

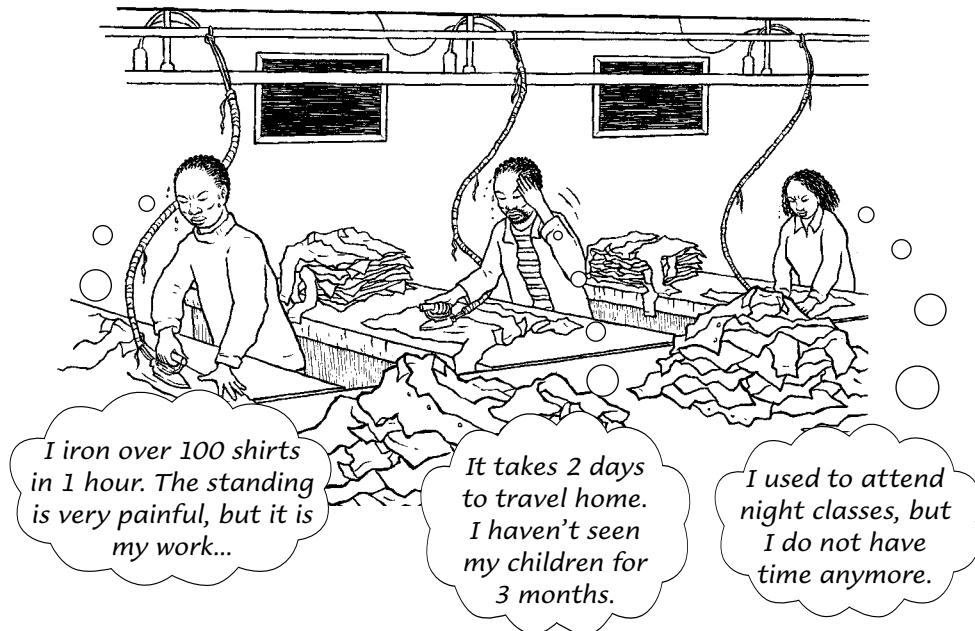
PART 4

Social Dangers and Solutions

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19

Working too much, too fast, for too little



Bosses in export factories want workers to produce the most they can for the least amount of money. To do this, they pay workers as little as they can get away with and make them work long days, including overtime hours, at a dangerously fast pace. Workers often feel they have little choice but to do this if they want to keep their jobs and make enough money to survive.

But jobs are designed by people and can be changed by people. Workers, their supporters in the community, and the companies and people who buy their products can demand that employers fulfill their responsibility to:

- pay a living wage, enough so workers don't need overtime to live well.
- give rest and meal breaks during the day.
- prohibit mandatory overtime.
- pay workers for sick time and pregnancy leave.
- give workers at least 1 day off weekly and all legal holidays and vacations.
- eliminate injuries from too-fast line speeds and high production quotas.

In many countries, rules covering wages, hours, and working conditions are already part of the law. Too often, governments fail to enforce these laws.

We are not robots!

Every person needs time to rest, relax, and take part in family and community life. But employers want us to work like robots that never feel pain nor fall in love, do not have families, never get sick, and have no lives outside the factory. They want workers to be like robots and never complain, question, challenge, or change a factory system that makes them poor, sick, and tired.



Workers are parents too.

Working too fast or for too long leads to more stress and more injuries, including overuse injuries of muscles and joints (see chapter 7: Ergonomics).

Stress

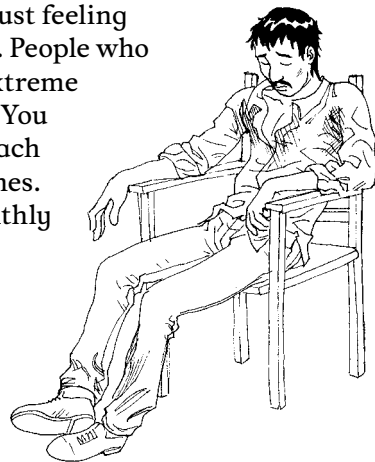
Long working hours do not leave us enough time to take care of personal or family needs. Pressure from work comes home with us and can make us feel tense and nervous. Feeling too much “stress” can lead to a variety of physical and mental health problems.



Women are especially affected by stress from long working hours because after a day of work even more work awaits them in taking care of their families (see page 312).

Exhaustion

Exhaustion occurs when your body and mind can no longer cope with pressures at work and home. It is not just feeling tired, which is common after a long day at work. People who have reached the point of exhaustion may feel extreme fatigue that does not go away with sleep or rest. You might feel pain in muscles and joints, have stomach problems, skin rashes, sore throats, and headaches. Women often will have problems with their monthly bleeding, miscarriages, or other problems with pregnancy. Exhaustion also weakens your body’s defenses against infection and illness. It can make you less able to think clearly, solve problems, or enjoy being with family and friends. Having time to rest and relax can help reduce and prevent exhaustion.



Poor nutrition

People who work long or unpredictable hours have less time to buy fresh food and cook meals. They often cannot afford to buy prepared meals.

If the factory does not provide meals, a place to store food, or time to eat, workers are likely to go hungry or fill up on highly processed “junk foods.”

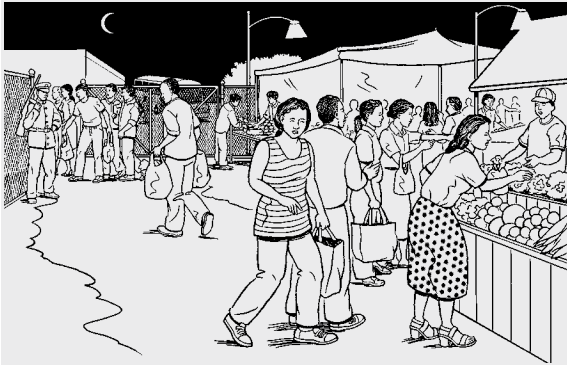
(For more about the importance of food, see chapter 28: Eating well for health.)

I don't eat breakfast because that's the only way I can get a little more sleep.



Finding ways to buy fresh food

In the Las Mercedes export zone in Nicaragua, we work 12 to 14 hours a day just to earn enough to survive. Working late in the evening meant



we could not go to the market to buy fresh food.

A few years ago, a group of merchants began a weekly night market near the zone. We liked it so much it now is a daily market. The market stays open a few hours after most workers get out, which allows us to buy better food for ourselves and our families.

Drugs

Tired workers sometimes take or are forced to take stimulant drugs so they can keep working and not feel so tired. Some bosses give workers pills or put drugs in drinking water to keep them awake during long shifts. These drugs make your heart beat faster and raise your blood pressure. Drugs that keep you awake may keep you from feeling hungry even when you need to eat, make your mouth dry, and make it difficult to pass stool.

The company gives us pills and an 'energy drink' to keep us awake during the overnight shift once a week. The boss told us the pills were vitamins, but we know they are drugs to keep us awake. Even when I am awake, I have no energy. And when I get home, I can't sleep even if I am tired.





The right to fair working hours



The **UN** and **ILO** have set standards but each country has its own laws on hours.

The **UN Universal Declaration of Human Rights** says you have the right to holidays with pay, rest time, and limits on working hours, while the **ILO** says workers should have a 40-hour work week, rest, paid holidays, and limits on night work. But each country makes its own rules, so check the laws in your country.

The **ILO 40-Hour Week Convention (No. 47)** gives workers the right to:

- an average work week of 40 hours.
- regular working hours and rest periods.
- the same wages and benefits if a longer work week is reduced to 40 hours.

The **ILO Weekly Rest Convention (No. 14)** gives workers the right to 1 day of rest (at least 24 hours) every 7 days. Rest days should be on traditional days of rest.

The **ILO Holidays with Pay Convention (No. 132)** gives workers the right to at least 3 weeks of paid holiday every year, beyond sick days or national holidays.

- Workers should earn regular pay and be paid at the beginning of the holiday.
- The employer decides when you take a holiday, but should talk with you first.
- If you have not taken all your holiday when you quit or get fired, the employer must pay for earned holiday time.

The **ILO Night Work Convention (No. 171)** says that a shift of 7 hours or more that includes time between midnight and 5 in the morning is hard on workers.

- Night workers should be paid more, work shorter shifts, or get other benefits.
- Workers under 18 years old must not work at night.
- Pregnant workers should have an alternative to night work before and after childbirth, such as day work, social security, or longer paid time off.
- Employers must protect night workers' health, help them meet family and social responsibilities, and provide opportunities for promotion.
- First aid facilities must be available for night workers, including arrangements for quickly taking workers to a clinic or hospital.
- You have the right to see a health worker free of charge before starting night work and while working. If you are unfit to work nights, you cannot be fired.

The roles of the UN, ILO, and other international organizations that promote workers' rights are explained in Appendix A.

Low wages keep people in poverty

If the harder you worked, the more money you earned, then export factory workers would be among the richest people in the world. But workers in export factories live in poverty. Employers pay workers as little as they can and lobby governments to keep the minimum wage as low as possible. Though it may be illegal, factory owners often pay less than the minimum wage, and refuse to pay bonuses, overtime, or social security benefits. Since governments want companies to build factories and stay in their countries, they rarely enforce laws regarding wages, hours, benefits, or working conditions.

When companies pay workers barely enough money to survive, they deny them the right to a healthy, dignified life.

I can't afford to live in a place with clean water, schools, and clinics nearby. I can barely feed and clothe my family!

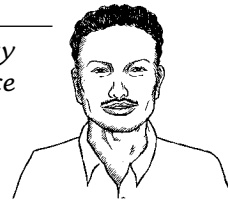


Not paying full wages and benefits

Many employers do not fully pay even the low wages the law requires. Some do not pay minimum wage or a higher wage for overtime hours, for all the hours worked or all the pieces made. Legally required bonuses for attendance, holidays, and festivals may be unpaid. And workers are fined for breaking factory rules. Sometimes factories schedule vacations during holidays to avoid giving holiday pay — this is not legal.

Some employers deduct health or other social security payments from workers' pay but do not pay it into the social security system. This means workers take home less money but also cannot get the health care and other benefits they have paid for and deserve.

I took 1 day off and lost almost 3 days of pay because they illegally deducted my attendance and punctuality bonuses and food vouchers. I took 1 day off and the next week didn't even have enough money to eat.

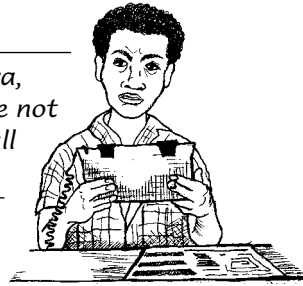


Mandatory overtime

Even where workers' pay is not set by the piece, high production targets must be met before the shift is allowed to end.

If an employer requires workers to work overtime, punishes workers by forcing them to work extra hours, or locks workers in the factory to finish a job, this is forced labor. Forced labor violates national and international human rights laws and worker rights agreements.

In the factory where I work in Kenya, if you do not meet your target, you are not allowed to leave. Sometimes we work all night with only short breaks.



International companies (brands) force overtime on factories they contract by demanding production schedules that are almost impossible to meet. In search of ever lower costs, they drive a system in which factory owners keep wages as low as possible to ensure their profits. Most of the time, wages are not enough to support one person, let alone a whole family, so workers are forced to depend on extra pay from overtime work and bonuses.

Ban on forced labor



The **ILO Forced Labor Rights Convention (No. 29)** and **Abolition of Forced Labor Convention (No. 105)** say that it is illegal for companies to force people to work without pay and/or with the threat of violence, debt, or other forms of coercion.

The roles of the UN, ILO, and other international organizations that promote workers' rights are explained in Appendix A.

Piecework hurts workers' health

A piecework pay system, where employers pay workers by the piece instead of by the hours or days worked, allows employers to pressure workers to work faster and longer than may be legally allowed, even if they are tired, injured, or ill.

Piecework pay is often set so low that workers must work overtime just to make enough money to survive. If workers complain, bosses threaten them with losing their overtime or their job. They punish workers by not letting them drink water, eat, or go to the toilet. Sometimes, they even lock the doors or gates to force them to keep working!



Paying some workers less than others

Bosses discriminate against some workers — women, indigenous people, migrant and child laborers — by paying them less than others doing the same work. Although women workers are often a majority, they may not be promoted to better paying jobs, even if they can do the job well. (See pages 305 to 306.)

Contract and temporary workers

Another way employers keep people in poverty is by hiring workers for only a short time. They may hire workers when there is a lot of work and fire them when there is not. Employers often contract temporary agencies to provide these workers to avoid the legal responsibilities of being the direct employer.

This system stops workers from getting benefits the law may give to permanent workers. Because contract and temporary workers come and go, it also hides illnesses and injuries caused by work, and makes it harder for workers to organize for better, safer conditions.

Working to pay off debt

Getting paid too little means workers do not have enough money to save, for emergencies, or to pay for things they need. Stores in and around the factory often let workers purchase goods on credit but charge high interest rates. Employers, banks, and loan sharks charge high rates for loans. Workers owe so much in interest that when they settle accounts they have even less money to live on. Then they have to buy more on credit or take out another loan!

Migrant workers also become victims of the debt system. Recruiters charge a lot of money to get them jobs in other countries. Workers begin paying their debt when they arrive. But recruiters and employers often demand more money, charge high interest, or change the rules. Some workers get trapped in a system that never lets them pay off their debts. This is called “debt bondage.”

Savings groups help workers get out of debt

Kavita had been working for a long time to pay off a loan from the boss, but her debt did not seem to go down. Many women were in the same situation. One day, an organizer from the group Sankalp talked with them about their debts and about finding a way to pay them off. The organizer proposed that they start a savings group. If 10 women worked together, they could save up to 1 rupee a week, she said. The organizer would help them set up a bank account. If they saved regularly, the bank could also give them a loan, with much better conditions than the boss.

The women got organized and saved 1 rupee a week. After 3 months, they had enough to pay the debt of 1 woman and chose Kavita. The women, including Kavita, kept saving and every few months they paid somebody else’s debt. After paying all 10 women’s debts, they kept saving money to give loans to each other instead of going to the boss or the bank. Now they are better prepared to pay for emergencies than ever before.

Activity

Examine your pay

You should be able to find out if you have received all the pay you have earned. This activity will help you to:

Know what you should be paid. Find out what the employer is supposed to pay for each piece, or hour or day, and for overtime. Find out if they are required to pay for holidays or increase pay for each year of work.

Know what should be deducted. If part of your pay is deducted for taxes, social security, savings, or housing, make sure the employer is subtracting the correct amounts. Ask co-workers if their tax or social security deductions are the same as yours. Ask your union or a lawyer to help you contact the government to ensure your employer is paying the correct amounts.



Keep records. Write down all your working hours, the number of pieces you make, the price for each piece, and any other information that might be useful, in a notebook or on a calendar. Keep copies of pay stubs, deposits, and any other information about your pay.

Calculate your pay. With the record of pieces you made, or the days and hours you worked, you can calculate how much money you are owed.

Make a time log

Create a form (or use a calendar) to record hours worked and time off. Add columns (see the example below) to fit your situation. For example, add a column to record the number of pieces you made or for bonuses.

Day	Date	Time In	Time Out	Regular Hours	Overtime Hours	-OR-	Pieces Made
Monday	June 4	7:00	17:30	8	2		160
Tuesday	June 5	7:00	19:30	8	4		220
Wednesday	June 6	7:00	19:30	8	4		220
Thursday	June 7	7:00	17:30	8	2		170
Friday	June 8	7:00	17:30	8	2		170
Saturday	June 9	7:00	11:00	4			60
Sunday	June 10	—	—	0	0		
Total paid hours				44	14		1000

(continued)

Activity

Examine your pay *(continued)*

Whether you are paid by the hour or by the piece, your employer must pay you **at least** the legal minimum wage plus extra pay for overtime hours. The pay rates below are only examples.

If you get paid by the time you worked:

- | | |
|--|--|
| 1. What is the legal work week in your country? How much did you work? | In our country the legal work week is 44 hours. I worked 58 hours. |
| 2. Divide the number of regular hours by the pay you should receive. | I was promised \$110 a week. So,
$\$110 \div 44 \text{ hours} = \mathbf{\$2.50}$ an hour. |
| 3. Multiply the number of overtime hours you worked by the overtime pay rate. | Overtime is paid at 1 1/2 times regular pay, so $\$2.50 \times 1.5 = \mathbf{\$3.75}$ |
| 4. Add your weekly regular pay and your weekly overtime pay. | I worked 14 hours overtime, so,
$14 \times \$3.75 = \mathbf{\$52.50}$ (overtime pay)

$\$110$ (regular pay) + $\$52.50$
(overtime pay) = $\mathbf{\$162.50}$ |
| 5. Add bonuses earned this week, such as bonuses for meeting production goals, attendance, or food stipends. | $\$162.50 + \20 attendance bonus
+ $\$20$ production goal bonus
= $\mathbf{\$202.50}$ |
| 6. Subtract taxes and fees for things such as health care and other social insurance. For example: | $\$202.50$
- $\$20$ for taxes
- $\$25$ for social security
= $\mathbf{\$157.50}$ weekly pay. |

If you get paid piece rate:

- | | |
|---|--|
| 1. Multiply the number of pieces you made by pay per piece. | $1000 \text{ pieces} \times \$0.15 = \mathbf{\$150}$ |
| 2. Add bonuses earned this week. | $\$150 + \20 production goal bonus
= $\mathbf{\$170}$ |
| 3. Subtract taxes and fees for things such as health care and other social insurance. | $\$170 - \30 for social security
= $\mathbf{\$140}$ weekly pay. |

Get your full pay

Compare your time log and pay sheet with your paycheck every pay period. If you find that you are not getting as much as you calculated:

- **Talk to the bookkeeper** (or your supervisor) and ask about the difference between your records and theirs. It is helpful to bring the contract or written agreement that defines your salary and deductions, but your time log will be even more useful when confronting the person who pays you. Have a co-worker go with you for support and to be a witness.
- **Seek advice and support from unions, worker groups, or other organizations.** Bring as much information as possible about the factory (name, address, owners) to make it easier to start a legal process. The boss might be within the law in what he is paying you, but if it is not what he promised in writing or verbally, you may be able to demand the correct pay through social pressure, worker unity, or the legal system.
- **Talk to other workers.** If you are not getting paid correctly, it is very likely that other workers are in a similar situation. Together you can talk about solutions and support each other.



The boss says he'll pay what he owes me next week. He has said that before. What should I do?

The minimum wage is not enough!

I work in a TV factory in Ciudad Acuña, Mexico where I earn a little above the minimum wage. During one of our trainings with the Comité Fronterizo de Obreras (CFO) we did an activity to determine our sustainable living wage. We looked at our weekly expenses, divided into “things we need to survive” such as basic foods, clean water, and hygienic products, “things we need to pay each month” like electricity, rent, and transportation, and “things that we need to have a dignified life,” which included more nutritious and varied foods and school fees. When we compared how much we needed each week with how much we earned we saw that even if we bought the cheapest brands of everything and did without a lot of things, we only earned about 25% of what we needed! We actually need 4 to 5 times the legal minimum wage in order to cover our most basic monthly expenses. The CFO is now working to raise the minimum wage so that working full time at minimum wage is enough for a worker to sustain her family and live a healthy life.

How much do *you* need to cover all your expenses?

A living wage is a human right

The minimum wage should be enough money to cover basic needs — a place to live, water, and food for a worker and her family. But people need to do more than just survive. We need a decent home, enough healthy and nutritious food for our families, and to earn enough to pay our monthly bills as well as save for bigger purchases or emergencies. A living wage allows workers and their families to break the cycle of poverty and illness and live a healthy life.



Standard of Living



The **UN Universal Declaration of Human Rights** says everyone has the right to a standard of living that allows for their health and well-being, including food, clothing, housing, medical care, and social services.

The **ILO Minimum Wage Fixing Convention (No. 131)** says governments must:

- set a minimum wage for all workers, considering the needs of workers and their families.
- enforce the law to ensure workers are paid properly.

While the ILO requires governments to set a minimum wage, each country decides what that is. Check your country's labor laws.

The roles of the UN, ILO, and other international organizations that promote workers' rights are explained in Appendix A.

The Asia Floor Wage Campaign

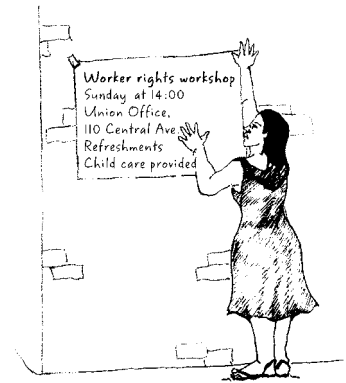
To lure international companies with low prices, factories move from city to city and country to country searching for places where regulations are lax and they can pay the lowest wages. Tired of this “race to the bottom,” workers all over Asia got together to launch the Asia Floor Wage Campaign.

They calculated how much a worker in each country must earn to support her family by working no more than 48 hours a week. They set the Asia Floor Wage to be the same for all of Asia so large companies would no longer move in search of the lowest wages. Some workers and unions have used the Floor Wage to negotiate for better pay with factory owners and managers, and to pressure the brands to change policies that strive only for low cost instead of the well-being of workers.

Organizing when long hours make it difficult

How can you organize against working too many hours when you have so little time already? Here are some strategies that work:

- **Find times and places that are convenient for workers** and do not conflict with their duties at home. Plan meetings for workers' days off. Hold several smaller meetings instead of trying to find one time or place that works for everyone. Organize meetings by shift, job, or neighborhood.
- **Organize outside of meetings.** Speak with workers during breaks. Sit with different groups during lunch and encourage other organizers to also make new friends. Connect with workers before or after work — on the bus, at social gatherings, or in neighborhoods where workers live.
- **Involve women.** Because women often work a “second shift” caring for their families, sometimes it is harder for them to get involved. Offer childcare at the meetings, as well as food and refreshment, to make it easier for them to attend.

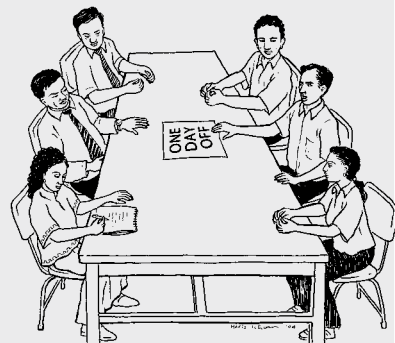


Workers win a day off

We make Nike shoes at the Sinotex factory in Sri Lanka. The boss had us working 7 days, with no days off even though the labor law in Sri Lanka entitled us to 1 day off every week.

When the union and other members of the Workers Council demanded our rightful day off, the boss refused!

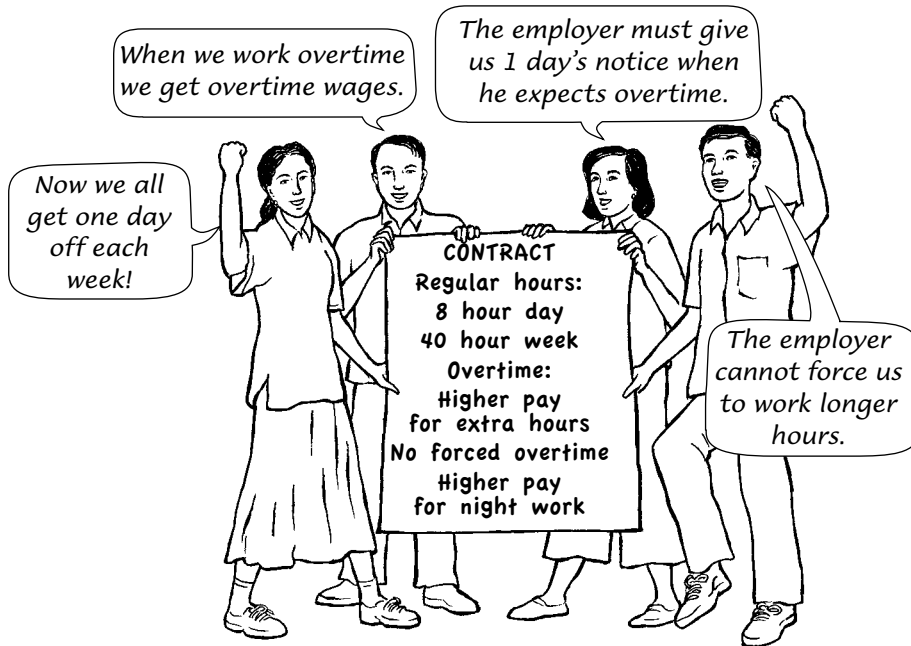
We told all the workers about the law and Nike's code of conduct, which also said we had the right to 1 day off every week. We got organized and threatened to report the boss to Nike. The Nike auditor had visited our factory and didn't give it a good score, so the boss didn't want to lose any more points. He was scared of losing the Nike contract, so after 1 month of campaigning, he agreed to give us the 7th day off.



Some workers are happy we get Sunday off, but some aren't because wages are still too low. We agreed to organize to raise our wages!

Fighting for fair hours and better pay

In factories where workers have fought for and won a collective contract, they are often able to bargain for better salaries and fairer working hours. Forming a union or worker association is often the best way to get a good collective contract, overtime, and fair pay.



When you negotiate a collective contract, you and the employer agree to honor it.

Enforce labor laws

Labor laws in many countries set limits on working hours and overtime. Unfortunately, many export factories may be exempt from these laws, especially inside special export processing zones. Whether the laws apply to your factory or not, a campaign for fair working hours might bring enough pressure to make the factory honor them.

If the labor laws are weak or there are none regarding wages or working hours, your campaign might pressure the government to create and pass laws to protect workers and limit working hours. International agreements your country has signed on labor and human rights standards can be useful to your campaign, even if these standards have not been implemented. See Appendix A: Laws and the struggle for decent, healthy, and fair work.

Community campaigns

Workers organizing their factories often gain strength by joining with community groups and non-governmental organizations (NGOs), such as women's, religious, environmental, or human rights groups. Discussing problems in the community caused by low wages and long workdays can help build support for workers and help generate ideas to improve conditions for everyone in the community. Use the But why? activity on page 20 to help figure out what the underlying problems and solutions are. Worker and community groups have organized many kinds of projects.

- **Legal aid clinics:** Staffed by volunteer lawyers and law students, they offer free legal advice on many issues, especially labor law violations.

- **Low cost childcare, after school activities, and tutoring:** They keep children safe and learning, even if you are working overtime or at night.



- **Night or weekend free adult schools:** They teach what you want to learn and are available when you are.

- **Community-based health care and referrals:** They make it easier and less costly for you to get medical attention.



- **Night markets, community gardens, and buying food in bulk:** They can help you reduce your costs and eat more nutritious foods.



- **Cultural activities:** They can help you relate to other workers and enjoy life more.

International campaigns

Because employers and the brands sell their products all over the world, many worker organizations have involved groups in other countries in campaigns to increase wages, force companies to pay the wages and benefits they owe workers, and recognize their unions. (See page 59 for more information.)

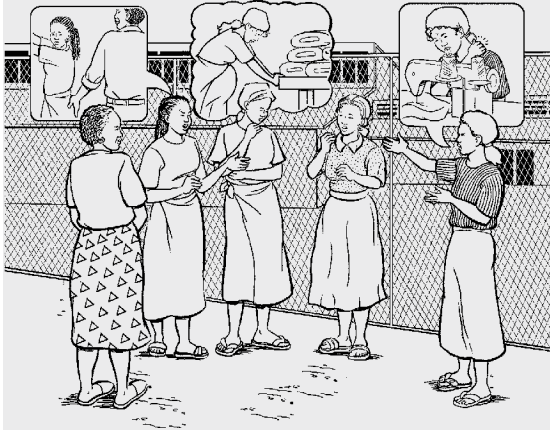
How we won against forced overtime

Workers from other garment factories ask us how we got the freedom to leave at 4:30 pm and not work forced overtime. When people find out that we organized our own union and that we were successful, they feel like it is possible to fight for better conditions, and they want to know how we did it.



Share experiences with other workers

We work at the Choi Shin and Cimatextiles factories in Guatemala. Both of these factories are owned by the same Korean company and are right next to each other. Many people worked there under bad conditions. Besides the low pay and the mean bosses, they also forced us to work overtime, even when we did not want to. Some of us got together



outside of work to talk about the conditions in the factory. We talked about everything, from how the bosses treated us at work, to how much we are paid, to how often we were forced to work overtime. After everybody got a chance to talk, we decided that the biggest problem we shared was forced overtime and low pay.

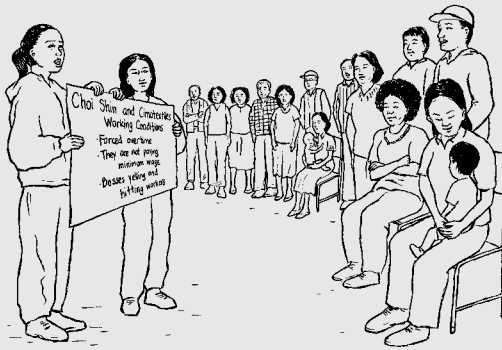
Organize a workers' group

At first most of us did not want to take action against the boss because we were afraid we would lose our jobs. But when we found out that forced overtime was illegal in Guatemala, we started organizing small groups of workers in neighborhoods outside the factory. After 1 year, we had organized 1,250 workers from the two factories. We all agreed to form an independent union.



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Bring attention to the problem

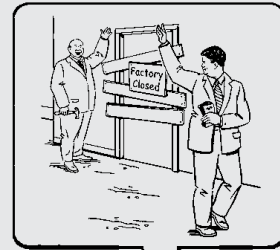
We made the community aware of what was happening in the factory. The bosses responded with death threats, violence, bribes, and even rape to intimidate the leaders and break our unity. Twice, supervisors led non-union mobs to threaten and attack us, but we found support and protection in the community.

Build national and international support

Our union reached out to other unions and organizations in Guatemala and other countries. We wrote to the brands. They put pressure on the boss to improve our working conditions. To keep his customers, the boss had to sign an agreement acknowledging our union.

Pressure for legal enforcement

But the boss went back to harassing the union leaders, threatening to close the factories and move to China. But we kept working and organizing. After 2 years of struggle, the government was pressured by local, national, and international organizations to enforce the law. The government told the factory owner that he had to sign a collective bargaining agreement with us, rehire fired union workers, and address our complaints.



Win some, lose some

Although we won higher pay and no more forced overtime, we still struggle with the boss who hates our union and threatens to close and move the factories. But we are proud to be among the first unions in Guatemala to have a collective contract!



For a step-by-step description of how to organize a campaign, see pages 53 to 58.