Status of Basic Labor Rights in Leather Goods and Footwear Manufacturing (LGFM) Sector in Bangladesh Kardan Journal of Economics and Management Sciences 5 (1) 106 –115 ©2022 Kardan University Kardan Publications Kabul, Afghanistan DOI: 10.31841/KJEMS.2022.113 https://kardan.edu.af/Research/CurrentIssue. aspx?j=KJEMS

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Abstract

The Leather Goods and Footwear Manufacturing (LGFM) sector is emerging as the fastest growing sector next to Ready Made Garment (RMG) sector in regard to export-oriented revenue earning in Bangladesh. The demand for LGFM is increasing day by day equally across the global and domestic markets. LGFM is mainly a labour-intensive manufacturing sector. It is facing challenges in managing employees and maintaining social compliances at this moment, which is also the concern of international buyers. Though the history of labour unrest in the LGFM sector is very little, the existence of grievances is good in numbers. This paper aims in identifying the practices of the Bangladesh Labour Act (BLA) 2006 in LGFM sector. It also finds out the areas of discrepancies that workers encounter in regards to their employment rights. This is a qualitative study and primary data have been collected mainly through four Focus Group Discussions (FGDs). The main finding of the study is the violation of employment rights and non-adherence to BLA 2006 by the management of LGFM. The study also speculates the possibility of labour unrest like RMG in this sector as addressed by the respondents. Therefore, this study can draw the attention of policy makers and employers to be concerned in ensuring the legal employment rights of LGFM workers. A recommendation has been made at the end of this study about the importance and ways of improvement in practicing BLA 2006 in the LGFM sector.

Keywords: Debt capital, enhancing performance, foods and beverages companies

Introduction

Leather is one of the oldest exporting products of Bangladesh (Islam et al., 2017; Sarker, 2014). Though Bangladesh has a glorious tradition and history in leather related trade and commerce, finished leather goods and footwear is comparatively the newer one. The Leather Goods and Footwear Manufacturing (LGFM) sector is emerging as the fastest-growing sector next to Ready Made Garment (RMG) in regard to export-oriented revenue earning in Bangladesh (Islam et al., 2017; Zajak, 2017). Perhaps, LGFM sector has enough opportunities to contribute in total economic turnover of Bangladesh. The demand of LGFM is

increasing day by day across the global market as well as at domestic level. Now, it is a great challenge to Bangladesh to meet the global demand of manufactured leather goods since it is exporting a small quantity of LGFM in proportion of total global demand. According to Export Promotion Bureau of Bangladesh (EPB) in 2015-16 fiscal year report, Bangladesh exported leather footwear worth only 494.83 million USD whereas the total amount of trade was approximately 200 billon USD in this particular sector alone in global arena. Though, Bangladesh began to export leather goods and footwear from 1980s, it could not afford sufficient ingredients to cope with other competitors (Sarker, 2014; Scheper, 2017). There are many logical reasons behind the scenario. Practicing basic labor right is one of the tools to achieve the operational efficiency as well as the means of ensuring social compliance.

Labor rights are the benefits and facilities enacted by government and often practiced as optional by the employers to attract and motivate high performing employees (Ahmed, 2011; Rogers, 2016). Whenever labor rights are protected and well-practiced, it improves the relations between employee and employer (Rahman, 2011; Sarker, 2014). Thus, it reduces labor unrests, conflicts and grievances. Beside that, labor rights set the standard of employment practices in a particular economy (Mishra, 2012; NHRC, 2014; Scheper, 2017). Labour laws and industrial relations have significant role play for industrial growth and labor welfare (Anderson et al., 1991; Khan, 2013; Zajak, 2017). Wages and other employment benefits have direct impact on employee motivation and performance. Labor rights are needed to practice by the employers for social justice, equity and international uniformity (Ahmed, 2011; Mishra, 2012; Rahman, 2011). Therefore, almost all the nations around the world are having their own labor legislation which protects the employment rights and ensures fair labor practice. Labor legislations clarify and codify the obligations of employers to the employees (Mustchin & Martínez Lucio, 2020). It protects workers from discrimination and hazard. Ensuring labor rights reflects the compliance management which is the precondition of many international business (Anderson et al., 1991; Khan, 2013). If the rights of workers are not well managed, it might have negative consequence on trade and finance. Hence, this paper aims in identifying the practices of Bangladesh Labor Act (BLA) 2006 in LGFM sector. It finds out the areas of discrepancies that workers encounter in regards to their employment rights. The study also speculates the possibility of labour unrest in this sector as addressed by the respondents.

2. Literature Review

According to the Bangladesh Labor Act (BLA) - 2006, 'worker' means a person who is employed for doing any skilled, unskilled, manual, technical, trade promotional or clerical work. He can be hired directly or through a contractor, even the terms of his employment can be expressed or implied. It includes 'apprentice' employed in any establishment of industries but does not include a person employed for doing administrative or managerial works (Labour Act, 2006, S. 2(65)).

A better workplace for the laborer plays an exigent role in ensuring labor rights. The workplace is the sum of the building where they work, the machineries which they use for production, and also the employer, employees and other workers with whom they work (Mustchin & Martínez Lucio, 2020; Rogers, 2016). The main purpose of enacting the Bangladesh Labor Act, 2006 is to create a healthy relation between the employers and the workers by ensuring the rights of the workers taking into account the benefit of the industries as well (Vogt, 2017). The act provides a balanced guideline of such rights and duties that resolve the disputes between them in proper and structured way. Also, provisions regarding the security and welfare of the laborer are enumerated those are necessary to provide a better environment.

As per the legal provisions of the country, every worker is entitled to get an appointment letter, an identity card and service books (Bangladesh Labor Act, 2006, SS. 5, 6). But in most of the garments though ID card, service books are provided but appointment letter is not. Also, a worker can resign from his work with prior notice whether permanent or temporary or any classified workers, they are entitled to get wages on the basis of his tenure of work. But in reality, mostly in Garments sectors they face harassment while leaving the workplace (Khan, 2013). Generally, eight hours per day working hour is required by law and for overtime provisions for extra payment is provided (Bangladesh Labor Act, 2006, SS. 100, 108). But in most of the cases payment for overtime work is not given to the workers. Due to the rapid growth of the garments production, workers have to work more than 60 hours in a week, irrespective of the injury to their health. Even though their wages are above the World Bank poverty line but below all living wages benchmarks (New Age Business, 2018; Vogt, 2017).

Regarding the construction of the building, and appropriate facilities, the Labor Act, 2006 provides provisions as to how the cleanness should be maintained, the temperature and humidity of the rooms, maintaining light and workspace and to provide clean water (Bangladesh Labor Act, 2006, SS- 51-60). Furthermore, how the conditions of the machineries, precautions and preventive measures for any kind of accidents or incidents should be taken care of are provided in the Act (Bangladesh Labor Act, 2006, SS. 61-78). However, none of these provisions of directions are being properly followed. For this reason, labors have to face perilous and risky situations which causes injuries and fires in the factory. This caused the death of more than 400 workers and thousands of injured from only fire accidents from 1990 (National Human Rights Commission, 2014). Also, till now, the firefighting equipment and training are not enough. As regarding the inappropriate construction of building, the best example is the Rana Plaza tragedy which caused the death of approximately 1,134 garment workers. After that incident, government-initiated inspection and till February 2018, a report says that only 14 percent have managed to deal with more than 50% of the problems, with only 21% or 3%, fully remediating the safety violations (Saldinger, 2018). Moreover, as they worked for hours and hours in a closed environment it causes headache, sleep deprivation, malnutrition, less appetite, asthma, fungal infection. It is found that 90% workers are facing headache, 52.22 % from Malnutrition, 72.22% eye strain.

Human Right Watch (2012) mentioned that 58% of the tannery workers in Bangladesh suffer from gastrointestinal disease, 31% from skin diseases, 12% from hypertension and 19% from jaundice (DOE, 2011). 58% tannery workers suffer from gastrointestinal disease, 31% from skin diseases, 12% from hypertension and 19% from jaundice (Sarker, A. R., 2014). In addition, though safety and precautions are required to be taken by the employers still accident is occurring due to negligent set up of machines (Ahmed et al., 2020; Ahmed, 2011; Tasnim et al., 2006). As regards to the maternity leave and benefit, pregnant women are entitled to have 16 weeks of maternity leave with a certain amount of benefit if they have served for at least six months (Bangladesh Labor Act, 2006, SS. 46-48). In the RMG sector, although almost 80% workers are female, they are not concerned about their rights as compared to males due to lack of education and training (Chowdhury, 2018; GTZ, 2010; Islam et al., 2017). So, they are discriminated in terms of wages paid and do not get the proper maternity benefit.

From the year 1954, Asia Foundation has been working in Bangladesh to support Bangladeshi workers to know about their rights. Asia Foundation involves in increasing awareness, to implement the laws of labor Act, ensure access to legal assistance. The Bangladesh Cha Sramik Union (BCSU) is the only union to represent these tea workers in Bangladesh (Fatema et al., 2021; Vogt, 2017). But because of some difficulties this union's efficacy is challenged. Asia Foundation provides support to this union in order to increase its efficacy. On the other hand, Asia Foundation also works to create awareness among RMG workers with Bangladesh Legal Aid Services Trust, as this foundation has partnered with BLAST (Zaman, 2017). Asia foundation plays a vital role to resolves disputes with mediation between RMG workers. This Foundation promotes women's economic legal rights as well since 1997. Women workers are facilitated of legal rights by this Foundation. The National Garments Workers Federation (NGWF) plays a dynamic role to ensure working conditions, wages and freedom of associations of garments workers in Bangladesh (Fatema et al., 2021 & Zaman, 2017). NGWF along with its thousands of members demands to the Government to take some necessary steps for garments workers. Such as- to conduct of a minimum wages structure for workers, to ensure maximum participation of women worker, in order to implement the Labour Law, to develop a national reporting framework etc.

To ensure industrial development, it is important to provide labor rights to the workers which bear advantages both for the employer and the employee. Existing laws improve industrial relation between employer-employee and minimizes industrial disputes. The law prescribes procedures through which workers can get fair wages, fixes work hours and provides procedure of compensation to workers who are victim of accident (Ahmed et al., 2020). The labor law also ensures proper safety measures which are necessary to safeguard the environment for the workers at their workplace (GTZ, 2010; Khan, 2013; Saldinger, 2018). According to the Labor Act, 2006, the employers are required to provide basic safety measures which includes safety of buildings, securely guarding all parts of dangerous machinery, precautions for working on machinery, emergency devices for cutting off power, protective equipment, measures to prevent fire etc. The existing law has also dealt

with the occupational safety and health issues of the labors. There is scope for mediation and arbitration for resolving the disputes between workers, management and garments owners. Different NGO's play vital role to decrease the disputes and to provide speedy remedy. So, by applying Labor Law justice is ensured to this disadvantaged community in the society known as laborers or workers.

3. Research Methodology

This study is qualitative in nature. Primary data have been collected through four Focus Group Discussions (FGDs) from four different factories of Dhaka, Gazipur, Narsingdi and Narayanganj districts of Bangladesh where most of leather goods and footwear manufacturing factories are situated. FGDs were conducted in November 2021 facilitated by the researchers. Through the FGDs, extensive information on overall labor rights practice in LGFM sector in Bangladesh are collected. Identity of the participants and the factories are kept anonymous for research ethics purpose. Semi-structured questionnaires on different areas of Bangladesh Labor Act 2006 were developed first based on which the discussion topics of the FGDs were chosen. Synergy of the group interaction on specific areas has been used for analysis, and it was then coded to mention in the finding part. Internal consistency and frequency of the data have been maintained, and extensiveness of the comment was considered while drawing the finding statements.

3.1 Study Findings

This study aims to identify the existing practices related to basic labor rights in accordance to Bangladesh Labor Act (BLA) 2006. The main employment-related benefits have been focused on in this study to investigate the current scenario of industry practices. Hence, the following areas of BLA 2006 are discussed.

Salary: Workers at LGFM factories get an insufficient salary which is not good enough for their standard of living)F.1.1, F.2.1, F.2.6, F.3.5 and F.4.7 .(Probationary worker's salary is below 60 USD and the average salary of workers is below 120 USD)F.1.4 and F.2.2.(

Overtime pay: Over time pay of the workers is not widely exercised (F.1.5 and F.3.5). Workers at LGFM factories do not get regular overtime pay and their overtime pay is not on accordance to the Bangladesh Labor Act-2006)F.1.6 and F.2.1.(

Leave & holiday entitlement: Workers are not aware of holiday and leave entitlement)F.1.3, F.2.5, F.3.2 and F.4.1 .(They rarely get leave and they often work on the weekend with no day off later on)F.1.2, F.2.3, F.3.5 and F.4.3.(Many factories at LGFM sector in Bangladesh often do not offer sick leave facilities to their worker (F.3.2 and F.4.7).

Long working hour :Workers in this sector work for long work hour. Minimum nine hours per day is mandatory for worker to be on the duty, and they regularly do overtime which is sixty hours on an average week)F.1.3, F.1.5, F.2.5 and F.2.6.(Most of the time worker do overtime till late eveningwhich is beyond their willingness.

ID card: Many workers do not have ID card which is mandatory according to BLA-2006 .ID card is written in English and very few workers know what is written on the ID card) F.1.3, F.2.3, F.2.5 and F.2.6.(

Maternity benefits: Female workers get maternity benefit which is below the 112 days as stated in Bangladesh Labor Act-2006 (BLA-2006), and their payment are not given according to BLA-2006) F.1.5 and F.2.5.(Pregnant workers often work for long hour in the factory which has health risk)F.2.5 and F.2.6). Most interestingly, many female workers are unaware of the maternity benefits)F.1.2, F.2.1 and F.2.6.(

Day care: The factory has no arrangement for day care facility though half of the workers are female with children below six years old) F.1.2, F.2.2, F.3.8 and F.4.3 .(Some factories at LGFM sector keep a room with day care facilities in order to meet the social compliance requirement (F.1.4, F.2.5).

Presence of young workers: Though child labor)below age 18 (is officially prohibited, the factory employs adolescence workers who looks very young and have managed fake age identity) F.1.4, F.1.5 and F.2.4 .(Their age is not officially certified by registered doctors .

Canteen & dining facilities: The factory does not have any canteen but has one tiny dining hall in most of the LGFM factories, which is unhygienic and not spacious (F.1.1, F.1.3, F.2.4 and F.2.5 .(Most of the workers go home during lunch break for food and it has impact on productivity)F.1.2, F.2.3 and F.2.4).

Toilet facility: Separate toilets for male and female are available only in few factories (F.1.4, F.2.3 and F.3.2). Toiletries, cleanliness and sanitary farcicalities for worker at LGFM sector are insufficient (F.1.4, F.2.4 and F.2.6.(

Fire safety: Fire exit doors are available in many factories, but these are kept locked)F.1.2, F.1.3, F.2.4 and F.2.5 .(Workers do not know how to use fire defensive tools and they do not get training on fire safety)F.1.2.3, F.2.2 and F.2.6.(

Noise pollution: Production area creates noise but no air plug or any other precaution measures are not supplied by the factory authority (F.1.3, F.1.5, F.1.6 and F.2.1.(

Improper way of first aid service: The factory has first aid facilities but these not sufficient enough according to the numbers of workers) F.1.2, F.1.4, F.1.6, F.2.3 and F.2.5 .(There is no trained up first aid provider as mentioned by respondents.

Health care facilities :There is no doctors in the factory, but there is a nurse in some factories who often prescribe medicine to the workers when they get sick)F.1.3, F.2.3, F.2.4 and F.2.6.(Most of the factories do not have sick bed or rest room for their sick workers (F.1.3, F.2.6, F.3.1 and F.4.5).

Insurance coverage: Most of the factories in leather goods manufacturing sector do not have full insurance coverage for their workers. Compensation in case of injury and work-related disease is not fully paid and they are often deprived of group insurance facility (F.1.6, F.2.4, F.3.7 and F.4.8).

Insufficient pure drinking water facility: LGFM factories in Bangladesh have arrangement of pure drinking water facility, but this is not sufficient enough as per the demand (F.2.3, F.3.2, F.4.2 and F.4.8). Most of the workers bring drinking water

from home (F.3.4 and F.4.3) and the drinking water supplies often get disrupted as mentioned by the workers of the FGDs.

Work-related disease: Workers in leather goods manufacturing sectors suffer from breathing, migraine and skin diseases due to excessive use of chemicals in the production floor (F.1.3, F.2.5, F.4.5 and F.4.7)

Lack of training and learning environment: Workers in this sector do not get formal training, and the learning environment is inadequate (F.3.1, F.3.4, F.4.3 and F.4.6). Workers get on the job training which is also insufficient and most of the workers in this sector are unskilled (F.2.3 and F.3.5). Therefore, production efficiency can not be met often and the rates of workplace accidents are getting higher day by day.

Unsafe storage :Chemicals and wastages of the production are left on the working passage which often have the chances of accidents and injuries) F.1.4, F.1.5, F.2.3 and F.2.6 .(There are some accidents took place which is not disclosed in the media.

Lack of safety measures: Most of the workers do not wear globes while working with electric machines, glue and chemical) F.1.3, F.1.5, F.2.4 and F.2.5 .(Workers are not provided with safeguards by the company)F.1.5, F.1.6, F.2.5 and F.2.6 .(These incidents increase the chances and proximity of accidents and injuries.

Unsafe wastage management :Wastage of the factory is disposed to nearby neighbourhoods)F.1.5 and F.2.6 .(Disposal of wastage are not done properly and the method is not environment friendly.

Lighting in working area: Lighting in the working area is not sufficient and workers often get injured)F.1.2, F.2.3 and F.2.4(

Absence of trade union and participation committee: Workers in LGFM sector are not aware of the functions of trade union and participation committee and these are not encouraged to practice in the factory)F.1.3, F.1.4, F.1.5 and F.2.6.(However, BLA-2006 states that the factory should have the trade union practice and presence of participation committee is mandatory whenever the number of workers gets fifty.

Poor relationships between manager and employees :Supervisors often revoke the subordinates in the working area for which workers get demoralized and workers are scared of communicating with management)F.1.1, F.1.6, F.2.3, F.2.5 and F.2.6 .(Worker's participation in decision making is not encouraged at LGFM sector in Bangladesh .

4. Discussions and Conclusion

As discussed, the predominant purpose of the Bangladesh Labor Act, 2006 is establishing a healthy relation between the employers and the workers by protecting labor rights and welfare that benefits both the workers and the industries. Nevertheless, the findings above indicate the rights of the LGFM workers have been violated in different areas despite having an Act that provides instructions for their protection. This study focuses on the LGFM sector of Bangladesh; hence the scenarios of other industries are not included here.

Throwing lights on the LGFM sector as per the FGD for this study, it can be reiterated that the LGFM workers confront myriad of issues in establishing their safety and securities, timely leaves and payment, maternity benefit, insurance and compensation, and the overall relationship with the employers. The guidelines of the Act have not been followed by most of the industries and the worker's right have been violated time after time. In order to protect labor rights, consistent monitoring body to observe the day-to-day practice within the industries should be appointed by the government. A concentrated report on the daily practices by the LGFM industry would support the justice system to work on the specific areas where the rights have been violated. Adequate first aid appliances, safe drinking water and canteen, safety from hazardous materials and machines must be ensured for a safe working environment by the employer. Besides, daycare facilities, maternity leaves, medical support and other compensations are as important. A transparent and accountable trade union with proper participation of the workers and employers would support bargaining among them. It is of profound importance to provide these facilities to safeguard labor rights.

Moreover, the labor force must have a clear idea on the process of seeking justice and protecting their rights. Workshops, seminars and training programs would be an effective means to enlighten them about their safety, rights and the way to preserve their rights. On the other hand, rigorous actions should be taken by the labor courts against the employers who violate labor rights. This way the employers would not escape their duties and would perform their part to follow the Act. It is high time for the worker's rights to be ensured by complying with the basic human rights to establish a healthy and respectful relationship between the workers and the management.

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Appendix

Factory A	Date 14/11/2021	Factory B	Date 17/11/2021	Factory C	Date 20/11/2021	Factory D	Date 24/11/2021
SL /	Designation	SL /	Designation	SL /	Designation	SL /	Designation
Code		Code		Code		Code	
F.1.1	Lasting Worker	F.2.1	Packaging Worker	F.3.1	Sewing Operator	F.4.1	Supervisor (Sewing)
F.1.2	Sewing Worker	F.2.2	Cutting Operator	F.3.2	Finishing Worker	F.4.2	Supervisor (Quality Control)
F.1.3	Cutting Operator	F.2.3	Production Worker	F.3.3	Cutting Operator	F.4.3	Supervisor (Cutting)
F.1.4	Finishing Worker	F.2.4	Sewing Worker	F.3.4	Quality Control Assistant	F.4.4	Supervisor (Finishing)
F.1.5	Machine Operator	F.2.5	Lasting Worker	F.3.5	Production Worker	F.4.5	Supervisor (Sewing)
				F.3.6	Packaging Worker	F.4.6	Supervisor (Production)
F.1.6	Insole Worker	F.2.6	Quality Controller	F.3.7	Cutting Operator	F.4.7	Supervisor (Packaging)
				F.3.8	Finishing Worker	F.4.8	Floor in charge

List of Participants in Focus Group Discussions (FGDs)