

WORKER J VS ZUHANA GARMENTS

OVERVIEW:

For case -10, the worker has been represented as 'Worker J'. She worked as a Tailor in the respective company. The company has refused to give proper salary to the 6 workers involving 3 female workers. When the workers asked for their salary, the company made them wait for more than 2 months. So, they sought the support of CITU. The company has not responded properly. On one day, the company called the workers for a settlement. All the 6 workers and CITU leaders went to the company on that day. The company agreed to pay the 3 female workers, but the workers were refused. They were protesting in front of the company. The company CEO has filed a case against the 6 workers that they were doing illegal protest. They have paid a fine in the court of Rs.200/each. Then after 4 months, the workers were settled with a lesser amount by making a debit from salary.

BASIC INFORMATION:

1. Name of the Worker: Worker J
2. Gender of the Worker: Female
3. Age of the Worker (at the time of IDI): 29
4. Name of the Company: Zuhana Garments, No. 199 A, Gandhi Road, Anupperpalayam, Tirupur – 641652
4. Designation of the Worker: Helper-Tailor
5. Years of work in the Company: 5 years
6. Dispute Type: Salary Denial
7. Year of Dispute onset: 2017
8. Concluded/Ongoing: Ongoing
9. Year of Conclusion (If applicable):
10. Individual/ Collective: Collective: Collective

TIMELINE OF EVENTS:

DATE	EVENT
March 2016	Worker J and other 5 joined the company
22 nd June 2016	Pending salary demanded and again denied by the company
13 th November 2016	CITU Leader intervened
15 th December 2016	Six workers were again cheated by not paying salary as promised

15 th December 2016	Workers went on protest
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CASE HISTORY:

a. About the worker

Worker J and other friends have joined Zuhana Garments during March 2016. Worker J lives at the nearby village along with family. Wandered for a job after her family migrated to the present village, she found a vacancy as tailor in this Zuhana Garment through an acquaintance who already works in this company's packing section. At the beginning they could get a salary on a weekly basis and things were normal. Worker J being helper in the company along with other fellows was prompt in responsibilities. She used to count and facilitate bundling the pieces and also to ensure any defects of manufacturing. Besides this the helpers had to also take up responsibility of wiping the floor of the section area. Sometimes this task extends the working hours but instead of that they tolerated the situation and were very cooperative to the company since the Owner was friendly enough with the workers at the beginning.

b. About the Company

Zuhana Garments was founded in 1991 and it has been functioning as a leading garments exporter. The factory is working with 50,000 sq. ft. of manufacturing space, our fully functional units are equipped with the departments for sewing, cutting, printing and embroidery. They have two highly efficient manufacturing units and 300 sewing machines with a production capacity of 15,000 pieces per day. They produce garments for Women, Men and Kids.

c. Beginning of the Conflict

Sometimes later, the management all of a sudden stopped salary disbursement to these helper workers. This caused trouble among the workers and out of curiosity wanted to know what went wrong. But the management has replied nothing and simply started giving excuses that the present salary would be added for next month. All of the six workers also approached the MD but he passed the issue to the HR Manager and asked them to go enquire with him. This struggle went on for two months; but their endeavors ended in vain. Besides all the six workers borrowed money for interest here and there to feed their respective families since their salary makes a big difference in the family. Meanwhile, all the workers then and there used to go and request the company management to settle their salary and ask for the reason for the unpaid salary.

On 22nd June 2016 like manner, when they approached the company management they replied they were not good in work, made delayed supporting the packing section, and hence because of the delay they company had gone through a severe loss of order, also they stated that several pieces were also missing and that was the reason the salary was delayed, the HR Manager added so. These shocked the six workers since they were prompt in their responsibilities and were sure that every day

the pieces count tallied and no complaint rose against them during the tenure. If it would be true that many pieces were missing and these worker's performance was poor, in that case why the company failed to address it on the day itself. This revealed that no such problem happened and to give a lame excuse for not being in the position to settle the pending salary, the company management manipulated in this manner.

d. Informal resolution process

Since the workers' endeavors ended in vain, eventually on 13th November 2016, they consulted Communist Party to support them on this issue. The workers completely explained what had happened and requested the Communist Party Leader to intervene in their case and facilitate in getting the unpaid salary. Having comprehended the issue and the way these workers were exploited by the said company, the Communist Party Leader approached the company management on behalf of these workers. He insisted that the management failed to treat the workers fairly. The management paid no attention to this leader too and asked him to come by next month. The Communist Party leader persevered further and at last, the management called the Leader and agreed to pay the salary for those workers and asked them to come on a particular day.

e. Formal resolution

On 15th December 2016 filled with expectation that they would get the full salary, the six workers went to the Company and approached the Management as per the direction of the Communist Party Leader. On the contrary, the management said they could only pay the salary for three women workers and the remaining three men workers would get the salary later. Immediately they called the Com.Eswaramoorthy, Communist Party Leader and explained how the management people cheated and failed to keep their promise. He also rushed to the company. With the intention to get a salary for all the six workers and not partially for three, all of them sat in front of the company entrance for a struggle demanding a settlement for all six workers. Except raising voices to demand salary, all these workers did nothing wrong. Their intention was to get the full salary for all six workers. While all these workers were sitting, the CEO of the company came out of the company. The Communist Leader stopped him and explained what went wrong and how these workers are exploited by the company. CEO asked Eswaramurthy, how you can touch my hands and ask for wages for workers. Then they went to have tea. While they were coming back from the tea shop, CEO himself put a stroke in his hand with his own nail and he said Eswaramurthy attacked and he called the police. She said that the workers very well know he didn't attack him. Before the police came to the factory we stood with the central trade union's flag. When police came, Com.Sampath and other union leaders went to the police station. When they went to the police station, several police came to arrest the workers. 2 vans and 2 jeeps came to the spot to arrest six workers. But the worker refused to come to the police station since they hadn't done anything wrong. Then they didn't go to the police station immediately. Again 3 weeks later, they walked to the police station to get our wages and the police made us remit the fine for all the six workers and CITU leader. They all had remitted the fine to the court later and then only they had got their wages.

Finally the company management paid the wages to all the six workers, but not fully. Management accuses there were several mistakes in their work. So they gave only Rs.9300 to worker J instead of Rs.13000. HR promised to pay 25000 each worker. But they didn't pay as they mentioned. All 6 workers received below what they had estimated.

f. Workers' view on the case process:

Worker H says, "Actually the supervisor used bad words to me, so I stopped going to work. Other workers stopped going to work since torture and too much work pressure. There were 6 staff members to ask for a workers status report. Every one hour they ask work status to the workers and are pressured to report all the 6. In the police station, the SI was telling me to get whatever wage management gives me. But I didn't agree with that. I was strongly asked my whole wage. If I would expect whatever wage, I don't need to come to the police station, I said to SI. Otherwise I was ready to file a complaint against the management. At last SI and other police convinced us. So we all received below our wage. Several companies do the same. When they need to finish the work, they give false promises to the workers to get it done. After we agreed to get that wage, SI told us that management had filed a complaint against us. We came to know this very late. Eswaramurthy suggested giving a complaint, but our workers are not ready since it is a very long and difficult process. Management never gives a salary slip. They just transfer the wage to their bank account. Sampath and Eswaramurthy were helped a lot. We went to court for 2 hearings. Before the 3rd hearing we dropped the case.

g. Available documents:

_____ Court Fine Receipt of CITU leader.

h. Missing Documents:

_____ Identity documents of worker H.