

Re-Dressing for the Future

Gender justice for garment workers in Asia

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Executive Summary

Asia is a critical hub for global garment production, accounting for 60 per cent of the industry's output in the region. Women and girls represent the majority of workers in this sector, facing enduring challenges related to low wages and unsafe working conditions, issues exacerbated in times of economic downturns. This policy brief explores how to advance gender justice in the garment sector through more equitable and sustainable practices. Should policymakers focus on enforcing existing protections for women workers, or should they prioritise public-private partnerships that respond to global norms and consumer pressures? How can workers' voices be effectively integrated into decision-making? This policy brief addresses these questions through a comparative analysis of India, Nepal, Vietnam and the Philippines and advocates for worker-driven social responsibility (WSR) as a mechanism to enforce human rights standards within the industry.¹

Introduction

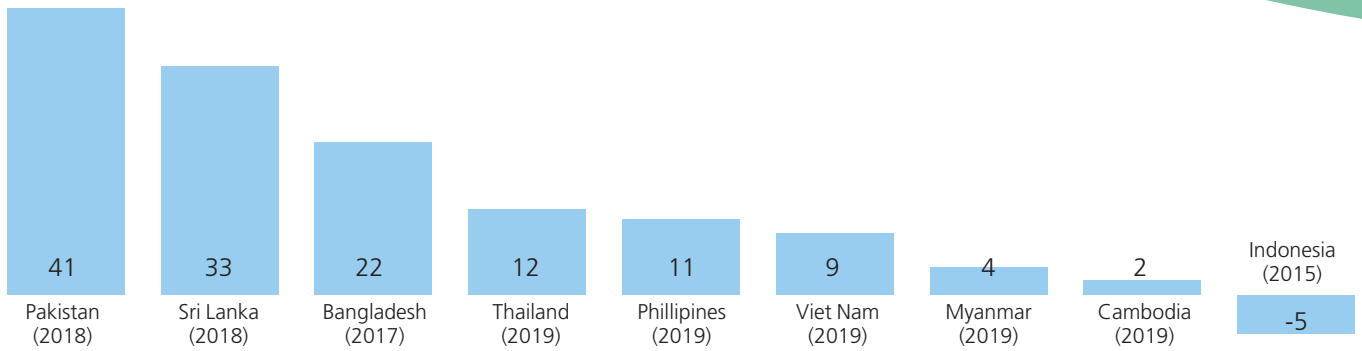
Asia's garment sector is crucial, making up over 60 per cent of global production. This industry has provided women with significant opportunities, helping many to lift themselves and their families out of poverty. It has also attracted foreign direct investment and contributed to industrial growth in the region. However, the low-skilled nature of the work and the surplus labour in South and Southeast Asia have led to persistently low wages and challenging working conditions. Achieving gender justice in this sector requires concerted efforts from policymakers, government representatives, the private sector, civil society, and the workers themselves.

Gender justice involves ensuring that women achieve full equality and equity across all areas of life (OXFAM, 2023). Although the term 'women'² is widely understood, this brief acknowledges the evolving concepts of gender beyond the male/female binary and supports the principle that gender justice extends beyond legal and policy frameworks (Barry, 2023).

¹ Worker Driven Social Responsibility, <http://wsr-network.org>.

² The term 'women' here refers to individuals whose gender aligns with their assigned sex at birth.





The wage gap is calculated as the difference between hourly wages of male and female employees, as a percentage of the hourly wage of male employees. Figure 1: Wage gap in different countries

Source: ILO, 2022.

Context and Background

The garment sector, often characterised as feminised labour, heavily relies on women workers. Working conditions in this sector frequently fall short of ILO standards. The COVID-19 pandemic has exacerbated these challenges, highlighting the inadequacies of long working hours and insufficient state-sanctioned social protections. Informalisation and casualisation have weakened trade unions and collective bargaining (AFWA, 2024), contributing to ongoing issues of low wages and gender pay gaps. The figure above from a recent ILO (2022) report illustrates these issues in comparative terms.³

Barriers to freedom of association and collective bargaining further limit avenues for redress for gender-based violence and harassment (GBVH) and other workplace rights abuses (Nathan, Bhattacharjee, Rahul and Kumar, 2022). The pressure to increase productivity intensifies as heat stress and extreme weather events worsen, potentially impacting productivity and disproportionately affecting women. Automation and other changes introduced under the 'Just Transition' to a carbon-free and more sustainable industry may pose challenges, potentially displacing many low-skilled workers, with women being most affected. However, this transition to a more sustainable industry also provides opportunities for women to upskill and advance into leadership roles, ensuring their inclusion and empowerment in a more sustainable future.

Discussion and Analysis

Addressing gender justice in the garment sector involves navigating a complex landscape of shared and country-specific issues:

The Philippines:

- **Labor Conditions:** Although robust labour and regulations exist, their enforcement is typically weak. Unionisation has become increasingly difficult, as factories may relocate to areas with cheaper, more compliant labour if unions push for higher wages.

- **Worker Challenges:** High unemployment often forces workers to accept poor working conditions out of necessity. Additionally, stringent labour control mechanisms and fear of retaliation inhibit workers from exercising their right to unionise and negotiate for better terms.

India (Tamil Nadu):

- **Young Bride Scheme:** Girls aged 15-18 from impoverished backgrounds are recruited to work in factories for five years, ostensibly to earn money for their dowries. Their living conditions in dormitories and their working conditions on the factory floor are extremely harsh.



- **Worker Challenges:** These young workers face severe challenges due to poor occupational health standards and inadequate access to healthcare, exacerbating the already harsh conditions.

Vietnam:

- **Labour Conditions:** Female workers in the leather and garment sectors suffer from various health issues, including diseases affecting bones, joints, nervous systems, and respiratory systems, due to poor working conditions.
- **Union Structure:** The Vietnam Labour Union Law of 2012 permits the formation of unions; however, these unions are under the control of the Communist Party of Vietnam, which limits their independence and potentially affects their effectiveness in advocating for workers' rights.
- **Advocacy Challenges:** The close relationship between unions and the state contrasts with the more independent nature of unions in the Philippines, affecting the ability of Vietnamese workers to assert their rights effectively.

Nepal:

- **Garment Sector Challenges:** The industry faced significant declines due to American trade policies (Shakya, 2018), with the number of factories dropping dramatically from over a thousand in 1995 to just a few in 2006. Although the industry made a gradual comeback, conditions for (women) workers remain dire.
- **Worker Conditions:** Female workers are paid on a piece-rate basis without guaranteed minimum wages or benefits, such as security funds and insurance. There are also no fixed or flexible working hours, highlighting the instability and lack of security in their employment.

Gender just policy in Asia must address these regional and national level differences, but improving labour conditions requires a multifaceted approach. Countries with strong laws may require strategies to enforce them more effectively, while others may benefit from a vibrant civil society and relatively free journalism, which facilitate more transparent communication about the working conditions women face in factories. Ethnic, religious or class factors can also heighten vulnerabilities, underscoring the need to challenge established structures, whether social, cultural or economic. To fully realise gender equality, there is a need for comprehensive change at both macro and micro levels (Htun and Weldon, 2018).

Conclusion

Women workers are acutely aware of changes needed to improve working conditions but often lack safe avenues to express their views. Ensuring their voices are heard requires solidarity through legally recognised unions or alliances with advocacy groups. Measures must be taken to protect women workers from retaliation while advocating for stronger legal protections. A multi-stakeholder approach involving government labour agencies, NGOs, the ILO and other international bodies is essential. In Nepal, for example, a tripartite agreement between the Labour Ministry, the Garment Association Nepal (GAS) and Trade Unions (such as the Nepal Garment Workers Union) should be established to address the issues faced by women workers. Local governments must also play a role, as factories fall under their supervision. Social protections need to be established and strengthened where they currently exist.

Policy Implications and Recommendations

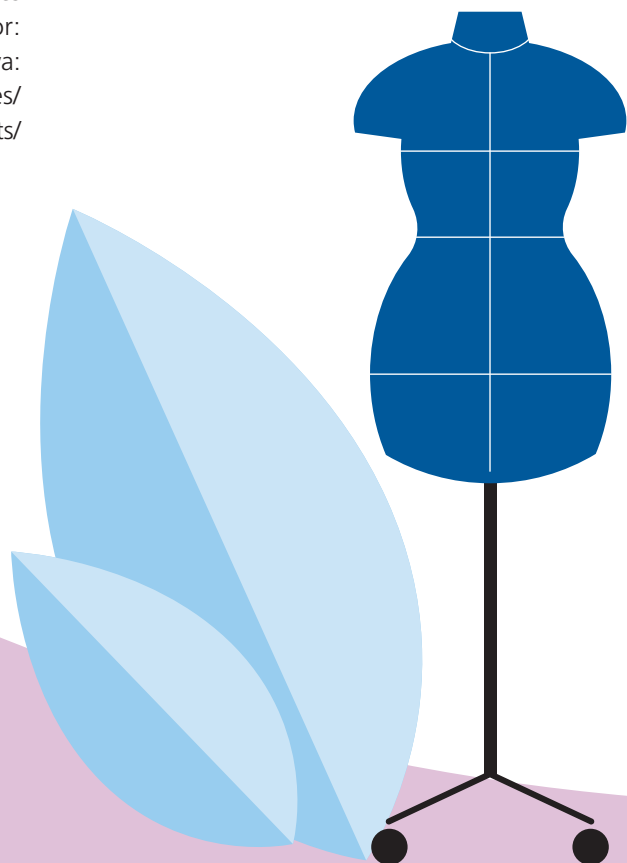
- Strengthen the enforcement of labour laws.
- Revitalise trade unions and connect garment workers to these unions to support collective and institutional efforts in improving workers' rights and benefits.
- Promote the effectiveness and independence of labour unions.
- In India, introduce grievance boxes on premises for anonymous reporting to address organizing difficulties.
- Encourage and support strong workers' alliances both within countries and across the region.
- Support the Vietnam Textile and Garment Trade Union in advocating for better working conditions of women workers, leveraging their secure status and ability to advocate with state agencies and employers.
- Promote worker-driven social responsibility (WSR) initiatives. Although WSR mechanisms are often voluntary, they should be legally binding and enforceable, as exemplified by agreements such as the Bangladesh Accord, the Lesotho Gender-Based Violence Agreement and the Dindigul agreement in India.³

As economies recover post-pandemic, it is crucial to reassess and improve the status of women workers in the garment sector to ensure a gender just society.

³ Worker-Driven Social Responsibility: Enforcement-focused; Binding Legal Agreements: Perhaps the most important distinction between WSR and traditional social responsibility models, however, is that companies' commitments to WSR are legally binding and enforceable, while traditional models are voluntary and lack a meaningful enforcement mechanism. In WSR there are clear, strict, legally enforceable agreements between workers and corporate buyers at the top of the supply chain that require buyers to suspend purchases from suppliers that commit violations so severe as to be considered "zero-tolerance" offenses or fail to rectify violations within a defined period of time. Available at <https://wsr-network.org/faqs>.

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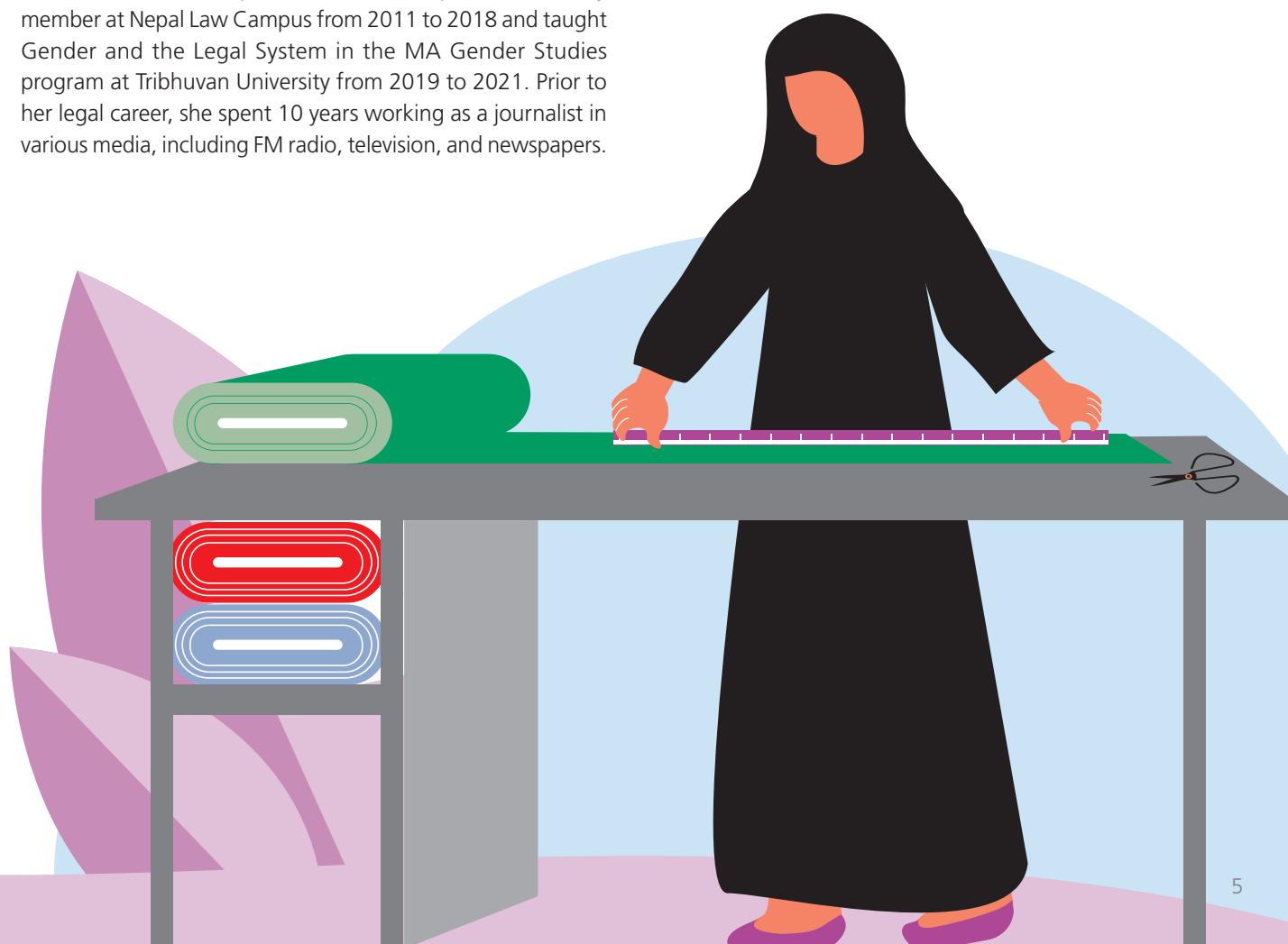
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Imprint

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Nepal Office | Regional Gender Justice Project
Lalitpur Metropolitan City, Ward 2, Sanepa
P.O. Box 11840
Kathmandu, Nepal

Responsible: **Natalia Figge** | Project Director
Designs: Kazi Studios
Copyeditor: Bikram Timilsina
Proofreader: Bikram Timilsina

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