Sri Lankan government imposes longer hours on female workers

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The United National Front (UNF) government in Sri Lanka has rammed through new labour laws that drastically increase the working hours of female workers. The Factories (Amendment) Bill passed on August 13 allows employers to impose up to 60 hours of overtime per month on female employees and up to 50 hours of overtime on young workers between 16 and 18 years old.

The amendment repeals a 1942 provision that limited total overtime hours for female and young workers to 100 hours per year or less than nine hours a month. The bill is just part of the government's plans for overhauling the country's labour laws, which have been branded by the IMF and big business as a barrier to investment.

Even prior to the legislative change, it was an open secret that female workers were frequently compelled to work overtime in excess of the legal limit. Employers often inserted a clause in appointment letters to the effect that workers should work overtime as demanded by management. If a worker refused to work extra hours, he or she could be sacked for alleged breach of contract. The worker could still, however, appeal under the labour laws and challenge the dismissal.

In arguing for increasing the overtime limit, Labour Minister Mahinda Samarasinghe cited a number of letters from Sri Lankan garment manufacturers who claimed that major international garment buyers, such as UK-based Marks & Spencer and the American GAP stores, have threatened to take their business elsewhere. These overseas companies have pointed to the failure of Sri Lankan factories to adhere to the country's labour laws, citing breaches of the overtime provisions in particular.

The solution, according to Samarasinghe and the owners of the Sri Lankan sweatshops, is not to enforce the present limit but to change the law to legalise the existing levels of exploitation. As long as the level of overtime is within the law, it appears that the international buyers are satisfied.

The opposition Peoples Alliance (PA) sought to cast itself in the role of defending female workers by mildly criticising the bill. But as Samarasinghe pointed out in the course of the debate, W.D.J. Seneviratna, labour minister in the previous PA government, had already proposed the amendment. He tabled a cabinet memorandum drawn up by his predecessor that pointed to the difficulties facing Sri Lankan manufacturers in flouting the law.

The Employers Federation of Ceylon, however, informed the secretary, Ministry of Labour, "that importing countries of the manufactured products, the garments in particular have indicated that their 'civil societies' are very much concerned with those employers who do not comply with labour laws and get services of the workers in their production processes. They virtually discourage importing of the products of those countries which violate the labour laws."

The issue is crucial to big business as the garment industry is the country's largest exporter and its workforce is overwhelmingly female. It is estimated that the industry employs around one million workers directly and indirectly. Of those directly involved in manufacturing garments, 90 percent are female. Last year, however, garment exports declined in value by $US400 million—from $2.98 billion in 2000 to $2.538 billion in 2001.

According to a Central Bank report, Sri Lankan manufacturers face stiff competition. "Caribbean and Sub-Saharan African countries, facilitated by the trade preferences in the US market, posed a new challenge to Sri Lankan apparel exports. Competition in the global apparel market has intensified with the emergence of regional trading blocks in Europe and North America and increased supply from China and other low cost manufacturing countries."

During the period up to June, at least 150 of the 850 factories on the island closed. Tri Star Apparel, the

biggest garment factory chain, shut 10 of its 30 factories. According to some former workers, Tri Star is preparing to shift its factories to countries such as Uganda, to take advantage of cheaper labour, less restrictive labour laws and unutilised quotas to the US market.

Some Sri Lankan garment manufacturers have already been shifted to Bangladesh, Vietnam, Madagascar, Kenya and Botswana. According to the *Sunday Times*: "When buyers were asked why they are moving away from Sri Lanka, they maintain that the Standard Minute Valuation in those countries is below 0.05 cents, whereas it is as high as 0.08 to 0.15 US cents in Sri Lanka."

Predictably, big business has praised the new law. Chandra Jayaratne, former chairman of Ceylon Chamber of Commerce, said extra overtime work for women was the first step in a series of reforms that the government has promised to implement.

The only objection raised by the opposition PA to the new legislation was that overtime should not be compulsory. Without a substantial increase in wages, however, such a qualification is meaningless. Most workers are already compelled to work excessive overtime just in order to survive. In this context, the normal eight-hour working day and overtime limits are already irrelevant.

The monthly wage for a skilled garment worker is about 3,000 rupees ($US31) and with 60 hours of overtime would reach only 5,000 rupees ($US52). A typical meal for a worker costs at least 40 to 50 rupees, so the income is hardly enough for an individual, let alone a family.

Under the new law, female workers and young workers will be bound to work an extra 60 and 50 hours respectively per month. Along with the normal 180 working hours per month, workloads will rise to 240 and 230 hours, respectively. Employers will be able to pressure workers to do overtime as and when required with the backing of the law.

Conditions for garment workers are already appalling. Work shifts last an average of 10 hours. Many young women must stand, except during brief lunch and tea breaks. They complain of swollen ankles, knee aches and other ailments and also harassment by supervisors. Worker's movements in the factory, including toilet breaks, are completely controlled.

A young female worker from Fashion Wear Garments told the *World Socialist Web Site*: "We do overtime to earn more money as our wages are not enough to live on. With these new laws we will not even be able to get sick leave. Even without these laws, we can hardly get sick leave. We are not free to go home if the day's target is not finished. Even pregnant sisters face the same situation. If we work until nine at night and do not complete the target, we do not get overtime payments. If we got at least 6,000 rupees a month we would manage without overtime. But we don't get such a wage or have such freedom."

A married worker from International Dressers said: "What is the use of earning money if one cannot have time to cook meals? This is a question that gives a pain to my mind. We have to first complete the day's target, even after the working hours. Only after that are we able to get overtime payment for additional working hours. Pregnant workers have to work until six as well. There is no sick leave as such. If a worker complains of sickness, she faces harassment. If we had a decent wage and prices of goods were low, we would not want to do overtime."

Far from opposing the changes, the trade unions were closely involved in formulating the new law. Free Trade Zone Workers Union leader, Anthony Marcus, explained to the *Sunday Times* that the labour minister had discussed the new law with the tripartite National Labour Advisory Council, consisting of employer, government and union representatives, on August 8.

Marcus lamented the fact that the minister had reneged on his promise to make the increased overtime "voluntary" rather than legally binding. But he had nothing to say on the need for higher wages and improved conditions, or the fact that by sitting on the council the unions had legitimised a huge increase in working hours for some of the most oppressed layers of the working class.