



TRAID Fact Sheet: 2017

Fashion Exposed

Garment Industry, Cambodia

“I just want to earn enough to feed my family, have a roof over us and live in dignity.”

Source: Labour Behind the Label
<http://labourbehindthelabel.org/campaigns/living-wage/>

General Statistics

Population (2016): 15.8 million¹

Employment in garment industry (2015/16):
Figures range from approx. 605,100 – 700,000²

Gender in garment industry (2016): Women make up around 90% of garment workers³

Garment % of total exports (2015): 80%⁴

¹ Source: <http://www.worldometers.info/world-population/cambodia-population/> Last accessed 20/03/2017

² Sources: ILO Labour Standards in global supply chains http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_383562.pdf; Better Factories http://betterfactories.org/?page_id=25 Last accessed 20/03/2017

³ Source: Human Rights Watch Report Work Faster or Get Out <https://www.hrw.org/report/2015/03/11/work-faster-or-get-out/labor-rights-abuses-cambodias-garment-industry> Accessed 20/03/2017

⁴ Source: ILO Cambodian Garment & Footwear sector http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_541288.pdf Accessed 20/03/2017

Value of garment (garments and footwear) exports (2015): \$6.8 billion⁵

Minimum wage (2016/17): \$153⁶

Living wage calculation by Asia Floor Wage (2015) \$412⁷

Difference between living wage and minimum wage: \$259

Issues in the Cambodian Garment Industry

Low pay – Workers, unions and NGOs have been lobbying for higher wages. In 2016 it was increased from \$140 - \$153 per month coming into effect in 2017. This is seen as inadequate with unions having proposed \$171 per month.

Research from the Clean Clothes Campaign and Central (2016) found workers spent \$210 per month on essential expenses of food, rent, childcare, transport.⁸

⁵ Ibid

⁶ Source: Wage Indicator <http://www.wageindicator.org/main/salary/minimum-wage/minimum-wages-news/minimum-wage-for-cambodian-garment-sector-set-at-153-month-november-15-2016> Last accessed 20/03/2017

⁷ Source: Labour Behind the Label <http://labourbehindthelabel.org/campaigns/living-wage/> Last accessed 20/03/2017

⁸ Source 2016 Clean Clothes Campaign, 'When Best is Far from Good Enough' <https://cleanclothes.org/resources/national-cccs/when-best-is-far-from-good-enough-violations-of-workers2019-rights-at-four-of-h-m-best-in-class-suppliers-in-cambodia> Accessed 20/03/2017

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Poor working conditions – Cambodian factories are characterised by high incidents of both mass and individuals fainting which has been attributed to a combination of very high temperatures in factories and poor nutrition. The National Social Security Fund (NSSF) reported that there had been 1,160 reported incidents of fainting in 2016.⁹

“Coining” on the factory floor to cool down is commonly practiced (a technique used in Chinese medicine which rakes the skin with a coin to bring the blood to the surface which is believed to bring your temperature down).

Trade Union Rights Suppression – Examples of the ways in which workers’ are discouraged from organising themselves includes:

- Workers find it difficult to access independent unions
- Workers who are members of unions have been harassed
- Violent police crack downs during strikes by garment workers are common¹⁰. This peaked in 2014 when the police intervened to stop large-scale demonstrations which saw over 500 factories on strike and at least three workers were killed
- The use of ‘yellow unions’ (company created unions designed to undermine independent unions and worker’s interests) is common
- Law - In August 2016, Cambodia’s National Assembly adopted a Law on Trade Unions which workers, unions and NGOs said undermines civil liberties by curbing workers’ rights and their ability to take strike action.¹¹

⁹ Source: <http://www.apdnews.com/xin-hua/572054.html>
Accessed 20/03/2017

¹⁰ Source <http://asia.floorwage.org/news/cambodian-authorities-end-brutal-repression-of-cambodian-unions>
Accessed 20/03/2017

¹¹ Source ILO
http://www.ilo.org/asia/info/public/pr/WCMS_466553/lang--en/index.htm Accessed 20/03/2017

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Childcare, Cambodia

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“No factory in Cambodia provides childcare. They just prepare a small room with some stuff, and no babysitter.”

Moeun Tola, Community Legal Education Centre (CLEC)

Childcare and Labour Law

1997 Cambodian Labour Law states that women employed in garment factories should receive paid maternity leave and one hour breast feeding breaks. Factories with over 100 workers are required by law to provide free childcare or reimburse the costs to their employees.

However, this progressive legislation which should serve to protect pregnant women and working mothers is ignored and avoided.

In practice, the vast majority of factories do not provide childcare facilities. Those very few that do are reported to be small, inadequate and under-staffed; and workers

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are rarely reimbursed for private day-care costs.

Women workers also report that even where childcare is offered, they do not want to transport their children to work in open air trucks which often have no places to sit, let alone seat belts.¹²

What do garment workers do about childcare?

¹² Source: ILO: Practical Changes for Maternity Protection in the Cambodian garment industry. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_203802.pdf Accessed 20/03/2017

Most children are left with local elders, with the cost met by the parent. The average cost of childcare is upwards of £40 per month.

This is the largest expense for a garment worker after loan repayments. In addition to costs, long working hours mean that garment workers have little time to spend with their children.

Discrimination against women workers

With mainly young women making up the majority of garment workers in Cambodia, they are disproportionately hit by inadequate enforcement of labour laws.¹³

Factories also find ways to get around providing benefits to workers, mainly through the use of Short and Fixed Term Contracts (FDCs).

Legally, women working continuously in a factory for one year are entitled to paid maternity leave. However, factories will typically hire workers on a FDC contract and then repeatedly renew it to avoid this obligation.

By forcing a break between contracts factories divest themselves of responsibility and leave women workers ineligible for maternity and childcare benefits.¹⁴

The use of short-term contracts is increasingly prolific and it is estimated that around 80% of Cambodia's garment workers are on a FDC contract. With some factories employing its entire workforce on FDCs.¹⁵

Workers employed on consecutive FDCs for two-years have the right to have their

contract made permanent. However, this is rarely followed by factory owners.

¹³ Source: Human Rights Watch, Work Faster or Get Out, Labour Rights Abuses in Cambodia's Garment Industry, <https://www.hrw.org/report/2015/03/11/work-faster-or-get-out/labor-rights-abuses-cambodias-garment-industry> Accessed 20/03/2017

¹⁴ Ibid

¹⁵ Source: Fair Action: <http://fairaction.se/wp-content/uploads/2015/09/A-Short-Term-Solution-Fair-Action.pdf> Accessed 20/03/2017

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Fashion Exposed

Health, Cambodia

“We are constantly at the point of fainting all the time. We are tired and we are weak. It takes only a few small things to make us faint.”

“I felt uneasy and later fatigue when there was a strong odour. Suddenly I saw other people nearby me starting to fall down. I was shocked because of the situation with other workers fainting around me and I rushed to help them but then I also lost consciousness.”

Source: Labour Behind the Label, “*Shop ‘til they drop*”
<https://cleanclothes.org/resources/national-cccs/shop-til-they-drop>

Source: ‘Workers Perspectives on Fainting in Factories’ (7 February 2013) <http://bit.ly/19iqQFQ>

Fainting

Instances of garment workers fainting, including mass fainting, are increasing (around 2,000 cases are recorded per year)¹⁶.

¹⁶The Phnom Penh Post, “*High Fashion’s Human Cost*”, (Accessed 16 September 2016)
<<http://www.phnompenhpost.com/post-weekend/high-fashions-human-cost>>

There are varying opinions about the causes of the fainting. Workers, unions and rights groups cite:

- Long working hours
- Intense heat (in factories, temperatures often exceed 40° degree centigrade.¹⁷)
- Lack of water
- Malnutrition
- Low wages
- Chemicals / fumes

Malnutrition

*Malnutrition*¹⁸ is the most cited reason for fainting. Workers say that are constantly at the point of fainting. Low wages and time poverty means that malnutrition has become endemic in Cambodia’s garment sector.

From October 2012 - June 2013, *Labour Behind the Label* researchers in Phnom Penh systematically collected data on workers nutrition and monthly food purchases.

They found that workers had an intake of an average 1598 calories per day, which is around half the recommended amount for a woman working in an industrial context.¹⁹

¹⁷ The Phnom Penh Post, above n1

¹⁸ Labour Behind the Label, “*Shop ‘til they drop*” (Accessed 01 December 2016)

<<https://cleanclothes.org/resources/national-cccs/shop-til-they-drop>>²

¹⁹ Ibid

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This data indicates that 33% of workers are medically malnourished and 25% seriously so.²⁰

The report found that workers spend just \$1.53 USD daily on food, when a diet of 3000 calories with sufficient nutrients and protein would cost \$2.50 USD daily. This recommended 3000 calorie diet equates to \$75.03 USD a month.²¹ Given Cambodia's current monthly minimum wage, this kind of spending on food is not feasible.

Coining

To cool themselves down and avoid fainting, workers use a traditional technique called "coining", which involves scraping at their skin with a metal object (for example the metal lid of a pot) until it is raw.

The process is known as "*Gua sha*" and is a traditional Chinese medical treatment in which the skin is scraped to produce light bruising. It is thought to release unhealthy elements from injured areas and stimulates blood flow and healing.²²

In some factories, as many as 30 workers undergo this "treatment" in a single day. They are usually coined when they are too hot, or struggling to breathe, or feel faint.

Despite its widespread practice, Cambodian doctors are unconvinced of any resulting medical benefit.²³

²⁰ Ibid

²¹ Ibid

²² The Phnom Penh Post, above n1

²³ Ibid

Industry Response

Cambodian Government

The government responded to increasing concern and publicity about fainting by announcing a US\$5 monthly health bonus for garment workers in November 2011.

Prime Minister Hun Sen said the payment had been negotiated with industry through tax breaks and should be used to keep workers healthy.

Around the same time the Cambodian Ministry of Labour and Vocational Training released estimates that 60% of all fainting in the garment and footwear industry were due to a lack of nutrition.²⁴

Better Factories Cambodia (BFC)

In 2012, BFC launched the 'One Change' campaign to encourage factory owners to improve factory working environments and combat the triggers of fainting (given as poor hygiene, nutrition, health stress, and poor worker-management communications).

Optional changes being promoted include training workers to keep calm in response to fainting; providing subsidised meals to workers; providing a free breakfast or snack; and organising two paid five minute breaks per work shift.²⁵

Brands

Brand response to fainting has been mixed. H&M, Gap, and Levis among others have supported the BFC 'One Change' campaign (above).

Most have focused on issues such as factory heat, or long hours, with little mention of low wages, and the implications for workers' lack

²⁴ Labour Behind the Label, above n3, 6

²⁵ Ibid

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of buying power and access to nutritious food, as the root of the problem.²⁶

Garment Manufacturers Association in Cambodia (GMAC)

The GMAC's response has been limited and combative. Ken Loo, Secretary-General of the organisation said in 2011 that the media sensationalised the fainting incidents. "The numbers are always exaggerated and there is a 'shock and awe' element" in the reporting, he said, adding that the fainting "are a concern of GMAC, but they do not fall high on the agenda".²⁷

The GMAC have done some work looking at malnutrition in the workforce. In 2012, it supported a survey that went out to factory owners into the 'Perceptions of garment factory owners on nutrition and the feasibility for pursuing canteen services in the garment sector in Cambodia'.

Although the study explicitly stated that it had "not conducted in response to fainting in factories" many of the findings focused on issues very linked to this topic.²⁸

²⁶ ibid

²⁷ Source: Study on the Perceptions of Garment Factory Owners on Nutrition and the Feasibility for Pursuing Canteen Service in the Garment Sector in Cambodia <http://betterfactories.org/?p=855>

²⁸ ibid

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Internal Migration, Cambodia

“There are not enough jobs available in my hometown, that’s why I forced myself to come and work in Phnom Penh.

In here, everything is very difficult; the prices of house rent, water and energy supply are very expensive.

Even though I want to go and visit my hometown, I need to spend a lot of money.”

Source: Molyka Rom, “Radio Feature Reporting: Rural Urban Migration in Cambodia”, (accessed 17/11/2016) <https://miznothing.wordpress.com/2014/07/25/radio-feature-reporting-rural-urban-migration-in-cambodia/>

Internal Migration

Internal migration in Cambodia is mainly characterised by people moving from rural to urban areas to find work.

Cambodia’s internal migrants across all sectors are mainly unskilled and most likely to work in 3D jobs (Dirty, Dangerous and Demeaning).²⁹ These jobs, including the garment sector, do not pay high enough

²⁹ Crassard, “Country Profile: Cambodia”, (2015), International Organisation for Migration (accessed 25/11/2016) https://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/country_profile_cambodia.pdf

wages for migrants to improve their standards of living.³⁰

The garment sector is the most sought after to work in by internal migrants (58.7%), with women (69.9) seeking employment in this sector at a higher rate than men (46.5%).³¹ This is due to the sector demands for an abundance of unskilled labour.

Why do People Migrate?

Migration is a combination of push and pull factors. In Cambodia (a country on the United Nations Least Developed Countries index since 1991), migration is due more to *push* factors and survival strategies, rather than *pull* factors which include life planning and improving economic standards.³²

Push Factors include:

- Chronic poverty
- Political instability
- Low economic development
- Landlessness (land eviction and land concession to foreign investors)
- Lack of employment
- Lack of access to markets
- Debt

³⁰ Phong, Barreras, Solá, “Internal Migration Patterns and Practices of Low-Skilled and Unskilled Workers in Cambodia” (2016), Open Institute http://www.open.org.kh/research/Internal_migration_Sep_2016.pdf

³¹ Phong, Barreras, Solá, “Internal Migration Patterns and Practices of Low-Skilled and Unskilled Workers in Cambodia” (2016), Open Institute http://www.open.org.kh/research/Internal_migration_Sep_2016.pdf

³² Ibid

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- Natural disasters (drought and floods)
- Increasing demographic pressure

Pull Factors include:

- New industries needing a low skilled workforce
- Perception of a better life style
- Learning from past experiences of earlier migrants

What Garment Workers Say

When internal migrants working in the garment sector were asked about their reasons for moving to urban areas for work they said:³³

- I want to earn more money to be able to e.g. buy farming land or build a house (67%)
- I come from a poor family and I need to support them financially (52%)
- I cannot find local work (unemployed) (25.1%)
- Income from local work is too low (12.8%)
- I have to pay debts (10.6%)

When they were asked about why they accepted their first job they said:

- Acceptable salary (33.5%)
- No choice (31.7%)
- No need for special skills (26.7%)
- Introduced by relative/friend (26.3%)
- Could work with relative/friend (26%)
- No experience (24.5%)
- Easy job (20.1%)
- Good working conditions (23.8%)
- Able to learn a good skill (11%)
- Able to live with a relative or friend (19.8%)
- Free accommodation (12.9%)

³³ Phong, Barreras, Solá, "Internal Migration Patterns and Practices of Low-Skilled and Unskilled Workers in Cambodia" (2016), Open Institute
http://www.open.org.kh/research/Internal_migration_Sep_2016.pdf

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Living Conditions, Cambodia

In Cambodia's capital Phnom Penh, the homes of garment workers are regularly flooded during the wet season. Government land grabs, lake fillings, and overcrowded housing have dramatically aggravated the impact of flooding on the lives of the urban poor.

Water-borne diseases are of particular concern in Cambodia due to, *among other things*, a high pre-existing burden of diseases such as diarrheal illness and a lack of sanitation infrastructure.³⁴

Further vulnerabilities relate to, for example:

- Widespread poverty
- Poor health and malnutrition
- Shanty settlements in flood-prone areas
- Reliance on agriculture for food security and income
- Low education levels
- Inadequate warning systems
- Resource, governance and public health limitations.³⁵

³⁴ Source: Water-Borne Diseases and Extreme Weather Events in Cambodia: Review of Impacts and Implications of Climate Change; Yusuf A., Francisco H. Hotspots! Mapping Climate Change Vulnerability in Southeast Asia. Economic and Environment Program for Southeast Asia; Singapore: 2010.

³⁵ Source: Climate Change and Health in Cambodia: A Vulnerability and Adaptation Assessment. Preventative Medicine Department, Cambodia Ministry of Health; Phnom Penh, Cambodia: 2011; Water-Borne Diseases and Extreme

Cambodia is also identified as having 'extreme' vulnerability to climate change, ranking 8th out of 193 countries in "Maplecroft's Climate Change Vulnerability Index in 2014", based on a composite of exposure to extreme weather events (predominantly floods), sensitivity and adaptive capacity.³⁶

The nation's most populated areas are classified as lowland, surrounding the Mekong–Tonle Sap river system.

According to World Bank (2014a) data, the total population and population density more than doubled between 1980 and 2012: from 6.6 million to 14.9 million, and from 36.9 inhabitants per square kilometre to 84.2.³⁷

Weather Events in Cambodia: Review of Impacts and Implications of Climate Change

³⁶ Source: Maplecroft 6th Annual Climate Change and Environmental Risk Atlas (Image in hyperlink)
Website:

http://reliefweb.int/sites/reliefweb.int/files/resources/Climate_Change_Vulnerability_Index_%202014_Map_0.pdf
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4306857/>

³⁷ Source: The Kingdom of Cambodia Health System Review: Asia Pacific Observatory on Health Systems and Policies
http://www.wpro.who.int/asia_pacific_observatory/hits/series/cambodia_health_systems_review.pdf

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Surveillance, Cambodia

Biometric technology is used in garment factories to monitor employee time keeping and attendance.

Finger *vein* biometric technology, rather than finger *print* technology, is the preferred way to monitor garment worker attendance and working hours in factories. This is because garment workers finger prints become distorted and worn over time due to constant handling of heavy machinery and needles making it difficult to read their finger prints.

What is biometric technology?

Biometrics technology is a high tech identity management solution used as a front-line security measure for identity verification. Biometrics technology comprises methods for uniquely recognising humans based upon one or more intrinsic physical or behavioural traits. Biometric technology uses digital cameras and sensors to capture digital image of these unique traits of humans. This digital data is then encoded and can be stored and is searchable on demand. Such a search is not only very rapid (often taking place in real-

time), it is also a process that is accepted globally as evidence in labour courts and tribunals.³⁸

Why is biometric technology used in garment factories?

Biometric technology has several uses, but in the garment and manufacturing industry it is used to monitor employee time and attendance.

What are the types of biometric technology?

Over time, biometric technology has evolved and now there are multiple ways to identify an individual. The most popular in the garment manufacturing sector include:

- Fingerprint biometric
- Finger Vein Biometric

Each of these modalities has their own strength and weaknesses and not all modalities are useful under all conditions. For example, some finger print biometric technology may not be able to read garment worker finger prints as they become distorted and worn over time due to constant handling of heavy machinery and needles.

³⁸ Shahnewaz, Can Biometric Technology Help the Readymade Garment Sector?, (accessed 24/11/2016) <https://www.linkedin.com/pulse/20140912063512-196831035-can-biometric-technology-help-the-readymade-garment-sector?forceNoSplash=true>

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Also of significance is the moisture generated from garment factory boiler rooms. Under these conditions, a fingerprint scanner may not be an efficient solution, while finger vein technology can be very effective because of multiple reasons:

- Normally vein pattern is permanent and it's safe from dryness, roughness, moisture, or scarring.
- User of the vein reader does not have to touch it, so it's more hygienic.
- Vein patterns are difficult to replicate.
- Almost 100% read rate.
- Expense is less than most of the other biometric modality.

By looking at the points mentioned above it can be said that finger or palm vein technology is the most suitable solution for the garments sector for monitoring workers.

Arguments for using biometric technology

Biometric companies, corporates, factory owners and management argue that biometric technology in the garments sector can improve organisational outcomes³⁹:

- It speeds up the sign-in and sign-out process, as employees just need to scan their biometrics.
- It saves 2-4% of gross payroll by eliminating employee time theft & buddy punching (getting a co-worker to clock in for you)
- It is more secure and efficient than ID Cards or pin numbers. When compared to card based systems, biometric monitoring removes the chance of ID card loss.

³⁹ Shahnewaz, Can Biometric Technology Help the Readymade Garment Sector?, (accessed 24/11/2016)

<https://www.linkedin.com/pulse/20140912063512-196831035-can-biometric-technology-help-the-readymade-garment-sector?forceNoSplash=true>

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- It reduces the complications concerning of employee overtime record management.
- Biometric technology is becoming more affordable.
- Improved protection against underage and illegal garments workers who are sometimes forced into garment manufactories.
- Protection against non-workers on the premises, as well as unauthorized access or sabotage.

Arguments against using biometric technology

Routine Surveillance Abuse

Finger-printing employees to monitor time-keeping and absence (for example due to sickness) raises serious questions about personal privacy and intrusive employment practices.⁴⁰

A "surveillance culture" in the workplace includes strict monitoring of time-keeping, lunch breaks and toilet breaks. It can lead to increased stress, sickness absence, higher staff turnover, a fearful workforce and low morale.

Biometric monitoring use to monitor individuals in particular rather than security in general works adds value to a business by dehumanising the worker.

- Biometric monitoring alongside "Fixed Duration Contracts" and an internal migrant workforce dramatically undermines the ability of workers to advocate for enhanced working conditions.

- Shame tactics: Factories use biometric monitoring to force workers to compete

⁴⁰ Unison "Biometrics in the Workplace" (accessed 24/11/2016)

(<https://www.unison.org.uk/content/uploads/2013/06/Briefings-and-CircularsBiometrics3.pdf>)

with each other to secure targets (200 – 300 Garments per day) in pursuit of performance bonuses (13c – 15c per day). 50% of workers said that overtime was required to meet production targets.

- **Criminality:** The process of finger-printing is understandably associated with criminality in the public mind. So when employers start fingerprinting their own staff it sends out a very negative and confrontational message
- **Data retention and attendance checking:** Power rests in the hand of the employers who are the data controllers. Workers are unable to dispute an accusation by the employer regarding failed attendance.

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Fashion Exposed

Transport, Cambodia

“The truck was driving so fast; then we overturned on the road with many people. I injured my arm, shoulder and leg. We were so panicked,”

Garment worker Sok Eye, 25 who sustained multiple injuries in the crash.

Source: Phnom Penh Post Website:

<http://www.phnompenhpost.com/national/kampong-speu-truck-crash-injures-70-garment-workers>

In June 2011, the UK Government released the *Business and Human Rights Tool kit*. This document highlights that, of those “rights that could be seriously impinged upon by operations of multinational companies,” [foremost] is “the right to life, liberty and security of person.”⁴¹

Guiding Principles on Business & Human Rights

This principle reflects the three premises of the UN’s Guiding Principles on Business and Human Rights, which include:⁴²

⁴¹ Source: Foreign & Commonwealth Office, UK - Business and Human Rights Tool kit (June 2011)
Website:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/35451/business-toolkit.pdf

⁴² Source: The Guiding Principles on Business and Human Rights (2008)

Website: <https://www.business-humanrights.org/en/un-secretary-generals-special-representative-on-business-human-rights/un-protect-respect-and-remedy-framework-and-guiding-principles>

1. The state duty to protect against human rights abuses by third parties, including business;
2. The corporate responsibility to respect human rights; and
3. Support for greater access by victims to effective remedy, both judicial and non-judicial

High Sector Earnings, Low Wages

There are over 700,000 garment workers in Cambodia. This workforce enabled Cambodia to export over £5 Billion (\$7.1 Billion) of garments to Europe / North America in 2015.⁴³

Despite the fact that the sector is the highest foreign currency earner for Cambodia, garment workers typically earn low wages of around £114 or \$140 per month.

Unsafe Transport

Most garment workers in Cambodia’s capital Phnom Penh travel to factories on transport intended for goods and animals. Typically, the vehicles are mini-vans or flatbed trucks which are crammed with workers, and dangerously over crowded. Drivers are usually unlicensed.

Why do workers travel on unsafe vehicles?

⁴³Source: Figures released by Cambodia’s Industry Ministry http://news.xinhuanet.com/english/2016-02/01/c_135063970.htm

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Low wages means that workers not living close enough to factories have to use unsafe transportation.

Death and injury statistics

In 2016, garment workers were involved in 5,609 separate traffic accidents as they travelled to and from work. 103 workers were killed, 7,446 were injured out of which 970 were seriously injured.

In 2015, garment workers were involved in 4,320 separate traffic accidents as they travelled to and from work. 130 workers were killed, 7,227 were injured.⁴⁴

Example: 70 garment workers were injured on 27 April 2016 when a truck overturned in Kampong Speu's Odong district.

Example: 18 garment workers were killed and 22 injured in Eastern Cambodia in a traffic accident.

Example: 33 garment workers were injured, 12 critically, when their vehicle crashed on the way to the factory in the western province of Kampong Speu.

Sources

<http://www.phnompenhpost.com/national/kampong-speu-truck-crash-injures-70-garment-workers>

<https://asiancorrespondent.com/2015/05/18-garment-workers-killed-in-cambodia-road-crash/#uDSFifOyKFe7rQVG.97>

<http://bigstory.ap.org/article/ad3f31ddaf4341fcbd7cf288b9e74786/33-garment-workers-injured-cambodia-truck-crash>

Cambodian Law

⁴⁴ The National Social Security Fund's (NSSF) Working Group on Land Traffic Safety for Workers' Protection (Khmer only)
Source: The Cambodia Daily Website:
<https://www.cambodiadaily.com/news/107534-107534/>
Source: The Khmer Times Website:
<http://www.khmertimeskh.com/news/34487/garment-worker-crash-deaths-fall/>

Under Cambodian Labour Law (1997), accidents happening to a worker during the direct commute from their residence to their work place or home are considered to be work-related accidents as long as the trip was not interrupted nor a detour made for a personal or a non-work-related reason.⁴⁵

Legally, managers of enterprise are liable for all such work-related accidents.⁴⁶

The Organisation for Economic Co-operation and Development (OECD) believes that at the heart of corporate due diligence lies the safety of a corporation's workers.

Where a worker's safety may be at risk, the OECD demands that qualified professionals provide consultation on how to minimise risk, assess the implementation of corrective action, and verify compliance within the agreed upon timeframe.⁴⁷

Moreover, in cases in which workers raise red-flags concerning health and safety, both the supplier and contracting enterprise should ensure that the grievance is inspected in a timely manner by a qualified professional.⁴⁸

⁴⁵ Source: **Cambodian Labour Law, Article 248**

Website:

<http://www.arbitrationcouncil.org/en/resources/labour-law-and-regulations/labour-law>

⁴⁶ Source: **Cambodian Labour Law, Article 249**

Website:

<http://www.arbitrationcouncil.org/en/resources/labour-law-and-regulations/labour-law>

⁴⁷ Source: **Organisation for Economic Co-operation and Development Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector (February 2016)**

Website: <https://mneguidelines.oecd.org/responsible-supply-chains-textile-garment-sector.htm>

⁴⁸ Source: **Organisation for Economic Co-operation and Development Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector (February 2016)**

Website: <https://mneguidelines.oecd.org/Draft-for-Consultation-Due-Diligence-Guidance-Responsible-Supply-Chains-Garment-Footwear-Sector.pdf>

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TRAID Fact Sheet: 2017

Fashion Exposed

Transport, Cambodia

“The issue of colour revolution comes in many forms. We want to make it clear we will not allow it to happen in the Kingdom of Cambodia. We have to prevent the return of the second genocidal regime in Cambodia. We have to take measures against offenders otherwise there will be anarchy.”

HE Tea Banh, Deputy Prime Minister, Minister of National Defence speaking in anti-Black Monday video ‘Using the rights in an anarchic way’
https://www.youtube.com/watch?v=9n5bYKN7_js

“The government is so fearful of democratic expression that it consistently misrepresents it as ‘insurrection’ – and uses this rhetoric to quash fundamental freedoms and silence critics,”

Source: Cambodia League for Defense of Human Rights
Naly Pilorge, <http://www.licadho-cambodia.org/pressrelease.php?perm=407>

Black Monday is a campaign which was launched in May 2016 by civil society groups in Cambodia. It calls for the release of human

rights activists and political prisoners jailed by the state.

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Activists wear black t-shirts on Monday’s in protest.

How did it begin?

In 2016, four human rights workers and an election official were jailed on what were believed to be politically motivated charges.

The campaign began in support of them, supported by the opposition party the CNRP, and then spread as a way to support political prisoners and protest state repression.

What does the campaign have to do with garment workers?

Garment workers, unions and labour rights organisations protesting low wages and exploitative working conditions routinely face high levels of repression and violent crackdowns by the police and state.

Cambodian activists in the garment sector have worn black t-shirts in solidarity.

Government response to Black Monday

The government response has been repressive. They have described Black

Monday as a 'colour revolution', an 'urban rebellion' and foreign instigated.

The government also produced a video titled 'Using the rights in an anarchic way' which linked Black Monday to Eastern European protests and Isis.⁴⁹

Campaigners have argued that the state is cracking down on peaceful and legitimate protest.

At least 33 arrests have been made since the campaign began including eight activists for the unauthorised wearing of black clothes.⁵⁰

Prominent land activists protesting eviction were also arrested and convicted of 'insulting a public official'. One of the activists, Tep Vanny, was sentenced to a two and a half years in prison in February 2017.⁵¹

⁴⁹Source: https://www.youtube.com/watch?v=9n5bYKN7_js
Accessed 20/03/2017

⁵⁰Source
http://cchrcambodia.org/index_old.php?url=our_work/our_work.php&id=3#_ftn10 Accessed 20/03/2017

⁵¹<http://www.licadho-cambodia.org/pressrelease.php?perm=407> Accessed 20/03/2017

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