



Asia Floor Wage Alliance - Sri Lanka

Joint Statement from Sri Lanka Workers Unions and Organizations on the Removal of Unions from the National Labour Advisory Council (NLAC)

June 2023

We, the Asia Floor Wage Alliance - Sri Lanka, strongly condemn the actions of the representatives of the Labour Ministry to remove worker representatives of the National Labour Advisory Council (NLAC). The decision has resulted in **the removal of the only woman worker representation within the NLAC together with other independent unions**, leaving behind a predominantly partisan union presence. Such a move undermines the principles of democracy and transparency that are essential for inclusive and equitable decision making. This level of union busting actions are a direct violation of the constitutionally guaranteed rights in Sri Lanka.

As an organisation committed to upholding workers' rights and addressing gender-based discrimination, we firmly believe in the constitutionally guaranteed right of freedom of association, as stated in the constitution of Sri Lanka. Specifically, **Article 14(1)(c) of the Sri Lankan constitution guarantees the freedom of association, including the right to form and join trade unions and engage in lawful trade union activities.**

Established in 1994, NLAC serves as a crucial labour mechanism that ensures tripartite negotiations and facilitates collective bargaining. Its primary objective is to uphold high standards of labour practices that safeguard the best interests of the State, employers and employees alike. **It is imperative that worker representation is ensured within the NLAC, allowing diverse perspectives and experiences to shape discussions and decisions affecting the workforce.**

However, recent practices in relation to the NLAC, that saw the dismissal of employee representatives, are deeply disturbing and pose a significant threat to the democratic values that are essential for the protection and promotion of worker rights. These actions not only undermine democratic structures within the State, but also exacerbate the existing crisis. **Workers are the backbone of any economy, and a well-organised workforce will guarantee acceptable labour standard practices.** Unions play a vital role as key actors in a democratic



government, and their exclusion from national mechanisms represents an attack not only on Sri Lanka's labour movement but also on the very essence of democracy in the country.

Disturbing [reports](#) in the media have also shed light on the actions taken by the Labour Minister to reconstitute the NLAC, imposing arbitrary criteria that discourage union representation. The dismissal of the ULF representative from the NLAC - the only woman representation in the council, further undermines the power of women's representation within an already male-dominated labour movement. **This regressive move not only reflects poorly on the country's commitment to human rights protection, but also occurs at a crucial time when international attention is increasingly focused on Sri Lanka by international donors and governments alike.**

Actions of this nature pose a severe threat to an already volatile garment sector, which is experiencing a decline in operations amid an ongoing economic crisis. International brands reducing their sourcing from Sri Lanka has exacerbated the situation, resulting in job losses, job insecurity, soaring living costs, and a rise in malnutrition and destitution among garment workers. The impacts of these threats to workers' lives reverberate across society, affecting all Sri Lankan citizens. Sri Lanka's garment sector is one of the main foreign income earners for the country, and any blow to the industry has adverse consequences for the quality of life of workers. Furthermore, it diminishes the purchasing power and financial stability of the State, resulting in its citizens being exposed to vulnerability.

Garment workers lack guaranteed social security systems to fall back upon, making unions their primary source of assistance in cases of labour violations. It is important to note that despite constitutional guarantees, workers' rights to freedom of association and their right to unionise are actively curtailed by practices of retaliation, and lack of awareness among workers, particularly prevalent in the Free Trade Zones (FTZ), since their inception. Workers have consistently faced unacceptable treatment, evident in the wage losses during the pandemic, sub-standard minimum wage levels, and unfair terminations and lay-offs. Unions have continuously stood with workers, ensuring their rights are protected.

Therefore, AFWA demands that the Sri Lankan government respects the tripartite structure of the NLAC and reinstates worker representatives who were unjustly removed.

We emphasise the need for inclusive worker representation, including women-led unions within the NLAC, to ensure diverse perspectives and promote gender equality. Furthermore, we call upon the government to uphold and respect the constitutionally guaranteed right of freedom of association, as stated in Article 14(1)(c) of the Sri Lankan constitution. By prioritising



worker representation and respecting the right to association, Sri Lanka can create a labour environment that is democratic, transparent and beneficial for all stakeholders, ultimately fostering social justice and equitable practices. AFWA stands in solidarity with garment workers in Sri Lanka and urges the government to address these concerns to ensure the protection of workers' rights and gender equality.

We demand that the responsible authorities make the necessary moves:

1) To ensure worker representation, through the constitutionally guaranteed right of freedom of association: We call on the Sri Lankan government to reinstate worker representatives to the NLAC, allowing for an inclusive and diverse representation of the workforce. Workers from various sectors, occupations, and backgrounds must have a seat at the table, enabling their voices to be heard and concerns to be addressed.

2) For priority to be given to women-led union representation within the NLAC: Recognising the importance of gender balance and the need for women perspectives, we urge the Sri Lankan government to prioritise women-led union representation within the NLAC. Through this, the NLAC can better reflect the realities faced by female workers and work towards creating an inclusive and equitable labour environment.