Evaluating Ethical Workplace Standards: Corporate and Public Sector Workwear from Karachi, Pakistan

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Introduction
Ethical trading codes involving labour and environmental standards are increasingly common in the supply chains of large retailers and other brand name corporations. The garment sector has been at the leading edge of these developments since media and civil society organisations first drew attention to conditions of work in the sector’s global supply networks in the 1990s. Ethical labour codes have been largely built on core International Labour Organization (ILO) conventions, which have fostered improved conditions for many workers, including those in South Asian factories. However, recent factory collapses in Bangladesh and factory fires in Pakistan show that the industry continues to face challenges and that there are still significant advancements to be made. Furthermore, there is considerable variation between countries, firms and types of supply chain in terms of code applicability, implementation and effectiveness.

This scoping study, conducted between 5th and 8th December 2012, focuses on an under-researched supply chain and a developing area for ethical trade—the production of garments for the UK’s public sector workers. In collaboration with Dimensions (the UK’s leading workwear supplier), this research aims to evaluate the effectiveness of ethical trading codes applied to one of their first-tier manufacturing suppliers of uniforms. This company has a total sales turnover of USD 350 million, with seven factories making up its gloves division and three factories in its clothing division. The three clothing production facilities in Karachi produce a wide range of workwear for European clients including uniforms worn in the UK’s NHS. The three clothing factories in Karachi are: Factory A based in the Export Processing Zone (EPZ), Factory B in Karangi (outside the EPZ) and Factory C in North Nazimabad.¹

Our research focused on factory observations and fifteen interviews with management at two of the clothing production facilities—Factories A and B—and observations at the company’s Karachi-based gloves factory. This was supplemented with an interview at the offices of the United Nations Development Programme (UNDP) in Karachi. In this report we focus mainly upon the implementation of the Ethical Trading Initiative’s (ETI’s) Base Code in these two clothing factories, as this is the code of labour practice used by the group.

Ethical trade in workwear supply chains for the public sector
In contrast to the attention paid by the media and non-governmental organizations (NGOs) to garment producers in the supply chains of high-profile fashion brands, the supply chains for corporate-wear and uniforms worn by public sector workers have only recently been placed under scrutiny. In the UK, developments include: campaigns raising awareness of ethical issues in hospitals’ supply chains; the ETI’s

¹ In line with agreed ethical protocol, factory names are not provided.
recruitment of workwear suppliers to its membership; ETI training courses on ethical trade for public sector procurement managers; and the launch in 2011 by the UK’s Department of Health of the Ethical Procurement for Health workbook.²

It is important to acknowledge that Dimensions is at the forefront of these developments. In a UK context where public sector procurement is only just beginning to incorporate labour codes of practice into the contract tendering process and supply chain monitoring, Dimensions is a member of the ETI and SEDEX (the Supplier Ethical Data Exchange) and develops ethical trade as a key part of its business. This places the supply relationship between Dimensions and this Karachi-based supplying group in a positive position with respect to ethical trade in the wider workwear sector. However, recognizing that ethical trade requires continuous improvement and that critical attention to the workwear industry supplying the public sector is likely to increase, it is important to evaluate how ethical codes are working and to highlight areas for further development in the future.

**Objectives**

The following objectives and associated questions frame the analysis in this report, which will focus on the implementation of the ETI Base Code:

**Objective 1: To establish which ethical codes/standards/initiatives are used by this supplier.**
- What are the codes used (e.g. ETI Base Code, ISO standards etc.)?
- What is the content of the codes (e.g. ILO clauses, environmental standards)?

**Objective 2: To evaluate the ways in which the ETI Base Code, as the code covering labour standards in the supplier’s factories, is implemented.**
- Are members of the workforce made aware of the codes and, if so, how?
- How does the factory monitor and record compliance with the Base Code (e.g. SEDEX systems via Dimensions), and what are the factories’ experiences of managing this?
- How effective are the ethical codes for labour standards in the factories?
- Do the factories work with outside organizations to assist with code compliance and/or remediation? If so, who are these organisations (e.g. consultancy firms, other factories, NGOs, unions etc.)?

**Codes, standards and initiatives implemented by the supplier**

In terms of the broad context of codes and standards, the supplier group itself is certified as compliant with the ISO 9001:2008 standard for Quality Management Systems. This has been achieved against the backdrop of a number of recent developments to improve production efficiencies, including lean implementation. The materials suppliers to these factories are also accredited against the same Quality Management Systems standard, as well as the ISO 14001:2004 standard for Environmental Management Systems. Oeko-Tex Standard 100 certificates demonstrating successful screening for harmful substances in textiles were also

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shown to be held by suppliers. Moreover, the group’s factories work with numerous environmental, health and safety initiatives.

Researching the application of all these certification systems, initiatives and procedures was beyond the scope of this study. Instead, the focus is on the use of labour codes in the group’s clothing production facilities. This involves the ETI Base Code to which Dimensions and the supplying group are signed up and SEDEX, which forms the main approach to monitoring the workplace against this code. The study also noted two significant programmes of corporate responsibility in which the supplier has participated over the past few years, in so far as they impact upon ethical aspects of the labour process. These were the short ILO pilot project for Promoting Gender Equality for Decent Employment and the United Nations Development Programme (UNDP) GEN-PROM project on Gender Promotion in the Garment/Clothing Sector through Skill Development, the latter representing a programme in which the supplier has participated since its inception in 2007.

The implementation of the ETI Base Code
The ETI is a UK-based multi-stakeholder initiative, which was established in 1997 and consists of companies, unions, and voluntary organizations interested in protecting the lives of vulnerable workers in low-income communities. It places an onus on suppliers to take responsibility for the products manufactured and sold to global retailers in a way that labour laws are protected and upheld. There is recognition, however, that doing ethical business is challenging, partly given the complex nature of the global supply chain and the global pressures placed on trading relationships. By bringing together corporate, trade union and voluntary sector members, its purpose is to tackle collectively thorny issues which individual companies working alone are unlikely to do. Moreover, by acknowledging the challenging nature of doing ethical trade, the ETI Base Code’s purpose is to learn by doing—where being punitive towards suppliers for any lapses in its code is not its stated aim. Instead, rather its purpose is to facilitate a learning process where the necessary steps are taken to engender change—for the welfare of workers and for sustaining a solid working relationship between buyers and suppliers.

The core conventions of the ILO serve as the backdrop for the ETI Base Code; ILO’s international recognition and the tripartite nature of the statutes offers legitimacy for the importance of protecting and promoting labour rights. The following nine are the main features of the ETI Base Code:
Between 25th and 26th April 2011, the supplying group was monitored by SEDEX (through STR) for performance against the Base Code. We understand that two issues of non-compliance were found on each of the days and that these were rectified. Between 9th and 10th August 2012 the same audit was conducted by the same organization and the group was found to be completely compliant. The group is also monitored against the ETI Base Code by SERCURA, and nine issues of non-compliance were found on 25th April 2012 by this company, but were rectified within one month.

Because our visit to the noted factory locations, factories A and B, was brief and the context was not conducive to carrying out conversations with workers in a way that would have been productive to them, our evaluation of the ETI Base Code at these factories is incomplete. In other words, while conversations with management elucidated particular areas in which there is due diligence to particular areas of codes, lapses or lack of awareness of other code areas hinted at possible limitations. As we offer our perspectives on the practices around these ETI labour code clauses at this particular supplying group, it is important to bear in mind that non-compliance is not a failure which we point towards— but rather what effective steps should be taken given the lapses which exist at present. In our evaluation of the ETI Base Code at the two factories, we follow the code clause by clause for convenience.

1. Employment is freely chosen
2. Freedom of association and the right to collective bargaining are respected
3. Working conditions are safe and hygienic
4. Child labour should not be used
5. Living wages are paid
6. Working hours are not excessive
7. No discrimination is practised
8. Regular employment is provided
9. No harsh or inhumane treatment is allowed

Non-compliance is not a failure which we point towards—but rather what effective steps should be taken given the lapses which exist at present.

1. Employment is freely chosen.
Our ability to assess whether employment is freely chosen is partial because it focuses primarily on management views on the recruitment and resignation process. From the information we gathered it seems that workers have a significant amount of leeway as to how they seek the supplier out as a potential employer—and how they make decisions on leaving the company, whether because of marriage or alternative employment. The most important aspect of this code clause is that all
documentation collected for employment purposes, especially birth certificates, school leaving certificates and national identity cards, are returned to the worker with only photocopies of relevant formal documents kept with the company. Where this is the case, the worker has the freedom to leave employment at his or her discretion, ideally with the formal period of notice given.

2. Freedom of association and the right to collective bargaining are respected. Respecting freedom of association and the right to collective bargaining is known to be one of the code clauses most weakly upheld globally, and our observations suggest that this supplier group falls into this same camp. Not many managers spoke to us about the existence of, or the need for, unions, other than to note that within the EPZ area union activity is prohibited; this same stipulation, however, does not extend to the factory located outside of the zone (Factory B), which we also visited. Given the “production oriented labour laws” encouraged by the Pakistani state within its EPZs (see http://www.epza.gov.pk/laborLaws.html), the supplier has in place Worker Councils that meet once every three months.

Where laws restrict the right of workers to freely associate and engage in collective bargaining, the ETI Base Code still places a responsibility upon employers to facilitate the development of a parallel way for workers to independently and freely associate/bargain. While Worker Councils offer a chance for creating conducive conditions for workers to express their collective will, too often in the Global South worker councils can be a weak substitute for unions. A similar observation could be made for this case study supplier’s industrial management practices with regard to its Worker Councils, where at Factory A for a workforce of 731, there were just three worker representatives—of which only one was a woman, in a workforce where women are the majority. Moreover, the way in which representatives are selected seemed ad-hoc. The Human Resources and Administration office nominate a number of potential worker representatives, with management selecting workers on the basis of personality, gratitude and ability to negotiate with management, and workers then selecting their representatives from the nominated candidates through an exercise of putting up their hands. We have assumed that the latter is an upshot of low literacy levels of workers; but even with this constraint the supplier needs to look into the possibility of having a Worker Council composition where a) more women representatives are in the Council and b) the number of workers in the Committee extend beyond three workers—as it appears there is a 1:243 ratio with regard to worker representation in the council. The current composition is unlikely to fulfil the spirit of this particular ETI Base Code clause. Furthermore, there is also room to improve workers’ awareness of their rights with respect to the ETI Base Code more broadly. The one-month ILO project for Promoting Gender Equality for Decent Employment covered awareness sessions on labour laws, basic health and safety, entrepreneurship and rights and duties to the workplace, but this was only a pilot project and did not extend to the majority of factory employees.

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3. Working conditions are safe and hygienic.
The supplier has taken great strides to emphasize health and safety issues in its
factory settings, and seems largely with good reason to be in a position to boast its
credentials in this regard. Carrying out fire drills, against a backdrop of devastating
factory fires in Karachi, keeping exit doors open, clearly demarcated exit passages, a
needle policy, etc. all suggests that auditable health and safety measures are taken
seriously. While, at Factory B and the group’s Karachi-based gloves factory we
observed an external fire escape, the same was not visible at Factory A—which given
that it has its training school, canteen and an emerging production section situated at
the top floor, is a matter which the management needs to be looking into. So even as
a mock fire drill may yield positive results, an actual fire incident is likely to cause
panic amongst management, staff and workers which can not be replicated during a
mock. For these reasons, it is important that Factory A adheres to the minimum
requirements for facilitating the safety of their workers, in the unlikely – hopefully –
event of a fire hazard.

4. Child labour should not be used.
While child labour is a constant bane for Pakistan and the non-use of child labour is
avowed—although only in English—at the entrance to the Karachi EPZ, it appears
from a reading of the numerous legal acts applicable in Pakistan that there is
discrepancy between the ages noted in its various statutes. For instance the 1991
Employment of Children Act defines “child” as a person below 14 years of age, and an
“adolescent” as below 18 years, with the definitions used in this act over-riding other
definitions in previous labour laws. While the original constitution of Pakistan
regards 14 years as the minimum age, a later amendment (18th) raised the minimum
age up to 16 years – without amending the associated labour laws. Moreover, article
25(A) of the constitution notes how the state has to provide compulsory education to
all children between 5-16 years of age, which means by default children cannot be
allowed to work before 16 years of age.5 The inconsistencies in the legal statutes
result in contradictions in labour law practices and consequently Pakistan remains
identified as a country with a high incidence of child labour.6

Resulting from these country specific inconsistencies and the impression that
international norms require workers to be 18 years or older, management views
echoed similar discrepancies. Initial conversations claimed that workers had to be at
least 18 years of age and had to have passed their matriculation exams at a minimum,
suggesting that the start age of work had to be 18 years of age. Subsequent
conversations noted that the supplier may make exceptions to potential workers who
pass the dexterity tests in place at the training unit or have previous work experience
but who do not have the matriculation qualifications. In the absence of seeing
worker records, the following observations are worthwhile registering:

1) It appears from cursory background research, the minimum age for students
to take their matriculation exam is 14 years of age.7

5 http://www.paycheck.pk/main/labour-laws/child-labour
6 ILO (undated) “Child Labour and Responses: Overview Note – South Asia”
on January 14, 2013)
7 http://www.interface.edu.pk/students/May-09/Matric-exam-age-limit-Colleges-teachers.asp
2) It also appears that there are two sections to the matriculation exams (Parts I and II); with management noting that they usually ask only for Part I of their matriculation.

Taking into consideration this backdrop, the inconsistencies in Pakistani laws regarding the welfare of children and the fact that literacy rates for youth are modest at best at 57.8%,\(^8\) a consistent policy of hiring workers at no less than 16-17 years or older is best to aspire towards. This way, labour laws in Pakistan are adhered to, while recognizing that the Pakistan population is beset with socio-economic problems of poverty, inequality, low educational attainment, and socio-religious tensions. Intelligently these factors would mean that the starting working age of its populace is likely to be less than 18 years of age – and so long as workers under 18 are not employed at night or in hazardous conditions, the spirit of the ETI Base Code is still adhered to within the factory settings.

5. Living wages are paid.
From the interviews conducted, it appears that effort is made to pay the required \textit{minimum} wages as set by the relevant Pakistani authorities. Most interviewees mentioned that the workers took home an average monthly salary in the range of PKRs 8,100 to PKRs 10,600.00—with the exceptions stating Rs 14,000 as the monthly average salary, suggesting the possibility of overtime (a point to which we will return later). According to a statement issued by PILER (Pakistani Institute of Labour Education Research) in 2009 in relation to the Asia Floor Wage campaign, it had estimated the \textit{living} wage for Pakistani workers to be at PKRs 12,000.00.\(^9\) A more recent International Textile Garment and Leather Workers Federation (ITGLWF) press statement places it at PKRs 25,000.00.\(^{10}\) Either way, it would be safe to conclude that labourers’ monthly salaries do not meet \textit{living} wage aspirations of the ETI Base Code; and in this regard, a more concerted effort of working together with relevant local organizations, such as PILER, to raise the wage packet of workers to make a living wage is likely to be a bonus to the supplier to both recruit and retain labour.

6. Working hours are not excessive.
Almost all management interviewees noted that there is no work after 5.00 pm, and during our brief time at the factories it appeared that workers clocked off at the noted time. The only puncture to this stance is where there was the suggestion that workers took home a monthly salary approximating PKRs 14,000.00—which we hypothesize is only possible was their overtime with the required remuneration for

\(^8\) ILO (see footnote 4 above)
\(^9\) \url{http://www.asiafloorwage.org/documents/Press/One%20pakistan.pdf}
\(^{10}\) \url{http://www.itglwf.org/lang/en/livingwagepakistan.html}
the extra hours. Aside from this remark, the ETI Base Code makes allowances for overtime of 12 hours per week so long as workers are compensated on a premium basis. Equally, The Factories Act of 1934 with its amendments in 1997 makes allowances for overtime where labour is paid at twice his/her ordinary rate of pay.\footnote{http://www.ilo.org/dyn/natlex/docs/WEBTEXT/35384/64903/E97PAK01.htm#c4}
Again in the absence of a more detailed analysis of worker salary records and hours of work, we are unable to assess whether overtime takes place or is excessive. We take this opportunity to remind the supplier’s management that while overtime is permitted according to national law in Pakistan and similar allowances are made by the ETI Base Code, workers ought also to be paid for any extra hours of work at the appropriate rate of pay.

7. No discrimination is practised
Non-discriminatory practices according to the ETI Base Code are defined as “no discrimination in hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation”. In a national context where women are placed in a secondary status, but where socio-economic pressures are compelling more and more women to enter the labour market, most managers placed great emphasis on the value of women labourers. Consequently, its involvement with UNDP’s GEN-PROM programme suggests that this supplier takes the task of training and recruiting women workers seriously. While these efforts are to be applauded, and interviewees were very positive about the programme, there is a fine line to be trodden in ensuring that its human resources policies do not inadvertently result in discrimination against qualified and able men who come seeking work. This is important to bear in mind against a social fabric of social and political unrest, including terrorism; growing unemployment amongst men is likely to have a negative bearing on Pakistan’s ability to transform its human development potential—and labour market policies of individual firms and corporations also shape the wider societal context. The GEN-PROM programme itself recognized this challenge in a mid-term review and now includes male workers in its programmes. It is important for the supplier to remain reflective in terms of how these skills development programmes evolve over time and how they connect to the UNDP’s broader strategies.

8. Regular employment is provided.
All managers similarly claimed that regular employment was provided to workers, following the required laws with regard to this aspect of the ETI Base Code. Usually, it was the workers who left their workplaces, with inadequate notice given or because of unexpected social problems. Worker voice on how this particular ETI Base Code clause is adhered to is likely to strengthen the views offered to us by the supplier, as well as access to the necessary worker records in this regard.

9. No harsh or inhumane treatment is allowed.
During our short visits at the three factories, we did not witness any harsh exchange of words, verbal abuse or physical ill-treatment towards workers. Managers always paid attention to the need for a positive work context and placed emphasis on affirmative working relationships—which apparently has led to a positive image when it comes to the supplier’s ability to recruit workers; i.e. workers come looking
for work at this company because of its standing as a reputable employer. In the absence of worker perspectives on this particular ETI Base Code clause, we are unable to corroborate the veracity of these claims—although through our experiences elsewhere, it is fair to say that floor level practices appear to pay heed to the need for a positive work environment.

**Areas for further work: suggestions to the supplier**

In a challenging socio-economic context, this corporate supplier group is at the forefront of ethical trading developments in the workwear sector. Given the aforementioned points, we note progress on all aspects of the ETI Base Code. Further research incorporating more in-depth interviews with workers in the context of a longer-term study would provide more evidence of code compliance and areas for improvement. However, based on the four-day study, we summarize by making the following suggestions:

1) When management spoke about compliance their focus was much more on quality and environmental issues than on labour, and we suggest that a balance be maintained between all areas;

2) There was variation in management awareness of pertinent labour laws—for instance just one interviewer spoke about pensions - which are also the backbone of the ETI Base Code practices. Knowledge of labour laws could be checked and improved where necessary;

3) There is scope to develop initiatives for raising worker awareness of labour codes and rights and responsibilities in the workplace. This can be done using images or cartoons as a means for enhancing worker awareness, so that workers – irrespective of their literacy levels – are made aware of workplace rights (see image below);

4) Feedback boxes should be located in places easily accessible to workers away from management supervision, such as a canteen area, locker spaces, outside of production floor, etc – with culturally-sensitive and gender appropriate images. Workers should be encouraged to offer feedback. Even where worker feedback may not be offered in a constructive spirit, management should be trained to listen and respond to worker voice without subjugating workers to any explicit or implicit forms of harassment.

5) The composition and meeting frequency of, and selection procedures for, Worker Councils could be improved. The company ought to consider monthly, rather than quarterly, meetings as well as consider larger worker representation in the Councils;

6) Ensure continued communication and collaboration with the UNDP. The GEN-PROM programme has clearly been a success and has played a vital role in the skills upgrading of workers and in the empowerment of women workers. The work of UNDP, however, is evolving
rapidly and is about to enter new stages. It too recognizes that there is a fine balance between women workers’ increased participation in the workplace and it not becoming a tool for discriminating against men seeking similar employment. It is important that the company stays abreast of, and involved in, key development work;

7) There is room to consider more engagement with NGOs in order to make improvements in areas such as the payment of a living wage, as well as issues connected to the effectiveness of Worker Councils. PILER has considerable experience in this area. European buyers increasingly emphasise the value of input from local NGOs in supporting developments in workplace standards.

Acknowledgements
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APPENDIX: Key Features of Ethical Code Compliance from Sri Lankan Factories

<table>
<thead>
<tr>
<th>CODE</th>
<th>EVIDENCE OF PRACTICE</th>
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<tr>
<td>Employment is Freely Chosen</td>
<td>Only photocopies of formal documentation are kept, i.e. national identity card, birth certificate, school certificates, and where pertinent marriage certificates. Permits workers to give the required leave period and resign from the post.</td>
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<tr>
<td>Freedom of Association &amp; the Right to Collective Bargaining</td>
<td>Weak evidence of union presence at factories, although where unions exist they are found mostly within the Free Trade Zone (FTZ). Worker Councils are widely prevalent in the industry – both within and outside of the FTZ areas. While a weak substitute for the ILO core convention and the pertinent code, they are effectively enforced in so far as a) workers nominate and elect representatives through a process of secret ballot, b) usually one representative per line or task, and c) Worker Council meetings are held monthly. In addition, complaint boxes are located in all areas of the factory – including in the canteen and locker areas, safely away from management gaze – so that individual workers also have other mechanisms through which complaints can be raised.</td>
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<tr>
<td>Work Conditions are Safe &amp; Hygienic</td>
<td>This is an area in which Sri Lankan factories take great pride – and on the face of it, is strongly adhered to. Additionally, because most – although not all – factories are horizontally laid out (i.e. do not go up), hazards related to fire risks are minimized. Where factories are two-storied, fire escape stairs are clearly present.</td>
</tr>
<tr>
<td>Child Labor Should not be used</td>
<td>Another area in which the Sri Lankan apparel trade takes great pride; although in no small part, its ability to do so is because of previous investments made by successive Sri Lankan governments to invest in social-welfare focused socio-development process. Consequently, workers below 18 years of age are not employed as a matter of implied recruitment policy by almost all garment factories – and where workers are younger than 18 years (but older than 17 years), it is the responsibility of the firm to ensure that they are not used for work during a-social hours.</td>
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<tr>
<td>Living Wages are paid</td>
<td>From the perspective of workers, Sri Lankan apparel sector firms do not pay a living wage. Factories pay the minimum wages stipulated – which is subject to a state-enforced annual increase – and in addition offer a combination of production target incentive payments, overtime, monthly presence allowance (i.e. where no leave has been taken) and annual (or twice yearly) bonus payments as a way of buttressing workers wages. Unfortunately, because the state-enforced minimum wages have not often kept pace with inflation – the apparel industry is culpable of not upholding this code.</td>
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| **Working Hours are Not Excessive** | Most managers quite frankly would admit to the challenges of upholding this code, given the vicissitudes and pressures of the global garment industry. Consequently, during peak periods in the production cycle, there was acknowledgement that the industry was probably at or breaching against the maximum stipulated overtime hours. Workers likewise had an ambivalent attitude towards overtime – while it was welcome (because it was a way of enhancing their monthly wage packet), where overtime was regularly excessive then this was perceived as an unwelcome burden. Both managers and workers often acknowledged that overtime payments were regularly paid – i.e. where overtime takes place, it should be remunerated as per stipulated labor laws. |
| **No Discrimination is Practiced** | Sri Lankan apparel sector firms do not have an active policy of recruiting only women workers – partly because of current challenges in recruiting and retaining women workers. Consequently, there are more men entering the garment industry and management has an open attitude towards adapting itself to the realities of the current labor market. Workers within factories, however, pointed out discrimination against older women workers when it came to promotion. A few factories, however, were actively promoting women into supervisory and middle production management levels – suggesting its openness to maximize on the capabilities of an educated labor force while recognizing the importance of gender-parity within the workplace. |
| **Regular Employment is Provided** | Irrespective of lean or peak production periods, workers are paid their monthly wages and kept in employment. |
| **No Harsh or Inhumane Treatment is Allowed** | Workers reported variations in practice regarding this code clause. Some factories, it appeared, had excellent management-supervisory-worker rapport, creating for a context within which high pressure is communicated in a way which is productive for workers – and ultimately production too. Other factories showed that more work needs to be done in this regard – with managers and supervisors needing much more training in people management. In all cases, however, there was limited evidence of harsh or inhumane treatment – with bathroom visits, breaks for drinking water and meal times respected. |