

Appeal for support and solidarity for garment workers at Unitex Exports, Chennai

This is an important juncture in the on-going struggle of the 120 workers of Unitex Exports, a garment manufacturing company in Chennai. We seek your support in the struggle against illegal closure at the company's Ambattur, Chennai factory and for the recognition of the Garment and Fashion Worker's Union (GAFWU) as the sole trade union and union of choice of all workers at Unitex.

The GAFWU was formed in 2009 by mostly women garment workers at the Chennai Export Processing Zone. Since then GAFWU has led struggles of garment workers, for the right to freedom of association and collective bargaining and against non-payment of their social security, shop floor violence and harassment, forced overtime, as well as illegal closure. GAFWU has also at the industry level legally challenged the illegal denial of minimum wage revision for garment workers in the state for the past ten years. GAFWU now reaches out to about 3000 garment workers in the Greater Chennai region.

The Present Dispute

1 November 2011: All the workers of Unitex Exports, all members of GAFWU, numbering 120, 119 of who are women, found their factory closed on 1 November when they came to work with management goons and police at the factory gate to prevent their entry. GAFWU filed a dispute with the Assistant Commissioner of Labour who declared the closure illegal under the provisions of the Industrial Disputes Act (IDA), 1947.

GAFWU also filed complaints to the Provident Fund (PF) Commissioner for non-payment of PF (retirement benefit) of the workers. The management had not paid Rs. 3.7 million of PF dues deducted from wages of workers over the last three years. In response, a notice from the Recovery Department of Employees Provident Fund Corporation (EPFC) was put up on the company gate and the factory sealed. The union has also filed a complaint in the Employee State Insurance Corporation (ESIC) for non-payment of ESI dues (health insurance) of the workers.

The management has refused to come forward for any negotiation with the Union at the conciliation proceedings, held under the provisions of the IDA, before the Assistant Labour Commissioner and subsequently before the Joint Labour Commissioner and the District Sub Collector.

Workers who have resigned their jobs in the past have not received their retirement dues including, gratuity.

The locked out workers have been employed for 15-26 years in this Ambattur factory at an average monthly wage of Rs. 3500. The union also filed an appeal in the High Court against the stay order obtained by the employers on minimum wages for garment workers declared in 2005 which kept wages of

garment workers at a level way below the poverty line which is in complete violation of the statute, averments of India's Supreme Court and stated government policy. In a recent order the stay was vacated but the workers at the locked out Unitex Factory have not received the back wages.

The Protests

Protesting GAFWU members from Unitex have been at a picket at the factory gate for the last 117 days. GAFWU has also organised hunger strike and protest sit-ins before the Labour Commissionerate and at the gates of the new factory of Unitex International - a new company with the same owner as Unitex Exports - in Sevapet 30 km from the present factory - demanding immediate lifting of the illegal lockout; payment of wages and other statutory dues of all workers, including those who resigned in the past; and demanding that the management immediately participate in the conciliation proceedings and recognise the GAFWU as the sole bargaining agent of the workers

16 February 2012: All national trade union centres joined GAFWU to hold a protest outside the Unitex gate. Leaders from NTUI, AITUC, AICCTU, AIUTUC, BMS, CITU, HMS, and LPF demanded that the management to arrive at a negotiated settlement, and called upon the government to be more proactive in defending workers' rights and extended their support and solidarity to the agitating Unitex exports employees. On 17 February, when women reached the company gate, the front door was locked. Five workers, all women, went to the head office for the keys. The management refused to entertain the joint-union delegation and resorted to violently pushing the women workers out. In this, one of the women was pushed to the ground and injured in the process. The workers were rounded up and taken to the police station, where they were threatened by the police. Their only male comrade was threatened with arrest.

It's only when the women workers refused to move that their male comrade was allowed out of the police station.

Unitex Exports has a remarkable history of profit by deceit. It started operation with 28 machines at the Ambattur in 1986. Thereafter it opened many other companies (Aditya, Viswasan, etc) closing them without notice or due process of law. In 2006, it started a modernised factory on a 3 acre site at Sevapet, about 30 km from Ambattur, calling this Unitex International, manufacturing for Columbia Sportswear, V.F. Corporation, Hurley and Prana (USA); S.Oliver, Tom Tailor, Oneil, and Marco Polo (Germany); Senetta (Italy), NuCrew (Spain) and Kaporal, Libertto (France) (<http://www.unitexinternational.in/clients.htm>). Since the new factory was set up, in 2006, the management has gradually downsized the operations in the Ambattur unit. The Sevapet based Unitex International, an Indo Japanese venture, now employs about 750 workers.

The struggle of the members of GAFWU at Unitex is not just a struggle for their labour rights as much for self-respect and dignity. In the past 4 months, the agitating workers have faced ridicule, threat and abuse from the police, community and even their own families. Many of them are the principal wage

earners in their families. The struggling workers are finding it hard to sustain their struggle without wages for the past 4 months.

We demand that:

Unitex Exports

- Resume operation at their Ambattur factory and reinstate all workers on their rolls.
- Immediately pay wages to all workers for the last three months.
- Recognise with GAFWU as the sole bargaining agent of the workers and negotiate with their representatives.
- Immediately pay pending PF, ESI and management run welfare fund dues to all workers.
- Immediately pay gratuity to all those workers who have resigned in the past few years.

The Government of Tamil Nadu

- Ensure that the Unitex management participates in the conciliation proceedings.
- Takes criminal action against Mr. Radhakrishnan, owner of Unitex Exports, for non-payment of PF and ESI dues as per legal provisions.

The Garment and Fashion Workers' Union seeks your support and solidarity in our struggle. You could Email us at gafwu.chennai@gmail.com, womenworkers@gmail.com or contact at 8/2 Dharmaraja Koil Street, Kilpauk, Chennai 600 010.

For Garment and Fashion Workers' Union

Sujata Mody Meghna Sukumar Dilli Babu Santhanam and Mallika

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(Unitex Exports)

20 February 2012--

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