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THE IMPACT OF THE COVID-19 PANDEMIC ON WOMEN GARMENT WORKERS IN SRI LANKA'S FREE TRADE ZONES (FTZS)



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Women's Centre Sri Lanka
பெண்கள் மத்தியஸ்தானம்

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EXECUTIVE SUMMARY

The beginning of the year 2020 witnessed the outbreak of the COVID-19 pandemic, which has resulted in a staggering global death toll and pushed many countries into socio-economic crisis. The World Health Organization (WHO) declared the spread of COVID-19 as a pandemic in March 2020. The pandemic has had a devastating impact across the world resulting in over 5.8 million deaths worldwide to date. Although Sri Lanka was considerably successful in curbing the spread of the virus in early 2020, largely due to government measures imposed under strict military control and the commitment of its health sector, the country was not spared the severe human and economic costs following the imposition of lengthy lockdowns.

This study examines the economic and social cost of COVID-19 on the Free Trade Zones (FTZs) of Sri Lanka where a significant proportion of the country's working population is situated. Export oriented industrialization has been a key priority for driving economic growth in Sri Lanka and FTZs, also referred to as Export Processing Zones (EPZ), were established as an instrumental strategy for attracting foreign direct investment. The FTZs were among the areas hardest hit by the pandemic as Sri Lanka's trade sector was heavily dependent on the world trade network for product markets as well as raw materials. Both product markets and access to raw materials were massively impacted by international trade restrictions imposed due to the pandemic resulting in a crippling effect on Sri Lanka's production chains.

The study utilized an exploratory research methodology with an emphasis on qualitative research to measure the direct impact of the pandemic on the lives of FTZ workers. Five FTZs were selected for the study covering distinct geographical areas and ethnic groups. The re-

search sample consisted of 180 women workers spanning four different categories of impact on employment due to COVID-19. Focus group interviews, complemented by informal and key informant interviews were the primary information gathering tools used by the study. To better understand the responses emerging from the sample-size interviews, desk-research was further conducted to contextualize the responses recorded.

Overall, the study revealed the extensive human, social and economic toll of the pandemic on the lives of women FTZ workers. Uniquely conducted in the early stages of the pandemic, the study provides novel insight into the impacts of various public health strategies on trade and investment at the macro-level, and further the impact of the pandemic on women workers' rights at the micro-level.

The first wave of the COVID-19 pandemic (January–October 2020) had a more adverse impact on supply chains and the lives of workers due to the enforcement of sudden lockdown measures coupled with global trade restrictions. A significant number of workers either lost their jobs, shifted to part time work, received only a portion of their salaries, or fell into the casual work category with catastrophic consequences on their personal and family lives. In comparison, the second wave (October 2020–April 2021) had a somewhat lesser impact on employment status due to production having resumed (albeit to a much lower degree than normal). The COVID-19 pandemic has greatly exacerbated the social stigma and marginalization faced by FTZ workers for decades; especially as one of the FTZ factories had become the epicenter of the second wave. Many manufacturers responded to the outbreak with job cuts and wage reductions, as factory workers struggled

to reach new production targets with a smaller workforce, leading to several breaches of labor rights and production relations which took a heavy toll on the economic, human and social well-being of workers. These findings compel a policy focus and concrete action from the State and governing bodies of factories, to (1) ensure the protection of employee rights and fair and just treatment of workers, (2) improve welfare schemes for employees and ensure national oversight mechanisms, (3) establish healthy work environments for all employees, (4) address discriminatory treatment of FTZ workers, and (5) embed human rights due diligence practices into business operations.



BACKGROUND

The onset of the year 2020 marked the beginning of the global outbreak of the COVID-19 pandemic, which resulted in immense political, social and economic upheaval around the world. The global health crisis posed an unprecedented challenge to health and economic systems and millions of people continue to be at risk of falling into extreme poverty and malnourishment.¹ COVID-19 has infected more than 126 million people and killed more than 2.7 million worldwide as of March 2021.² The economic toll has been devastating; the global economy contracted by 3.5 percent in 2020 according to the April 2021 World Economic Outlook Report published by the International Monetary Fund (IMF), with Sri Lanka's economy contracting by 3.6 percent and the possible persistent damage for developing economies will be more severe.³ Though efforts have been made for economic recovery through the *Build Back Better Fiscal Policy*, the rise in COVID-19 variants resulted in a disrupted recovery and higher inflation rates which in turn will slow down global economic growth to 3.8 percent in 2023.⁴ The pandemic's economic consequences caused critical levels of unemployment around the globe through

the loss of countless jobs putting millions of livelihoods at risk. The report of the United Nations Conference on Trade and Development (UNCTAD) on the pandemic's impact on trade and development highlighted that an estimated additional 130 million people will be living in extreme poverty if the crisis persists.⁵

Sri Lanka faces a higher risk and vulnerability to the COVID-19 pandemic due, in part, to serving as a major seaport for international trade, as well as its economic dependency on tourism. The country reported its first case of a COVID-19 infection on 27 January 2020, who was promptly isolated, treated in a local hospital with no resulting infections reported thereafter.

The government strategy for controlling the spread of the virus has been described as highly militarized with the Chief of the Army being appointed to lead the taskforce to prevent a COVID-19 outbreak.⁶ A new administrative network was put in place with military personnel, police and public health departments of the Ministry of Health at the top of the hierarchy.⁷ The Government enforced a series of public

1 D. G. Mahler, N. Yonzan, C. Lakner, R. A. C. Aguilar and H. WU. 'Updated Estimates of the Impact of COVID-19 on Global Poverty: Turning the Corner on the Pandemic in 2021'. World Bank Blogs, June 24, 2021. Available from: < <https://blogs.worldbank.org/opendata/updated-estimates-impact-covid-19-global-poverty-turning-corner-pandemic-2021> >. Accessed on 13 February 2022.

2 World Health Organization Coronavirus (COVID-19) Dashboard. Available from: < covid19.who.int > Accessed on 29th March 2022.

3 International Monetary Fund, 'World Economic Outlook'. Available from: < <https://www.imf.org/en/Publications/WEO#:~:text=Description%3A%20The%20global%20economy%20is,2021%2C%20especially%20for%20Emerging%20Asia.> >. Accessed on 11th February 2022.

4 Ibid

5 United Nations Conference on Trade and Development (UNCTAD), 'Impact of the Pandemic on Trade and Development: Transitioning to A New Normal'. Available from: < https://unctad.org/system/files/official-document/osg2020d1_en.pdf >. Accessed on 11th February 2022.

6 International Commission of Jurists (ICJ), 'Sri Lanka: Newly Constituted Presidential Task Force'. Available from: < <https://www.icj.org/sri-lanka-newly-constituted-presidential-task-force-threatens-rule-of-law/> >. Accessed on 12th February 2022.

7 The Gazette of the Democratic Socialist Republic of Sri Lanka. Available from: < <https://www.newswire.lk/2020/06/03/presidential-task-force-appointed-to-build-a-secure-country-and-a-disciplined-virtuous-and-lawful-society/> >. Accessed on 11th February 2022.

health control measures including contact tracing, lockdowns and national curfews, social distancing, strict quarantine procedures for infected patients, travel restrictions, and isolation of high-risk areas in order to restrict public movement.⁸ Since the detection of the first local case in the second week of March 2021, the government introduced a series of measure to improve social distancing, such as school closures, introduction of work from home models, imposition of travel bans on international arrivals, and a strict island-wide curfew in order to reduce the burden on the country's health system and communities.⁹ The curfew, which lasted for almost two months from March to May 2020, helped curb the spread of the virus, however, at a severe economic and social cost to the country. The adverse effects were felt by both the formal and informal sectors with many institutions enforcing job and wage cuts and large numbers of employees losing vital income sources. Although the government had introduced systems for the distribution of essential goods and provided welfare support to low-income families, the most vulnerable individuals fell victim to gaps in the system and were left to bear the brunt of the human toll of the outbreak.¹⁰ The situation with regard to pandemic control has severely deteriorated since the identification of the first local case in 2020. The total number of confirmed infected cases currently stands at 627,000 while the total number of deaths is 15,777 according to the Health Promotion Bureau of the Ministry of Health, as of 13 February 2022.¹¹

THE IMPACT OF COVID-19 ON FTZs

The COVID-19 pandemic has upended industries and manufacturing chains across the world. The drastic economic downturn coupled with international trade restrictions led to major disruptions in production chains and order cancellations which had a detrimental impact on the livelihoods of vulnerable factory workers in developing countries including Sri Lanka. Sri Lanka's Free Trade Zones (FTZ) were one of the areas hardest hit by the pandemic, especially as the country's free trade sector is heavily dependent on the world trade network not only for product markets but also to purchase raw materials. All raw materials for the export processing industries, especially in the apparel industry, are imported from other countries, including India and China.¹² International trade restrictions that were imposed due to the pandemic severely hit Sri Lanka's production chains compelling industries to lower the level of production.¹³ According to Tuly Cooray, Secretary General of Sri Lanka's Joint Apparel Association Forum (JAAF), exports are forecast to plummet 30 percent. "The country's national clothing industry has reversed its estimate from a target of US\$5.6 billion for the financial year ending March [2021] to US\$3.9 billion – a drop of US\$ 1.7 billion year-on-year for April 2020 to March 2021."¹⁴ The Secretary General of JAAF further forecasted that "the drop in topline revenue will require a 'realignment of capacity' that will see nearly 100,000 job cuts in the sector."

8 Ministry of Health Epidemiology Unit, 'COVID-19 Guidelines and Circulars'. Available from: <https://www.epid.gov.lk/web/index.php?option=com_content&view=article&id=230&lang=en>. Accessed on 13th February 2022.

9 W. P. T. M. Wickramaarachchi, S. S. N. Perera, and S. Jayasinghe, COVID-19 Epidemic in Sri Lanka: A Mathematical and Computational Modelling Approach to Control, Hindawi Computational and Mathematical Methods in Medicine Volume 2020.

10 Field interviews

11 Health Promotion Bureau, COVID-19: Live Situational Analysis Dashboard of Sri Lanka. Available from: <<https://hpb.health.gov.lk/covid19-dashboard/>>. Accessed on 30th March 2021

12 "Sri Lankan Apparel Exporters Face Raw Material Shortages" in Fashioning World, Thursday, 05 March 2020 12:37 Available from: <<https://www.fashioningworld.com/new1-2/sri-lankan-apparel-exporters-face-raw-material-shortages>>

13 "Covid 19 outbreak: Impact on Sri Lanka and Recommendations", PricewaterhouseCoopers, 2020. Available from: <<https://www.pwc.com/lk/en/assets/COVID-19-Impact-on-Sri-Lanka-PwC.pdf>> Accessed on 30th March 2021.

14 P. Rodrigo, "Covid 19 has taken its toll on the Sri Lankan Clothing Sector" in Just – Style, Available from: <https://www.just-style.com/analysis/covid-19-has-taken-its-toll-on-sri-lanka-clothing-sector_id138909.aspx>, June 2020, Accessed on 30th March 2021.

Various categories of workers in the FTZs experienced repercussions of the pandemic in varying degrees, ranging from no impact to redundancy. Additionally, men and women across these diverse categories of workers were impacted by the effects of the pandemic in different ways. Gendered social constructions, socio-cultural expectations from communities, and the positioning of women and men in the social system led to significant differences in the way that the pandemic ultimately affected the lives of man and women workers. Within this context, the study sought to assess the socio-economic impact of the COVID-19 pandemic on women workers within FTZs.

According to the statistics published by the government, Sri Lanka is one of the countries that has been able to control the spread of the disease effectively, largely due to strict government regulations and police and military level control of the COVID-19 outbreak response.¹⁵ A cluster was identified in one of the Navy camps, with infected cases reaching 357 by 20 May 2020,¹⁶ however, this was largely controlled by the military and health sectors through the imposition of isolation areas and quarantine measures, preventing community-level spread of the virus.

The island-wide curfew imposed in the country on 15 March 2020 resulted in the temporary closure of the FTZs. The losses incurred due to this closure led some industries to close for undisclosed periods of time, compelling their entire staff to vacate their jobs, and other factories to retain only their essential workforce resulting in catastrophic outcomes. As many of the men and women employed by these factories were the sole breadwinners in their families, the impact of loss of livelihoods had a severe knock-on effect on access to nutrition, healthcare and essential goods and services. Different categories

of workers – permanent, temporary, and casual – experienced differentiated degrees of impact. As FTZs employ a significant proportion of women workers, the gender implications of a deteriorating employment situation in the industry are vast.

The first wave had no direct health impact on FTZ workers due to factory closures during the government lockdown and workers being sent back to their hometowns. Nevertheless, the FTZs became the epicenter of the second wave which is considered to have begun with the detection of an infected factory worker in an apparel factory in Minuwangoda in early October 2020. The number of infected cases exceeded a thousand by 7 October which was later referred to as the “Minuwangoda cluster of COVID-19” imposing a severe stigma on FTZ workers. By the time the second wave of the pandemic hit the zones, production which had almost collapsed during the first wave, had resumed to a considerable extent. As measures had been taken to ensure continued production, a considerable number of workers had to be quarantined and hospitalized for treatment.

STIGMATIZATION OF FTZ WORKERS

Since 1977, Sri Lanka has prioritized the liberalization of the economy, and structural adjustment strategies were a core component of the economic liberalization process.¹⁷ The establishment of Export Processing Zones (EPZs) was a key immediate outcome of the structural adjustments executed in order to position Sri Lanka’s economy in line with the global development agenda.¹⁸ EPZs, also commonly referred to as Free Trade Zones (FTZs) were a key strategy

15 Reuters 2021, ‘Covid 19 Trackers’. Available from: < <https://graphics.reuters.com/world-coronavirus-tracker-and-maps/countries-and-territories/sri-lanka/> >. Accessed in March 2021.

16 Wijesekara et al., COVID-19 Case Prediction and Outbreak Control of Navy Cluster in Sri Lanka: Effectiveness of SIR Model, Under Peer Review, Available from: <<https://doi.org/10.21203/rs.3.rs-70722/v1>>

17 J. R. Karlik, M. W. Bell, M. S. Rajcoomar and C. A. Sission. ‘An Overview of Economic Developments in Sri Lanka’, 1996. Available from: < <https://www.elibrary.imf.org/view/books/071/02395-9781557755797-en/ch01.xml#:~:text=In%201977%2C%20the%20government%20initiated,conflict%20has%20become%20more%20intense.> > Accessed on 14th February 2022.

18 International Labour Organization (ILO), ‘Working Paper No. 69 -Export Processing Zones in Sri Lanka: Economic Impact and Social Issues’. Available from: https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/

towards attracting foreign direct investment with production targeting the foreign market entirely.

The first FTZ commenced in Katunayake in 1978 in the close vicinity of the Katunayake International Airport, and was later expanded to several other locations providing new skilled and unskilled job opportunities for a growing young working population in the established industries. In 2012, there were 12 major FTZs in Katunayake, Biyagama, Seethawaka, Koggala, Mirijjawila, Kandy, Watupitiwala, Mirigama, Mawathegama, Polgahawela and Horana. Several more zones and single industries have been established in different parts of the country since then, including the zones in Kilinochchi and Vavuniya. Apart from the apparel industry, the FTZs have expanded to include garment accessories, garment related services, rubber products manufacturing, export trading house, steel products, motor spare parts, tobacco processing, electronic and electrical products, costume jewelry, food and beverages, and logistic services.

A wide array of literature has been produced over the last four decades addressing various economic and social issues concerning FTZs. The significant concentration of young men and women primarily from socially and economically underprivileged and rural backgrounds living and working in FTZs has resulted in the creation of social and cultural issues, both positive and

negative, impacting the individual, communities and the society at large.¹⁹

The establishment of FTZs marked the beginning of an entirely new experience within Sri Lankan society and culture. Not only did the conditions imposed by investors prevent unionized organization and action, but also the nature of the labour force that was attracted to the zones contributed to a unique situation leading to the emergence of serious contradictions challenging dominant Sri Lankan cultural identities and working conditions.

Within this context, women workers faced particular intersecting challenges, due in part to the rise of women-headed households in the aftermath of the Sri Lankan Civil Conflict which left a quarter of the female population vulnerable to low paying employment opportunities, often located in FTZs.²⁰ Challenges faced by women FTZ workers include: mobility issues such as ease of accessing the workplace especially for married women and those that have care responsibilities; reluctance to migrate to the zones; and other challenges for single women in finding safe accommodation in urban areas.²¹ Further to this, women workers face the additional burden of negative social perceptions and stigmatization when they accept a job in FTZs making the uptake of such employment a necessity as opposed to a choice.²²

documents/publication/wcms_126264.pdf >. Accessed on 14th February 2022.

19 H. Peter. Gender, Globalization and empowerment a study of women who work in Sri Lanka's Export Processing Zones, Work Organization, 2012, Labour & Globalization, Vol 6, Pluto Journals. Available from: <<https://www.jstor.org/stable/10.13169/workorglaboglob.6.1.0131>>

T. Kusago & T. Zafiris, 1998. "Export processing zones : a review in need of update," Social Protection Discussion Papers and Notes 20046, The World Bank.

J. Abeywardene, R. de. Alwis, A. Jayaweera, S. & S. Thana, 1994. Export processing zones in Sri Lanka : Economic impact and social issues. Multinational Enterprises Programme Working Paper No. 69

20 L. Ratwatte, 'Spotlight on Sri Lanka's Women-Headed Households Affected by COVID-19'. Available from: <<https://thediplomat.com/2021/06/spotlight-on-sri-lankas-women-headed-households-affected-by-covid-19/>>. Accessed on 14th February 2022

21 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 'Women Workers in Global Supply Chains Denies/Hampered in Forming Trade Unions to Protect their Rights to a Decent Livelihood'. Available from: <https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LKA/INT_CEDAW_NGO_LKA_26331_E.pdf>. Accessed on 11th February 2022.

22 P. A. Hancock, 'Women, Work and Empowerment: A Portrait of Women Workers in Two of Sri Lanka's Export Processing Zones.' Available from: <https://www.researchgate.net/publication/49284931_Women_Work_and_Empowerment_A_Portrait_of_Women_Workers_in_Two_of_Sri_Lanka's_Export_Processing_Zones>. Accessed on 11th February 2022.

While it has taken several decades of activism from within and outside the zones to address poor working conditions and challenge the pervasive negative social discourse surrounding women workers in FTZs, these issues continue to persist even today and were further exacerbated within the context of the pandemic.

IMPACT OF COVID-19 IN THE CONTEXT OF BUSINESS AND HUMAN RIGHTS

The United Nations Guiding Principles on Business and Human Rights (UNGPs), provide a novel approach to address the impact of business activity on human rights outlining the duties of States and private sector alike through the “Protect, Respect and Remedy” framework.²³ Following international trends, recent years show an increased uptake of the business and human rights agenda in Sri Lanka with a growing number of business actors,²⁴ civil society and institutions recognizing the need to adopt and adhere to the UNGPs.²⁵ Recognized globally as a key player in garment and textile supply chains, Sri Lanka is the European Union’s second-largest trading partner, reflected in the EU granting Sri Lanka improved access to its market under a special arrangement known as the Generalized

Scheme of Preferences (GSP+).²⁶ This unique positioning, has resulted in:

1. The growing dialogue of uptake of Business and Human Rights agenda as a framework to mitigate against human rights abuses in supply chains as they apply in Sri Lanka; and
2. Discourse on the adherence to human rights principles in FTZs.

The FTZs have largely been the center of conversations on UNGPs in Sri Lanka given the enhanced discourse on supply chain management, and ensuring that business operations align with human rights standards on fair labour rights, and the prevention of human rights abuses. In the wake of the COVID-19 pandemic, the UNGPs provide a further appeal to Sri Lanka’s economic recovery, as they provide an opportunity to secure enhanced access to export markets and also have the potential to attract foreign direct investment.²⁷ Issues of health and safety formed part of the growing national conversation as outbreaks of cases of the virus were reported in apparel factories and manufacturing plants in the Western Province.²⁸

Other issues brought in stark focus during this period include reports of discrimination at the workplace on the basis of gender and ethnicity,²⁹ the lack of fair contracts and safe employment

23 United Nations Human Rights Office of the High Commission (OHCHR), ‘Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework’. Available from: <https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf>. Accessed on 13th February 2022.

24 Rights Business, ‘Human Rights Integration Across Business Operations in the Top 50 Companies in Sri Lanka: A Preliminary Scan’. Available from: <<https://media.business-humanrights.org/media/documents/dcf75d3219ec5d7f56e4e4c9e71c8a3aa2925d15.pdf>>. Accessed on 12th February 2022.

25 M. Peiris, ‘Moving the Business and Human Rights Agenda Forward in Sri Lanka in a Time of Crisis’. Available from: <http://www.colombopage.com/archive_21A/Jun11_1623420317CH.php> . Accessed on 12th February 2022.

26 European Commission, ‘Generalised Scheme of Preferences: Sri Lanka’. Available from: <<https://trade.ec.europa.eu/doclib/press/index.cfm?id=1663>> . Accessed on 14th February 2022.

27 UNDP Sri Lanka, ‘The Untapped Trade and Investment Potential of the Business and Human Rights Agenda in Sri Lanka’, 3 December 2021. Available from: < https://www.lk.undp.org/content/srilanka/en/home/library/undp-sri-lanka-publications-and-factsheets/untapped_trade_investment_bhr_srilanka.html > Accessed on 14th February 2022

28 Colombo Telegraph, ‘Key Demands to Address the COVID-19 Crisis in the Free Trade Zones: An Open Letter to the Government of Sri Lanka, Factory Owners and Buyers’. Available from: < <https://www.colombotelegraph.com/index.php/key-demands-to-address-the-covid-19-crisis-in-the-free-trade-zones-an-open-letter-to-the-gosl-factory-owners-buyers/>>. Accessed on 14th February 2022.

29 Tamil Guardian, ‘UN Rapporteur on Slavery Highlights plight of Malayaha Tamils and Language Discrimination in Sri Lanka’. Available from: <<https://www.tamilguardian.com/content/un-rapporteur-slavery-highlights-plight-malayaha-tamils-and-language-discrimination-sri>> . Accessed on 14th February 2022.



for migrant workers,³⁰ and increased reports of gender-based violence and harassment of women workers in the garment industry.³¹ The intersection of these issues forms the basis of this study; namely a review of the impact of the

COVID-19 pandemic on women workers in FTZs in the context of the business and human rights.

30 Business and Human Rights Resource Centre, 'WSWS Inquest Reveals Precarious Conditions of Sri Lankan Migrant Workers Exacerbated with the Onset of COVID-19'. Available from: < <https://www.business-humanrights.org/en/latest-news/gcc-ws-ws-inquest-reveals-precarious-conditions-of-sri-lankan-migrant-workers-exacerbated-with-the-onset-of-covid-19/> >. Accessed on 14th February 2022.

31 Solidarity Center, 'Overworked and Underpaid: Sri Lanka's Garment Workers Left Hanging by a Thread'. Available from: < https://www.solidaritycenter.org/wp-content/uploads/2021/11/Workplace-Issues-in-the-Sri-Lanka-Garment-Sector.10.2021.FINAL_.pdf >. Accessed on 14 February 2022.

RESEARCH METHODOLOGY

The Women's Centre is a non-governmental organization which has a history of working with women workers in FTZs for nearly 35 years. The study seeks to address the social, economic, and cultural impacts of the COVID-19 pandemic on women FTZ workers. The objective of the study is to further understand how the gendered social constructions prevailing in society compound the challenges experienced by economically underprivileged women populations during a calamity such as a pandemic. The study was carried out in two phases separately covering the first and second waves of the COVID-19 outbreak in the country. The study employed both quantitative and qualitative methods of research in the process of data collection and analysis within the exploratory research framework. However, the methodological focus was more on the qualitative aspects to gain descriptive insights of the impact of COVID-19 on the lives of the participants of the study. Since it was not possible to study a larger sample given the allocated time frame and respective travel restrictions, quantifying data on personal experiences and generalizing them was considered methodologically inappropriate. Instead, the qualitative elements of the study were considered against the tenants of the UNGPs to better understand how Business and Human Rights as a framework may be engaged to address the issues reported by the respondents.

A pilot study was conducted with workers from the Katunayake Free Trade Zone. A training for research assistants was organized on the research objectives, the data collection process and ethical considerations. Questionnaires and interview guides were pretested and revised according to the experiences received by the researchers during the pilot study.

The suggestion to study the impact of the second wave of the pandemic came almost at the end of the data collection process of the first part of the study. It was not possible to follow the same procedure to study the second wave, therefore, researchers decided to limit the data collection of this second part of the study to focus group interviews conducted with women workers affected by the second wave.

RESEARCH SAMPLE

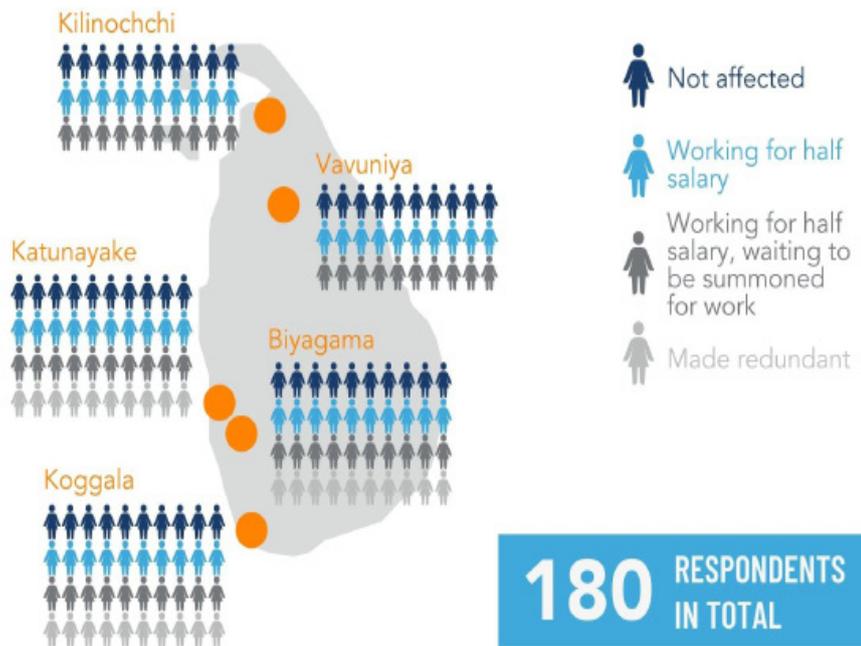
Five Free Trade Zones were selected taking into account accessibility, financial feasibility and coverage of different ethnicities; three out of the five zones chosen were comprised of a Sinhalese majority working population (Katunayake, Biyagama and Koggala), while Kilinochchi and Vavuniya areas were deliberately selected to include the Tamil working population.

A non-random stratified sample was purposely selected to include a variety of workers in the sample.

Four categories of workers were identified, with ten respondents from each category per location, based on the differential impact of the pandemic on their job status: not affected, working for half salary, working for half salary and waiting to be summoned for work, and made redundant due to the outbreak. As there were no loss of jobs reported in Kilinochchi and Vavuniya, the planned total sample of 200 individuals was reduced to 180 women respondents working in the selected Free Trade Zones.

The following figure provides a summary of the sample selection procedure adopted in the study.

Figure 01: Sampling Frame (On the basis of the impact on the employment due to COVID-19)



DATA COLLECTION

The predominant data collection techniques adopted in the study involved questionnaires, focus group interviews, key informant interviews and informal individual interviews. While key informant interviews were conducted in all selected zones with medical personnel, factory management and local level mediators (including *Grama Niladhari*, public health officers and midwives etc.), informal interviews were carried out during daily work routines and through home visits.

Three different types of interviews were conducted: informal interviews, focus group discussions and key informant interviews. The same five selected women respondents who were included in each focus group interview also completed the questionnaires, providing a total of 180 questionnaires and 40 focus group interviews. In addition, approximately 40 informal interviews were conducted with different categories of workers including both men and women, factory owners, other members living in the boarding houses, and people living in the areas. Since the main focus of this study was to understand the social impact of COVID-19 on women FTZ workers, no men other than those who were involved in the

informal interviews were included in the sample. Moreover, the human rights impact of the pandemic on the respondents was only measured on the basis of the information they provided.

During the second stage of the study, ten focus group interviews were conducted with the female respondents of all five locations selected for the study. i.e.: two focus group interviews were conducted (consisting of five respondents each) in each group per location.

Key informant interviews were carried out in the presence of officials directly involved in public service in various capacities during the pandemic. This included a Medical Officer of Health (MOH) in the area, public health inspectors (PHI), midwives, police officers and *Grama Niladharis* in each location.

Although the study planned to interview approximately five top level figures from the industries (either factory owners or key managerial figures), this was not achieved due to administrative issues.

Questionnaires were analyzed using SPSS data analytical package and thematic and discourse analytical methods were used in analyzing qualitative data.

RESULTS

SAMPLE DEMOGRAPHIC

The key characteristics of the sample demographic based on field data is outlined below according

to the nature of residence, educational attainment, monthly income, age and marital status. It was crucial to document these dimensions as they were they factors impacting women workers in FTZs as outlined in the following section.

Chart 01: Locations

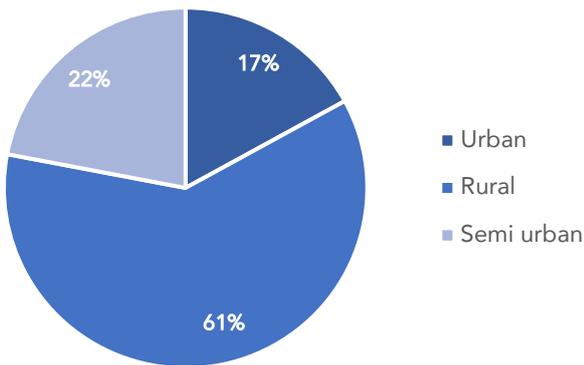


Chart 02: Nature of the residence at present

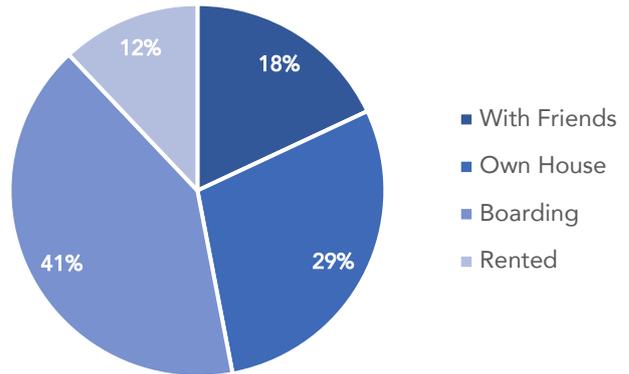


Chart 03: Level of Education³²

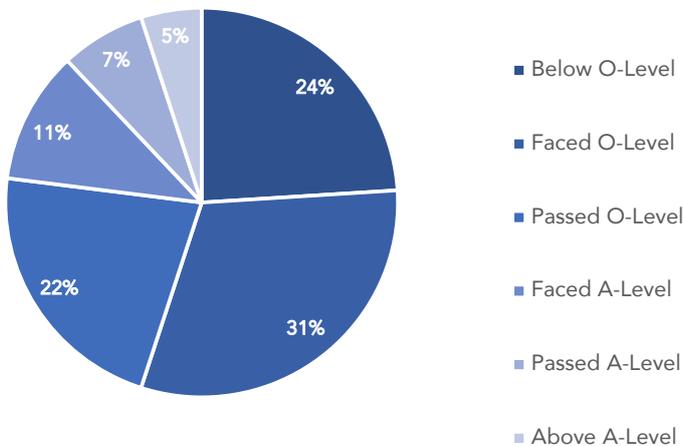
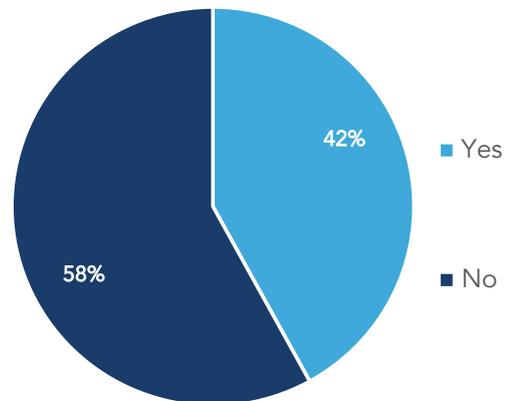


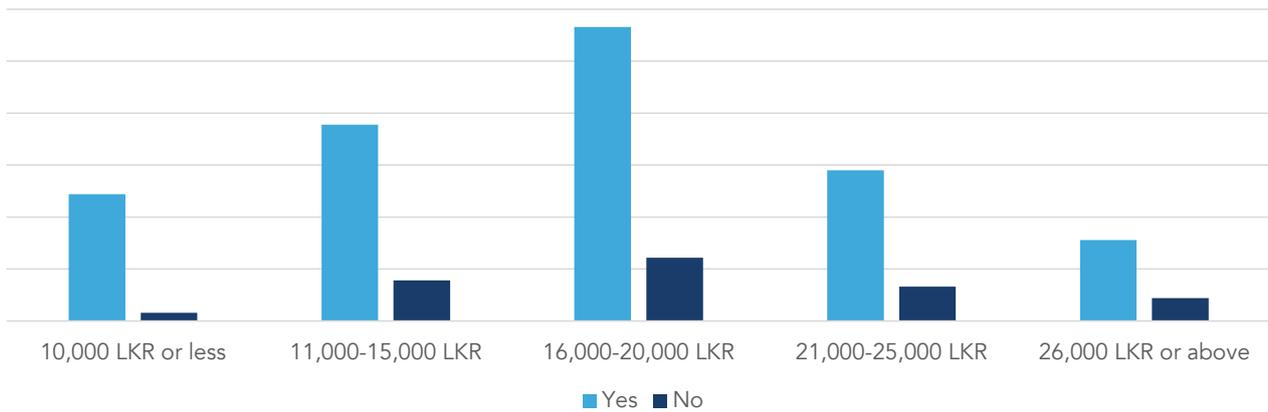
Chart 04: Household composition - Children



³² O-Level - The GCE Ordinary Level exam is a public examination formerly taken by secondary-school students, usually 15 to 16 years old, testing basic knowledge in various subjects, required before advancing to more specialized courses of study.

A-Level - The General Certificate of Education qualification exam in Sri Lanka, is usually taken by students during the optional final two years of collegiate level (grade 12 and 13 (usual age 18–19) or external (non-school) candidates, after they have completed GCE Ordinary Level exams.

Chart 04: Relation between income and dependents



Most of the respondents reported either not having taken “Ordinary Level” examinations (O-Level), at 24 percent, taken and passed O-Level examinations, at 22 percent, or had taken the examinations but had been unsuccessful, at 31 percent. A minority of just over 23 percent of the respondents had continued with their high school careers and reached the level of taking “Advanced Level” examinations (A-Level). A supplementary dimension under consideration was further the level of financial literacy, particularly as measured against financial responsibilities that the respondents faced.

The women respondents overwhelmingly noted that they had taken out loans. This trend of additional loans to supplement the monthly income was noted in all the FTZs under review, with the exception of Kilinochchi. At the surface level, this need for additional income seems at odds with the relatively young and single women workforce recorded.

Though 58 percent of the respondents reported not having children, an overwhelming majority across all monthly income categories indicated having dependents. This is consistent with a number of socio-economic factors impacting women workers in FTZs, namely the disproportionate unpaid care and household work burden borne by women in Sri Lanka. According

to studies carried out by the Office of the High Commissioner for Human Rights (OHCHR) and other notable human rights institutions, 22 percent of all households in Sri Lanka are classified as women-headed households, resulting in many women taking on the role of breadwinner; with social norms dictating they take on additional roles as primary care givers for the elderly or other family members in need of medical attention or other similar needs.³³ As will be discussed below, this burden was further intensified during the COVID-19 pandemic.

FINDINGS

FTZs, similar to many other workplaces, were ordered to suspend all operations, halting most of their production during the first wave of the pandemic.³⁴ However, the situation of FTZs was further complicated by a large workforce that usually live and work in closed environments and have comparatively closer physical and social contacts within the factories, hostels and boarding houses which posed a significant threat to infection control within the zones.³⁵ The decision for immediate closure compelled the management of the FTZs to make the necessary arrangements to send the workforce home

33 OHCHR, ‘Unpaid Work, Poverty and Women’s Rights’. Available from: < <https://www.ohchr.org/Documents/Issues/Poverty/UnpaidWork/CaritasSriLanka.pdf> >. Accessed on 14 February 2022.

34 United Nations Sri Lanka, ‘UN Advisory Paper: Immediate Socio-Economic Response to COVID-19 in Sri Lanka’. Available from: < https://unsdg.un.org/sites/default/files/2020-07/LKA_Socioeconomic-Response-Plan_2020.pdf >. Accessed on 12 February 2022.

35 A. Sivananthiran, ‘Promoting Decent Work in Export Processing Zones in Sri Lanka’. Available from: < <http://www.oit.org/public/french/dialogue/download/epzsriLanka.pdf> >. Accessed on 12 February 2022.

safely, minimizing the risk of infection for both the workers and the communities within their hometowns (Refer Table 01).

Many workers were not able to return to their native villages due to a combination of factors, including: deficient transport arrangements; lack of transport from the drop off point of the

arranged transport to their homes which were located away from the main town; and other personal reasons preventing them from leaving immediately/missing the arranged transport facilities. Ultimately, over two thousand workers were left stranded within their boarding houses throughout the two-month-long curfew (March–May 2020).

“ There was a rumor that the country would be in a lockdown and we did not get any confirmed decision from the management until the very afternoon that the island-wide curfew was imposed. News circulating on social media indicated that the curfew had already been imposed which created a lot of confusion. We were informed by the management that we had to leave the factory immediately, however, over two thousand of us were unable to find transport to travel back to our hometowns and we were stranded in the zone for almost two months.

(Focus group no 1, Katunayake, personal communication, 2020)

The study documents the impact of the pandemic on:

(1) IMPACT ON EMPLOYMENT: STATUS, INCOME AND WORKING CONDITIONS

(2) PERSONAL IMPACT

(3) IMPACT ON FAMILIES OF WORKERS

(4) SOCIAL IMPACT: STIGMA AND DISCRIMINATION

(5) BUSINESS AND HUMAN RIGHTS

(1) IMPACT ON THE EMPLOYMENT: STATUS, INCOME AND WORKING CONDITIONS

The impact of COVID-19 on factories through government lockdowns have had a ripple effect on the working population in FTZs leading to changes in the nature of work, altered job tasks, reduced incomes, temporary suspensions, changes in employment type to part-time or casual basis, changes in working conditions due to disease control measures and a reduced workforce, and job loss.

JOB STATUS

Workers were asked to stay home until the resumption of factory operations, and following the lifting of lockdown restrictions workers were asked to resume duties on full-time, part-time or casual basis. Some highly trained skilled workers were recalled at the earliest, however, the procedures adopted for reinstating workers remain unclear. Men in more skilled employment categories were less likely to lose jobs. As the majority of the FTZ workforce were women workers, the sectoral impacts disproportionately affected women.

“ We were not informed if we will be called back to work or not. The management asked us to stay home for some more time as the raw materials had not yet arrived. I found relatives questioning me on whether I will be going back to work more stressful than having no work. I was tired of staying home. I felt I was becoming a source of fun and mockery for villagers, some of whom openly joked saying ‘*garment keli game awith*’ (Garment pieces³⁶ have come to the village).

(Focus group no 1, Biyagama, personal communication, 2020)

More replaceable categories of workers were more vulnerable under the changed circumstances. Some are still waiting at home expecting to be reinstated and others have found alternative employment such as tea picking, labour work in the agricultural sector or have joined the man-power group.³⁷ Finding new employment opportunities was a challenge due to the limited educational attainment of the respondents (Refer to Chart 01)

Lack of prior experience of the management on emergency situations of this scale also contributed to the problems encountered by the workers.³⁸ Respondents were of the view that the high cost involved in making alternative arrangements for thousands of workers, including food, lodging and transport, could have contributed to the inadequate measures taken in the immediate aftermath of the outbreak.

36 This was an infamous term used by the public in referring to female garment workers together with some other terms such as ‘Juki pieces’ or ‘garment goods’ contributing to the stigmatization of these workers. These words had almost disappeared from public use and apparently returned after large numbers of workers lost their jobs and returned to villages.

36 The category of workers known as man-power group is the working population who have not been recruited to the FTZ industries but work in them on a casual basis whenever additional labour is required. This is the most vulnerable category of workers who face the highest level of uncertainty and the first to be laid off in an economically adverse condition. Due to the difficulty in locating them and also due to the fact that the uncertainties they face related to work cannot solely be attributed to the pandemic, this category was not included in the sample.

38 The respondents, including key informants, stated that the management also was not quite clear as to what needed to be done because such an issue affecting the entire FTZ on such a massive scale had never been experienced by them. This led the management to take rather arbitrary and poor decisions.

“ The factory management did not have any idea of how to respond to this kind of situation. Ultimately, we became the subject of exploitation. This is not to criticize the factory or to go against them, but we were so helpless and our grievances were not heard by the authorities. The quick decisions taken by the management made us more vulnerable. The problem was not only related to not having work, but when we were called back, we had to work double time because there was a shortage of labour since the management did not request all workers to report to work again.

(Focus group no 1, Koggala, personal communication, 2020)

The first and second waves had distinct impacts on employment status as workers were much more likely to lose jobs during the first wave (January–October 2020) due to sudden factory closures, order cancellations and lack of raw materials. However, by the second wave (October 2020–March 2021) production had resumed to a certain level as supported by the Secretary General of JAAF. According to a report by Rodrigo, by mid-2020, factories could operate only up to 50 percent of their usual strength. Labour cuts, paying of wages to workers at the government’s request, an attempt to introduce a 6-month suspension of EPF (Employees’ Provident Fund) and ETF (Employees’ Trust Fund), and the government’s promise to allow a moratorium on interest payments on loans were supposed to contribute to bringing industries back to a near normal production level, yet with a reduced labour force.³⁹ However, no new changes were introduced in/after the second wave (despite FTZs being the epicenter of it) and the discontinuing of work and re-recruiting of workers under different job categories introduced in the first wave continued.

The nature of work drastically changed during the first stage and the latter stages of the first wave of the pandemic. Those who stayed back in rented or boarding houses joining the ‘manpower group’ functioned as casual workers and found work in various occupational sectors including fruit and vegetable cultivations, jani-

torial work, and care work. The pattern of work changed during the second stage of the first wave, as a considerable segment of workers were recalled for employment for half salary or for casual work. Although casual factory work was poorly paid and did not provide employees with an adequate income for survival, they were not able to undertake any other work due to unfixed work times and shifts. Women FTZ workers were desperate to hold on to any work opportunities in the hope that they would be able to secure a permanent position once normal business operations resumed.

INCOME

Reduction of income due to changes in job category, shifting from full time to casual basis, and changes in work status was another common experience among workers. Workers also experienced an increase in expenditures due to increased family responsibilities after returning home and reestablishing family ties. Job loss among other family members also resulted in these workers becoming the household’s main/sole breadwinner and reduced incomes meant that they were less able to support their families during these difficult times. Likewise, those who stayed back at work experienced increased expenditure for rent payments and daily meals due to discontinuation of factory provided meals. As many of these workers often live hand-to-mouth, reduced salaries or loss of income meant they

39 Rodrigo, Poorna, “Covid-19 has taken its toll on the Sri Lankan Clothing Sector” in Just – Style, https://www.just-style.com/analysis/covid-19-has-taken-its-toll-on-sri-lanka-clothing-sector_id138909.aspx, 18 June 2020, Retrieved on 3/30/2021

were unable to access basic necessities such as food, rent bills, and medical expenses for their dependents.

Workers also struggled with lack of access to loans from formal and informal loan systems, as reduced salaries and job uncertainties meant that regular loan providers were more reluctant

to issue loans. Additionally, inadequate state welfare support and lack of factory welfare measures (albeit a few factories with limited social protection schemes) meant that workers felt completely abandoned by management and left to bear the brunt of the economic insecurity created by the pandemic with limited financial support.

“ I had to go through so many difficulties as I received only half of my salary. But I had all the responsibilities of taking care of myself and my family. Sometimes, when I paid the boarding fee and spent money on food I had almost nothing left. However, I had to manage all my family needs with the remaining amount as I am the only person providing for them. Because of online education, I had to buy a smartphone for my niece and it was a massive burden for me with my meagre earnings.

(Focus group no 1, Koggala, personal communication, 2020)

Additionally, alternative income sources available to dismissed workers did not provide them with sufficient income for basic necessities. Those who lost their employment and went back to their family or relatives had found new livelihood activities in the villages such as tea picking, vegetable cultivation, wrapping *beedi* (a local cigarette variety), making paper bags and envelopes etc. which were poorly paid and left women struggling to make ends meet.

WORKING CONDITIONS

Although production processes had already resumed by the time the second wave hit, the impact faced by the workers was severe. Factories were operating at reduced capacity with a small portion of the workers reinstated once the work resumed. The remainder either continued to be unemployed, work in different job categories within the industries often in less paid jobs, or were compelled to find work outside the sector.

As a result of reduced workforces, workers who remained in factories had to face extended

working hours and poorer working conditions. The situation almost completely eliminated the bargaining power of the workers to demand better working conditions. They were not reluctant to label the conditions as ‘exploitation’ during the interviews, however, they also expressed anxiety to raise the issue publicly due to the fear of losing jobs, despite the low pay of the new job categories they were recalled for.

Despite the challenges and exploitation faced by workers, many were extremely reluctant to take legal action on account of negative prior experiences and lack of faith in labour tribunals. Lack of participation from industry representatives at labour tribunals have been cited as a key reason for unwillingness on the part of workers to pursue legal recourse, as case hearings are postponed in the absence of industry representation and plaintiffs are often forced to withdraw the case and seek employment elsewhere. Biased labour tribunals favoring management was another view espoused by workers reluctant to file legal action. As a result, not a single respondent was willing to take legal action to pursue remedy for the

discrimination they faced during the pandemic.⁴⁰

Respondents expressed varied views on the working conditions experienced during the pandemic, with those who were still employed holding a more favorable opinion about their workplace compared to the employees who were terminated. However, almost all respondents expressed concerns about the reduction

of the labour force and increased workload on remaining employees, prolonged working hours, workplace verbal harassment, and other workplace changes which favored employers over employees such as cancellation of meal provisions—which many were worried would continue beyond the resumption of normal factory operations.

“ On some days we didn’t even have a glass of water because we were overloaded with work. On top of that, supervisors had something to complain about all the time. It was so stressful to work in the factory.

(Focus group no 1, Vavuniya, personal communication, 2020)

The pandemic also exacerbated other difficulties encountered by workers, with many suffering numerous health issues as a result. Most factories did not take care of their workers’ health-related needs, including sanitation needs. Some workers had to purchase masks out-of-pocket, make their own masks which were usually subpar and ineffective at reducing disease transmission, or make do with one factory provided disposal mask for an entire week. Lack of sanitizers, poor disease control measures and long working hours in close quarters undermined the health of factory workers. Long hours of work wearing the same underwear, including sanitary towels, contributed to unexpected health issues among female workers. PHIs blamed worker ignorance and negligence for the rise in health issues among factory workers, however, long working hours, economic difficulties and highly constraining working conditions are more probable causes. Respondents viewed the pandemic as a blessing in disguise for entrepreneurs, but a curse on the working class due to the negative toll on working conditions, physical and mental

health of employees, and loss of livelihoods.

(2) PERSONAL IMPACT

The enforcement of the island-wide curfew and widespread industry closures exposed the vulnerabilities of the working class in the Free Trade Zones. Although a large number of workers were sent back home, many stayed back either out of personal choice or were retained by the factories as essential workers. Respondents continued to stay in the zones either out of lack of transport facilities or out of their own volition due to reluctance to return home without an income to support their family or a preference for the lifestyle and relationships within the Zone that they were unwilling to part with. Neither group of workers were immune to the impact of the pandemic on their mental and physical health.

Those who stayed back without a full-time job

40 Respondents stated that although Greater Colombo Economic Commission (which later became Board of Investment or BOI, under the jurisdiction of which the EPZs operates, has clearly laid out a compensation scheme for workers. Accordingly, the compensation for workers who get laid off would be paid on the basis of the years of service under the maximum limit of 1.2 million LKR. No such policies were adhered to regarding the layoffs during the pandemic situation.

were heavily impacted with no income to support themselves and their families, and limited savings to fall back on. Many were forced to live on rations provided by different organizations.⁴¹ Workers could no longer financially support their families, many of whom were solely dependent on their income, further straining their family situation and relationships.

Loss of social life, depression, and loneliness were other major issues faced by those who stayed

back, due to strict social distancing restrictions taking away the community life which was the only source of recreation and relationships. The psychological impact on living in restricted and confined quarters was severe for factory workers who lived by themselves or in boarding houses with their workmates and had no access to social or community life. Some respondents reported having to seek professional psychological counselling on account of their experiences.

“ I was fed up with staying at the boarding place for the whole day without going to work. Daytime was hell as it was so hot inside the room. We were in the same small place for the entire day, cooking, eating and sleeping. My roommate who had a kid had to go through a very difficult time.

(Focus group no 1, Katunayake, personal communication, 2020).

41 The Women's Centre, together with some other organizations had taken the initiative to support the stranded workers with food rations and the respondents were thankful for the support extended to them by the Women's Centre during this period.



Workers also reported experiences of harassment in boarding houses including forced evictions with limited notice, sudden increase of rent and rates, difficulty in finding new boarding houses, and harassment due to delayed payments etc. Loss of income also reduced their social standing in the community as they transitioned from independent, self-sufficient women to being dependent and helpless. In some instances, landlords requested strangers to harass these female workers to force them to leave their lodgings.

Workers who returned to their villages were faced with a different set of challenges. They were treated as vectors of the deadly disease and they were ostracized from society. Respondents relayed several instances of being shunned by neighbors and being blamed for bringing the 'epidemic' to the villages. Especially after the second wave, where an apparel factory became the epicenter of the outbreak, factory returnees were made to feel unwelcome in society and faced severe hardships due to labelling, mobility restrictions, and discrimination. Another dilemma for those who returned home was having to depend on family members and this role reversal had detrimental effects on their social status and value within the family forcing workers to look for alternative employment for meagre salaries.

(3) IMPACT ON FAMILIES OF WORKERS

The impact of COVID-19 on the family relationships of women workers in FTZs is further compounded by the different socio-cultural norms fostered within the FTZ environment that challenges commonplace and socially accepted notions of family and sexual relations outside of marriage. In the early stages of the establishment of the Free Trade Zones, almost the whole of the working population was young single

men and women. A massive concentration of young men and women, living away from their native villages and families, created a new culture of sexual relationships in the zones leading to severe public criticism of the life there which further stigmatized women workers. However, this situation gradually changed after the FTZ concept expanded throughout the country, and factories were established in the rural areas facilitating workers to travel to work from home. Additionally, the working population was no longer limited to young single men and women.

The "subculture of zones" had created new social relations, including forms of marital relations, which ran counter to the broader culture of the country. "Living together" which was an alien and "immoral" practice in the Sri Lankan context,⁴² was considered mostly acceptable for men and women in the zones. Married men and women formed either temporary or long-term relationships with those whom they met during their stay in the FTZs. This situation further exacerbated conflicts and social and psychological issues in the aftermath of the pandemic. According to the informants, women were driven to these relations to escape from loneliness and satisfy needs for companionship and "protection", whereas males sought an extra income source and sexual gratification.⁴³ With the impact of the pandemic, such relationships created a more conducive environment for the exploitation of women.

Men who were financially dependent on their partners in the zone harassed their partners, forcibly appropriated their money and committed other forms of violence against women who were made redundant during the pandemic. There were instances where landlords supported men in harassing women in order to extract money from them, as otherwise the men would fail to pay rent.

42 The practice of a man and a woman establishing a family together without registering their marriage becomes 'immoral' due to the influence of the ideas of western morality on the Sri Lankan society and culture with colonialism. In the local culture, there was no registration of marriages; acceptance given to a couple to live together with or without a ceremony by the family and the kin group was the beginning of a married life.

43 As explained by the respondents, although this was the normal trend, some men and women found happiness within extra marital relations and decided to stay within those relationships without returning to their former partners.

“

He troubled me a lot by asking for money. We are not legally married, but I've been living with him for two years now. But now, he refuses me and our fights often end up with him beating me. I was beaten up many times and the landlady had to intervene to stop him.

(Focus group no 1, Katunayake, personal communication, 2020)

Loss of employment among men led to increased alcohol consumption which resulted in a rise in domestic violence, including assaults, and verbal and sexual harassment within domestic settings. However, no community level incidents of violence were reported. The worsening marital situation fueled by the pandemic led to separation of partners and women seeking formal support in resolving cases of harassment.

Many respondents also described the psychological impact of the pandemic with increased job uncertainty and financial security, escalated poverty and tensions within the home causing greater stress within their lives. Additionally, patriarchal notions of women's role in society compounded by the lack of support systems resulted in many women workers reporting deterioration in their mental wellbeing.

(4) SOCIAL IMPACT: STIGMA AND DISCRIMINATION

Respondents shared experiences of discriminatory treatment and stigmatization from the onset of the first wave of the pandemic as many women were forced to return home without an income which cost them their status and respect in society and within the family. This impacted many women's sense of self-worth. This marginalization from society was only worsened by the second wave of the pandemic in which an apparel factory was at the epicenter of an outbreak. This led to overt labelling of factory workers by communities. National media and representatives of state institutions generated further stigma around factory workers and fostered greater animosity and distrust towards factory workers.



“ You all know how garment people were labeled with the second wave. It was like we brought and spread COVID-19 in Sri Lanka

Focus group no 1, Katunayake & Biyagama, personal communication, 2020).

Respondents also highlighted the negative treatment faced during the quarantine processes, but apart from contemptuous verbal remarks, they were spared physical harassment from officers in charge which could perhaps be attributed to the physical distancing requirements.

The entire quarantine process from start to finish was a harrowing experience for workers as many felt betrayed by the lack of proper planning by

factory management to address the rising issues even after the first wave of the pandemic. The government's initial response was also chaotic; some respondents revealed an incident where they were told that they were being taken to a quarantine center located close to their lodging, but in fact were taken to a center in Vavuniya (a town in the north of the country) which they learnt only after arriving there.

“ Many of us were of the view that we will be away only for a couple of days until the required medical tests are carried out and we could return to work thereafter. I picked up only two dresses which I ultimately had to wear during the entire quarantine period. There was no respect shown to us during the whole process. We were given orders which we had to obey. We didn't have enough time to gather even our essential items. We were asked to get ready quickly and get into buses provided as they [the army] are going to take us to quarantine centers late at night. We couldn't see the road properly. We were upset and urged to know where we were being taken to. We had no answers even at the time of leaving for quarantine, in fact the military personnel who were implementing the procedures themselves apparently had no answers and they kept silent. It was a frightening experience.

Focus Group No. 1, Katunayake, personal communication, 2020

Respondents reported feeling that the inconsiderate treatment they faced was an expression of the negative views held by the officials against garment workers. Some quarantine centers were in absolute squalor and workers had to clean the areas themselves before settling in for two weeks. Although respondents accepted

the extraordinary circumstances, they felt that they should have been treated in a decent and respectable manner. Irresponsible behavior on the part of state institutions and media organizations only contributed towards the reemergence of stigma against FTZ workers.

“ Some of our colleagues couldn't send their children to school. Teachers had openly asked not to bring children in, if the mother is a garment worker. Another worker's husband lost his job as a three-wheeler driver due to the stigma faced. The owner of the three-wheeler had asked him not to come to work.”

(Focus Group No. 2, Koggala, personal communication, 2020).

Discriminatory treatment occurred regardless of whether the person tested positive or negative for COVID-19 and respondents felt that working within an FTZ in and of itself seemed to warrant such mistreatment by officials. Respondents felt as though they were treated without human dignity simply on account of being garment workers and that the state authorities did not treat people based on principles of equity. For example, when upper class settlements and neighborhoods were affected by COVID-19, the families were treated well, and their identities and addresses were protected by the media which was a courtesy not afforded to FTZ workers. Women FTZ workers felt they were treated harshly by the media and given negative publicity which had detrimental consequences.

According to the respondents, officials and factory management did not intervene on their behalf. Instead, they took decisions which put workers at a disadvantage. Workers had to be quarantined every time a colleague tested positive. Landlords were instructed not to provide lodging for newcomers which meant that workers could not secure job opportunities in new factories unless they commute long distances from their hometowns. Workers from different factories living in the same boarding house or using the same lavatory facilities were not allowed to work due to the fear of spreading the virus. “It wouldn't have been a problem if we were paid our salaries during those times, but often we were not paid. No one wanted to know how we were surviving amidst these difficulties,” one of the respondents claimed.

(5) BUSINESS AND HUMAN RIGHTS

The COVID-19 pandemic has thus far undermined public health, economic systems, and the world of work globally. The challenges to the workforce are unprecedented with large proportions of workers losing their livelihoods; facing salary cuts, experiencing severe deterioration of working conditions, weakened production relations, and incurring human rights violations.

Respondents highlighted several human rights issues they encountered during the pandemic and resulting situations in FTZs. Calculation of compensation for the workers who were laid off was not according to the accepted mechanism with many workers losing out on valuable reimbursement from severance payments. Unions requested the government to establish a Tripartite Task Force headed by the Minister of Labour with the participation of entrepreneurs and trade unionists to facilitate effective decision making aggregable to all parties. The Task Force took a decision to continue the operation of the industries according to the shift system without overburdening the workers and paying their due salaries. Another suggestion by the Committee was to establish health committees in all zones. However, none of these decisions made by the Task Force were fully implemented leaving the workforce inadequately protected against the harsh realities of the pandemic.

Corruption among officials also added to the difficulties faced by workers according to respondents. The health and safety of FTZ workers was put in jeopardy by personal ambitions of corrupt



health sector officials and factory management as illustrated by two well-known incidents: firstly, of a health sector official manipulating the amount of COVID cases in his division to paint a more favorable image to gain personal credit, and secondly officials allowing factories to quarantine only positive cases and employing other family members in the “manpower category” putting the lives of other workers at risk.

These issues shed light on the structural challenges faced by both the state and businesses when it comes to putting the rights holder at the center of decision-making processes. The pandemic has caused a significant economic downturn, and businesses, especially those operating in the FTZs, continue to struggle to balance their operations and business demands and also respond responsibly without negatively impacting the human rights of their stakeholders.

REGIONAL DIFFERENCES

The situations described above could be identified more or less at the same level across different locations of study. Economic impact, loss of job, change of job role, income reductions, job insecurity, exploitation, negative media report-

ing and social stigma were common across the locations studied.

However, a clear difference among the locations could be identified in the sub-cultural aspects of the zones. As the first Free Trade Zone was established in Katunayake, the highest concentration of young man and women was in the Katunayake zone, with poor working conditions and facilities. This created a new subculture among the workers to adjust and cope with the issues they faced while enjoying the newly gained freedom in their lives. The working population in other FTZs established later, often in rural areas, meant that workers could commute from their homes and therefore there were less opportunities for the erosion of rural, traditional and cultural norms—which if violated resulted in stigmatization, social contempt and condemnation. As such, the sample of respondents from Koggala, Kilinochchi and Vavuniya did not report harassment within the community or illicit relations in the industry setting and resulting complications.

However, the negative social impact of the second wave was equally felt by all, and in the absence of adequate support from state or factory level institutions, workers will continue to labour under the repercussions of the renewed stigma and discrimination of FTZ workers.

CONCLUSION AND RECOMMENDATIONS

Key takeaways from the study:

+ COVID-19 has adversely impacted FTZ workers as a whole, but **women workers were disproportionately affected** due to the nature of their work being less skilled and more replaceable compared to their highly trained and skilled male counterparts. As a result, women workers were more likely to experience job loss or changes to job roles/status, i.e.: pushed into less permanent employment (e.g.: semi-permanent or casual work) or to be downgraded to lower paid employment categories.

+ The negative effect of the pandemic in the FTZs **has created job insecurity and financial difficulties which have compelled workers to accept job roles below their level of training or capacities**, creating situations where workers could fall prey to labour exploitation.

+ Due to factories operating at reduced capacity as well as the increased demands from global consumers due to a drop in production in COVID-19-affected countries during the second wave, **work targets have been increased for workers which resulted in extended working hours and poorer working conditions**.

+ With new advances in the FTZ sector, garment workers were slowly being liberated from prior labelling and stigma and gained greater recognition as a key worker category contributing to the country's GDP. However, the pandemic served to

completely undermine the social value and recognition of garment workers as media and state institutions generated blame and animosity towards apparel industry workers, especially when clusters were identified in the factories.

+ **Community-level perceptions shifted against female FTZ workers** in the aftermath of job redundancies due to the pandemic which left **women workers experiencing stress and dissatisfaction** as a result of being objectified within the emerging social circumstances.

+ There were **regional differences in the subculture and lifestyle aspects of the zones**, with women FTZ workers based in rural areas more immune to the effects of sexual harassment and consequent community discrimination in comparison to city-dwelling FTZ workers.

+ The first wave of the pandemic **exposed the vulnerabilities of women workers and the fragility of the FTZ system**. Although the situation continued to be precarious in the FTZs as a whole, industries were resuming almost regular operations by the time the second wave hit. However, altered working relations did not return to pre-pandemic levels and women continued to face job uncertainties and financial insecurity due to changes in their employment status and contract type.

RECOMMENDATIONS

The COVID-19 pandemic and the major social and economic crisis that followed cannot be studied in isolation without being placed within the overall global context and developments within which the garment industry is operating in Sri Lanka. The pandemic has shone a spotlight on the critical need for better safeguards for vulnerable workers across sectors and the need for governments and industries to build forward better and implement people-centered policies that protect and uphold the human rights of the workers. The following recommendations take into account the operational framework of the FTZ industries and is based on extensive consultations with the affected women workers, trade unionists and the field staff of the Women's Centre and analyses by the research team.

1. ENSURE PROTECTION OF EMPLOYEE RIGHTS AND FAIR AND JUST TREATMENT OF WORKERS

- + Demonstration of the State's responsibility towards protecting the rights of the FTZ workers by urging the Ministry and Department of Labour to ensure that all industries operate according to international labour treaties and conventions of the International Labour Organization (ILO) and eschew all forms of violations of worker rights including all human right violations.
- + Establishment of an independent body such as an Office of Ombudsman for FTZ workers which would listen to workers' grievances concerning unresolved cases of state-level injustices and ensure follow-up action
- + Enhanced legal protection for workers to ensure fair and equal treatment of workers, especially female employees, and new/updated laws and policies to be developed to this effect
- + Institution of legal/formal agreements with workers/unions with regard to all categories of workers (full time, part time and manpower categories) in order to make it mandatory for all industries to be responsible for their employees

2. IMPROVE WELFARE SCHEMES FOR EMPLOYEES WITH EMPHASIS ON ENHANCED PANDEMIC RELIEF AND MITIGATION MEASURES AND ENSURE NATIONAL OVERSIGHT MECHANISMS ARE IN PLACE TO ASSESS AND ENFORCE IMPLEMENTATION

- + Establishment of a national coordination mechanism to ensure the development and implementation of welfare mechanisms/social protection schemes at the factory level
- + Development of "Emergency Committees" composed of all stakeholders with workable action plans in order to urgently address rising issues faced by factory workers
- + Establishment of Health Committees that have been proposed by trade unions and concerned organizations in order to ensure timely decision making and implementation of measures to safeguard employee health
- + The Tripartite Task Force should take appropriate follow-up action to ensure the implementation of all decisions undertaken with regard to COVID-19 mitigation measures including paying of salaries, work hours, compensation and other related issues in line with labour laws.
- + Establish a monitoring body comprising all stakeholders plus media and concerned non-governmental organization (NGO) representatives to monitor the above processes and report to the Tripartite Task Force to ensure successful implementation and oversight mechanisms

3. ESTABLISH HEALTHY WORK ENVIRONMENTS FOR ALL EMPLOYEES

- + Immediate steps to be taken by businesses operating in the FTZs to establish a safe work environment for all employees. In particular: improved sanitary conditions and facilities, breaks between work hours, changing rooms, masks, sanitizers, washing facilities etc. should be instituted. Even though these measures are essential

for curbing COVID-19, they are also positive health and sanitation measures that would be beneficial for employee health and enhance the resilience of factories in responding to future health emergencies.

4. ADDRESS ISSUES OF STIGMA AND DISCRIMINATORY TREATMENT FACED BY FTZ WORKERS THROUGH DIALOGUE AND AWARENESS RAISING PROGRAMMES

+ Trade unions and other concerned organizations need to reinvent a forum(s) to bring the issues of FTZ workers to the limelight by generating greater public awareness and discourse on women FTZ workers. Sensitization sessions and the development of media guidelines on reporting the pandemic while respecting patients' anonymity should be considered to educate the public on the challenges faced by this massive workforce. This will in turn help create an attitudinal shift within entrepreneurs and management to go beyond legal obligations to their employees and accept ethical responsibility in safeguarding employee well-being.

5. EMBED HUMAN RIGHTS DUE DILIGENCE PRACTICES INTO BUSINESS OPERATIONS

+ In accordance with the UNGPs, business operating in the FTZs need to carry out human rights due diligence, and identify, prevent, mitigate and account for how they address their adverse human rights impacts on women workers recognizing the unique vulnerabilities and the gender-specific challenges faced by the people affected



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