

**Major Challenges and Opportunities of Realizing Rights of Employees: The
Case of Female Employees of SHINTS Textile and Garment Factory at Bole
Lemi Industrial Zone**

By:

Tsige G/Michael

Advisor

Meron Zeleke (PhD)

Addis Ababa University
College of Law and Governance Studies
Center for Human Rights

June 2016

**Major Challenges and Opportunities of Realizing Rights of Employees: The
Case of Female Employees of SHINTS Textile and Garment Factory at Bole
Lemi Industrial Zone**

By:

Tsige G/Michael

Advisor: MeronZelege (PhD)

Submitted in Partial Fulfillment for the Requirement of the Degree of Master of Arts in Human
Rights at the Center for Human Rights, Addis Ababa University

Addis Ababa University

College of Law and Governance Studies

Center for Human Rights

June 2016

ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES
COLLEGE OF LAW AND GOVERNANCE STUDIES
CENTER FOR HUMAN RIGHTS

Approval Sheet by the Board of Examiners

Name: Tsige G/Michael

Id No. GSR/0105/07

Title: Major Challenges and Opportunities of Realizing Rights of Employees: The Case of Female Employees of SHINTS Textile and Garment Factory at Bole Lemi Industrial Zone

Approved by Examining Board

Advisor	Signature
---------	-----------

Internal Examiner	Signature
-------------------	-----------

External Examiner	Signature
-------------------	-----------

Declaration

I, Tsige G/Michael, declare that this thesis is my original work and has not been presented for a degree in any other university and that all sources of materials used for the thesis have been fully acknowledged.

Declared by

Tsige G/Michael

Signature

Date-----

Confirmed by Dr. Meron Zeleke (advisor)

Signature-----

Date

Acknowledgement

First and foremost I would like to thank the almighty God for his blessings. Then, I am highly indebted to thank my advisor Dr. Meron Zeleke for her remarkable and intellectual guidance, encouragement and valuable comments throughout the process of writing the thesis. The thesis would not have been possible without her support and advice.

I am also grateful to my father priest G/Michael Akebom for his encouragement and motivation throughout my life. His encouragement always inspires me to step forward. I am also very thankful to my mother Medhin Hadera, my Grandfather Akebom Mawcha and all my family members Alem, Tekle, Welde, Askual, Bisrat, Natnael and Gidey for their love and encouragement. My special thanks goes to my friend Zufan Meseret for all the contributions she make in my life. I would also like to express my gratitude to Chr. Michelsen Institute (CMI) for financing this study. I am also very thankful for my friend Kidist Getachew.

I am indebted to *w/ro* Aster Mamo (Deputy PM) for her support and encouragement. Last but not least, I am very thankful to my brother W/Abrha Nigussie for his constructive advice.

Acronyms

ADLI- Agricultural Development Led Industrialization

ACHPRW- Protocol to the African Charter on Human and Peoples Rights on the Rights of Women

AGOA- African Growth Opportunity Act

BFP- Better Factories Program

CEDAW- Convention on Elimination of All forms of Discrimination against Women

CFA- Committee on Freedom of Association

ETP- Ethiopian Textile Production

EU- European Union

FDI- Foreign Direct Investment

FDRE- Federal Democratic Republic of Ethiopia

FGD- Focus Group Discussion

GA- General Assembly

GTP- Growth and Transformation Plan

HR- Human Resource

HRM- Human Resource Management

ICCPR- International Convention on Civil and Political Rights

ICESCR- International Convention on Economic, Social and Cultural Rights

ILO- International Labour Organization

IPDC- Industrial Park Development Cooperation

MOI- Ministry of Industry

OECD- Organization for Economic Co-operation and Development

PASDEP- Plan for Accelerated and Sustainable Development to End Poverty

PRSP- Poverty Reduction Strategy Paper

SHINTS- Shin Textile Solution

SNNPR- South Nation Nationalities and Peoples Region

UDHR- Universal Declaration on Human Rights

UN- United Nations

USA- United States of America

USD- United States Dollar

WB- World Bank

Table of Content

Declaration	i
Acknowledgement	ii
Acronyms.....	iii
Abstract.....	vii
Chapter One	1
1.1. Background.....	1
1.2. Statement of the Problem.....	3
1.3. Research Objectives	6
1.4. Research Questions.....	7
1.5. Research Methodology and data Collection Tools.....	7
1.6. Significance and Implications	11
1.7. Scope and limitation of the study	12
1.8. Ethical Consideration	12
Chapter Two	13
2.1. Literature Review and Legal Frameworks.....	13
2.2. Economic Based Approach.....	15
2.3. Rights Based/ Decent Work Approach.....	18
2. 5. Review of Relevant Legal Instruments on Labour Rights of Women.....	22
2.5.1. International Legal Instruments on Women Labour Rights.....	22
2. 5.2. Regional Legal Review on Women Labour Rights	27
2. 5.3. National legal review.....	28
Chapter Three	30
Brief Background Information and Introductory Note	30
3.1. General Description of SHINTS and the Factory under Study.....	30
3.2. General Information about Workers.....	34
3.3. Brief note on Recruitment Mechanisms and Criteria	35
Chapter Four	37
Nature of Working Conditions at SHINTS Garment Factory	37

4.1. Recruitment Process at SHINTS Textile and Garment Factory.....	38
4.2. Factors informing the decision to work in Garment Sector.....	44
4.3 Working Hours and Overtime Duties	46
4.4. Benefit Packages for Workers’	51
CHAPTER FIVE.....	53
Working conditions of workers; wage, leave, and Safety Measures	53
5.1 Wage	53
5.2. Leave	55
5.2.1 Annual Leave	55
5.2.2. Maternity Leave and Protection during Pregnancy	57
5. 2.3. Sick Leave	58
5.3 Safety of the Working Environment and Safety Precautions.....	59
5.4. Workers Association and Labour inspection at the Factory	63
Conclusion and Recommendations.....	Error! Bookmark not defined.
References.....	70
Appendix I: Interview Guidelines	76
Appendix II: Background of the Informants	86
Appendix III: Background of Female Participants	87

Abstract

The study was conducted with the objective of assessing the major opportunities and challenges in protection of rights of female employees in the textile and garment industry. The research was conducted in Addis Ababa, Bole Lemi Industrial Zone, specifically at the SHINTS garment factory. In addressing this objective, the study has looked into working conditions along with recruitment process, working hours, wage, leave and safety provision. In addition, the study assesses the existence of responsible bodies towards improving the working conditions and protecting the rights of female employees.

The study found that the garment and textile sector is one of the industries creating employment opportunities for women. However, the working environment at the industry is abusive with dire working conditions. This is despite the existence of adequate legal instruments at the national, regional and international level which protects employees from unfavorable working condition. The absence of responsible authoritative bodies protecting the rights of workers makes the realization of protecting the rights female employees at SHINTS factory far from realization.

Chapter One

1.1. Background

Manufacturing industry is widely considered as an engine of economic growth particularly contributing towards the transition of states from low income to medium income level.¹ Garment factory is one of the light manufacturing industries which different states adopt as a way of realizing their industrial policies. In states such as Bangladesh, Cambodia and China garment factory has been playing significant contribution for the fast economic growth of the states. The importance of garment factory in providing job opportunities for citizens is also equally recognized by studies conducted on the factory.²

Women constitute the highest number in garment works. For instance, in 2015 in Cambodia the number of young women workers in garment factory is estimated to be around 250,000.³ In this regard academic studies and international reports in these countries acknowledged the importance of textile and garment factory in generating employment opportunities for people especially for women and for the long term sustained economic development.⁴

Since 1991 Ethiopia adopted several medium and long term economic development plans and strategies. The Agricultural Development Led Industrialization (ADLI) was the primary long term economic plan adopted by the government in 1994 with the objective of realization of economic

¹ Arkebe Oqubay. (2015). *Made in Africa: Industrial Policy in Ethiopia*. Great Britain: Oxford University press.

² International Labour Organization. (2014). *Wages, Working Hours in the Textiles, Clothing, Leather and Foot wear industries*, Switzerland, Geneva. Available at: www.ilo.org/wcmsp5/groups/public/@ed-dialogue/@sector/documents/publication/wcms-300463.pdf. (Accessed on: November 25, 2015).

³ Keane, Jodie, and Dirk Willem te Velde. (2008). *the role of textile and clothing industries in growth and development strategies*. Odi

⁴ EPA. (2012). *National Report of Ethiopia, the United Nations Conference on Sustainable Development (Rio 20+)* Federal Democratic Republic of Ethiopia, Addis Ababa. Available at: <https://sustainabledevelopment.un.org/content/documents/973ethiopia/pdf>. (Accessed on: November2, 2015).

takeoff.⁵ Other medium term plans were also formulated including: Poverty Reduction Strategy Paper (PRSP) 2002- 2007, a Plan for Accelerated and Sustainable Development to End Poverty (PASDEP) 2002/3- 2004/5 and the two consecutive Growth and Transformation Plans (GTPs).⁶ Currently, the Ethiopian government formulated development plans with a vision of standing with the medium income countries by 2025. In concrete terms the government is in a rush in expanding manufacturing industries through designing an industrial policy anticipating attaining ‘structural transformation’ in the economy and generating employment opportunities for the people.⁷

The government identified key manufacturing industries which are export oriented. Textile and garment factory is one of these key sectors that have attained bigger attention of the government. According to Arkebe the garment sector is expected to create 200,000 job opportunities on an annual basis increased by 50 percent from the 350,000 jobs created up until 2015.⁸ Practically young women are increasingly entering to the garment sector. For instance, currently garment industry of the study area creates employment opportunities for more than two thousand workers. About three fourth of these workers are female.⁹

However, several studies especially rights-based investigations, conducted in the newly industrialized countries accented the exploitative nature of working conditions in the manufacturing sector.¹⁰ Export- oriented manufacturing industries are often associated with low level of realization of workers’ rights mainly due to the poor working conditions in the sector. As a

⁵ MOFED. (2010). Growth and Transformation Plan 2010/11-2014/15. Volume I. FDRE, Addis Ababa.

⁶ Ibid no 1 above.

⁷ Ibid no 1 above

⁸ Addis Fortune, interview with Arkebe Oqubay, October 29, 2015. (Accessed on: November 20, 2015). from;<http://addisfortune.net/articles/expect-a-miracle-arkebe-oqubay/> on May 13,2016.

⁹ Interview with *Ato* Yohannis, Human resource manager, March 11, 2016 at SHINTS garment factory.

¹⁰ N. Ascoly and Chantal Finney. (2005). *Made by Women: Gender, the Global Garment Industry and the Movement for Women Workers Rights*. Clean Clothes Campaign, primaveraQuint .

way of understanding the working conditions of women employees in the textile and garment manufacturing industry in Ethiopia, this study focuses on female employees of SHINTS garment factory in Addis Ababa, Bole Lemi industrial zone.

This thesis is organized in to five chapters. The first chapter is an introductory chapter presenting the problem under study, objectives of the research, the research question, scope and limitations of the study. Following this introductory chapter, the second chapter presents a literature review and conceptual framework. It also presents the arguments between rights based and economic based approaches. This chapter also presents review of the different legal frameworks by summarizing the relevant international human rights instruments, International Labour Organization (ILO) conventions ratified by Ethiopia, regional and national legislations which deal with women workers rights. The third chapter describes the study area, giving basic background information about SHINTS factory. The fourth chapter presents the finding of the study on working conditions at SHINTS factory drawing on lived experiences of the female workers. The variables discussed under this chapter include recruitment process, reasons behind garment preference and the working hours at the factory. Chapter five presents the working conditions at the factory by drawing on the data obtained in relation to wage, safety measures in place and rights to obtain leaves. A conclusion and recommendation is also drawn based on the finding of study.

1.2. Statement of the Problem

Despite the tremendous contribution of textile and garment industry to the economic growth, many researchers found that working condition in the garment sector is poor and below standard.¹¹ In assessing the effective enforcement of the ILO principles of standard work in the manufacturing

¹¹ ILO. (2013). Working Conditions Laws Report 2012, A Global Review/ Naj Ghosheh, ILO Office, Geneva

areas, the ILO report on working conditions in textile workers indicates the existing oppressive labour conditions.

Other studies conducted in different countries with long years of experience in the textile and garment manufacturing industries also present the shortcomings of working condition in textile and garment industry to meet ILO standards.¹² For instance, Ferdous illustrated that the “working environment in the textile factory as abusive whereby workers in general and women in particular are forced to work in conditions in the absence of labor unions, with irregular payments, sudden contract termination, and excessive work; and whereby workers are exposed to various sickness related to lack of safety measures.”¹³

FDRE’s Ministry of Industry (MOI) identified textile sector as a lucrative industry for generating foreign currency. By 2013 the expected yearly revenue was approximately US \$500 million with a capital investment of US \$1.6 billion. As a way of attracting both foreign and domestic investors, the Government came up with devising enabling environment for investment and export growth in textile industry.

Although there is gap of study in assessing the working condition at garment factory in Ethiopia, several studies addressed the economic dimension of the manufacturing sector in general and garment sector in particular. Scholars have looked at the developmental state ideology and how much this governing ideology is influencing the economic sector.¹⁴ Other studies have addressed

¹² Ibid

¹³ Ahamed, Ferdous. (2013). Improving Social Compliance in Bangladesh’s Ready Made Garment Industry, Preston, Available at: <https://acadamia.edu/4528288/improving-social-compliance-in-Bangladesh-Ready-made-Garment-Industry?auto=download>. (Accessed on: November, 22, 2015).

¹⁴ Ibid No.1 above

themes related to Foreign Direct Investment (FDI).¹⁵ Others have looked at the horticulture sector.¹⁶ Despite the significant growth of textile and garment industry in Ethiopia backed by national policies and strategic plans, there are few researches done on the sector so far.¹⁷ There are no studies addressing the rights of employees in the garment factory in general and of female employees in particular.

Despite the sector's latest due focus and expansion in the country there are limited or no previous studies on the topic in Ethiopia. In assessing the role of textile and garment industries in Ethiopia for providing safety of work environment for its workers, Goitom find out an inadequacy of safety with the existence of a number of occupational injuries and the inadequacy of compensation paid for such injuries.¹⁸ Moreover, Nisan pointed out that, the low educational level of workers in the sector and that most of the workers often come from rural areas of the country.¹⁹ Thus, this study is aimed to fill the gap in the literature through conducting an empirical study on the working condition in the garment sector at Bole Lemi industrial park, SHINTS garment factory. In

¹⁵ Meskerem Daniel Menamo. (2014). *Impact of FDI on Economic Growth of Ethiopia, A time series of empirical analysis*, University of Oslo, available at: <https://www.duo.uio.no/bitstream/handle/10852/39250/Menamo-Meskerem-Master-Thesis.pdf?sequence=1> (Accessed on: November 22, 2015.)

¹⁶ Workineh Degefa. (2014). *An Assessment of Workers Rights in Three Floriculture Industries around Debrezeit: with Particular reference to Employment Security and Occupational Safety and Health*, Addis Ababa University.

¹⁷ Goitom Abera, et al. (2014). *the Role of Textile Industry in Providing Decent Work; the case of Almeda Textile factory (ALTEX)*, Mekelle University.

¹⁸ Ibid

¹⁹ Nisan Zeray. (2003). *The Right to Safe and Healthy Working Environment under the Ethiopian Legal System*, Addis Ababa University.

assessing the working condition in the garment factory, the international human rights instruments, ILO conventions which are ratified by Ethiopia and the current working Ethiopian Labor proclamation No.377/2003 are used as a reference.

1.3. Research Objectives

General Objective

The main objective of this study is to assess the major opportunities and challenges in protection of rights of female employees of the SHINTS garment factory.

Specific Objectives

The specific objectives of the study include:

- Exploring the major opportunities created for female employees in the garment sector,
- To understand the working environment and working conditions at the industry,
- To explore the challenges and the violations of rights of female employees at the industry,
- To assess the existence of a responsible body working towards improving the working conditions and protecting rights of employees,
- Understanding the different legal instruments and policy frameworks protecting rights of female employees.

1.4. Research Questions

As a way of addressing the aforementioned objectives, the following general research questions were set:

- What kind of opportunities does the garment sector provide for women?
- How is the working condition in the factory?
- What are the major challenges and violation of rights female employees face?
- What are the different existing legal frameworks protecting the rights of female employees and
- Who are the different responsible bodies advocating for rights of employees in general and that of female employees in particular?

1.5. Research Methodology and data Collection Tools

The study mainly draws on qualitative research approach. Qualitative research involves an interpretive, naturalistic approach to the world. This means, qualitative researchers study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them.²⁰

This approach is appropriate for this study because it is a principal feature for human rights research whereby the data collected through this method provides detailed understanding of the topic under investigation from the view point of the participants.²¹ Thus, it helps in exploring the major problems, opportunities and working conditions of female employees through asking broad

²⁰ John W. Crswell. (2003). Research Design: Qualitative, Quantitative and Mixed Methods Approaches, University of Nebraska, Sage publications.

²¹ Yitayew Alemayehu and Wondmagegn Tadesse. (2013). Human Rights Research: A Practical Guidebook on Methodology and Methods, Addis Ababa University.

and detailed questions for participants to catch their stories and their real experiences of the working environment.

This study assessed the proposed problem by drawing on the actual lived experiences of female workers in SHINTS garment industry which is basically based on the phenomenological qualitative approach.²² Using this approach enables in providing a deep understanding of the reality of working condition as experienced by the women workers and its effects on realization of women labor rights.

Sources of Data

Both primary and secondary sources of data were used for the study and hence different data collection tools were used as to be presented. The initial step in data collection started with locating pre-existing sources and retrieving relevant information on the subject of investigation. This entailed an extensive review of existing legal documents, resources and relevant empirical studies. Secondary data are also collected from different literatures investigated on the working conditions of women in manufacturing industries with specific emphasis on working conditions of female workers in textile and garment industries. Furthermore, international, regional and national human rights instruments particularly dealing with workers labor rights and ILO conventions ratified by Ethiopia are reviewed as a source of reference.

²²John W. Creswell. (2003). Research Design: Qualitative, quantitative and Mixed Methods Approaches, University of Nebraska, Sage publications. In Phenomenological research, the experiences of participants about a phenomenon are identified as described by participants in a study. In this type of research approach a small number of participants are studied through extensive and prolonged engagement to develop patterns and relationship of meaning. This research approach is used in conducting this study, because the aim of the research is to deeply understand the working conditions through the actual experiences of female workers in the garment industry.

Primary Sources of Data

The different methods employed in the process of collecting the primary data include observation, key informant interview, informal discussion, and focus group discussion, interview with officers from Labour and Social Affairs and Children and Women Affairs at *wereda* level as well as with the human resource of the study factory.

In-depth Interview

Interview is one of the most common tools of data gathering in qualitative research. Accordingly, Bernard discussed that, in qualitative research, key informant interviewing is an important method.²³ Key informant interview helps the researcher to gather sufficient information concerning the issue under study. The choice of the interview partners was largely dictated by their degree of relevance to the theme investigated. Accordingly, the informants interviewed includes; 10 female employees of SHINTS factory, two administrative workers (The human resource department head, sales manager), head of *wereda* Children and Women Affairs office, and the head of *wereda* Labour and Social Affairs office. The in-depth interview with the ten key informants working at SHINTS is conducted with female informants from various production units. The researcher prepared interview guiding questions and interviewed the informants in Amharic language. The researcher used tape recorder as well as notes to get the original data of the informants.

²³ Bernard, Russell. (2006). *Research Methods in Anthropology: Qualitative and Quantitative Approaches*. Lanham: Altamira Press.

Observation

According to Stringer observation in qualitative research enables an observer to build a picture of the life world of those being observed and to enhance an understanding of the way they ordinarily go about their everyday activities.²⁴ Observations enables researchers to record important details that become the basis for formulating descriptions from which stake holding groups produce their accounts. The study also employed unstructured conversations engaging cross-section of the workers in various production units. This process allows spontaneity of ideas and enriched the data collection undertaking by posing questions developed in the course of the interview. Thus the researcher uses an observation of the working environment of the garment factory by taking important notes.

Focus Group Discussion

Focus Group Discussion (FGD) is a series of group discussions held with different individuals and facilitated by a researcher, where the aim is to provide data (via the capture of intra-group interaction) in respect to a particular topic or set of issues. Accordingly, the researcher used FGD, which is one of the significant techniques of qualitative data collection method.

One FGD consisting six female informants was held on March 12, 2016. The composition of FGD participants is quite diverse and due attention was taken into consideration to have participants from different production units, age, and marital status of informants. In conducting the discussion, tape recorder and note were used. The researcher had the role of posing questions for the discussion and facilitating the discussion.

²⁴ Stringer, E.T. (2007). Action Research. 3rd ed. Thousand Oaks, CA: Sage.

Sampling Technique

In qualitative research number of people interviewed is less relevant than the criteria used to select them. For ensuring representativeness and for the selection of participants of the sample size in qualitative research, the characteristics of individual participants are important. Purposive sampling is one technique often employed in qualitative investigation.²⁵

Therefore, respondents for the interview are selected in a purposive/ judgmental sampling method. Ten key informants are selected by the researcher on the basis of the researcher's judgment based on their relevance to the study. Their work position is the first criteria of sample selection. Female workers from different production units like sewing, ironing, drawing, cutting and quality control are selected. Marital status is the second criterion for the selection of sample. Female workers who are married and single workers are also selected for the interview. This criterion helps to understand the challenges in different production units and for female coming from different backgrounds. Place of origin is the other criterion taken into consideration.

1.6. Significance and Implications

As it has been discussed under the statement of the problem, there is an observable gap of research on the subject matter. Hence, this study will contribute towards this identified gap. Furthermore, the findings of the study will contribute to policy makers and practitioners on matters pertaining to protection or violation of rights of employees in manufacturing industries. Thus, the finding of this

²⁵ Wilmot A. Designing sampling strategies for qualitative social research: with particular reference to the Office for National Statistics' Qualitative Respondent Register. [Online] ; Available from URL: <http://www.ons.gov.uk/about/who-we-are/our-selves/dat-collection-methodology/reports-and-publications/designing-sampling-strategies-.pdf>

study will have a relevant contribution to develop a rights based policies and it will help in designing effective strategies that will protect the rights of female workers in the garment factory.

I tried to conduct the interview in a neutral setting. For a better way of collecting the required data and to create an understanding between the researcher and the participants, interview questions were translated to Amharic. The fieldwork was conducted from February 6 up to March 26, 2016.

1.7. Scope and limitation of the study

Due to the time and resource limitations, this study focuses on addressing the working conditions and rights of female employees in textile and garment industry. The resource and time limitation necessitated limiting the scope of the study. In order to have a focused approach to understand the problem, the study exclusively focused on addressing challenges and opportunities of rights of female employees at the garment factory.

1.8. Ethical Consideration

In the process of conducting the research and writing this thesis the ethical considerations I took into consideration include; getting the full consent of informants, keeping identities of informants confidential both during the interview process and in the subsequent write up of the thesis. All informants and FGD participants were informed about the research project, the purpose of the study and confidentiality procedures. I have tried to be impartial, objective, and accurate.

Chapter Two

2.1. Literature Review and Legal Frameworks

This section is intended to review the literature on the nature of working conditions in the garment sector. It begins by defining the term working condition. Women challenges in access to employment are frequently discussed in the literature. But this chapter looks beyond challenges and opportunities in accessing employment.

Therefore, this section presents core points of debates on the literature between economists and rights based arguments on women engagement on the export-oriented industries specially garment factory with regard to women labour rights realization. Reviewing this literature helps in exploring the opportunities and challenges of the working conditions on realization and violation of women labour rights. However, due to lack of adequate literature on the study topic in Ethiopia this section reviews literatures and international reports investigated on other states with experience of garment industries.

In addition, legal instruments at the international, regional and national level on women's rights are reviewed to be used as references in assessing the nature of working conditions in the study area.

2.1. Conceptualizing Working Condition

The term “working condition” is defined in different ways. For instance, the ILO describes working condition with the “elements that workers experience at work place.”²⁶ Mariani and Valenti further list out elements of working condition by focusing on issues that represent major

²⁶ ILO. (2013). Working Conditions Laws Report, (2012), A Global Review/ Naj Ghosheh, ILO Office, Geneva

concerns such as: Wage, job security, harassment, safety, discrimination, and freedom of association.²⁷

Another definition provided by Berik and Rodgers added additional elements to Mariani's definition. Thus, according to Berik 'working condition' includes wage, working hours, social security, gender equality, and freedom of association, health and safety, legal contract, awareness over rights and paid overtime.²⁸

In the Ethiopian labour proclamation working condition is defined as: "*the entire field of relations between workers and employers which include hours of work, wage, leave ,payments due dismissal, workers health and safety, compensation to victims of employment injure, dismissed because of redundancy, and grievance procedure*".²⁹

For the purpose of this study the researcher conceptualizes working condition as elements that workers experience of the work place referring to wage, working hours including overtime work, health and safety at work place, freedom of association, leaves and availability of a responsible organ protecting the rights of workers. This helps in understanding the working condition of the garment factory using the above measurable variables.

²⁷ Riccardo David Mariani and Fabrizio Valenti. (2013). Working Conditions in the Bangladesh Garment Sector: Social Dialogue and Compliance, Delft University of Technology. Available at; www.fairwear.org/ul/cms/fck-uploaded/documents/countrystudies/bangladesh/workingconditionintheBangladeshigarmentsectorsocialdialogueandcompliance.pdf

²⁸ Berik, G. and Rodgers, Y.V.D.M. (2010). Options for enforcing labour standards: Lessons from Bangladesh and Cambodia. J. Int Dev.,22:56-85.doi:10.1002/jid.1534 accessed on January 21, 2016

²⁹ The Federal Democratic Republic of Ethiopia. (2004). Federal *Negarit Gazeta*. Labour Proclamation No. 377/ 2003. 10th year No12.

2.2. Economic Based Approach

Wage Employment as Means of Women Empowerment

The interaction between “labour standards” and women integration to the formal economy is a key issue of discussion in the literature. Women wage employment particularly their engagement in the garment factory is understood in different ways. It is widely discussed in the literature from two dimensions namely the economic based approach and rights based approach.

The economic based approach holds that integration of women to the economic activity addresses women empowerment and gender equality. In 1970’s and 80’s, the World Bank (WB) had an agenda which aim at “promoting gender equality by increasing women’s role in the economic activity.”³⁰ In practice the objective of the WB in integrating women to the formal economy as “Smart economics” contributes to the empowerment of women in economic terms.³¹ This idea of women empowerment is also included in the millennium development goal.

For the achievement of the objective of the WB, integration of women into the formal economy, many states take various actions. Designing industrial policy and expanding export- oriented industries which create job opportunities for women can be mentioned as a main step of integrating women to the formal waged economy. In the case of Ethiopia, the government is expanding export-oriented manufacturing industries including textile and garment industries with the objective of achieving fast economic growth and generating employment opportunities for the people. Thus, women are increasingly entering to the textile and garment factory in a higher number compared to men.

³⁰ Elaine Zuckerman, *Gender Equality as Smart Economics: A world Bank Group Gender Action Plan (GAP) (fiscal years 2007-10)*, Washington DC 2009, USA

³¹ Ibid.

The involvement of women in the formal economic activity is understood by economic scholars a way of fostering economic growth and transforming the lives of women and their families. In this regard Kabeer examined the “transformative nature of garment works on the lives of women.”³² In her finding she explored that women garment workers in the urban Bangladesh earn an income which enables them change their lives in addition to their contribution to the national economy of the country. Furthermore, she explained two ways of transformation which includes structural change and change at individual level. The structural change is achieved at the “labour market, house holding and marriage” whereas changes at individual level are reflected in “securing domestic relationships and ensuring better life for the children”.³³

Another finding of Kabeer shows that export-oriented industries provide “autonomy and economic independence of women in comparison to the previous subordinated position of women in the family and society at large.” Further she elaborated that access to income and economic freedom of women breaks the previous yoke of household subordination. Thus, women’s income earning helps in breaking down the social arrangements and broader structural cultural arrangements of a community. In this perspective, women’s employment is appeared to have a positive impact on growth as well as to help to “translate economic growth in to greater gender equality”³⁴, because women have an “opportunity to access better waged employment while they work in the garment sector.”³⁵

³² Naila Kabeer. (1997). development and change: Women, Wages and Intra- House hold Power Relations in Urban Bangladesh, vol 28 issue 2, pages 261- 302, development studies institute

³³ Ibid

³⁴ Naila Kabeer and Luisa Natali. (2013). Gender Equality and Economic Growth: Is there a Win-Win? Volume No 417, Institute of Development Studies 2013. Available at: www.ids.ac.uk/publications, accessed on March 21, 2016.

³⁵ Kabeer N. and S. Mahmud. (2004). Rags, Riches and Women Workers: Export Oriented Garment Manufacturing in Bangladesh. London, Available at; wiego.org/sites/wiego.org/files/publications/files/Kabeer-Mahmud-export-Oriented-Garment-Bangladesh.pdf

Another study conducted in China by Dejardin explored that export-oriented industries offer higher wages than jobs in domestic work. It is further argued that empowerment of women in waged employment also “empowers women within their families and communities, and enables them to negotiate better share of or control over household resources including their own labour, education and reduces women subordination.³⁶” This idea is supported with the findings of Kabeer and Mahamud which suggested that wages that women earn in the garment industry are higher than the available forms of employment which enable them to support themselves and their families.³⁷

Providing income earning opportunities through wage employment or self-employment for poor women and men is also examined as crucial to raising incomes and overcome poverty. This argument draws on the fact that women tend to “reinvest their income in improved nutrition health and education for household members, thus increasing living standards and reducing non income poverty in the long term.”³⁸

In one or the other way economic based approach emphasizes on expanding job opportunities for women as a positive way of realizing rights and achieving gender equality. However, this approach failed to consider the nature of working condition on which women workers are being integrated. This approach is criticized for “undermining rights and social justice approach and paying little or no attention to the rights of women at work place. And of course, there is considerable micro level data to suggest that women engagement in the garment industry is undertaken in conditions that erode their health and exploit their labour, which its costs may overweigh its benefits.

³⁶ Amelita King Dejardin. (2008). Gender Dimensions of Globalization, Geneva, Switzerland.

³⁷ Ibid No. 32 above

³⁸ OECD. (2009). promoting pro-poor growth: employment, pp 133-143; Available at: <https://www.oecd.org/dac/povertyreduction/43514554.pdf>

2.3. Rights Based/ Decent Work Approach

The rights based investigations emphasizes on describing working conditions of women.³⁹ As stated above, economic and rights based studies have responded to women employment in garment industry in different ways. Proponents of rights based argument on women employment present two main points of argument. First, there are several studies which argue about the existence of “unfair” working conditions in most garment and textile industries which are dominated by women workers. Second, lots of studies also argue that women workers in the textile and garment factories are subject to ‘exploitative and abusive’ working conditions, whereby women’s wages are suppressed. For instance, most studies conducted in the textile and garment industries in Bangladesh and other Asian countries with long years of garment factory experience describe the working conditions as being below the standards set by ILO.⁴⁰ Consequently, women remain subject to multiples challenges, being affected by the nature of the poor working conditions.

In addition, ILO publications describe the nature of working conditions at the manufacturing industries especially garment factories as poor and way below the standard.⁴¹ Some of the most common indicators of poor working conditions in most investigations include long working hours, low wage, lack of safety and security, discrimination and absence of labour unions.

Thus, studies which emphasize on the nature of working conditions suggested the relevance of integrating rights in to development policies. This integration of rights with development policies has double faced significance. First, it enables women workers realize their rights granted in the legal system of states and at the international legal system. Second, it fosters in the achievement of economic growth. Thus, formulation of policies and programs that safeguard rights of women

⁴⁰ Ibid No.26 above

⁴¹ Ibid No.26 above

workers is considered as one way of achieving it. In this regard Leilani recommended that “policies and programs in the work place be formulated and adopted for the promotion of the rights and welfare of women workers.”⁴² However, realization of women rights at work place goes beyond formulation of policies. The principles and promises of governments which are placed on the paper are required to put in to action.

The effect of quality of working environment on motivation, performance and productivity of workers is explained in the work of Akinyele.⁴³ He suggested that improved working conditions and protection of rights at work place helps in increasing productivity. Employers of garment factories can increase their benefit when they protect the rights of their workers. Compliance of the working conditions with the ILO standards and national legislations enables workers in realizing their rights. On the other hand, Nazeen assessed the role of quality of workplace environment for employees. She argued that quality of working environment determines the levels of employees in three areas which include motivation, performance and productivity.⁴⁴ Moreover, Ayesha presented wage, job security, interesting work and opportunities for growth and development as factors that motivate workers.⁴⁵

Low wage and long hours of work in the garment factories are the most discussed examples of poor working conditions. Low wage is generally an indicative of lack of decent work and is more prevalent among women workers. Adoption of minimum wage can improve the income level of

⁴² Lu, Jinky Leilanie. (2011). Occupational Health and Safety of Women Workers: viewed in the light of Labour Regulations. *Journal of International Women’s Studies*, 12 (1), 68-78. Available at: <http://vc.bridgew.edu/jiws/vol12/i551/5>. (Accessed on: February 2, 2016.)

⁴³ Akinyele Samuel. (2010). the Influence of Work Environment on Workers Productivity: A Case of Selected Oil and Gas industry in Lagos Nigeria, *African Journal of Business Management*, Vol. 4(3), pp. 299-307, available: <http://www.academicjournals.org/AJBM>. Ogun Stae, Nigeria (Accessed on: January 21, 2016.)

⁴⁴ Nazneen Ahmed. (2008). Addressing Workers Rights in the Textile and Apparel Industries: Consequences for the Bangladesh

⁴⁵ Binte, Ayesha Safiullah. (2015). Employee Motivation and its Most Influential Factors: A study on the Telecommunication Industry in Bangladesh: *World Journal of Social Sciences*, Vol.5.No.1.Issue. Pp.79-92

workers and thus adopting minimum wage is necessary guarantee of garment workers for achieving better wage. Long hours of work are also highlighted as a major challenge in combining family responsibility with factory work.⁴⁶ In the Ethiopian case, the state does not guarantee this issue and workers in the garment industry are subject arbitrary wage.

But the literature also extensively discusses other challenges related to working conditions. Safety and health issues are additional components discussed in most literatures conducted in garment factories. The competitiveness of the garment sector is recognized in Bangladesh's experience of the sector. The finding explored that low level of wage is the main issue that plays a significant role for the international competitiveness of the garment sector.⁴⁷

In examining the role of labour unions in improving working conditions, Oka found out that the presence of labour unions in factories have a relevant contribution to improve factory compliance with wage, hours, leave and standards of work .⁴⁸

In addition, occupational hazards and health risks of workers are found as constraints of competitiveness of the garment factory. In this regard decreased productivity is found in the study conducted on garment industry of Bangladesh because of health problems of workers.⁴⁹ But there is inconsistency in the literature with the above argument that it shows the competitiveness of the

⁴⁶ Ibid No 26 above

⁴⁷Yunus, Mohammed and Tatsufumi Yamagata, Fukunishi. (2012). "The Garment Industry in Bangladesh." In Dynamics of the Garment Industry in Low-Income Countries: Experience of Asia and Africa (Interim Report). Edited by: Fukunishi Takahiro, Institute of Developing Economies Japan External Trade Organization.

⁴⁸ Oka, C. (2015). Improving Working Conditions in Garment Supply Chains: The Role of Unions in Cambodia. British Journal of Industrial Relations. Doi:10.1111/bjir.12118, available at; onlinelibrary.wiley.com/doi/10.1111/bjir.12118/abstract

⁴⁹ Rajat Das Gupta. (2015). Occupational Health Hazards among Workers in Garment Factories in Bangladesh: A Cross- Sectional Study, Journal Article, Vol.5,No.5, 2015, Available at; www.iiste.org/journals/index.php/DCS/article/viewFile/20508/21150

garment industry examined as a result of “market force which is represented by low wage of labour”.⁵⁰

In other studies it is indicated that workers awareness about their rights contributes to defend about the nature of labour standards. Fear of being discriminated by employer and supervisor including verbal and physical abuse and punishments for mistakes and failure to achieve production targets are mentioned as the core reasons limiting women from participation in unions.”⁵¹

In examining the role of textile and garment factory in provision of decent work for its employees, Goitom find out provision of decent work for its employees by taking the case of Almeda Textile Factory. The variables examined to measure the decency of work place include employment opportunity, adequacy of pay, respect of workers’ rights, security of work and provision of safe work environment. In his finding, he indicated the failure of the factory in providing safety because of the occurrence of high number of occupational accidents and inadequacy of payment of compensations for the injuries.⁵²

The educational level of workers contributes on what types of employment they are engaged in. For instance, Jorge et al investigated the role of educational level in the differences of wage that contributed to the gender gaps. He stated that in Ethiopia, more educated men and women are involved in better paid jobs while most illiterate women are concentrated in the informal work which they earn low or no income.⁵³ He further explained the influence of women’s earning on the status and decision making power within the family, labour force participation and fertility.

⁵⁰ Yunus, Mohammed and Yamagata Tatsufumi. (2012). Dynamics of the Garment Industry in Low Income Countries: Experience of Asia and Africa, institute of developing economies, Japan External Trade Organizations; available at www.ide.go.jp/english/publish/download/report/2011/2011-410.html

⁵¹ Ibid No.2 above.

⁵² Goitom, et al. (2014). The Role of Textile Industry in Providing Decent Work: the case of Alemeda Textile Factory (ALTEX), Ethiopia

⁵³ Jorge Saba Arbache et al. (2010). Gender Disparities in Africa’s Labour Market, Washington DC, available at; <http://www.worldbank.org>

Supporting Kabeer's argument Jorge cite about the significance of women's wage on the status of children due to women's spending of their earnings on the needs of their family.⁵⁴

Moreover, the study of Jorge *et al* on Ethiopia, on the nature of employment, describes the "systematic unfavorable characteristics of jobs of women." Accordingly, level of education, sex based segregation and gender based differences in job preferences contributes for the differences in job characteristics in the current women's job in Ethiopia. He also tried to look upon the expansion of the private sector in connection with the increasing concentration of women disadvantages in earning.⁵⁵

2. 5. Review of Relevant Legal Instruments on Labour Rights of Women

Reviewing international labour standards and legal instruments helps to understand and explore the protection/ violation of women employees rights in the garment factory.

2.5.1. International Legal Instruments on Women Labour Rights

Women rights are guaranteed in different international legal instruments as well as different regional legal documents. These principles about women rights are also incorporated to the Ethiopian national legal system. Ethiopia is party to several international legal conventions governing the rights of women in the workplace and other worker rights. Specifically, this section focuses on reviewing laws that apply to women workers in manufacturing industry.

⁵⁴ Ibid No 53 above

⁵⁵ ibid

International Labour Organization (ILO)

“The international labour standards (conventions and recommendations) are one of the ILO’s means of action to improve working and living conditions of women and men”.⁵⁶

The constitution of the ILO explicitly defines the original mandate of the organization in its preamble as follows: “primarily it is aimed at the improvement of conditions of labour work by regulation of the ‘hours of work’ which includes;

- Establishment of a maximum working days and weeks,
- The provision of an adequate living wage,
- The protection of the worker against sickness, disease and injury arising out of employment,
- Protection of women,
- Provision for old age and injury,
- Recognition of the principle of equal remuneration for work of equal value,
- Recognition of the principle freedom association,
- The organization of vocational and technical education and other measures⁵⁷

In addition, the ILO Declaration on Fundamental Rights and Conditions at Work sets out four principles that is the core minimum rights of workers around the world. These are; the abolition of child labour and forced labour, elimination of discrimination (equal opportunity) and the freedom

⁵⁶ ILO, (2012). Gender Equality and Decent Work: Selected ILO Conventions and Recommendations that Promote Gender Equality, ILO office, Bureau for Gender Equality, International Labour Standards Department- Geneva.

⁵⁷ Goitom, et al. (2014). The Role of Textile Industry in Providing Decent Work: the case of Alemeda Textile Factory (ALTEX), Ethiopia

⁵⁷ Jorge Saba Arbache et al. (2010). Gender Disparities in Africa’s Labour Market, Washington DC, available at; <http://www.worldbank.org>

of association, and collective bargaining. ILO member states have an “obligation to respect, promote, and realize these four labour rights, regardless of whether they have signed and ratified the two ILO conventions underlying each right.”⁵⁸

Ethiopia has ratified 21 ILO conventions. Moreover, it has ratified eight of the fundamental conventions including the Forced Labour Convention, 1930 (No. 29), the Freedom of Association and Protection of the right to Organize Convention, 1948 (No.87), right to Organize and Collective Bargaining Convention, 1949 (No.98), Equal Remuneration Convention, 1951 (No.100), Abolition of Forced Labour, the Discrimination (Employment and Occupation) Convention, 1958, (No. 111) the Minimum Age Convention and the Worst Forms of Child Labour Convention, 1999, (No. 182). Thus, the Ethiopian government is obligated by the ILO to comply with the conventions which it ratified and to turn these conventions into concrete actions.”⁵⁹

Universal Declaration on Human Rights (UDHR)

The UDHR set out a number of basic workers’ rights that go beyond the four core labour standards.⁶⁰ The right to “just and favorable remuneration that ensures an existence worthy of human dignity” was recognized as a fundamental human right in the Universal Declaration of Human Rights in 1948.⁶¹ The Declaration also covers the right to work (right to freely choose work, right to just and favourable conditions of work),⁶² Wages (fair wages and equal remuneration for work of equal value and sufficient to provide a decent living for the worker and

⁵⁸ *Ibid*, No.53 above

⁵⁹ Dharam Ghai. (2006). Decent Work, Objectives and Strategies; Geneva

⁶⁰ Philip Alston and Mary Robinson. (2005). Human Rights and Development; towards Mutual Reinforcement, Oxford University Press.

⁶¹ See, UDHR, Art 23 (3)

⁶² See, UDHR, Art 23 (1)

their family),⁶³ Other provisions of the convention address the right to form trade unions and join the trade union.⁶⁴

The International Convention on Economic, Social and Cultural Rights (ICESCR)

Under the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Ethiopian government has a duty to respect, protect, and fulfill workers' rights to "safe and healthy conditions" without discrimination and with "rest, leisure...reasonable limitation on working hours," and "to form trade unions and join the trade union" of their choice.⁶⁵

The ICESCR calls on states to take appropriate steps to help people realize their right to work and safe guard the right. According to this convention's wording the steps to be taken by states to achieve the full realization of rights include providing technical and vocational training programs.⁶⁶ Thus, the fact that majority of women workers in industries which are illiterate and come from the rural area need to be provided with enough training to realize their rights.

The right to health provisions in the ICESCR also calls governments and others to take steps so that people can attain the highest attainable standard of health. Governments are expected to take steps to provide medical services, treat diseases, reduce child mortality, and improve environmental and industrial hygiene.⁶⁷

In general, ICESCR recognizes the right of everyone to the enjoyment of just and favourable conditions of work which ensure the following:

⁶³ See, UDHR, Art 24

⁶⁴ See, UDHR, Art 23 (4)

⁶⁵ See, ICESCR arts. 7 and 8.

⁶⁶ See, ICESCR, Art 6 (2)

⁶⁷ See, ICESCR, Art 12

- Remuneration for all workers with fair wages and equal remuneration for work of equal value, decent living,
- Safe and healthy working condition
- Equal opportunity for every one
- Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, and remuneration for public holidays.⁶⁸

The International Convention on Civil and Political Rights (ICCPR)

The ICCPR provides for the a right to life, prohibition against being arbitrarily deprived of life, a right to security of persons as well as right to freedom from torture and other cruel and inhuman punishment.⁶⁹

A major obstacle preventing workers from exercising their rights is a lack of awareness about their rights existence. Dissemination of information about these rights is, therefore, a vital instrument for improving gender equality and it is equally recognized in this convention.⁷⁰

Furthermore, the right to freedom of association is recognized in the ICCPR.⁷¹ Both the ICCPR and the International Covenant on Economic, Social and Cultural Rights (ICESCR), along with the above mentioned relevant ILO conventions, guarantee the right to join trade unions. These altogether with the authoritative interpretation of the ILO core conventions by the ILO Committee on Freedom of Association (CFA), impose an obligation on the Ethiopian government to ensure that employers do not spoil union formation and participation.

⁶⁸ See, ICESCR, Art 7

⁶⁹ See, ICCPR, Art 6 and 7

⁷⁰ See ICCPR Art 19 (2)

⁷¹ See ICCPR Art 22 (1)

Furthermore, this convention imposes an obligation on the Ethiopian government to ensure that employers do not hinder union formation and participation.

The Convention on Elimination of All forms of Discrimination against Women (CEDAW)

The Convention on Elimination of All forms of Discrimination against Women is another important international legal document which is adopted by the General Assembly (GA) in 1979, to promote equality between men and women. It also deals with discrimination of women at work place. It defines detailed measures aimed at discrimination against women in employment. This convention recognizes the rights to protection of health and safety in working conditions, the right to social security, right to promotion, job security, the right to receive vocational training,⁷² maternity and sick leave, and protection during pregnancy.⁷³ This convention is a comprehensive international agreement that aims to improve the status of women. Ethiopia has ratified the most important international human rights including CEDAW and incorporates the fundamental principles of the ILO conventions to its national legislation.

2. 5.2. Regional Legal Review on Women's Labour Rights

Protocol to the African Charter on Human and Peoples' Rights of Women (PACHPRW)

The Protocol to the African Charter on Human and Peoples' Rights of Women (PACHPRW) in Africa obligates states to guarantee women equal opportunities in work and career advancement and other economic opportunities. In specific it includes issues such as;

- Equality to access to employment
- Equal remuneration for jobs of equal value
- Transparency in recruitment, promotion and dismissal

⁷² See CEDAW Art 11 (1 (a-f))

⁷³ See CEDAW Art 11(2(d))

- Protection from exploitation by their employers
- Introducing minimum age for work
- Guarantee adequate and paid pre-and post-natal maternity leave.⁷⁴

2. 5.3. National Legal Review

The Federal Democratic Republic of Ethiopian (FDRE) Constitution (Art 9(4)), explicitly explained that the international conventions ratified by Ethiopia as an integral part of the Ethiopian law.⁷⁵ Hence, the Ethiopian government has a responsibility for the implementation of the legal conventions through national laws and the formulation of strategies, policies, programs and development priorities in conformity with all human rights and fundamental freedoms. According to Yohannes “sufficient enforcement devices are required for a lasting implementation of laws for the best laws resulting from the best policies.”⁷⁶

In the Constitution, factory workers are entitled with the right to form associations to improve their conditions of employment and economic wellbeing. Workers right to form trade unions and other associations to bargain collectively with employers’ is also recognized in the Constitution⁷⁷. Moreover, the Constitution mentioned the hours of work and reasonable limits of work as well as enjoyment of safe work. As it is stated in Article 42(2), “workers have the right to reasonable limitation of working hours, to rest, to leisure, to periodic leave with pay, to remuneration for public holidays as well as healthy and safe environment”.⁷⁸ Maternity leave with full pay has been recognized in article 35 of the Constitution.

⁷⁴The Protocol to the African Charter on Human and Peoples’ Rights of Women in Africa

⁷⁵ See, FDRE Constitution , 1994 (Art 9 (4))

⁷⁶ Yohannes Adamu, 2004, Labour administration under Labour Proclamation No. 377/ 2003 and the ILO Standards Concerning Labour Administration, Addis Ababa university.

⁷⁷ See, FDRE constitution,1994, Article 42

⁷⁸ Ibid No 77 Above

Labour Proclamation of Ethiopia 377/2003

Ethiopia has labour legislation that protects the rights of workers. They cover regulations to address various workers' rights, prescribe working conditions and suggest necessary facilities for workers in a factory.

According to the Ethiopian labour proclamation 377/03 worker- employer relations should be governed by the basic principles of rights and obligations in conformity with the international conventions which Ethiopia has been ratified. The proclamation guarantees rights of workers including; employment relations including contract of employment, wage determination though it lacks minimum wage determination, limiting hours of work and rest and public holidays, leave including annual, sick and maternity leave, working conditions of women and young workers, occupational safety, health and working environment, as well as collective relations.⁷⁹

In addition to the proclamation, the directive on occupations prohibited for female employees imposes an obligation on employers to provide an annual health checkup for female employees involved in working conditions including: works without suitable seat and who work standing for long hours and works with high temperature. Besides, the employer should transfer pregnant women from difficult and challenging working conditions to easier works without affecting their salaries. In the directive female employees are also guaranteed to get adequate training on safety and protection of their health.⁸⁰

⁷⁹ See, Ethiopian Labour Proclamation 377/2003

⁸⁰ FDRE. (2012). Directive on Occupations Prohibited for Female Employees, Ethiopian Labour and Social Affairs, Addis Ababa.

Chapter Three

Brief Background Information and Introductory Note

3.1. General Description of SHINTS and the Factory under Study

This section provides relevant background information about SHINTS Garment factory. It includes giving background information about the factory, composition of employees, the hierarchical structure and recruitment mechanisms. The main material presented under this chapter is based on data collected from interviews with the administrative staff of the factory.

SHINTS ETP GARMENT is a Shin Textile Solutions' subsidiary factory in Ethiopia owned by Korean investor Company Chief Executive Mr. Cha with headquarters in Seoul, South Korea. Shin Textile Solutions is one of the global leading apparel manufacturer established in 2002. It benefits from duty free treatment under the African Growth Opportunity Act (AGOA). The factory has a branch office in the US for international sales. The Factory is located in Bole Lemi Industrial Zone in Addis Ababa, Ethiopia, which is found 9.5 kilometers from Bole International Airport. SHINTS garment rented five sheds of the total 20 sheds in the industrial zone. Currently, the first shed is being used for production. While the second shed serves as a cafeteria for the workers. In the third shed six production lines are already ready for production but have not yet started production because of lack of manpower. The fourth shed is a warehouse used for storing production materials and the fifth shed is going to be used for production of input materials.

The factory begun production in September 2014 and specializes in producing 100% water-proof, seam sealed and welded technical garments. These include garments used for motor-cycle and bicycle riding, mountaineering, snow sports and running wear. Parts of their customers are big brands E.g.: USA: Aero stich, Sherpa, Klim, Polaris, Costco Kirkland, TUMI Outerwear. Europe:

Jack Wolfskin, Schoffel, La Sportiva, Salewa, GRIFONE, Trangoworld, KTM, Alpinestar, Dainese, REV'IT, Geox Korea: Black Yak, le coq sportif, New Balance, WILD ROSE.

According to the information obtained from the interview conducted with the legal representative of the factory, the factory exports all of its products to the international market and has customers all over the world including such countries as Korea, USA and China. The factory had an estimated initial capital of 57 million birr. It has plans to expand its production area as well increase the number of employees. On the annual celebration of the factory's establishment on October 12, 2015 it was stated that SHINTS has already created job opportunities for 1,500 people and earned 3 million USD in 2014. The number of workers is planned to reach 4800 by the end of 2016 and 9000 workers by the end of 2018.

At present the factory imports all of its production inputs. However, it plans to use the fifth shed for producing inputs. Furthermore, there is a plan to manufacture sewing machines which are planned to be exported to different African countries. In addition, the company is also constructing a restaurant for its workers of which about 66% of the construction is finished. The factory also has plans to build dormitories for its workers inside the industrial park. For these purposes, the company got 12,000 hectares of land from the government. It is expected that the building of dormitories will alleviate the transport and housing problems of the workers.

The industrial economic policies of the Ethiopian government focusing on economic growth through industrial sector development attracting foreign investment and the priority given to the textile manufacturing industry, contributes for the establishment and expansion of SHINTS garment in Ethiopia. The government also undertakes promotional activities to attract foreign investors.

According to the information obtained from *Ato* Yohannis, human resource manager of SHINTS factory, the following key points played a significant role for relocation of the company to Ethiopia

- The Labor intensive nature of the garment industry played major role to choose Ethiopia as a destination for opening the factory mainly due to the availability of young working force.
- Availability of cheap labor and reduction of labor costs. The high number of young unemployed people in the country ensured that the amount the factory spends on wages in Ethiopia is lower as compared to their home country and other countries where the company has factories like Vietnam.
- Duty free benefit packages which mainly relates to opportunities like AGOA and everything but arms offered by the United States and by EU respectively. Ethiopia is also one of the beneficiaries of these packages. Ethiopia qualified for AGOA in 2001 becoming one of the 18 beneficiary countries in terms of textiles and garments. This offered the opportunity to export textiles and garments to the United States duty free and quota-free.
- The Construction of Industrial Parks by the Industrial Park Development Corporation (IPDC) is also described as another pull factor to invest in Ethiopia

The company has its own structure with the owner of the company as the president followed by a Korean general manager. Below the president and the Korean general manager there is an Ethiopian local general manager. In every departments/ production unit foreign managers are assigned with Ethiopian managers below them. In every line, there are Vietnamese leaders and Ethiopian line leaders. Below the leaders, there are sub-leaders, technicians and group leaders; one foreigner and one Ethiopian. In all the administrative positions women take a good share particularly there are 25 line leaders out of total 28. Sewing is the main production unit in the

factory. Other production units include ironing, printing, cutting, packing, quality control, and drawing. The sewing production unit contains 28 lines with an average 60 workers in every line.



S



Female Workers working on production Lines

Photo: From SHINTS Archive

In every of the 28 production lines there are technicians, line leader, sub leader, group leaders. Of these administrative staff, Vietnamese nationals take the leading role followed by Ethiopian nationals in every line. In other words, for example in the 28 lines 28 Vietnamese line leaders are assigned followed by 28 Ethiopian nationals and the same for the other positions of production units. From the 28 line leaders 25 of them are women and three of them are men.

There is a gender based division of labour whereby tasks which require energy such as cutting; packing, mechanics, loading and unloading products and finishing are carried out by men workers. Besides, production unit activities such as technician and operating machines are men dominated. But these tasks are not exclusive for male workers.

3.2. General Information about Workers

There are 2300 local staffs working on different units. 2100 of them (91.3%) are female while the remaining 200 of the staff are men. There are expats mainly coming from Vietnam and Korea. The 30 Vietnamese are working on production units while the 9 Koreans are mainly working in management and administrative posts.

Most female employees at SHINTS garment factory are between the ages of 18-25 with only few female older than 25. This is because age is one of the criteria for recruitment in the factory. The employer stated in its vacancy that applicants should be between the age group of 18 and 25 unless they have related work experience.

Even though there is no census providing the exact number, SHINTS provided employment opportunities for young women, specifically for those who migrated from the rural areas. Most women workers in SHINTS garment have travelled from the rural neighborhoods in search of better living conditions for themselves and to support their families. According to the human

resource unit head, most of the employees are from *Oromia, Amhara* and the Southern Nations, Nationalities and Peoples regional states. More than 95% of the female employees are engaged in sewing production unit. In fact, all of the workers in this unit are women. Ironing was also considered as a men's task at the beginning of production but later it is replaced by women.

Again *Ato Yohannis* said that women particularly young women are preferred as garment workforce because women are "persistent, cheap, tolerant and careful at work."⁸¹ Female informants on their part stated that they prefer factory work for various reasons. Some of the reasons mentioned by the participants of the interview are: first, garment industries prefer employing women than men, second, their lack of skills in the labour market due to their low educational and skill level, and lack of better job opportunities for female with low skill and educational level.

SHINTS primarily uses unskilled and low skilled workers with low educational level. More than 50% women employees in the factory hold lower educational qualifications i.e. below grade eight.

3.3. Brief note on Recruitment Mechanisms and Criteria

The company uses various methods of recruitment to fulfill its human resource needs. Information about employment opportunities is disseminated through mass media like radio, newspapers and vacancy boards. As in the case of other manufacturing industries, the garment and textile factories have very good working relationship with the *wereda* labour and social affairs bureaus which often announce vacancies and who often send lists of potential employees to respective employing firms.

However, despite all these efforts, the labour force in the garment factory is inadequate. The HR officer at SHINTS mentioned that there are no clearly defined criteria/requirements written in any

⁸¹ Interview with *Ato Yohannis*, Human Resource Manager of SHINTS Garment Factory (April 11, 2016)

document for the interview. The only required documents are: a copy of *Kebele* Id and School Certificate. The school certificate is not in any way meant to assessing educational qualification of the employees. The company prefers women workers with no or low educational level and educational qualification is not a criterion of recruitment. Workers are expected to learn through experience. Low educational level of workers differ SHINTS garment from other factories in Bole Lemi Industrial park. One of the important factors taken into consideration is place of residence of applicants. The company prefers hiring employees living in the vicinity of the factory and only in those neighborhoods in the reach of the transportation service provided by the company. This shows how the factory is considering making labor more available and manageable for capital. The factory does not conduct any job interview or exam.

Age is another main criterion for employment. Young women usually between the ages of 18-25 make up the highest work force in SHINTS garment industry. Out of the total workers, the HR officer mentioned that 80% are unmarried while the rest 20% are married women. The HR officer has indirectly implied that there is always a preference to employ single employees who can avail themselves for part-time duties.

Most of the time assigning workers to different production units is done randomly but sometimes medical results can be used as a way of checking workers sight to assign in the sewing production unit.

Chapter Four

Nature of Working Conditions at SHINTS Garment Factory

This chapter presents the findings of the study along with the subjective assessment of workers about their work conditions and using the interpretive system to the collected data. It mainly summarizes the qualitative data in relation with the research objective and research questions identified in the study. The major sources of data in this chapter and the upcoming chapter are obtained from the key informant interviews conducted with female employees of SHINTS. The profile of the informants is;

Informant No.	Age	Educational level; Studied until Grade;	Place of origin (region)	Marital status	Number of children
Informant 1	29	Ten	Oromia	married	1
Informant 2	31	Twelve	Addis Ababa	Single	0
Informant 3	21	Six	Oromia	Single	0
Informant 4	22	Seven	Amhara	Single	0
Informant 5	30	Twelve	Addis Ababa	married	2
Informant 6	21	Twelve	Addis Ababa	Single	0
Informant 7	18	Five	Oromia	Single	0
Informant 8	21	Eight	Oromia	Single	0
Informant 9	18	Seven	Oromia	Single	0
Informant 10	23	Six	Amhara	Single	0

In specific terms this chapter presents major issues of working conditions from the actual experiences of the workers. The themes to be presented in this chapter include the recruitment process, reasons behind preferring garment industries, and working hours.

The researcher believes that the above mentioned variables together with the ones to be presented in the next chapter help to explore the major opportunities and challenges of the working conditions in the realization and violation of female employee rights.

4.1. Recruitment Process at SHINTS Textile and Garment Factory

This section discusses the main issues pertaining to recruitment process drawing on the experiences of the aforementioned key informants. As it has been mentioned under chapter 3 above, SHINTS garment factory prefers to recruit young female employees. Thus it specified age criterion on its vacancy announcement. This creates discrimination for those women who are beyond the age limit of the factory's requirement and it is indeed against the ILO convention 1956 which protects women with family responsibilities.⁸² Of all the production units sewing is the most female dominated department. The employer prefers to assign female in sewing production units on the assumption that women are more careful and tolerant than men. Women are also considered to be more patient in working in difficult circumstances. On the other hand, sewing is mostly preferred by female workers than other production units. This is because sewing is a task that they can carry out while sitting but other production units require standing to do the job. Five of the ten informants of this study work in sewing production unit. In addition, informants appreciate the

⁸² ILO Convention No. 156 Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities, 1981.

practical skills they acquire in sewing which would make them competitive in the labor market and to start their own private business.

The administration confirmed the factory's preference of women because of their careful and tolerant behavior that matches with the challenging nature of the work, while men are believed to be less tolerant, aggressive and react to the actions of the employer.

Despite the HR administrator's account presented under chapter three, the lived experience of the recruitment process at SHINTS contradicts to his point of not having any criteria for recruitment. The garment factory specifies sex, age, and sometimes educational level of workers in its announcement as criteria for recruitment. In the interview with women workers about recruitment one of the respondents said that:

“The factory recruits mostly women. Men are few and are only placed in selected position which requires energy like cutting, loading and unloading, finishing, mechanic, construction and packing. The employer does not recruit men because men react when they are blamed and they cannot survive with low income.”⁸³

Some of the reasons informants mentioned as an attraction for female employees include; the fact that young women are easy to control, they do what the bosses want and that they are obedient and submissive. The following statement from one of the participants supports the idea that most, if not all, female employees are scared of their employers and they do what the employer orders them.

⁸³ Interview with informant, (informant 2, February 06, 2016)

“...I am not afraid of losing my job as I am obedient. I do what the employer wants me to do and I will never do what they told me not to.”⁸⁴

As stated by workers, vacancy announcements are made through, radio and newspaper. Some of the informants heard about the job from their peers while few of them (2/10) got informed through Women and Children Affairs Office of the *Wereda*. Two of the informants read the vacancy announcements on notice boards in the city.

The elements of contract agreement are stated in the labour proclamation. These include “specification of type of work, rate of wage, method of calculation, duration of contract and manner of payment among others.”⁸⁵ At SHINTS contract agreement is prepared and provided to the workers for signature. According to the information obtained from Human Resource department, up on employment, workers receive 45 days of probation period followed by signing of employment agreement. However, this contradicts to the realities in that, most of the informants (50% of the informants) were given letter of employment on the 6th month while 2 of them received on the 9th month.

Both agreements are done in writing. But, the contractual agreement is written in English language. This creates confusion on the workers for two reasons; first, they are ordered to sign on the contract without any detail explanation about the agreement on which they are signing. Second, the contractual agreement lacks detailed and clear description of the rights and responsibilities of workers and the employer. It only indicates the amount of salary and date of employment of the workers. In addition, the agreement is written without clear description of the nature of job.

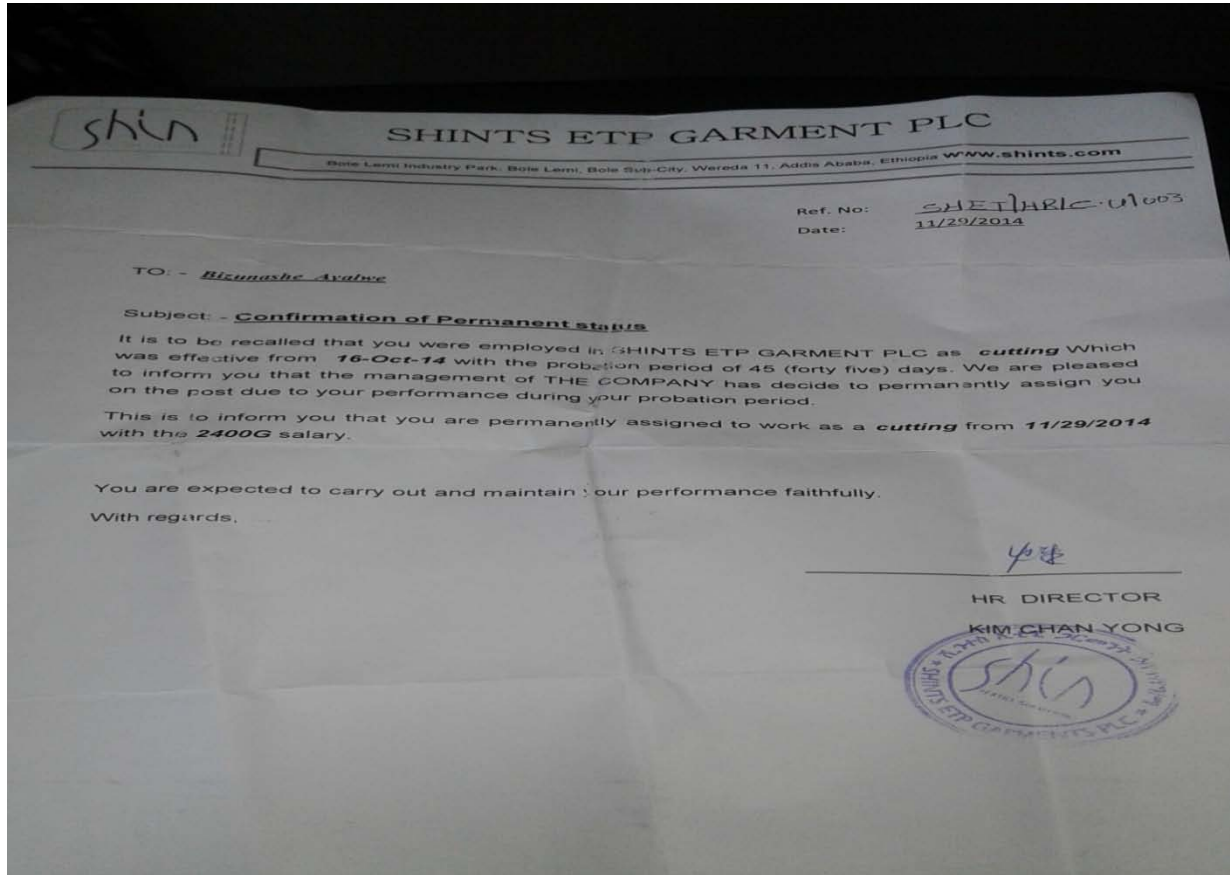
One of the interviewee described her experience as:

⁸⁴ Interview with informant, (informant 4, February 11, 2016)

⁸⁵ See, Ethiopian Labour Proclamation 377/03, Article 4(3)

“On the date they hired me, I got a written paper and they told me to sign on it without any explanation. The paper is written in English. I do not understand what it says but I simply signed on it because what I have been told is that I should respect their order.”⁸⁶

The contract agreement of the workers looks like the following:



The HR manager expressed during the interview about the benefit of probation period for the workers. He said that probation period is the time in which workers would be able to attain training about the work. On the contrary informants accented that due to lack of workers in the garment factory they are directly assigned in the production units without adequate training.

⁸⁶ Interview with informant, (informant 4, February 11, 2016)

However, although they are assigned directly in the production units and produce the expected production target, they sign probation contract with beginner wage. The Ethiopian labour proclamation 377/03 (Art.11, 3) states that workers should get enough training for about 45 days and it is recognized by the employer of the industry. However, in practical terms most workers engage directly in the production unit without comprehending how to use production materials as well as how to protect themselves from accidents. This has two implications. First, the fact that they are employed with the lowest salary scale affects their income. Second, the fact that they are employed without getting proper training enhances their chances of facing accidents.

The human resource department orients new employees about the company, their salary scale and nature of the work. Those in sewing lines are provided with training until they become competent in the tasks. Line leaders take the responsibility of training new employees, and evaluate their readiness to start using the machine. Once the new employees are found to be capable, they are assigned to a line. Also special emphasis is given on teaching the workers how to use toilets and how to protect themselves and the company from fire. Ironically, lack of providing adequate training about working conditions and production materials have contributed to the increasing incidence of accidents in the garment factory.

In addition workers low educational level with lack of training altogether affects creating accident free working environment. Therefore, despite the importance of getting employment opportunities at SHINTS, nature of employment conditions and the related ambiguity and lack of clarity of the employment condition in the factory affects workers at the work place.

According to the data collected during the fieldwork, there are numerous cases of contract termination without compensation and prior notice. The employer terminates workers'

employment unexpectedly for different reasons. Therefore, the permanent employment contracts cannot guarantee to their employment. The respondents stated that being absent from work for any reason is not tolerable. If workers are absent even for one day, they have to bring sick leave and any other personal reasons such as a sickness or loss of a family member is not acceptable. Warning is given for one day absence while the employer terminates contract of workers for two days of absence mostly without justification. This practice contradicts with the labour proclamation of 377/2003 (Art27 (b)) which guaranteed employment contract not to be terminated for absences less than five consecutive days. Further it stated that if an employer terminates employment of the worker, written notice should be given to the employee specifying the reasons for the termination of the contract.⁸⁷

In addition, frequent termination of employment contract also leaves workers in unsecured job environment. From the total ten key informants of the interview seven of them confirmed that they are afraid of being fired from their job. In other words being afraid of the employer makes them more submissive to the orders of the employer even though they know their rights are being violated.

Work error is also used as a reason for termination of workers employment. The officer from Bole sub city *wereda* 11 Children and Women Affairs Office mentioned about the number of complaints she received from female employees of SHINTS factory (because of) termination of contract.

The company violates the entitlement of workers to get compensation for the termination of their employment contracts. This entitlement is stated in the proclamation in article 36-41. According to

⁸⁷ See, Ethiopian Labour Proclamation 377/03 (Art 27 (2))

respondents many workers who are fired by the employer do not get compensation. Informants also complain on the late payment of their salary. Thus, they face with financial problems.

4.2. Factors informing the decision to work in Garment Sector

Most women workers in SHINTS garment factory come from low income level families. Nine of the ten informants come from very poor family. According to the data collected during the fieldwork most female workers prefer garment work because of various reasons. Lack of alternative job opportunities that are willing to hire women with low educational and skill level is mentioned as a major reason for women's preference of the work in garment factories. In explaining the reasons why women prefer garment work one of the key informants stated:

*“I am not interested in industry work but because of lack of other alternatives for women like me with lower educational level, the factory work is the most appealing one”.*⁸⁸

Low educational level of the workers impacts their competition in the labor market. Women with low educational level are not competent for jobs that pay higher wages. Since the majority of the informants and other workers are migrants from the rural villages of the country, they are afraid of searching for better jobs in the city. The data shows that once they are involved in the garment factory workers face challenges in accessing better jobs which enable them to improve their living standard. Hence, garment work is regarded as better opportunity for women with low level of education.

Another reason for preferring garment work mentioned by informants' is the low skill and training the job requires. Most participants of the interview (50%) have attended schools below grade eight and they lack work experience and other trainings. Respondents stated that work in garment

⁸⁸ Interview with informant (informant 9, February 21, 2016)

factories requires no skill and training. The employer also confirmed that they do not set skill and other experience as criteria for recruiting employees.

On the other hand, few informants consider garment work as a better work opportunity for women in comparison to being a domestic worker and working in the rural areas. Some participants who were previously working as house maids said that garment work provides better wage and autonomy of living while others criticize the low wage in the garment factory. As a result, garment industry becomes a destiny and one of the sectors in which women work in a large numbers.

Further, women workers in the interview stated that they are able to live independently and are free from the control of their families. Some said they have escaped marriage in the rural areas by earning their own income. Most women workers are separated from their family and migrated to the city in search of better job and to escape from the yoke of patriarchy of the society. One of the participants explained this;

*“My parents were arranging marriage for me. When I heard about the arrangement I disappeared and came to Addis Ababa. Then I was working as a house maid with 200 birr monthly payment. After some months my friend told me about the garment work and I applied. Now I am working with a salary of 800 birr. It is better to work in industry than being a house maid though I still face many challenges because of imbalances between my salary and the living costs as well as the challenges of the working environment.”*⁸⁹

This description is to some extent consistent with Kabeer’s (2000) argument of the role of export-oriented industries in achieving autonomy and economic independence for women. However, it is very difficult to conclude that garment factory is used as a means of achieving autonomy and

⁸⁹ Interview with informant, (informant 4, February 11, 2016)

economic independence for workers since female workers are still suffering from the difficult working environment and living conditions with low wage in the city.

Although most informants see garment work as a limited opportunity to female with low educational and skill level, some participants in the interview provide another reason for preferring garment factory in search of better pay in the future and they suppose that their low skill would be compensated by the experience they gain from the industry. They clarified that once they get a skill and experience in the garment industry they would provide the opportunity either to be employed in other similar working areas with better payment or to work privately even if they quit working in the garment industry. Keeping optimistic attitude of most female workers in mind, especially those who are engaged in sewing production units, female continue working in challenging working environment.

4.3 Working Hours and Overtime Duties

According to the official narrative of the Human resource department head, workers in the garment sector work for eight hours per day. The official working hours as stated by the HR officer is from 7.30 am in the morning to 4.30 Pm with a lunch break of one hour. He has further mentioned that the workers work from Monday to Saturday making it to a total of 48 hours /week. Ethiopia sets maximum working hours daily, weekly and monthly in its national legislation. The legislation limits normal hours of work to 8 hours a day and 48 hours a week. However, the reality in the factory contradicts this provision and the aforementioned account of the HR head.

Overtime work in the provision is described as being voluntarily one based on the full consent and interest of employees.⁹⁰

⁹⁰ See, Ethiopian Labour Proclamation 377/03, Article 66

According to the ILO:

*“The regulation of working time impacts on the protection of physical and mental health of workers; the reconciliation of work and personal life, which has a direct impact on employment opportunities for men and women and wages”.*⁹¹

Regular working hours of workers in SHINTS factory is from 7:30 am in the morning up to 10:30 pm in the afternoon. The employer often orders employees to work on Sundays when there is a need to have more production. In those situations the employer fails to arrange substitute rest day for the workers. For workers who refuse working on Sundays the employer issues a verbal warning followed by salary deduction.

Informants also mentioned that working in the factory differs from other working environments in such a way that workers are forced to work without taking break times both in the morning as well as in the afternoon. In describing her routine one of the participants narrates her experience as follows:

*“I stand early in the morning up to mid-noon without taking rest. Then I eat my lunch and come back to work again. We do not have breakfast schedule to take rest and to eat our meals”.*⁹²

It is important to mention here that workers are permitted to take rest only during their lunch time. This practice contradicts to Carlos argument that “productivity is higher when workers are provided with short breaks than with continuous work.”⁹³ For instance, if workers have rest time to

⁹¹ ILO, (2013). Working Conditions Report, a Global Review, Geneva, Switzerland.

⁹² Interview with informant, (informant 6, February 16, 2016)

⁹³ Hiba, Juan Carlos. (1998). Improving working conditions and productivity in the garment industry: Practical ideas for owners and managers of small and medium-sized enterprises, Geneva, International Labour Office,

refresh their mind for few minutes, they would be motivated and they could work in a fresh mind. Arranging and giving rest time for workers can also recover their production capacity.

Informants emphasized their concerns about the potential impact of working for longer hours without rest. For instance, the workers in most production units work while standing. During the interview, respondents from ironing, drawing and cutting production units raised about the health problems they faced after they started working in the garment industry due to long and busy working hours.

This was an issue raised by officer from Children and Women Affairs at the *wereda* level who explained that;

*“Every minute is a product for the employer. They do not want to waste a single minute. However, workers need to have some time for break and to talk with their friends at the industry. When they are ignored to take break for breakfast, they feel like they are in prison and due to this reason many workers withdraw from work”.*⁹⁴

The lived experiences of female employees from Bole Lemi shows how much women’s work in the garment sector is characterized with long working hours and unfavorable working conditions. Again according to the data, long working hours in the garment sector creates an impact on the health of workers. Some informants mentioned that they feel “mentally depressed” when they stand for longer hours without rest.

Informants mentioned that they do not get time to eat snacks as the employer does not arrange break time. They also mentioned that lack of sufficient time affects their eating habits in the sense

⁹⁴ Interview with Children and Women Affairs officer, (March 30, 2016)

that they often go to bed without dinner as they get home exhausted. Workers added that their time for leisure, recreation and social life is affected by the busy hours of the work time.

The overtime working hours are after working hours 4.30 to 6.30pm on Monday to Saturday and 8 am to 3 Pm on Sundays. Informants accented the fact that in most circumstances they are forced to work overtime and working overtime is obligatory not optional. Ethiopia's labour law limits overtime work to 20 hours per month. However, excessive working overtime is a feature of most garment factories in states with the experience of garment factories in which SHINTS garment is not an exception. According to the collected data, all informants work for a maximum of 40 hours and a minimum of 24 hours of overtime per month. Particularly, when customers order more products, the employer orders unscheduled overtime to attain targeted products.

This frequent overtime have consequences of placing additional stress on workers. The collected data from the interview of workers shows that workers are forced to take part in overtime work. The employer determines who should work overtime and when. Overtime work is used as criteria of performance assessment of workers for salary increment career advancement. Workers that refuse to engage in overtime work are subject to threats such as non-promotion and mistreating them at workplace. Thus, workers considered working overtime as part of their obligation instead of their preference and interest.

Although usually workers are forced to work overtime, some, if not all, respondents of the interview said that they prefer working overtime to supplement their income because the wage women earn from the normal working hours is not enough to cover living expenditure. On the other hand some workers work overtime in fear of punishment and mistreatment by the employer.

Workers tell that they have not signed an agreement to work for overtime. During the interview one of the respondents mentioned;

“The agreement that I have signed does not explain anything about overtime. But the employer forced us to work overtime. Consequently, I am not able to follow up my education.”⁹⁵

Students are permitted not to work overtime. However, the consent of the employer for student workers not to work overtime cannot be a guarantee for getting benefits and other promotions. The employer takes measures such as prohibiting student workers from promotion to be a line-leader and other positions at work place, and not allowing them salary increment and other bonuses.

Long working hours especially staying late for overtime work narrows women’s opportunity of improving their educational level. Workers were explaining that even though they are interested to improve their educational, the long working hours of the industry constrains them from doing so. One of the respondents of the interview explained that;

*“I had a plan to learn this year, but I failed to register because of busy working time in the factory. In addition, I would not be able to afford the tuition fee with the income I earn in normal working hours refusal of overtime would result in deduction of my income and loosing other bonuses”.*⁹⁶

This implies that the employer is using workers for its own purpose and overtime work contributes for exploitation of women workers. Overtime is used as a means to infringe workers rest time and

⁹⁵ Interview with informant, (informant 4, February 11, 2016)

⁹⁶ Interview with informant, (informant 8, February 21, 2016)

their time for other social life. Furthermore, workers explained that long and busy working hours constrains them from searching better jobs.

4.4. Benefit Packages for Workers'

A question was posed to the administrative official of the factory interviewed about benefit packages the company offers to its workers. His response was that “the garment industry has created numerous employment opportunities for women with low educational qualifications which are the benefits unemployed women can ever get.”⁹⁷

Skill development is the main opportunity created for women in the factory. Most female employees were unskilled and have low educational qualifications while joining the factories. They acquire new skills, especially those working on sewing production unit. They use these skills to begin working on their own or to get employed in another factory. Only two of the ten informants said they get training at the beginning of the employment.

The other benefit mentioned by the HR officer is the health related subsidy. “The company has its own clinic with two nurses and with complete medical materials.” According to the directive on the occupations prohibited for female employees of Ethiopia, obligates employers to provide annual health checkup for female employees involved in work conditions including: works without suitable seat and who work standing for long hours and works with high temperature.⁹⁸ However, in practice, the company doesn't have an annual medical checkup for its workers. On the other hand informants have complained that there is lack of medical person on the site whereby there is only one nurse for more than two thousand workers, second, refusal to give them medical leave and third occurrence of accidents despite the lack of medical personnel on the site.

⁹⁷ Interview with *Ato* Yohannis, Human Resource Manager of SHINTS Garment Factory (April 11, 2016)

⁹⁸ FDRE. (2012). Directive on Occupations Prohibited for Female Employees, Ethiopian Labour and Social Affairs, Addis Ababa.

The other benefit package mentioned by the HR and the informants is the transportation service the factory provides. Those employees residing in the city get free transportation service.

CHAPTER FIVE

Working conditions of workers; wage, leave, and Safety Measures

Like the preceding chapter, this chapter presents to readers the major challenges female employees face at SHINTS and their working conditions. The variables discussed under this chapter include wage, workers associations and different forms of leave.

5.1 Wage

According to the ILO report of 2012 on working conditions wage is described as the “*central feature of working conditions which has a direct effect on work motivation and job satisfaction*”.

As stated above, wage is the primary component of working condition. The officer from Children and Women Affairs stated that the government of Ethiopia used to attract investors on the availability of cheap labour in the country. Thus, hiring cheap labour is framed as one way of maximizing profit. Despite the absence of standard law on minimum wage in Ethiopia, the data obtained from the interview shows low wages in comparison to payments made in other states like in Korea and China. Beginner workers get gross salary of 680 ETB. The factory manager set its own wage scales and hire and fire at will. For the most part, when describing about wage workers earn, participants stated about the difficulties of their living condition due to low level of their salary.

There are 11 salary scales for production line workers starting from level F to level A as stated below:

No.	Grade level	Amount of salary
1	A	2000
2	B+	1600
3	B	1450
4	C+	1350
5	C	1300
6	D+	1200
7	D	1100
8	E+	1000
9	E	900
10	F+	800
11	F	680

The salary placement is arbitrary. This leaves room for exploitation of female workers. The data collected during the fieldwork shows unfair wage level considering the poor and difficult working conditions. Workers said they remain in poor living conditions which place them unable to support their families and improve their living standard. Most of my informants (80%) earn gross salary ranging from 680- 1000 ETB. Only two of the informants are able to earn more than 1500 ETB because of long years of working experience. According to the informants, the wages they earn are insufficient to provide the basics for themselves and their families.

The other problem mentioned by informants is the relative salary inequality. These differences depend on various reasons. These include; performance, and target assessment evaluated by line leaders which often tend to be subjective. Evaluation results are used as an input for the monthly salary increment and promotion. Attendance of workers is considered as a criterion for promotion of workers. In some circumstances previous work experience is used as criteria to employ with higher wages. According to the head of HR office there are different salary increment and promotion schemes:

- 1) Performance based special monthly salary increment and promotion scheme for best performing employees'
- 2) Temporal salary increment scheme which is a salary increment for serving above 6 months, and
- 3) Bonus scheme for production line employees surpassing a set production target

However 40% of the informants who have worked in the factory for a period of more than a year and half have not got the temporal salary increment scheme stated above.

The ICESCR in its Article 7 includes sections recognizing the *“rights of everyone to the enjoyment of just and favorable conditions of work”* with regard to fair wages and *“equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work.”*⁹⁹

5.2. Leave

5.2.1 Annual Leave

“The main reason universal annual leave measures are important in legislation is that they are aimed at preserving workers health and wellbeing by allowing them time away from

⁹⁹ See, ICESCR, article 7.

*stress and strains of the work place. Ultimately these measures are meant to help workers remain productive and motivated when they are at work.”*¹⁰⁰

Ethiopia has also established minimum period of paid annual leave. It provides 14 working days of leave. The data collected from SHINTS indicates that despite the stated annual leave, workers at the factory are often denied their annual leave. Line leaders are assigned in each production departments with responsibility of ensuring every employee to be at work every day. Leaders which convince workers to be at work frequently without absentee are entitled for performance benefits and bonuses. Thus, leaders will not allow workers to ask for annual leave.

Informants further said that they do not take annual leave for long periods in order to earn bonuses and benefits tied to their production targets. Annual leave in the factory highly depends on the interest of the employer. Only if he thinks that there is no production, he can provide them 3 or 4 days of leave considered as an annual leave. *Ayelech*, one of the informants of the interview stated that;

*“A worker can get an annual leave when he/ she request only if she cries in front of the employer. In this case the employer can provide for up to a maximum of seven days”.*¹⁰¹

In the focus group discussion informants accent that working without leave for long period of time affects the health and social life of workers. Lack of adequate time to visit their families, mostly, in the rural areas is raised as a concern. Workers said that they feel as if they are isolated from the society because they are full time workers without taking rest for long period of time.

¹⁰⁰ Ibid No. 91 above

¹⁰¹ Interview with informant (informant 2, february16, 2016)

Thus, working for a long period of time without taking rest such as annual leave, put women in exploitation of their labour and increases the health risks of the workers. This contradicts to the main principle of the ILO on the importance of providing leave for workers.

5.2.2. Maternity Leave and Protection during Pregnancy

According to the ILO report of 2012 there are factors that go into providing effective maternity protection that take into account the reproductive and productive roles of women and protecting unequal treatment for maternity related reasons.

Women workers are also entitled to the “*right to maternity leave with pay or with comparable benefits without loss of former employment, seniority and social allowances*”¹⁰² in the international legal instruments. In addition, pregnant women have the right to get a “*special protection during pregnancy in types of work proved to be harmful to them.*”¹⁰³ In the Ethiopian labour proclamation women are entitled to three months of maternity leave with full pay of their wage.

These rights are very significant not only for women but also for the communities which women are generating. To be more specific, the nature of work women are engaged in has negative effect on the health of children they deliver unless they obtain adequate protection at difficult works.

Respondents of the interview explained that even though the employer allows maternity leave, its details are not specified in the contract of employment of workers. This creates a gap on the implementation of the law in real practice. For example, informants stated that pregnant women work in machines and they are not allowed to follow up their medication. In this regard there is a contradiction between the law and the practice in the garment sector. When there is lack of

¹⁰² See, CEDAW, Article 11

¹⁰³ Ibid, No. 93 above

protection for pregnant women, it is not only the woman who face challenges but also the child which she is going to deliver.

5. 2.3. Sick Leave

Protection of workers against sickness, injury and disease related to working environment is one of the central points of the ILO.¹⁰⁴ Sick leave situations and its limit for payment as well as for termination is provided on the labour proclamation under article 85-86. Adopting time limit for sick leave helps in creating secured job for the workers through which they can return when they get healthy.

Coming back to the experiences of female workers in the factory, informants interviewed during the study accent the fact that the employer often rejects medical evidences brought by employees. On those occasions when the employees get sick at work place, they are not entitled to leave the work place for medical checkup. One of the key informants described this as;

*“Managers in the garment industry do not care about our sickness. We are expected to work whether we are sick or not. We get low grade if we perform slow”.*¹⁰⁵

Informants complained about inadequacy and quality of medication at the work place and expressed that they get the same tablets mainly paracetamol from the nurse for any kind of disease.

*“If we ask them to give us permission when we are sick at work place, they will tell us to go to the nurse, take a rest and return back to our work.”*¹⁰⁶

Most informants stated that the employer refuses to pay the expenses for injuries which happened in the factory except for hard accidents. Workers visit other health centers due to insufficient

¹⁰⁴ Alli, B. O., (2008). Fundamental Principles of Occupational Health and Safety / Benjamin O. Alli; International Labour Office – Geneva: ILO

¹⁰⁵ Interview with informant (informant number 8, February 21, 2016)

¹⁰⁶ Ibid

facilities in the health center of the factory. According to informants' costs for work related injuries are often not covered by the company. Chaltu, respondent of the interview, narrates such a case;

*“One worker burnt her leg in ironing department and we collected money for the expense of medication.”*¹⁰⁷ This is inconsistent with the labour proclamation of Ethiopia which imposed a responsibility on the employer to pay for injuries happened at work place.¹⁰⁸

Even though workers bring evidences from health centers the employer do not allow to cover the cost. Many interviewees also said workers resign from work due to health problems caused by long working hours and inadequate safety provisions at the factory. Two of my informants mentioned how they found it difficult to take medically approved sick leave and that they were denied their entire monthly bonus for missing a few hours or a single day of work because of sickness.

5.3. Safety of the Working Environment and Safety Precautions

Safety and health issues are considered as major issues to be protected and respected at work places. Almost all international conventions and human rights instruments give due concern to the promotion of creating a working environment which provides safety on which health status of workers is protected.

Thus, the Ethiopian government is duty-bound under international law to ensure that rights of workers are respected and that when abuses occur, they have right to redress. In addition, the government has the responsibility to improve the working condition and should create a follow up of the workers in the garment industries.

¹⁰⁷ Interview with informant (informant 9, February 21, 2016)

¹⁰⁸ See, Ethiopian labour proclamation, article 95-102

For instance, workers in ironing production unit used to be provided milk due to the high temperature in the department. However, the manager stopped providing milk after it replaced the production unit with female employee. This practice is described by the informants as a case best revealing the existing gender bias on the provision of safety materials based on sex of the workers. Participants of the FGD were asked why the employer stopped providing incentive for female workers and they all accented the point that it is mainly due to the less assertive skill of female employees who often do not complain the employer. One respondent who works in ironing department mentioned that;

“We asked the administrator why they stop providing milk for female workers and they said that work quietly or you can leave the job.”¹⁰⁹

The HR manager from the factory explained that the employer provides orientation about working conditions at the entry of workers to the factory. But, interviewed workers elucidate that they do not get adequate training on how to use the machines and how to protect emergencies as it can be inferred from the narrative of the following informant:

“Managers do not care about our safety. Even the training mainly focuses on how to work fast with the best quality. They show us how to sew, cut, draw and check the products. Line leaders, both foreigners and Ethiopians, show us our responsibilities but, they have never show us how to protect ourselves because they do not care about our safety”.¹¹⁰

According to ILO’s report in 2012, the availability of essential facilities at work place show whether the employer gives care for the workers or for the materials of production. Essential facilities at the garment factories include; first- aid kits, toilets, preparing clean water and allowing

¹⁰⁹ Interview with informant (informant 5, February 13, 2016)

¹¹⁰ Interview with informant (informant 8, February 21, 2016)

workers when they need to drink, and arranging break time to take rest and to eat snacks among other things. Provision of these essential facilities help workers to overcome problems which are important to them. However, in SHINTS garment there is lack of clean water provision for the workers. The informants stated that workers in the industry drink from the container which they said “smells bad”. This increases the health risks of the workers.

During the observation conducted at the factory, the researcher noticed that the workers were working without any safety materials. They were sewing, drawing, cutting, ironing and checking with their normal clothing. Some of the workers use their scarf to protect themselves from the dusts and chemicals of the garment. This absence of safety materials is against the provision of labour law of Ethiopia which entitles the provision of protective equipment or safety materials for the protection of injuries under the Article 93(3). Thus, the company failed to comply with the labor standards in terms of provision of safety materials.

In the factory there is a problem of compliance with the labour standards which Ethiopia has been ratified and incorporated to its national law. In concrete terms there are real accidents which occur in the garment industry. Even though majority of the informants stated various kinds of repetitive injuries at work place, the HR manager was not interested to show accident records of workers at the factory. This implies two things. Either the employer is not recording injury accidents or there is too much incidence of injuries.

Participants of FGD suggest that provision of adequate safety materials such as glove, gown and nose cover nylon would help them protect from diseases and from dusts. Besides, they tell that accessibility of safety materials would help in handling emergencies and reduce health risks.

Therefore, the absence of essential facilities in the garment factory shows the employer's negligence of its workers. Also, the low level of safety provision is an additional indicator of the employer's emphasis on capital accumulation and less priority on workers' rights protection. The employer is not dedicated to protection of rights of workers. The company does not pay attention to the challenges which women workers are facing. Instead the employer is concerned in increasing number of workers to raise their production. Attendance control and incentives such as production bonus are provided with this motive. Participants were asked on why accidents exist at the work place and one of them responded that:

*“The owner of the factory gives little or no consideration about the health of workers. Rather what matters is how much products are produced by the worker”.*¹¹¹

Due to the above mentioned challenges at the garment factory, workers remain unsatisfied with their work. From the collected data foreign and local women are not equally treated in the work place. For instance, while foreign workers are provided with masks and glove, local workers work without safety materials. In addition, foreign workers can express themselves and ask the employer while local workers are expected to follow up orders from the administration.

Moreover, there is a shortage of toilets in the factory. There is only one toilet for three production lines. During the FGD informants also accented the fact that they have to ask for the permission of the line leader in order to use the toilets on site

Therefore, garment work has failed to address women labor rights at work place as it can be inferred from the low level of attention given for workers. The legal documents about labour standards lack enforcement machinery. The incorporation of principles of human rights to the

¹¹¹ Interview with informant, (informant 4, February 06, 2016)

domestic legal system by itself cannot be a guarantee for the realization of labour rights unless they are supported by an effective monitoring system.

5.4. Workers Association and Labour inspection at the Factory

The ILO recommends unions to be organized to solve the problems of the working conditions and addressing the major concerns of employees. In addition, the right of workers to form or join unions of their own choice is a basic element related to workplace freedom of association. The existence of labour union not only helps to create awareness on human and labour rights but also help workers to defend and exercise their rights. The Ethiopian law also grants workers with the right to freedom of association and to form labour unions. Freedom of association is also considered as a fundamental human right which paves the way for improvements in social and labour conditions. Despite the recognition of the right to freedom of association, in the national legislation, implementation of this right is far from practice in the garment sector.

In addition, the ILO clearly specified that the existence of labour associations for the protection of rights. However, although labour unions are considered as instruments for the protection and defending the rights of workers, their absence in SHINTS garment contributes for violation of labour rights. Creating awareness on women workers about their rights would help them to know their rights. But, in the factory there is no any authorized agent with the responsibility of defending the employer when there is a violation of labour rights.

According to the information collected during the fieldwork, workers who tried to organize and form a labour union in the industry are targeted and measures are taken by the employer. For instance, promotions as line leaders are given for those workers so that they will give up asking about forming a union.

“We discussed to form a labour union when we are at the service bus. However, no one raises the idea at the work place because we are afraid of the manager.”¹¹²

Roza, an informant that has prior work experience at another factory stated that “existence of labour union would be a guarantee for defending our rights.” On the other hand, other participants in the discussion point out about the influence of employers on the labour union. *“Even though we form labour union, it will not be free from the influence of the employer.”* Others added and said that

“For example, once there were some male workers who tried to convince the manager to permit labor union in the garment factory. But the manager promotes these workers and assigns them as line leaders by increasing their salaries. After that they never ask about labour union formation at the work place”.¹¹³

Women workers are denied freedom to associate and form workers unions for the protection and defending of their rights. Workers unions are also considered as the voices of workers. All participants of the FGD alluded that workers unions can help to ensure better labour standard and protection of workers’ rights while the absence of workers unions makes the employer to act in a way they want to and take measures including those that work against the rights of workers. This constitutes clear violations of the freedom of association and the right to organize including the right to collective bargaining. A short lived initiative of setting up a trade union following workers protests had took place in December 2014, February 2015 and March 2015.

The collected data from the Children and Women Affairs office shows, the institution lacks practical authority in inspection of labour standards. The officer added and said that the factory

¹¹² Interview with informant, (informant 1, January 21, 2016)

¹¹³ Interview with informant, (informant 1, January 21, 2016)

owner is not willing to arrange some time for creating awareness about the rights of women workers.

Besides, Children and Women and Labour and Social Affairs offices are absent in taking practical initiatives to improve the poor working conditions in the garment industry. According to Women Affairs official, Women Affairs Office at the *wereda* level helps the company owner in promoting availability of job for the young unemployed women and convincing them to be employed in the garment factory. The institution lacks practical authoritative power in taking measures to redress labour rights violations and collaborate to improve working conditions of the garment industry. The data from the Labour and Social Affairs bureau of the *wereda* likewise indicates that stakeholders seem to have a negative perception on complains brought by women workers in the garment sector. Officers in both government institutions convince women to work despite the challenging working conditions. However, they lack practical and effective inspectoral power to intervene in the factory while rights of employees are violated. This practical weak role of these institutions and absence of labour inspection leads to less enjoyment of legislative protection of women labourer's in the garment sector. These institutions know about hazardous and exploitative nature of working conditions in the garment sector though they are not practically mandated to practically intervene in the garment factory.

Informants express garment work as being exploitative. In addition, the government's promotion of the cheap labour as a way of attracting foreign investors is described as a factor behind the exploitation phenomenon. In explaining the exploitation and challenges of the work place one of the workers in the interview describe as follows:

*“I would be very happy if I transmit my message through television; my message to all women is they should work their own work even if their monthly income is 200 birr. The government thought that it generates job opportunities and it is true that it created a job if rights of workers are respected and protected. But we are working like slaves. The government is not able to know the reality because it knows only the production rate and amount of income from the garment not about the workers conditions. I advise women not to be engaged in the garment industry”.*¹¹⁴

To sum up, there is no functioning trade union or any responsible body to lodge complaints. Even though the main responsibility for the implementation of wages and working-time legislation lies with governments, according to the data obtained during the fieldwork there are no governmental and non-governmental organizations which provide awareness to the workers at SHINTS garment on labor rights, improvement of working conditions or what measures to take when problems occur at the work place. Ensuring compliance with national law requires labour administration and inspection systems that have efficient and effective methods of governance and management that can establish broad partnerships. Strengthening workplace compliance through labour inspection is one of the ILO’s eight areas of critical importance recently established by the governing body.¹¹⁵ But practically the data shows that the institutions at *wereda* level lack financial, practical and human and material resources to take actions in improving the working conditions and in protecting the rights of female employees in the garment factory.

¹¹⁴ Interview with informant, (informant 8, February 21, 2016)

¹¹⁵ ILO. (2014). wage and working hours in textile, clothing, leather and footwear industries, Geneva

Conclusion

This study focused on assessing the major challenges and opportunities of women employees in garment factory by examining the working conditions and the relevant protection of rights of workers by conducting a case study on SHINTS garment factory in Bole Lemi Industrial Zone.

Despite the fact that the booming of the textile and garment factory has offered women the opportunity to employment, the employment opportunities often come at the expense of basic rights of women granted in the international, regional as well as national legal instruments. Women's challenges persist at the garment factories. Nature of working condition of the study area is characterized by long working hours without break, inadequate provision of safety measures in place, and low protection provided for workers, low wage, poor treatment of workers, and absence of labour union. Due to all these challenges, women labour rights protection is far from realization and workers remain unsatisfied with their job. An impressive array of laws have been drafted and passed on the national level to protect workers that articulate a range of rights to form association, the right to strike to healthy work conditions by adopting limits on working hours. Yet, the process to concretely realize these rights lags behind.

Government institutions at the wereda level lacks practical mandate in taking actions for the protection of female employees at the garment factory. They lack authoritative mandate to monitor the effective realization of rights at the work place. For these and other reasons, female employee rights are being violated and are far from realization in the garment factory.

According to the ILO, labour inspection is used by governments to improve compliance with labour law and to identify gaps in legislation. Ethiopia lags behind in strengthening and providing practical mandate of labour inspection in SHINTS garment in which women workers are engaged

in a highest number and the working condition is below standard. The employer and other stakeholders do not devise any strategy to improve working conditions.

Failure of compliance with international legal instruments and national laws is also reflected with lack of practical authoritative agent with the power to take effective measures for the violation of labour rights. The absence of cooperation between government organs and the factory owner in formulating strategies for improving working conditions of the garment industry also contribute for the galvanization of violation of labour rights.

Moreover, the absence of trade unions at the factory level, contributes to perpetrating labour and human rights violations of female employees on SHINTS garment industry. The ILO suggested that integration of human rights and labour standards play an important role not only in the improvement of working conditions in the garment industry, but also in the productivity of the company.

It is also found that the working conditions of garment workers are poor and below standard. Although they realized that they wouldn't be able to realize their dream of achieving a better standard of living and getting better income, they persist to work in difficult circumstances. Besides, regular wages in the garment are inadequate to support their families. Thus, workers must work overtime in order to increase their revenues even though they are very tired and sick.

Recommendations

The following recommendations are drawn based on the finding of the study. In order to create an environment in which women employees would be able to realize their rights;

- The government needs to establish monitoring mechanisms that enables to sort out the challenges of the working environment and the labour standards in the manufacturing industry.
- The government should reinforce labour inspection at *wereda level* through the allocation of necessary political, financial and human resources that effectively ensures the provision of safe and acceptable working conditions in the garment industry starting from the provision of necessary trainings up on employment.
- The government and different stakeholders working on labour rights should design programs for creating awareness on basic labour and human rights.
- Providing follow up training to ensure the skills of workers are improved and when new machines are introduced.
- Elimination of practical restrictions on the right to organise, the right to bargain collectively and the right to strike of all workers, in the garment factory
- The government should facilitate the unionization of workers in the garment factory, through dialogue and collaboration with the employer
- The government should determine minimum wage level so as to protect workers from exploitation of low wages.

References

- Addis Fortune, interview with Arkebe Oqubay. October 29, 2015. Accessed on: November 20, 2015. from;<http://addisfortune.net/articles/expect-a-miracle-arkebe-oqubay/> on May 13,2016.
- Ahamed, Ferdous. (2013). “Improving Social Compliance in Bangladesh’s Ready Made Garment”:
Industry, Preston, Available at: <https://acadamia.edu/4528288/improving-social-compliance-in-Bangladesh-Ready-made-Garment-Industry?auto=download>. Accessed on: November, 22, 2015.
- Alli, B. O., 2008. Fundamental Principles of Occupational Health and Safety / Benjamin O. Alli;
International Labour Office – Geneva: ILO
- Amelita, King Dejardin. (2008). Gender Dimensions of Globalization, Geneva, Switzerland.
- Arkebe Oqubay. (2015). Made in Africa: Industrial Policy in Ethiopia. Great Britain: Oxford
University press.
- Ayesha Binte Safiullah. (2015). “Employee Motivation and its Most Influential Factors: A study
on the Telecommunication Industry in Bangladesh: World Journal of Social Sciences”,
Vol.5.No.1.Issue. Pp.79-92
- Berik, G. and Rodgers, Y.V.D.M. (2010). Options for enforcing labour standards: Lessons from
Bangladesh and Cambodia. J. Int Dev.,22:56-85.doi:10.1002/jid.1534 (accessed on January 21,
2016).
- Bernard, Russell. (2006). *Research Methods in Anthropology: Qualitative and Quantitative
Approaches*. Lanham: Altamira Press.
- Dharam Ghai. (2006). Decent Work, Objectives and Strategies; Geneva
- Elaine Zuckerman. (2009). Gender Equality as Smart Economics: A World Bank Group Gender
Action Plan (GAP) (Fiscal years 2007-10), Washington DC, USA.

EPA. (2012). National Report of Ethiopia, the United Nations Conference on Sustainable Development (Rio 20+) Federal Democratic Republic of Ethiopia, Addis Ababa. Available at: <https://sustainabledevelopment.un.org/content/documents/973ethiopia/pdf>. (Accessed on: November 2, 2015)

Goitom Abera, et al. (2014). *The Role of Textile Industry in Providing Decent Work; the case of Almeda Textile factory (ALTEX)*, Mekelle University, Ethiopia

Hiba, Juan Carlos. (1998). “Improving working conditions and productivity in the garment industry: Practical ideas for owners and managers of small and medium-sized enterprises”, Geneva, International Labour Office,

ILO. (2012). Gender equality and Decent Work: Selected ILO conventions and Recommendations that promote gender equality, ILO office, Bureau for Gender Equality, International Labour standards Department- Geneva.

ILO. (2013). Working Conditions Laws Report, (2012), a Global Review/Naj Ghosheh, ILO Office, Geneva

ILO. (2014). Wage and Working Hours in Textile, Clothing, Leather and Footwear Industries, Geneva

International Labour Organization. (2014). Wages, Working Hours in the textiles, clothing, Leather and Footwear industries, Switzerland, Geneva. Available at: www.ilo.org/wcmsp5/groups/public/@ed-dialogue/@sector/documents/publication/wcms-300463.pdf. (Accessed on: November 25, 2015).

John W. Crswell. (2003). Research Design: Qualitative, quantitative and Mixed Methods Approaches, University of Nebraska, Sage publications.

Kabeer N. and S. Mahmud. (2004). “Rags, Riches and Women Workers: Export Oriented Garment Manufacturing in Bangladesh.” Book Chapter, London, Available

at; wiego.org/sites/wiego.org/files/publications/files/Kabeer-Mahmud-export-Oriented-Garment-Bangladesh.pdf

Keane, Jodie, and Dirk Willem te Velde. (2008). “The role of Textile and Clothing Industries in Growth and Development Strategies.” Odi

Lu. Jinky Leilanie. (2011). “Occupational Health and Safety of Women Workers: viewed in the light of Labour Regulations.” *Journal of International Women’s Studies*, 12 (1), 68-78. Available at: <http://vc.bridgew.edu/jiws/vol12/i551/5>. (Accessed on: February 2, 2016).

Meskerem Daniel Menamo. (2014). *Impact of FDI on Economic Growth of Ethiopia, A time series of empirical analysis*, University of Oslo, [available](#)

at: <https://www.duo.uio.no/bitstream/handle/10852/39250/Menamo-Meskerem-Master-Thesis.pdf?sequence=1> (Accessed on: November 22, 2015).

MOFED. (2010). Growth and Transformation Plan 2010/11-2014/15. Volume I. FDRE, Addis Ababa.

Mohammed Yunus and Tatsufumi Yamagata. (2012). “Dynamics of the Garment Industry in Low Income Countries: Experience of Asia and Africa, institute of developing economies,” Japan

External Trade Organizations; available at

www.ide.go.jp/english/publish/download/report/2011/2011-410.html

N. Ascoly and Chantal Finney. (2005). *Made by Women: Gender, the Global Garment Industry and the Movement for Women Workers Rights*. Clean Clothes Campaign, primaveraQuint .

Naila Kabeer and Luisa Natali. (2013). “Gender Equality and Economic Growth: Is there a Win-Win?” Volume No 417, Institute of Development Studies 2013. Available

at: www.ids.ac.uk/publications, accessed on March 21, 2016.

Naila Kabeer. (1997). Development and Change: Women, Wages and Intra- House hold Power Relations in Urban Bangladesh, vol 28. Issue 2, pages 261- 302, development studies institute

Nazneen Ahmed, (2008). “Addressing Workers Rights in the Textile and Apparel Industries: Consequences for the Bangladesh.”

Nisan Zeray. (2003). *The Right to Safe and Healthy Working Environment under Working Environment under the Ethiopian Legal System*, Addis Ababa University.

OECD. (2009). Promoting Pro-poor Growth: Employment, pp 133-143; Available

at: <https://www.oecd.org/dac/povertyreduction/43514554.pdf>

Oka, C. (2015). Improving Working Conditions in Garment Supply Chains: The Role of Unions in Cambodia. *British Journal of Industrial Relations*. Doi:10.1111/bjir.12118, available at;

onlinelibrary.wiley.com/doi/10.1111/bjir.12118/abstract

Philip, Alston. and Mary, Robinson. (2005). *Human Rights and Development; towards Mutual Reinforcement*, Oxford University Press.

Rajat, Das Gupta. (2015). Occupational Health Hazards among Workers in Garment Factories in Bangladesh: A Cross- Sectional Study, Journal Article, Vol.5, No.5, 2015, Available

at: www.iiste.org/journals/index.php/DCS/article/viewFile/20508/21150

Riccardo David Mariani and Fabrizio Valenti. (2013). *Working Conditions in the Bangladesh Garment Sector: Social Dialogue and Compliance*, Delft University of Technology. Available

at: www.fairwear.org/ul/cms/fck-

[uploaded/documents/countrystudies/bangladesh/workingconditionintheBangladeshigarmentsectorsocialdialogueandcompliance.pdf](#)

Saba, Jorge Arbache et al. (2010). “Gender Disparities in Africa’s Labour Market, Washington DC”, available at; <http://www.worldbank.org>

Samuel, Akinyele. (2010). “the Influence of Work Environment on Workers Productivity: A Case of Selected Oil and Gas industry in Lagos Nigeria”, African Journal of Business Management, Vol. 4(3), pp. 299-307, available: <http://www.academicjournals.org/AJBM>. (Accessed on: January 21, 2016). Ogun Stae, Nigeria

Stringer, E.T. (2007). Action research. 3rd ed. Thousand Oaks, CA: Sage.

Wilmot A. Designing sampling strategies for qualitative social research: with particular reference to the Office for National Statistics’ Qualitative Respondent Register. [Online]; Available from URL: <http://www.ons.gov.uk/about/who-we-are/our-selves/dat-collection-methodology/reports-and-publications/designing-sampling-strategies-.pdf>

Workineh Degefa. (2014). *An Assessment of Workers Rights in Three Floriculture Industries around Debrezeit: with Particular reference to Employment Security and Occupational Safety and Health*, Addis Ababa University.

Yitayew Alemayehu and Wondmagegn Tadesse. (2013). Human rights research: A Practical Guidebook on Methodology and Methods, Addis Ababa University, Ethiopia.

Yohannes Adamu. (2004). *Labour administration under Labour Proclamation No. 377/ 2003 and the ILO Standards Concerning Labour Administration*, Addis Ababa University.

Yunus, Mohammed and Tatsufumi Yamagata, Fukunishi. (2012). “The Garment Industry in Bangladesh.” In Dynamics of the Garment Industry in Low-Income Countries: Experience of Asia

and Africa (Interim Report). Edited by: Fukunishi Takahiro, Institute of Developing Economies
Japan External Trade Organization.

Legal Documents

Convention on the Elimination of All forms of Discrimination against Women, (CEDAW, 1981)

FDRE, 2012. Directive on Occupations Prohibited for Female Employees, Ethiopian Labour and
Social Affairs, Addis Ababa.

ILO Convention No. 156 Convention concerning Equal Opportunities and Equal Treatment for
Men and Women Workers: Workers with Family Responsibilities, 1981

International Covenant on Civil and Political Rights, (ICCPR, 1966)

International Covenant on Economic, Social and Cultural Right, (ICESCR, 1966)

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa,
2003 Universal Declaration on Human Rights

The Federal Democratic Republic of Ethiopia, (2004), Federal *Negarit Gazeta*. Labour

Proclamation No. 377/ 2003. 10th year No. 12

Appendix I: Interview Guidelines

Interview Guideline for Key Informants' Key Informants at SHINTS Garment Factory

The researcher has designed the questions for a detailed interview to conduct a research on Major Challenges and Opportunities of Realizing Rights of Employees: The Case of Female Employees of SHINTS Textile and Garment Factory at Bole Lemi Industrial Zone, for the partial fulfillment of MA Degree Award in Human Rights. In order to realize this study your cooperation is relevant. In this regard, genuine answers are very important for the following questions. In addition, your valid responses will be kept secret. It is only for academic purpose. The researcher will use tape recorder to get the original account of your response. So, do not hesitate to provide your experience and genuine information.

Questions about General History of the Informant

Age

Marital status

Place of origin

Educational level (any skills training? If yes certificate or diplomas obtained)

Family educational level

Children (if any)

II- Previous Work Experience

1. Do you have previous employment experience? What kind of jobs have you done earlier and for how long?

2. Why do you leave your previous job?
3. How much is your previous job's Salary?

III- Current Employment

Questions about Employment Conditions

1. When did you join the factory?
2. What was your first position and salary?
3. Why did you take the job in the factory?
4. How did you hear about the employment opportunities?
5. What were the criteria of employment? And what did you provide in order to be employed at the factory?
6. In which section/ production unit do you work in?
7. What is the status of your employment?
8. Are you a permanent employee?
9. If yes did you sign a letter or a contractual agreement upon your employment?
10. Have you ever thought that your employer would fire you at any time? If yes, why?
11. What criteria's do employers use to fire an employee?
12. Are there any women workers fired from their work? If yes what were the reasons?
13. Do employers give a warning before they fire an employee?

14. Could you tell me your daily routine of workers from the morning to tonight?
15. Have you signed an employment agreement when you were employed?
16. For how many days/ months do you agree?
17. Do you have probation day?
18. Did you get a copy of the first employment contract?
19. Were you informed about the terms and conditions of the employment? If yes how?
20. Is there a possibility of extension in the contract? If yes, what are the conditions that make you legible?

Questions about Salary

1. How much is your salary?
2. What is the maximum salary that women earn in your factory? And the minimum? And how is that defined?
3. How do you get your salary in month, or on what the employer needs?
4. Do you have other sources of income?
5. How much is your monthly average income?
6. How much is your Monthly expense?
7. Does your income change from one month to the other? If yes, how?

Questions about Working Hours

1. How many hours do you work per a day/ week?
2. Do you have rest day/ break and lunch time? If yes how long?

3. Do you work overtime?
4. If yes for how long?
5. Is working overtime based on your interest or as an obligation?
6. How much do you get for overtime work?
7. How many days do you work per a week?
8. Do you have a payment if you work on Sunday/ public holidays and holidays? How much?
9. Does your employer ask you to take rest if you work on holidays and Sunday? Have you ever ask to get rest on the next days? In what situations do you work on Sunday and other holidays?
10. Is working during holidays based on your interest?

Questions about Annual Leave

1. Is there an annual leave stated in your contract?
2. Have you ever taken an annual leave?

If yes, How many days?

3. Do you have full payment while you are on annual leave?
4. What if you work in your annual leave do you get a payment?

Questions about Maternity Leave

1. Do you regularly go for pregnancy checkups?
2. Does your employer deduct your salary while you go for checking?
3. Where do you bring your checking certificate from? Is it acceptable if you bring a medical certificate from private health centers?

4. Do you think working in industry have an effect on child bearing? Could you explain?
5. How long is the maternity leave?
6. Do you get the regular amount of your salary during your maternity leave?

Questions about Sick Leave

1. What are the conditions for obtaining sick leaves?
2. Is there any statement in your contract regarding this?
3. Have you ever asked for a sick leave?
4. How many days are allowed for sick leave?
5. Is it acceptable to bring a sick leave from private health center?

Questions about Safety of Working Environment

1. Did you take any safety training upon your employment? If yes what was that training about?
And who provided the training?
2. What are the major safeties related challenges often faced by workers in the factory?
3. Is there first aid in your compound? If not, what will be done if an accident happens?
5. Do you get vocational trainings on how to use the machines and other working materials?
6. Are there women workers in the chemical units?
7. Do you get safety materials?
8. Is there an annual checkup for workers?
9. Who is responsible for the expenses of emergencies which happen at work place?
10. What about for illnesses and sickness related to work?
11. Have you ever experienced any sickness related to work?

12. Are there enough services like water, bathroom and toilet in your work place?
13. Do you have saving account? If yes how much do you save per month in average?
14. Do you have pension?
15. Do you have Health insurance?
16. What type of job do you prefer in your industry?

Questions about Labour Union

1. Is there a labour union in your compound?
2. If yes are you a member of the labour union?
3. Do you think being a member on the labour union have an advantage for female employees? If yes how could you explain in detail?
4. Are there females in the managerial position of the labour union? If yes how many?
5. Could you explain some of the major activities which are performed by the labour union your compound?
6. Does your employer allow you to join and participate in the labour union?
7. Are there female workers who are punished for being a member, organizing and managing to establish a labour union?
8. Do you think labour unions are important in your compound for female employees?
9. If yes why?
10. Is the labour union free from the influence of the employer and other administrators?
11. Do you have women committees in your compound?
12. If yes, what are the major activities it does perform?

13. What type of job do most women prefer to work in? Can you describe why?

IV Challenges of Female employees

1. What are the major challenges that women face at the factory
2. How are those challenges specific to female employees?
3. Is there any special protection given for women?
4. Is there any harassment for women at work place Do you get equal pay for equal work?
5. Do you think working in industry brings change in your life?
6. If yes what kind of change positive or negative? Could you explain?
7. How do you explain working in industry in general?

Disappointing fair good very good

Interview Questions for Children, Youth and Women Affairs Office Officer

- Is there any program that you work in cooperation with the garment factory? If yes in what areas are you working with?
- Is there any concrete activity that you take in creating awareness on the rights of female labour rights?
- Do female employees of textile and garment industry bring cases on worker- employer relations?
- If yes, what measures can you take to solve their problems?
- Are there cases related to violation of the rights provided in the proclamation brought to this office?
- What are the major violations reported by female employees?

- Do you have a means of providing awareness creation for female employees about their rights?
- How is the reaction of employers towards your effort of awareness creation for female workers about their rights?
- What do you think are the main reasons that delay women not to take their cases the law?
- Do you have strategies which you adopt for the protection of rights of female employees in the factory?
-If yes how do you implement them and what challenges you faced?
- What challenges do you face in enforcing your strategies?
- What should be done to improve the working conditions? Who should work what?
- In general, how is the living standard of female employees in textile and garment industry explained?

Interview Questions for Labour, Social Affairs Office Officer

- Is there any program that you work in cooperation with the garment factory? If yes in what areas are you working with?
- Is there any concrete activity that you take in creating awareness on the rights of female labour rights?
- Do female employees of textile and garment industry bring cases on worker- employer relations? How many cases are brought to this office per month on average?
- If yes, what measures can you take to solve their problems?
- Are there cases related to violation of the rights provided in the proclamation brought to this office?

- What are the major violations reported by female employees?
- Do you have a means of providing awareness creation for female employees about their rights?
- Do you have a focal person working in relation with the garment workers?
- How is the reaction of employers towards your effort of awareness creation for female workers about their rights?
- What do you think are the main reasons that delay women not to take their cases the law?
- Do you have strategies which you adopt for the protection of rights of female employees in the factory?

If yes how do you implement them and what challenges you faced?

- What challenges do you face in enforcing your strategies?
- What should be done to improve the working conditions? Who should work what?
- In general, how do you explain the living standard of female employees in textile and garment industry?

Do you have additional comments on conditions of working environment in garment factory in relation to protection of female labour rights?

Interview Questions for Group Discussion for female Informants

Name -----

Age-----

Place of birth-----

Marital Status-----

Academic status-----

1. Could you please explain the major benefits you obtain from engaging in the garment factory?
2. Are there challenges you face in the working place? What major challenges are you facing with?
3. Are there movements by the workers to establish women committees and other workers unions? What challenges do you face in establishing committees?
4. What kinds of services are available in the work place?
5. How could you describe the working environment in relation to wage, working hours, and leave and safety provision?
6. Have you ever experienced health risks after you engage in the garment factory?
7. Do you think the establishment of labour union could help in improving the working condition?

Checklist of the Observation

- Availability of safety materials

Safety Materials	Yes	No	To some extent
Alcohol			✓
Glove		✓	
Gown		✓	
Nose cover nylon		✓	

- Many female employees work standing
- Hot temperature

Appendix II: Background of the Informants

Informant No.	Age	Educational level	Place of birth	Marital status	Number of children
Informant 1	29	Ten	Oromia	married	1
Informant 2	31	Twelve	Addis Ababa	single	0
Informant 3	21	Six	Oromia	single	0
Informant 4	22	Seven	Amhara	single	0
Informant 5	30	Twelve	Addis Ababa	married	2
Informant 6	21	Twelve	Addis Ababa	single	0
Informant 7	18	Five	Oromia	single	0
Informant 8	21	Eight	Oromia	single	0
Informant 9	18	Seven	Oromia	single	0
Informant 10	23	Six	Amhara	single	0

Appendix III: Background of Female Participants

participants	Age	Educational level	Place of birth	Marital status	Number of children
Participant 1	21	Seventh	Oromia	Single	0
Participant 2	22	Twelve	SNNPR	Single	0
Participant 3	27	Eight	Amhara	Married	1
Participant 4	23	Eight	Oromia	Single	0
Participant 5	21	Six	Oromia	Single	0
Participant6	23	Nine	Addis Ababa	Single	0