

## **New laws threaten to legalise exploitation of Australian outworkers**

### **NIKEWATCH NEWS - November 2005**

NikeWatch - Challenging Sports Brands to Respect Workers' Rights

**There are now 2267 people on the NikeWatch email lists.  
The more of us there are, the harder we are to ignore.**

Australian outworkers face losing their hard-fought protections because of the proposed changes to the Federal Industrial Relations Act. They need your support.

In other news, Levis and Puma are the latest brands to release the addresses of their suppliers – hopefully other brands will follow suit. We also update you on the sportswear workers dismissed from the Busana Prima Global factory in Indonesia for participating in a strike in 2003 and provide extracts from the story of a woman garment worker in Bangladesh.

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1. New laws threaten to legalise exploitation of Australian outworkers
2. Two Years later and 34 workers at an Indonesian factory are still waiting to get their jobs back
3. Levis and Puma Reveal their Supply Chains
4. Looking for a quick fix - How weak social auditing is keeping workers in sweatshops
5. Made in Bangladesh: Putting faces to the label

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### **1. New laws threaten to legalise exploitation of Australian outworkers**

Most workers in Australia's clothing industry are recently-arrived migrant women who make clothes in their homes. These women often have limited English skills and hence few other work options. They are frequently paid as little as little as \$3-\$4 an hour.

The Federal Government's proposed new industrial relations legislation called WorkChoices threatens to take away outworkers' right to better pay and conditions. The current State and Federal protections for outworkers need to remain to address the exploitation they are experiencing. These existing protections are supported by clothing retail and manufacturing groups as essential elements in bringing an end to this exploitation. WorkChoices specifically names outworkers for special treatment, but does not offer real protection.

Fair Wear is calling on the Federal Government to retain all the specific outworker legislation (and the full protections they contain) in each State, introduce parallel Federal protections and ensure the full implementation of the Federal award provisions are not compromised by other elements of the WorkChoices legislation. Please visit the Fair Wear site (<http://www.fairwear.org.au/engine.php>) for action that you can take in support of outworkers.

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### **2. Two Years later and 34 workers at an Indonesian factory are still waiting to get their jobs back**

The Busana Prima Global (BPG) factory, in Bogor, Indonesia produces sportswear for Le Coq Sportif, Bear USA, Ecko Red, Hummel, Maui, Penn, Ping and Prostar. An independent investigation conducted in January 2005 revealed numerous problems at the factory. A sample includes: violations of health and safety such as unhygienic drinking water taken from the boiler machine and lack of medical officers qualified in Health and Safety in the factory. The report also found serious violations against freedom of association and the right to organise unions, including the dismissal of 170 workers for participating in a strike in 2003. Thirty-four of those workers are still campaigning for reinstatement and the independent report recommended that the factory should give them their jobs back.

Since April 2005, Focus Far East (FFE) – the main buying agent sourcing from the factory and Oxfam Australia have been negotiating with the managers of the BPG factory to implement all recommendations contained within the report. On the 10 June 2005 FFE told Oxfam - "we have just agreed with the factory that they will reinstate the 30 workers". Since this time management have reneged on this agreement and stated they will only reemploy the dismissed workers at a separate facility – an hour away from the factory where the workers were employed. This has been rejected by the workers, who have the right to return to their old jobs.

For more information on this case click here

(<http://www.oxfam.org.au/campaigns/nike/action/busanaprima.html>)

To take action via the CCC website click here (<http://www.cleanclothes.org./urgent/05-09-05.htm#action>)

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### **3. Levis and Puma reveal their Supplier Factories**

Levi Strauss and Puma have now revealed the addresses of all their suppliers. This follows Nike's decision in April this year to release the names and addresses of their suppliers producing Nike-branded goods.

The Levi Strauss list includes all active owned-and-operated and contract factories producing Levi's, Dockers and Levi Strauss Signature branded products. This information is published in the Corporate Citizenship section of their site <[www.levistrauss.com](http://www.levistrauss.com)>. Levis also states that it has made available "substantial information on its responsible sourcing program". The list of Puma suppliers can be obtained by contacting the Fair Labor Association (FLA) at: [klimon@fairlabor.org](mailto:klimon@fairlabor.org)

Publishing the names and addresses of suppliers by brand label companies has long been a demand of campaigners' worldwide. This will make it easier for campaigners to find out about wages and conditions and for workers to link up across companies' supply chains. Here's hoping that other brands follow suit.

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### **4. Looking for a quick fix - How weak social auditing is keeping workers in sweatshops**

Hot off the press! This Clean Clothes Campaign report looks at the development of social audits to check working conditions in production facilities. Social Audits emerged in the mid-1990s after a number of high profile companies were widely scrutinized for sub-standard working conditions in their supply chains.

At that time, a growing number of companies-for example Nike, Gap, Levi Strauss, and C&A-had adopted codes of conduct that in essence were pledges to prevent exploitation and abuse of workers producing their goods.

Labour advocates soon challenged these companies to demonstrate conformity to the standards they had adopted. Calls for independent, civil-society based forms of workplace assessments were made. The large majority of companies ignored these calls and actually did very little to implement or enforce their codes of conduct. Even where companies have taken action, it frequently involves employing for-profit auditors who are failing to identify key labour problems such as denial of trade union rights.

Click here ([http://www.cleanclothes.org/publications/quick\\_fix.htm](http://www.cleanclothes.org/publications/quick_fix.htm)) for the full report.

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### **5. Made in Bangladesh putting faces to the label**

Here are some extracts from a story written by TIE-Asia Coordinator - Irene Xavier, which looks at the life of a woman garment worker her life very much reflects the lives of the millions of garment workers in Bangladesh and around the world:

Rina has been working as a garment worker for over 10 years, earning about 43.00 AUD per month, she is 35 years old and lives in Begun Bari, a slum, in Dhaka City. At the entrance of the slum there are small traders selling food, shoes and a host of other things in small shops. We weave our way through extremely narrow streets that are essentially mud paths that have on one side exposed pipes that carry water, gas and electricity into the slum. The slum is located on a marshy swamp.

Most of the houses stand on bamboo poles that are about five or six feet above the swamp. The pathways into the slum are a few pieces of bamboo laid flat with some pieces of planks laid across it. The paths therefore are like elevated bridges that are strong but bounce because of the huge volume of human traffic that cross them everyday.

Inside each room is a little bigger than the size of a double bed and houses a family. At the end of the corridor are the common kitchen, toilets and bathrooms. There is little privacy, each room is rented for Thaka 700 a month (AUD 15). The women who live here say that they felt quite safe in this community because people generally looked out for one another. Even single women felt secure living here.

Rina has recently been through a harrowing experience. She was put into a jail for causing injury to three policemen during a demonstration. Rina is of slight of build and barely four and a half feet tall.

In 2004 the workers at the Basic Apparel factory asked the manager why there was a cut in their annual increment to 2-3% when usually they received 6-9% per year. He replied that they would have to speak to the Managing Director. So workers walked to the Managing Director's house. On the way they faced police barricades and a clash ensued. The police used gunshots and teargas and finally charged on the workers. Sixty four workers were arrested and three policemen were injured.

The National Garment Workers Federation (NGWF) – a trade union, negotiated with the owners through the Bangladesh Garment Manufacturers Association (BGMA). The police released 55 workers but refused to withdraw charges against the remaining because policemen were injured. The nine, including Rina were finally let out on bail after nine days in jail. The company dismissed them after paying compensation. Rina received Tk 7,500 (AUD 160.00). Rina is still looking for a job and she is finding out that jobs are getting fewer these days. In addition, salaries are also getting lower. In the past she would have been able to get at least Tk 2,000 a month with her experience. Now she is only being offered Tk 1,500.

The full story and other articles appears in TyAsiaBytes-Newsletter of TIEAsia, Vol 1, No. 1, Sept, 2005 available by e-mailing: [x.irene@tm.net.my](mailto:x.irene@tm.net.my)

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