

Honorable Dinesh Gunawardena
Minister of Foreign Affairs, Skills Development and Employment and Labour Relations
Mehavara Piyasa
Colombo 05

Honorable Minister,

Proposals to ensure employee rights and wellbeing within the COVID 19 pandemic disaster situation and recovery process

As the labour unions and organizations that represent the export processing zone employees, firstly we wish to thank you for establishing a Ministerial Task Force with employees' representation for managing the impact of the present COVID 19 disaster situation on the employers and employees.

All of us agree that due to this disaster and the economic crisis that could result from it our export manufacturing sector including the garment industry will face a challenging situation. In order to face this, a short term as well as a long term plan are essential and in developing and implementing this plan we believe that an equal value will be given to the employees' views and suggestions as they are a prime stakeholder in this sector.

Over the last few decades, the contribution made towards Sri Lanka's economy by the employees of export processing industries including the garment industry is immense. Therefore, it is a prime responsibility of the employers as well as the government to ensure their rights and well being at this difficult time. We present the following proposals for this purpose. We will be grateful if you can provide with us an opportunity to discuss these proposals in detail.

1. By this time many factories in export processing zones have been closed down and the employees have been sent back to their homes. But there are yet a large number of employees who have not been able to get back to their homes and are still staying in boarding houses or rented homes or temporary dwelling places. Take an account of these employees immediately and take steps to fulfill their basic needs. Take action to provide the Rs.5,000 subsidy allocated to poor families to these employees also (especially to those who have been engaged in temporary work through manpower agencies). The government to intervene and pay the rent for houses or boardings for those who have been rendered helpless without salaries during the past month.
2. Given the situation where there is no visible slowdown of the spread of the virus, we would like to urge you to prioritize the lives of the workers and reconsider the decision to open factories. When the government decides to re-open the export processing industries, ensure that the employees in the factories that are re-opening and those who are maintaining their services up to now are provided with a safe service environment. The government has a responsibility to ensure that not merely within the work place but that accommodation, transportation and other public services too follow the safety measures in what is being done as recommended by the government and the World Health Organization.

3. The present crisis should not be a reason for defaulting to pay the salaries, overtime allowances and festival advances due for the services rendered by employees over the past period of time. It is the responsibility of the government to make sure that the employers take action to make these payments immediately.
4. The state sector, the Board of Investment and the trade unions to build an integrated mechanism to receive the complaints regarding the basic needs of workers, their health and safety and for providing speedy solutions for these.
5. The employers have already expressed on several occasions that it may be difficult to maintain the services of employees continuously within this present situation. As expressed by the Garment Exporters Association it is expected that the services of nearly 30% of overall garment industry workers will have to be terminated.

At a time when the entire population in the country is facing a severe economic and social crisis due to COVID 19 disaster, a very large number of people becoming unemployed in this manner will lead to a severe social catastrophe. Similarly, the employers and the government have a humane responsibility of not deserting the garment employees who have been shouldering a heavy burden in the country's economy. Therefore, we present the following proposals with a view to protecting their worker rights and well being.

- 5.1 Hold a genuine and open discussion with the employees and the trade unions on the current situation of the industry and the situation of the export companies. The employees have a right to know about the status of accounts (accounts in Sri Lanka and foreign countries) in companies and the companies should take steps to provide this information to the employees. Reveal the true picture of the profits earned by companies over last few years with the benefit of GSP+.
- 5.2 Amidst potential changes that could take place in the global market and the local industry in the foreseeable future, employers, buyers and Brands and the government should work together and develop a process for continuation of employees' payments during the next few months. These revenues should be received by all parties engaged in the production on a regular, temporary, and contract basis and those engaged in household production. Employee contracts to be continued during this period.
- 5.3 Export companies and the government to take action to influence the international buyers and Brands to purchase orders they have already placed. Make an international impact together with other countries in the region (such as Cambodia, Bangladesh) that have already taken action with regard to this matter.
- 5.4 Utilizing this situation no action should be taken to amend any laws that establish worker rights including laws that exist for dismissing employees from work. Any termination of service should be done under the existing legal system. Revise the current outdated compensation packages to match the current cost of living situations. Government should not try to use this disaster situation to

implement unified labor law system and other labor law reforms which are detrimental towards workers' rights and being opposed by the workers labor movement over the years.

5.5 Intervene immediately to look for new local and export markets. For example, currently there is a great demand for face masks and other protective apparel and Sri Lanka could take the lead in fulfilling this demand.

5.6 It is unfair to expect workers, who are already getting a very low salary to sacrifice their salary to rescue the industry. If there is any need for salary cuts, it should be done from the senior managers and executives salaries and other benefits.

It's the responsibility of the Government and the industry to protect the workers who carried the biggest weight of the industry so far with very low salaries and benefits. We sincerely hope that Government and industry will not run away from their responsibility by putting all the burden to the workers.

For your response and more information please contact

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Signed by:

1. Ceylon Mercantile Industrial and General Workers Union (CMU)
2. Textile Garment and Clothing Workers Union
3. Dabindu Collective
4. Standup Movement Lanka
5. Shramabhimani Kendraya
6. Revaluatory Existence for human development (RED)
7. Liberation Movement

Supported by:

1. Alliance for Economic Democracy
2. Centre for Equality and Justice
3. Ceylon Bank Employee's Union
4. FORUM-ASIA
5. Human Elevation Organization (HEO)
6. INFORM Human Rights Documentation Centre
7. Institution for Social Development
8. Law and Society Trust
9. Mannar Women's Development Federation

10. Movement for Land and Agriculture Reforms
11. Movement for Plantation Peoples' Land Rights (MPPLR)
12. National Fisheries Solidarity Movement
13. People's Alliance for Right to Land
14. Progressive women's Collective
15. Savistri National Women's Movement
16. Social Institute for Development of Plantation Sector (SIDPS)
17. United Federation of Labour
18. Women's action for social justice
19. Women's Action Network
20. Working Women Front