided what machines, chemicals, tools, and materials you combine in the products you make. Your boss may have made these decisions, or maybe it was the factory owner, or the company that buys your products. These same people can also decide to make jobs and workplaces less harmful, more fair, and more successful — especially by asking the workers to share their knowledge and ideas about how to do it.

It is the responsibility of the factory owner to make sure the workplace is safe, and that all jobs are safe jobs. If the boss does not have the expertise to do that (and most do not), he can hire occupational safety and health (OSH) professionals to oversee conditions in the workplace. Many factories have health and safety departments, and worker and management safety committees, to constantly monitor and hopefully improve workplace conditions. When the people in these positions are committed to protecting worker health, they can be a huge force for change.

But the global companies who contract the factories have already won the "race to the bottom." They usually do not leave local factory owners a lot of room to improve conditions, increase wages, or make changes. The brands have an iron grip on the global factory system. That is why it is so important for workers to make alliances with consumers who want a fair and sustainable system, and with governments and occupational safety and health professionals who want to protect peoples' health and safety.

People can work together — or against each other — to make a better workplace.

Who can improve job safety and working conditions?

Your factory owner: The employer is responsible for providing workers with a healthy and safe workplace. It is the boss's responsibility to find and fix problems. A conscientious boss can make a big difference.

The factory that buys your factory's products: If another factory subcontracts work to your factory, your working conditions — what you produce, what chemicals or materials you use, at what price your factory owner can sell the product, and so on — may be determined outside your factory. The contracting factory is like your boss's boss.

The brands: The brands design "their" product — what it does, how it looks, what is inside it, what processes you use to make it, etc. Their decisions determine how work is done. If they ignore workers' health and well-being while designing the product, brands help create the harmful conditions affecting workers in the factories they contract to produce it. Brands must take responsibility for work processes and conditions.

The government's labor inspectors: Most countries have labor laws and labor inspectors charged with investigating working conditions and taking actions to improve conditions in the factory. Unfortunately, usually there are few inspectors and they earn very little, creating fertile ground for corruption: inspectors are often bribed not to apply the law, and good inspectors are often treated badly or fired when they try to enforce labor standards.

Independent monitors and codes of conduct: Health and safety inspectors or "social auditors" are hired by brands and factory owners to inspect factories. Since the auditors are hired and paid by the people they are inspecting, it is not surprising that they often find few problems. When they do, the owners often ignore them. Instead of improving work conditions, their efforts often just support public relations.

The International Labour Organization (ILO) and the ILO Better Work program: The ILO sets standards for work conditions and rights internationally. Their decisions have moral authority, but no enforcement authority. The ILO Better Work program is a public-private partnership, now in 7 countries, in which international funds are used to improve conditions in garment factories.

Unions, worker organizations, and community organizations: While an organized workforce and community may not be enough to win every struggle to improve conditions on the job, experience shows that lasting improvements will be made only if people are organized. Organized workplaces are overwhelmingly safer and healthier workplaces.

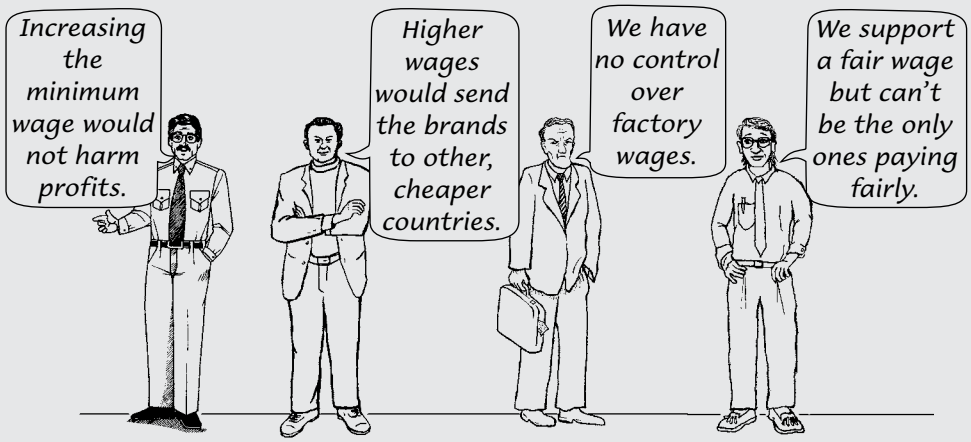
Chakriya's story

Chakriya moved from the countryside into Phnom Penh, Cambodia's capital city, to work in a garment factory. She quickly found a job at Song Industrial, a company that makes clothes for international brands. She and her baby son moved in with Veasna, a woman from her village, in a tiny room in the Canadia slum near the factory. The minimum wage Chakriya earned was barely enough to pay for food and rent. To send money to her parents and sisters, she had to work lots of overtime.

The minimum wage in Cambodia is not enough to live with health or dignity. This makes life very hard for workers and their families, but it is why the brands come to countries like Cambodia in the first place. International companies contract with Cambodian factories because they are the cheapest. When factories compete to offer the lowest price, rarely do they invest in protecting workers' health and safety.

The factory where Chakriya worked was very hot. The air felt like an oppressive, steamy cloud that never moved. One day in a very busy week, Chakriya noticed a sweet, sickly chemical smell that made her head spin. Then she fainted. A truck took her and 2 dozen other workers who had fainted to the hospital. More than 2,400 Cambodian garment workers faint at work each year, but the industry says they don't know why.

The factory owners blame the mass fainting spells on the workers, saying they are hysterical women who feed off each other's mental health problems. But Chakriya doesn't think the problem is in her mind. "We work too many hours and we are just too tired. Our salaries are not enough to buy food. And if we buy food, we cannot pay our children's school fees. And there's nothing left to send home to our parents."



One day, the boss called the workers together. Some foreigners spoke about how the ILO Better Work program had made an agreement with their factory to improve conditions. Soon the lighting and ventilation were improved, but the wages stayed the same. That was the last time Chakriya heard of Better Work and the only time the factory got any better.

Chakriya had joined a union at her factory hoping that by acting together the workers could get higher wages and better conditions. The union joined a general strike over wages in 2010, and 68,000 workers stopped work for a week. The company immediately fired 160 active union members. The union organized workers to work slower, to refuse overtime, and to complain about the condition of their machines until the company rehired the union members. After 5 months, the fired workers got their jobs back. But the factory still didn't increase wages.

At the end of 2013, the workers couldn't take any more. They demanded that the minimum wage double, from $80 to $160 a month, a basic "living wage" that would let workers pay rent, eat nutritious food, and care for their families. But the government, pressured by the factory owners, only raised salaries to $95 – not enough! The workers walked out in a general strike that lasted almost a month.

This time the government responded violently. Police attacked workers, and killed 4. Many people fled to their villages because they were scared. Finally, hunger and repression drove the workers back to their jobs. 23 protesters were jailed for 5 months.

We were not expecting violence because we came with empty hands. We were only demanding an increase of the minimum wage. We did not expect such cruel treatment.

The struggle of Cambodian garment workers did not go unnoticed. International unions, the ILO, NGOs from Europe and the US, and even some responsible brands began to pressure the Cambodian government and factory owners to improve conditions. Most important, the Cambodian workers stayed united and strong, and in November 2014 they won another increase to the minimum wage.

Chakriya still earns too little and works too hard in bad conditions. But the gains she has made with her union, and the alliances her union has made internationally, have shown that getting organized and working together for change is necessary to make things improve.

Solve health and safety problems at work

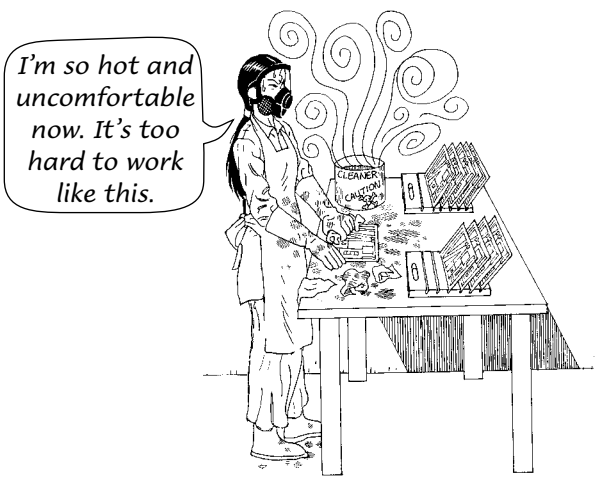
This book can help you identify and correct problems in your workplace, and to become a worker health promoter (see chapter 2: Learning and teaching about health at work). Because everyone in the factory is exposed to problems, everyone has a stake in improving conditions. Some approaches to solving problems are more effective than others.

Strategies that do not protect workers

Making the workplace safe is the responsibility of the factory owner. But when faced with dangers in the workplace, bosses respond in different ways. Often they put the blame on workers for complaining unreasonably or for not following the rules already in place. If they do admit there is a problem, they look for the "solution" that costs less, not the one that most effectively promotes health and safety.

"Do Nothing" strategy

The boss may deny the work is dangerous and do nothing. When a worker becomes injured or ill, he will get rid of her and hire someone else. He will not keep records or will hide records of worker illness or injury.



"Change the Worker" strategy

The boss may try to change the worker by making her do the work differently or forcing her to wear uncomfortable safety equipment. And when she cannot do the work like that, he blames her for being lazy and causing her own injuries or illnesses. "Change the worker" often just means "blame the worker."

Strategies that make work safer

With the help of OSH professionals, an employer committed to the health and safety of workers will ask: what dangers do workers really face and how dangerous are they? A good boss will change the workplace by fixing or replacing equipment, tools, and processes to eliminate dangers and make the work safer. Knowing that the workers are the real experts about their jobs, a good boss will involve workers in all steps of making work safer. Health and safety committees that include management and workers are necessary to make work safer, and they function best when everyone can ask OSH professionals for help in finding solutions.

"Change the Workplace" strategy

Prevent the harm that work dangers can cause.

Eliminate the danger. Improved machines and products are being developed all the time to make work safer. They might cost more, but if they prevent a cancer or save one life they are well worth it. It is also important to train workers in the new processes, and in how to use warning systems and alarms.

Enclose the danger, remove it, or protect the worker from it. Install enclosures, barriers, separate work areas, machine guards, ventilation, and whatever else is needed.

Change the organization of work. Reduce the amount of time individual workers are exposed to dangerous work. Make work less boring. Interesting and fulfilling jobs tend to lead to fewer accidents.

Provide safety equipment when necessary. When the 3 previous steps are successful, there should be no need for personal protective equipment (PPE, see chapter 18). But if work dangers still remain, PPE can be used to make work safer as long as the workplace has a program to ensure that PPE:

- fits each worker using it.
- is the right kind for the dangers faced in each job.
- is cleaned or replaced as often as needed.

Make work safer by removing social dangers

Workplace problems are not only caused by chemical exposures, electrical problems, unguarded machines, and other dangers that can be fixed by repairs or better equipment. Workplace problems are also caused by discrimination against women, racism, and other attitudes, customs, behaviors, and conditions that deny workers their rights and dignity. Most of these social dangers reflect the power relations in our communities and may be harder to see than work dangers. When communities are not fair and just, workplaces will not be either. It is necessary to change these conditions for a healthy and safe workplace, and sometimes it may even be easier to begin to undo poverty, discrimination, racism, and sexism in the workplace than in the larger community.

Organizing for better jobs

One worker alone can make small changes to improve her job, such as adding a cushion to pad the seat of her chair or support her back. But a single worker cannot change the most important problems harming the health of factory workers, such as what chemical to use as a cleaner, whether to enclose a dangerous machine, or how to make sure that no worker or group of workers is always stuck with a particularly dangerous, dirty, or boring job. By working together with others who want to see improvements in the factory, workers can decide what changes they want to make and organize campaigns to convince or pressure the boss to make these changes.

Workers' rights

Every country has laws meant to protect workers from unsafe and unfair work conditions. Find out more about them by asking a labor lawyer, a government official, a union, or another worker or community organization, or by doing research online.

Basic labor laws usually cover minimum wage, time off, maternity leave, health insurance, and health and safety at work. Most laws also include information about how they can be enforced: who can inspect the factories, how to file a complaint with the government, and how the government will resolve the problem. Some countries have very good laws on paper, but all too often the governments do not do their best to enforce them.

International laws on workers' rights

The United Nations (UN) brings together almost all the governments of the world to promote positive relations and international cooperation to solve economic, social, cultural, and humanitarian problems. UN conventions (international laws) that guarantee human rights and freedoms are referenced throughout this book in boxes like this one that include the UN symbol.

The **UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** is a powerful organizing tool for creating more equal and fair conditions for women at work and in their communities.

The International Labour Organization (ILO) is the part of the United Nations that promotes labor rights and sets international standards for workers' rights, working conditions, and worker health. The ILO also promotes the development of independent, democratic worker organizations and unions. ILO standards, adopted by many governments of the world, are referenced throughout this book in boxes like this one that include the ILO symbol. The ILO sponsors a program in many countries called Better Work, a public-private partnership to improve conditions in garment factories.

For more information about ILO conventions and how to use them, see Appendix A.
For more information about the ILO Better Work program, see page 456.

Workers' rights are also made explicit in international law, for example, in conventions created by the United Nations (UN) and International Labour Organization (ILO). Countries that are members of the UN and the ILO sign these conventions and agree to make these rights a reality in their own laws. The UN and ILO conventions say all people have the right to safe, fair jobs that pay enough for a worker and her family to live in dignity. Knowing about these conventions can help you motivate others to fight for better jobs and encourage your government to improve and enforce its labor laws. See the box on the previous page and Appendix A on page 448 for more information on the UN, ILO, and other avenues to pursue international law on workers' rights.

Women's rights

Knowing and protecting women's rights is particularly important in export factories, where women are often the majority of workers. The UN, ILO, and the laws of many countries also say that women and men have equal economic, social, and political rights. These rights include:

- equal pay for equal or similar work.
- equal training and promotions.
- freedom from discrimination as women or mothers (see pages 309 and 380).

The health needs of women, including bearing and caring for children, should be considered in the design of jobs.

Unions and workers' organizations

International law and the laws of most countries recognize a union as a worker-controlled organization with rights and responsibilities to defend its members' rights. An employer must negotiate work issues with the union chosen by the employees. The union has the right and responsibility to negotiate pay, safety and health, working hours, and fair and equal treatment of workers. Some unions also negotiate how work is organized. Employers and governments are prohibited from harassing or intimidating workers for being union members.

The right to organize: Workers fought for years in many countries to win the legal right to form a union, but there are still countries where it is illegal for workers to organize unions. Even where unions are legal, workers organizing for better conditions may face threats, violence, and discrimination from their bosses, hired thugs, police, or soldiers. But in countries where union movements are strong, workers successfully participate in movements to improve living and working conditions and pursue social justice.

Independent, democratic unions and worker organizations: In some countries, unions are controlled by the government, employers, or corrupt "leaders" who support the interests of the bosses or companies instead of those of the workers. These unions give the appearance that a workers' organization exists, yet deliver few of the benefits of worker empowerment. In these situations, workers have formed independent, democratic unions or other types of organizations — workers' centers, injured worker groups, women's and community organizations, and others — to represent their interests.

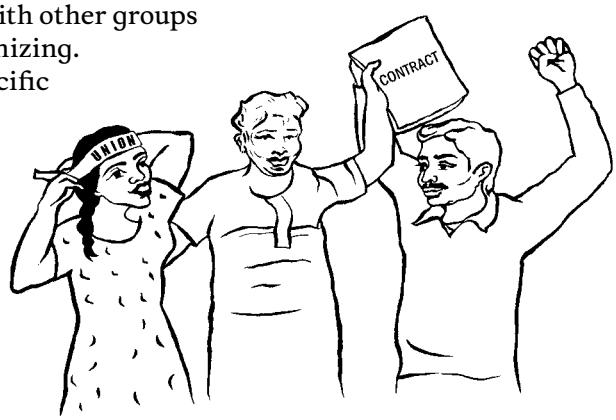
Other worker organizations

For many years, women have formed groups to teach and learn about women's rights, and to protect and expand them. Women's groups have helped women reform their unions and gain respect. Sometimes women workers have formed their own unions when the men leading unions ignored women's needs or didn't allow them to participate as equals.

In places where unions are controlled by corporations or the government, workers have also developed different sorts of groups to fight for changes that their unions will not take on. For instance, when unions do not support compensation for workers hurt by their jobs, workers have organized as "accident victims" to win justice and compensation for injured workers and their families. When unions do not oppose the pollution caused by factories, workers have formed environmental groups to fight for cleaner forms of energy and manufacturing.

Workers have also formed groups based on ethnicity, culture, language, or national background for support and solidarity. These groups educate their members and others about their rights and how to protect themselves in the community and at work. They also help keep alive their traditions and connections to their home villages and countries.

Workers often form coalitions with other groups to increase the power of their organizing. A coalition may form around a specific campaign or may come together for a longer time around broad political and organizing goals. These coalitions may include unions, religious organizations, women's groups, human rights groups, political parties, students, retirees, and other kinds of community and worker groups.



Employer organizations

Companies often join together to promote their interests. They organize to lower their taxes and promote laws, working conditions, local development and international trade agreements that make their companies more stable and profitable. Often their desires to increase profits drive them to lobby against or ignore UN and ILO conventions, and national labor and environmental regulations, and to oppose the interests of workers.

Some companies have developed Codes of Conduct for employers and workers in the factories that make their products. The codes say the company will only work with factories and contractors that respect specific labor and human rights standards. These codes may be weaker than the standards set by the ILO and UN for decent jobs and protecting workers' rights, but may be an improvement over common conditions in an industry.

For example, the codes usually require employers to pay workers at least the local minimum wage and obey local working hour laws. But in many countries, the legal minimum wage for export factories is very low and legal working time very long. So even when employers follow these laws, workers may still be exhausted by work and living in poverty.

Many people question why multinational companies create these weaker codes instead of using the international standards agreed on by the UN and ILO. Nonetheless, sometimes the codes lead to improvements that workers can use to organize for better conditions.

Some companies that are concerned about human rights, the environment, and climate change have begun to organize to help each other change sourcing and production methods. Groups such as BizNGO are working to help companies phase out harmful chemicals from their production processes, thus improving workers' health and the environment. Business for Social Responsibility sponsors the HERproject to educate working women about health issues. The Institute for Human Rights and Business works on human rights both in the workplace and at a policy level, on the rights of migrant workers, threats from digital surveillance of workers, and other issues.

When corporations accept and value international norms on human, workers', and women's rights, they can bring a game-changing array of resources to our struggles for safe workplaces and a sustainable world.

BSR
The Business of a Better World

BizNGO
FOR SAFER CHEMICALS AND SUSTAINABLE MATERIALS

her project

Institute for Human Rights and Business

Organizing wins changes

Workers in almost every country have organized to build effective, representative unions, win better working conditions, and create long-lasting organizations to defend their victories. Over many years, unions have won higher wages, limits on working hours, safer workplaces, health care programs, and social insurance for disabled, ill, and retired workers. Sometimes unions have also helped to change governments in the interests of workers.

Chinese workers develop new ways to organize

Conditions in factories in China are often very bad: low wages, forced overtime, swing shifts, harassment and violence, and few guarantees of health and safety. Workers who have migrated to cities to work in export factories have no political rights and no access to services. Although a government-run union might exist, workers have little power to organize collectively to change working conditions. Strikes are illegal, and repression is constant. Workers in China are pushed to work as much as is physically possible, to never complain, to move to an equally bad factory when work in their current factory becomes unbearable, and to go back to their home villages when they physically or mentally break down.

But as a famous Chinese leader used to say, "Where there is oppression, there is resistance," and workers are finding ways to resist. Every year, workers carry out tens of thousands of actions, expressing their anger and demanding improvements. "Wildcat" strikes — strikes that happen suddenly, like a pot boiling over — have been a very useful tool for workers.

The disruptions caused by wildcat strikes have also helped workers see how their work is connected to work done in other factories. When a factory making batteries does not finish its order because workers are striking, then the factory waiting for those batteries cannot finish theirs. Workers in electronics assembly factories are beginning to use these "supply chain" connections to raise their demands more broadly and more effectively.

New forms of organizing among Chinese workers are beginning to rise. Since their official unions are an instrument of their oppression, they have formed worker centers. Since they cannot organize openly, they connect invisibly through social media or their phones. While wildcat strikes continue to happen, more strikes are well-strategized and well-organized. The workers' demands are comprehensive and explicit. Workers are moving beyond reacting to bad conditions to becoming leaders of their own health and futures.