



Business & Human Rights  
Resource Centre



# Unbearable harassment

THE FASHION INDUSTRY AND WIDESPREAD  
ABUSE OF FEMALE GARMENT WORKERS  
IN INDIAN FACTORIES

APRIL 2022

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# Executive summary

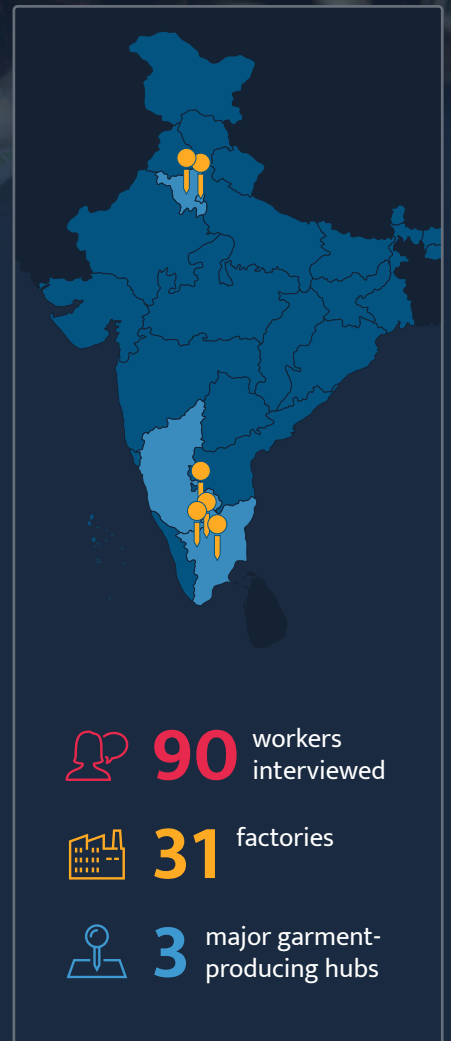
“ Verbal, physical, and sexual harassment exists in every garment factory – not just this one. It existed before COVID, it exists during COVID, and it will exist after COVID...”

Smita,<sup>1</sup> garment worker at a factory in Tamil Nadu which produced for ASDA, C&A, Carrefour, JD Sports and Tesco

Gender-based violence and harassment (GBVH) has been well documented in fashion supply chains for decades. Despite this, the realities for women garment workers – who toil to make the clothes in our closets – has remained largely unchanged.

This latest research, which draws on testimonies from 90 women in 31 factories across three major garment-producing hubs in India – Faridabad and Kapashera, Delhi NCR; Bangalore, Karnataka; and Dindigul, Erode and Tirupur, Tamil Nadu – revealed a widespread experience of women garment workers living in fear and experiencing severe forms of GBVH in their workplaces on a daily basis. Their testimonies also highlighted how abuse has intensified with fashion brands’ response to the COVID-19 pandemic, which created conditions of lower payment for increased hours of work. The 31 factories featured in this report employ tens of thousands of workers, the majority of whom are women.

**Every single woman we spoke to reported either directly experiencing or witnessing GBVH in their factories, perpetrated by male supervisors and managers who drive them to meet unreasonable production targets set by fashion brands.**



This report is based on research conducted by Business & Human Rights Resource Centre (Resource Centre) and Asia Floor Wage Alliance (AFWA). While this research focuses on India, GBVH is prevalent in fashion supply chains globally. The findings of this report are therefore of significance to brands sourcing garments worldwide.

<sup>1</sup> To protect women workers’ identities and prevent retaliation, all names used in the report are pseudonyms and factory names have not been given.

Workers provided accounts of routine physical and verbal abuse, bullying, discrimination, forced overtime, accidents through exhaustion, lack of COVID-19 safety precautions in factories and being denied bathroom and lunch breaks. Women also described being coerced by managers and supervisors to engage with them sexually in order to receive more favourable working conditions. These women work at factories which supply, or have recently supplied, to **at least 12 global fashion brands and retailers**: American Eagle, ASDA, C&A, Carrefour, H&M, JD Sports, Kohl's, Levi Strauss & Co., Marks & Spencer, Primark, Tesco and VF Corporation (and its portfolio brands, including Vans).<sup>2</sup> All 12 brands have been linked to – often multiple – allegations of GBVH in their garment supply chains prior to the release of this report.

This report demonstrates how the fashion business model, which prioritises short-term profit, combined with inadequate government regulation and damaging patriarchal norms, creates and sustains the conditions for systemic and widespread GBVH in fashion supply chains. An unequal and unsustainable power dynamic between brands and suppliers allows brands to dictate the terms of production, often at the expense of the workers who produce the clothes we buy. Brands choose to maintain unstable relationships with suppliers and aggressively squeeze them on price during negotiations, routinely demand discounts and unrealistically short lead times, make last minute changes to orders and impose unfair penalties. These purchasing practices drive labour abuses as suppliers manage these demands by passing risk and cost down to women workers. They hire a majority female workforce as temporary workers who are particularly vulnerable to exploitation, increase production targets and working hours to meet buyers' timelines and cut costs by driving down wages.

The pandemic has exacerbated this systemic abuse. While garment workers reported GBVH as routine before the pandemic, their experiences of GBVH at work have intensified with successive COVID-19 waves as suppliers navigated increasingly unstable relationships with buyers. During the pandemic, brands cancelled orders, delayed payments and squeezed suppliers to further protect, and even generate higher profits. The impacts on garment workers – who have faced widespread wage theft and union-busting throughout the supply chain during the pandemic – have been catastrophic, with consequences for workers and their families extending beyond the factory floor.

This report brings to light the unprecedented levels and new forms of GBVH faced by women garment workers during the pandemic, including:

## Intensified violence and harassment

“ When we [returned to work] our targets were very high – 1,200-1,300 units a day... Threats of termination were frequent, and workers who made even small mistakes were threatened aggressively. Verbal harassment and physical harassment, including hitting and throwing bundles of clothes at women workers were more common during this period.”

**Meena**, employed at a factory in Tamil Nadu which produced for C&A, Tesco and Carrefour

Workers described the risk and incidence of pre-existing patterns of exploitation linked to GBVH intensifying during the pandemic as production targets increased while workforces were drastically reduced. Under tremendous pressure to meet increased targets, women workers described experiencing an increase in verbal harassment, threats of terminations, aggression and even physical violence.

<sup>2</sup> Ahead of publication, we gave the 12 buyers linked to the factories the opportunity to comment on the findings. See [Appendix 2](#) for information on their responses.

## Intensified work rates with inhumane and mandatory overtime, leading to exhaustion and increased accidents

“ There are more accidents in the factory after the COVID-19 lockdown. There is at least one accident every day, and the rise in production targets is the main reason. We are always in a hurry to meet targets. We end up cutting our fingers or piercing them with needles.”

**Shantha**, employed at a factory in Karnataka which produced for Marks & Spencer and other global brands

Factories operating with a reduced workforce required women to meet increased targets and shift between tasks and roles frequently. In some factories, workers described the workforce being cut in half while production targets remained largely unchanged. In this high-pressure environment, several women described increased risk and incidence of injuries and accidents, including falling asleep at machines, collapsing at work due to exhaustion and cutting their fingers in the hurry to meet targets. Pressure to meet production targets was so high that workers in a factory in Delhi NCR, producing for H&M and C&A, were required to continue working after a boiler inside the factory exploded and injured workers.

## Lack of protection from COVID-19 exposing women (and their families) to disease

“ In the first weeks, the factory followed COVID protocols – we were given masks, the spacing between machines was increased, there was soap near the washbasins, and even toilets were cleaned regularly. By the end of the month, no one was following any COVID protocols – the production targets had increased, and people had no time to follow these COVID protocols.”

**Anusha**, employed at factory in Tamil Nadu which produced for Primark

Although some factories enforced social distancing and maintained COVID-19 protocols, many failed to follow procedures in the race to meet production targets. Despite the risk of contracting COVID-19 and bringing it to their families – often three generations in one household – women continued working. Pre-existing respiratory conditions, caused by long term exposure to dust on garment production lines, led to women experiencing extreme difficulty breathing while wearing PPE for long hours, and heightened the risks associated with contracting COVID-19.

## Discrimination and unfair dismissal, including for pregnancy

“ When I returned to the factory... I was forced to take maternity leave from June, despite being only three months pregnant. In normal circumstances, I would have taken maternity leave only in the last month of pregnancy, so that I could spend a few months with my child while getting paid.”

**Usha**, employed at a H&M supplier factory in Karnataka

Women gave accounts of discriminatory terminations of their contracts. Factories allegedly targeted pregnant and senior women as part of widespread layoffs triggered across the industry due to brands cancelling orders at the start of the pandemic, as well as during successive waves. Women at one factory described how management forced all women workers to undergo mandatory ultrasound scans – infringing on their right to privacy and dignity – and used the results to terminate pregnant women workers' contracts. Some factories refused to reopen creches after the lockdown, forcing young mothers out of employment.

## Wage cuts driving workers further below the poverty line, and widespread wage theft

“ Not having wages for two months will kill poor people like us. Every penny we earn is used to survive from one day to the next, hoping no crisis will come so we won't have to borrow from a money lender.”

**Renu**, employed at a factory in Tamil Nadu which produced clothes for ASDA, C&A, Carrefour, JD Sports and Tesco

Wage theft – including non-payment of wages, owed benefits and severance pay – and widespread wage cuts across garment supply chains during successive waves of the pandemic have been driven by brands cancelling orders, delaying payments and demanding ‘discounts.’ This pushed garment workers further into financial desperation. Women workers were left unable to afford basic necessities, such as food and vital medical care, for themselves and their families. Several women described high levels of stress associated with the inability to pay rent, which left them vulnerable to GBVH perpetrated by landlords, including sexual harassment and threats of eviction.

## Demand for attendance at work during lockdowns, leading to police harassment and violence during commutes

“ When I was caught by the police for breaking the lockdown orders, they pushed me to the ground and yelled at me. I told them that the factory had called me into work, but I was held responsible for breaking the rules.”

**Anita**, employed at a factory in Delhi NCR

Many suppliers – struggling to make ends meet amid mass order cancellations by brands – resumed work before national lockdown orders were lifted in order to turn around remaining orders and avoid penalties imposed by brands for delays. Women required to work shifts during lockdowns described encountering police harassment and violence on their way to work and undertaking dangerous journeys to avoid such encounters.

## Continuum of violence between work and home

“ There is no difference for me between the factory and my home. In both places I work and get abused. In the factory, the manager abuses you. In the home, the husband and in-laws abuse you. Before the pandemic, if there were issues at home, I would go to my parents' house – but due to the lockdown me and my children were stuck.”

**Pia**, employed at a factory in Karnataka which produced for H&M and Levi Strauss & Co.

Women described experiencing a continuum of violence between work and home, which was heightened during lockdown periods. They gave accounts of heightened domestic violence perpetrated by their husbands, including verbal, physical and sexual abuse. Women linked these spikes in violence to job losses, wage cuts and lockdown restrictions. These lockdown restrictions and loss of wages also meant women workers could not leave abusive homes. Women also reported direct links between their experiences of workplace exploitation and domestic violence: for instance, increased domestic abuse would follow mandatory unpaid overtime since women spent additional time away from household responsibilities without earning additional wages.

## Perfect storm

The report findings reflect how the pandemic created a ‘perfect storm’ for heightening violence faced by women garment workers. On one hand, they faced increased employment insecurity and lay-offs; and on the other, when they returned to work, they were driven to meet increased production targets, work mandatory overtime and complete orders with reduced wages. As supplier factories used the pandemic as an excuse to target union leaders and members, women workers were left without recourse to protect them from escalating GBVH.

Of the 12 brands linked to the findings in this report, all have policy commitments to ensure workers in their supply chain are not subject to mistreatment and abuse. Some go even further by explicitly referring to the prohibition of GBVH in their Codes of Conduct and human rights policies. However, our findings demonstrate a significant gap between policy and practice, as well as the failure of voluntary human rights due diligence models. Reliance on a voluntary framework (codes of conduct, social audits and compliance statements) to protect women garment workers from violence and exploitation is insufficient. Brands are quick to capitalise on female empowerment when marketing their products, showing public support for movements like #MeToo. At the same time, they squeeze their garment suppliers on price and speed to maximise profit margins, with women workers in the Global South paying the price.


## Key recommendations

Brands must be held legally accountable for the treatment of the women workers who make their clothes and profits. This is possible through enforceable supply chain agreements between brands, suppliers and trade unions that commit to addressing GBVH in their supply chains. To ensure brands are held accountable under national law in production countries, joint liability should be incorporated into manufacturing contracts with suppliers – where brands are considered as joint employers. In brand headquarter countries, governments must enact legislation requiring companies to undertake comprehensive and mandatory human rights due diligence throughout their operations and supply chains, which includes their sourcing and buying practices. This now appears to be underway in the European Union. In addition, brands should:

- ➔ Conduct effective human rights due diligence for GBVH, in collaboration with women workers;
- ➔ Transform purchasing practices that create or exacerbate risk factors for GBVH;
- ➔ Invest in violence prevention and grievance mechanisms at the factory level.

“ Verbal harassment is a feature of this job – as production targets increase, the harassment increases.”

**Smita**, garment worker at a factory in Tamil Nadu which produced for ASDA, C&A, Carrefour, JD Sports and Tesco



# 1 The fashion industry's role in creating conditions for endemic GBVH

Our findings – based on the testimonies of 90 women garment workers – reveal GBVH is endemic to India's garment industry, long predating the pandemic and largely driven by brand purchasing practices. Every woman worker we spoke to reported either directly experiencing or witnessing GBVH – including workplace discipline practices and sexual violence and harassment – in their factories, perpetrated by male supervisors and managers who drive them to meet unreasonable production targets set by fashion brands. These findings demonstrate violence on the factory floor cannot be dismissed as just a factory-level problem; rather, it must be understood as an industry-wide culture of violence.

Women garment workers also reported sexual harassment and violence from men in positions of authority within the factory, as well as co-workers. However, GBVH most commonly took place in the context of employment relationships, where women held subordinate roles in relation to male supervisors, line managers and mechanics tasked with fixing their machines. The most routine forms of sexual harassment disclosed included sexual jokes, catcalling, touching women on their cheeks, buttocks and breasts and sexual advances from supervisors and managers, especially among young women workers and trainees. Women also described managers offering to reduce production targets and increase pay in return for sexual favours. Other recurrent forms of abuse perpetrated by male supervisors were non-sexual physical and verbal abuse, coercion, threats of retaliation, mandatory overtime and denial of bathroom and lunch breaks. These forms of abuse constitute GBVH as the women were targeted based on their gender and this abuse disproportionately affected women.

India is the world's [second-largest manufacturer](#) and exporter of garments after China, with the country's garment industry directly employing approximately 12.9 million people in factories and millions more in informal settings. This workforce is overwhelmingly comprised of young women workers who produce garments for global fashion brands, with the United States and the European Union receiving almost half of the country's total apparel exports.

## Workplace GBVH under international human rights law

GBVH has long been recognised as a human rights violation. As explained by the Committee on the Elimination of Discrimination against Women (CEDAW)'s [General recommendation No. 35](#), the prohibition of gender-based violence against women has evolved into a principle of customary international law. CEDAW [defines gender based violence](#) as “*violence which is directed against a woman because she is a woman or that affects women disproportionately*”, and, as such, is a violation of their human rights.” It specifies forms of GBVH, including acts that inflict physical harm, mental harm, sexual harm or suffering, economic harm, threats of such acts, coercion and deprivations of liberty.

In June 2019, the International Labour Organization (ILO) – responding to advocacy by women workers around the world – adopted [Convention 190 \(C190\)](#) and [Recommendation 206 \(R206\)](#) on Violence and Harassment in the world of work. Convention 190 and Recommendation 206 broke ground as the first binding treaty and complementary recommendation to address GBVH in the workplace. Incorporating the definitions of GBVH laid out in CEDAW and applying them to the world of work, they recognise violence and harassment in the workplace is a human rights violation and acknowledge GBVH disproportionately affects women and girls. These new international standards are a huge milestone for workers, representing a framework for shared commitment and action to end GBVH in the world of work.

Forms of GBVH reported by women garment workers can be linked to the [unsustainable fashion business model](#), where brands choose to maintain unstable relationships with suppliers and aggressively squeeze them on price during negotiations, routinely request discounts, demand unrealistically short lead times, make last minute changes to orders and impose unfair penalties. This downward pressure on suppliers is [passed on to workers](#) – overwhelmingly young women, including a large proportion of migrant women workers from socially marginalised communities. Suppliers manage demands from fashion brands by hiring temporary workers whose terms of employment leave them particularly vulnerable to exploitation, increasing production targets and working hours while driving down wages, and other abusive practices which lower production costs. Gendered cultures of impunity on the factory floor also set the stage for sexual harassment and violence within garment factories.

### 1.1 Production pressures driving endemic abuse

On the factory floor, for the most part, male supervisors are charged with ensuring women workers on garment production lines meet their targets. Women workers reported male managers driving them to meet unreasonable production targets by using physical and verbal abuse. Smita, who worked at a factory in Tamil Nadu producing for ASDA, C&A, Carrefour, JD Sports and Tesco, linked abuse to production pressures associated with producing for the export market:

“ Verbal harassment is a feature of this job – as production targets increase, the harassment increases. Every day is stressful – supervisors call you ‘bitch,’ ‘moron,’ ‘idiot’ if you do not make your targets. We should learn to ignore it, but sometimes we are not able to and start to cry. Harassment is less in units that produce for domestic markets, but the pay is also lower.”

Smita's account demonstrated how workplace discipline practices are so widespread and endemic to the structure of work in the garment export industry that they are normalised by women workers as part of their job. According to Sheeba, who worked at a factory in Karnataka, women workers are singled out for abuse based on their gender:

“ *The verbal harassment is unbearable. The supervisors are constantly yelling at us – this was the case before the pandemic and now. They treat male and female workers differently. The male workers are friends with the supervisors, who are all men. For a small mistake, the supervisor will yell at a woman worker... If a male worker fails to meet production targets for more than a week, they will only get a warning.*”

Women workers described managers and supervisors rewarding women workers who engage with them sexually with more favourable working conditions. Suneeta, employed at a factory producing for H&M in Tamil Nadu, explained:

“ *Women who provide sexual favours to managers and supervisors – including allowing them to touch their breasts, stomach, and hips or having sex – are rewarded. They get away with lower production targets, can take more leave, and are not subjected to verbal harassment.*”

## Sexual violence and murder at Natchi Apparels

On 5 January 2021, Jeyasre Kathiravel, a 20-year-old Dalit garment worker employed at Natchi Apparels – a factory in Tamil Nadu producing for H&M – was found dead after allegedly being raped and murdered by her supervisor. Jeyasre was an active member of the Tamil Nadu Textile and Common Labour Union (TTCU) and had been organising workers to address GBVH at the factory. Days after her body was found, her supervisor [confessed to authorities](#) he had killed and raped Jeyasre. This confession is corroborated by the [testimonies](#) of women workers at the factory who claimed Jeyasre had been sexually harassed by the supervisor in the factory several times in the lead up to her death. A media [investigation](#) revealed Jeyasre's case was not an isolated incident, uncovering ongoing, systematic and unchecked sexual and physical violence on the factory floor. In a [response](#) to the Resource Centre in February 2021, H&M said it was in close contact with the local union; had communicated a set of immediate and urgent actions to Natchi Apparels to address GBVH; and had explicitly demanded factory management refrain from contacting Jeyasre's family without engagement with the unions or H&M.

Following Jeyasre's murder, 50 men – led by officials of the supplier factory – invaded Jeyasre's family home during the night and coerced her mother into signing documents releasing the company from responsibility in Jeyasre's sexual assault and murder. In April 2021, in the absence of justice for Jeyasre, her family reached a [resolution on compensation](#) with the supplier. At a vigil to remember Jeyasre that same month, her [mother said](#):

“ *As a mother, I don't want this to happen to any daughter, any worker... the incident that happened to my daughter should never ever happen to any young workers.*”

In April 2022, H&M signed a binding agreement with unions and labour groups, including TTCU and AFWA. In doing so, H&M became the first brand to sign an agreement to tackle gender-based violence in Asia's garment industry. The agreement, which includes training for workers and staff on GBVH and an independent grievance mechanism, is predicted to reach 5,000 workers in its first year.

Most of the women reported production pressures were directly related to pressure from the fashion brands. Meenakshi, who worked at a factory in Karnataka which produced for VF Corporation, described production pressure in the form of restricted mobility within and from the factory until production targets are met:

“ Production pressures come from the buyers. Sometimes managers ask us to stitch difficult styles in very short time periods. Then we can’t even take breaks to go to the bathroom or drink water. In this factory, there is no yelling or swearing, but we are not allowed to leave until we complete the targets.”

## 1.2 A culture of impunity for perpetrators of GBVH and barriers to remedy

The systematic GBVH faced by women garment workers occurs in a context where women are unable to access remedy and demand accountability, and the perpetrators enjoy a culture of impunity. Women garment workers rarely report violence [due to fear of retaliation](#) from managers at work – which can include being targeted for further GBVH or dismissal – and fear of retaliation at home, in the form of requiring them to leave wage employment.

Women workers described fear of retaliation for reporting sexual violence – which includes targeting by other male supervisors and managers, risk of further violence and social stigma associated with spreading rumours in the community. Indira and Priyanka, who worked at a garment factory in Tamil Nadu, explained:

“ They tell us that we will be blacklisted by the entire industry and never find a job if we complain against management. The company will go to any extent to cover up any issues [in the factory].”

“ I am so very scared to open up about any [harassment in the factory] as I am worried about the rumours that will circulate [in the community] if people come to know about it.”

Even when workers want to speak out – often at great personal cost – formal grievance mechanisms at the factory level do not always exist, and when they do, they often [prove to be ineffective](#).



Photo by the Tamil Nadu Textile and Common Labour Union



## 2 Intensification of GBVH during COVID-19

“ So many of us lost family members and neighbours during the second wave. We are constantly worried and stressed about the situation at home. Yet, when we report to work, all managers do is yell at us, humiliate us and harass us to make sure we meet production targets.”

Arti, employed at a garment factory in Karnataka

The economic crisis created by the pandemic has disproportionately affected women garment workers, given they are often both the primary caregivers and breadwinners in their households. Exacerbating this burden further, women workers revealed unprecedented levels – and new forms – of GBVH during the pandemic. This was driven largely by fashion brands’ actions in response to COVID-19, including order cancellations, delayed payments and squeezing suppliers even further on price. The economic distress which this caused occurred within a broader context of widespread job losses in India, which has left garment workers willing to take any factory work available, including with reduced terms on their already short-term contracts.

This has facilitated workforce expansion, contraction and reorganisation by supplier factories to meet the shifting needs of fashion brands. As factories navigated brand disengagement and lockdowns, workers described being laid off and then hired for stints of employment with reduced workforces and even higher production targets – leading to relentless pressure to produce, an escalation of workplace discipline practices and heightened restrictions, including fewer breaks and extended unpaid overtime. As a result, the research revealed workers experiencing alternating periods of being [locked out of and locked into supply chain employment](#); encountering the physical and mental toll of falling below the poverty line; and then returning to production lines with even more unreasonable production demands, while facing heightened risks of GBVH.

## Impacts of buyers' purchasing practices on women garment workers during COVID-19

### ↓ Brand/retailer actions

#### Disengagement from business relationships with suppliers

(cancelled, suspended and amended orders, delayed payments, requested 'discounts')

#### Production schedules leading to escalation of production targets

#### Failure to account for increased expenses associated with COVID-19 safety protocols in price negotiations

#### Failure to account for costs of maternity leave

### ↓ Impacts on garment workers

- ⊕ Discriminatory and unfair dismissals targeting union members, pregnant women and senior women
- ⊕ Wage cuts and widespread wage theft → inability to afford necessities such as food, medical care and rent → increased debt and vulnerability to GBVH by landlords
- ⊕ Increased mental stress associated with inability to meet basic sustenance needs, increased debt and fear of layoff and termination
- ⊕ Heightened domestic violence linked to job loss and wage cuts

- ⊕ Intensified violence and harassment by supervisors and managers to meet targets
- ⊕ Mandatory and unremunerated overtime
- ⊕ Intensified and inhumane work rates, leading to exhaustion, fainting and increased accidents
- ⊕ Restrictions on bathroom and other breaks
- ⊕ Physical abuse at the hands of police for violating lockdown orders when required to report to work during lockdown to meet production deadlines
- ⊕ Heightened domestic violence linked to mandatory unpaid overtime

- ⊕ Exposure to COVID-19, compounded by widespread pre-existing respiratory conditions among garment workers

- ⊕ Systematic targeting of pregnant women workers for dismissal, including requiring all women workers to undergo mandatory ultrasound scans

## 2.1 Intensified violence and harassment due to increased production pressures

Workers described the risk and incidence of pre-existing patterns of exploitation linked to GBVH intensifying during the pandemic, as production targets increased while workforces were drastically reduced when factories reopened following lockdowns. Workforces were cut following order cancellations and delayed and non-payments by brands. Workforce numbers dwindled further due to social distancing measures and migrant workers returning to their hometowns. In some factories, workers described the workforce being cut in half while production targets remained largely unchanged, tremendously increasing pressure on remaining workers. In this context, women workers described experiencing an increase in verbal harassment, threats of terminations, aggression and even physical violence.

In Tamil Nadu, women workers described increases in production targets of between 20% and 30%, including in factories which produced for C&A, Primark and VF Corporation. Managers facing pressure to meet urgent orders pushed stress down onto women workers on production lines. Shantha, who worked in a factory in Karnataka which produced for brands including Kohl's, explained:

“ *The managers are saying that they have to ship the clothes urgently or they will lose the orders. They say they are under tremendous stress themselves. We face a lot of verbal harassment as they pressure us to produce faster.*”

Meena and Bharti, who worked at a garment factory in Tamil Nadu which produced clothes for C&A, Carrefour and Tesco, also described high production targets and daily unpaid overtime. In this factory, workplace discipline practices included both physical and verbal harassment. Meena explained:

“ *When we [returned to work] ... our targets were very high – 1200-1300 units a day. Lunch was cut and unpaid overtime was increased by 30-45 minutes per day. Threats of termination were frequent, and workers who made even small mistakes were threatened aggressively. Verbal harassment and physical harassment, including hitting and throwing bundles of clothes at women workers were more common during this period.*”

[Research](#) has shown the practice of throwing heavy bundles of clothes at women garment workers is commonplace in the garment industry across Asia: the bundle hits with the force of a brick – at times knocking women over – but does not leave marks and therefore cannot be easily documented and reported.

The culture of abuse on garment production lines, coupled with the ever-looming threat of termination, has significant impacts on the mental and physical health of women workers. The women we spoke to described experiencing depression, anger, anxiety and even suicidal ideation. They described abuse impacting their productivity and triggering additional abuse. Anu, a garment worker employed in Faridabad, explained:

“ *Once an incident takes place, I keep thinking about it the whole day. Sometimes I break down. Sometimes I am so upset I can't eat lunch. This impacts my work and can bring more abuse from the supervisor.*”

## The role of Freedom of Association in protecting workers from GBVH

Women workers revealed the importance of freedom of association and unions in protecting themselves from exploitation and GBVH on the factory floor. Arti and Shivika, garment workers employed at a factory in Karnataka explained:

“ The management knows there are KOOGU union members in the factory, and we have organised protests in the past, so management is careful.”

“ Building the factory union has really helped reduce harassment for women workers... Supervisors in the finishing department still yell at workers a lot – but they don’t yell at union members. They are scared to yell at us. Physical and sexual violence has also reduced.”

Despite this important role, brands’ purchasing practices have often undermined freedom of association and collective bargaining, and instead [increase factories’ hostility to unions](#). As suppliers maintain a flexible workforce to meet unstable and volatile orders, they are often hostile to unions advocating for more stable employment, higher wages and better working conditions. Production practices also undermine unionisation, with long working hours – up to 17 hours a day – to meet unrealistically short lead times, together with restrictions on movement and communication within the factory, denying workers the opportunity to engage with one another.

This hostility towards unions has been particularly visible during the COVID-19 pandemic, with union leaders and members being among the first to lose their jobs. [Research](#) has shown garment factories supplying to major fashion brands are using COVID-19 as a cover to crackdown on trade unions across the garment industry – [including in India](#) – leaving women workers even more vulnerable to GBVH and other workplace abuses.

## 2.2 Intensified work rates with inhumane and mandatory overtime, leading to exhaustion and increased accidents

As a result of the huge increase in production targets and reduced workforce sizes, women workers described not only intensified work rates, but also extended working hours with mandatory overtime. This inhumane pace left women exhausted and at an increased risk of workplace accidents. Vani, who worked at a factory in Tamil Nadu that produced garment for Primark, described an increase in targets and overtime work:

“ Since many orders had to be completed, production targets for tailors were very high. They were required to produce 1200-1300 units per day. They were working overtime almost every day.”

Women workers from a factory in Delhi NCR, which produced for brands including American Eagle, said after returning to work following lockdowns, they were not allowed to take breaks, even to drink water and use the bathroom. The impact of high-pressure extended working hours on the health of women workers was exacerbated by reduced calorie intake in households struggling to stay afloat during the pandemic amid job losses and wage cuts.

Factories operating with a reduced workforce moved women workers between production lines, departments and roles, often multiple times in one day, requiring workers to quickly shift between tasks. In this high-pressure environment, several women described injuries and accidents, including falling asleep at machines, collapsing at work due to exhaustion and cutting their fingers in their hurry to meet targets. Shreya, who worked for a factory which produced for American Eagle in Delhi NCR, described such high levels of exhaustion:

“ Work pressure is so high that I am exhausted. One day I was so tired at work that my eyes started shutting slowly while operating the machine. My supervisor gave me a gate pass and asked me to leave. Then another supervisor immediately asked me to sit down and work on another production line.”

A woman worker in a factory in Delhi NCR described a woman on her production line collapsing at work. Another worker, Shantha, employed at a factory in Karnataka which produced garments for Marks & Spencer and other global brands, explained:

“ There are more accidents in the factory after the COVID-19 lockdown. There is at least one accident every day, and the rise in production targets is the main reason. We are always in a hurry to meet targets. We end up cutting our fingers or piercing them with needles.”

Santosh, employed in a garment factory which produced for H&M and C&A in Delhi NCR, said pressure to meet production targets was so high that women were required to keep working even in the face of a major industrial accident in the factory that injured workers:

“ On 26 March 2021, a boiler inside the factory burst. Workers in that unit were asked to immediately vacate the floor. A few women fainted, but we don't know how many. We heard that a worker died in the blast, but it has not been confirmed. We were not allowed to leave the factory premises. One hour after the blast, management asked us to resume work as if nothing happened. Workers were asked not to share information about the accident. Police visited the factory and then left. Injured workers were taken to private hospitals instead of the Employee State Insurance hospital where the blast would have been reported.”

These experiences are inextricably tied to unreasonable brand production schedules which failed to account for COVID-19 supply chain disruptions, driving unreasonable escalations in production targets with significant consequences for women workers on garment production lines.



## 2.3 Lack of protection from COVID-19 exposing women (and their families) to disease

The majority of women described fear of contracting COVID-19 in the workplace and, by extension, exposing their families at home – often including three generations. Manvi, who worked at a garment factory in Karnataka, described going to work despite a pre-existing health condition and concerns about exposing her family to the virus:

“ *I have asthma, but I am still reporting to work since I desperately need money. I am extremely scared of contracting COVID-19, especially because I have a small child and my elderly mother at home.*”

This fear was particularly pronounced in instances where factories failed to follow COVID-19 protocols in the race to meet production targets. Anusha, employed at a factory in Tamil Nadu which produced for Primark, described her experience:

“ *In the first weeks, the factory followed COVID protocols – we were given masks, the spacing between machines was increased, there was soap near the washbasins, and even toilets were cleaned regularly. By the end of the month, no one was following any COVID protocols – the production targets had increased, and people had no time to follow them...*”

It was common for women to have trouble breathing while wearing PPE for long hours, a physical challenge exacerbated by pre-existing respiratory conditions caused by long-term exposure to dust on garment production lines. These pre-existing conditions also heightened the risks associated with contracting COVID-19. Rather than raising prices paid to suppliers during the pandemic to account for increased expenses associated with COVID-19 safety protocols required to protect garment workers, many brands squeezed suppliers even more than usual during the pandemic, requesting retroactive discounts and [demanding price cuts](#) on new orders which were larger than the usual year-on-year reductions buyers ask for.

### Garment factory takes measures to safeguard women's health during COVID-19 crisis

Women workers from a garment factory in Karnataka described measures within the factory to safeguard women's health during the pandemic. Indira explained:

“ *Even though verbal harassment has increased with the pressure of production targets, the factory is doing a good job in protecting our health during COVID-19. They give us masks and sanitisers and have increased the space between machines. They constantly give out instructions to avoid catching the virus. They are even giving hot meals and fruits during lunch breaks.*”

This example shows how garment factories can enforce COVID-19 protocols and even take additional proactive measures to protect the health of women workers. However, Jaya, a garment production line worker at the same factory, had a more cynical view of the safety precautions as they were coupled with acute production pressures: “They torture us with production targets and take COVID-19 safety precautions at the same time. If we all catch COVID, who will work? That is the reason they care about our safety.”

## 2.4 Discrimination and unfair dismissals

“ When I returned to the factory... I was forced to take maternity leave from June, despite being only three months pregnant. In normal circumstances, I would have taken maternity leave only in the last month of pregnancy, so that I could spend a few months with my child while getting paid...”

Usha, employed at a H&M supplier factory in Karnataka

Women gave accounts of discriminatory terminations of their contracts, with factories targeting pregnant and more senior women as part of widespread layoffs triggered across the industry due to brands cancelling orders at the start of the pandemic and during successive waves. In some factories, workers reported all pregnant women were terminated immediately after the initial global lockdowns when brands cancelled, suspended and postponed orders.

Women at another factory described how management forced all women workers to undergo mandatory ultrasound scans – infringing on their rights to privacy and dignity – and used the results to terminate pregnant women workers’ contracts. The women alleged none of these workers received the full severance benefits they were entitled to. In Karnataka, many young women workers were forced to resign in 2020 when garment factories refused to reopen creches after the lockdown, [in spite of government guidance](#) to the contrary. [Trade unions suspect](#) factories refused to reopen creches as a means to force young women to voluntarily resign.

Our research also found women workers with senior employment status were among the first to lose their jobs. In a garment factory in Karnataka, workers reported all women over the age of 50 were terminated when the lockdown began. In Kapashera and Faridabad in Delhi NCR, women workers also described more senior workers being the first to lose their jobs during the pandemic.

As more union members, senior women and pregnant workers were retrenched and replaced by younger women workers, new young women workers no longer had access to their seniority and tacit experience in responding to GBVH and other workplace rights violations, and were [therefore more vulnerable to abuse](#).



Photo by the Garment and Allied Workers Union

## 2.5 Wage cuts and widespread wage theft

“ Not having wages for two months will kill poor people like us. Every penny we earn is used to survive from one day to the next, hoping no crisis will come so we won't have to borrow from a money lender.”

Renu, employed at a factory in Tamil Nadu which produced clothes for ASDA, C&A, Carrefour, JD Sports and Tesco

Wage cuts and withholding of wages, benefits and severance owed to workers – driven by brands cancelling orders, delaying payments and demanding ‘discounts’ – have been well documented across garment supply chains globally during the COVID-19 pandemic. In India, AFWA [documented an overall wage theft of 23%](#) among garment workers in 2020 and a sharp decline in wages by 73% during the COVID-19 lockdown period. This unprecedented loss of wages among garment workers, a workforce already living at the poverty line, pushed an estimated 93% of garment workers in India below the World Bank international poverty line.

Our findings also revealed how patterns of COVID-19 related GBVH linked to brands' purchasing practices had implications which extended beyond the workplace and into women workers' homes. Predating COVID-19, workers who produced garments for international fashion brands had lived from pay check to pay check, denied living wages adequate for personal and family savings. Fashion brands have reaped financial benefits from workers' labour at the lowest possible cost – paying prices for goods that fail to cover the cost of living wages and [sidestepping contributions](#) to national social protection schemes by driving states to compete through deregulation. In short, many fashion brands have [systematically benefited](#) from the erosion of individual and social safety nets, precipitating the humanitarian crisis facing millions of workers on garment global supply chains in the wake of the COVID-19 pandemic.

With no savings and limited social protection, and in the face of widespread wage cuts and wage theft, women workers revealed they were left unable to afford necessities for themselves and their families, such as food, vital medical care during a pandemic and school fees. Several women described high levels of stress associated with inability to pay rent, which left them vulnerable to GBVH perpetrated by landlords, including sexual harassment and threats of eviction. Chandni, employed in a factory in Faridabad, Haryana, explained:

“ With factory closures and reduced wages, it was difficult to keep up rent payments. My landlord initially agreed that I could pay when I resumed work, but then every month he would harass me. As a single mother, I didn't have any support. One Sunday, I was in the common bathroom – we don't have a private bathroom – the landlord started shouting my name from outside the door. I quickly finished my bath and told him I would speak to him in a few minutes. He followed me to my house and I was putting on my blouse and petticoat, he barged inside. I was half naked and I didn't know where to look. Instead of leaving the room, he started calling me names and threatened to call the police and have me evicted. After 10 minutes, he left the room.”

Women workers described receiving higher wages and better treatment in factories where women are employed in higher managerial positions, including the human resources (HR) department. Vipitha, employed at a factory in Karnataka which produced garments for Marks & Spencer, explained:

“ *The factory paid wages for the entire lockdown period and we have not been made to do too much overtime. Working conditions are not bad here. Supervisors and managers don’t threaten or scold us because there are two women employed in the HR department and they will come and reprimand any supervisor who is seen yelling at a worker.*”

However, the majority of women garment workers experienced long-lasting distress from their experiences of suddenly losing employment and being pushed to the brink of survival with no personal, employer or social safety net. Even when lockdowns were lifted and they were able to find employment, women workers described continued anxiety at the fear of another lockdown, layoff or wage theft – a looming threat to their and their families’ survival.

## 2.6 Dangerous commutes during national lockdowns

Many suppliers – struggling to make ends meet amid mass order cancellations by brands – resumed work before national lockdown orders were lifted to turnaround the few orders they did have and avoid penalties imposed by brands for delays. Women required to work shifts during lockdowns described encountering police harassment and violence on their way to work and undertaking dangerous journeys to avoid such encounters. Sanchita, employed in a garment factory in Kapashera, Delhi NCT, described her experience:

“ *With small children at home to be fed and rent to be paid, we had no option but to risk our lives during the lockdown. In order to avoid the police, we had to walk through small alleys, and water clogged filthy roads – this only got worse over time as drains were blocked due to heavy rains.*”

Rekha described travelling in the middle of the night to the factory where she worked in Kapashera, Delhi NCT:

“ *In order to avoid hassles with the police, we had to come to work at 2 am. I took long and difficult routes to reach, sometimes taking more than an hour. By the time I reached I was exhausted.*”

When women were caught by police on the way to the factory, they faced serious consequences for breaking lockdown orders. Anita, who worked at a garment factory in Delhi NCT, described her experience:

“ *When I was caught by the police for breaking the lockdown orders, they pushed me to the ground and yelled at me. I told them that the factory had called me in to work, but I was held responsible for breaking the rules.*”

## 2.7 Continuum of violence between work and home

Women garment workers experienced a continuum of violence between work and home. Workers recounted accounts of increased alcohol abuse and heightened domestic violence perpetrated by their husbands – including verbal, physical and sexual abuse. They described these spikes in violence as linked to job loss, wage cuts and lockdown restrictions. Domestic violence became more severe for women workers who could not leave abusive homes due to lockdown restrictions and loss of wages. Shoma, employed as a garment worker in a factory which supplied garments to Kohl's, described returning to live with her abusive husband when she was laid off during the lockdown:

“ Although I am separated from my husband, I had to live with him during the lockdown period. I did not have any savings. My husband tried to sexually abuse me many times during that period. He would not take a ‘no’ from me. It put me under so much stress and tension. It was torture. I have never felt so helpless in my life.”<sup>3</sup>

Pia, who worked at a factory in Karnataka that supplies garments to H&M and Levi Strauss & Co., also spoke of heightened violence in the workplace and at home during the COVID-19 lockdown periods:

“ There is no difference for me between the factory and my home. In both places I work and get abused. In the factory, the manager abuses you. In the home, the husband and in-laws abuse you. Before the pandemic, if there were issues at home, I would go to my parents’ house—but due to the lockdown me and my children were stuck. My husband is an alcoholic. We were scared all the time that he would beat us in anger.”

Women also reported linked patterns of workplace exploitation and domestic violence: for instance, they reported facing heightened abuse at home following forced overtime in factories since they spent additional time away from household responsibilities without earning additional wages. Pia explained:

“ The managers give us high production targets, which we can’t complete in eight hours – then curse and yell at us. They make us do overtime work but won’t put it on record and won’t pay us for it. I am delayed reaching home due to this unrecorded overtime. My husband yells at me, asking me why I am late and who I was with... I can’t tell him about the harassment I face in the factory from the managers. He will then ask me to quit the job and I won’t have any income.”

<sup>3</sup> Consistent with the network-based research practice employed in this report, the Karnataka Garment Workers Union (KOOGU KGWU) is providing Shoma support to address the violence she is facing at home.



Photo by the Garment Labour Union



## 3 Failure of business to protect women workers in their supply chains

### 3.1 Responsibility of brands to protect women workers from GBVH

The [United Nations Guiding Principles on Business and Human Rights](#) (UNGPs) are the international standard which defines the human rights responsibilities of businesses. These responsibilities require companies to carry out human rights due diligence to identify, prevent and mitigate risks of human rights abuse for workers and communities in their supply chains; and account for how they address any adverse impacts on internationally recognised human rights, including the right to be free from GBVH. It also requires companies to ensure those who suffer abuses, despite preventative measures, can access appropriate remedies. In the context of their garment supply chains, multinational brands have a responsibility to identify and assess the human rights impacts of their own business practices, including the human rights impacts of production practices in garment supplier factories producing their clothes.

### 3.2 Failure of voluntary commitments to protect women garment workers from GBVH

Of the 12 brands linked to the factories employing the women in this report, all have policy commitments to ensure workers in their supply chain are not subject to mistreatment and abuse, and some go even further, explicitly referring to the prohibition of GBVH in their Codes of Conduct and human rights policies.

H&M's [Sustainability Commitment](#) for business partners states: "No employee shall be subject to humiliating or corporal punishment or subject to physical, sexual, psychological or verbal harassment or abuse." C&A's [Supporting Guidelines](#) states: "Suppliers must not engage in physical abuse or discipline, the threat of physical abuse, sexual or other harassment & verbal abuse or other forms of intimidation. This includes but is not limited to... unwelcome sexual advances, requests for sexual favours and/or other verbal or physical conduct of a sexual nature." VF Corporation has a specific [Commitment to Eradicating Gender-Based Violence](#) which outlines its commitment to ensuring all workers throughout its operations enjoy the right to be free from GBVH.

These voluntary commitments, enshrined in brands' codes of conduct, are supposedly implemented through the social audit industry, whereby brands usually hire private auditing firms to monitor the conditions in their supply chains for labour compliance. The audits deliver a suppliers' 'compliance statement' – essentially a certificate stating they meet the standards in a brand's code of conduct. The failings of social audits in capturing human rights abuses and improving working conditions have been [well documented](#). They have proved particularly [inadequate in capturing and addressing sexual harassment](#) and other forms of GBVH.

The testimonies of women workers in this report highlight the stark gap between policy commitments and the lived realities of a broad section of women workers in their supply chains. It is made clear voluntary commitments are not adequate to protect women workers. Further, it is brands' own business practices which are often at the root of this abuse.

## Lesotho binding agreement to combat GBVH

In August 2019, a landmark set of legally [binding agreements](#) was signed by brands Levi Strauss & Co., The Children's Place and Kontoor Brands, along with civil society groups and the apparel manufacturer Nien Hsing Textile to address GBVH in five Nien Hsing factories in Lesotho. The agreements – which cover as many as 10,000 workers – were signed following extensive negotiations between brands and local trade unions, supported by a coalition of worker and feminist organisations. This programme arises from years of worker organising by the Independent Democratic Union of Lesotho (IDUL), United Textile Employees (UNITE) and the National Clothing Textile and Allied Workers Union to tackle severe sexual abuse and harassment at Nien Hsing factories.

The binding agreements operate in tandem with a programme – funded primarily by the brands – which consists of an [independent complaint investigation body](#) which receives and investigates worker complaints, identifies violations of the code of conduct and enforces remedies in line with Lesotho law. The programme also includes extensive worker-to-worker and management training and education. If Nien Hsing fails to comply with the programme, brands are [required to reduce orders](#) with the supplier. If any of the brands fail to comply with enforcing the agreement, any Lesotho organisation, and the Worker Rights Consortium, have the power to [bring a case against any of the brands](#).

Although COVID-19 has put some elements of the programme on hold, local trade unions report [some progress](#) has already been made in Nien Hsing factories.

### 3.3 The case for Mandatory Human Rights Due Diligence to protect women workers

The findings of this report show voluntary standards on human rights and business have long failed to protect women garment workers in their supply chains from GBVH. In fact, brands' own business models and purchasing practices have fuelled this abuse, which has been exacerbated during the COVID-19 crisis. These findings add to the growing body of evidence which demonstrates legally binding rules are needed to ensure fashion brands take action to prevent GBVH and other human rights abuses in their supply chains.


Upcoming legislation on mandatory human rights and environmental due diligence in the European Union (EU) and in individual EU member states will shape the human rights approaches of all large companies operating in the EU and beyond. It is imperative governments in brand headquarter countries develop legislation mandating global supply chain human rights due diligence by companies, including their sourcing and purchasing practices. Such legislation should apply to all workers in all tiers of a company's supply chain, irrespective of their location, the nature of the supply chain relationship and the employment status of the worker.

Under such rules, governments would require companies (of all sizes and sectors) to undertake human rights due diligence throughout their supply chains. This includes assessing and taking action to mitigate human rights abuses; ensuring those who suffer abuses are able to access appropriate remedies, even if preventative measures had been taken; and developing and implementing purchasing practices that prevent and minimise identified risks. Companies which fail to comply would be held liable for harm and face penalties. This would change the calculus of risk in board rooms by imposing costs for human and labour rights violations and providing incentives to end sustained abuse in fashion brands' supply chains. Many companies and investors are [welcoming the EU's approach](#) as it creates a level playing field for the more responsible companies, delivers legal certainty and harmonises standards across countries in the EU (and European brands' supply chains abroad).

Integrating risk factors for GBVH identified by women on garment production lines is critical to an effective due diligence approach. To adequately document, analyse and understand GBVH, and associated risk factors as part of their due diligence across their supply chains, brands should work in ongoing partnership with women workers, trade unions and civil society organisations. Companies can begin these due diligence assessments, including worker input, in preparation for the introduction of due diligence legislation.

“ They tell us that we will be blacklisted by the entire industry and never find a job if we complain against management.”

Indira and Priyanka, employed at a factory in Tamil Nadu



## 4 Conclusion and recommendations

The report findings reveal violence on the factory floor cannot be dismissed as just a factory-level problem; rather, it must be understood as an industry-wide culture of violence driven by the business model of global fashion brands, which has worsened during the COVID-19 pandemic. Garment workers have been left with even more precarious employment since the pandemic, vulnerable to greater exploitation and abuse. This marks a huge step back for garment workers' rights. Worryingly, there is a risk these new terms and conditions will become the new norm, and it will require a huge amount of work just to get back to the pre-COVID status quo, never mind the need to improve conditions beyond that.

Decades of voluntary corporate social responsibility have failed to improve the conditions of garment workers in fashion supply chains. This signals an urgent need for legally binding standards and enforcement mechanisms for corporate respect for human rights in the fashion industry, which can be used by women workers and their unions to hold brands accountable for labour and human rights violations in their supply chains. Accordingly, governments must enact legislation requiring companies to undertake comprehensive and mandatory human rights due diligence throughout their operations and supply chains.

Alongside initiatives for binding accountability, brands must take immediate action to eliminate the endemic GBVH within the industry and the role their purchasing practices play in fuelling it. To do so is not only the minimum requirement to uphold their responsibility to respect the rights of workers, but it is also an urgent business imperative. There is [emerging evidence](#) that initiatives to address workplace violence stand to benefit brands and suppliers by increasing individual efficiency and production quantity among workers; and ultimately firm productivity and revenue.

## Key recommendation to governments of brand headquarter countries

- ➔ Enact legislation to establish mandatory human rights due diligence by companies throughout their operations and supply chains. Such legislation should apply to all workers in all tiers of a company's supply chain, irrespective of their location, the nature of the supply chain relationship and the employment status of the worker. Clear and proportionate civil liability and penalties should apply that prohibit the toleration of abuse. The legislation should create a level playing field for all brands regarding human rights, legal certainty and harmonised standards across countries.

## Key recommendations to brands and retailers

GBVH is prevalent in fashion supply chains globally and is well documented in several other [garment producing countries](#). Therefore, these recommendations are relevant to all brands and retailers across their supply chains. To end GBVH in garment supplier factories, fashion brands and retailers must take urgent action in the following areas:

### Human rights due diligence

- ➔ **Conduct effective human rights due diligence for GBVH** – identify, prevent and remediate GBVH and its risk factors in supplier factories in collaboration with women workers, trade unions and civil society organisations, and provide remedy where abuses occur;
- ➔ **Transform purchasing practices that create or exacerbate risk factors for GBVH.** A positive example is [joint-liability](#) incorporated into manufacturing contracts with suppliers, which: 1) Overcome legislative and enforcement gaps on wages, hours and working conditions with reference to ILO standards; and 2) Calculate production timelines and costs based on: a) Living wages rather than minimum wages; and b) 40-hour work weeks with remuneration for additional overtime hours;
- ➔ **Reward suppliers for addressing known risk factors for GBVH** with preferences in awarding contracts. Criteria should include: 1) Employment security for women workers; 2) Systematic skilling and promotion of senior women workers to line manager and supervisor roles; and 3) Presence of an independent and registered trade union;
- ➔ **Invest in violence prevention and grievance mechanisms at the factory level** that are co-created with, and accessible to, women workers and are designed, implemented and monitored in collaboration with women workers and their trade unions.

### Legally binding enforceable agreements for corporate accountability

- ➔ **Sign on to legally binding and enforceable agreements** with supplier factories, labour unions and women-led civil society organisations to prevent and remediate GBVH in garment factories;
- ➔ **Implement transformative approaches on GBVH through brand agreements**, such as Asia Floor Wage Alliance's [Safe Circle Approach](#)

## Protecting and promoting Freedom of Association and Collective Bargaining

➔ **Women workers and unions play a central role in preventing and addressing GBVH in supplier factories,** therefore implementation of the Resource Centre recommendations in the [2020 publication on union busting](#) are critical. These include:

- ➔ Conduct due diligence for the right to form or join a trade union – identify and prevent anti-union policies and practices with suppliers, and mitigate the adverse impacts on the ability to exercise freedom of association that stem from changes in operations (such as a global pandemic);
- ➔ Commit to zero tolerance for retaliation against labour organising and work with suppliers to uphold these standards.

## Emergency relief funds to address impacts of COVID-19

➔ **Contribute to [emergency relief funds](#) specifically for the garment sector** through own contributions, distributed through trade unions and supplier factories to meet COVID-19 emergencies, including owed wages, urgent medical and childcare costs.



Photo by the Tamil Nadu Textile and Common Labour Union

# Appendix 1: Methodology

This report is based on research conducted by Business & Human Rights Resource Centre (Resource Centre) and Asia Floor Wage Alliance (AFWA) into the experiences of GBVH faced by garment workers in India before, and during, the COVID-19 pandemic. Information was obtained from a variety of sources, including individual and focus group interviews conducted by AFWA between August 2020 and June 2021. During this time, India experienced two deadly waves of COVID-19 which precipitated a national health crisis, lockdowns and supply chain disruptions, which also caused significant disruption to the data collection and analysis.

Interviews were conducted with 90 women workers employed at 31 garment factories in three major garment producing hubs in India: Karnataka (Bangalore), Tamil Nadu (Dindigul, Erode and Tirupur) and Delhi NCR (Faridabad and Kapashera). These hubs were selected based on access to women workers through the Garment Labour Union (GLU), the Tamil Nadu Textile and Common Labour Union (TTCU), the Karnataka Garment Workers Union (KOOGU) and the Garment and Allied Workers Union (GAWU), which provided field research support. The names and other identifiable information about the factories have not been provided in the report, due to both the risk of retaliation against women workers and of brands severing business relationships in response to the research findings. Each of the 31 factories shut down during one or more lockdown periods and then reopened at varying capacities following lockdowns.

These 31 factories employ tens of thousands of workers, the majority of whom are women. All 90 women interviewed are Indian nationals, although many migrated to these production hubs from within India. Interviews were conducted in Hindi, Kannada and Tamil. To protect their identities, pseudonyms have been used for all the women interviewed. All participants were informed of the purpose of the research and gave informed consent prior to being interviewed. No incentives were provided in exchange for interviews.

Extensive desk research was also carried out using information from open sources, including relevant international human rights standards, civil society organisation reports, domestic and international media and academic journals.

The 31 factories covered by this research supply, or have recently supplied to, **at least 12 global fashion brands and retailers:** [American Eagle Outfitters](#), [ASDA](#), [C&A](#), [Carrefour](#), [H&M](#), [JD Sports](#), [Kohl's](#), [Levi Strauss & Co.](#), [Marks & Spencer](#), [Primark](#), [Tesco](#) and [VF Corporation](#) (and its portfolio brands, including Vans). The buyers were identified from publicly available supplier data and information provided by local unions and the workers themselves. While all 31 factories produce for the export market, the list of international buyers is not definitive; due to a lack of transparency in the industry, it can be a challenge to identify buyers and workers themselves are not always aware of the brands for whom they are producing.

# Appendix 2:

## Brand responses

Ahead of the report's publication, we gave the 12 buyers linked to the factories the opportunity to comment on the findings. Their responses are below, and some have been edited for length. The full responses can be found on the Resource Centre's [website](#). At the time of writing, some of the brands are in dialogue with AFWA and local unions to discuss the findings.

### American Eagle Outfitters:

“...Per our Supplier Code of Conduct, which is based on internationally accepted standards, our suppliers must comply with all applicable laws related to wages and benefits and treat all workers with dignity and respect. Apparel factories we actively source from are visited and inspected by our internal team or third-party auditing partners. When issues are identified, we expect suppliers to take immediate steps to remediate and to demonstrate continuous improvement. AEO takes the reports of inappropriate behavior toward workers, particularly gender-based violence and harassment (GBVH), as well as gender discrimination, very seriously. Unfortunately, we know that gender-based violence is prevalent across supply chains in India, as well as in other industries and countries... We remain committed to continue to implement programs such as HERrespect, a program of BSR's HERproject, which is working directly with factories and workers, in India and elsewhere, to promote gender equality and prevent violence in the world of work.”

### ASDA:

“Since your contact we have reached out to AFWA directly and understand that there is alignment with our sourcing practices in the regions mentioned. Following this contact we have further reviewed the risk information we hold and the facilities compliance with our Responsible Sourcing programme requirements. We recognise these complex topics are continuing themes in the regions and have worked previously to address these via initiatives and training, but there is more to do. As we work with our data and emerging approach, we will continue to develop our understanding further and how best we can collaborate to bring about change with impact via Human Rights Due Diligence.”

### C&A:

“...We work currently with 9 factories in Haryana, 8 factories in Karnataka and 20 factories in Tamil Nadu. Our central compliance team as well as our local Indian sustainable supply chain team revisited and checked in the past days all audits and visits conducted in these 37 facilities of the past 3 years and did not find any of your described allegations in our records. Please note that we conduct during our visits and audits a series of confidential worker interviews to detect challenging topics such as GBVH... To work on proper remediation, we require more information, especially factory and case details... as we are committed to investigate and remediate. Please note that C&A's team of social compliance professionals share your concerns about protecting the vulnerable. We have very clear successful procedures in place to avoid any retaliation against affected workers. On the other side C&A does not have a cut and run policy towards our suppliers, as we aim for long term relationship with our supply partners... The allegation that C&A sets unreasonable production targets we refuse to accept. On the contrary our sourcing team members discuss, agree and book production capacities with each supplier ahead of time to avoid unrealistic production targets. Additionally our local sourcing team offers immediate support to suppliers in case an issue occurs during production... C&A's Code of Conduct includes a clear prohibition of GBVH... In case a violation is discovered, C&A requires the supplier and factory to remediate with clear timelines. The remediation includes both compensation and protection of the victim and long-term initiatives such as training for workers & management. Where available, we work together with expert organizations such as CARE. While we only record a few incidents of sexual harassment across all main C&A sourcing countries, we do not see this as evidence for GBVH not occurring in the C&A supply chain... C&A piloted an approach for prevention and mitigation of gender-based violence in four factories in Myanmar... and India... Both projects included creation & implementation of a sexual harassment policy, training for Sexual Harassment Prevention Committees and human resource management and training for workers and management on the sexual harassment policy...”

### Carrefour:

- “ We are still waiting for complementary information from AFWA to be able to investigate properly, hence we are not yet able to give you precise feedbacks about each of your survey findings. We will provide you a more comprehensive answers after receiving those complementary elements... [W]e are taking stronger actions on our due diligence in the sensitive sourcing regions. Some of the actions are taken in our supply chain all across and some with focus on the Tamil Nadu’s region... 100% of our Tier 1-Garment makers are visited by our local team on a frequent basis and are audited on social standards by independent third party companies, in an unannounced way... [I]n the beginning of 2022, we have worked on an additional alert channel to help workers reach out for any grievance anonymously through a “worker voice” system in Tamil Nadu and implemented this through a 3rd party... This new way of working – direct access to the workers– ... should help us better identify any issues in order to be able to implement systematic remediation with our suppliers. Finally we are working on anonymous surveys, that gives understanding of general areas of concerns like forced labour, hours, wages etc. Looking forward to receiving the requested additional information, so that we could analyse these findings and implement appropriate corrective actions when necessary.”

### H&M:

- “ Jeyasre Kathiravel’s death was a tragedy, and our thoughts remain with her family. H&M Group wants to do our utmost to contribute to systemic and positive change in the industry and have therefore signed an agreement to work together with industry stakeholders to address, prevent and remedy gender-based violence and sexual harassment. As gender-based violence is one of the most notable human rights violations in society, we believe these issues need to be addressed at scale and collaboratively together with a wide range of experts and key stakeholders. We expect this agreement to contribute to a broader industry initiative going forward. Every worker should feel safe working in our industry, whether they are employed by our suppliers or not. In line with our normal due diligence routines, we stopped placing orders with the supplier several months ago, we are however committed to work in collaboration to improve the conditions for workers and to being part of a solution.”

### Levi Strauss & Co:

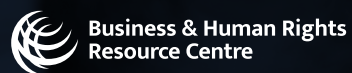
- “ We have long worked with our suppliers to ensure safe and dignified working conditions for the people making our products. To further address the risk of exploitation of women by their managers, we revised our supplier code of conduct in 2020 to mandate simple and clear compensation and contractual terms. We also mandate rigorous yet contextually appropriate hiring and representation ratios of women through factory middle and top management. We know it will take time to reach the desired outcomes, but this type of holistic approach is what is needed for sustainable change. While we know there is no silver bullet solution, we have been eagerly studying risk mitigation strategies to determine which might be scalable and can be duplicated throughout the apparel supply chain. Following the BHRRC report, we are taking another close look at our suppliers in Bangalore to ensure that any kind of abuse has no place at the factories. But the approach outlined above applies in full to our entire supply chain.”

### Primark:

- “ At Primark the welfare of people who make the products we sell matters greatly to us. Our Code of Conduct lays out the standards we require our suppliers and their factories to follow to ensure the rights of their workers are respected. We take any breaches of this very seriously and will always investigate any allegations of our Code not being upheld, whether found through our own audits or supplied to us by other third parties. Any instance of gender-based violence would constitute a serious breach of the Code and so our local Primark Ethical Trade Team, experts in this field, are already investigating these particular allegations. To assist this, we have requested that the report’s authors provide us, in strict confidence, any details that would further support our investigation, and that in line with our supply chain human rights policy, would enable us to pursue any remediation required...”

### VF Corporation:

- “ ...Upholding human rights, particularly worker rights, is a core priority at VF Corporation. VF prohibits any form of violence and harassment, including GBVH, in our owned operations and throughout our supply chain... we were deeply disturbed by your report and the allegations of harassment in contract factories used by VF Corporation and other companies... VF expects our suppliers to take all necessary steps to prevent, investigate, and remediate all incidences of violence and harassment, including GBVH, in their workplace. Where suppliers to not yet have the capacity to comply with every principle in this Commitment, VF intends to work with them to build capacity... we would appreciate the opportunity to thoroughly investigate these matters... so we can remedy these situations.”



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