

SEP member in Sri Lanka victimised and sacked

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2 April 2001

The Socialist Equality Party (SEP) in Sri Lanka is preparing to take legal action and launch a campaign against the dismissal of its member B.A. Sarath Kumara from his job at Elastomeric Engineering Company (EECL). Management suspended Sarath last October on a series of bogus charges and instigated an inquiry against him. In early February, he received a letter effectively sacking him from the date of his suspension and a second letter three weeks later, telling him to collect his outstanding monies.

Sarath's dismissal is a blatant case of victimisation aimed at intimidating any worker who opposes the company's restructuring plans. He has denied all of the charges, which include distributing SEP election manifestos among workers, carrying out political activities and keeping company property in his locker. He has refused to collect his entitlements and is preparing a legal challenge.

Sarath was suspended on October 4, after he refused to submit a written statement to the company admitting that he had distributed copies of the SEP election manifesto on the factory premises during working hours. His refusal became the basis for charging him with “disobeying” management. Having failed to extract a confession, the management broke into his locker and took copies of the SEP's election manifesto and the party newspaper *Kamkaru Mawath*. They also removed two Allen keys, falsely claiming that the tools belonged to the factory.

Even though Sarath insisted that what was seized from his locker was his personal property, management sent him a formal charge sheet on October 17. He was accused of distributing leaflets that could result in “a breach of law and order,” engaging in political activities in the workplace, disobeying management, and the theft of the Allen keys along with two copper

tubes, two pieces of welding chalk and a piece of iron.

Management modified the charge of distributing leaflets when Sarath pointed out that the SEP was a recognised political party, which stood candidates in the election. It was changed to the more serious allegation of handing out an “illegal statement.” The company convened an inquiry on November 4 conducted by one of its appointees. Sarath was not allowed to retain a lawyer or be accompanied by a union representative. He was only allowed to have an observer present.

The inquiry, which was dragged out through postponements, met on four occasions. Management produced six witnesses: two workers who claimed to have been given leaflets, a security officer, a supervisor, the factory maintenance manager, and the company's finance manager, who had organised the whole affair.

In the course of Sarath's questioning of the witnesses, it became clear that the charges had been concocted. The two female employees admitted that they had been given leaflets outside the factory during a lunch break. The finance manager conceded that he had broken into Sarath's locker without his permission. The security guard admitted that the break-in was illegal. He added that no worker was able to take tools and materials to their lockers, which are located outside the factory gate. The supervisor, who claimed to have lost an Allen key, admitted that he had not noticed anything missing prior to being called to the inquiry.

The accusations are clearly politically motivated—with the charge of theft being added to cast a slur on Sarath's character. He denied all the charges while at the same time insisting on the rights of workers to take part in political activities during their own time. He told the inquiry that management was engaged in an attack on

basic democratic rights. Despite the lack of evidence against him, the inquiry officer upheld all charges against him—with the exception of distributing an “illegal statement”.

When Sarath took his suspension to the Labour Commissioner's office, an assistant commissioner advised him that any worker could be sacked under the country's stringent emergency regulations. Last May, following the army's loss of Elephant Pass to the separatist Liberation Tigers of Tamil Eelam (LTTE), the Peoples Alliance government implemented new measures outlawing all strikes, demonstrations and public meetings.

Assistant commissioner W. A. Premalatha told Sarath that he had to understand the “value” of a job and do everything possible to protect it by obeying management and not disrupting the factory. She declared that she could not do anything about the suspension and would refer the matter to the Labour Commissioner.

The only trade union operating in the EECL factory is the Inter Company Workers Union, which is affiliated to Sinhala chauvinist JVP (Janatha Vimukthi Peramuna). Its representatives have taken no initiatives against Sarath's victimisation. Only after being confronted several times did the union's branch leaders agree to sign an SEP petition calling for his unconditional reinstatement.

EECL, a joint venture with the Swiss firm Gisvald Gummi AB, produces rubber components for the European auto market. Desperate to maintain its competitiveness, the company has implemented a number of restructuring measures at the plant, including layoffs and speed-up, which have been opposed by Sarath and other SEP members.

In 1997, the SEP launched a campaign against plans to shut the factory and established an Elastomeric United Action Committee, which gained significant support from workers, local unemployed and young people, forcing management to back down.

Sarath was previously suspended last June on a trumped-up charge of “refusing overtime work”. On that occasion, however, management was forced to reinstate him after workers signed an SEP petition protesting the company's actions. The company was also compelled to lift the suspension of another SEP member, Krishantha Jayasinghe, who had been charged

with damaging a factory instrument.

Sarath's dismissal is a sharp warning that the company is preparing to intensify its attacks on jobs and conditions and will use the same methods against other workers. Moreover, the fact that “political activities” have been targeted is an indication that employers are no longer prepared to allow workers to exercise even the most basic democratic rights.

Prior to the budget, big business met with Sri Lankan President Chandrika Kumaratunga and treasury officials to insist on a revamping of the labour laws, including the right to hire and fire unhindered. Corporate representatives have continued the campaign, commenting favourably on the measure announced in the Indian budget to allow companies with less than 1,000 employees to retrench workers without government authorisation.

Under conditions of growing unrest over skyrocketing prices, a crackdown on workers is already underway. During February police carried out several vicious attacks on striking workers—including at the Asian Great Unicorn garment factory in Badulla and the Daintee Sweet factory, south of Colombo. Seven workers, including a branch union official at Daintee, have since been suspended. At the Wonderlight soap factory in Ethulkotte, one of Colombo's suburbs, 15 workers have been suspended since January for attempting to form a union branch.



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