ASIAN LABOUR UPDATE

Special Issue: Pandemic, Crisis, and the Working Class on the Continent of Labour
In this Issue

Introduction 2

Hong Kong: From Democratic Protest to Medical Workers’ Strike in a Pandemic 5
Chris Chan and Anna Tsui

Deliveroo Workers’ Strike in Hong Kong: An Interview 11
Karen Hui and Danny Ho

Organising App-based Transport Workers in Indonesia During the COVID-19 Pandemic 18
Fahmi Panimbang

Sacrificing Indonesian Workers in the Time of COVID-19 Pandemic 26
Alfian Al-Ayubby

The Impacts of COVID-19 Crisis on Domestic Workers in Asia and the Intersectional Approach to Union Organising 32
Niken Anjar Wulan

Garment Workers in Karnataka Bear the Shortcomings of Global Garment Supply Chains 39
Parvathi Madappa

India’s Tribal Communities Face the COVID-19 Crisis 45
Bharti Kumari

Pandemic Crisis in Nepal and the Plight of Migrant Workers 50
Padma Prasad Khatiwada
Introduction

May Day, 2021

In this Special Issue of Asian Labour Update entitled ‘Pandemic, Crisis, and the Working Class on the Continent of Labour’ we present a collection of writings from around the Asia region that document how the COVID-19 pandemic impacted workers during the outset in 2020. The writings contained in this issue come from a variety of industries, including healthcare, platform economy, domestic work, garment, forest produce collectors, and more. The writings in this issue, albeit from varying standpoints, show how the devastating impacts on workers under this global pandemic are inseparable from the structures, priorities, and needs of capitalism. While the accounts here cover widely varied contexts and class compositions, they share some striking similarities. Among these are the state’s callous display of its main priority to protect the power and profit of the ruling class; the intensification of inequalities based on hierarchies within the division of labour created and reinforced by capitalism; the unavoidable and tragic compromise between survival of the economy and people’s lives; and the shortcomings within the left in defending the interests of all workers.

In the first article, Chris Chan and Anna Tsui depict how the pandemic arrived in Hong Kong at a moment of intensifying anger toward the government, along with a wave of new unions that had formed during the Anti-extradition Law Movement in the year leading up to the pandemic. The medical workers’ strike garnered widespread public support, and managed to enforce science-backed public health directives that authorities had initially resisted in the interest of Chinese capital. An interview by Karen Hui and Danny Ho shows a different picture of struggle in Hong Kong among Deliveroo drivers, mostly of South Asian descent, who faced increased exploitation as the platform giant moved to increase profits by seizing the opportunity presented by the crisis to expand operations. In this piece, we see another group of workers vital in safeguarding public health whose 3-day long strike in May 2020 gained...
considerably less public support despite increasing work pressure and personal risk similar to front-line medical workers. This new phase of the labour movement in Hong Kong is unique in the region, with union density being at an all-time low in most national contexts.

Fahmi Panimbang writes about app-based drivers in Indonesia under the pandemic, and the barriers as well as opportunities for workers in the sector to organise. In this context of new iterations of informal work under increasing informalisation that has led to an oversaturated workforce, workers suffered as platform companies limited their services to strictly essential activities. Alfian Al-Ayubby discusses the ways in which Indonesian workers in non-essential industries suffered under the pandemic and how bosses ignored health directives and exploited the crisis when convenient by intensifying mass layoffs that have been ongoing for more than a decade for the purpose of relocation to lower the cost of production. Both of these articles address the inability of unions to respond to workers’ needs in the present crisis in part due to traditional models of organising that fail to respond to the changing nature of work and the working class.

Niken Anjar Wulan writes about domestic workers, another sector essential in safeguarding public health as well as maintaining the economy by providing the reproductive labour necessary to sustain workers engaged in other processes of production. Here we see how the disproportionate impacts of the crisis are closely linked to hierarchies within the division of labour based on gender, class, caste, nationality, and citizenship status. This is a common theme throughout several writings presented here. For example, in Parvathi Madappa’s piece that explains how purchasing practices in global garment supply chains have led to the devastation felt by garment workers in Bangalore, Karnataka, we see how women, internal migrants, and ethnic minorities have suffered intensified exploitation and marginalisation. Bharti Kumari describes the effects on India’s tribal population that have beared the brunt of the state’s callous attitude toward ethnic minorities and migrants. In terms of international migration, Padma Prasad Khatiwada discusses the dire situation felt among Nepali migrant workers – whose labour migration has major significance for the national and local economies – as well as the grim situation they face at home as returnees. Another common theme throughout these articles is the psychological trauma brought on by social isolation, lockdown, and abandonment by the state.

Since the outset of the pandemic and at the time of writing, the COVID-19 crisis has proliferated to claim nearly 3 million lives and decimated the livelihoods of millions more. The current world hangs in a state of never ending tightening and relaxation of restrictions, assaults on labour rights and deterioration of working conditions, and increased authoritarianism particularly in the Asian context, while the virus itself continues to mutate and shows no signs of slowing down despite the rollout (and unequal distribution) of vaccines. This state of affairs is not some isolated symptom of the virus. Rather, it is symptomatic of an economic system that shapes the organisation of society and the hierarchical relations within it along the lines of production. Indeed, the virus itself is an upshot of this organisation of society and how it interacts with the natural world (Chang, 2020).

While the following writings detail the harrowing experiences of workers in the Asia region during the initial stages of the pandemic, the purpose is not only to outline the ways in which nation-states beholden to the needs of capital have failed
us in this time of extreme crisis. Drawing the links between these experiences is a small part of a much larger project: uniting the global working class to remake the world so that one's position in the division of labour does not determine their chance of survival, a world that values human lives over profits. This is the only solution to the constant suffering inflicted on the working class and the only hope of avoiding future crises like the one we are witnessing in the current moment. We hope that this special edition can, in some small way, contribute to this endeavour. In spite of the daunting nature of the task ahead, this special issue also contains numerous accounts of the solidarity and mutual support of workers, communities, and unions. If anything, the remarkable resilience of the working class and its capacity for collective care should inspire hope for a better future.

In solidarity,

**Asia Monitor Resource Centre**

**References**

Chang, Dae-oup. (2020, April 17) “Coronavirus: normal was the problem”. The Ecologist. https://theecologist.org/2020/apr/17/coronavirus-normal-was-problem
Hong Kong: From Democratic Protest to Medical Workers’ Strike in a Pandemic

Chris Chan and Anna Tsui

This article also appears on Bringel B. & Pleyers G. (Eds.) (2020), Risk, Crisis and Transitions: Global Perspectives on the Pandemic. Some minor edits have been made.

Introduction

Situated in the southern part of China, Hong Kong observed the authoritarian regime’s horrible approach to COVID-19 infection control in its early stage. This included sanctioning whistle-blowing doctors who exchanged news within hospital internal communications, and delaying announcement of the discovery of human-to-human virus transmission. Hong Kong’s infection control has been considered a good example with low infection and death rate. Yet, the government of Hong Kong Special Administrative Region (SAR) displayed its share of complacency in infection control during the initial phase of the pandemic, despite being promised a ‘high level of autonomy’ from Beijing. While towns and villages in mainland China had already enforced mandatory self-isolation for personnel entering from Hubei (the province with the most confirmed cases), by the end of January, the Hong Kong government still resorted to making non-binding appeals to Hubei visitors to self-isolate or leave the city. While Singapore, Taiwan, Macau, Malaysia and mainland China had all taken steps to provide face masks for the public or controlled their supply, the Hong Kong government insisted that price control will negatively affect supply. The Chief Executive of Hong Kong, Carrie Lam, refused to wear a mask at press conferences and claimed that doing so was unnecessary, in spite of advice from respected local scientists on the importance of wearing masks, which was a lesson learnt from the outbreak of Severe Acute Respiratory Syndrome (SARS) in 2003 in this densely populated city. These signs of the government’s lax emergency response created much anxiety among Hong Kong citizens. Prominent scientists also advised the Hong Kong government to tighten border control, now a common practice across countries. Border control measures were eventually taken but only after a historical 5-day strike was staged by 7000 medical workers in the city. The government was criticised for putting political reasons (not to upset Beijing) above scientific advice from experts when making decisions. In this article, we analyse the context, causes, and consequences of this strike.

The political context

The former British colony had enjoyed relative autonomy since the 1997 Handover to China, in accordance with the principle of ‘One Country, Two Systems’ established in the SAR’s mini-constitution. As one of Asia’s most important international financial centres, operating under a pro-capital, low tax rate and minimal-welfare regime, Hong Kong’s population of 8 million struggled with the highest housing prices on earth and a Gini coefficient of 0.539. The city’s civil society movement has centred around political rights of universal suffrage of the Chief Executive and Legislative Council, as well as defence of the city’s autonomy from the Chinese Communist Party’s encroachment.
This theme was consistent throughout the city’s annual Tiananmen massacre candlelight vigils, the 2003 mobilisation against national security legislation and the 2014 Umbrella Movement. In the recent Anti-Extradition Bill Movement (AEBM) since June 2019, millions took to the streets to protest against plans to allow extradition to mainland China, which could endanger dissidents and undermine the city’s judicial independence. An increasingly hard-handed approach by the police and the court against ongoing street protests created a strong ‘Hongkonger’ identity-based resistance, bringing a landslide victory by the pro-democratic camp in district council election in 2019 and also a wave of new trade unions under the banner of resistance. Hong Kong also experienced a collective trauma in the 2003 SARS outbreak, which claimed over 100 lives that included doctors and nurses. The fear of potentially devastating COVID-19 outbreak created a strong sense of solidarity amongst Hong Kong citizens, and deep collective anger and anxiety over the government’s inaction.

Medical workers’ strike

In this context, public hospital workers on the frontline of the pandemic resistance became leaders on the frontline of civic resistance. A newly established trade union, Hospital Authority Employees Alliance (HAEA), demanded the government – indirectly through the Hospital Authority (HA) accountable to it – to deploy much stricter border control policies towards visitors from mainland China, extend mandatory quarantine measures and ensure occupational safety of hospital workers. It became the representative of over 20 per cent of public medical sector employees and 7,000 eventually took part in a 5-day strike from 3-7 February. Organised labour’s show of strength reflected a paradigm shift: Hong Kong citizens began to accept union organising as a mode of collective resistance. Following the strategies of confrontation within the legislature, street resistance and a consumer movement boycotting pro-China businesses, this new union movement will reshape the landscape of Hong Kong’s political, social and economic struggles. In this sense, Hong Kong medical workers’ strike is epoch-making.

Revitalising the role of organised labour

Hong Kong has always been a haven for liberal capitalism. The right to strike was promised by Hong Kong’s mini-constitution, the Basic Law, but the Employment Ordinance only protects union activities outside working hours or with employers’ approval, leaving the strike in a legal grey area. The right to collective bargaining is absent in the legal system, even though the city did ratify ILO Convention No.98 “right to organise and collective bargaining”. The biggest trade union federation is controlled by the Chinese Communist Party. Most workers were motivated by the benefits when they decided to join a union. For the rights-based unions in the pro-democracy camp, membership rarely exceeded a thousand especially for newly established unions. However, HAEA was proven to be the exception to the rule. Even though the union was just coming into being in October 2019, after its public call to strike, membership skyrocketed from 300 in December 2019 to over 18,000 applications and over 10,000 successful registrations by 30 January, 2020.

Following the relocation of manufacturing industries to China, the number of strikes in Hong Kong in the 1990s had become negligible. In incidents that aroused public attention, such as the 2007 Ironworkers’ Strike and 2013 Dockworkers’ Strike, the number of participants in the strikes rarely exceeded one thousand. On 5 August 2019, the public called for a one-day symbolic ‘general strike’ as a new strategy...
to advance the AEBM. It was estimated by the organisers that 350,000 people joined in the “strike” assemblies across Hong Kong, though in reality many took a leave of absence from work, and participants also included freelance workers, teachers and students who were on leave from work. In comparison, 7,000 HA employees already signed a pledge to strike by 31 January, far exceeding the lower limit set by union organisers to initiate the strike that was 4,000 (5 per cent of HA staff).

As a medical worker, taking part in a strike despite a looming pandemic was no doubt a difficult decision. Yet HAEA members demonstrated strong determination to protect themselves and Hong Kong citizens from a man-made disaster of government inaction. ‘Organise unions, everyone joins the three-strikes (workers’ strike, shopkeepers’ strike, class boycott)’ was a new consensus formulated during the AEBM to demand for democratic reform in the city. Although the movement was abruptly cut short by the pandemic, the crisis further revealed the absurdity and danger of the authoritarian tendency of Hong Kong-China politics. This had pushed medical workers to the forefront of the new labour movement. The HAEA strike, as well as the public support behind it, will affect the future direction of Hong Kong’s democratic movement, potentially bringing organised labour back as the main agent of the democratisation movement, as in the case of countless other countries.

**Strong public backing from broken government legitimacy**

Starting from 23 January, HAEA demanded HA to publicly demand the government to ban any traveller from entering the city through the Chinese mainland, and also ensure safe working conditions for all employees by ensuring sufficient supply of isolation wards, stopping non-emergency services and ensuring the supply of masks, otherwise the union would propose a motion to launch a strike; later on they added a demand of no retaliation against strikers. Just a week and a half later, the strike took place. This explosive development reflected not only the scale of the crisis facing the medical sector, but also the crucial fact that new unions were able to inherit the public support and mobilisation capacity of the AEBM. The resistance in Hong Kong was learning to adopt organised modes of collective action to break through the political deadlock.

Having experienced the symbolic ‘three-strikes’ and countless road-blocking actions, Hong Kong citizens seemed to be more accustomed to disruptions of their daily lives due to political actions. This had spilled over to their support for HAEA, but the scale and type of work stopped in medical workers’ strike arguably posed a new challenge to citizens’ level of tolerance to industrial action. On 23 January, HAEA began their 7-day notice of an Emergency General Meeting on 1 February. They proposed that if HA refused to fulfil their demands, they would begin a 5-day strike. The first phase (3 February) involved only non-emergency services; the all-levels-involved second phase (4-7 February) would limit emergency service provision. Despite the potentially devastating impact of the strike to hospital operations, popular opinion survey released on 31 January revealed that 75 per cent of interviewees were discontent about the government’s performance in handling the outbreak, 80 per cent supported a strict border closure and over 60 per cent expressed support for medical workers’ strike if the government responses remained ineffective.

Arguably, this broad public support was due to the breakdown of government legitimacy since the AEBM. The government condoned police violence against protestors and indiscriminate pro-
government gang violence to civilians from June 2019 onwards. Protestors were arrested in thousands with many sentenced to years of imprisonment, and some reportedly being severely abused. This was seen as a marked aberration from its earlier policy of relative restraint and tolerance towards opposition, a culmination of scaled-up authoritarian measures since the 2014 Umbrella Movement. In addition, voluntary first-aiders in the protests were arrested unreasonably during police action, leading to widespread anger in the medical sector against the government. Public anger was only fuelled when COVID-19, dubbed ‘SARS 2.0’, struck and the government once again chose to ignore reasonable public demand as it did in the AEBM.

**Strong membership and cross-sector union support**

HAEA represented the public medical sector, one of the largest sectors in the city, providing a strong membership base favourable to long-term unionising. The Hospital Authority is a statutory body managing all public hospitals and institutions in Hong Kong, governed by its board and accountable to the government. Over 90 per cent of its income in the year of 2018/19 came from government funding. It is the second largest employer in the city (after the government itself) with nearly 80,000 employees. Hong Kong’s medical sector had long aligned with the pan-democratic camp with a professional and liberal image. This time, employees from different ranks took part actively in signing the HAEA’s pledge to strike (73 per cent bring nurses, 11 per cent allied health professionals, 8 per cent doctors, 7 per cent supportive staff and 1 per cent of administration and other staff), reflecting a strong solidarity within the sector. HAEA already represents 22.5 per cent of the HA workforce by 30 January, while the committee and membership of HAEA consists mainly of young and junior staff who were more ready to take militant actions. Its power and representativeness to conduct collective bargaining on behalf of HA staff were solid.

More importantly, the medical sector was well supported by unions from other sectors. On 24 January, 50 unions including the HAEA raised demands for outbreak prevention in a joint press conference. Besides border closure, these unions also requested provision of masks for employees and customers, cancellation of all business trips to China and establishment of home-working arrangements from their employers. Many unions that showed active support to the HAEA strike, including Railway Power, Hong Kong Financial Industry Employees General Union and Unions for New Civil Servants had also conducted surveys to understand their memberships’ attitude towards taking sympathetic industrial actions. These unions were all formed after the AEBM. This reflected that the COVID-19 resistance movement had gained cross-sector support.

**Outcome of the strike: gains and room for further struggle**

By the time the HAEA announced the end of the strike, in accordance with a democratic vote by members on the evening of 7 February, none of HAEA’s five demands had been completely fulfilled. Worse still, HA had not formally recognised the status of the union. The strike was a big success in the history of democratic unionism in Hong Kong, in the sense of the immediate concession from the government, and the establishment of democratic decision-making within the resistance.

Contrary to Chief Executive Carrie Lam’s claim that new border closure and quarantine measures had ‘nothing to do with HA employees’ strike’ and that ‘using extreme measures to threaten the government will never succeed’, we can readily observe a pattern of tactical
concession from the government, aiming at dividing the strikers and sympathisers. On 28 January, after HAEA announced that they would hold an EGM to vote on the strike plan, the government announced the closure of the Express Rail Link to mainland China and halving of flights from the mainland in two days. On 3 February, when 3,000 non-emergency service staff took part in the strike and demanded open negotiation at HA headquarters, Carrie Lam announced the closure of 4 more ports connected to the mainland. On the third day of the strike (5 February), when the number of strikers remained as high as 7,000 and several transport unions announced intentions to call for industrial actions, Carrie Lam announced that all persons entering through mainland China would be required to self-isolate for 14 days starting from 8 February – the day when the strike was planned to end. Even though the demand of the union – that non-residents shall not enter via the mainland – was not entirely met, important concessions were clearly made. The success in maintaining a high level of participation despite step-by-step concessions came down to the union’s sufficiently comprehensive strike plan. The plan’s legitimacy was further established by the EGM’s democratic vote and the signing of strike pledges. Despite mass mobilisation of up to 2 million demonstrators in the AEBM, it took three months for Carrie Lam to revoke the Extradition Bill. In contrast, the strike brought solid concessions within a week, indirectly reflecting the relative effectiveness of strike as a strategy of resistance.

Despite these achievements, due to the limitations on the right to strike and collective bargaining, the Chief Executive openly called the strike ‘an act of extremism’ during the strike, while the HA issued isolated dismissal threats and remains ambiguous on whether they would retaliate against strikers. Looking back at the HAEA strike, the right to strike and collective bargaining seemed a necessary demand for the union movement to grow.

Future of democratic and labour movement in Hong Kong

The COVID-19 outbreak and lagging government response provided a focal point for cross-sector resistance. Moreover, resistance continued after the strike. HAEA announced on 7 February that they would establish a ‘Defence Fund’ in support of members of HAEA and other sectoral unions, in case of suspension, dismissal or demotion due to participation in industrial actions. HAEA also continued organising at constituent hospitals, pressurising HA through legal means and employees’ forum, and revealing the lack of medical
supplies in multiple hospitals (for example, fighting HA’s claim that reusing N95 face masks was a practice approved by international standards). Militancy of new unions also inspired older unions, such as the Association of Hong Kong Nursing Staff, to initiate work-to-rule action in protest of insufficient protective equipment.

Many sectors realised that they were also on the frontline of outbreak resistance alongside medical workers. During the strike, over 20 unions came to action scenes in a show of solidarity, while new unions representing occupational therapists, physiotherapists and speech therapists employed by organisations other than the HA had also taken part in the strike. Moreover, the Union for New Civil Unions led 10 other unions to demand a promise from the HA to not retaliate against strikers, and asked Carrie Lam to revoke the claim that the strike was ‘an act of extremism’. Public sector medical workers’ strike in Hong Kong had laid a strong foundation for a new wave of union movement, and inspired members of the society to reimagine the forms that democratic resistance and demands can take. From outbreak prevention policies, occupation safety to the right to strike and collective bargaining, civil and socioeconomic rights are demonstrated to be intimately tied to political rights. There is still much room for further struggle in Hong Kong’s democratic labour movement.

Notes

1. Chris Chan is Associate Professor at the Department of Sociology, and Co-Director of the Center for Social Innovation Studies, the Chinese University of Hong Kong; Anna Tsui is Research Assistant of the Center for Social Innovation Studies, the Chinese University of Hong Kong.
The COVID-19 pandemic has wreaked havoc on many countries worldwide. When the virus was first confirmed in Hong Kong in January 2020, through its Prevention and Control of Disease Ordinance, the Hong Kong government imposed a limitation on public gatherings and encouraged employers to allow work from home arrangements for employees. The pandemic and control measures have created disruptive impacts especially in the catering and hospitality industry while one industry – the online food delivery industry – has boomed.

Deliveroo, one of the major online food delivery platforms, saw a 60 per cent increase in business in the first two months of 2020. However, the increase in profits did not come with better pay or added benefits for the workers. On the contrary, the company revised its pay structure policy to pay less while expanding its workforce.

In May 2020 more than a thousand Deliveroo riders in Hong Kong, despite the risk of the pandemic and the gathering restriction, went on strike against the new payment structure that would largely cut their earnings. In this interview, one of the organisers, Danny Ho, provides his account of the struggle, and how the riders successfully organised themselves in this highly capitalist society in the context of the pandemic.

K: How did you get involved and what was your role in the strike?

D: I started to organise the workers of online food delivery companies back in 2017 when the Deliveroo riders went on a strike to protest against a new policy that would allow the company to temporarily force the workers off duty from their schedules during non-peak hours to reduce the number of employees on the roads during less busy times. The strike was successful in that the company promised the riders their salary would be kept the same.

During and since the strike, I have maintained regular communication with the riders, shared information related to labour rights, and discussed with them how their current employment status as ‘self-employed’ is a sham. We also discussed the strategies for the strike together.

K: What do you mean by saying their ‘self-employed’ status is a sham?

D: If we refer to the labour law in Hong Kong, there are 11 questions we can ask to help us define ‘self-employment’. For example, do you have control over work procedures? If you are truly self-employed, you should be able to choose how you work, such as your working time and structure like salary or holiday. What is happening in Deliveroo is that they are using a ranking system. The riders have to report shifts available for the CS [Customer Service] and the CS will offer the riders a certain time slot when they are available to work. The more shifts you

Karen Hui and Danny Ho
10 June 2020

Employees General Union in the Hong Kong Confederation of Trade Unions (HKCTU) and worked as a food delivery rider to understand the working conditions of the online food delivery industry.

K: Karen Hui is a programme coordinator at Asia Monitor Resource Centre, Hong Kong.

D: Danny Ho is a community organiser of the Catering and Hotel Industries Employees General Union in the Hong Kong Confederation of Trade Unions (HKCTU) and worked as a food delivery rider to understand the working conditions of the online food delivery industry.
are available, the higher your priority for choosing the time slot. If you sometimes arrive at work late or reject orders, you will be put in a lower ranking, in other words, a lower priority to choose the time slot.

Seemingly you can ‘choose’ when you work and you are enjoying the freedom, but actually it is the company that has the ultimate control over everything. They can also control the location you will be working at and the holiday you will be taking. Can we really call this self-employment?

K: So, you wouldn’t consider it as a self-employment arrangement?

D: It is a false form of self-employment. They [online food delivery platforms] know how to play tricks: they will give the riders the power to make some decisions; for example, Deliveroo would offer the riders several districts to take and deliver the orders when they have no orders from their original district. It means that the company has control over which location you can work at. This is a grey area [to be defined as self-employment].

K: How does the employer benefit from this false self-employment and what are the disadvantages to the workers?

D: First, the workers won’t be entitled to any labour insurance: no MPF, no statutory holiday. Basically, they are not protected by the labour legislation in Hong Kong.

“...the workers won’t be entitled to any labour insurance: no MPF, no statutory holiday. Basically, they are not protected by the labour legislation in Hong Kong.”

K: How did you start to organise the riders to join the union?

D: I approached them at the protest site in 2017. I explained to them about the role of a union and why we needed to be organised. They understood that if they were not united, they would never have a voice in front of the company but be repressed. They wanted to change that.

K: How have you been keeping them engaged in the union?

D: We visit the riders on the ground regularly in their work area and have some casual conversations to see how they have been doing. We let them know they can approach us if anything happens; we also teach them about labour laws and share worker organising stories from other countries with them.

During a recent visit, we shared with them how Deliveroo workers in Taiwan fought for...
their rights, and won, and also how we can learn from them.

**K:** What is the composition of the riders and union members?

**D:** Over 90 per cent of the riders are of South Asian descent. We have over 100 members now; most of them are South Asian too.

**K:** What caused the Deliveroo strike this time?

**D:** In the past, riders would receive a certain amount of base salary at peak hours and on weekends. Even if the riders did not take any orders, they would still get the base salary. But recently the company cancelled that policy and replaced it with a multiplication system. The company first lowers the amount of pay for each order. In the past, the rider could receive approximately HKD 50 for every order delivered. Deliveroo now reduced it to HKD 30 per order delivered. The final amount that a rider could receive will be multiplied by the riders’ order acceptance rate. This is to force the riders to accept all the orders that the system distributes to them and encourage them to not reject any. This is not freedom at all, they just create punishment when you want to exercise your freedom.

**K:** When did they change the system?

**D:** Late May.

**K:** Do you think that the struggle is related to the outbreak of COVID-19?

**D:** Actually, it is closely related to COVID-19. Same as everywhere in the world, when the pandemic broke out, people lost their jobs. The requirements to become a rider are relatively low and the recruitment process is simple. Deliveroo has recruited more than 3000 riders during this time. All the newcomers were employed under the new system, in other words, if the company hired more new riders, they could weed out the riders who were employed with the old system. Also, in the past, there were 20-30 riders working in the same district, now there are 50! Obviously the number of orders available for each rider decreased a lot. It is not wrong that more people were using food delivery platforms during the pandemic; however, people are more willing to dine out now as the situation improves. With the manpower increases, there are significantly fewer orders for each rider.

**K:** What are their demands?

**D:** They have five major demands and they frame it as ‘5 demands’. First, cancel the multiplication system. Second, restore the peak hour base salary. Third, restore the guaranteed minimum salary policy. Fourth, allow the riders to reject orders. Fifth, improve the CS system.

**K:** Do you know how they came up with the framing?

**D:** They discuss everything in the TG [Telegram] group. Someone just threw ‘5 demands’ to the group and everybody resonated with it.

**K:** How many riders participated in the strike?

**D:** More than a thousand.

**K:** Were there any other industrial actions leading up to this one?

**D:** There were a few small-scale ones at the district level. There was one in Hung Hom: the riders were discontented with the number of orders and the CS problem, so they organised a strike. Sometimes the company monitored the conversation in the riders’ WhatsApp groups. They would ask them to come to the office to talk, and the situation improved afterwards. The thing is, if you keep silent, they [Deliveroo management] will not give a damn about you.

**K:** What was the triggering point of the strike this time?

**D:** The triggering point was the CS department. Often, they are cocky and not
they often have these natural, organic leaders. Also, there is a worker-leader who is a Hong Kong local, everybody trusts him. I think it is because he speaks good English and Cantonese so he can actually communicate with everyone.

K: How did they organise the strike in the beginning?

D: Basically, each district has an official rider WhatsApp group and a big TG group for everyone, so riders have regular communication with each other through the groups. Also they will gather at places where popular restaurants are located, during which they build up connections and exchange their thoughts and feelings about their work and organise with each other.

Recently, the discontent among the riders towards the new pay arrangement was mounting. Within one or two days, the TG group exploded with vigorous discussion. They discussed various strategies to take industrial action and made decisions immediately. In the end, they decided to meet at the Central pier and protest outside the Deliveroo HQ office.

K: How was the decision to go on strike made?

D: It was very democratic. Two weeks before the strike, some worker-leaders called for an assembly at the Central pier. Around 60-70 of them showed up. In the assembly, they discussed how they should carry out the action. Some suggested having a big assembly at the pier, some suggested protesting outside the office and having a direct dialogue with the company management. Most of them then decided to go to the office building in Central. They announced the action plan in the TG group and WhatsApp groups, listed out their five demands, and called for everyone to join.

K: How were the leaders elected?

D: Among the South Asian minority groups, taking the complaints from riders seriously. If they are not happy with the riders, they would just suspend their account while the riders themselves have no one to turn to. So this time, in the strike, the riders demanded that the company improve the CS system.

K: How did they carry out the strike?

D: The nature of this industry is a bit unique. If you simply go on a strike by not taking orders, it is not effective, because there are still many riders available to take them. This time, the riders who took part in the strike invented a way to do it – delaying the orders. They take the order and cancel it when they arrive at the restaurants. The system would then have to pass the order to another rider. However, the customers would be pissed as they had been waiting for the order for 30-40 mins. It would take them another hour when the rider cancelled the order. Also, quite a number of riders responded to the call [to strike] this time.

K: What were some direct impacts of the strike on the company?

D: The strike lasted for three straight days, during which the app service in some districts, like Sheung Wan, was completely shut down. No one was taking or delivering orders.

Also, some restaurants from the ‘yellow economy’ have withdrawn their partnership with Deliveroo. They are disgusted. Someone we spoke to said, ‘You are cutting the salary from the riders? Are you kidding me? You are making so much money under the pandemic?!’ They consider Deliveroo as the real evil because they know that Deliveroo takes a huge cut. In the past, the public didn’t know that Deliveroo took 30 per cent of every order. When a customer pays HKD 50 for an order Deliveroo will be earning HKD 15 from it on top of the slotting fee from the restaurant.

K: What was the result of the strike? How did the company respond to it?
D: The company finally agreed to meet with the worker-leaders but their response was that it is not possible to restore the old system because it is a worldwide company policy.

I think Deliveroo just wants to brush us off as we have observed from how they did it in the past. The company is trying to pass on their responsibility to the head office in London. It is their way of responding to strikes. The struggle now really hinges on the solidarity of the riders. They [the riders] are monitoring whether the company is going to improve the work arrangement. To be honest, the strike has brought some improvements. For example, Deliveroo promised to set regular meetings with the riders and they also promised if a restaurant takes more than 15 minutes to prepare an order, the rider can reject it without having their order-taking priority lowered. However, the company just insisted they cannot promise to revert to the old system.

K: Are the workers satisfied with the result?

D: Most South Asian riders are okay with the result because they think that it is meaningless to continue the strike, and because Deliveroo holds their ground firmly, saying that there's not much they can do. The riders only want to reflect their work difficulties and hope the company could understand and remedy it. They do not want to ‘destroy’ the company. But some local HK people are not okay with it. They are very adamant. They said you can’t just ‘pocket it first’, because pocketing the concessions now equals pocketing it forever. But the fact is that most of these local did not participate in the strike and they are paying lip service now.

K: What are the possible consequences riders have to bear by participating in the strike?

D: They are actually quite worried that their account might be permanently suspended by the company or could no longer receive orders.

K: What is their main organising strategy in the strike?

D: They mainly use WhatsApp to organise and communicate with each other. Also, one thing is very interesting, among the South Asian groups, they have several leaders, once the leaders call for an action, everyone will just follow without questioning it. South Asian groups are actually easier to organise compared to HK locals.

K: So, the biggest challenge here will be organising the local Hong Kong people?

D: Yes. First, they [Hongkongers] are quite reluctant towards the idea of unions, and second, they don’t mind whether they are actually self-employed. Many South Asian riders are more open to the idea of false self-employment arrangement when you explain it to them, but most local Hong Kong riders would think that ‘there’s always another job’, or there’s nothing you can change because it is the nature of this industry. They are having this ‘eat the peanuts’ attitude. They would even say something like, ‘oh great, if you go on strike then I can take all your orders!’ Very disappointing.

K: Is there any other challenge?

D: Fragmentation [of the workforce]. Workplace organising is difficult in this field of work. There is not a designated workplace here. The workers themselves show high fluidity. Today I see you there but tomorrow I might see you somewhere else. It is hard to maintain a conversation with someone, as once an order pops up, they would have to rush off. Also, it is difficult to meet up in person to discuss detailed plans or come up with a time when everybody is free.

K: Do you think there’s any risk of the unity of the workers falling apart after the strike?

D: It won’t. They have very close
communication with each other. As I mentioned before, different districts have different WhatsApp groups, so they will keep in contact with everyone. They have a strong network. One South Asian rider could connect with over a hundred other members if they have been in the field for a while. And if they really want to make a change to the industry, they will stay closely connected.

A: Is there any solidarity shown between workers across industries and/or borders?

D: Yep. We exchange experiences with similar unions from different countries. We have created a solidarity video to support the family of a rider in Germany who lost his life while delivering food. We also regularly attend different union meetings overseas to share the situation in Hong Kong and learn from each other’s experiences. We also tell our union members from other industries that those big delivery platform companies are using false self-employment and convince the members not to use their services.

K: Do you think the Anti-Extradition Law Movement had any influence on the strike?

D: Yes. There is still a group of HK riders who took part in the strike, who were obviously influenced by the movement, like the way they frame their demands: ‘5 demands, ‘liberate the food delivery industry’. They think they should make a change to the industry like how they want to make a change to HK. They would even compare the manager of Deliveroo Brian Lo to the Chief Executive Carrie Lam, saying ‘he is as bad as Carrie Lam, not hearing people’s voice.’

K: How do you see the strike or the industry in general within the broader social structure of HK?

D: The institutional protection provided by the government to workers in emerging industries lags behind the needs. Even if a member of the Legislative Council engaged with the issue of self-employment, the government would just respond to it unreflectively, saying that they had conducted research on it, showing us the examples from other countries, but failing to touch on the situation in Hong Kong. For the employers who circumvent the laws, [the government] won’t fix it immediately, or ponder about how to deal with it. Every time we went to the Labour Department to report the cases related to labour rights abuses and so-called self-employment, their replies have always been that you cannot verify the employment relationship, and you have to go to file a case to the Small Claims Tribunal instead. And then the tribunal told us that in order to verify the employment relationship, we would need a lawsuit with the employer, requiring a lot of money. The tribunal always threatens workers to reach a reconciliation with the employer. The problem is that Hong Kong does not have a legal precedent to follow yet. The government does not follow-up, and the policies are too backward. Once workers learn that a lawsuit is required, they would panic because they have no money. Or that the processing of the cases would be protracted. It could take years. The workers may not have the stamina to see it through to the end.

K: What is the government’s mentality here?

D: They always say, ‘we should let the market self-regulate’ and ‘big market, small government.’

K: So, what will be the next step for the union?

D: Of course, we want to unite the workers to fight this false self-employment arrangement, targeting policy reform in Hong Kong. We want to learn from other countries’ experiences and mobilise the workers to fight for their rights even for
the smallest things. The so-called ‘Platform economy’ is full of shit, and HK’s labour policy is still stuck in the 80’s, unable to respond to it.

K: How do you envision the future of this industry?

D: We want to create a non-exploitative platform for the riders, restaurants and customers. In other countries, they have cooperatives where everyone has equal power and equal say, can we follow that? Spain is doing it. It could be difficult in Hong Kong, but it could be a direction that we could discuss, or all the riders could contribute to collective insurance for the workers, which they can claim and be protected.

In the short term, we will convince the restaurants in the yellow economy to quit the partnership with those big evil companies as a way to push them to change. We will also encourage the development of ‘yellow platforms’ such as Call4Van and Yellowpanda who support the democratic values [of the Anti-extradition movement] and also have a better pay. At least they are trying to counteract the monopoly.

4. ‘5 demands, not one less’, is the major slogan that Hong Kong protesters used in the Anti-extradition Law Movement that signifies the five key demands, namely the withdrawal of the extradition bill, an investigation into alleged police brutality and misconduct, the release of all the arrested, a retraction of the official characterisation of the protests as “riots”, and the resignation of Carrie Lam as Chief Executive along with the introduction of universal suffrage in the territory.

5. ‘Yellow economy’ is a system of classifying businesses in Hong Kong which supports democracy in HK that emerged during the Anti-Extradition Law Movement in 2019.

6. To accept something less favorable – a local Hong Kong slang that became popular in 2005 when the then government proposed an unpopular Chief Executive election reform policy and urged the public to accept it first before universal suffrage could be realised in the future.

7. Local Hong Kong slang Indicating the Hong Kong riders choose to watch the strike from the side-lines.

Notes

1. The Mandatory Provident Fund (MPF) is a compulsory saving scheme (pension fund) for the retirement of residents in Hong Kong. Most employees and their employers are required to contribute monthly to mandatory provident fund schemes.

2. HKD 30,000 is only enough for two months’ rent for a family in Hong Kong.

3. Hong Kong has a long-established South Asian population as a legacy of the British colonial rule. As of the 2016 by-census, there were more than 80,000 people of South Asian descent residing in Hong Kong with the status of non-permanent or permanent resident. Most of the youngest generation of the South Asians were born and raised in HK who speak perfect local languages; however, due to various levels of discrimination and poor Chinese writing skills; they often end up working in menial jobs.
Over the last two decades, Indonesia has witnessed the proliferation of labour unions registering following Reformasi in 1998. The majority of the new registered unions are affiliated to the national confederations, which have increased from only one in 1999 to 16 national confederations in 2020. While the membership of the unions has decreased over the years, the national centres of labour unions are hardly able to address workers’ real challenges on the ground. One of the recent challenges is the need to organise the emerging informal workers (the precariat) in the gig economy, including the workers in the app-based transport sector. I use ‘driver’ and ‘worker’ interchangeably throughout this article to refer to those who work as drivers in the transportation sector, including app-based transport.

The emergence of app-based transportation in Indonesia

Indonesia has been the target of many new platform companies that adopt a strategic approach to the country’s huge market, which includes the growing number of millennials who represent a large proportion of the country’s consumer market. With a population of 264 million in 2017 and a workforce of 131.01 million in 2018, the Indonesian population is largely dominated by millennials (aged between 0-34), who account for 33.75 per cent of the total population. There are more than seven million unemployed persons in the country and over ten million with semi-employment status. Moreover, the National Development Planning Agency (Bappenas) has projected Indonesia’s population to increase to up to 297 million in 2040, of which 64 per cent will be of working age (Adiningsih, 2019: 62-64). Needless to say, this segment of people has been the main target of players seeking to gain major market shares in the growing platform economy, where mobility and transportation play a significant role.

The two leading app-based transport companies in Indonesia are Go-Jek and Grab. Go-Jek is an Indonesian company founded in 2010. It began by offering an online motorbike taxi booking service, now called Go-Ride, and later expanded its scope to offer a range of different services. When it launched its app in January 2015, it was downloaded by 10 million users, with this figure subsequently increasing to more than 35 million in early 2017 (Ford and Honan, 2017). In Indonesia alone, there were over 2.5 million drivers actively working for Go-Jek in 2019, providing services in more than 167 cities and districts (Adiningsih, 2019). Go-Jek also operates in Vietnam, Thailand, Singapore and the Philippines.

Today, Go-Jek is valued at more than US$ 1 billion, making it one of two transport unicorns in Indonesia (Google-Cloud, 2018). Even the Indonesian government claims that Go-Jek is valued at IDR 69.4 trillion (US$ 4.97 billion). Recent prominent investors in Go-Jek include Sequoia Capital, Temasek Holdings, Google Inc, Tencent, JD.com, Meituan-Dianping, KKR, Warburg Pincus, Farallon Capital, Capital Group Markets, GDP Venture, Rakuten Ventures, Allianz, and Astra International (Badan Ekonomi Kreatif, 2018: 15, 26).

Meanwhile, the second major player, Grab,
is a Singapore-based company founded in Malaysia in 2012, which entered the Indonesian market when it launched the GrabTaxi service in Jakarta in June 2014, followed by GrabBike and GrabCar in 2015 (Ford and Honan, 2017). Grab operates in 100 cities in Indonesia, and many cities in other Southeast Asian countries. The number of Grab-bike and Grab-car drivers surged past 2 million when it acquired Uber in early 2018. In 2019 Grab employed over 9 million drivers across Southeast Asia, providing 14 different kinds of on-demand services (Jayani, 16 November 2019). Recent research suggests that the market share of Grab in the on-demand transport service sector has increased to become even bigger than Go-Jek, both in the Indonesian market (64 per cent) and in Vietnam (74 per cent) (Jayani, 18 September 2019).

In the following years, both Go-Jek and Grab sought to expand their business to other on-demand services, including delivery services for food, convenience goods, and urban logistics. Go-Jek even integrates a wide range of lifestyle services through a secondary app called Go-Life, which offers services such as home cleaning, in-home massage, home auto service, and laundry pick-up and delivery, all delivered on-demand to customers’ homes.

Mobility and transportation play a vital role in this on-demand economy. Moreover, the modes of payment featured by both Go-Jek and Grab are increasingly cashless, as financial technologies become more integrated into the sector, enabling users to pay fares, remit money amounts, and even purchase products or services among their growing merchant base. Since its launch in 2016 until February 2019, Go-Jek’s digital payment method, GoPay, has registered a total transaction sum of almost US$ 6.3 billion. Meanwhile, Grab’s digital payment method (OVO) has become equally popular, being valued at US$ 2.9 billion in March 2019 (Yuliawati, 2019). This digital push has transformed not only the way people commute – it has changed the way they live.

Organising the app-based transport workers

Many manufacturing workers in industrial areas in Indonesia have become part-time app-based transport workers largely because of the meagre wages earned from factory work, leaving less time for union activities. Almost none of the trade unions have adequately responded to this challenge, or to the fact that the number of app-based transport workers is increasing. There are at least three major reasons. The first is that app-based transport companies claim that their drivers are not workers, but rather partners. For example, the Go-Jek CEO and founder asserted that “drivers are micro-entrepreneurs; they work for themselves...they’re free to take orders whenever they want, or not” (Tech in Asia, 2015; Ford and Honan, 2017). Entrepreneurship, freedom, and flexibility have become the ingrained public image of this ‘gig’ work. Many people believe that drivers accept trip orders without pressure, which is totally erroneous. Unfortunately, this image is convincingly cultivated by many drivers, including former workers in more traditional industries, creating barriers for labour unions to organise app-based drivers. This makes the societal (discursive) power of driver unions particularly important in countering such deceptive claims.

Secondly, formidable challenges have emerged, including the open horizontal conflicts between incumbent drivers and the new app-based drivers that have developed in many cities. Even a union federation in the transport sector stated that organising app-based transport drivers requires different tools, tactics, and strategies. Thirdly, labour unions are preoccupied with their existing challenges, especially unfavourable new policies,
including a draft Omnibus law promoting investment and business by encouraging companies to pursue profits at the expense of labour and the environment. Organising this new terrain of the gig economy has yet to become a priority for most labour unions.

At the moment, there are generally three forms and strategies of organising: community, association, and union models. App-based transport workers’ unions are still very few. The initiative to establish unions mostly comes from the existing federation of factory unions, or from transport and dock workers’ unions. Although there are only a handful of these, there has been a positive response from some traditional trade unions regarding the infringement of existing labour rights in the app-based transport sector. Nevertheless, such organising initiatives face formidable challenges wherever the union is not popular among drivers. The app-based transport workers’ union is relatively small and inactive, and not one single union has been involved in policy-making processes presided over by the Ministry of Transportation. One possible reason for the unpopularity of drivers’ unions is their organisational structure and function, which are considered inflexible and rigid, as these have been adopted from traditional trade unions, even though the new economy is fundamentally different in nature.

As far as their legal position is concerned, drivers’ unions have greater institutional power, which includes a collective and organisational bargaining position for policy change. Ford and Honan (2019) have held that the organisational capacity and the institutional position of unions provide them with a greater capacity to engage with companies and government, such as by mobilising industrial action to pressure or negotiate or by using legal avenues to change policy and practice. Union organisers also contend that a union is the most reliable and effective vehicle to change policy. However, this development has been hindered by the fact that platform companies are reluctant to recognise formal unions to avoid the development of industrial relations.

Female workers in the app-based transport sector

Female participation in app-based transport employment is relatively low. Typically, persons who take this job are the breadwinner in the family and many are single parents. According to a survey from 2018, female drivers involved in app-based transport are estimated at less than three per cent (Instran, 2018). However, organisers state that this figure could be higher at present, as recently women working in the sector have become increasingly visible. Some of them choose to stick to working in food delivery services, both with Go-Jek (Gofood) or Grab (Grabfood). One of the reasons for this is the prevailing stereotype that women are not suitable to drive professionally; many passengers, especially those who are in a hurry, cancel orders of women drivers.

App-based women drivers are often associated either in a local drivers’
community or female drivers’ community or both, actively participating in association events such as anniversaries or social services. Interestingly, one female drivers’ community in Jakarta of about 80 members actively provides financial assistance to orphans of former drivers who passed away due to occupational accidents or illness. All this financial support comes from voluntary donations from the drivers, contributed every month, and rotating through all of Greater Jakarta. Female drivers’ communities have names like e.g. Srikandi, Lady Riders, Go-Jek Lady, Emas Srikandi and Mojang. Like many other communities in general, there are monthly membership dues of between IDR 10,000-30,000 (US$ 0.80-2.20), collected by members each month on a rotating basis.

One woman belonging to a drivers’ union specifically argued that there should be different working conditions for women drivers since, in her view, they have less or different physical capability, compared to men. Another woman app-based driver leader contends that both men and women should live equally; there should not be any discrimination against men or women workers. However, women in Indonesia still hold a certain stigma in society that women are not supposed to work as transport drivers. Besides, female drivers often feel they are not safe working up until midnight, thus they barely achieve the work target set by the point system in the algorithms, making it impossible to earn equal incomes compared to their male counterparts. These women-specific issues, including efforts to tackle sexual harassment, are generally absent from discussions among driver organisations, except within drivers’ unions as conventional trade union committees have been exposed to much pedagogic training on topics such as gender equality.

Along with app-based transport, other digital platforms in Indonesia offer on-demand cleaning and in-home massage services, which employ mostly women. These platforms include Go-Maid, Mbakmu, OKHOME, TukangBersih, GoClean, and GoMassage. Some of Go-Jek’s female drivers also work for an on-demand massage service (Go-Massage) belonging to Go-Jek; these workers have to pay IDR 1,080,000 (US$ 80) for training at a massage centre affiliated with Go-Jek. Go-Jek deducts 30 per cent from every worker’s earning: 20 per cent for Go-Jek, and 10 per cent for the massage centre. One study has shown that female workers in this gig economy in Indonesia are more vulnerable to exploitation and sexual harassment. This is supported by one recent case in Bandung, West Java, where a masseuse working for Go-Massage was raped by a customer. This danger calls not only for safety measures from platform companies, but also government regulations to protect these vulnerable workers in this new branch of the economy.

**Impacts of COVID-19 on the app-based drivers**

As the COVID-19 pandemic spreads across Indonesia and globally, these gig workers are among the hardest hit. Partial lockdown and curfew in Indonesia have hindered thousands of these gig workers from making a living. The Indonesian central government has been criticised publicly for its poor response to the COVID-19 pandemic. The government took two months to come up with strategic national policy decisions regarding how the government and citizens would manage the epidemic. While in January and February 2020 many countries swiftly responded to the COVID-19 outbreak, the Indonesian government established a Task Force for Rapid Response to COVID-19 only on March 13 2020, and issued a government regulation on March 31 to put in place large-scale social restrictions, aimed at limiting the spread of COVID-19. This partial lockdown since early April marked the
beginning of a relatively stable approach to the national government's management of the pandemic in the country, coming after three months of deceptive and indecisive responses. Social activists argued that such a late decision was made because the government wanted to evade paying a higher cost of the needed lockdown policy, unwilling to safeguard the majority of workers in the informal economy.

Obviously, the implementation of large-scale social restrictions has unprecedentedly impacted the drivers in the transportation sector, including the app-based transport. The majority of these drivers are daily and informal labourers, and are among the most vulnerable citizens. Since early April 2020 to date, people were prohibited from commuting and public transportation was not allowed to operate. To comply with the government policy, the app-based transport companies deactivated the apps’ ride-hailing feature, and only allowed orders for delivery of food and convenience goods, and urban logistics. Therefore, all drivers were forced to rely solely on delivery service, which translated to fewer orders. Many drivers did not get any orders for many days and even weeks between April-May 2020, although the app-based companies applied fairer distribution of order for all drivers, disregarding the drivers’ past performance level. This caused a drastic decrease in drivers’ income; many could not pay the cost to lease their vehicle, their rent, and even for basic survival. One drivers’ association has publicly protested the policy to no avail.

In order to survive, many driver communities decided to sell bottled water around intersections or near traffic lights while waiting for a delivery order, still in uniform as their motorbikes are parked at the roadsides nearby. Some other communities were collecting donations from passers-by in different locations. The situation has attracted public sympathy towards drivers and even triggered a food drive organised by local people during the fasting month of Ramadan between mid-April to mid-May 2020.

Moreover, app-based taxi drivers are facing even more difficulties than their motorbike driving counterparts, as the nature of work is not as flexible and mobile. These drivers, also belonging to both Go-Jek (Gocar) and Grab (Grabcar), are not able to work at all, as they do not have the privilege of taking orders for delivery service. One of the driver community leaders testified that more than half of his members are jobless; unable to pay the monthly instalments to lease their cars, and in some cases even had their cars repossessed by the leasing firms despite an order from the government for relaxation of debt collection. The situation worsened in May 2020 and some drivers fled to their home villages, despite restrictions by the government.

The responses from the government and the apps companies have not been sufficient and are barely helping the drivers. In general, the responses from both have been patchy and food assistance has often missed the people who are entitled. Comprehensive and up-to-date records are lacking and it was reported that the government relied on data from application firms for distribution of such assistance. As the situation worsened, Go-Jek launched a crowdfunding campaign that could be accessed and paid through the Go-Jek application until the end of June 2020. In mid-April 2020, some of the fund was distributed to 200,000 Go-Jek drivers in the form of vouchers of IDR 100,000 to be exchanged at convenience stores for basic foods (Ramli, 15 April 2020). Likewise, Grab distributed vouchers of IDR 150,000 per driver sourced from a crowdfunding platform, and extra money for those infected by COVID-19. Certainly, the majority of drivers did not receive such assistance. Knowing that many of his
members were not receiving any vouchers, one driver leader realised that the voucher was given only to selected drivers known by the company staff.

**Driver’s initiatives dealing with the COVID-19 pandemic**

Most of the transport workers’ organisations were paralysed, unable to cope with the desperate situation faced by their members. Some drivers gave up and sold their driver account for cash to buy food, while others struggled to earn a living. Interestingly, some drivers in areas outside greater Jakarta (Jakarta, Bogor, Depok, Tangerang, Bekasi) such as Serang in Banten province, became (or returned to) conventional motorbike taxi drivers, as getting passengers without having to go through the application was easier.

In some driver communities in Bekasi – the industrial heartland of Indonesia – factory workers who take part-time jobs as app-based drivers collected donations for their fellow drivers who rely only on the transport sector that was so severely disrupted. Some other driver associations, for example in Manado city, North Sulawesi province, were able to act swiftly. The association was able to advocate for its 5000 members in Manado city to obtain a deferment on instalments to leasing firms for three months. In Cikarang, West Java province, the driver association collected donations from its members with additional jobs for other members that relied solely on app-based transport.

**Future organising**

Technological change and the rise of the app-based transport business in Indonesia and globally is not inevitable. Rather, it is a result of global economic and socio-political development, that is, the re-organising power of global financial capitalism. In particular, this new economy of digital platforms is profoundly driven by the increasing domination of venture capital, offering evidence that the digital push emanates predominantly from business interests rather than societal necessity. The digital technology that is used by app-based transport companies is taken for granted as a benign way to connect two groups of end users (drivers and passengers), but underlying is a more significant feature of this technology: big data, which could be exploited to achieve even greater domination of the market.

The app-based transport sector in Indonesia is unregulated, while regulations are needed to protect the rights of workers in the sector. State recognition towards drivers is indispensable, realising that drivers should be protected under labour law, promulgated in regulation that reflects on technological development as well as the vulnerability of drivers. The absence of such regulation and state recognition towards problems the drivers face has brought about the constant exploitation of drivers. Such regulations should reflect the reality of app-based transport work on the ground as the existing labour regulation is not only unable to accommodate drivers’ concerns, but also is obsolete in many aspects; the current labour law is heavily manufacturing and industry-centric, incapable of accommodating different context and situation of current and future of work that are rapidly changing.

There are at least three interrelated common grounds for workers and the labour movement in Indonesia to build upon app-based driver organising work and strategies. The first is to establish the locus of negotiation for drivers at different levels, where drivers’ grievances could be advocated for quickly. At the moment, there is no space for drivers at the grassroots to negotiate or advocate for their rights. Therefore, government and platform companies should allow and provide such negotiation spaces for drivers. The most needed locus of advocacy is at the sub-
district, district or city levels, as the majority of drivers are at the grassroots.

Secondly, to pressure the government to swiftly embrace the necessity of labour rights protection in the gig economy, by providing rights protection for drivers embodied in regulations, including freedom of association and collective bargaining. At least three government institutions should be involved: Ministry of Labour (for driver rights), Ministry of Transportation (sector of employment), and Ministry of Communication and Information (since the app companies are registered under this ministry).

Thirdly, to consolidate the collective strength of drivers and resources from the bottom up, to have more leverage to pressure platform firms and government. The strength of the drivers is located at the grassroots, but the majority are excluded from the decision-making process. More importantly, this consolidation of the strength of drivers through pedagogic training will serve to counter the company’s doctrine that drivers are partners rather than workers. Drivers should be aware that they are, together, “the agent of production” in the app-based transport sector, and if they stop, business will stop.

Notes

A more detailed account of this research article is to be published by the Friedrich Ebert Stiftung, Berlin (forthcoming), co-authored with Syarif Arifin, Sugeng Riyadi, and Dina Septi Utami. The research was funded by the Friedrich Ebert Stiftung.


References


Sacrificing Indonesian Workers in the Time of COVID-19 Pandemic

Alfian Al-Ayubby
Sedane Labour Resource Centre, Indonesia

There is no provision of work from home in our company. Working hours were also not reduced. On Friday (20 March), we went to work but it turns out that at the office, there are three people who are suspected to have contracted COVID-19. We are not provided with adequate personal protective equipment by the company – Dini, a telecommunications worker.

Occupational health and safety (OHS) standards in Indonesia are notoriously poor. Many companies do not see OHS standards as a matter of protection of workers’ health and safety. Rather, the standards are only important for OHS certification and are seen as a tool for maintaining their image and profit in front of buyers and consumers.

Now with the surge of COVID-19 infections in Indonesia, millions of workers who work in factories, offices, warehouses, and other workplaces, face a situation even more perilous than faced by Dini. Companies have forced their workers to work without providing adequate personal protective equipment (PPE) and have reorganised production by reducing working hours, limiting distance, and number of workers. Meanwhile, the Ministry of Manpower, which often uses classic reasons such as lack of budget and human resources, is utterly incapable of carrying out an inspection at companies during the pandemic.

Forced work and shouldering the blame

On April 4, 2020, six workers of Kahatex, a large garment company in West Java, were reported to have tested positive for COVID-19. On April 11, a worker of Denso Indonesia, one of Toyota’s suppliers in Bekasi, died from the virus. Two of his coworkers who interacted with him had been infected. On April 14, a worker of Sampoerna, a large cigarette company located in Surabaya, East Java, owned by Philip Morris International, died from the virus. Shortly afterward, 100 workers in the same factory tested positive. On April 27, two workers of EDS Manufacturing Indonesia company, an automobile company located in Tangerang, an industrial city on the outskirts of Jakarta, died. On April 29, a worker from a garment factory in Bandung, West Java tested positive. On May 6, 2020, around 51 workers of Freeport, an American mining company in Indonesia-occupied West Papua, tested positive.

These cases are only a few that were covered by the media. Initially, the workers were exposed to the virus outside the factory. When they did not have obvious or severe symptoms, they came to work and most likely transmitted the virus to their coworkers as was the case with Sampoerna. The two workers employed at Sampoerna who died from COVID-19 were accused of being dishonest about their sickness because they continued to work while sick. However, the problem wasn’t the dishonesty of workers – there was no provision to work from home and production continued as normal. If the workers had done the
The distance between advice and reality

It is reasonable that during the pandemic crisis, workers should be allowed to work from home, get paid and not be laid off. This is not grandiose or selfish as is often alleged to them when they want to raise their wages. The constitution and a number of laws guarantee workers’ rights must be fulfilled even in emergency situations.

Neighboring countries, to varying degrees, have taken such precautions in the interest of public health by imposing lockdowns, and restricting economic activity, except for in so-called essential sectors. Many have even paid benefits to workers. Meanwhile, the Indonesian government is reluctant to take any measure that would negatively impact the economy. From the beginning, the Indonesian government has downplayed the pandemic (Kuddus, 2020). In a decidedly ineffectual move, the government imposed a policy called Large-Scale Social Restrictions (PSBB), a modified lockdown, after a series of tussles between the national and the local governments. By design, it portrays no consideration for the safety of the people and focuses more on preserving economic growth. This half-hearted move displays the lack of political will that permits non-essential businesses and factories to operate, and in many cases, even violate the PSBB with impunity.

Recognising its own incompetence and inability to implement and enforce regulations, from the beginning the government chose to offer mere ‘suggestions’ to companies to improve OHS procedures, such as encouraging physical distancing, and promoting a healthy lifestyle. These suggestions, aside from being disregarded by companies, contradict the reality of working conditions in Indonesia. Particularly in manufacturing sectors such as garments and electronics, workers are forced to work in overcrowded opposite of what management ordered and refused to work, their wages and benefits would have been cut.

The same occurred at Kahatex and Freeport. When Kahatex’s workers tested positive, management did not stop production, even though the authorities had requested that they do so. The reason they did not stop production was because they had orders from big buyers. Meanwhile, deep in the Papua’s forest, Freeport’s management ordered thousands of workers to continue to mine raw materials such as copper and gold, placing economic gain above health and safety.

Similarly, hundreds of factories in industrial estates in North Jakarta, such as in Marunda, Priok, Cakung, still continue production. Workers in the automotive and electronics sectors in Karawang, Purwakarta, Bekasi, and Batam march into the factory gate every morning and in other industrial areas, the machines remain turned on and production continues. The same situation is playing out in the service, retail, banking, and public sectors.

Although workers are forced to work, companies do not take the necessary precautions. A survey was conducted in Jakarta in April 2020 by Marsinah FM (a community radio) and the Labor Study Group (Kobar) revealed that out of the 146 respondents, 67.79 per cent said they were still working. Of that number, 47.25 per cent worked as usual without any reduction in working hours. The same survey found that more than 25 per cent of workers do their job without using PPE. Companies’ management do not want to pay the extra expense and workers are left to provide PPE for themselves. Many workers have raised their voices about how they feel unsafe when carrying out work. Some are stressed out, imagining their lives being threatened every time they enter the factory area (Fachriansyah, 2020).
rooms for long hours, with poor ventilation and limited breaktimes. Workers in factories and shops cannot practice social distancing as duration, rhythm, and workload often require them to stay close together.

According to a number of workers, during the initial spread of COVID-19, their employers invited journalists, the Manpower Office and police to an event called, ‘Breaking the chain of COVID-19 infection from the workplace’. The production room, canteen, and other areas were arranged in such a way to showcase management’s commitment to fighting COVID-19. However, in the next three days after employers were lauded for their efforts, the situation returned to normal. Other workers observed that aside from installing handwashing facilities and occasionally distributing masks, there was no serious improvement in terms of OHS. Many workers complained about no break time and a lack of toilets. On the shopfloor, air conditioning and ventilation regularly malfunction causing the air to be hot and humid. This has been compounded by ergonomic problems, the use of hazardous and toxic chemicals in the production process, and the tradition of violence that is maintained by superiors to discipline workers.

With regards to the governments’ promotion of a healthy lifestyle to combat the spread of the virus, recommendations are difficult to adopt for workers and their families considering their limited access to quality foods, adequate housing, and acceptable working conditions. In Digging Holes is Common: A Worker’s Strategy for Coping with Problems from Time to Time Resmi Setia illustrates how retrenchment is a daily habit of workers’ families. Despite nominal wage increases every year, they cannot meet their basic needs and achieve retrenchment by reducing the quality of food, sacrificing sufficient nutritional intake to save costs. Many labour activists have also identified this hidden problem of chronic hunger experienced by working-class families in big cities like Jakarta.

Housing is another issue that contradicts government directives to maintain social distancing and practice good health and hygiene. Many workers live in rented rooms near factories or industrial zones in poorly maintained buildings that consist of more than five rooms with only two unclean toilets to share. The rooms are small (usually only 2x2 meters) and house entire families. The drainage ditches that run alongside these buildings are full of refuse. In the working class housing area that is a spread across North Jakarta, water facilities available in the bathroom contain brackish water. Hundreds of thousands of workers and their families living in industrial areas in Jakarta have no source of clean water due to severe and alarming seawater intrusion. In light of these realities, it is not surprising that the number of workers testing positive for COVID-19 continues to increase.

Waves of layoffs

The spread of the COVID-19 pandemic was accompanied by a series of large waves of
layoffs, with damage exceeding the 1997-98 Asian financial crisis and the 2008 global crisis. Many formal workers from various sectors are anticipating job loss. In addition to the layoffs that are an outcome of the economic crisis, routine layoffs of workers who are nearing the end of their contracts is common practice in garment, footwear, and textile companies who employ contract workers. Typically, before the fasting month of Eid, companies fire the contract workers more quickly in order to escape their obligation to pay holiday allowances (THR).

According to data from the Coordinating Ministry for the Economy, the number of formal workers affected by the economic crisis has reached 2 million people. Of this number, 1.4 million were laid off and the rest were furloughed. Most of these workers reside in Greater Jakarta. While in the informal sector, 314,833 have been workers affected by the crisis.

The number of workers furloughed and laid off will continue to swell. The Ministry of Manpower and related agencies in each province and region, as well as the trade unions, continue to collect data about layoffs. By comparison, during the 2008 global crisis in wave of layoffs from July 2008 to February 2009, the number of workers in Indonesia who were laid off reached almost 4 million people, primarily in the manufacturing and plantation sectors.

According to economist Enny Sri Hartati from the Institute for Development of Economics and Finance (INDEF), the economic crisis brought by COVID-19 hit all sectors in Indonesia. The sector that was a savior for many years during the crisis, namely micro, small, and medium enterprises (SME), will be difficult to rely on as an economic buoy. Considering this, it means that workers, farmers, fishermen, vulnerable workers, and people with low incomes are threatened to fall deeper into poverty. For formal workers who have been laid off, they will enter the informal economy that is already oversaturated.

A research published by the SMERU Research Institute shows that the number of people who live below the poverty line in Indonesia will increase by 8.5 million in this
crisis. Combined with the number of people already living in poverty from the National Economic Survey - Central Statistics Agency in September 2019 which amounted to 24.79 million people, that means there will be 33 million people living below the poverty line. Certainly, statistics can measure poverty and the government can engineer methods to control poverty rates but the events that cause people to fall into poverty cannot be easily controlled. Such crises are inevitable and the lack of preparedness and response shows precisely who is to be blamed.

**Government and employers: how to run away from your responsibility**

With regard to labour rights affected by the economic impact of the pandemic, according to Asfinawati from the Indonesian Legal Aid Foundation (YLBHI), companies are obligated to pay laid-off workers their due wages and severance pay as stated in Indonesia labour law (Law No. 13 of 2003 on Manpower). But as stated by Hariyadi Sukamdani, chairperson of The Indonesian Employers Association (Apindo), employers will not pay wages and severance to workers because of the decrease in production order and loss in profits. However, because of the lack of transparency and secrecy around financial statements corporations enjoy, the exact amount of losses can only be estimated. However, the losses accrued by companies during the economic crisis accounts for decreasing profits from business operations within a year. In the previous year, they experienced profits. Business owners and managers who accumulate wealth can survive for many years if the pandemic does last that long. They can rebuild new businesses with loans from banks and the government. As for workers, they can only survive for a maximum of 3 months with their savings.

It is obvious that the government will not punish employers if they do not abide by labour law. Even the Minister of Manpower has said that she cannot prevent employers from denying workers’ their entitlements. While the government and employers pronounce their commitment to uphold harmonious industrial relations, they collaborate to uphold the interests of capital over the interests of the people.

**Unions under the pandemic**

The pandemic has greatly impacted unions: mobilisation of workers has been hampered and the work of organising and increasing union membership has stalled. Regular participation of workers in discussion groups, learning forums, and other union activities is now limited even with the availability of online platforms. But what is felt by trade unions most is the layoffs of workers as well as union members that continue to occur.

This new wave of layoffs dealt a blow to the problem that has been ongoing for several years. Since 2015, there have been many cases of layoffs when the employers relocated their factories from the old industrial estate in Greater Jakarta to the new low-cost industrial estates in West and Central Java. This process of relocation, for example, almost completely emptied the Cakung export industrial zone located in North Jakarta, which is one of the oldest export-based industrial zones in Indonesia. At its full capacity, Cakung industrial zone can accommodate around 300 factories as it had done by 2013. At its height, there were 200 textile and garment factories as well as 100 supporting factories. However, this number has decreased dramatically from year to year. In 2018, according to reports from several trade unions operating in the Cakung industrial zone, there were only 30 garment factories remaining, with many having moved to Central Java.

The relocation process, motivated in part by anti-union sentiments from employers, has an impact on the decrease in union membership. Data from the Ministry of Manpower shows that from 2007 to 2017,
the number of union members declined from 3.4 million to 2.7 million people. The number of unions at factories across the country also declined, from 14,000 unions in 2007 to 7000 unions in 2017.

Despite the difficulties unions are facing, they have been quick to respond to the crisis. Many have negotiated with factory management to not lay off and cut wages. They have also started to compile data related to workers who have been laid off, workers who are forced to work without adequate personal protective equipment, distribute union emergency funds and logistics to help members, and more.

However, those short-term responses have slowly waned due to the lack of resources, capacity, and capability to struggle under this pandemic. In the meantime, we do not yet know what the unions will do and how they will plan more long-term responses in light of existing limitations. Analyzing how trade unions in Indonesia were hit by the 2008 global crisis and the strategies they employed to build union strength after the crisis, Mahdami et al (2008) remarked that the unions must start seriously thinking about their membership base, which does not only consist of permanent workers and workers in the formal sector. The crisis that hit permanent workers and those who work in the formal sector, clearly destabilised unions whose membership base was exclusively tied to formal work. The labour movement in Indonesia would do well to heed the lessons from the past.

Notes

1. The phrase dig a hole is refers to debt. “Dig a hole to close another one: pay a debt by incurring a new one.”

References


The Impacts of COVID-19 Crisis on Domestic Workers in Asia and the Intersectional Approach to Union Organising

Niken Anjar Wulan

Domestic workers at the frontlines: essential but forgotten

The COVID-19 crisis is posing a threat towards human health and wellbeing – the world can no longer deny the importance of care, reproductive, and domestic work. Care workers including caretakers, domestic workers, and cleaners are standing at the forefront of the COVID-19 battle alongside doctors and nurses. Domestic workers are no less important as they work to maintain a hygienic environment within households and the wellbeing of families. The International Labour Organization (ILO) defines a domestic worker (DW) as “any person engaged in domestic work within an employment relationship” (ILO, 2011). Their tasks include not only household maintenance such as cleaning and cooking, but also caring for children, the elderly, the sick and the disabled.

Despite being perceived as “unskilled” and categorised as informal workers, domestic work is essential because it sustains economic continuity of a country by keeping the functioning of individual, family, community and the state. However, DWs are denied their access to labour rights, rest days, protective equipment and social security. They have been in a disadvantaged position due to the intersecting relations of their identities based on gender, race, class and status as migrants. Throughout the COVID-19 pandemic, they have been disproportionately impacted and are fighting multiple battles but their stories are often forgotten. This essay will outline the problems and hardships faced by DWs in Asia, including migrant domestic workers (MDWs) in some Asian destination countries. It will also show how DWs’ unions organise to fight the multifaceted injustices and the ways in which an intersectional approach is relevant to this fight. The data presented in this essay was gathered from multiple reports, news, as well as from the experiences of International Domestic Workers (IDWF) affiliates across the region.

As governments struggle to contain the virus through quarantines, lockdowns and border closures, Asia has been suffering from huge economic and social impacts. Developing Asia will experience a drastic decline in GDP down to 0.1 per cent in 2020, the region’s slowest growth in 6 decades. 68 million jobs were lost in April 2020 and the numbers are increasing (Asian Development Bank, 2020). Although China and other East Asian countries are considered to have been successful in containing the virus, many countries in South and South-East Asia are still far behind. Cases are continuing to increase in some heavily populated countries like Indonesia and India and this is worsened by the lack of testing. City and nationwide lockdowns have been affecting food supply chains and causing hunger, mass exodus and social unrest. The lack of government coordinated efforts have been more of a disappointment and many have feared that it will take long before the region recovers.

Asia hosts the largest numbers of DWs in
the world, accounting for 41 per cent of the total 70.1 million DWs across the world (ILO, 2013). This large figure is a result of industrial expansion that absorbed more women into the labour market to work at factories and offices in the past four decades, significantly increasing the demand for domestic work in the region, especially in urbanised areas. Thus, domestic work as a source of wage employment remains relevant for many millions of women, especially those at the bottom of the economic ladder. However important, DWs are not recognised as workers in most Asian countries and they are excluded from labour laws. This negatively affects their equal access to labour rights and social security protection and therefore places them in a more vulnerable position especially in this pandemic.

The pandemic has brought significant impacts on the millions of DWs, especially in terms of loss of jobs and income among the live-out DWs. In Asia and the Pacific, the ILO estimates that 79.4 per cent of DWs were significantly impacted by 15 May, but a much higher proportion (87.5 per cent) were impacted in the South Asia subregion (ILO, 2020). Taking into account their previous access to social security, the ILO shows that 76 per cent of DWs who are significantly impacted were in informal employment. This means the vast majority are not registered under social security schemes, and thus are not eligible for unemployment insurance. Live-in DWs might not have lost their jobs, but they are suffering other important impacts, including working longer hours, no weekly day off, more demanding workloads, no wage payment and denied protective gear.

Millions of DWs have paid a huge cost due to lockdowns. The logic of a safe quarantine does not apply to all and is a luxury for many DWs and other marginalised groups. For DWs, the two bitter options left are either to live in the confinement of the employer’s house, meaning ‘living at work’ or staying at their own homes with no safety net. The loss of income combined with the lack of social security has made the impacts on their livelihood even more dire. They are unable to find alternative means of subsistence, many struggle to pay rent and are being evicted from their house. Many could not afford to buy food, medication, masks, and sanitiser. Government relief is the only thing they can rely on, but access is limited for several reasons. In many big cities in Indonesia, the Philippines and India, many DWs are rural migrants who are not registered in the city or state where they reside and work. This has hampered their access to food and cash relief distributed by the local government.

Despite the significant impact on working conditions and livelihood, DWs are also at risk of domestic violence, not only among those who live with their employers but also those who stay home. Data from many regions already suggest significant increases in domestic violence cases during the pandemic, particularly among marginalised populations (UN Women, 2020). Isolation, stress, anxiety, joblessness and deepening poverty are the main causes of the increase of domestic violence during the pandemic. It will be even more difficult for domestic violence victims to escape their abusive environment due to the lack of information and closures of shelters and public services during the lockdown.
Migrant domestic workers in Asia under COVID-19

There are 11.5 million migrant domestic workers (MDWs) globally and 24 per cent is in Asia (ILO, 2018). Asia is home to major sending countries of MDWs, in which the Philippines and Indonesia are the biggest contributors. These MDWs are predominantly women who are seeking employment beyond their national borders to escape poverty. They are usually concentrated in high-income countries within the Asian region, such as Singapore, Hong Kong, Malaysia, and outside the Asian Region such as the Middle East and Europe. This section will explain the conditions and experiences of Indonesian and Filipino MDWs in Hong Kong, Malaysia and Singapore.

Hong Kong is known to have one of the best regulatory frameworks on MDWs among Asian countries. MDWs in Hong Kong are acknowledged within the labour ordinance, except for working hours and pension, and they are guaranteed freedom to form unions. During the pandemic, many employers have violated the day-off, which is a protected entitlement under the law. MDWs in Hong Kong are bound by the mandatory live-in rule and often work for long hours, therefore the violation of their precious weekly one day off has become a major concern among MDW unions and groups in the city. In May, more than 10 MDWs contracted the virus and all the virus transmissions have been from the employers to the workers (HK Government, 2020). But paradoxically there is a perception among employers that MDWs are the carriers of the virus. One Filipino DW in Hong Kong was terminated after she came back from her Sunday day-off because her employer was afraid of contagion (Low, 2020). On top of that, there’s a lack of information on occupational health and safety standards for MDWs while living with their employers who are in home-quarantine and this has created anxiety among MDWs (Ibid).

In Singapore, the severe outbreak that happened in the crowded migrant workers’ dormitories has shown the double standard of the clean city-state image in its treatment of migrant workers. But other than migrant workers living in substandard dormitories, there are hundreds of thousands of MDWs living inside houses who also face important problems. Similar to Hong Kong, violations of day-off and overtime have also been the main grievances among MDWs in Singapore. But unlike Hong Kong, MDWs in Singapore are not covered under the Employment Act and are not free to join unions, so their access to grievance mechanism is relatively low. There are restrictions in phone use and increased surveillance by employers as local NGOs reported and this has created more stress as they are not able to speak to their friends or loved ones (HOME, 2020). MDWs in Singapore are also facing difficulties in transferring to other employers. Some have reported that their applications for new work permits have been rejected despite multiple appeals. This is not the case in Hong Kong where the governments waved the 2-week rule for MDWs and allowed them to stay while processing their new visa.

In Malaysia, the pandemic has resulted in a humanitarian crisis among hundreds of thousands or possibly millions of undocumented migrant workers exacerbated by xenophobia and crackdowns towards migrants and refugees, including women and children. While food deprivation struck migrant communities on top of the risk of infection, the Malaysian immigration authorities abruptly reinforced the xenophobic crackdown in May, resulting more than 2000 migrant workers, women, children and refugees being arrested (Ding and Wilson, 2020). Activists condemned that this harsh immigration measure will only deepen the pervasive racism against migrants in the country and worsen the
coronavirus spread in the migrant detention centres.

The problems around the migration of DWs also take place in the sending-country. Since February and March 2020, the Philippines and the Indonesian governments have halted the sending of MDWs abroad with no clear guarantee of the fee abolishment. This fee usually includes the cost of airfare tickets, visa administration, training, etc. which are charged by the agents as debts to be repaid. Many Indonesian MDWs have reported that agents charged them even more, resulting in more debt while there is no clarity on when the job placement will resume. There is also no clear policy on repatriation from both destination and sending countries, which is particularly challenging in light of border closures. MDWs who are dismissed have to pay high repatriation costs using their own money. Due to the fear of starvation, many Indonesian MDWs have opted to exit Malaysia through irregular routes by using small boats which could highly endanger their lives. Overall, MDWs are facing a more complex situation and more discrimination due to their status as migrants. On top of that, they are not sufficiently protected by governments’ policies throughout the entire migration cycle: starting from recruitment, placement, and return.

Pre-existing inequalities and the intersectional approach to union organising

Domestic work has been a global phenomenon throughout the ages. It became an important feature of feudal society and during the colonial era, and has continued to expand until the present (Hoerder, 2015). During the pre-modern and colonial eras, domestic work was highly characterised by servitude based on race, class, and gender oppression and segregation. Since the development of modern capitalism and globalisation allowed the expansion of DWs into the labour market and the global labour migration scheme, DWs have been treated as commodities, especially through the exploitative practices of recruitment agencies. However, its ‘old nature’ of race, gender, class oppression has remained highly dominant up to the present. It is important to recognise that the disproportionate impacts of COVID-19 outlined in the previous sections appeared as the result of the longstanding pre-existing inequalities preserved within the capitalist system. This section will specifically present how movements, especially DWs’ unions, have been striving to organise, and how the intersectional approach applies to their strategies.

DWs’ struggles and organising have always been a periphery subject in Labour versus Capital discourse. It was only in the 1970s – 1980s, that DWs’ issues and concerns came to the surface. Thanks to Marxist feminist historians and activists and their important theories which debunked the general assumptions that paid and unpaid reproductive work done by women and domestic workers do not create surplus value in the capitalist system (Federici, 1975; Dalla Costa and James, 1975; Seccombe, 1974). They argued that women’s labour – physical, emotional, spiritual – has been constant during any period and in every part of the world, and is highly central to societies and economies in the local, regional, state and global levels. While workers in the factories produce value commodities, what women and DWs produce are the conditions necessary for other workers, families, and the state to function in any given production regime. In other words: there can be no productive work without reproductive work.

This theory was able to challenge capitalist economic ideology by asserting that the unpaid or poorly remunerated reproductive
labour performed by women was useful for capital accumulation, for men, and for the male-constructed nation. It was also able to challenge the traditional labour movement dominated by male workers in factory settings, though the emergence of New Labour History that contextualised labour movements within social structures and cultural practices by incorporating an every-day form of resistance, women workers, black and migrant workers into their analysis and struggle (Van der Linden, 2007). DWs enter into the narrative of labour movements later considering that their production of surplus value occurs within the social sphere rather than at the traditional workplace. Cultural praxis is intrinsic to the context of DWs as the nature of the work itself is highly feminised, performed by women from the lower economic and social class, women of colour, and migrants.

Finally, let us understand the position of DWs' movements within those intersecting narratives and identities. Despite all their limitations, DWs have been and are struggling to organise for better working conditions and remuneration by forming networks, building organisations, joining male-dominated unions and negotiating within alliances in many parts of the globe. In Asia, an Asian Domestic Workers Union was set up in 1989 in Hong Kong; while DWs in India had been organising with the help from the Catholic Missionary since 1985. Those in Indonesia followed in 2003, and Nepalese DWs' Union was founded in 2006 (Hoerder, 2015). After the 2000s, MDWs in some Asian destination countries like Malaysia and Singapore started to organise as DWs after they first organised as migrants.

Each DW union in Asia has a different background and history to how their agency was formed. The common exploitation they experience in the workplace that translates to poor working conditions and poor treatment from their employers has been the most dominant factor. Another important factor is their consciousness about the roots of their oppression that hinder their ability to gain equal recognition
with other workers: the nature of their work, their identity as women, their social class (especially for the lower caste Indian women), and their status as migrants. The intersectional approach to DW union organising is central in the way that they are able to intersect objective material demands and recognise their particular identities that underlie their vulnerability.

While the consciousness to form a collective identity as workers endures, some DW and MDW organisations do not opt to form formal worker unions, mostly because it is not permitted by national laws, especially if they are migrants. Some of them take form as networks, associations, or workers’ cooperatives. Thus, alliance building with trade unions, women’s groups and migrants’ organisations is important and is intrinsic to their struggles. In some countries, women activists have prominent roles in organising DWs, such as in Indonesia and India during the early stages. In some destination countries like in Singapore and Malaysia, they initially organised as migrants before starting to organise as DWs. In Hong Kong, together with Asian Migrant Center (AMC), the Hong Kong Trade Union Confederation (HKCTU) formed the first trade union in Asia that successfully organised and united MDWs of four nationalities that can occupy leadership positions alongside local workers.

It was only in 2006 that DWs from across the world – nationals and migrants – met for the first time to share their struggles and realities. They then formed an International Domestic Workers Network (IDWN) in 2009. Around this time, the international labour movement started to display its extraordinary support. With a strong intersectional alliance between DWs movements themselves, trade unions, women’s groups and migrant organisations from the local to international level, they were able to achieve formal international recognition through the adoption of ILO Convention No. 189. It was an important milestone in which DWs were finally guaranteed the fundamental rights of other workers. In 2013, the IDWN transformed from a network into a federation: International Domestic Workers Federation (IDWF), a global worker movement that is totally led by grass-root women.

During the COVID-19 pandemic, DW unions across Asia have been at the forefront of humanitarian work distributing food and other emergency relief. Unlike workers in the factories, their organising is very much rooted in the community. Their worker activism is strong in their neighbourhoods and villages enabling them to quickly identify if their members are lacking support from local authorities. DW unions in the Philippines have many leaders and branches in the villages and were the ones who facilitated food and cash relief from the village government. DWs in Indonesia organised based on residential neighbourhoods where they have Team 10 (1 leader who leads 10 people). During the crisis, these leaders applied bottom-up coordination and managed to distribute government food relief despite their residency status. In India, DW union members sew and produce thousands of masks, providing protection for DWs, their families and their communities.

Finally, we have unfolded the long and winding journey of DWs in facing their multiple battles. The COVID-19 pandemic is not only a crisis for them but for the entirety of humankind. The fact that the crisis has disproportionately inflicted suffering on a large part of society reveals the unresolved structural problems and inequalities in the current system. Despite the rises and defeats that these movements have experienced, we must push for bold demands that not only serve as crisis mitigation but also lay the foundation for radical policy, social and economic changes that will end this long-standing inequality.
Notes
1. Niken is a program officer at the International Domestic Workers Federation (IDWF), a global union federation of domestic and households’ workers which represents over 560,000 members across the world. IDWF has 74 affiliated unions and organisations in 57 countries. Niken works to support IDWF affiliates in Indonesia, Hong Kong, Philippines, Malaysia, and Singapore through various programs.

References
Ding, Emily and Audrey Wilson (2020, June 19) “Malaysia’s Coronavirus Scapegoats”. Foreign Policy <https://foreignpolicy.com/2020/06/19/malaysias-coronavirus-scapegoats/>
Federici, Silvia (1975) Wages Against Housework, Falling Wall Press.
Garment Workers in Karnataka Bear the Shortcomings of Global Garment Supply Chains

Parvathi Madappa

Introduction

As the coronavirus pandemic spread quickly across the global west, lockdowns and economic crisis hit clothing retailers hard, sending shocks that rippled throughout the global garment supply chain. Faced with plummeting demand brands cancelled or postponed orders, while some even refused payment for finished goods that had already been produced. When the pandemic struck India, the country initially went through a series of lockdowns resulting in the temporary closure of garment factories, causing millions to go without wages. In Karnataka, the southern Indian state contributing 20 per cent of the country’s garment production, the impacts have been devastating.

While the number of confirmed cases of COVID-19 in India has quickly surged to the highest in Asia and the fourth highest in the world (Sanyal, 2020), since 1 June 2020, the factories have begun opening up (barring containment zones) in Bangalore, Karnataka. Despite this reopening, the garment and textile industry will be slow to recover. While the pandemic was one catalyst, the lack of accountability and transparency in the purchasing and production practices in global garment supply chains are the roots of the devastating impact on workers.

Global garment supply chains and working conditions in Karnataka

Global garment supply chains comprise a vast web of actors but power is concentrated with the buyers and brands mostly located in the global west. There are a number of issues regarding the lack of accountability and transparency in global garment supply chains that make workers more vulnerable. Primarily, these include unscrupulous purchasing practices and the ways in which brands conceal their misconduct to maintain a positive public image.

The purchasing practices of buyers and brands in the global west result in miserable working conditions for garment workers. To increase profits, these companies drive production costs down due to the large number of suppliers in less developed countries competing for contracts from foreign buyers. In order to meet the prices dictated by brands while still turning a profit, suppliers save on labour costs by driving down wages and outsourcing parts of production to smaller factories and subcontractors who pay home-based workers piece rates.

The fast fashion trend that dominates the industry, in which brands and buyers race to offer the latest trends at affordable prices to consumers, means that these companies demand short lead times, requiring suppliers to produce massive orders within days. The short lead times imposed on suppliers create a stressful work environment in which employers pressure, bully, and abuse workers to push them to reach high targets. These high targets also translate to long working hours and in some cases forced overtime.

There are a number of issues regarding the lack of accountability and transparency in global garment supply chains. Brands try to manage their public image by displaying socially responsible practices, such as
conducting audits of their suppliers to ensure compliance with labour standards. However, there are several problems with auditing procedures. Audits are conducted in the factories where the presence of employers would make workers feel intimidated to raise any complaints. Further, audits focus on tier 1 factories so that working conditions in subcontracted or home-based settings are not visible. Although the results of these audits are never made public, brands use them to display an image of social responsibility.

Despite the rosy pictures from public relations departments, violations of workers’ rights in the industry are well documented. The poor working conditions include long hours and even forced overtime to meet high targets, subpar health and safety standards, as well as physical, verbal and even sexual abuse. In Karnataka, factory wages are around INR 9000 a month, less than half of the living wage. However, the minimum wage usually applies to tailors; ‘helpers’ who are often young migrant women and ethnic minorities are routinely paid less. The majority of these workers’ homes are single headed households, and even if both partners live together their combined monthly salaries barely exceed INR 10,000 – 15,000. Monthly earnings are barely enough for the management of their day to day expenses, and they are often left without any savings in case of emergencies.

The majority—93 per cent—of the workers employed in Karnataka’s garment industry are women (Suresha, 2019, p. 6). In Bangalore, the major hub for ready-made garment factories in South India, most of the garment workers are employed on a permanent basis, although they are not allowed to keep a copy of their agreement. Permanent workers receive their salaries at the end of the month based on the number of days worked – usually 26 working days. Such employment arrangements are common to tier 1 factories that supply directly to the manufacturer; however, as previously mentioned, many employers save labour costs by outsourcing orders to smaller factories and sub-contractors who employ home-based workers. These working environments are much less visible and workers in these lower tiers often earn a piece rate, less than minimum wage, or are exposed to forced labour, greater exploitation, and labour rights abuses that go unchecked.

Over the last few years, a new recruiting trend has emerged. Large numbers of women workers in their late teens and early twenties are being recruited to the garment factories from northern and eastern states like Jharkhand, Orrisa, Assam and Madhya Pradesh under government sponsored schemes (Ray and Peepercamp, 2017 p. 4). The living conditions of these migrants are poor; they are housed in cramped hostels often with only two bathrooms for 15-20 people.

**The impact of sudden lockdown**

The lockdown dealt a strong blow to garment workers. Workers who were already having trouble supporting their families slipped further into debt, turning to money lenders in order to provide for their families. Some are starving or on the verge of starvation, and many others dread the start of a new month when miscellaneous bills and rents have to be paid, loan instalments have to be cleared, rations have to be bought, etc. In most cases workers are unclear whether the closing down of factories is temporary or permanent.

Some factory owners have decided to layoff or suspend workers, without any benefits or paid leave, pushing an already precarious group of workers to greater economic distress. In some factories there are delayed payments of wages, or workers are paid half their monthly salaries, while many other employers have not paid the workers altogether, stating that
the workers have not provided their services. Equally disturbing are reports from a few factories where workers are still forced to continue to work to produce masks and other personal protective equipment (PPE) where employers are unwilling to ensure adequate protections. These workers, their families, and their communities are therefore at higher risk of infection.

The plight of migrant workers in these factories is another extreme situation: they have been locked down in crowded hostels without wages, isolated and unable to leave without proper food facilities. They are unable to travel back to their homes and do not have any social networks or safety nets locally to rely on. These factors, along with language and other barriers, put them at a great risk of isolation.

Some factories have reopened since June 1, under the first phase of the unlocking of the country. However, a number of barriers have prevented workers from resuming work. It has been observed that most factories that have resumed work have suspended transport facilities to workers. This measure restricts the possibility for workers who live far from the factory to return to work, and in some cases has forced women to walk long distances or skip work due to the long and tiring commute.

While factories have begun to reopen, schools and childcare centres remain closed, meaning that mothers must make the difficult decision to stay at home to care for children or go to work. Despite the 1948 Factories Act provision that requires factories with more than 50 employees or 30 women employees to provide crèche facilities, crèches have remained closed even as production has resumed. Due to extreme poverty many workers are returning to work, forced to leave their children in the care of neighbours or in some cases unattended.

At the same time many garment factories have closed several units and thousands have lost their jobs as a result and did not receive wages for the preceding months under lockdown. Job loss for these workers has a direct impact on social security entitlements for themselves and their families, such as healthcare (Employee State Insurance), Provident Fund and gratuity benefits. With few alternatives, these workers are more vulnerable to predatory money lenders who charge exorbitant interest on loans.

The lack of functional complaint mechanisms is a boon on employers, who have used it to further exploit workers during this time of pandemic and economic crisis, violating labour rights with impunity. Meanwhile, the buyers in western countries remain unaccountable to the terrible plight of workers and are even set to profit further, as various state governments are using COVID-19 as an opportunity to dilute labour laws so as to favour businesses. In some states working hours have been increased, and labour laws have been eliminated or suspended for three years to attract capital, with the pretext of reviving the economy. The lack of transparency in supply chains and poor purchasing practices combined with fewer protections will lead to rapid deterioration of working conditions.
Trade union and civil society responses

While the brands and buyers have cancelled and postponed orders, delayed payments, and manufacturers have laid off and suspended workers en masse, trade unions and civil society organisations have collectively demanded accountability. The members of Garment Labour Union (GLU), a women-led trade union in Bangalore affiliated to the Hind Mazdoor Sabha (HMS) recently met with the leader of the opposition party in the state of Karnataka and demanded that they pressure the current government to take into consideration the problems faced by the 400,000 workers working in the garment factories in the state. The union has submitted a memorandum to both the leader of the opposition as well as the current labour minister. Some key demands were:

1. To enforce the directives of the central and state governments to pay all workers their normal wages for each working day during the lock-out period.
2. That existing workers should not lose out on their jobs in times of the lockdown or thereafter.
3. A special cell should be opened in the labour department to address grievances from workers.
4. The brands who are the principal employers should take responsibility as per due diligence for the industry and ensure that the burden is not borne by the manufacturers alone.
5. In case suppliers are facing any crisis the central and state governments must continue to provide support to them.
6. The state government must resist any moves to increase working hours from the present legal 8 hours.
7. The government should not use the Employee State Insurance and Provident Fund contributions of workers and employers for any purpose other than the social security of workers.
8. The government should ensure that each unemployed person in the state is paid a subsistence allowance of at least INR. 7,500 per month, till such a time that they can be reasonably expected to find gainful employment.
9. Migrant workers from other regions in the country should be protected and provided adequate housing and other facilities to continue to stay in our state and contribute to industrial production and thereby to economic prosperity. In case they want to return to their homes, necessary arrangements should be made for them.
10. The government should extend the Mahatma Gandhi National Rural Employment Scheme (NREGA) to urban areas as well, assuring gainful employment for at least 200 days a year with commensurate wages.

In May, GLU and garment workers protested in front of the Labour Department while maintaining social distancing norms. Their demands to the government was that the garment workers should be provided all facilities of protection at work and that working hours should not be increased. On July 3, central unions Indian National Trade Union Congress (INTUC), The All India Trade Union Congress (AITUC), Hind Mazdoor Sabha (HMS), Centre of Indian Trade Unions (CITU), The All India United Trade Union Centre (AIUTUC), Trade Union Coordination Centre (TUCC), Self-Employed Women’s Association (SEWA), All India Central Council of Trade Unions (AICCTU), Labour Progressive Federation (LPF) and United Trade Union Congress (UTUC) and a large number of federations
and associations participated in a day of non-cooperation in protest of the anti-worker policies of the right-wing Modi Government (IndustriALL, 2020). Their demands included: free rationing of food supplies and Rs.7500 for every working family covering the months of lockdown; an end to the dilution of labour laws, and to the reduction of extraction from the Provident Fund of Employees (a social security fund paid into by workers and bosses); an end to the privatisation, casualisation and price hikes; a minimum wage of increase to Rs.21,000 and free transport for migrant workers.

While these actions attempted to capture the attention of decision makers, worker-leaders together with GLU and civil society organisations Munnade and Cividep, identified some communities that required support and carried out relief measures for not only garment workers but informal workers like domestic workers and street vendors. At the time of writing, 1120 community members were supported through direct cash transfers. Some civil society organisations from India’s northeast region also collaborated to identify migrants from those states who were stuck in Bangalore to receive cash transfers to their accounts. Due to the stringent lockdown measures requiring people to obtain passes from the authorities, homes of garment workers and other low waged workers were identified and kits were delivered to their doors, along with migrant workers who were trapped in their hostels and could not access basic essential commodities. The kits included food rations, soaps, basic medicines and protective gear.

**Conclusion**

The International Labour Organization (ILO) estimates that 25 million jobs could be lost worldwide as a result of the coronavirus pandemic, and warns that certain groups, such as migrant workers and those in less protected low-paid jobs will be disproportionately affected (ILO, 2020). Low-paid garment and textile workers in the labour-intensive production side of the global supply chain have already been directly impacted, and we have yet to see the worst of the suffering. While the industry makes its slow climb to recovery, it is the workers who will bear the true cost.

The fast fashion trend that dominates the industry is shouldered by workers in countries like India with cheap oversupply of labour, in factories where the latest fashion trends are produced under sweatshop conditions. The industry must change. It is the lack of transparency and accountability in the purchasing and production practices in global garment supply chains that have forced workers into this precarious position that has only been intensified by the COVID-19 pandemic. If the same industry practices are allowed to continue, nothing will safeguard the workers from future crises. With no political will coming from above to ensure that workers live a life of dignity, change to the industry will have to come from below.

**Notes**

1. Parvathi Madappa, has been working with Cividep India for over 5 years working with the garment and coffee plantation sectors. Cividep India is a labour rights organisation formed in the year 2000. It attempts to empower workers and communities to ensure that businesses comply with human and labour rights and environmental standards.

2. The living wage set by the Asia Floor Wage Alliance is INR 23000.

**References**

LabourWithoutLiberty.pdf [last accessed on 15th July, 2020]


India’s Tribal Communities Face the COVID-19 Crisis

Bharti Kumari

Introduction
On 24 March 2020, India’s Prime Minister, Narendra Modi, entered the country into a period of lockdown to manage the spread of COVID-19. Since traversing a number of lockdown phases, the country is now in its second phase of ‘unlock’, gradually lifting restrictions as per government guidelines. The initial phases of lockdown have had severe socio-economic impacts nationwide, disproportionately affecting the poor. Among the most affected have been the 104 million marginalised tribal population concentrated in primarily rural areas of ten states in the northeast of India, of which 40.6 per cent lives below the poverty line (BPL), compared to 20.5 per cent of the country’s non-tribal BPL population (Expert Committee on Tribal Health, 2018). These forest dwelling communities have faced a number of challenges, and having been largely ignored by the state, have had to rely mainly on their community members and local civil society organisations.

Cut off from lifelines
The tribal and Other Traditional Forest Dwellers (OTFDs) depend primarily on the more than 200 recognised minor forest produce (MFP), wild honey, and timber to sustain their livelihoods. Due to the restriction of movement imposed by the state preventing collection of vital forest produce and the closure of local markets, tribal communities were severely impacted in terms of food security and livelihood. Because of the lockdown, tribal communities and OTFDs could not collect the forest produce for sale and consumption. Tribal communities derive 20-40 per cent of their annual income from MFP and more than half of annual collection takes place during the April-June period. Around 100 million forest dwellers depend on MFP for food, wood for cooking, lumber for shelter, medicines and cash income (Ministry of Tribal Affairs, 2018). Women are most actively engaged in collection and sale of Non-Timber Forest Produce (NTFP), thus there is a disproportionate impact on women forest dwellers. Missing out on this important season means the entire family will be affected for the coming year.

While the lockdown has hampered the trade of MFP, a number of local governments have since allowed forest collection to resume after pressure and multiple reports from local people, civil society, NGOs, researchers and government officers warned that the goods will be spoilt if not collected on time. However, collection of MFP is not the only problem. The local markets that forest dwellers depend on for the weekly sale of their products have not been functioning as usual. On the one hand, the markets are closed so there are no buyers. On the other, many forest collectors depend on exchange with middlemen traders who have also been immobilised or could easily force down prices due to the desperation of the forest collectors.

The restriction of movement that prevented tribal communities from accessing an important food supply and source of income logically means that they would be dependent on the government for survival. However, according to reports from several states, tribals and forest dwellers severely lack access to rations under the Public Distribution System (PDS). PDS does not adequately cover these areas and is only
provided to the ration card holders. Many tribal people do not have access to the cards. According to local organisations, many tribal communities suffered several days without food. In Darera village in Panna district in Madhya Pradesh, Gond tribals are surviving only on rotis with salt (Yadav, 2020b).

As part of the Atma-Nirbhar Bharat economic recovery scheme, 1.68 crore women Jan-Dhan account holders received Rs 500 from the central government in March and the same amount was transferred to 20 crore women’s Jan Dhan accounts for the following three months (April to June). However, on 9 April 2020, police in Madhya Pradesh arrested 39 women who had reportedly stepped out during curfew hours to withdraw the funds from their accounts. The women were released only after signing bonds worth Rs 10,000 each. As one labour rights activist said, “the beneficiaries of the state and central governments’ various schemes are mostly from the marginalised sections of the society who are in dire need of financial aid. But, if they rush to the bank to withdraw money, they can be booked for violation of lockdown and social distancing. And if they do not, they may die of hunger as they are running out of food and money. In such a situation, the government aid would be of no use” (Kakvi, 2020).

Prior to the crisis, tribal areas already suffered from a severe shortage of basic healthcare facilities and professionals as well as relatively high levels of malnutrition, and prevalence of diseases like malaria, leprosy, tuberculosis and others (Expert Committee on Tribal Health, 2018). Due to this preexisting crisis of the healthcare system, tribal and forest communities are more vulnerable to the coronavirus. Since the lockdown all anganwadi centres that take care of malnourished children have been closed as well as schools. Many children of tribal communities are fully dependent on mid-day meals provided by schools or anganwadi centres. According to local NGOs, tribal children have died due to malnutrition since the start of the pandemic. One victim of this tragedy is two-and-a-half-year-old Sajan Baiga, who lost her young life in a battle against severe acute malnutrition during the pandemic.

Widespread job loss caused a mass exodus of millions of internal migrants from cities to their hometowns or villages. Of these, tens of thousands were tribal people. Most migrant workers are daily wage earners and when the government declared lockdown they all became jobless or without source of any income. By May, when the lockdown was extended again, most of their savings were spent on food, repayment of loans, and rent. With no alternative, migrant men, women and children were forced to return home but with no effective public transportation system under the lockdown, many resorted to hitching rides, cycling or even walking hundreds or thousands of kilometres. According to one report 667 migrant workers died on the street due to hunger, accident, dehydration, tiredness etc. (Mishra, 2020). However, when tribal migrants returned home, they were greeted by another grim reality.

At the same time, the return migration from cities and urban areas raises concern about spreading of the virus in tribal areas. Tribal settlements are remotely located making it particularly difficult for information to reach these areas. Potential spread of the virus through return migration is disastrous when coupled with the lack of information and awareness about the pandemic and required protective measures among the tribal population and forest dwellers. Lacking proper facilities there were no provisions for returnees to self-quarantine and some returnees reportedly even resorted to living in trees for isolation.

According to migrant returnees, the thought of going back to the city brings feelings of pain and trauma. Many
expressed feelings of having built the cities that discarded them, having worked hard only to barely escape starvation. They gave accounts of waiting several hours in a queue for government food programs that provided barely enough to survive. With the lost trust in their government and sense of betrayal by the cities that disowned them, some expressed that they would never return to work in urban areas – better to die in their own villages than the cities that have shunned them.

On 12 May 2020 the PM announced Atma-Nirbhar Bharat (Self-Reliant India), an economic package of Rs. 20 lakh crores that has come under sharp criticism due to its neglect of tribal peoples (Masoud, 2020). Despite this, the government has continued to ignore the plight of tribal communities. In late March, the Ministry of Environment, Forest and Climate Change amended the rules for Environment Impact Assessment (EIA) 2006 exempting several categories of projects from the requirement of environment clearance without considering the short and long term impacts of such decisions on the livelihood security of the forest dwelling communities. For example, new development projects are required to submit impact assessment reports detailing environmental impacts and how the project will benefit local communities. Then a procedure follows which requires a public hearing, and written consent from the Gram Sabha and local communities before the project is approved. The EIA amendment has diluted this provision. Moreover, contractors are pushing for post facto environment clearance for projects that already started defying environmental standards (Aggarwal, 2020). This decision to lift regulations for the ease of doing business will no doubt result in deforestation and displacement of tribal and OTFDs.

**Tribal people’s response**

While the state has proven its blatant disregard for their lives, tribal communities are responding to the myriad issues and livelihood concerns with innovation. Due to unavailability of masks and hand sanitiser, the women from tribal communities started making masks from leaves and cloth and hand sanitiser from Mahua and Neem leaves (Bhadauriya, 2020). After making masks and sanitiser they distributed for free to people who could not afford personal protective equipment. Villagers of tribal areas like Dabhaura, Rewa, Panna of Madhya Pradesh are taking initiative to do coronavirus awareness through songs, jingles and distributing pamphlets with the information about the virus. Tribal communities of Panna started to share their food with their neighbors. Some local women groups who were earning a living making sanitary napkins started to distribute the sanitary napkins to women in nearby villages for free as all shops were closed under the lockdown. Instead of waiting for the government for help they start helping each other.

With the loss of income and depleted savings, tribal communities had no option but to rely on local NGOs to access food and items of daily use. A number of local organisations, non-profits, and charitable organisations emerged distributing free cooked foods, dry rations and sanitary items to the tribal communities to provide relief and help them survive the current crisis. A group of civil society organisations, activists, academics and experts working with tribals and forest dwelling communities submitted a report to several government ministries and raised a number of demands. These include:

- The Central Government and the Ministry of Tribal Affairs to come up with a COVID Response Plan for tribal communities and issue comprehensive guidelines to state governments to address issues and concerns of tribal communities.
- The Central government to ensure pro-
vision of adequate testing and healthcare facilities in tribal areas even by deploying Mobile Health Units and setting up of COVID Care Centres in the tribal locations.

- The central and state governments must have strategies to engage with forest produce traders to ensure purchase of MFPs.

- Effective implementation of Forest Rights Act to ensure land and forest security to the tribal and forest dwelling communities and empower the Gram Sabhas to manage community forest resources. This is important to ensure tenure and economic security, generate employment and build community resilience in the long term.

- The MoEF must withdraw the forest clearance decisions and other guidelines issued during the lockdown period to prevent violations of rights of tribal communities and potential conflicts in tribal areas.

- The huge CAMPA funds (50000 crores) controlled by the forest dept should be released to the tribal communities and Gram Sabhas which they can use for land and forest regeneration and livelihoods activities to meet with the economic crisis arising due to COVID-19 and lockdown measures.

3. The Pradhan Mantri Jan Dhan Yojana is a government scheme to provide easy access to financial services to those who don’t have bank accounts.

4. On 27 March 2020, The Hindu reported that over 30,000 tribal labourers from Jhabua district in Madhya Pradesh have returned from Gujarat, Rajasthan and Maharashtra while another 30,000 from this district were left stranded (Yadav, 2020a). Another report from Down To Earth on 25 March 2020 stated that thousands of migrant workers, mostly tribals, returned to their homes in Banswara, Dungarpur, Udaipur, Sirohi of Rajasthan; Jhabua in Madhya Pradesh and tribal districts of Dahod, Panchmahals, Banaskantha, Sabarkantha in Gujarat (Khanna, 2020). According to one local organisation in Panna, Madhya Pradesh, more than fifty thousand migrant workers from tribal communities returned from different areas of the country.

Notes

1. Bharti Kumari has been associated with Environics Trust since 2016, a Delhi based non-profit research and community development organisation. She is working on issues related to community development like, gender empowerment, labour rights, social protection and health for marginalised communities, livelihood and enterprise development for marginalised communities etc.

2. Ration cards are an official document issued by state governments in India to households that are eligible to purchase subsidised food grain from the Public Distribution System under the National Food Security Act (NFSA). Under the NFSA, all state governments in India have to identify households that are eligible for purchasing subsidised food grain from the Public Distribution System and provide them with ration cards.

References


Kakvi, K. (2020). ‘Madhya Pradesh- Fear of Police stops people from withdrawing money from their Jan Dhan Account’. News Click. Available at: https://www.newsclick.in/MP-Fear-Police-Stops-People-Withdrawing-Money-Jan-Dhan-Accounts


Pandemic Crisis in Nepal and the Plight of Migrant Workers

Padma Prasad Khatiwada

Introduction

The coronavirus (COVID-19) pandemic has affected virtually the entire world and Nepal is no exception. In late March 2020 the government of Nepal imposed a lockdown after the appearance of two incidences of infection. The number of infected has now reached over 16,000 and is increasing by a rate of 400 infections per day. During this three month period of complete lockdown, a precarious economic crisis has severely hampered the country with a 75 per cent fall in remittances, which account for 25 per cent of the total GDP. Around 1.5 million migrant workers are expected to return to Nepal due to job loss in major destinations – India, the Gulf countries and Malaysia – which is over one-fifth of the total migrant workers abroad.

Migrant workers are the most affected section of society as every day they are running with fear from the countries where they are working. Many of them are treated inhumanely and suffer in the destination countries due to forced deportation. Upon arrival in their home country, they are treated as the vectors of disease, and in many places are restricted from entering their home countries, effectively throwing them into a condition of vulnerability and statelessness.

At the same time, within Nepal’s borders many have now lost their jobs and their hopes for new job opportunities are also neglected by the state authorities. Those involved in the informal sectors, particularly women and those from the marginalised communities are severely impacted when they cannot feed their families, pay their rents or survive in the city due to lockdown.

To reduce the impact of the pandemic for Nepalis at home and returning from abroad, it is necessary for both the government and non-government development partners to collaborate in the early recovery efforts by generating information on the impact of COVID-19 and concentrating on the immediate priorities: improving the current living conditions and reintegration of returnees into the local communities by adopting the principle of informed choice of the workers.

Poverty reduction and social impacts of labour migration

Nepal faces a significant poverty challenge. Based on 2017 data, more than 8.1 million Nepali people are living in poverty, and 28.6 per cent of Nepalis face multidimensional poverty, meaning they also lack access to essential services (OXFAM, 2019). According to the Nepal Labour Force Survey (NLFS) 2017/2018, of the 20.7 million people of working age in Nepal, approximately 7.1 million were employed while 908 thousand (11.4 per cent) were unemployed. Among them, unemployed females were higher (13.1 per cent) compared to males. Around 500,000 people enter Nepal’s labour market annually (2.8 per cent) (Central Bureau of Statistics [CBS], 2019). Inequality is exacerbated by growing unemployment and labour migration has become indispensable for poverty reduction.

The 2011 census on population and housing showed that almost 50 per cent of Nepal’s households had a family member who was either working overseas or had returned from working overseas (International Organization on Migration [IOM], 2019). While this labour migration has a significant
positive effect on Nepal’s economy, it also has a series of socio-economic impacts on the welfare of Nepali nationals abroad and their communities.

Exploitation of migrant workers is rife and migrant workers too often find themselves in a situation of irregular migration or trafficking due to unscrupulous agents or brokers, and the lack of proper contract letter indicating assigned terms and conditions, duration of work and facilities. Further, the process for Nepalis to migrate for employment is complex and can be time-consuming, which has also spurred the increase of recruitment agencies. It also means that many migrant workers use irregular channels to access foreign employment and do not obtain a labour permit (IOM, 2019).

Historically, Nepali migrant workers typically migrated to India, however from the mid-1980s, Nepal also started to seek employment in the Gulf states and Malaysia, which resulted in an increase in migrant workers as well as a proliferation of labour recruitment agencies and brokers. As a result of this, migrant workers suffered a lot due to exorbitant fees from brokers. One 2010 study conducted by the Nepal Institute of Development Studies (NIDS) showed an instance of debt-bondage in which youths were lured or forced by brokers to go to third countries, mainly in the Gulf, to earn enough to repay the debts their parents or grandparents were said to have borrowed (NIDS, 2010). The decentralisation of passport issuance in Nepal also facilitated the migration of many unskilled and semi-skilled Nepalis.

During the past two decades, women have increasingly sought work abroad and are gradually becoming recognised as important economic actors in the country. The risk of exploitation and abuse of women migrant workers is high, particularly among young women and in largely unregulated sectors such as domestic work. The government instituted a series of measures seeking to protect women migrants by barring women below a certain age from migration to the Gulf for low skilled work. These measures have had limited success and there is still evidence that many women migrants are in high risk situations.

**Socio-economic impacts of COVID-19**

A recent study by the General Federation of Nepalese Trade Unions (GEFONT) showed that 2.46 per cent of Nepali workers are completely jobless in Malaysia and Gulf countries. Among them are mainly the workers whose contracts have expired, who do not have any documents and have been granted amnesty. The remaining workers are either employed or placed in quarantine camps due to infection. One report by the ILO suggested the Malaysia government to provide migrant workers access to “quarantine facilities that permit social distancing, where such facilities are available for other groups. Such facilities should include safe spaces for women migrant workers, and privacy, hygiene and sanitation provisions” (ILO, 2020 p. 14), indicating the poor quality of quarantine facilities. Among the workers abroad, whose employment contract period still remains, 2.93 per cent have not received their wages, 10.98 per cent of workers received only partial wages and 86.09 per cent received full wages. With this finding, GEFONT concludes that there is no provision of overtime, so it is clear that the income of workers has decreased drastically (GEFONT, 2020).

In South Asia, particularly India, where millions of Nepalis reside for work, there is a mass movement of internal and foreign migrant labourers crossing state borders to reach their villages. According to one news report, “the interstate transit bus terminals (ISBT) across the country are crumbling under the weight of the migrant daily wagers trying to go home. This has
created an unprecedented situation as the coronavirus pandemic is on the move. So many people at one spot, all clustered and crowded in a location is also creating new hotspots for the virus” (Rajawat, 2020). For example, hundreds of migrant labourers gathered at a station in Mumbai in April after hearing that the government was running trains to transport them back to their homes. The crowd had gathered for more than an hour leading to fears of the spread of the virus and was eventually dispersed by the police (The Economic Times, 2020).

While Nepalis abroad are facing severe consequences in the destination countries and at border crossings, the situation at home is equally dire. When the lockdown began, people had to survive on what little money and food they had. But now after more than three months of complete lockdown, they are in a situation of emptying both the stored food grains and money. In many places workers have no savings whatsoever so the economic effects of the crisis were felt immediately. In Nepal, although the government offered some relief packages during the early days of lockdown, they were all in-kind and thus could not meet the needs felt by the workers.

Further, there will be a huge impact on the families and economies that are dependent on remittances. The Secretary General of the UN in his recent address (19 March 2020) highlighted that “remittances are a lifeline in the developing world – especially now”. There is also a need to focus on the gender dimensions as women normally bear the additional burden of unpaid care work, loss of income (since they are disproportionately represented in the informal sector). Further, most likely, women are bypassed by state-provided support. Informal workers are equally fearful of losing their source of livelihood as there will be wide scale job loss in construction, manufacturing, restaurants, travel, tourism, and domestic work (Rajawat, 2020).

**Challenges at the state level**

In response to the crisis, the government has thus far conducted some crucial tasks in relation to the migrant workers abroad. The government stopped issuance of labour permits for individuals seeking foreign employment from 23 February 2020. With this, according to the DOFE, more than 110,000 potential migrant workers were prevented from traveling to the Gulf countries and Malaysia. The government announced its plan and has started the repatriation of migrant workers in need of return. Priority has been given to pregnant women, people who have lost their jobs, those with health issues, those that have lost a family member back home, and those that have overstayed their visas.

However, protecting Nepali citizens abroad and preparing for their return is difficult with insufficient management of migration data and Nepal does not have an effective regular data record keeping system. The DoFE, under the Ministry of Labour Employment and Social Security (MoLESS), is a key source of information on labour migration as it issues and records labour permits to migrants wishing to emigrate for employment. This data has significant limitations. Firstly, it comprises only the number of labour permits issued by the government. However, the terms of the 1950 Friendship Treaty mean that no labour permits are required for Nepalis wishing to migrate to India for employment. Therefore, the large numbers of Nepalis who go to India are not recorded. Secondly, by only indicating the number of permits issued, the figures cannot show whether one individual has received multiple permits or cases where permits may have been issued but not used (IOM, 2019).

Although the Vital Registration Department of Ministry of General Administration and
Federal Affairs has been making an effort to improve the management of migration data, it has not yet been widely instituted. Thus, the number of migrant workers returning to Nepal due to the COVID-19 pandemic is difficult to figure out. An estimate made in November 2019 shows that around 500,000 Nepali migrants are in Malaysia, the most popular labour destination for Nepali workers, followed by Qatar with over 400,000, Saudi Arabia 334,451, the United Arab of Emirates 224,905 and Kuwait 70,000. These five countries alone accommodate over 1.5 million Nepalis. So far, more than 700,000 workers have returned from India and an almost equal number are estimated to return within the next six months. The country is facing additional pressure to bring home at least 70,000 Nepali migrant workers from the Gulf nations (Shrestha and Mandal, 2020). As one news report pointed out, every one of the returning migrant workers is a potential carrier of the virus and could carry it to a distant, remote village where there is no health service (Rajawat, 2020).

Conclusion

What lies ahead is an unprecedented situation the world has never seen. In the context of Nepal, this experience is quite different from previous disasters like the devastating earthquake of 2015 and the crisis that emerged due to the 10 year armed conflict in Nepal. Disaster management scenarios focus on a particular affected geographical area with the rest of the country working towards providing relief and support to it; however, the movement of migrants changes the scenario (Rajawat, 2020). This pandemic is striking every citizen across the country hence the traditional scenarios of disaster management are not applicable. In this case, the unknown scale of the effects makes planning for recovery and reconstruction difficult. This is why there is an urgent need to understand this special situation.

It is necessary to involve the Ministry of Labour Employment and Social Security (MOLESS) in the early recovery work by generating information on the impact of COVID-19 on foreign migrant workers. Compiling data from various media and news outlets and developing a brief questionnaire/survey will be useful to have some analysis and update on the situation of migrant workers and the difficulties they are encountering. Finally, Nepal does not have reliable data sources for workers related to COVID-19. Thus, priority should be given first to collect data and identify the most pertinent issues on the impact of COVID-19 on workers using references from international experiences, emerging best practices, particularly, in the context of returnee migrants’ reintegration and support mechanisms for the early recovery and immediate needs. Such a reflection will be necessary for planning interventions.

In view of the far reaching impact of COVID-19 on the migrant populations all over the world and especially on the poorest of the poor among the Nepali migrants, it is crucial to plan interventions to reduce the impact on workers and their livelihoods. Further, interventions should be categorised and prioritised in terms of immediate, medium and long-term. State authorities, particularly, the MOLESS should concentrate on the immediate priorities such as identifying the returned workers: who, where, in what living condition, whether at home and self-isolated, quarantined, or in other circumstances.

The lockdown has failed to contain the virus in the cities hence it will spread to the villages where there is no testing, no hospitals, and no ventilators. The disaster is now distributed across the country and inter-state/province borders among economically well-off and poor, and in the new hotspots in Kathmandu Valley and other major towns. The movement at the new hotspots must follow a strict protocol
with availability of transportation that is sanitised for an orderly dispersal, provision of food and temporary logistics at the hotspots as well as hospitalisation with sufficient testing facilities (Rajawat, 2020). This disaster could have been averted if the local governments were involved in the planning from the beginning instead of being engaged only after decisions were made centrally. Coordination between and among the national, subnational and local level is essential as one of them alone cannot address this dispersion of the virus. The state authorities must recognise and accept this, and respond immediately.

Equally important is widespread publicity to create awareness, using public address systems and utilising services of volunteers and non-government organisations (NGOs), about the facilities and provisions being offered to workers so that workers can make informed choices. Priority must be given to sharing information on location at the relief camps about the facilities being made available, relief packages under the ward-level and measures being taken by local governments. Quarantine or self-isolation shelters are to be organised, keeping in view various precautions including physical or social distancing, with adequate medical check-up drives to identify and separate cases requiring quarantine or hospitalisation. This will be possible only by implementing various directives issued by the government such as quarantine guidelines and ensuring coordination and cooperation among government agencies, development partners and local NGOs as well as the private sector.

With regard to the Nepali migrant workers still stuck abroad, workers whose contracts have expired, who do not have documents and have been granted amnesty and who are not receiving their wages should be brought back immediately. Necessary arrangements for the protection of all workers suffering from health problems in foreign lands should be organised immediately through the Nepali embassies (GEFONT, 2020). After this, arrangements should be made for workers who want to return. Of late, the government has initiated a process to repatriate the migrants in Gulf countries and Malaysia.

In terms of reintegration for returned migrants, the budget speech for the fiscal year 2020/21 has promised at least 700,000 employment opportunities to absorb the returned migrant workers. However, the modality of employment arrangements and the sectors to be mobilised are yet to be developed. Employment opportunities should be created within Nepal by providing necessary assistance to returnees for employment at the local level or through the Prime Minister’s Employment Program. Another option is the promotion and expansion of agriculture as one alternative for returnee migrants. This could be effective to prevent food shortages but requires preservation of the principle of subsistence agriculture. Diversifying agriculture with food grains, vegetables, medicinal plants, animals and meats, forest products, etc. would help to make agriculture work more distinguished and could importantly help to transform household subsistence into national subsistence. All of these options are possible measures that when combined with the principle of informed choice of the workers could help to improve the current living conditions, and reintegrate returnees into the local communities.

Notes

1. Padma Prasad Khatiwada, PhD is an Associate Professor of Population Studies at Tribhuvan University, Kathmandu; General Secretary for the National Alliance for Human Rights and Social Justice Nepal (Human Rights Alliance); and Core Committee Member of South Asia Alliance for Poverty Eradication (SAAPE)
References


ASIAN LABOUR UPDATE

Special Issue: Pandemic, Crisis, and the Working Class on the Continent of Labour