

WORKER Y VS TSK GARMENTS

OVERVIEW:

For case -25, the worker has been represented as 'Worker Y'. He was working as Quality consultant to check the pieces before exporting to various companies. When he was working for TSK garments in Disney brand products, there were so many mistakes in the products like 4 out of 10 were not proper. Then the company management requested them to check the shades but the team found so many other mistakes. When it was informed to the company, they asked to check the other mistakes too and agreed to pay for it. Worker Y and his team found 10000 pieces with mistakes out of 35000 products. In the end the company has not paid the actual amount for the work. The team has worked continuously for 3 days and 3 nights and for another 3 days. It happened in June. Then they approached CITU for justice, after the compromise with the company and got the amount in September. The company has paid only the amount for other workers and worker Y was not paid as he was the contractor. The worker Y also dropped the issue there.

BASIC INFORMATION:

1. Name of the Worker: Worker Y
2. Gender of the Worker: Male
3. Age of the Worker (at the time of IDI): 34
4. Name of the Company: TSK Garments - 03, Poonthottam Rajammal Layout, Kumar Nagar, Murungapalayam, M.N.Sivasubramanian Nagar, Tiruppur, Tamil Nadu 641603
5. Designation of the Worker: Quality Consultant
6. Years of work in the Company: Contract work only
7. Dispute Type: Non payment of wages
8. Year of Dispute onset: 2020
9. Concluded/Ongoing: Compromised
10. Year of Conclusion (If applicable): 2020
11. Individual/ Collective: Collective

TIMELINE OF EVENTS:

DATE	EVENT
June, 2020	Started work - Checking the quality of 30000 finished products and identifying the bugs in it
July, 2020	Approached CITU for having compromisation with the management
September, 2020	Get the payment of wages for the workers expect his wage

CASE HISTORY:

a. About the worker

Worker Y (age 34) is unmarried. He is living alone since his parents are no more. The worker Y is a freelance Quality Consultant who is doing work to find the defects in the prepared product and report it to the company. Initially, He was a

supervisor in Garments companies, then a manager in the quality department, then he looked after all the responsibilities in small companies, then the working hours were not adjusted for his routine. So, He went to work with a contractor who would take him to work for quality checking, and then it has been over six years since hHe started doing this on his own. He has his own crew and does quality consultancy with the export garments of Tirupur on regular basis and also under contract. It has been 10 years since he came to this job and he has been working in this field since he was 24 years old. His hometown is Trichy. He came to Tiruppur to work in Garments.

b. About the Company:

TSK garments have been in the field for the past two decades and our factory is located in Tirupur. They have large capacities for manufacturing on a regular long term basis. They have Fully Equipped with Highly Sophisticated Imported Machineries. TSK Garments is the largest company with more than two thousand workers in the unit where worker Y had worked. They have several units and will have more than 10 thousand workers. It has all the units starting from cutting to dispatching.

c. Beginning of the Conflict

The order of TSK Garments has come back that there is more error in the product made by them after the quality inspection. The company has since called Worker Y and asked to detect color/shade differences. He has not used to work for them regularly. Some other companies will usually give the quality checking work to him after production. They will find the bugs by checking the finished products and tell the company. But this company had looked for them because they did not check properly and failed to pass in the quality inspection. When TSK Garments called, they first talked about a wage and then he took his team because the work was too large and then decided on a higher wage. The first thing the company asked them to do was to find out the color/shade difference in the products and the bugs associated with it. I noticed many bugs like oil stains on the product after their team started working. So at an early stage they warned the company that not only bugs in the color/shade difference but also many bugs are in the products. The company was immediately asked to look into all the errors. Their team has also been diligent in their work and has distributed clothes ranging from 30 to 35 thousand in size to ten thousands equivalent according to its errors. That is, there is a bug in a color difference, the oil stained bugs, an error in the sewing, as there are ten thousands of clothes that are divided and separated. It is unknown what the company had done after that.

He gave the wage receipt on that Friday. The company said it was too late and said they would sign it next week. In the next week, he went for two times, but said they will give it on saturday. In this case, the products checked by them have been re-examined in the inspection and none of the products prepared have been mastered. So, all the clothes were sent back. The company didn't not tell them about the re-examination and did not call them to be with them on the day of the inspection. When he went to ask for the wages on Friday next week, they said that the inspection failed

again. So, they said that you will not be paid and that the check will be given only after negotiating at the top management. Following that he wandered for three months to get paid by the company.

Seven to eight people in his team have worked day and night for three consecutive days and another 3 days for this work. Those were the days when curfew was imposed due to the spread of the Covid-19 disease. In those days there were no transport facilities and the bus was inactive. In this situation he himself went and picked up his crew on a two-wheeler and accepted for himself the cost of the food they spent on food during those six days of work. The finished products had to be exported urgently so the work was asked to be completed quickly by the management. So, they worked for six consecutive days and separated 10 thousand bugged products from 35 thousand pieces.

Whenever worker Y had gone to the company, they made excuses. Then one day he strictly asked the company to see if they could get their wages. The total wage is over Rs.60 thousand which is Rs.10 thousand to 12 thousand per head. The company has started to impose on their top that they have sent all of the clothes back and nothing has passed and they have caused them millions of losses.

In this case worker Y said he would look at some of the boxes of clothes once again for free and see what tracks to pass the inspection. But the company is not ready. When he spoke to Mr. Victor, the quality department manager who took him to work there, said that it was not their fault and that they were talking to top management. There is something wrong with the production and how can worker Y be responsible for this.

Initially he was talking about one rupee 45 paise per piece and when the company said 1 rupee 50 paise per piece, then he turned out to be unaffordable. The company called again and agreed that they would pay 1 rupee 50 paise for worker Y and his team to only see the color difference. But the team found other errors in this. However the team did not get paid for them no matter how hard they tried.

d. Informal resolution process

In this situation he shared his condition with his friend Rajesh who works in the same field. He was the one who took him to the CITU so that worker Y could ask for money through the trade union. Then Comrade Sampath from the union spoke to the company and they also came and negotiated how much they had lost by worker Y and his crew.

The union stood strongly that the team found bugs and confiscated ten thousands of clothes, so they talked about paying for them. The company then agreed to pay the wages, but deducted 12,500 rupees. Because worker Y was the contractor for this job, he also worked for six days. So he put his name and paycheck on the receipt. But the company made it a favorite of theirs and told them that the contractor had no wages.

The worker Y made sure that the other workers got paid and gave everyone their check. There were even more challenges, for example if someone's name is

Kulandhaisamy in the cheque, it will be misspelled in English and help them until they get the cash.

e. Workers' view on the case process:

The worker says he regrets that he should have given the receipt of wages for the work they did on the Thursday of the week in which the work was completed. If he had done so, he could have paid everyone on that Saturday itself.

This was the first work they did when the curfew ended in early June 2020. All the families were in dire financial crisis. So, they got their job done quickly. But unfortunately they have not received their wages for three months. Even if worker Y goes somewhere and works for one day he will earn 600 to 700 rupees. But most of the days in those three months, he just wandered off to get their wages from them. In the meantime workers from his team came to him asking for their wages, which he could not afford. However he tried to explain the struggle happening with the company, they stood that worker Y only had taken them to work and started fighting that he had to pay by himself. One of them chased his two-wheeler for not paying them. Worker Y was working because this was his position on this kind of contract work. He says he may be a contractor by name, but he is a normal worker like them. His situation is getting worse when the company is doing chaos like this. He was too responsible and accepted all these embarrassments.

Then he had taken two people who worked with him to the company when asking for money and then they understood his situation and handed over his vehicle to him. Because some people get money from the company and deceive the workers that they do not get money. But the workers who worked with him after seeing what happened at the company trusted him.

Because even if it's just a five thousand ten thousand thing they can leave it to be earned at the time of wandering. It is around 12000 rupees per worker. That too this is the first job they have worked after the lockdown. They just thought they could put off all the accounts in the store and the loans they bought at the time of lockdown. But that did not happen.

The company has started to impose on their top that they have sent all of the clothes back and nothing has passed and they have caused them millions of losses. Worker Y asks, "What can we do about it?" In this case he said that he would look at some of the boxes of clothes once again for free and see what tracks to pass the inspection. But the company is not ready.

He has worked with them before, but this has never happened. The work and the wages for it were well received at the right time. He doesn't know why they did this time. He says, "They could criticize us if we sent everything OK, and they told us to look only at the color difference but we also looked at other errors." The company had tried to impose on them the sacrifice of loss as a gift.

People who work with worker Y used to call him every day and visit his home and ask for the money. It's okay if he takes out a loan and does not repay it to meet such

a situation. But he had faced these situations just because he had not got paid for taking them to work.

f. Available documents:

_____None of the documents is available with the worker