

WORKER C VS COTTON BLOSSOM INDIA PVT LTD

OVERVIEW:

For case -3, the worker has been represented as 'Worker C'. He was appointed as Production In-charge in the respective company in 2017 and was orally terminated in the year 2020 along with a number of workers due to the effects of Covid-19 pandemic. He proceeded to claim justice through a conciliation process in the group of 21 workers. In the conciliation process, the company refused to take all of them back to work and had settled an amount of one month salary with some extra benefits.

BASIC INFORMATION:

1. Name of the Worker: Worker C
2. Gender of the Worker: Male
3. Age of the Worker (at the time of IDI): 38
4. Name of the Company: Cotton Blossom - 189, Tekic Tea Nagar, SIDCO, Mudalipalayam, Tiruppur - 641606.
5. Designation of the Worker: Sample Coordinator
6. Years of work in the Company: 12 years
7. Dispute Type: Illegal Termination
8. Year of Dispute onset: 2020
9. Concluded/Ongoing: Conclusion
10. Year of Conclusion (If applicable): 2020
11. Individual/ Collective: Collective (21 workers)

TIMELINE OF EVENTS:

DATE	EVENT
8 th May 2017	Appointed as Production In charge
11 th May, 2020	Terminated Orally by the management
06 th June 2020	Raised Conciliation proceedings before the Assistant Labour Commissioner (Conciliation)
26 th June 2020	Initiation of Conciliation in front of the Assistant Labour Commissioner (Conciliation)
August 2020	Compromised with the Company Management
Not Known	Conciliation Report passed by Assistant Labour Commissioner (Conciliation)
Not Known	Settlement given by the Management

CASE HISTORY:

- a. About the worker

Worker C was the actual resident of Tirupur and has 2 children. He joined as Supervisor in 2008 and then resigned in between for a few months and then rejoined. He joined as Sample Coordinator in the Production department at Cotton Blossom India Pvt. Ltd. on 8th May 2017. He has worked in Cotton Blossom for 12 years.

b. About the Company

Cotton Blossom India Private Limited is located in Tirupur and exports Garments to the Foreign Brands like C&A, Mother Care, Primark, S-Oliver etc. They used to produce T-Shirts, ladies wear, children's wear etc. They have the units of Spinning Division, Knitting Division, Dyeing Division, Embroidery Division, Printing Division, Garment Division, and Design Studio. It exports garments to countries like Australia, Dubai, Japan, Belgium, France, Netherlands, Spain, USA etc. It has its Head Office in SIDCO campus of Tirupur where this case dispute arose.

When the Worker C was working, around 100 workers were working in the sample unit itself and there were also so many workers in other units.

c. Beginning of the Conflict

On 22nd March 2020, the Indian Government announced the National Curfew due to the incident of Covid-19 pandemic. So all the garments have shut down their production during the lockdown and it has extended till 10th May, 2020. Later on the second week of May, 2020 the garments will start their production again. Similarly, Cotton Blossom also started to work. Worker C has happily gone to work on May 11th, 2020 since he lost his source of Income for 2 months in the lockdown period. He was highly disappointed by the management on that day. The management told him that he was dismissed from the job without any written statement and asked him to give a resignation letter. Later he came to know that, there were more than 200 staff members terminated from the job along with him due to the shortage in production after lockdown. Worker C had felt bad for this decision taken by the management and asked for the justification and to take him in. Few others also requested for their job. But the management stood strong and sent all of them out and never gave any monetary settlements.

d. Informal resolution process

Worker C was upset and wanted to get justice for him. As he was a member of CPI(M), he shared his problem with the secretary in the CITU - a union of textile workers to find some solution. Worker C explained the chaos to him in detail. He also took 20 other workers along to the CITU. Then Com. Sampath – Secretary had contacted the company management and asked them to compromise. They have told us that the company has no work right now and if the orders come as before we will take them in future. The informal solution process has failed.

e. Formal resolution – Conciliation

After his conversation with the management, CITU has filed a complaint in the Assistant Commissioner of Labour (Conciliation) for the legal proceedings. He also sent the copy of the complaint letters to the CM cell, Chief Secretary, Secretary of Labour and Employment

Department, Labour Commissioner, District Collector, Joint Secretary of Labour Department, Joint Secretary of DISH etc. This case was spotlighted through Media coverage. Then, the assistant labour commissioner for conciliation has summoned the CITU and the Cotton Blossom management to present on the hearing. They were presented for 3 to 4 hiring. Then the company management wanted to settle down the dispute and wanted to compromise with the workers. Then they have settled some amount to all the 21 workers who have filed the case. They have settled one month of salary with additional amounts.

f. Workers' view on the case process:

The Worker C worried that the workers are too scared to unionize and raise any disputes. More than 200 management staff were terminated and many workers were terminated after this lockdown period. But only 21 went for the legal proceedings. Others still believe that the company will call them again. He said that even those 21 workers had not received their PF yet. It was found that the company has not remitted their share of PF to any of the workers for more than 3 years in the case proceedings. The management said that they have used those amounts in investment. The company has not remitted their amount yet. The workers can file the case for this too, but no one is ready to give a complaint. The workers are just worrying and blaming the company for their unfair actions. Since it is a collective case and was raised to various authorities, it was resolved as soon as possible. If it is an individual case, it might have taken a very long period to resolve. The worker C has started a micro level Knitting Unit on his own now.

g. Documents Available

- a. Individual Complaint Letters sent by the workers to the secretary of CITU
- b. Complaint Letter Format which was sent to the Hon'ble Chief Minister of Tamilnadu, The Chief Secretary, Labor Officer, Department of Labor & Employment of Chennai, Commissioner of Labor of Chennai, District Collector of Tirupur, Commissioner of Labor of Coimbatore, Asst. Commissioner of Labor of Tirupur, The Director of Occupational Safety & Health
- c. News Clipping published in Theekathir Daily Newspaper regarding the issue and complaint raised by CITU to CM Cell
- d. Summon/ Call letter received from the Assistant Labour Commissioner (Conciliation) for the hearing
- e. Final settlement details in excel format

h. Missing Documents

- a. Success Report passed by the Assistant Labour Commissioner (Conciliation)
- b. Identity documents of the Workers