

24<sup>th</sup> August, 2021

Mr. Nimal Siripala de Silva  
Minister,  
Ministry of Labour,  
Mehewara Piyasa,  
Colombo-05

Minister Nimal Siripala de Silva,

**Request for urgent action to protect the health and labour rights of employees employed in the Investment Promotion Zones**

Presently, the country is under a Government imposed lockdown of 10 days, from August 21-30, 2021, in response to calls from various parties, including trade unions, to ensure the health and security of the people, in the face of the rapid spread of the COVID-19 Delta variant across the country.

Accordingly, government, semi-government, and private sector service providers have been temporarily closed, except for essential services. That being the case, we know that it will not be easy to shut down the manufacturing sector located within the investment promotion zone, which houses many factories including garment factories, which is one of the country's main sources of foreign exchange earnings at the moment.

President Gotabaya Rajapaksa, in his special address to the nation on 20th August, 2021 highlighted the direct and significant contribution of the garment industry to the country's economy, further highlighting the significance of the sector.

Nevertheless, employees of these factories within the investment promotion and free trade zones throughout the country, which make the highest contribution to the economy of the country, have faced serious health risks and struggled from the very beginning of the spread of the COVID-19 pandemic in Sri Lanka. Needless to say, these are very sensitive and specialised areas, where a vast majority of women workers are employed. We regret having to point out that during this period, they have had to face multiple grievances, and have been targeted as 'carriers' of the disease in the eyes of the outside world.

Please note that despite the statement issued by garment factory owners, opposing the request to shut down the country, and thanking the President for his statement, the health of these workers is in a critical and unsatisfactory condition. We further stress that the labour rights of these employees, established by the country's legal system, have also been severely curtailed.

In this light, we wish to draw your attention to the situation faced by the apparel sector workers, and other manufacturing industries at present, for your immediate intervention;

## **01. Failure to implement recommended and methodical health care systems**

### 1.1 Non-sterilization

- Factory floor, toilets, canteens, sick rooms and lounge areas
- Employees' hostels/boarding houses (after quarantine\*)
- Failure to provide hand sanitizer/soap for hand washing

1.2 Employees who are first contacts of COVID-19 positive patients continue to work alongside other employees

1.3 Symptomatic employees kept in first aid rooms / restrooms for prolonged periods of time

1.4 Asking COVID positive workers to self-quarantine at their own hostels or boarding rooms.

- Workers from several different factories live at the same hostel or boarding house.
- Some employees live with their children in those hostels/boarding.
- Many workers share one toilet, tap or well on a daily basis.

1.5 Calling the other party to work when their spouse is infected.

1.6 Non-operation of social distancing procedures due to all staff being called in to work.

1.7 Inability to open windows due to air conditioning.

## **02. Failure to perform antigen and PCR testing properly**

2.1 Tests are conducted only for a very limited number of selected employees.

2.2 Failure to refer first contacts of COVID positive patients for testing

2.3 Bypassing vaccinated persons in those tests

## **03. Failure to provide the vaccine and or avoiding the opportunity to get vaccinated**

3.1 Failure to grant duty leave for vaccination

3.2 Failure to carry out vaccination programmes in, or near the factory

3.3 Lack of details provided on vaccination sites and poor dissemination of information.

## **04. Inadequate support of public health offices**

4.1 Insufficient number of Public Health Inspectors (PHIs)

4.2 Failure to inspect employees who are quarantined.

#### **05. Inability to obtain treatment from Government hospitals**

5.1 Government hospitals have exceeded their treatment capacity.

5.2 Free trade zone workers are disregarded and not treated at Government hospitals.

#### **06. Denial of workers' labour rights**

6.1 Payment of only half of the basic salary or Rs. 14,500, even when the full workforce is called to work.

6.2 Non-payment of overtime wages.

6.3 Constant raising of production targets.

6.4 Expecting a reduced number of employees to meet the production targets previously met by the total workforce.

6.5 Termination of the services of pregnant employees.

6.6 Failure to pay even a portion of the salary to the pregnant employees who are not called to work.

6.7 Failure to pay the allowance for eligible employees.

07. No follow-up after self-quarantine of infected workers at their hostels. Employees are not directed to the quarantine centers set up within the zones, as that would require the companies to pay for their stay.

As a result of the above conditions, the employees working in factories within the investment promotion zones, are at high risk of contracting COVID-19. Physically and mentally, they are treated unfairly. Therefore, the following recommendations are for ensuring their health and protecting their labour rights

We, the signatories below, kindly request you to expedite the implementation of these proposals.

01. Preparation and submission of special healthcare guidelines for investment promotion zones, and the implementation of a continuous regulatory system.

02. Mandatory disinfection of workplaces, canteens, toilets / urinals, first-aid rooms and restrooms as required.

03. Establishment of separate quarantine centers within the investment development zones, and directing employees who become infected with COVID-19 to these zones, or;
04. Sending workers who test positive to existing quarantine centers must be made mandatory.
05. Isolation of first contacts of COVID positive patients, and directing them to quarantine.
06. Increasing the number of antigen and PCR tests conducted in a factory by a minimum of 40%.
07. Expansion of the service of the Public Health Inspection Officers to include the Investment Promotion Zones.
08. Functioning with only a limited number of employees to ensure social distancing, and granting paid leave to employees who are not called to work on this basis.
09. Ordering companies currently employing the full work force at a payment of half their wage or Rs.14,500, to pay the full salary amount.

We sincerely hope that you will act swiftly on implementing these proposals.

Yours faithfully,

**Ashila Dandeniya - Chief Secretary, Standup Employees Union**

**Chandra Devanarayana - Executive Director, Revolutionary Existence for human Development (RED)**

**Lalitha Ranjani Dedduwa Kumara - Chief Organizer, Textile Garment and Clothing Workers Union**

**Chamila Thushari - Dabindu Collective Union**

**Sugath Rajapaksha - Shramabhimani Kendraya**

**Wijepala Weerakoon - Commercial and Industrial Workers Union (CIWU)**

Copies:

1. Commissioner General of Labour, Prabath Chandra Keerthi, Department of Labour
2. All Trade Unions belonging to the National Labour Advisory Council (NLAC)