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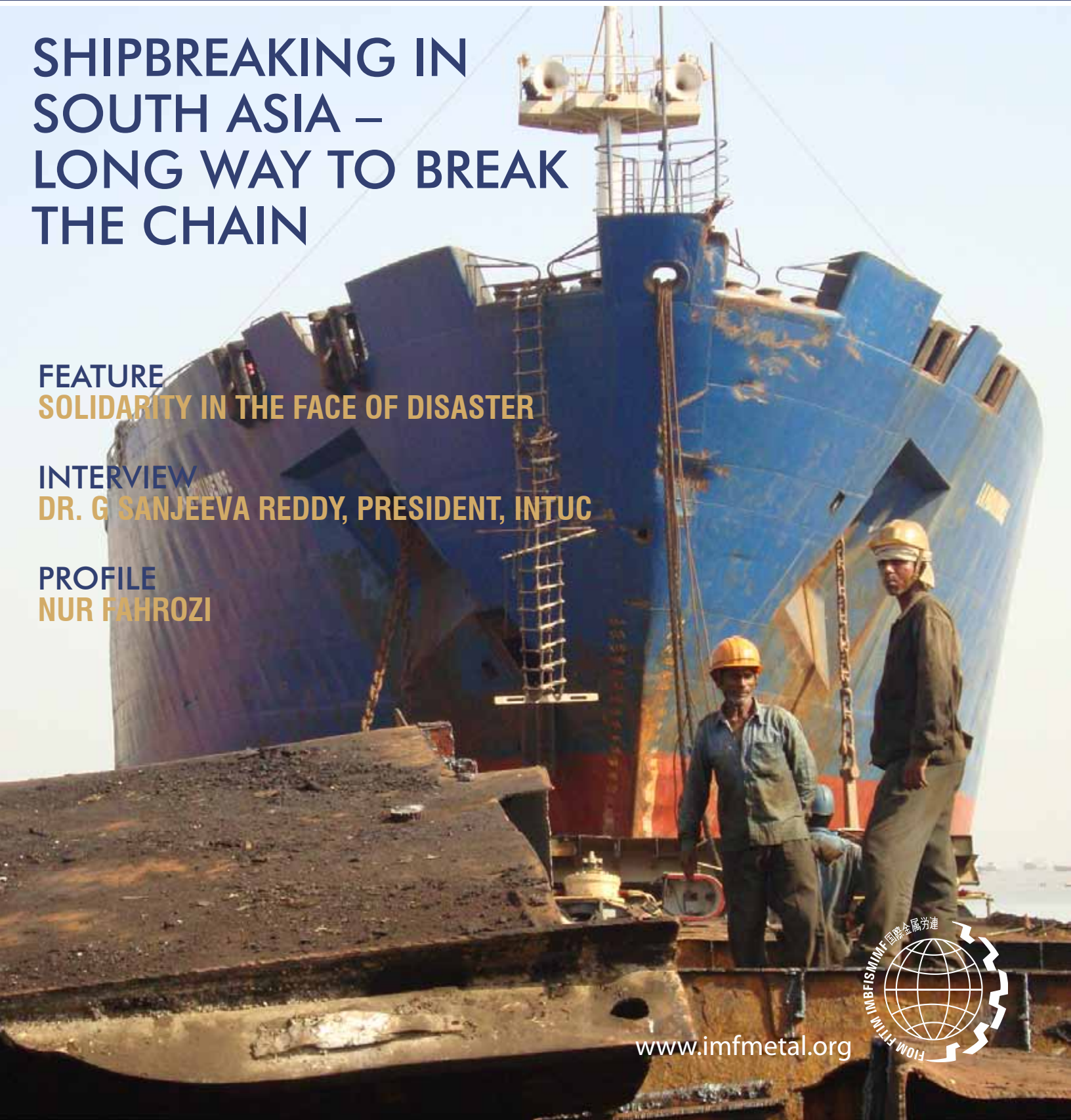
METAL ASIA-PACIFIC

SHIPBREAKING IN SOUTH ASIA – LONG WAY TO BREAK THE CHAIN

FEATURE
SOLIDARITY IN THE FACE OF DISASTER

INTERVIEW
DR. G SANJEEVA REDDY, PRESIDENT, INTUC

PROFILE
NUR FAHROZI



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THE
PERSPECTIVE

A NEW BEGINNING

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We are very pleased to publish the first issue of Metal Asia Pacific, an in-house journal of the IMF family.

Asia Pacific is a large and diverse region: economically, politically and linguistically. This region is the largest manufacturing hub of the world with considerable presence of metal industries. Investment is flowing in a big way and manufacturing receives a further boost for reasons of markets, cost efficiency and availability of skilled and cheap labour. The prevalence of capital-friendly regimes with a poor record of democracy and scant respect for labour rights poses serious challenges and opportunities for trade unions in the region.

This magazine provides a summary of affiliates' news and intends to deepen our understanding of the region with feature articles and

interviews that provide in-depth information. It is a platform to share our experiences, triumphs and travails, build networks, extend solidarity, promote core labour standards and present a unified voice of the metalworkers of the region. Stories and experiences of ordinary metalworkers in their struggle to promote and defend labour rights will certainly find a place in this journal. Revolutionary strides in technology enables electronic media to provide news at the greatest speed possible, yet print media has its own charm, a longer life and a sense of ownership. There has been a long-felt need to have a print magazine that meets the needs of affiliated trade unions in the region. IMF Regional Offices in Africa, CIS and Latin America produce journals, this publication fulfils that vacuum for Asia Pacific.

In this maiden issue we have featured the shipbreaking industry (see pages 8 to 14) as it is the most hazardous industrial activity accounting for hundreds of fatal accidents. Intervention by the IMF, aided by solidarity support organizations, has contributed to building unions in shipbreaking yards and

in drawing the attention of governments and judiciary on strengthening regulatory mechanisms to protect the rights and safety of workers. The devastating fury with which the recent tsunami and earthquake struck Japan and the consequent nuclear catastrophe that caused unprecedented human suffering and colossal damage has shaken the world. During this calamity we also witnessed a heartening show of solidarity. Kan Matsuzaki's contribution (see pages 20 to 23) reflects the collective response of the IMF family. An interview with Dr G. Sanjeeva Reddy (see pages 15 to 19), whose trade union experience spans six long decades, predicts the unity efforts of Indian trade unions and the joint protest actions.

Encouragement from Jyrki Raina, IMF General Secretary, guidance from Anita Gardner, Alex Ivanou, Cherrisse Fredricks and support from affiliates have made this humble beginning a reality. We look forward to your continued patronage, participation and ownership of this journal in the service of the toiling metalworkers of the large and diverse Asia Pacific region.

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The arrival of end of life ships to South Asian shores for dismantling has increased multifold as the struggle for better working conditions and social security benefits continues. While governments of India, Bangladesh and Pakistan are making a very slow progress on regulating the industry workers are losing lives and getting maimed.

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TRADE UNIONS' UNITY IN INDIA WILL GO A LONG WAY

Dr. G Sanjeeva Reddy, the Member of Parliament, President of Indian National Trade Union Congress and IMF Executive Committee member shares his views on increasing workers' power by building united trade union front on critical issues faced by trade union movement in India.

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JAPAN: SOLIDARITY IN THE FACE OF DISASTER

A review of the impact of the triple disaster (earth quake, tsunami and nuclear accident at Fukushima) on metalworkers in Japan and the solidarity response by trade unions and their members.



International Metalworkers' Federation

The International Metalworkers' Federation represents the collective interests of 25 million metalworkers from more than 200 unions in 100 countries.

The IMF represents blue- and white-collar workers in industries such as steel, non-ferrous metals and ore mining, mechanical engineering, shipbuilding, automobile, aerospace, electrical and electronics.

The IMF aims to improve metalworkers' wages, working and living conditions and to ensure that metalworkers' rights are respected.

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Mexico



Global days of Action to Defend Trade union rights in Mexico launched at AWU National Conference in Queensland.

In **Australia** global trade union movement launched six days of global action calling for trade union rights in Mexico at the Australian Workers' Union National Conference on February 15, 2011. "The Mexican government must end its campaign of political persecution against independent and democratic unions in Mexico," said Jyrki Raina, the General Secretary of the International Metalworkers' Federation (IMF), speaking to the assembly of over 500 unionists gathered in Queensland.



Solidarity action at Canberra to defend trade union rights in Mexico

Over 100 unionists rallied on the lawn in front of Parliament House in Canberra in support of trade union rights in Mexico. The delegation consisted of Ged Kearney, President, ACTU, Mick Doleman, Maritime Union of Australia (MUA), Glenn Thompson, Australian Manufacturing Workers' Union (AMWU) and Andrew Vickers (CFMEU) who represented their individual unions as well as the Global Union Federations they are affiliated to: ITUC, ITF, IMF and ICEM. A protest letter on behalf of the Australian trade union movement was delivered to the Mexican Embassy.

In **Indonesia** IMF and ICEM affiliates took joint action as part of the Global Days of Action. Members of three federations, FSB KIKES(Chemical) FPE (Mining)



Hanjin workers head to the Seoul Hanjin headquarters bearing signs reading: "Withdraw Mass Dismissals!"

Photo: June SHIN (KMWU)

and F.LOMENIK (Metal) held solidarity actions outside the Mexican Embassy and a joint statement was delivered to Deputy Chief Everardo Corona Aguilar.

Japan councils of the IMF, ITF, UNI and ICEM visited the Embassy of Mexico in Tokyo, to deliver a letter addressed to Mexican President Calderón.

In **Korea** the Korean Confederation of Trade Unions (KCTU), and its affiliates including the Korean Metal Workers Union (KMWU) and the Korean Public Services and Transport Workers Union (KPTU) joined the Global Days of Action on Trade Union Rights in Mexico. Unions held an out-door press conference and protest action in front of the Mexican Embassy in Seoul.



Solidarity action at New Delhi to defend trade union rights in Mexico

In **India** IMF affiliates INMF, SMEFI held spirited demonstrations and meetings at New Delhi and Mumbai on February 18 2011. A trade union delegation including representatives from ITF and BWI met Mexican Ambassador at New Delhi to convey Indian Trade Unionists' strong resentment over the violation of workers' rights in Mexico. A Demonstration was also held in front of the Consulate of the United States of Mexico at Kolkata by fraternal trade unions.

In **New Zealand** some 50 union members from affiliates of the IMF, ITF, ICEM and UNI rallied outside the Mexican Embassy in Wellington in support of the Global Days of Action in defence of Mexican workers' rights. A delegation from the Engineering, Printing and Manufacturing Union (EPMU), Maritime Union of New Zealand (MUNZ), Service and Food Workers' Union (SFWU), National Distribution

Union (NDU), Rail and Maritime Transport Union (RMTU) and Financial Sector Union (Finsec) also presented a letter to the Charge D'Affaires at the embassy.

In **Thailand** IMF, ICEM and ITF affiliates held an action at the Ministry of Labour and sent a protest letter to the Mexican Embassy in Bangkok.

IMF-ICEM-ITGLWF

Metalworkers from Asia and the Pacific countries met in Seoul at the 4th Asian Metalworkers' Liaison Conference (AMLC) on June 23 - 24 to discuss the **IMF-ICEM-ITGLWF** merger, share their experience on building union networks and organizing workers as the main priority. IMF-JC president, Koichiro Nishihara, gave a substantial report about the history and the progress of creation of the new International. Discussions and reports from the participants focused on national union priorities and challenges in the light of creation of a new global union and raised a number of concerns on their wish to build a stronger, and not just bigger new federation of manufacturing workers.



Participants at Asia Pacific Regional Conference in Sydney

On May 12 - 13, 82 delegates from 15 countries attended the IMF **Asia-Pacific regional conference** in Sydney. The meeting was hosted by the IMF's Australian affiliates the AWU, AMWU and CEPU. Participants expressed their support for the unifying process of workers in the extractive and manufacturing industries. Discussions during the meeting also focused on concerns regarding multitude of unions affiliated to the IMF, ICEM and ITGLWF in many countries and adequate women's representation in the new global union. A political action plan on the focus areas

of the new organization should be presented to IMF's Central Committee this December, which will decide whether to convene an extraordinary Congress in 2012.



A quarterly newsletter of IMF, ICEM and ITGLWF on the creation of a new International

Stronger Together, a new quarterly newsletter was released in March to report on the joint actions and shared goals of IMF, ICEM and ITGLWF as the three global union federations explore the creation of a new unified International for industrial workers. For a copy of the newsletter go to: www.imfmatal.org/strongertogether

TNCs



Strike at Maruti Suzuki India Ltd

Workers from **Maruti - Suzuki** India Limited (MSIL) launched sit-in strike from June 4 demanding trade union rights. While the management sacked 11 workers including union office bearers, thousands of workers in Gurgaon region stood in solidarity with workers. Commenting on the situation in India, Koichiro Nishihara, president of IMF-JC, said, "MARUTI - SUZUKI should comply with ILO Convention 87 Freedom of Association and Protection of the Right to Organize. IMF-JC and the JAW-Confederation of Japan Automobile Workers' Unions, together with Federation of SUZUKI Automobile Worker's Unions will demand SUZUKI management in Japan solve this case with earnest action." The 13 day long sit-in strike was concluded on June 17 and the 11 dismissed workers are reinstated pending domestic

inquiry and both the parties agreed to cooperate with each other.

On May 24 over 3,000 riot police violently attacked 500 hundred workers engaged in a sit-in protest at **Yoosung Enterprise** factory in Asan, South Korea. In 2009, the company signed an agreement with the KMWU to eliminate night shifts and to introduce a two day shift with a monthly wage system from January 2011. Despite more than ten bargaining rounds no agreement was reached on how to practically implement it. From May 19 - 24 around five hundred workers remained in the factory demanding withdrawal of the lockout and protesting against the union busting actions of the company. The KMWU believes similar union busting strategy is used by other automotive components employers including Valeo Mando, KEC and Sangshin Break.

A new report released on May 6, "**Foxconn and Apple** Fail to Fulfill Promises: Predicaments of Workers after the Suicides", documents how workers continue to be subjected to low pay, excessive overtime and inadequate health and safety measures. Students & Scholars Against Corporate Misbehaviour (SACOM) prepared this report based on field work at two Foxconn production sites in Western China. "Foxconn is responsible for the labour rights abuses documented in this SACOM report. But its clients, including Apple and HP, also have indispensable obligations to ensure international labour standards are met in their supply chains," said Jyrki Raina, IMF General Secretary.

On May 4 Workers in **General Motors India**, Halol Plant, Gujarat called off one of the biggest strike actions launched in decades in Gujarat. Protesting against intensive workload, 900 workers in General Motors India Pvt. Ltd in Halol in the Indian State of Gujarat were on strike from March 16, 2011. Majority of workmen were suffering from severe

back pain and spinal cord ailments owing to excessive workload. A settlement between the workers and GM management was reached at the intervention by the State Labour Department on the ground that suspended workers will be reinstated and pending issues of production will be decided by discussion / mediation in the presence of a Labour Officer.

During a study tour of the base metals industry of Thailand in May 2011 an IMF delegation met with Amporn Nitisir, Director General of the Ministry of Labour and discussed concerns over freedom of association laws in **Thailand** and called on the government to expedite the process of to ratify ILO Conventions 87 and 98 which deal with the Freedom of Association and Collective bargaining. Other issues discussed in the meetings included foreign investment into Thailand, from large TNCs such as ArcelorMittal, Bluescope, Tata Steel.

UNION BUILDING



India organizing steel Project Advisory Committee meeting in New Delhi

The project advisory committee (PAC) of the IMF/ILO-TCO/SASK India organizing **steel** project held its second meeting on June 15 - 18, 2011. The PAC heard how closer cooperation between the Indian National Metalworkers Federation (INMF) and the Steel Metal and Engineering Workers' Federation of India (SMEFI) provided a foundation to recruit over 15,000 workers in the steel industry in Indian states namely Orissa, Jharkhand and Chhattisgarh. The project has an overall target of 20,000 new members by 2012. Also, the INMF and SMEFI have succeeded in having the Joint National Steel Committee demand a minimum wage for precarious workers in the industry.



International conference for shipbreaking workers in Mumbai, April 19-20

At a two day international conference for shipbreaking workers in Mumbai, April 19 - 20, IMF affiliates called for building stronger unions of **shipbreaking** workers, developing a global strategy to organize, establishing a strategic link between shipbuilding and shipbreaking workers and building an international network to protect workers' rights and improve living conditions. Representative from ILO and government officials and employers' representative from Alang and Mumbai Shipbreaking yards also participated in the conference. IMF delegates also visited Mumbai shipbreaking yard and extending their solidarity, the delegates called upon the workers to believe in their union and make it stronger.

For more details see page 8 - 14 Feature on Shipbreaking.

SOLIDARITY



Indonesia: Protest in front of Parliament on July 22

After a series of protests workers in **Indonesia** gained a significant victory as the Indonesia's National Court in Central Jakarta declared Indonesian President, Vice President, Head of Parliament and eight Ministers guilty of not implementing the Social Security law for the protection of workers and ordered them to implement the Social Security law through the introduction of regulations for the formation of a National Social Security System. The verdict came in response to

the case filed by a coalition of trade unions and NGOs called Social Security Action Committee (KAJS) led by IMF affiliate the Federasi Serikat Pekerja Metal Indonesia (FSPMI), seeking legal redress for social security protection for workers in the formal and informal sector.

Indonesian and global unions rejected a speech given by Indonesian President Yudhoyono at the 100th International Labour Conference (ILC) on June 14, 2011 on the effects of the global economic crisis. Unions stated it does not reflect the reality of the situation in Indonesia, and called for comprehensive **social security** for all. In a statement submitted to the ILC by Indonesian trade unions including IMF affiliated FSPMI and supported by the IMF, ICEM and ITGLWF, the unions demanded that the Indonesian government comply with the Global Jobs Pact by providing comprehensive social security for all Indonesian people.

Twenty six trade unions in **Sri Lanka** under the banner of the Joint Trade Union Alliance opposed a private pension fund bill introduced by the government on April 8. Workers held massive protests and in the brutal police attack one worker was killed and hundreds injured at Katunayake Export Processing Zone on May 31. The IMF and ITUC condemned the brutal attack on workers and called upon the Sri Lankan government to respect democratic principles and negotiate with trade unions to solve genuine grievances of workers. Subsequently, Sri Lankan government withdrew the Employee Pension Benefit Fund Bill on June 3.

The IMF and many of its affiliates donated funds and sent messages of condolence and solidarity to its Japanese affiliate IMF-JC, union members and their families, following the massive earthquake and tsunamis that caused untold devastation and damage to the Tokohu area of the eastern part of **Japan** in March 11, 2011. In a letter, IMF General

Secretary, Jyrki Raina called on metalworkers around the world to express solidarity and send their condolences to workers and their families who have lost so much at this tragic time.

For more details see page 20 - 23 Feature on Triple Disaster.

Hanjin Heavy Industries and Construction (HHIC) workers at the shipyards in Busan and Ulsan in **Korea** have been on strike since December 2010 against a mass dismissal plan conducted by the management. On February 14, the company suddenly locked out workers at the plants without informing the Korean Metal Workers' Union (KMWU). The union is demanding withdrawal of the mass dismissal and actions against union leaders, payment of performance related pay from 2009 and 2010 and compliance with the collective agreement.



Korea: "Hope Bus" March riot police spray teargas fluid

Struggle intensified at **Hanjin shipyard** in **Korea**. On July 9-10 some 10,000 people participated in the "Hope Bus" march to the Hanjin shipyard in Korea to protest against dismissals in breach of their union contract and to make a solidarity visit to hunger-striking protester Kim Jinsuk. Riot police blocked and sprayed marchers with teargas fluid in spite of the fact that they had a permit and had informed the police of the march.

IMF Assistant General Secretary, Fernando Lopes reported about increasing workers' rights abuses and extensive violence against trade unions in Korea during his visit to the National Assembly of **Korea** on June 24 as part of delegation of trade unions and progressive political parties. At the press conference speakers highlighted the cases of Yuseong Piston Ring factory and Hanjin Heavy Industry where the Government used riot police forces against

peaceful protests of workers instead of trying to find a fair solution.

On April 20, 2011, the **ITGLWF**, released a damning report on working conditions in Asian sportswear supply chains. The report focuses on conditions in 83 factories in Sri Lanka, the Philippines and Indonesia which together employ over 100,000 workers. Not one of the 83 factories surveyed was reported to pay a living wage. "The multinational companies sourcing from these factories need to live up to their rhetoric and ensure that every single workplace in their supply chains complies with national law and international labour standards," says ITGLWF.

In another major legal victory for workers in **South Korea**, the Seoul High Court declared that Choe Byeong-seung, 35, was a direct employee of Hyundai while employed at its Ulsan manufacturing complex between 2003 to 2005. Following the ruling, leaders of KMWU and its local branch, demanded that the Hyundai must bring all subcontract workers into direct employment. However, Hyundai Motor maintained that it would continue its efforts to obtain the court verdict in its favor by appealing again to the Supreme Court and submitting a constitutional appeal regarding laws on dispatching.

COMMUNICATION



IMF Communicators' Forum at Seoul

Representatives of seven IMF affiliates from five countries participated in the regional communicators' forum held on June 22 in Seoul and discussed communications in South East Asia and the Pacific. The participants from Australia, Japan, Indonesia, Korea and Singapore learnt about the existing IMF communication channels and news policy, and

discussed different aspects of the communication work within the IMF as well as how they can contribute to its further improvement. During the forum the regional office for South Asia presented its plans for this a new magazine to be published by the IMF for the Asia and Pacific region.

CLIMATE CHANGE

In Orissa one of India's poorest states, the Indian National Metalworkers Federation (INMF) and the Steel Metal & Engineering Workers' Federation India (SMEFI) with support from the India Organizing Steel Project, sponsored by IMF, LO and TCO/SASK, have been providing a safety net for project displaced families. They also work at the local level to protect the interests of the country's poorest in the face of industrial development and prepare to meet with Government on national climate change and environment policies.

FIGHT BACK



India March to Parliament

In a historic march to parliament, on February 23 around 200,000 working people of India rallied in New Delhi demanding control on price rises, strict enforcement of labour laws, linkage of employment protection with the economic stimulus package, universal social security and an end to the privatization of central public sector enterprises. All the major central trade unions and employees' federations stated that price rises, coupled with increased unemployment and reduced earnings through contracting out and casualization of employment

was resulting in greater poverty and inequality.

HEALTH AND SAFETY

In its conclusions about a case on Canadian **asbestos** launched by the Canadian Labour Congress (CLC), the International Labour Organization (ILO) issued a landmark decision on June 11, 2011, singling out Canada as having a particular obligation to "keep abreast of technical progress and scientific knowledge" because it is one of the world's main producers of the cancer-causing material. The ILO Committee on the Application of Standards has told the Canadian government to adopt the "strictest standard limits for the protection of workers' health as regards exposure to asbestos" and to engage in consultations with its worker and employer organizations on the application of sections of the ILO Asbestos Convention 162 for reviewing national laws and regulations.



Trade union workshop on asbestos and OHS on June 8 - 9, 2011 at New Delhi.

Indian Trade Unions called upon the Government of India to take immediate steps to ban all mining, manufacturing, recycling and use of all forms of asbestos and asbestos-containing materials in India in a joint declaration issued during the two day trade union workshop on asbestos and occupational health and safety (OHS) issues on June 8-9, 2011 jointly organized by BWI and IMF in New Delhi. The workshop was attended by representatives from central trade unions, namely All India Trade Union Congress (AITUC), Bharatiya Mazdoor Sangh (BMS), Centre of Indian Trade Unions (CITU), Hind Mazdoor Sabha (HMS) and Indian National Trade Union Congress (INTUC) and affiliates

of IMF and BWI. Paul Bastian, President of the Australian Manufacturing Workers' Union (AMWU), also participated in workshop.

Indian trade unionists called on the Quebec Assistant Deputy Minister of Economic Development, in a meeting held on February 4 in New Delhi, to act in an honourable manner and stop serving the **asbestos** industry by putting human life ahead of political interests and financial profits. Highlighting the call for an end to the use of all forms of asbestos and asbestos containing materials by international institutions namely WHO, International Social Security Association (ISSA), and ILO and 55 countries' worldwide ban on the use of chrysotile asbestos, trade unionists argued that Quebec government should not allow its land to be used for mining a potentially hazardous material.

MAY DAY



May Day Rally at Alang

IMF Affiliates in India celebrated May Day in Alang, Pune and Chhattisgarh. A spirited May Day rally was organized by Alang Soshiya Ship Recycling and General Workers Association (ASSRGWA) at Alang, where more than 2,000 shipbreaking workers participated in the Rally. Participation of officials from Gujarat Maritime Board (GMB) in the workers activity is one of the significant aspects of May Day Celebrations in 2011. In Pune city and in Shikrapur-Shirur Industrial estate Pune Council (Shramik Ekta Maha Sangh (SEMS)) organized rallies, in which around 6,000 workers from around 46 unions in national and multinational companies participated in the rally.



FEATURE
SHIPBREAKING

The demand for maritime transportation declined with the onset of the global economic crisis and the arrival of ships for dismantling increased to 1,200 in the year 2009 while the historical average is 700 to 800 ships

Photo: IMF SAO

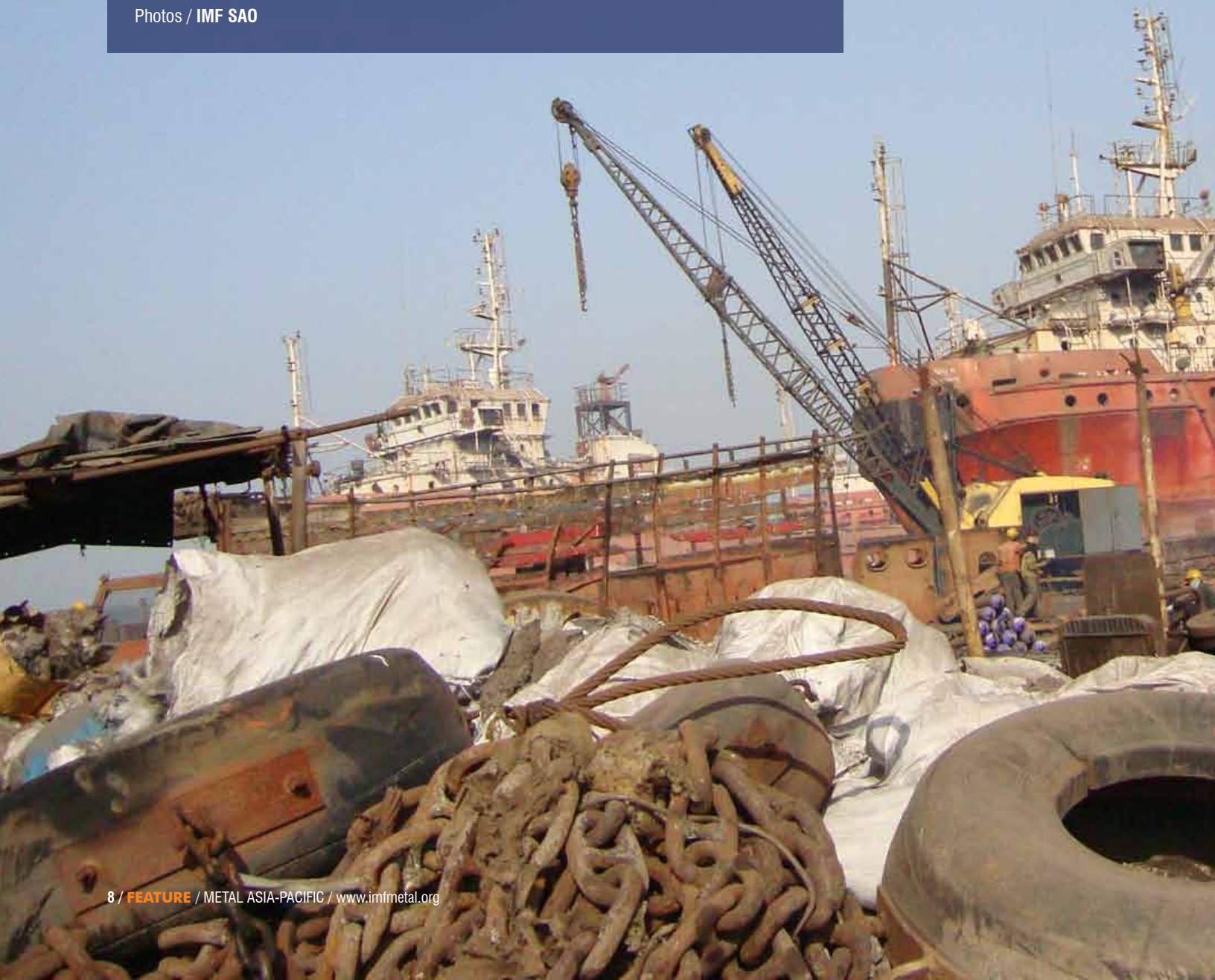


SHIPBREAKING IN SOUTH ASIA – LONG WAY TO BREAK THE CHAIN →

Original Text / Nasir Mansoor, Suhail Muhammad, Syed Sultan Uddin Ahmmed, V V Rane and G Manicandan

Editors / Sudhershnan Rao Sarde, Anita Gardner and G Manicandan

Photos / IMF SAO





The arrival of end of life ships to South Asian shores for dismantling is increasing swiftly as the struggle for better working conditions and social security benefits continues. While governments of India, Bangladesh and Pakistan are making a very slow progress to bring new regulations, everyday workers are losing lives and getting maimed.

Since the 1980s the shipbreaking industry in South Asia has experienced phenomenal growth. This activity was traditionally carried out in Europe and North America. The situation of cheap labour, low union density, scant respect for environmental laws and negligible regulation of labour legislation have largely contributed to the dismantling of ships on the shores of South Asia. Currently Bangladesh, India and Pakistan account for about 70 to 80 per cent of the global shipbreaking industry, while China and Turkey account for most of the remaining market. The industry provides employment and relatively cheap re-rollable scrap steel for the iron and steel industries in the region. Currently it contributes around 50 per cent of Bangladesh's steel production and 70 per cent of steel requirement in Pakistan.

Governments in South Asia also view the industry as a means to conserve natural resources as it increases the availability of semi-finished material, which otherwise would have been produced by using iron ore, coal and other resources. In India the activity is carried out in Alang, Sosiya and Sachna in Gujarat, Mumbai and in Kolkata. In Bangladesh the activity is mostly carried out in Chittagong and at Gadani in Pakistan.

Shipbreaking is a complex process of dismantling an obsolete vessel's structure for scrapping or disposal and involves many environmental, safety and health issues.

Beaching is the predominant shipbreaking method in South Asia. Despite being a strategic industry, deplorable and unsafe working conditions, frequent exposure to hazardous materials and limited use of personal protective equipments (PPE) lead to numerous accidents in which hundreds of workers lose their lives. The large number of workers who are maimed for life is telling evidence of the dangerous working conditions in South Asia's shipbreaking yards.

The arrival of ships for breaking is linked to global demand for maritime transport. From 2004 to 2008, the high demand for maritime transportation led to a reduction in the arrival of ships for breaking. During this period only about 200 to 400 ships per annum were sold for recycling, whereas the historical average is 700 to 800 ships. However, the demand for maritime transportation declined with the onset of the global economic crisis and the arrival of ships to shipbreaking yards increased to 1,200 in the year 2009. According to reports, in the face of overcapacity built in maritime transport sector during high demand period 2002-2008, and the reduced demand for maritime transportation, over the next 10 to 15 years, South Asia will witness a massive increase in the arrival of retired ships.



Until recently shipbreaking was not even recognized as an industry in South Asia and governments are making a very slow progress in regulating the industry. A number of international guidelines were established to provide instruments to regulate the shipbreaking industry, namely the Basel Convention of 1989, the Stockholm Convention of 2001 and the Montreal Protocol of 1987. Subsequent to these agreements, a number of specific guidelines have also been created. They include the Basel Convention Technical Guidelines for the Environmentally Sound Management of the Full and Partial Dismantling of Ships, the International Labour Organization (ILO) Safety and Health in Ship-breaking Guidelines for Asian Countries and Turkey, and the International Maritime Organisation (IMO) guidelines on Ship Recycling.

Through the intervention of judiciary in India and Bangladesh in response to civil society and trade unions' concerns there have been developments in evolving regulations for the shipbreaking industry in the region. However, the progress has been very slow for which workers are paying the price with their lives. Given this backdrop, the upward trend in the shipbreaking industry throws up major concerns on the issue of workers' health and safety and environmental protection. A brief overview of the working conditions of shipbreaking workers in India, Bangladesh and Pakistan and also respective governments' initiatives to regulate the shipbreaking industry is examined in the succeeding paragraphs.

and other small businesses. According to a government report, steel generated from ship recycling contributes to around one to two per cent of the domestic steel demand.

From 1982-83 to 2009-2010 a total of 5,152 ships are demolished in the Alang/Sosiya yards. The industry experienced a rapid growth, particularly in the last two decades, for instance from 1991-92 to 2009-2010 a total of 4,655 ships were demolished. The Gujarat Maritime Board, a semi-public institution is a regulatory authority for Alang/Sosiya yards and responsible for maintaining basic infrastructure and leasing shipbreaking plots to shipbreakers.

In Mumbai the shipbreaking activity is comparatively smaller, carried out in the area called Dharukhana in 19 plots. Mumbai Port Trust, which works under the ambit of the Ministry of Shipping, is the main regulatory authority, which maintains basic infrastructure of the shipbreaking yards. Unlike Alang/Sosiya yards where the plots are leased out for longer period of time like 10 years, in Mumbai the period of a lease is on a short-term basis of about three to four months. The yards provide direct employment to about 6,000 workers and indirect employment to about 20,000 workers in downstream industries.

In Bangladesh since the 1980s, shipbreaking is carried out in 40 shipbreaking yards located in the 18 kms of coastal strip in the area of Fauzdarhat, north of Chittagong. Around 22,000 workers are employed directly at the shipbreaking yards, and 2,00,000 indirectly in downstream industries and ancillary activities. Eighty per cent of raw materials for the re-rolling mills are being supplied by the shipbreaking industry. Various activities of the shipbreaking industry in Bangladesh are separately administered by a number of government agencies, namely the Department of Inspection for Factories and Establishment, the Department of Shipping, the Department of Labour, the Explosives Department and the Department of Environment. With the High Court ruling in March 2009 (discussed in detail below), the government of Bangladesh is in the process of making rules for the Shipbreaking Industry.



With 173 plots, the Alang/Sosiya shipbreaking facility has the breaking capacity of 350 ships a year. Around 90 per cent of shipbreaking activity in India is concentrated in Alang and Sosiya Yards.

Photo: IMF SAO



Shipbreaking industry in South Asia



According to Engineering Development Board (EDB) of Pakistan the industry is currently meeting 70 per cent of the country's iron and steel requirement.

Photo: PMF Pakistan

In India until the 1960s, shipbreaking was confined mainly to dismantling of small barges and coastal wrecks and by 1979 the activity grew into a full-fledged industry. Shipbreaking at Alang/Sosiya started in February 1983. Now it is the largest shipbreaking site in the world covering nearly 10 kms of seashore on the western coast, which falls within the jurisdiction of the Bhavnagar district in Gujarat. With 173 plots, the Alang/Sosiya shipbreaking facility has the breaking capacity of 350 ships a year. Around 90 per cent of shipbreaking activity in India is concentrated in the Alang and Sosiya yards. At full capacity, the facility employs directly 60,000 workers and around 5,00,000 workers in downstream industries, namely re-rolling mills, foundries, scrap-handling yards, goods stores



In Pakistan, shipbreaking has been carried out in Gadani since 1947. Gadani is situated about 50 kms northwest of Karachi in the Lasbela district of the Balochistan Province. At full capacity, industry in Gadani employs around 30,000 workers. Until recently the industry in Pakistan was facing a downward trend and employed only 6,000 workers directly. However,

recent estimates show currently 12,000 workers are employed. There are around 132 shipbreaking plots out of which two-thirds of the plots are under private ownership and the remaining are owned by the Baluchistan Development Authority.

According to the Engineering Development Board (EDB) of Pakistan the industry is currently meeting 70 per cent of the country's iron and steel requirement. Shipbreaking is the largest industry in Baluchistan province and a major source of tax revenue for the federal government. Hundreds of secondary mills in Pakistan are dependent on the supply of the shipbreaking industry. Currently, Balochistan Environmental Protection Agency (BEPA) is the main regulatory institution that provides a "No Objection Certificate", which is mandatory for the beaching and breaking of ships.



According to the International Metalworkers' Federation (IMF) survey carried out in 2006, the majority of the shipbreaking workers in Alang/Sosiya and Mumbai are migrant workers who fall in the age group of 16-45. Most of them are uneducated or studied primary level education. The nature of workers is also similar at Gadani and Sitakunda. Workers are recruited on a monthly basis or for a specific task on the ship with no written contract. Wages are paid on a daily or weekly basis. As the industry is volatile and the employment arrangement is informal, workers do not have job security and also deprived of statutory social security benefits. The informal work arrangement also deprives workers of any benefit in case of work related injuries, diseases or fatal accidents. In case of accidents employers usually pay for first aid and immediate medical expenses but not for long term treatment or for expenses incurred from chronic work-related illnesses. Workers lose wages in case of absence from work even when on medical grounds.

Working hours are from 8:00am to 5:00pm but most have to work compulsory overtime. Workers do not get additional compensation for the overtime. At any time an employer can fire the worker without prior notice. Large numbers of workers, except very few, are deprived of basic amenities such as first aid, drinking water, toilets, rest shelter, canteen and Personal Protective Equipments (PPE) at the work places.

Large numbers of workers do not have access to information on hazards, PPEs, work-related risks to health and safety. With a few exceptions, workers do not undergo training or exercises on emergency prevention, preparedness and response procedures. As a result workers continue to face grave injuries and are subjected to fatal accidents.

Existing health facilities in Alang/Sosiya, Gadani and Sitakunda do not have adequate equipment, infrastructure or trained medical professionals to provide medical treatment other than first aid for minor injuries. The nearest hospital equipped to deal with life-threatening conditions is located more than 55 kms away at Bhavanagar. Similarly, in the case of Bangladesh, one has to travel up to 35 kms to reach the Chittagong Medical College hospital. The situation is also not different in Pakistan, where to receive emergency medical aid workers have to travel about 50 kms from Gadani to Karachi. In addition to the occupational hazards workers face, many are also affected by HIV.

The poor working and living conditions of shipbreaking workers in India was also highlighted in the reports of the United Nations Special Rapporteur, Mr. Okechukwu Ibeanu, on the Adverse Effects of the Movement



As per available reports, in Alang/Sosiya yards since 1998 to August 2010, 194 workers lost their lives in accidents and 348 workers were injured. From 2002 to March 2011 in Bangladesh, 102 workers lost their lives and 331 workers were injured. In Gadani yards 175 workers lost their lives between 1992 and 2010.

Photo: IMF SAO

Working condition of shipbreaking workers in South Asia

Following quote from news published in IMF website sums up the dangerous working conditions in South Asian shipbreaking yards:

"On January 18, 2011, four workers died and another suffered critical burns in a huge explosion at Mak Corporation shipbreaking yard in Sitakunda, Chittagong, Bangladesh. According to reports the explosion, which occurred while the fuel tank of the ship was being dismantled, was heard two miles away. The impact of the explosion was so massive that a worker, Miraj, 18, who died in the hospital, was thrown 100 meters away. He joined the company just three days earlier.

Bodies of ship breaking workers Liton, 35, and Jubayed, 22, were recovered from the explosion site after fire-fighters stopped the fire. Miraj, with 100 per cent burns died at 2:30pm, while the other worker Rubel, 25, died 15 minutes later at the Chittagong Medical College Hospital. Another injured worker is undergoing treatment with 50 per cent burns to his body and his colleague with minor injuries was released after first aid."

Incidents of this kind are not rare or infrequent in South Asia's shipbreaking yards. According to official estimates in Alang/Sosiya yards from the year 1998 to 2010 August, 194 workers lost their lives in fatal accidents and 348 workers were injured. In Bangladesh, according to the estimates of the Bangladesh Institute of Labour Studies (BILS), from the year 2002 to 2011 (up to March) 102 workers lost their lives and 331 workers were injured. In Gadani yards, 175 workers lost their lives between 1992 and 2010.



At Mumbai shipbreaking yard this young migrant worker, Santhan Nahar from Orissa lost his leg. He is waiting for the legal compensation.

Photo: IMF SAO

and Dumping of Toxic and Dangerous Products and Wastes on the Enjoyment of Human Rights. During his visit to India in January 2010, the UN Special Rapporteur stated that "a number of serious concerns remain to be properly addressed" regarding health and safety conditions of workers in the shipbreaking yards. Expressing "shock" over living conditions of shipbreaking workers, his report underlined the lack of implementation of existing labour and social security legislations.

Regulating South Asia's Shipbreaking Industry

In the face of non-implementation of existing labour and environmental regulations, the scenario of an upward trend and increased arrival of end of life ships to South Asian shores for dismantling is indeed a major concern. However, there is a light at the end of the tunnel with the active role taken by the supreme court of India and courts in Bangladesh, which came down heavily on government authorities for inaction and sought strict implementation of labour and environmental regulations. Further interventions by courts have also led India and Bangladesh to frame a new set of code of conduct for the shipbreaking industry on the basis of national and international regulations. It is significant to note that the initiatives from civil society, both in India and Bangladesh, to approach legal remedies emanated from an environmental perspective.

INDIA: TOWARDS POLICY ON SHIPBREAKING

In India the issue was taken by the Honourable Supreme Court, following the writ petition No 657 of year 1995 filed by the Research Foundation for Science Technology National Resource Policy in which 'the applicant sought the implementation and other remedial measures in respect of Hazardous Waste (Management and Handling) Rules 1989 framed by the Ministry of Environment and Forests; and the general issue of control and management of industrial waste'.

During the course of deliberations the Court issued one of its important orders on October 14, 2003 in which it called for the setting up of an Inter-Ministerial Committee (IMC) to monitor and regulate shipbreaking activities. Subsequently, in January 2004, the Ministry of Steel set up an IMC under the chairmanship of Additional Secretary and Financial Advisor with members of Ministry of Shipping, Ministry of Environment and Forests (MoEF), Ministry of Labour, Gujarat Maritime Board, Gujarat State Pollution Control Board, Central Pollution Control Board, Labour Association and Steel Scrap and Ship breakers Association. Since then the IMC held various meetings. In its last meet in July 2011 the IMC discussed issues such as: the provision of housing and sanitation and hospital facilities; the prevalence of asbestos and incidence of asbestos-related diseases among workers; security concerns; the rising number of incidents of the death and other injuries to the workers in Alang; and wages and insurance scheme for workers.

In Compliance with the order of the Honourable Supreme Court, dated February 17, 2006, the Ministry of Environment and Forest (MoEF) set up a Committee of Technical Experts on shipbreaking on in March 2006,

headed by the MoEF Secretary with experts from various other organizations/pollution control boards. The Committee made various recommendations which are part of the Supreme Court's judgment on September 06, 2007. Further the Supreme Court stated that the Government of India shall formulate a comprehensive code incorporating the recommendations until the Code comes into operation, the recommendations shall remain operative by virtue of the order.

The Ministry of Steel has developed a Draft Code on Regulations for Safe and Environmentally Sound Ship Recycling and circulated for comments. This code incorporates requirements as stipulated in the Hong Kong International Convention for Safe & Environmentally Sound Recycling of Ships.

It is also important to note that the Gujarat Maritime Board has taken steps to improve working conditions, the occupational health safety scenario and the quality of life for workers in the Alang/Sosiya yards.



The improvement has also been acknowledged by the UN Special Rapporteur. A Red Cross dispensary cum hospital was set up and a mobile hospital to provide first aid and emergency treatment was also established. Safe drinking water was also made available in and outside the yards. In Alang the Safety Training and Labour Welfare Institute was established in 2003. From 2003 to March 2010 some 69,907 workers have been trained by the institute. Training programmes, seminars and workshops organized by the institute covers issues such as hazards on ships, fire prevention, Personal Protective Equipments (PPEs) and first aid. It also conducts special training on hazardous waste management, safe removal and handling of asbestos and disaster management.

To upgrade the existing shipbreaking facility in Alang/Sosiya to international standards, the Government of Gujarat has also concluded a Memorandum of Understanding with the Government of Japan, which will facilitate transfer of technology and financial assistance to improve the situation. As per the details provided in the minutes of the IMC meeting held on September 17, 2010, from 2003 to August 2010 a total of 60,851 shipbreaking workers were trained.

However, the reality of improvement in working conditions and the effectiveness of the training should be understood from the fact that, since 2003 – that is after GMB started training workers and after the Supreme Courts' intervention on the issue - about 80 workers lost their lives and 141 workers were seriously injured in various accidents at Alang/Sosiya yards. Though the building meant for the hospital is ready,



Shipbreaking workers Participate in 2011 May Day cultural programmes organized by the Gujarat Maritime Board.

Photo: ASSRGWA



More than 2000 Shipbreaking workers from Alang Sosiya Participated in 2011 May Day rally organised by Alang Sosiya Ship Recycling and General Workers' Association (ASSRGWA)

Photo: ASSRGWA



no hospital is being run in this building for want of medical officers and equipment.

The Mumbai Port Trust, Dock and General Employees' Union (MPTDGEU) played an anchor role in organizing shipbreaking workers in Mumbai and Alang/Sosiya yards. In Mumbai around 2,700 shipbreaking workers have enrolled themselves as members of the union and have been actively participating in trade union activities. In Gujarat, a trade union called the Alang Sosiya Ship Recycling and General Workers' Association (ASSRGWA) was formed by the shipbreaking workers. "It was a challenging task to organize workers in shipbreaking yards," says VV Rane, ASSRGWA General Secretary. Workers had to run from pillar to post for official registration of the union by the State of Gujarat. Currently the union has a membership of 7,800 and is affiliated to the Steel, Metal and Engineering Workers' Federation of India (SMEFI). The IMF through SMEFI as part of its union building projects extended support to organizing workers and continues its support with the help of FNV Mondial.

Owing to persistent efforts and struggles of this union, there is now a regular supply of drinking water at workplaces, availability of first-aid kits with trained workers and provision of an ambulance service on call. At many instances the union fought and won compensation for workers' families who lost their lives or injured in accidents. However, the number of issues namely wages, payment of overtime allowance, hygienic and safe working conditions, training for workers, adequate PPEs, housing facilities and payment of wages on weekly day of rest remain unaddressed by the employers.

One of the key demands of the union is to make payment of wages to shipbreaking workers through cheques or deposit it in their personal bank accounts. ASSRGWA thinks that this process will help establish an employment record for workers. Recently the IMC heard concerns raised by the union in an informal way and promised to act upon them. Now VV Rane is making all efforts for the union to be officially part of the IMC.

BANGLADESH: TOWARDS POLICY ON SHIPBREAKING

In Bangladesh, as well, judiciary was instrumental in evolving a policy to regulate the shipbreaking industry. In March 2009, on a petition filed by the Bangladesh Environmental Lawyers Association (BELA) the High Court ordered the government to close all the

shipbreaking yards, not to allow ships for dismantling without cleansing in-built toxins at source or outside Bangladesh territory and with valid environmental clearance certificates. In a supplementary writ filed by BELA on same issue, on December 15, 2010 the Court directed the government to frame rules within the next three months to ban imports of any hazardous ships. Those rules must be framed in the light of six existing laws: Basel Convention Act, 1989, Bangladesh Environment protection Act, 1995; Bangladesh marine and Fisheries Ordinance 1989; Bangladesh labour Act 2006; Bangladesh Territorial Water and Maritime Zone Act, 1974; and, Environment Protection Rules, 1997.

Meanwhile while disposing another petition the Supreme Court stayed the order for closing the yards, while sustaining regulations. However, in violation of the court order ships have been imported for dismantling. During this period the number of shipbreaking yards increased from 36 to more than 100 with temporary clearance certificates from the Department of Environment (DoE). Subsequently, taking note of serious violations and the deaths of four workers in a fatal explosion at Sitakunda shipbreaking yard on January 18, 2011, the Bangladesh High Court issued a suo moto direction on January 19, 2011 asking the government to stop all kinds of scrapping of ships. It also ordered the government to form a committee to inquire into the incident and investigate what measures should be taken to prevent such accidents in future. In a subsequent hearing on February 21, the court announced that it will permit conditional entry of ships on a temporary basis before the framing of the rules by the government. It also called on the employers to ensure that modern technologies are used for shipbreaking and workers are provided adequate training and safety equipment.

Further, in March 2011, the court ordered the owner of the MAK Corporation, in which the explosion took place, to pay BDT 500,000 (US\$6,800) to families of workers who were killed in the explosion and provide the cost of treatment to workers who were seriously injured. This is the first time in the history of the shipbreaking industry in Bangladesh that legal compensation was provided to the deceased workers' families.

On February 13, 2011 the government of Bangladesh recognized Shipbreaking as an industry and placed it under the Ministry of Industries. The Government of Bangladesh is also in the process of formulating a shipbreaking policy and forming a wage board for workers. A committee has been formed to prepare the policy. After a series of demands from trade unions, the Government of Bangladesh has also invited inputs from the trade unions on the shipbreaking policy.

Welcoming the government's move to invite trade union opinions, Syed Sultan Uddin Ahmmed, Assistant Executive Director of the Bangladesh Institute of Labour Studies (BILS), says that BILS would conduct a Shipbreaking Workers' Trade Union Forum and formulate its views. In addition, Sultan says that it is quintessential that trade unions' views should be incorporated in the making of shipbreaking policy. Further he says that it is also important that the labour ministry play an active role in implementing the policies and regulations to protect workers.



Even after arbitrary de-registration of Gadani Shipbreaking Democratic Workers' Union in 2010 by the authorities workers consider union as their sole representative. Employers also consult the union on workers' issues.

Photo: NTUF Pakistan



PAKISTAN: LONG WAY TO BREAK THE CHAIN

In June 2010, around 15,000 workers went on strike under the aegis of the Gadani Shipbreaking Democratic Workers' Union (GSDWU) at the Gadani shipbreaking yard. Narrating the events of the strike, Nasir Mansoor, the Deputy General Secretary of National Trade Union Federation (NTUF) said that, "the striking workers faced severe repression from the government authorities in collusion with the shipbreaking employers. The representative union was deregistered, leadership was arrested and police and the Anti-terrorist Task Force (ATF) was deployed to break the strike. A number of criminal cases were registered against the union by the police at the behest of contractors and ship owners, while the issue should have been dealt under the industrial dispute resolution mechanisms."

The strike played a vital role to highlight the plight of shipbreaking workers. Spirited action of the workers forced the shipbreaking owners to raise the wages and extend some facilities to the workers. Even in the absence of the legal existence of the union, GSDWU runs its union office and workers recognize the union as their sole representative. The workers' collective position forced the owners to consult union representatives on workers' issues. The union office at the shipbreaking yard is the only gathering point of the workers to redress their day to day problems, says Nasir Mansoor.

The union was also successful in getting compensation for the families of victims in fatal accidents. Recently families of 15 workers that died receive the death grant of PRS 300,000 (US\$ 3,530) each from the

government and shipbreaking owners. In June 2011, with the intervention of the union, wages have been increased. Employers also agreed to establish one subsidized food canteen for the workers of every five ship breaking yards. However, Nasir Mansoor is concerned that many problems are yet to be addressed adequately, such as health and safety, drinking water, better residential quarters, registration of workers with Baluchistan Employees' Social Security Institution (BESSI), Employees' Old Age Benefit Institution (EOBI) and Workers' Welfare Fund (WWF).

Unlike India and Bangladesh, the Government of Pakistan has not yet initiated the process of creating a policy to regulate the shipbreaking industry. Explaining the reality on the ground, Nasir Mansoor says, "as a result of non implementation of existing labour laws and negligence of health and safety measures, on every day workers are maimed and precious lives are lost at the Gadani shipbreaking yard. We have to travel a long way to break this chain."

LIGHT AT THE END OF TUNNEL

In April 2011, the IMF organized an International Conference for Shipbreaking Workers at Mumbai. Trade unionists from South Asia called for building stronger unions of shipbreaking workers, developing a global strategy to organize workers and building an international network to protect workers' rights and improve living conditions. Along with on-going union building work in India, IMF is at the forefront of creating a network among shipbreaking workers in South Asia. It is also playing a vital role in supporting its affiliates to intensify organizing shipbreaking workers in South Asia.

With the upward trend in the arrival of ships for dismantling, the shipbreaking industry in South Asia is at a critical juncture. So far the governments in South Asia have denied the rights of trade unions to participate in evolving policy regulations for the shipbreaking industry. To arrest loss of life and abolish in- human working conditions it is paramount for trade unions to ensure that the governments in South Asia implement existing laws and expedite the process of creating new policy regulations for the shipbreaking industry. Trade unions need to fight for a legitimate role in policy making and monitoring the implementation of regulations.



Delegates from IMF interact with shipbreaking workers at Mumbai

Photo: IMF SAO





INTERVIEW



“Previously we used to have more agitations, strikes and demand oriented mobilizations. Now, in the workplace and in the workers’ life, big economic changes have taken place. Unions’ activity in future will depend more on education and intellectual way of negotiations,” says Dr G. Sanjeeva Reddy.

Photo: IMF-SAO

Dr G. Sanjeeva Reddy



TRADE UNIONS’ UNITY IN INDIA WILL GO A LONG WAY

Text / Sudhershnan Rao Sarde, G.Manicandan
Text Editor / Anita Gardner



In a historic march to Parliament on February 23, 2011 around 200,000 working people of India rallied in New Delhi demanding control on price rises, strict enforcement of labour laws, linkages of employment protection with the stimulus package, universalization of social security, enhanced social security fund and to stop privatisation of central public sector enterprises.

In photo: Dr G. Sanjeeva Reddy Addressing the gathering.

Photo: IMF-SAO



Trade unions across the world are building alliances and partnerships to combat the ever increasing corporate and state attacks on workers' rights. In India, trade unions across the ideological spectrum have demonstrated to the world their willingness to become stronger by building a united trade union front across their political affiliations. Dr G. Sanjeeva Reddy, a Member of Parliament, President of one of India's foremost trade unions, the Indian National Trade Union Congress (INTUC), and Executive Committee member of the IMF shares his views on increasing workers' power by building a united trade union front on the critical issues faced by the trade union movement in India.

Dr G. Sanjeeva Reddy has been engaged in trade union activities for more than 60 years and has been President of INTUC since 1994. He was elected as President of ITUC Asia Pacific in May 2011. In this interview for Metal Asia Pacific, welcoming the initiative to publish an IMF Journal for Asia Pacific, Dr G. Sanjeeva Reddy speaks to Sudhershnan Rao Sarde, IMF Regional Director and G.Manicandan, IMF Research and Communications Officer on organizing the unorganized metalworkers, women's representation in trade unions, the future of the Indian trade union movement, transformations in nature of trade union activities and the role of trade unions in Asia.

Sudhershnan: You have seen the struggles of three generations of workers, namely during the freedom struggle, post independence period and post-liberalization period. How do you see the future of trade union movement in India?

Dr Reddy: The future of the Indian trade union movement will be very good. Previously we used to have more agitations, strikes and demand-oriented mobilizations. Now, in the workplace and in the workers' life, big economic changes have taken place. Unions' activity in future will depend more on education and intellectual way of negotiations. Accordingly trade union activities have to be educative and intellectually guiding workers at the workplace. It is a big change. There is little scope for traditional approach and agitations. Big agitations are only possible whenever there are significant economic demands, victimization and repression

by the managements. Labour laws also need to be changed. Most of Indian labour laws were enacted more than 60 years ago. After economic liberalization in the year 1991 in India, there is great deal of transformation in the dynamics of industrial relations and workers' problems. At the job level, modernization and automation have been introduced in a big way. Workers have to apply more intellectual skills rather than physical strengths. They are also intensively trained to carry out such tasks. On the other hand, the numbers of workers on the regular roles [direct/permanent employment] have come down. More production and less workers is today's trend. During this period investments also tremendously increased. So trade unions can play a good role bringing more knowledge to the worker.

Sudhershnan: So as I understand of what you say, the leadership should be more educated and conscious not only about the company and union but also overall economic scenario. And they have to give an enlightened leadership.

Dr Reddy: Yes. First of all the leadership has to be enlightened and knowledge has to be transferred to the workers. Workers in the field require good knowledge, education, training and this will be more helpful. Trade unions should be able to provide and help workers on workers friendly technologies. That is the big change I am talking about. Previously, developing country trade union movement had been characterised by a fight between management and workers on economic issues. Workers were not allowed to be involved in management decisions and determining work procedures and production results. Whereas now-a-days the management is ready to open the policies and programmes and engage with trade unions positively. Trade unions need to study intensively and transmit the knowledge and help workers. It must be in a position to present their case on the impacts of new technologies and workload on the workers' health and help workers to face these challenges to discharge their duties at workplace.

Sudhershnan: Now we see a phenomenon where most of the young workers, who are educated and qualified, are not willing to join the unions. The management

also designates them as executives, junior engineers and technicians so that they cannot become part of the unions. How do you think we can attract these young talents into the trade union movement?

Dr Reddy: As per the laws in India, workers who are drawing the salary of INR 10,000 (US\$220) or doing the job of a supervisor, he/she is not entitled to join the trade union. A supervisor who is getting a salary of INR 10,000 or more cannot be a member of the trade union. Executives also cannot be members. Managements have got a programme to reduce the membership of workers in trade unions. Therefore they are giving false designations to avoid, discourage and prevent workers from joining unions in their companies.

Secondly, highly skilled workers, like software engineers who are getting a handsome salaries, could not really understand and take decisions whether the salary they are getting is really a justified salary or not. So they are afraid to join the unions. After a point of time, when they realise that their volume and quantum of work is more important, and the salary they are getting is very less, there will be more chance to build the trade unions in those sectors.

Sudhershnan: In these times of post-economic crisis, the BRICS (Brazil, Russia, India, China and South Africa) countries are considered as growth engines of a new economic order. In these five countries China and India are part of Asia. How do you see the role of the Chinese trade unions and Indian trade unions? Can they provide leadership for the international trade union movement and what kind of role they have to play?

Dr Reddy: I have got a clear position in this matter. In China the government and trade union movement are controlled by the party. Trade unions do not have the liberty to protest against government. They do not have the freedom to organize a free trade union movement in China. There is controlled trade unionism and trade unions are for namesake only. So the Chinese trade unions should be considered as part of the government. Irrespective of workers' interests, unions in China toe the line of government.

On the other hand India is a free democracy. We have got the freedom of association, freedom of collective bargaining, and freedom to involve in actions like agitations and strike. So India is in disadvantageous position in comparison to China on economic purposes and in attracting foreign direct investments.

In case of India, the misuse of democracy and freedom has created more problems for the country. We have multiplicity of trade unions in the country. So trade unions are getting weaker in comparison to the managements. In a democratic country with freedom of association and collective bargaining trade union have got more responsibility. We are happy with this freedom, and we want to behave in a very responsible way in industrial relations. Indian trade unions are learning to play constructive role in the context of competition in global market to safeguard workers' interests, safe and secured service conditions, protection of jobs and also see that the industry is protected.

China has got a big advantage compared to India as their workforce is solid: no work stoppage, no demand for wage increase, and whatever the minimum wages fixed by the government has to be implemented. However, in India we are demanding wages according to the paying capacity of the industry. We also want to uplift the economic life of workers, so our demands are not restricted to the cost of living and purchasing power index, but according to the profit of the industry. So our demands have got no limits. If profits are increasing, more funds and more welfare activities have to be undertaken by the managements.

Sudhershnan: India is witnessing more Foreign Direct Investment (FDI) in recent times, particularly in the steel and auto sectors. However, most of the multinational companies (MNCs) either they are promoting in-house unions or they do not want unions at all. We need FDI, but at the same time workers' rights are also to be respected. How do we address this challenge?

Dr Reddy: We are strongly opposing the anti-worker attitude of MNCs in India. Law of the land must be respected. When Indian laws provide for freedom of association, MNCs have to respect it and engage



"Employers are trying to form in-house unions with few people in hand but it will lead to a big crisis in the industry. MNCs' short-sighted in-house union policy in India is not going to sustain in the long run," says Dr G. Sanjeeva Reddy.

Maruti - Suzuki workers launched a sit-in strike from June 4, demanding trade union rights. While the management sacked 11 workers including union office bearers, thousands of workers in Gurgaon region demonstrated in solidarity with workers. The 13 day long sit-in strike was concluded in the early hours of June 17. The 11 dismissed workers are reinstated pending domestic inquiry and both the parties agreed to cooperate with each other.

Photo: IMF SAO





Right to union, work intensification and subsequent chronic health problems of 450 workers were the main issues of protesting workers in one of the biggest strike actions launched in decades in Gujarat by General Motors India workers. The 51 days strike was led by the union Gujarat Kamdar Mandal (GKM), affiliated to Indian National Trade Union Congress (INTUC).

Photo: GKM India



positively in building industrial relations. Employers are trying to form in-house unions with few people in hand but it will lead to a big crisis in the industry. Once the workers learn that the management is trying to control the union workers will protest. MNCs' short-sighted in-house union policy in India is not going to sustain in the long run.

Sudhershnan: In the recent history of the Indian trade union movement, February 23, 2011 was a momentous day, when all trade unions cutting across ideological affiliations have marched together to Parliament. They also unanimously accepted your leadership. How far this unity will go? Is there any possibility of merger of some of the national centres so that a strong unified national trade union movement is built?

Dr. Reddy: It is very difficult to say at this moment. I can't say about the merger of central trade unions. At least I am not seeing any merger in the immediate future. But we want to work together to understand each other well. Mutual trust, confidence in each other has to be built among trade unions. For years to come we have to work together. To build mutual trust and understanding, compromise, collective decisions based on consensus, collective actions and discussions going to be helpful to maintain the unity among trade unions. After independence this is the first time we marched together. We are trying our level best to maintain this unity. Recently Bharatiya Mazdoor Sangh (BMS) also agreed and joined us. The global economic situation has compelled us to come together. Employers are getting united and government is also unnecessarily imposing anti-labour policies at some places, with the anxiety to bring more economic prosperity in the country and attract more investments and industries into the country. So they want to be more favourable to the industry than the workers. This has compelled all trade unions to come together and we have decided to work together. Trade unions' unity in India will go a long way and I hope that this unity may finally turn into merger of trade unions.

Sudhershnan: Sir, what is the response of the Government of India and employers for the united struggle of trade Unions?

Dr Reddy: Until now we have not got any substantive reaction from the government or the employers. So far there has been no occasion to discuss the issue with private sector employers. In the public sector we have been discussing jointly because we have got an understanding and we are negotiating jointly. We

are waiting for the response from the government and private sector employers. We made five major demands. One, price control of essential commodities; second, abolition of contract systems or the contract workers may be paid on par with the permanent workers; third, stop liquidation of government share, disinvestment or privatization of the public sector industry; fourth, minimum wage, job protection and retirement benefit for unorganised sector workers in India. Two years back the government of India has passed a resolution in this regard. But they have not implemented it 'til this date. We are pressurizing the government to implement their programme for the benefit of workers in the informal sector. Proper implementation of labour laws and modernization of labour laws are also our demands. In future we will come to know how they are responding to our demands.

(Unorganised sector denotes casual, temporary and contract nature of employment with no job security, which also includes self employed workers. In Indian context it is often used interchangeably with the term "informal sector", that denotes enterprises that are not governed by legal framework. It is also important to note the existence of informal employment in the formal sector)

Sudhershnan: On several occasions you said about contract workers. In global unions' language, we call them precarious workers. You are saying that regularization of contract workers may not be possible but at least parity should be given in terms of wages and other benefits. So in the recent INMF convention held in Jhamsshedpur, the convention passed a unanimous resolution that the minimum wage of the contract workers should be INR 10,000 (US\$220). What extent this is being materialized?

Dr Reddy: We have negotiated with the government of India on this issue. We divided this in to two issues namely contract labour absorption and wages on par with permanent workers. The government of India agreed to negotiate with us on the payment of wages for contract workers on par with permanent workers. It seems the government is favourable and they are giving indications that they are positively reacting in this matter. The government want to discuss further on this issue. We also want that all the private sector employers also should not pay less than Rs 10,000 (US\$220) minimum wages for all contract workers. At some places we have achieved it and at some places negotiations are going on. Very soon we are going to get this.

Sudhershnan: Regarding special economic zones (SEZs), though there is no ban under the law to organize trade unions, when we see the enactments of the each states, for example Andhrapradesh or Tamilnadu, we are witnessing huge inconsistencies. In Andhrapradesh the law says 25 per cent of them can be members of the union. In Tamilnadu, they have declared the whole area as public utility services. The SEZ is administered by the development commissioner. They do not have a labour commissioner. Practically they are not allowing the unions to be formed in the SEZs. So how do you address this challenge?

Dr Reddy: This is one of the big challenges before us and we are pressurizing the government. A number of times we have discussed it with the central government. They are also telling the state governments that the union should not be victimized in the name of SEZs. As you said correctly they are not implementing the policy. The Government of India's position is that labour laws are not implemented by the state governments. Wherever we have got strong unions, with their struggles they are making authorities to implement labour laws. As you said correctly the state government is avoiding and employers are taking full advantage of this scheme and number of workers and trade union leaders are victimized. We want to discuss this issue with the Government of India to bring pressure on the state governments to agree and implement the law of the land. I think trade unions can prevail upon the government and very soon we will bring some result on this issue.

Sudhershnan: There are many issues raised about environment. FDI coming in to some States is being opposed. As trade unionists how do you like to harmonise the situation?

Dr Reddy: We are saying that the environment and pollution are the biggest problem worldwide. They are not only India's problems. It is a universal problem. India is still a developing country. Therefore, we want to take simultaneous steps to protect the environment and allowing the development. We should give little bit of liberal hand to the new industries coming up, but equally we should protect the environment and climate issues. To balance both these processes, the Government of India also require some time to form policy and to manage. New industries should not create more pollution, new regulations and technologies can be introduced. The old industries should adopt new technologies to avoid pollution. We should put condition that the new industries should not create pollution. We are engaging with the government on these issues and also creating awareness among our workers.

Sudhershnan: Women's participation in trade union activity is very low. The total organized workforce is less than eight per cent. Even within this women's participation is very low. What steps have INTUC and INMF been taking to increase women's participation in trade union activities? Are you visualizing some quota systems? In case of IMF executive committee, in the previous congress we have made a rule that one third of the members should be women. You might replicate such a system in INTUC as well.

Dr Reddy: We want to reserve some positions for women trade unionists on the basis on central, state and federation quotas. We are facing major problems because 80 per cent of women are working in informal sectors. Once we organize the informal sector, 70 to 80 per cent of trade union posts will be occupied by women in the unorganized sector. Then women participation in trade union will not be a big problem. In organized industry the proportion of women workers is very less. Their membership in trade union is even less. Even though women working in some commercial establishments are members of a union, they are not participating in trade union activities owing to their family responsibilities. Their active participation is more important. When informal sector will be organized, it is women who are going to dominate trade unions in India.

Manicandan: How do you approach the organizing and building union strength among unorganized sector workers? What have been your specific initiatives?

Dr Reddy: A number of welfare programmes have been started by the government for the benefit of workers in unorganized sector. So, through welfare boards we are approaching to enrol the members in informal sector. Second, the Government of India already introduced a bill where informal sector workers are organized and they may be registered in trade unions. Also they are introducing some of the social security net like a minimum wage, Provident Fund (PF), gratuity and Employee State Insurance (ESI), health issues and children education. All these problems are addressed through the unorganized sector social security bill. Trade unions want to take full advantage of the bill. By implementing this bill we want to enrol the unorganized sector workers in trade unions in big numbers and bring them into the trade union fold.

Manicandan: What is your opinion on the progress of trade union movement in Asia?

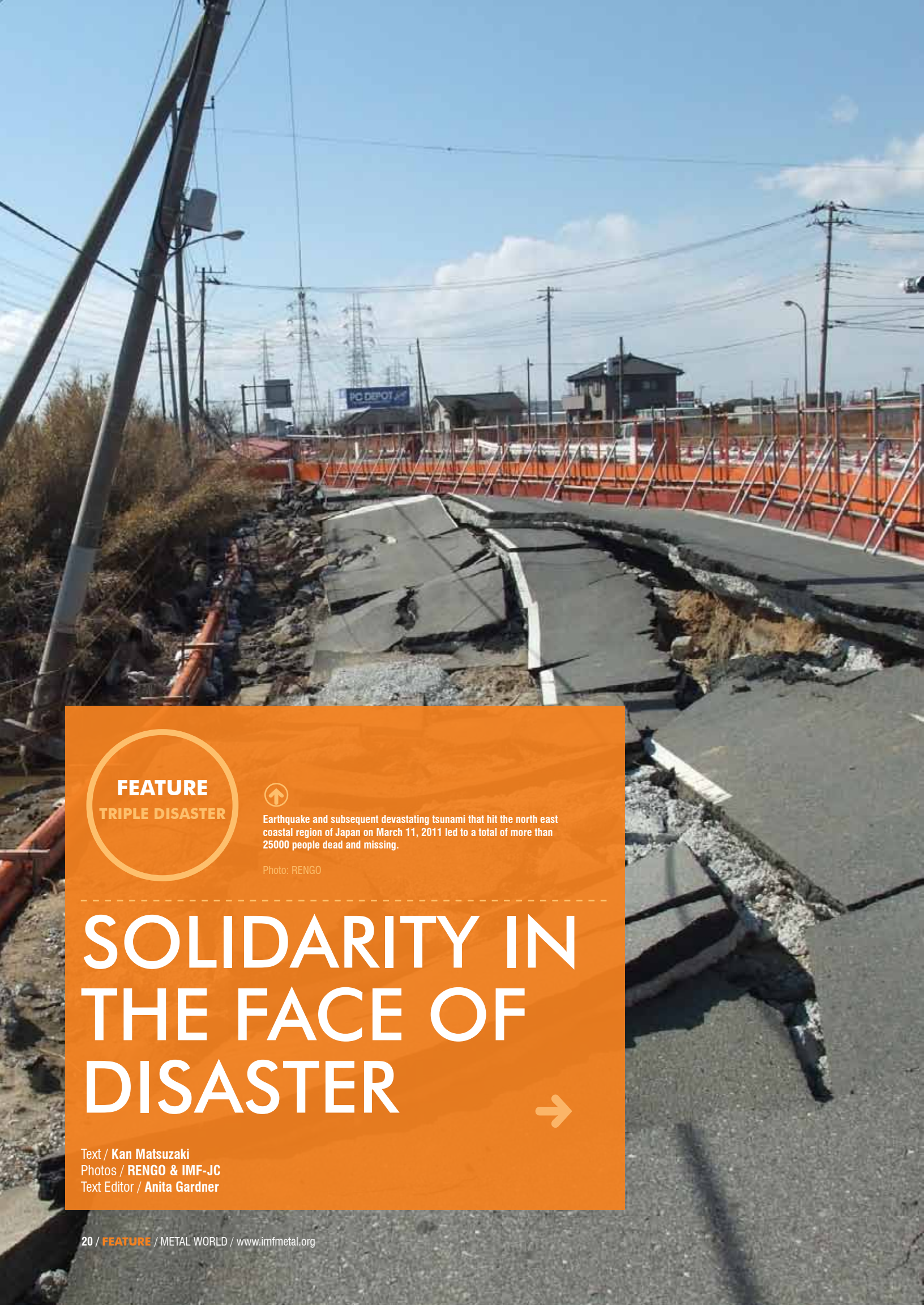
Dr Reddy: In case of trade union movements in Asia, in countries like Japan, Korea and India trade unions have developed largely like western countries. But many countries in Asia still we are backward in organizing the workers and strengthening trade unions. Because in a number of countries informal sector workers are more and organized sector workers are less. Therefore, we have got a weaker trade union movement in many countries in Asia. But in case of some smaller countries like Singapore and Malaysia the number of organized workers are more. But in larger countries like India we got only eight per cent of organized workers. Large number of workers in unorganized are not organized yet. Gradually we are going to organize these workers and our trade union movement is going to be strengthened in times to come.



"We are strongly opposing the anti-worker attitude of MNCs in India. Law of the land must be respected. When Indian laws provide for freedom of association, MNCs have to respect it and engage positively in building industrial relations," says Dr G. Sanjeeva Reddy.

Photo: IMF SAO





FEATURE
TRIPLE DISASTER



Earthquake and subsequent devastating tsunami that hit the north east coastal region of Japan on March 11, 2011 led to a total of more than 25000 people dead and missing.

Photo: RENGO

SOLIDARITY IN THE FACE OF DISASTER



Text / **Kan Matsuzaki**
Photos / **RENGO & IMF-JC**
Text Editor / **Anita Gardner**



A review of the impact of the triple disaster (earthquake, tsunami and nuclear accident at Fukushima) on metalworkers in Japan and the solidarity response by trade unions and their members.

Disaster strikes

At 2:46 p.m. on Friday March 11, 2011, when most workers were in their workplaces, an earthquake hit the northeast of Japan (the coastal area on the Pacific side of the Tohoku region) with a magnitude of 9.0 on the Richter scale, the largest on record in Japanese history. Right after the earthquake occurred, a Tsunami hit a 700 kilometer-long coastal area of east Japan, causing far more devastating damage to the cities, towns and villages than the effect of the earthquake itself. Many precious and loved local homes were swept away, and the landscape was turned into heaps of rubble.

As of May 3, the number of people recognized to be dead amounts to 14,755 and when added to the number of people missing whom the police have been informed of, the total increases to more than 25,000. The number of buildings and houses which were completely or half destroyed by the earthquake and the tsunami exceeds more than 107,000, and now, more than 120,000 people are refugees who are forced to live in 2,400 different shelters in 18 different prefectures.

Many workplaces in the area were also destroyed and approximately 70,000 workers lost their jobs (reported as being "laid-off" or "unemployed") because of the catastrophe. As of March 29, IMF-JC, organizing five metalworkers' federations, confirmed that more than 220 members and their families had been directly affected through loss of life or people missing. IMF-JC is still investigating the fate of union members and families since more time is needed to grasp the whole situation of the widely damaged area.

The tsunami also led to damage and the loss of control of the Fukushima Daiichi Nuclear Power Plant, located at the coast of Fukushima Prefecture. The International Nuclear Events Scale (INES) rated the severity of the situation as level 7 on a par with the Chernobyl disaster due to the critical amount of radiation leakage. The Japanese government officially declared the 20-km evacuation area around the crippled nuclear power plant as a "no-go" zone. More than 80,000 people who were living within the zone are now sheltered away from their homes.





RENGO launched a campaign called "Connecting (solidarity) JAPAN", organized rescue volunteer parties consisting of 50000 union members to support the disaster victims, and set up six bases in the three prefectures of Iwate, Miyagi and Fukushima where most of the damage by the earthquake and the tsunami occurred.

In Photo: RENG0's volunteer team engaged in disaster relief work.

Photo: RENG0



Regarding the economic damage, the Cabinet Office of Japan estimates the cost of the damage that has occurred in the disaster area will be US\$195 to 305 billion. The metal industry in the coastal area of Tohoku was also heavily damaged in their production sites, which affected both domestic and international supply chains. The Tohoku area has many key global manufacturers and suppliers producing products such as computer chips used in smartphones and tablet PCs, high-tech automobile components and special adhesives for lithium ion batteries. With maximum support from workers in the recovery, 60 per cent of manufacturing in the area was restored only a month after the earthquake.

However, the electricity shortages following the triple disaster have become a more serious problem for not only the immediately affected areas, but also for all the production sites, workers and their families that live in the Kanto region covered by Tokyo Electric Power Company (TEPCO). Over the coming summer, especially in Kanto and Tohoku region, users will have to make a massive effort to save up to 20 to 25 per cent of energy to ensure that supply can

match demand during the peak-loads so as to avoid scheduled rolling blackouts. Otherwise, the metal industry, which needs a non-stop electricity supply for processes such as semiconductors, steel and iron works, and in optical fiber production, will be forced to stop its operations with a subsequent impact on workers' working conditions.

Another negative effect which is now presenting a very serious problem is "rumor". The Japanese government is reporting the results of inspection on radioactivity levels in the Tohoku and Kanto region, including food products of fishery, agriculture and livestock, and confirming its safety to consume. However, even if local "safe" products have passed severe inspection, many people and retailers avoid buying anything from the area. As a consequence farmers and fishermen in the area are facing a hard time to continue their business and lives. Also, according to media reports, the evacuees from the Fukushima prefecture, where the nuclear plant accident occurred, have been denied services at commercial facilities. In other cases, elementary school students who were evacuated from Fukushima are being bullied at school. The Human Rights Bureau of the Ministry of Justice announced a special message to the public that, "It can be an infringement of human rights to discriminate against people due unreasonable bias or prejudice, even if it is motivated by anxiety over radiation effects."

Trade Union's activities: connecting solidarity between workers and whole society

The Japanese Trade Union Confederation (JTUC-RENGO), organizing 6.8 million members across Japan including two million metalworkers of IMF-JC, has prioritized restoration activities for the sake of the



On March 14 RENG0 set up a Disaster Relief Task Force to start a fund-raising campaign so that the money being donated by national and international brother and sister unions from around the world could be utilized for the victims and their society.

In photo: RENG0's volunteer team engaged in disaster relief work.

Photo: RENG0





At the international level, the International Metalworkers' Federation (IMF) took a very important role to lead its affiliates and stimulate other international organization in sending solidarity messages and making donations to the affected workers and their families.

In photo: RENG0's volunteer team engaged in relief work.

Photo: RENG0



disaster victims. On March 14, RENG0 headquarters set up a Disaster Relief Task Force to start a fund-raising campaign so that the money being donated by national and international brother and sister unions from around the world could be utilized for the victims and their society. also launched a campaign called "Connecting (solidarity) JAPAN", organized rescue volunteer parties consisting of union members to support the disaster victims, and set up six bases in the three prefectures of Iwate, Miyagi and Fukushima where most of the damage by the earthquake and the tsunami occurred. Since March 31, the "RENG0 Volunteer Teams", consisting of 50,000 union members in total, have been sent to the afflicted areas to support the disaster victims and restoration activities. These volunteer activities will continue for six months until September. Not only the 50,000 members, but all the union members of RENG0, one third of whom are metalworkers, are making great efforts to connect and show solidarity all over Japan, to revive the devastated region and Japanese economy as soon as possible.

At the international level, the International Metalworkers' Federation (IMF) took a very important role to lead its affiliates and stimulate other international organization in sending solidarity messages and making donations to the affected workers and their families. The IMF headquarters

called on all its affiliates for solidarity on March 16. One week later, IMF-JC had received more than 40 solidarity messages from IMF's brothers and sisters, and the donations from IMF HQ and its affiliates make up a large proportion of RENG0's fund raising campaign, which had collected more than US\$250,000 from unions all over the world by March 31. RENG0 appreciates the international solidarity and in a message on its website states, "we have received so much encouragement from our friends all over the world. RENG0 is determined to stand at the front towards supporting the victims and restoring the disaster-stricken areas, with your encouragement and support in our hearts."

Representing the victimized workers, RENG0 also plays an important role to support them with institutional and industrial policy. Immediately after the disaster, RENG0 demanded that the government promptly implement support measures for the victims. RENG0 and IMF-JC are now calling on the government to formulate restoration programmes and other necessary measures such as employment and support for business reconstruction measures.

The nuclear accident and the metalworkers

At the Fukushima Daiichi Nuclear Power Plant, owned by TEPCO, there were 400 companies operating employing a total of 9,000 workers, many of whom were metalworkers from the nuclear plant's engineering companies such as Toshiba and Hitachi, and also from many other small & medium sized contractors such as electricians, plumbers and construction workers. After the accident occurred, their employment and job security become unstable. Moreover, many metalworkers joined the team of approximately 500 workers who are everyday trying their best to make the plant stable and safe despite the anxiety of dangers of working in this radioactive environment.

Japan is facing one of its biggest tests in its history, however; the workers' solidarity will bring the society back to normal and as it used to be.



Metalworkers' clearing the debris at a local union office damaged by the earthquake.

Photo : JAM



THE STRUGGLE TO ORGANIZE THE UNORGANIZED IN EPZS

Nur Fahrozi is an EPZ organizer at FSPMI, and he believes that it is through educating workers on their rights at the workplace that the unorganized can become organized.

Text & Photos/ **Cherisse Fredricks**

Nur Fahrozi, 35, better known as Ozzy, is an Export Processing Zone (EPZ) organizer at FSPMI Bekasi branch in Indonesia. He graduated from a technical high school and then worked for four years at PT Fujisei Metal Indonesia, as warehouse staff. In 2006, two years into his employment at PT Fujisei, Ozzy was plant level advocate and joined in founding FSPMI at Fujisei. He was fired from the plant in 2008 after industrial relations issues and became a full time EPZ organizer at FSPMI Bekasi.

According to Ozzy, he began to get involved in organizing in 2006 and "the main reason for forming the union was because of the change from permanent workers to outsourced workers, there are no social security benefits, no collective bargaining and wages are lower than the minimum wage."

Ozzy explains the difficulty in organizing EPZ workers, "In the industrial area it is difficult for workers to understand their rights, with long working hours there is little time to learn about rights in the workplace. If workers can understand their basic rights then the work force can become stronger."

He explains a typical day as an EPZ organizer. In the morning he heads straight to the FSPMI Bekasi branch office to check his emails and fax for any infor-

mation received from the national centre. By noon he goes to the plant level to distribute information and discuss if there are problems in the workplace and if so, how the branch office can help. Days can often be very long, explains Ozzy, "sometimes I invite workers who are not organized to talk about the union, often discussions will include many different workers and can go on until very late here at Kymco."

PT Kymco Lippo Motor Indonesia is an abandoned plant taken over by the union, after a joint venture between Kymco Taiwan and Lippo Indonesia. In September 2008 there was a dispute between the owners. Lippo went to court and won the dispute, but both of the owners refused to give the retirement fund to the workers leading workers to strike. The union made a claim at the Commercial Court and the court said that only if the company is considered bankrupt can the company give the salary and benefits to the workers. The company was declared bankrupt in May 2010 and workers are still waiting for a bankruptcy settlement.

Kymco abandoned plant is an important place for the union. "There are special economic and political discussions on Friday nights for workers who want to learn. It's an open discussion of approximately 100

PROFILE

NUR FAHROZI

Country / **Indonesia**

Union / **Federation of Indonesian Metal Workers' Union (FSPMI)**



Nur Fahrozi at abandoned PT Kymco Lippo Motor Factory, now taken over by the union and used as facilities for training workers, meetings and accommodation for workers families. His red t-shirt reads: approve the new social security law!!!



workers who are free to bring their issues to the table," says Ozzy. "Kymco is an important place, it is a meeting point for workers' discussions, a meeting point for organizing and it also serves as a home for families of workers who do not have a place to stay." With FSPMI flags all around the premises it is obvious that the factory is taken over by the union. Their presence is strong here and this is a good place to help in organizing.

Ozzy believes that the solution to organizing workers is to educate the worker in explaining the importance of joining the union. "If they organize maybe there is another union outside of FSPMI and they can join in alliance, for example, to push together in the fight for minimum wage."