

## Extract 1.1

### 'Nike in Thailand: Lern's story'

This is Lern's story, based on an interview [by Tim Connor] conducted with her on 30 November 2002. Lern is not her real name. She asked to use a different name so that she wouldn't be victimised for giving this interview. Lern's description of working conditions at her factory fits closely with descriptions that other workers from the factory have given in interviews with staff of the Thai Labour Campaign.

Lern grew up in a rural area in northern Thailand. It was hard to find work there, and the work available was very badly paid, so in 1998 she moved to the city to look for work.

She soon found a job working on the stitching line in a factory owned by the Bed and Bath Prestige Company, which produced clothes for children and adults. During her time working at the factory it produced for many companies, including Reebok, Adidas, Levi's Haddad and a number of US Universities.

Nike was one of the largest customers. The factory was producing for Nike when Lern started there in 1998, and continued to produce for Nike right up until October 2002, when the factory closed. Lern has a card from Nike with a summary of the company's code of conduct on it. Like other workers at the factory she was required to wear this card on a piece of string around her neck whenever she was working.

Working hours at the factory were so long that work completely dominated Lern's life. Her shift started at 8.30am. Theoretically it finished at 5.30pm but most nights she worked overtime until 10pm and three or four days a week she worked until 2am. During the high season, in the lead up to Christmas, she would work past 2am. In really busy periods she would work right through the night.

Lern was supposed to get one day off a week, on Sunday. In reality, this depended entirely on the level of orders. When orders were low she got Sunday off. During busy times she would sometimes work a whole month with no days off. Depending on the level of orders, Lern worked between 70 and 110 hours per week.

Lern and other workers were willing to work this many hours in order to earn enough to save and to be able to send some money home to their families. The legal daily minimum wage in the Bangkok area is 160 Baht (\$US3.70), too low to meet workers' most basic physical needs.

At the Bed and Bath factory, as in many clothing factories in Thailand and other countries, workers were paid according to a target system. On those few occasions when there was no overtime and they only worked from 8.30am to 5.30pm, their income for

the day could be less than 100 Baht (\$US2.30), or could be as high as 200 Baht (\$US4.60), depending on how complicated the garment was to produce. When they worked overtime until 10pm they could earn between 200 and 300 Baht (\$US4.60–\$US6.90) in the day. When they worked overtime until 2am their daily income was between 300 and 700 Baht (\$US6.90–\$US16.20).

Lern had a permanent job at the factory, but the factory also employed contract workers during busy periods. These workers were only paid for 50 hours of overtime per month. They were required to work much longer hours but were not paid for the additional hours. ...

Nike, Levi's, Reebok, Adidas and other companies that placed orders at the factory all have codes of conduct. These codes were put up on the walls of the factory and workers wore a summary of the Nike code around their neck. The only person who ever explained the codes to Lern and the other workers at the factory was their employer. According to Lern he explained to them how to lie to company representatives whenever they visited the factory. Before someone from Nike, Reebok, Adidas, Levi's or another customer visited the factory, workers had to clean all the machines and prepare the factory. All workers were given cloth masks for the day. Mr. Chaiyapat instructed them to only speak positively and to say that they always finished work at 8pm.

When the company representatives arrived they would identify which workers they wanted to speak to. Factory personnel would then take those workers to a room in the factory for the meeting. On the way to the meeting workers would be reminded that they should only say positive things about the factory and warned that they would be punished if the factory received a negative report.

To the best of Lern's knowledge no-one from any of the brand name companies ever tried to meet with workers in a completely confidential setting, away from the factory. No-one ever provided workers at Bed and Bath with education about their union rights, or with an explanation of how companies like Nike had made a commitment to ensure that these rights were respected.

In April 2001 the factory relocated. The new site was close to a factory owned by the Topline Company, which had a union. From that point on Mr. Chaiyapat worked hard to make sure the workers would not form a union. He frequently made speeches to workers over the loudspeaker in which he warned that any worker who tried to form a union should 'say good-bye to your parents'. Workers took this threat seriously. According to Lern, Mr. Chaiyapat was constantly surrounded by six bodyguards and workers regarded him as akin to a mafia leader. They did not doubt that he was capable of arranging violence against them. Security guards would constantly monitor workers during breaks and if five or more workers were talking together the guards would approach them and ask them what they were talking about.

In October, the factory closed and Mr. Chaiyapat disappeared, owing workers back pay and severance pay. Lern and 350 other workers have been camped at the offices of the Ministry of Labour for the last month, demanding that the Thai government and Nike, Adidas, Levi's and the other brands give workers the money they are owed.

(In conducting the interview for this case study [Tim Connor] was assisted by Pramjai Jaikla, a staff member of the Thai Labour Campaign, who acted as interpreter.)

(Connor, 2002a, pp.1-2)