

DOCUMENTS

SUBMISSIONS TO THE GARMENT TRIBUNAL, 1986

(These are submissions which were additional to economic arguments made by the Fiji Women's Rights Movement).

(A) The findings of the Central Planning Office

We understand that before the Wages Council Order was made the Central Planning Office conducted an investigation into the Garment Industry section to ascertain the economic conditions prevailing in it. On the basis of this research it concluded that the manufacturers were able to pay a minimum wage of 90 cents.

The subsequent suspension of the Wages Council Order would therefore appear to be a direct contradiction of these informed findings. We query whether the government in suspending this order sought the advice of the Central Planning Office. We further query whether or not the Tribunal has access to and is using the findings of the Central Planning Office (Statistics/data).

(B) Other grounds for improving wages in the garment industry

(1) Historical

Historically, the low social value attached to domestic work undertaken by women including garment making has been carried over into the wage labour market. This has effectively meant that occupations such as domestic and garment work have been accorded a low and discriminatory economic value. We submit that if this Tribunal recommends that the Wages Council Order is repealed and a lower minimum substituted this council will be guilty of following this historical but discriminatory practice.

(2) Constitutional

We draw your attention to Article III of the Constitution of Fiji which states that there shall be no discrimination on the grounds of race, religion, sex and creed. The discrepancy in wages between men in the manufacturing industry and women in the garment industry therefore constitutes a violation of Article III.

(3) Development Plans 8 and 9

DP8 and 9 in the paragraphs on Women and Development stated that laws discriminating against women would be changed to bring the laws within a general framework of non-discrimination. The garment industry represents 6,000 workers. The average wage for the manufacturing industry in 1984 was \$1.48. The average wage in the garment manufacturing industry was 74 cents which excludes the significant number of women who earn as little as \$10-\$24 a week.

To fail to remove this discrimination is to fail to implement the policy laid down in Development Plans 8 and 9 and is thus ignoring the plight of these women. Indeed DP8 came into effect in 1980 and six years on we still await its implementation.

The imposition of the Wages Council Order setting a minimum of 90 cents was an opportunity for government to demonstrate its genuine commitment to its policy of non-discrimination. The subsequent suspension of this wages council order throws doubt upon government's sincerity.

(4) International Obligations

We also submit that the Fiji Government must honour certain international obligations. These are,

- (a) ILO Convention No.26: All governments who have become signatories to the convention have an incumbent responsibility
- (b) Forward Looking Strategies Document: This states that signatory governments should recognise and undertake measures, such as employment legislation, to implement the right of men and women to employment and employment benefits on equal conditions, regardless of marital status, and to ensure their equal access to the whole range of economic activities as equal partners in work.

To set a minimum wage in the garment industry that is lower than the minimum prevailing in the manufacturing industry (which is \$1.48) is to discriminate against women and to ignore its commitments under these conventions.

(5) Government Practice

The minimum wage for unskilled workers in Government is \$1.72 per hour. Government therefore implicitly recognises this as being a basic minimum living wage. For the Government to sanction a lower rate for garment workers is inconsistent with its own practice.

(6) Food and Nutrition Committee

We refer you to the findings of the Fiji Food and Nutrition Committee last year that the minimum wage necessary to provide a Suva-based Fijian and Indian family of five with their basic nutritional needs would be \$35.00 and \$37.00 respectively. We would add that if other subsistence needs such as clothing, rent, school fees, health care and bus fares are taken into account, this basic wage would have to be considerably more. If we work on an hourly average wage of 50 cents for a 40 hour week, total weekly earnings come to a mere \$20. Even if we take the minimum wage prescribed by the wages council order of 90 cents per hour, gross weekly earnings of \$36.00 would still be totally inadequate to provide for subsistence needs.

(7) Heads of Household

Wages paid to male workers in all categories of work are based on the assumption that they are heads of households responsible for their immediate families and other dependents. The payment of lower discriminatory wages to women is based on a different assumption that their entry into the labour market is both discretionary and a means of supplementing their family incomes. The falsity of this assumption is starkly apparent in the case of the garment industry where a majority of women workers are heads of households/solę breadwinners. For this additional reason, then, it is essential the wages paid to garment workers be raised: that these women be paid a family wage.

(8) Skills and Productivity

It is submitted that the wage recommendations of the tribunal should take into account the skills and productivity of the women workers. It should be recognised that much of the work undertaken by these women - for example, machining, cutting, pressing etc - is skilled work. Any wage recommendations should therefore reflect these skills. The proposed minimum wage of 90 cents would effectively mean that skilled female garment workers would continue to be paid less than the basic wage paid to male unskilled workers in both public and private sectors. The garment manufacturers have complained about the shortage of skilled garment workers. We would suggest that the solution lies in their hands:

that increased investment in training in order to upgrade the skills of these workers and a subsequent improvement in their wages would together overcome these shortages.

(9) Competition

The argument put forward by the manufacturers is that wages paid in the Asian countries are considerably lower than those prevailing in Pacific countries like Fiji; and that in order for Fiji's garment industry to be competitive, there is a need for stringent wage controls in this sector. Firstly, we would like to draw your attention to the wage data on the basic wage paid to skilled workers in Asian Development Countries like India. It is therefore apparent that this argument is a myth.

Secondly, we consider it anomalous that garment wages in Fiji should be compared with those prevailing in another part of the world when no such comparisons are made in respect of other sectors of the manufacturing industry.

GENERAL

We understand that the chairman of the tribunal, Mr Raman Nair, has visited a selection of garment factories in order to ascertain the conditions of work for their women employees. Because women garment workers are not unionised, they are not eligible for the various benefits (such as maternity leave/allowance, sick pay, annual leave, compassionate leave) which are available to unionised workers and other sectors of the economy. In view of these anomalies we strongly urge that the Tribunal includes in its report and recommendation that government introduce a compulsory unionised order for the garment industry. We also request that the Tribunal recommend that there be more strict enforcement of the Safety and Health Act and an enquiry into the working conditions of the factory.

(Fiji Women's Rights Movement)

EXTRACTS FROM PROPOSALS FOR A WAGES COUNCIL ORDER COVERING DOMESTIC WORKERS

Domestic workers in Fiji have had no union representation. During early 1987 the Soqosoqo Ni Marama Dauveigaravi (Fiji Domestic Workers' Association) was formed. Its main platform was that housegirls in Fiji deserve "better pay-fair working hours - a fair deal". Below are some extracts from proposals made by the Women's Wing of the Fiji Labour Party. They urged the

introduction of a Wages Council Order to cover the "large numbers of severely disadvantaged domestic workers".

(A) The Wages Council Order would establish

(1) a minimum wage

It is considered that a distinction should be drawn between those women who live in (are provided with accommodation with their employers) and those who live out. However, live-in workers should not be penalised too severely given that it is usually to serve the employers' interests that domestics are required/requested to live in and employers generally do not have to outlay money themselves in the form of rent. Secondly, distinctions between various job categories and some form of graded job classifications should be investigated. In this respect, the Hotel and Catering Trades Wages Regulation Order (1977) would provide a useful basis for comparison. For the moment, the Women's Wing would propose three job categories/minimum wage levels:

- 'ordinary' household duties - cleaning,

washing, ironing

- cooks

- caretakers of babies/children.

Minimum wages should be indexed.

(2) the provision of basic occupational benefits/ employment conditions currently enjoyed by unionised workers

- paid sick leave

- annual leave and public holidays

- one compulsory rest day (prescribed by Hotel and Catering Trades Wages Regulation Order 1977)

- working hours regulations including compulsory one hour lunch break

- penalty rates for ordinary overtime (over eight hours per day) and weekend work

- Fiji National Provident Fund contributions

- maternity leave and pay

- termination of employment procedure

- compulsory written contracts signed by both parties.

(B) That a resource/support centre for domestic and other non-unionised women should be established (e.g. under the Employment and Workers' Compensation Acts and following the Wages Council Order). This would provide information on legal entitlements and would deal with grievances/problems relating to terms and conditions of service.

(C) The Workers' Compensation legislation at present does not preclude domestic workers but there appears to be little if any evidence of women in domestic employment enjoying the benefits of (health and) safety protection under this law. There is a need to educate women of their entitlements in this regard and to assist them in any endeavours to claim compensation from their employers. There is also a need to extend this to other nonunionised women workers.

(Women's Wing, Fiji Labour Party)