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12 Fast fashion, production targets, and gender-based violence in Asian garment supply chains

Shikha Silliman Bhattacharjee

Introduction

Radhika, a line tailor, stitches garments for the export market on a production line in Bangalore, Karnataka, India. In order for brands to offer new styles in their stores year-round, orders to suppliers have to be completed fast. Supplier factories are required to meet accelerated production time lines, sometimes without much advance notice. Production starts with a sample made by a highly skilled sample tailor. The time taken for the sample tailor to make one piece is used to calculate hourly production targets. Radhika, like the majority of workers from across Asian garment production networks, is under sustained pressure to meet targets at the expense of taking breaks to rest, using the restroom, and even drinking water.

For Radhika and other women on her production line, pressure to meet production targets drives workplace violence. Radhika described being thrown to the floor and beaten by her batch supervisor:

At 12:30 pm, my batch supervisor came up behind me as I was working on the sewing machine, yelling “you are not meeting your target production.” He pulled me out of the chair and I fell on the floor. He hit me, including on my breasts. He pulled me up and then pushed me to the floor again. He kicked me.

Singled out from a line of around 38 tailors, this public corporal discipline terrorized not only Radhika, but the women around her. Violence on the production line is so normalized that no supervisor or coworker intervened on her behalf.

Radhika filed a written complaint with the human resources department at the factory. She described the meeting between herself, the supervisor, and human resources personnel:

They called the supervisor to the office and said, “last month you did the same thing to another lady—haven’t you learned?” Then they told him to apologize to me. After that, they warned me not to mention this further. The supervisor and I left the meeting. I went back to work.

In Radhika's meeting with human resources, it became clear that her supervisor was a repeat offender: this was at least the second time he assaulted a woman worker on the factory floor, but this did not lead to his termination. Radhika reported that though the abuse from her manager did not stop, she continued to work at the factory because she needs the job.

Radhika's experience of violence is not an isolated incident. During January–May 2018, Asia Floor Wage Alliance (AFWA) and Global Labor Justice (GLJ) researchers documented gender-based violence reported by 150 women garment workers in Bangladesh, Cambodia, India, Indonesia, and Sri Lanka—including workers from 37 different supplier factories within the Gap, H&M, and Walmart supply chains.¹ Women garment workers reported facing sexual harm and suffering; gendered industrial discipline practices—including physical violence, verbal abuse, coercion, and threats; physically extractive labor practices with severe health consequences—a practice termed *mining of the body* (Nathan et al. 2018); unsafe workplaces; and the production of insecurity through reliance on contract workers, threats of termination, barriers to freedom of association and collective bargaining, and retaliation for reporting violence. Gendered cultures of impunity among perpetrators further undermine accountability for violence.

Gender-based violence in the garment industry is not simply a factory-level problem, but is instead rooted in gendered segmentation of the garment workforce. In-depth factory profiles of 13 garment supplier factories from Bangladesh, Cambodia, and India revealed consistent distribution of workers by gender across departments and roles.² Women workers are concentrated in low-wage production jobs where they are hired on short-term contracts. Within these roles, they are driven to reach unrealistic production targets through excessive hours of work in unsafe workplaces. These risk factors for violence³ stem from the structure of garment supply chains, including asymmetrical relationships of power between brands and suppliers, brand purchasing practices driven by fast fashion trends and pressure to reduce costs, and proliferation of contract labor and subcontracting practices among supplier firms. In short, gender-based violence in the garment industry is a by-product of how multinational brands do business. The structure of production in global production networks (GPNs), involving several companies across multiple countries, allows brands and retailers to dictate sourcing and production patterns while deflecting accountability for how purchasing practices drive severe violations of rights at work.

What approaches might prove effective in eliminating gender-based violence in garment supply chains? This chapter makes a case for substantive obligations on lead firms through binding, contractually enforceable agreements. In order to address gender-based violence at the intersection of patriarchal social norms and supply chain employment practices, such an approach should be led by women workers and require brands to meaningfully invest in addressing risk factors for violence in their supply chains.

Women workers in Asian garment supply chains

Globally, Asian garment suppliers top apparel exports worldwide. In 2016, more than 55.4% of \$443 billion in global apparel exports originated from seven Asian countries—in order of market share: China, Bangladesh, Vietnam, India, Hong Kong, Indonesia, and Cambodia (WTO 2017). Across Asia, women make up the vast majority of garment workers. Women between the ages of 18 and 35 dominate the Cambodian garment production sector, comprising an estimated 90%–95% of the industry's estimated 700,000 workers (Barria 2014; Kashyap 2015). In Bangladesh and Sri Lanka, 85% of garment workers are women (Madurawala 2017; Moyeen 2018). In Indonesia, women comprise 80% of the garment workforce (Oktaviana 2017). In India, women account for between 60% and 75% of the garment workforce (Kane 2015; Mohan 2017). These numbers do not include women engaged in seasonal, home-based garment work (Kashyap 2015).

Working conditions for women producing garments at the base of Asian garment supply chains are informed by the structure of the Textile, Clothing, Leather and Footwear (TCLF) GPN.⁴ The evolution of production processes to include several companies across multiple countries has precipitated shifts in employment relationships and control over production processes. Brand purchasing practices, driven by fast fashion trends and pressure to reduce costs, structure employment relationships for women workers. These features of work in the garment supply chain have significant consequences for a gendered global labor force.

Buyer-driven value chains

The TCLF GPN is characterized by geographically dispersed production and rapid, market-driven changes. Brands engage in high-value market research, design, sales, marketing, and financial services. They typically outsource garment production to geographically disbursed Tier 1 companies that may, in turn, subcontract some or all of the garment production process to manufacturing companies known as suppliers. This structure allows brands and retailers to drive coordinated production of goods by capitalizing upon new technology, relaxed regulatory frameworks, and a supply of low-wage labor in developing countries (Ghosh 2015). While brands and retailers do not produce garments, they drive sourcing and production patterns overseas. This production model has been characterized as a buyer-driven value chain (Gereffi 1994).

Due to diminished government and brand accountability—especially among unregistered suppliers—working conditions in garment factories lack oversight and consistently fall below decent work standards (Kashyap 2015). Poor government capacity, limited resources, infrastructural needs, and, in some cases, adverse disposition toward protective labor standards have weakened national labor standards in producing countries. This

decline in labor standards is linked to dominant global policy frameworks that prescribe labor deregulation as a prerequisite to attracting investment capital (Ghosh 2015). Further eroding accountability for working conditions, brands typically make distinctions between their liability for authorized and unauthorized subcontracts. Unauthorized subcontractors may be unregistered and therefore outside the purview of any remaining government labor regulations.

Fast fashion, production targets, and accelerated work

Business relationships between brands and suppliers are governed by purchasing practices that impact the functioning of supplier firms and, in turn, working conditions. Current purchasing practices reflect the rise of fast fashion. Where the norm was four style seasons each year, the Zara brand pioneered monthly styles and even two-week cycles. Today, brands commonly release between eight and ten style seasons each year (Nathan and Kumar 2017), accelerating production cycles and shortening lead time. Short lead times, high quotas, and irregular, repeat orders for high-demand items require supervisors and line managers to demand high-speed turnover, drive worker productivity, and hold workers' overtime (Vaughan-Whitehead and Caro 2017).

Reliance on contract labor

Since 2010, garment brand and retail members of the UK Ethical Trading Initiative (ETI) have reported increasing reliance on contract labor within garment value chains. Contract workers cost less to employ per unit, often receive lower wages, rarely receive nonwage benefits, including paid leave and social security, and can be fired according to shifting employer needs. These terms of employment leave contract workers particularly vulnerable to exploitation when compared to directly employed workers (Chan 2013).

Rise in employment of contract workers has been attributed to buyer purchasing practices. Downward pressure on prices, combined with increasingly unpredictable seasonal variation in production, requires garment suppliers to employ a flexible, low-wage work force. The result: a workforce of predominantly women workers with unstable employment, making garments for low wages to meet fast fashion demands.

Gendered segmentation of the garment workforce

Scholarship on gender in the global economy has documented how in varied, locally specific ways, international capital relies upon gendered ideologies and social relations to recruit and discipline workers, producing segmented labor forces within and between countries (Mills 2003). Women in the Asian garment workforce migrate for employment to garment production hubs due

Table 12.1 Gendered production roles in garment supply chains in Bangladesh, Cambodia, and India

| Gendered hiring by department, range across factories | | | | | |
|---|-------------------------|---|---|---|---|
| Department | Fabric Store | Cutting | Fusing/pasting | Production | Finishing/packing |
| Management | Manager male | Supervisor male - female | Supervisor male | Supervisor 80-100% male 0-20% female | Supervisor 90-100% male 0-10% female |
| | In-charge male | Quality Control 60-100% male 0-40% female | | Quality Control 30-100% male 0-80% female | Quality Control Male - Female |
| | Supervisor male | | | Line In-Charge 70-100% male 0-30% female Group leaders (lower level managers in Cambodia) 0-30% male 70-100% female | |
| Specialized roles | Store Keeper male | Sticker/Marker 0%-100% male 0-100% female | Fusing machine Operator 20-100% male 0-90% female | Record Keeper 20-100% male 0-80% female | |
| | | Cutting Machine male | | | |
| | | Layer Man male - female | | | |
| Checkers | | Checker 0%-100% male 0-100% female | | Checker 0%-100% male 0-100% female | |
| Machine operators | | Button Machine 0%-100% male 0-100% female | | Line Tailor 0%-40% male 0-100% female | |
| Helpers | | Male and female workers in varied proportions, including all male and all female departments | Helper 20-70% male 30%-80% female | Helper 0-30% male 70-100% female | Male and female workers in varied proportions, including all male and all female departments |

to lack of opportunity in their home provinces, family debt, and inability to sustain themselves and their families. Within garment factories, the vast majority of women workers are employed in the production department in subordinate machine operator, checker, and helper roles (Table 12.1).

Departments segregated by gender may also be spatially separate, creating multiple working environments within a factory. For instance, within one Indonesian supplier factory, the first floor includes the production department and accessory warehouse, comprised of women workers supervised by both male and female supervisors. While some men work on the first floor,

they work in a physically separate warehouse for final products. The second floor houses the cutting unit, staffed by a mix of male and female workers and supervisors. In this arrangement, women production-line workers are concentrated not only in subordinate roles, but also in segregated spaces.

Women garment workers may be further segregated by demographic categories. For instance, in a garment supplier factory in Gurugram (Gurgaon), Haryana, India, women workers described being separated by age during a routine morning practice of labor segmentation:

As we enter the factory, we are asked to form two separate lines: one of young girls and another of elder women. They keep us segregated. Young girls work on a different floor than the older ladies. So, in the end, we have no idea how they behave with young girls.

This compounded spatial, role, and age segregation prevents elder women intervening on behalf of younger women who may face violence and harassment. Sri Lankan women workers also identified young, unmarried girls as particularly vulnerable to sexual harassment from both male managers and coworkers.

While younger women are targeted for sexual advances, pregnant women and senior women employees may face alternate forms of life-stage-related discrimination. Women are routinely fired from their jobs during pregnancy. Even permanent workers report being forced to take pregnancy leave without pay. Contract, piece rate, and casual workers reported that although most of the time they are reinstated in their jobs after pregnancy, they receive new contracts and forfeit seniority, reinforcing concentration of women in subordinate low-wage roles.

Further reinforcing concentration of women in subordinate low-wage roles, in Bangladesh, India, and Indonesia, women reported that senior women employees face heightened levels of abuse after they become eligible for seniority benefits. A woman worker in Bangladesh explained:

Four the first four years that I worked as a sewing machine operator, I had a reputation for skill and dedication. After my fourth year, when I was eligible for gratuity, the line chief and supervisor increased my production targets, shouted at me, and referred to me in derogatory terms. I reported to human resources, but they did not intervene. Work became so unbearable that I left the factory.

Women workers in Bangladesh reported that targeting women workers who are eligible for seniority benefits is common. Women who resign due to harassment are considered to have resigned voluntarily, relieving the employer from paying legally mandated benefits.

Gender-based violence may be further intensified for women from socially marginalized communities. In India, women garment workers include migrant scheduled caste, scheduled tribe, and Muslim women. Their

intersecting status as migrants, women, and members of marginalized communities increases risk of exploitation and exclusion from decent work, and undermines accountability through formal legal channels (Shah 2009).

Gender-based violence in Asian garment value chains

Violence in Asian garment value chains is gendered not only because women workers may be singled out for violence and harassment, but because violence and harassment disproportionately impact women workers.⁵ This chapter presents five analytic categories to understand gender-based violence: sexual harm and stigma; gendered industrial discipline practices; mining women's productive capacity—or *body mining* (Nathan et al. 2018); unsafe workplaces; and the production of vulnerability through job insecurity, barriers to freedom of association and collective bargaining, and retaliation for reporting violence. These categories of violence are not discrete but layered and intersecting—a palimpsest of violence at the intersection of supply chain employment practices and patriarchal norms.

Sexual harm and stigma

Patterns of sexual violence and harassment reported by women garment workers reflect power asymmetries between men and women (Lin et al. 2014). Women garment workers reported sexual harm from men in positions of authority within the factory as well as coworkers. While perpetrators traverse hierarchical and nonhierarchical employment relationships with women workers, reports of sexual harm most commonly featured employment relationships where women held subordinate roles in relationship to male supervisors, line managers, and mechanics tasked with fixing their machines.

In factories where majority male supervisors and line managers oversee an overwhelmingly female workforce, male monopoly over authority can contribute to a culture of impunity around sexual violence and harassment. Women workers employed in a supplier factory in Gurugram described being moved from line-to-line depending upon the desires of male supervisors. One woman explained:

If the supervisor likes a girl and has some influence over the floor in-charge, then he will arrange to shift that girl under his supervision. If she refuses she will be fired—they will blame *her* for being unable to achieve targets.

In Gurugram, supervisors, floor incharge, and line managers within a factory are often relatives. This interconnected web of male supervision further undermines avenues for relief for women who are targets of sexual advances. Reports of sexual advances by men in positions of authority are not limited to India. Bangladeshi women reported that it is common for supervisors and managers to pursue sexual relationships with women workers by offering

benefits including salary increases, promotions, and better positions. Women rejecting these offers face retaliation, including being fired. Sri Lankan trade union leaders reported that women employed through “manpower”—or temporary work agencies—face routine sexual advances from supervisors who make hiring within the factory contingent upon receiving their overtures. Women reported retaliation from supervisors if they resist advances: a woman who does not meet the sexual desires of the supervisor may get more overtime hours, denied legally mandated breaks or leaves, or even fired.

Control over working hours by male supervisors provides opportunities for sexual violence and harassment to extend beyond legal working hours and the factory floor. In Tirupur, Tamil Nadu, India, women workers reported supervisors abusing control over working hours to make sexual advances after long night shifts. One woman explained:

It is a trap. If a supervisor is interested in a woman, he can make her work the half-night shift which gets over at midnight. Then, he may offer to drop her home on his bike. She may not have another option to reach home at night. In this situation, it is easy for the supervisor to exploit the woman targeted.

Women workers in this position face a double bind: either submit to sexual advances from supervisors; or risk harassment, robbery, or worse during a solo late-night commute.

In Sri Lanka, women working in supplier factories reported being at risk of sexual harassment from male mechanics tasked with fixing their machines. One woman recounted:

A machine mechanic asked me to spend the night with him. I refused. When my machine stopped working, I asked him to repair it. He refused. Then he asked me to spend the night with him. He said if I agreed, he would fix my machine.

While women workers are not directly subordinate to machine mechanics, they are functionally subordinate to these male workers because their ability to meet production targets depends upon machine maintenance.

Further undermining accountability, women reported reluctance to report sexual harassment, advances, and violence due to social stigma that may manifest as either restriction on their mobility or victim blaming. One woman worker described the social consequences that prevented her from reporting sexual advances at work and at home:

I did not report at work because it is the woman who is blamed. No one sees the man as at fault. I thought, if my husband comes to know about this he will not let me work anymore. So, I decided to resign quietly without telling anyone anything.

In this instance, social stigma, rooted in family and community patriarchal norms, threatened yet another level of consequences for unwanted sexual advances faced at work: barriers to future employment outside the household. Fear or reporting due to stigma and victim blaming further constrains access justice in cases of sexual harm.

For those who decide to seek relief through legal channels, social authority wielded by male supervisors and coworkers may be reinforced through gaps in legal protections and gendered policing practices. Notably, women employed in the garment production hub of Phnom Penh, Cambodia, have no avenue for redress under Cambodian Labor Law for sexual harassment from male colleagues.⁶ Even where sexual harassment is an actionable offense, women report barriers to accountability, beginning at the police station. When a woman sewing machine operator in Bangladesh reported repeated sexual overtures from her manager to the police, the police refused to file her case. When she returned to work the next day, she was fired from her job. She learned that the police informed the accused manager that she had visited the police station to report sexual harassment.

Gendered industrial discipline practices

Women workers in divisions ranging from sewing, trimming excess thread, quality checking, and packaging are assigned production targets. Production targets vary by garment type, but typically require workers to be accountable for every minute they are at work. Women in Phnom Penh described group production targets of 380 pieces per hour per line—with 38 workers per line.⁷ In India, Indonesia, and Sri Lanka, women more commonly reported individual production targets. Indian women in Gurugram described typical targets as 30–40 pieces per hour. However, during heavy production periods, they may be driven to meet inflated and unreachable⁸ targets of up to 100 pieces an hour. In Indonesia, women reported being required to produce 90–120 pieces every 25 minutes, with timed intervals to determine if targets were met. In Sri Lanka, production targets can escalate to 200–250 pieces every 30 minutes. Across Asian garment production networks, women reported that workers who fell short of their targets may be prevented from taking lunch breaks or forced to stay overtime.

The daily race to meet production targets is sustained through gendered industrial discipline associated with *operatory labor practices*: referring to the role of workers as basic sewing machine operators, operatory labor practices correspond with hierarchical work relationships, sweatshop discipline, and anti-union management practices (Nathan, Saripalle and Gurunathan 2016). Tied to their ability to reach production targets, women workers reported physical and verbal abuse, coercion, threats, and deprivations of liberty. While both women and men reported these forms of workplace violence, discipline is disproportionately directed at women workers due to

their concentration in machine operator, checker, and helper roles within production departments.

Physical violence reported by women workers included slapping, pushing, kicking, and throwing heavy bundles of papers and clothes, especially during high-stress production times. Bundles may weigh between two and four kilograms—a projectile that is approximately the weight of a brick, but unlikely to leave visible marks that would allow the victim to seek redress. Workers reported that physical discipline practices spiked after second tier management came out of meetings with senior management driving production targets.

In Cambodia, where local workers are managed by Chinese managers, women reported that physical and verbal abuse escalated due to frustration with communicating across language barriers. One woman worker recounted:

Chinese managers pressure the Cambodian team leaders to shout at the workers to make them work faster. We are called stupid and lazy. Sometimes they beat workers.

A Cambodian woman described an incident where a translator slapped a female worker and later claimed he was joking. No action was taken against the perpetrator. As with Radhika, whose experience of violence opened this chapter, public corporal discipline terrorizes not only the direct victim, but also women around her. Consequently, violence on the production line is both looming and normalized—a constant threat that drives production with fear.

In addition to targeted physical aggression, women reported rough treatment from male supervisors and relentless verbal abuse. One woman from a supplier factory in Gurugram, Haryana, India, described being physically pushed to work: “The supervisor and master push us by our shoulder or shake it abruptly and roughly with their hand ordering us to work.”

Women garment workers in Bangladesh, Cambodia, and Indonesia described constant and relentless verbal abuse that continues from the beginning to the end of their shifts. An Indonesian woman described the stress and humiliation associated with yelling and mocking from her supervisor:

If you miss the target, all the workers in the production room can hear the yelling:

“You stupid! Cannot work?”

“Watch out, you! I will not extend your contract.”

“You don’t have to come to work tomorrow if you can’t do your job!”

They also throw materials. They kick our chairs. They don’t touch us so they don’t leave a mark that could be used as evidence with the police, but it is very stressful.

Industrial discipline practices may intersect with sexual harassment and threats of violence on the factory floor. A woman worker, employed in a supplier factory in Gurugram, explained: “It’s very common for the in-charge manager to say, ‘finish the target or I will ...’—using any number of sexual connotations. They do not say this to men.” The categories of gender-based violence described in this chapter are not discrete. Rather, these types of violence are intersecting, overlapping, and mutually reinforcing.

Body mining

The combination of low wages and relentless working hours in the garment industry violently extract labor from women’s bodies. Introduced by Nathan et al. (2018), the term *body mining* refers to the physical toll on women that results from poor nutritional intake, no weekly rest day, and the physical demands of work. Their study found that among 38 garment workers (21 women and 17 men) in two garment factories in India, 33.3% of women fainted at work and 28.6% received a glucose drip within the last year. All of the women reporting fainting had worked overtime. No man reported fainting—a finding contextualized by the authors in relationship to anemia among Indian women, a common condition due to discrimination in access to food; and women’s heavy burden of unpaid work at home. According to a randomized survey conducted by India’s Employees State Insurance Corporation in 2014, 60.6% of garment workers surveyed were anemic (Ceresna-Chaturvedi 2015).

The concept of body mining has expansive application in understanding the impact of excessive working hours across garment supply chains. Women from Bangladesh, Cambodia, India, Indonesia, and Sri Lanka all reported being forced to work overtime to meet short production time lines. Women workers in Manesar, Haryana, India reported that overtime hours for most workers amount to a minimum of three hours per day and routinely stretched till late at night. To take Sunday off, workers report being made to work as late as 4 am on Sunday to complete their Saturday shift. While Indian legal standards require suppliers to compensate workers for food expenditures during overtime work hours, this supplier factory provides a mere Rs. 79 [USD 1.22] to workers engaged in overtime late into the night. During high-intensity production cycles, women may work days on end without a break. A woman tailor from a supplier factory in Gurugram described having to work 21 days continuously without a break.

Women garment workers labor under caloric and nutritional deficits because the food they can afford does not sustain the length and rigor of their work day. Data gathered by tracking monthly food purchases by 95 workers employed in a range of garment factories in Cambodia, compared with recommended amounts and workers’ Body Mass Index, revealed that workers were found to intake an average of 1,598 calories per day, around

half the recommended among for a woman working in an industrial context (McMullen and Majumder 2016).

Body mining is intimately tied to wages and working conditions in supplier factories, competing to win production bids from brands and retailers. Suppliers project labor costs based upon minimum wages, rather than living wages;⁹ and ten-hour days, including two hours of overtime, rather than eight-hour working days. Due to this practice, suppliers routinely pay only normal wages for overtime rather than the double-wage rate required under many labor law regimes (Nathan and Kumar 2016). The costs of inadequate wages and excessive hours of work are born by women workers, subjected to dangerous and deadly tolls upon their bodies.

Unsafe workplaces

Body mining is compounded by unsafe working conditions, including long hours performing repetitive manual tasks under exposure to heat, noise, dust, and chemicals. Long hours sitting hunched over machines leads to back pain, ulcers, piles, and reproductive health issues (irregular period and excessive bleeding). Women working as checkers report varicose veins as a result of long hours standing and checking garments. Other routine health consequences for women garment workers include respiratory illnesses like tuberculosis, irritation of the upper respiratory tract and bronchi, and silicosis from sand blasting. Prolonged exposure can progress to chronic, obstructive pulmonary disease. According to a randomized survey conducted by India's Employees State Insurance Corporation in 2014, 80% of all tuberculosis cases registered in 2009 were from Indian garment workers; largely internal migrants between the ages of 18 and 45 years with lower socioeconomic status faced difficulties accessing medical attention (Ceresna-Chaturvedi 2015).

In Cambodia, mandatory overtime during the production high season overlaps with Cambodia's hottest season. From April to August, workers report being forced to work up to 14 hours a day—as well as on Sundays and national holidays—in sweltering heat, without adequate supply of clean drinking water or any breaks. Exposure to high temperatures and high levels of chemical substances, exacerbated by poor ventilation systems and inadequate nutrition among workers, make episodes of mass fainting a regular occurrence. In 2017, the Cambodian National Social Security Fund identified 1,603 cases of fainting across 22 factories. One thousand five hundred ninety-nine—or 98%—of these cases were women.

Cases of fainting include individual workers, and multiple workers within a factory fainting at once. On August 4, 2017, Meas Sreyleak, a 25-year-old Cambodian woman, died on her way from the factory to the hospital after she fainted at work and hit her head on the sewing table. Women who worked with Sreyleak reported she had been feeling unwell on the day she died. She had a sore throat, but was made to work two hours overtime. Her

family received \$1,000 from the factory to help defray funeral expenses. On July 6, 2017, Neom Somol saw a colleague faint in the factory and attempted to help her get to a medical clinic. In the process of doing so she fainted herself, her head hit a wall, and she died at the factory. At another factory in Phnom Penh, 150 workers fainted over two days (30th and 31st of August 2017) due to the combination of high heat and exhaustion.

The extreme health consequences associated with extractive labor practices in garment supplier factories are well known to major garment brands. As early as 2011, Swedish fashion brand, H&M, responded to 284 Cambodian workers fainting at M&V International Manufacturing in Kompong Chhnang Province—an H&M supplier. More than 100 workers were hospitalized. H&M reported launching an investigation (McPherson 2011). The investigative report commissioned by H&M blamed the fainting on “mass hysteria” caused by work-related and personal stress (Butler 2012). This explanation capitalizes on gendered tropes that blame women workers for the consequences of extractive labor. Investigation by labor researchers revealed a more robust explanation at the intersection of body mining and unsafe workplaces: malnutrition, prevalent among Cambodian garment workers, makes them more susceptible to exposure to harmful environments (McMullen and Majumder 2016).

Mass cases of fainting among garment workers in Cambodia are the most widely reported to date, but are not isolated to Cambodia. On March 19, 2018, 52 workers collapsed from breathing toxic fumes in a garment supplier factory in Ekala, Sri Lanka. That day, the Branch Union Secretary for the factory encouraged workers to leave the workplace due to widespread difficulty breathing, nausea, stinging eyes, and vomiting. Instead, workers continued to work to meet their production targets. The Assistant Factory Manager attributed the smell to machine maintenance and took no action to address worker complaints. By 10:40 am that day, workers began collapsing and 52 workers were rushed to the hospital.

Unsafe workplace practices extend beyond the factory gates. Workers in Cambodia stand crowded together in the back of open-air trucks to reach their factory shifts. On November 10, 2017, *Campost*, a Khmer language newspaper, reported an accident involving a truck carrying 68 garment workers on their way to garment supplier factory Juhi Footwear Co. Five workers were seriously injured. The paper attributed the accident to negligence by the driver, leading the truck to flip over.

Producing vulnerability

Violence in the garment industry occurs amidst cultures of fear and isolation for women perpetually at risk of termination.¹⁰ Ongoing employment insecurity undermines accountability for workplace violence and other rights violations. Women workers reported choosing not to report violence due to the high consequences—job loss and social stigma—and few viable avenues

for redress. The potential for collective action to address working conditions is undermined by retaliation against workers seeking to build unions, strict control over workplace solidarity, and high turnover among workers. Without avenues for redress that disrupt workplace violence, women garment workers remain vulnerable to the spectrum of violence presented in this chapter.

Retaliation for reporting workplace rights violations

Women workers from Bangladesh, Cambodia, India, Indonesia, and Sri Lanka all described fearing retaliation if they complained about any violations of rights at work, including but not limited to gender-based violence. One woman worker in Gurugram, Haryana, India, explained:

Whoever speaks against any injustice is fired. Once I, along with others, went to the manager because our wage was not being paid properly. They did not remove us all together, but within ten days, they used some reason or another to remove each and every one of us.

Routine and ongoing threats of employment termination discourage women workers from seeking relief. For instance, a woman in Phnom Penh explained not reporting the Chinese team leader who threw heavy bundles of clothes at her. Fearing retaliation for reporting the violence, she kept quiet.

Barriers to freedom of association

Constant threats of termination create a significant barrier to organizing a union. Workers and union organizers in Indonesia explained that high turnover undermines unionization, worker solidarity, and collective action. Within garment production units, very few workers hold continuous employment for more than a year. By hiring workers on short-term contracts, the contractor and the factory can fire workers in retaliation for engaging in union activities.

The structure of work in garment supplier factories further undermines freedom of association. Long working hours deny workers opportunity to engage with one another. In Manesar, Gurgaon, India, workers are prevented from speaking with one another during breaks in the workday. Workers are forbidden to leave factory premises—during their tea and lunch break they are required to eat at the canteen inside the unit. Prohibitions on leaving the factory for breaks during working hours, combined with extended working hours—at times up to 17 hours a day—functionally eclipse the potential for workers to exercise their fundamental rights to freedom of association and collective bargaining.

Denying freedom of association and collective bargaining forecloses important pathways for redress by women workers. Barriers to freedom of

association and collective bargaining prevent workers from responding collectively to violence, furthering cultures of impunity around gender-based violence.

Conclusion: interventions to eliminate gender-based violence

Ending gender-based violence in garment supplier factories that manifests at the intersection of patriarchal norms and supply chain employment practices calls for three types of interventions: to hold apparel brands and retailers at the top of the supply chain jointly responsible for risk factors for violence; to challenge the concentration of women workers in subordinate roles; and to address gendered cultures of impunity for workplace violence. This approach reflects core strategies from tri-partite “jobber” agreements negotiated in the United States in the middle part of the twentieth century by the International Ladies Garment Workers Union (ILGWU) and companies called jobbers—individuals and firms that designed or sold, but did not manufacture apparel. Precipitated in part by a fire at the Triangle Shirtwaist Company in 1911 that killed 146 workers, by 1935, agreements negotiated between ILGWU, contractors, and jobbers led to a widespread decline in sweatshop working conditions for women garment workers, a largely female and immigrant workforce (Anner, Bair, and Blasi 2013).¹¹

On April 4, 2013, the Rana Plaza building, housing five garment factories in Dhaka Bangladesh, collapsed, killing 1,129 workers (Manik and Yardley 2013). Widespread media coverage and campaigning by a coalition of unions and NGOs resulted in more than thirty-five large apparel brands and retailers signing the Accord on Building and Fire Safety in Bangladesh (“Accord”)(Greenhouse 2013). The Accord builds upon the success of historical trade union initiatives in securing supply chain accountability and also represents new innovations to secure transnational accountability in context of global garment production networks—by collectivizing global brands and requiring their dedicated investment in factory infrastructure. The Accord has been acclaimed as a “new model of corporate accountability” in contrast to corporate social responsibility reliance on voluntary standards for brands and retailers (Anner, Bair, and Blasi 2013). Although the Accord is a step forward in providing a contemporary model of corporate accountability, as documented in this volume, the enforceability of this agreement has been limited, due in part to reliance on third-parties for enforcement. The combined strength of enforceable brand agreements, and accountability located in the leadership of women garment workers and their trade unions, however, provides a promising avenue for ending gender-based violence in garment factories.

Risk factors for gender-based violence must also be addressed through targeted commitment by brands and retailers. Gendered industrial discipline practices can be alleviated through enforceable prohibitions against unrealistic production targets that accelerate production speed, extend

working hours, and create high-stress work environments. Enforceable commitments to supplying only from factories that pay living wages and respect working hours can address body mining and other physically extractive labor practices. Brand and buyer commitments to sourcing from suppliers that provide employment security; prohibit workplace retaliation; protect workers from environmental and occupational health hazards; and uphold fundamental rights to freedom of association and collective bargaining have the potential to make strong inroads into addressing cultures of impunity for workplace violence. Research provides preliminary evidence that initiatives to address workplace violence stand to benefit brands and suppliers by increasing individual efficiency, production quantity, and ultimately revenue (Rourke 2014).¹²

For enforceable brand agreements to intervene in patriarchal subordination and stigma that fuel gender-based violence in supplier factories, they must take conscious measures to disrupt gendered power relationships in the workplace and beyond. Recent initiatives for racial justice that align worker interests within the workplace and community offer an instructive model for addressing gendered relationships of power. For instance, AFSCME 3299, representing 24,000 patient care and service worker on University of California campuses—half of whom are Latinos, with a supermajority being people of color—took measures to address attacks against members based on race and nationality. AFSCME 3299 formed a racial justice working group where workers shared personal stories about racism and police violence, and demanded an end to outsourcing, improved job security, benefits, increased wages, and training programs to improve working conditions for people of color (JWJ 2018; Howard, Manzanarez, and Patel 2017). This approach raised the visibility of racial injustice among union members and provided a foundation for collective action to address racial injustice in the workplace and beyond. This model of worker leadership in addressing racial injustice aligns with calls by trade unions and labor organizations to position workers at the front and center of negotiating enforceable contractual obligations on garment brands and retailers (e.g., AFWA 2017).

On May 28, 2018, the International Labour Organization (ILO) convened a Standard Setting Committee to begin the historic work of creating a global standard protecting workers from violence and harassment in the work of work, with a specific mandate to address gender-based violence. As the Committee entered deliberations on the definition of the term “gender-based violence,” a delegation including trade union leadership from AFWA and the GLJ research and legal team released factory level research reports documenting gender-based violence in H&M, Gap, and Walmart Asian garment supply chains (AFWA/GLJ 2018a-c)—these findings form the research core of this chapter.¹³ The reports were covered by more than 50 news outlets across 17 countries and described by *The Nation* as a “#MeToo Movement for the Global Fashion Industry.”¹⁴ This campaign built upon

the successes of ten years of organizing by AFWA, including establishment of the only Asian-led alliance of workers and allies, widespread legitimacy around a regional living wage for Asian garment workers, and the role of trade unions in bargaining for brand accountability. On June 5, 2018, H&M and Gap publicly declared support for a binding ILO Convention on workplace violence, including gender-based violence in garment supply chains. In the public realm, AFWA and GLJ established widespread recognition of the spectrum of gender-based violence and associated risk factors in the garment industry, and the need for solutions which include collective worker voices.

In order for enforceable bargaining agreements to address unequal power relationships that subordinate women garment workers, bargaining must include an important role for *women* leaders at supply factories—supported by enforceable brand agreements. To that end, in June 2018, AFWA and GLJ called upon Gap, H&M, and Walmart to address gender-based violence documented in their supply chains by proactively working with the AFWA Women’s Leadership Committee (WLC) to pilot enforceable brand agreements in supplier factories with trade unions aimed at eliminating gender-based violence and discrimination, and expanding broader indicia of women’s collective empowerment. Such initiatives, led by women garment workers’ collectives, have the potential not only to identify context-specific risk factors for violence, but also to address gendered imbalances of power within supplier factories.

Notes

- 1 In advance of the 107th Session of the International Labour Conference, a global coalition of trade unions, worker rights and human rights organizations, which includes AFWA, CENTRAL Cambodia, GLJ, Sedane Labour Resource Centre (LIPS) Indonesia, and Society for Labour and Development India released factory-level research detailing gender-based violence in Walmart, Gap, and H&M Asian garment supply chains. This study was designed and coordinated by Shikha Silliman Bhattacharjee; J. D. Field research conducted during January–May 2018 was completed by Faisal Bin Majid, Immanuel Dahaghani, Jenny Holligan, Patrick Lee, Monower Mostafa, Thy Phalla, Sar Mora, Linda Nop, Aparna Roy, Anjum Shaheen, Abiramy Sivaloganathan, Yang Sophorn, and Wiranta Yudha.
- 2 Researchers developed profiles for five factories from Bangladesh, five factories from Cambodia, and three factories from India.
- 3 The October 2016 report on the outcomes of the ILO Meeting of Experts on “Violence against Women and Men in the World of Work” presents a detailed set of risk factors for violence in the world of work that lends insight into the conditions under which violence is more likely to occur. These include risk factors associated with the nature and setting of work as well as the structure of the labor market. The report calls for an international labor law instrument that can respond to the new challenges and risks which might lead to violence and harassment in the world of work, such as those arising from changing forms of work and technology (GB.328/INS/17/5, Appendix I, para. 18).

- 4 GPN is a term that describes contemporary production systems that involve several companies across multiple countries. Companies linked through GPNs are related through various legal forms, with exchanges between firms structured so that multinational or transnational corporations (TNCs) do not legally own overseas subsidiaries or franchisees but only outsource production to them. GPNs shift market relationships between firms from trade relationships to quasi-production relationships without the risks of ownership. Within this model, TNCs drive coordinated production of goods while disbursing risk associated with market fluctuations across global value chains. By 2013, GPNs accounted for some 80% of global trade (UNCTAD 2013).
- 5 This framework for understanding gender-based violence aligns with the definition of gender-based violence by the CEDAW Committee, in General recommendation 19, that identifies gender-based violence as not only instances when women are targets of violence on the basis of their gender, but also disproportionate impact of particular forms of violence upon women, rooted in structural inequalities. Under this standard, gender-based violence includes (1) violence which is directed against a woman because she is a woman; and (2) violence that affects women disproportionately. Forms of gender-based violence include acts that inflict physical harm, mental harm, sexual harm or suffering, threats of the any of these acts, coercion, and deprivations of liberty (CEDAW, General recommendation 19, Article 1). Over the last 25 years, this interpretation of gender-based violence has been endorsed by judicial opinions and state practices, and has evolved into a principle of customary international law (CEDAW, General recommendation No. 35, para. 2).
- CEDAW General recommendation No. 35 emphasizes that gender-based violence is a social rather than an individual problem, requiring comprehensive responses that extend beyond specific events, individual perpetrators, and victims/survivors (para. 9). The CEDAW Committee further underscores that gender-based violence against women is one of the fundamental social, political, and economic means by which the subordination of women with respect to men is perpetuated (para. 10). General recommendations No. 28 and No. 33—on the core obligation of States parties under Article 2 of CEDAW and women's access to justice, respectively—confirm that discrimination against women is inextricably linked to other axes of discrimination.
- 6 Sexual harassment from male colleagues is not included under Article 172 of the Cambodian Labor Law which governs sexual harassment in the workplace perpetrated by supervisors. Exclusion of sexual harassment from male colleagues under Labor Law, combined with a restrictive definition of sexual harassment in the Cambodian Criminal Code, strips female workers from protection against sexual harassment perpetrated by male colleagues.
- 7 While prior to increases in the Cambodian minimum wage there had been up to 50 workers per line, at the time of writing this number decreased to around 38.
- 8 At a maximum, women workers in Gurugram reported being able to produce 90–95 pieces per hour, 5%–10% short of the required targets.
- 9 AFWA, a global coalition of trade unions, workers' rights and human rights organizations, provides a detailed formula for calculating living wages across national contexts. The AFWA definition of a living wage specifies that living wage calculations must include support for all family members, basic nutritional needs of a worker and other basic needs, including housing, healthcare, education, and some basic savings. AFWA's living wage calculation is based on the following considerations: a worker needs to support themselves and two other consumption units (one consumption unit supports either one adult or two children); an adult requires 3,000 calories a day in order to carry out physically demanding work in good health; within Asia, food costs amount for half of a

- worker's monthly expenditure. Based upon these assumptions, the Asia Floor Wage is calculated in Purchasing Power Parity \$ (PPPS). This fictitious World Bank currency is built upon consumption of goods and services, allowing standard of living between countries to be compared regardless of the national currency. Accounting for high inflation, Asia Floor Wage figures are calculated annually based upon regular and ongoing food basket research. For instance, the 2017 Asia Floor Wage figure is PPP\$ 1181. These wage figures are then converted into local currency: Bangladesh, 37,661 Takas; Cambodia, 1,939,606 Riel; India, 23,588 Rupees; and Indonesia, 5,886,112 Rupiah.
- 10 The proposition that gender-based violence has social roots that belie specific events, individual perpetrators, and victims/survivors has been sufficiently well established that it has been recognized by the United Nations Committee on the Elimination of Discrimination against Women. CEDAW General recommendation No. 35 emphasizes that gender-based violence is a social rather than an individual problem, requiring comprehensive responses that extend beyond specific events, individual perpetrators, and victims/survivors (para. 9). The CEDAW Committee further underscores that gender-based violence against women is one of the fundamental social, political, and economic means by which the subordination of women with respect to men is perpetuated (para. 10). General recommendations No. 28 and No. 33—on the core obligation of States parties under article 2 of CEDAW and women's access to justice, respectively—confirm that discrimination against women is inextricably linked to other axes of discrimination.
- 11 Anner et. al. both provide a historical account of the negotiation of jobber agreements and their role in the decline of sweatshop conditions in the U.S. apparel industry by the middle part of the twentieth century, and distinguish both parallels and distinctions between U.S. domestic subcontracting networks and contemporary global supply chains. Key distinctions between the historical context of jobber agreements and contemporary supply chains include relatively high union density in the Northeast of the U.S. by the mid-twentieth century, and willingness by the U.S. government to enforce labor laws. Both union density and government enforcement of strong labor laws are currently lacking in major garment export countries, including in Asia.
- 12 Rourke's analyzes worker productivity as it relates to verbal abuse in garment factories in Indonesia, Jordan, and Vietnam, providing preliminary evidence that verbal exhortation actually diminishes individual efficiency, productivity, and revenue. She finds that verbal abuse in firm incentive structures has the opposite of its intended motivational effect
- 13 These reports followed the May 24 release of factory level research documenting gender based violence in Walmart Asian garment supply chains. These reports are available at <https://www.globallaborjustice.org> and <https://asia.floorwage.org/workersvoices>.
- 14 Access to this global coverage is available at Global Labor Justice, "In the News", available at <https://www.globallaborjustice.org/press/>.

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