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Assessment of the realization of the fundamental right to a safe and healthy working environment in the tea sector in Sri Lanka

Analytical summary



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Printed in Sri Lanka

► Preface

The plantation sector plays an important role in the Sri Lankan economy and in driving socio-economic growth in the country. The country is a major exporter of plantation crops such as tea, coconut and rubber, and the sector is the country's single biggest employer, despite a decline in numbers of workers in recent years.

Despite the importance of plantations, and their potential role in economic growth and the creation of decent jobs, the sector faces challenges such as poor safety and health at work and working conditions, lack of information and awareness on fundamental rights issues, low levels of productivity and skills, and inadequate access to public services, amongst other issues. Workers in plantations face greater risks of occupational injuries and diseases than other workers, including in relation to unguarded machinery, exposure to dust in factories, and exposure to fertilizers, pesticides, and other agrochemicals. Accidents can occur due to work on difficult and uneven terrains, often under challenging weather conditions. Additionally, workers suffer injuries from insect, snake and leech bites and cuts from tools.

In response to these challenges, the ILO implemented the Safety + Health for all plantation workers in South Asia: Sri Lanka component project, under the ILO's global Safety + Health for All flagship programme, funded by the Government of Japan. The Sri Lanka component was linked to the wider project, which simultaneously addressed the conditions of workers in plantations in India and Nepal¹. In order to help create a safe and healthy working environment in the sector, the project focuses on three core objectives:

- i. generate and share knowledge on constraints and opportunities to improve the safety and health of workers and prevent discrimination in the plantation sector in South Asia;
- ii. strengthen national and local institutions to better promote and protect the safety and health of plantation workers in India, Nepal and Sri Lanka; and
- iii. develop or strengthen workplace and industry level practices and initiatives to promote the safety and health of workers, in the plantation sector in India, Nepal and Sri Lanka.

In response to the first of these objectives, the project worked in collaboration with a research team of the National Institute of Occupational Safety and Health (NIOSH) to develop a diagnostic assessment of the realization of the fundamental right to a safe and healthy working environment. Recognizing that Fundamental Principles and Rights at Work are interrelated, inseparable and mutually reinforcing, the research also collected data on the realization of freedom of association, the effective recognition of the right to collective bargaining, and the elimination of discrimination in respect of employment and occupation.

The objective of the assessments was to build a solid knowledge base and develop effective strategies to improve the effective realization of the right to a safe and healthy working environment in the sector. The objectives and methodologies of the tea sector assessment, which used a combination of in-depth interviews (IDI), Key Informant Interviews (KII), Focused Group Discussions (FGD) and observations, as per the ILO research manual Assessment of the implementation of fundamental principles and rights at work in the workplace (ILO, 2023), are detailed in the analytical summary below.²

The purpose of this analytical summary is to frame and contextualize the findings of the diagnostic report on the right to a safe and healthy working environment, alongside its relationship with collective bargaining and discrimination, in the tea sector in Sri Lanka and

¹ See ILO, [Safety + health for all plantation workers in South Asia: project details](#), 2021.

² ILO, [Research Manual - Assessment of the implementation of fundamental principles and rights at work in the workplace](#), 2023.

Assessment of the realization of the fundamental right to a safe and healthy working environment in the tea sector in Sri Lanka

to formulate actionable recommendations based on these findings. It is paired with two separate reports that provide analytical summaries of the situations relating to safety and health in the coconut and rubber sectors. The findings of the report and the recommendations drawn for the tea sector will be shared with national stakeholders.

As of 2024, Sri Lanka has been working towards the development and adoption of new labour legislation, including a specific chapter on occupational safety and health, that would hopefully close gaps regarding applicable legislation in the country. It is hoped that the findings of this report will help inform these developments, while providing practical guidance to the government, employers and workers on measures to improve working conditions and advance decent work in the tea sector.

Joni Simpson,
Director,
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► List of abbreviations

ACEWU	All Ceylon Estate Workers' Union
CWC	Ceylon Workers' Congress
CWRFU	Ceylon Workers' Red Flag Union
DWC	Democratic Workers' Congress
DWCP	Decent Work Country Programme
EFC	Employers' Federation of Ceylon
EPF	Employees' Provident Fund
ETF	Employees' Trust Fund
FGD	Focus Group Discussion
FPRW	Fundamental principles and rights at work
IDI	In Depth Interview
ILO	International Labour Organization
KII	Key Informant Interview
LJEWU	Lanka Jathika Estate Workers Union (LJEWU)
NIOSH	National Institute of Occupational Safety and Health
NIPM	National Institute of Plantation Management
OSH	Occupational safety and health
PHDT	Plantation Human Development Trust
PPE	Personal protective equipment
UCPF	Up-Country People's Front
UWF	The Upcountry Workers' Front

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1. Background and context

1.1. The tea sector in Sri Lanka

Tea cultivation is a sector of key strategic importance for Sri Lanka. The country is the world's fourth largest producer of tea and the third largest exporter, with a global reputation for producing high quality tea.³ The tea sector began in Sri Lanka in the 1860s, with a single plantation, and rapidly grew into a cornerstone of the country's economy, holding economic, social and cultural significance.⁴

Sri Lanka is renowned for 'Ceylon' tea, after the formal colonial name for Sri Lanka. The tea has become famous throughout the world for its quality, taste and aroma. Tea is grown in different regions, both up country and low country, which differ in geography, culture, and in terms of the characteristics of the tea. Upcountry plantations largely rely on Tamil-speaking workers, many of whom have South Indian ancestry. Meanwhile, low-country plantation workers are primarily Sinhalese, plantations have more workers who live on the plantations but seek external employment in other economic sectors and have a much larger share of smallholder farms as opposed to large plantations.

The tea sector plays a critical role in Sri Lanka's economy. Tea production accounts for around two per cent of the GDP of Sri Lanka and is the country's primary export, representing 10 per cent of all exports and significantly contributing to foreign exchange reserves. The sector employs over 2.5 million workers, with smallholder farmers cultivating about 60 per cent of the land used for tea cultivation and accounting for more than 70 per cent of total production. The 25 enterprises that make up Sri Lanka's Regional Plantation⁵ Companies (RPC) employ around 115,000 workers in large estates, while over one million people live on these plantations (including families, dependents and people who work in other industries)⁶. Nevertheless, in recent years, the number of workers employed in tea estates is declining, with nearly 50,000 workers leaving the industry in the past five years. This number is expected to continue to fall in the coming years, with the sector increasingly struggling to attract young workers, who increasingly prefer to pursue higher education or other careers in industrial zones with better perceived working conditions. While large plantations are formal enterprises, smallholder farms operate informally, with landowners often depending on family or casual labour, without formal working arrangements and often without formal safety measures.⁷

Workers in estates face significant hazards and risks of occupational injuries and diseases. Common hazards and risks include unguarded machinery, exposure to dust in factories, and exposure to fertilizers, pesticides, and other agrochemicals. Accidents occur due to working on difficult, uneven terrains, particularly under wet and challenging weather conditions. Many workers suffer injuries from insects, including wasp and leech bites, as well as cuts from tools. Furthermore, climate change is increasingly affecting work and working conditions in plantations, with workers increasingly exposed to extreme weather conditions, including extremely hot temperatures. To date, relatively little data has been recorded regarding work-related diseases in the sector, but workers have reported issues such as back pain, joint pain, respiratory issues, and chronic coughs. Regarding public health, malnutrition and anaemia are of key national concern, particularly following the recent economic and

³ Tea Exporters Association Sri Lanka, [Ceylon tea](#), no date, accessed 09 September 2024.

⁴ Tea Exporters Association Sri Lanka, [Ceylon tea history](#) no date, accessed 09 September 2024.

⁵ ILO, [Future of work for tea smallholders in Sri Lanka](#), 2018.

⁶ Number provided by PHDT to ILO in September 2024.

⁷ ETP, [Sri Lanka](#), no date, accessed 09 September 2024.

political crises. Meanwhile alcohol consumption, smoking and the chewing of betel are still commonplace and associated with serious health concerns including cancers. Occupational safety and health (OSH) issues are exacerbated in smallholder farms, where OSH standards tend to be particularly poor, and the monitoring and recording of work-related accidents and diseases is very low. Labour inspection visits on OSH are rarely conducted, particularly in the smallholder subsector, unless complaints are lodged with the Labour Office. Limited knowledge and understanding of OSH in the tea sector among labour officers creates additional challenges in monitoring working conditions.

An ILO study focusing on smallholders further identified other fundamental principles and rights at work (FPRW) issues such as discrimination in the tea sector. Notably, the majority of the sector's smallholder landowners are men, and many of the sector's women workers are unpaid family members, leading to challenging gender dynamics. The tea sector also merits particular attention regarding discrimination due to the high percentage of Tamil workers working in the sector, who represent a minority ethnicity population, alongside the majority Sinhalese. Tamil immigration in tea cultivation has roots in the debt bondage of Tamil migrants from South India to work in the sector under the British Empire in the 19th Century.⁸ It has been reported that Tamil workers remain disproportionately affected by marginalization and discrimination in Sri Lanka, and face especially poor working and living conditions.⁹

The existing research has indicated the persistence of decent work deficits in terms of occupational safety and health in the tea sector, as well as interrelated deficits that relate to freedom of association and collective bargaining and discrimination. Nevertheless, further work is needed to address these issues and develop recommendations to improve working conditions in the sector. Therefore, an assessment of the realization of OSH and connected FRPW issues in the tea sector in Sri Lanka can help to better understand the challenges and formulate targeted policies to promote decent work for all in the sector. It can also help to promote sustainable sectoral growth in Sri Lanka, as the country looks to recover from its recent economic and political crises.

1.2. Fundamental principles and rights at work in Sri Lanka

Sri Lanka, like all ILO Member States, is obligated to promote and realize the principles concerning FPRW. As of a decision at the 110th Session of the International Labour Conference in June 2022, the ILO Declaration on Fundamental Principles and Rights at Work includes the right to a safe and healthy working environment.

ILO Member States are obligated and committed to:

- ▶ freedom of association and the effective recognition of the right to collective bargaining;
- ▶ the elimination of all forms of forced or compulsory labour;
- ▶ the effective abolition of child labour;
- ▶ the elimination of discrimination in respect of employment and occupation; and
- ▶ a safe and healthy working environment.

⁸ D.W. Ananda Wickramasinghe and D.C. Cameron, '[British capital, Ceylonese land, Indian labour: The imperialism and colonialism of evolution of tea plantations in Sri Lanka](#)', University of Sri Jayewardenepura, 2004.

⁹ OHCHR, [Sri Lanka: UN expert calls for 'inclusive society' to end scourge of slavery](#), 2021.

To date, Sri Lanka has ratified 43 ILO Conventions, including eight of the ILO fundamental conventions, demonstrating a commitment to these principles in national law and practice. These include: the Forced Labour Convention, 1930 (No. 29); the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Equal Remuneration Convention, 1951 (No. 100); the Abolition of Forced Labour Convention, 1957 (No. 105); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Minimum Age Convention, 1973 (No. 138); and the Worst Forms of Child Labour Convention, 1999 (No. 182). Notably in the context of this report, Sri Lanka has not ratified the Occupational Safety and Health Convention, 1981 (No. 155) nor the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). Nevertheless, all ILO Member States have the obligation to respect, promote and realize all FPRW, including on safety and health at work.

The two most recent reviews of the ILO Decent Work Country Programme (DWCP) for Sri Lanka highlight persistent issues with OSH and other FPRW in Sri Lanka. The review of the 2013 to 2017 DWCP assessed that substantial progress had been made in the area of child labour, rural economic development, ratification of international labour standards and building capacity of the Employers' Federation of Ceylon and workers' organisations. Some of the major milestones included the launch of the National Occupational Safety and Health Policy, Child Labour policy and Policy on Zero Tolerance for Hazardous forms of Child Labour. At the same time, the internal review revealed that greater consolidated effort was needed in other areas of work, such as mainstreaming gender, labour market governance, social dialogue and social protection. The 2017 to 2022 DWCP review highlighted that only around 30 per cent of the workforce in Sri Lanka is covered by OSH legislation. At the same time, a lack of freedom of association and right to organise, discrimination in the workplace, a lack of sufficient protection against forced labour and worst forms of child labour, a lack of a legal framework to cover workers engaged in contract labour, and a need for bipartite and tripartite social dialogue and evidence based wage setting mechanisms were among the key issues that had been highlighted by constituents and by ILO supervisory bodies.¹⁰

1.3. Relevant labour laws and policies relating to working conditions and safety and health at work

Labour law in Sri Lanka is undergoing a period of significant transformation. As of 2024, Sri Lanka is currently considering revising, updating and modernizing its labour laws, in a process that has been disrupted by political crisis. One proposal has been for a unified Employment Act, that would bring together the provisions contained in several different pieces of national legislation and revise them in light of the specific challenges the country faces as it emerges from a period affected by economic and political crises, as well as the impacts of the COVID-19 pandemic.

While awaiting these potential revisions, existing labour laws remain in place, though are relatively weak and inadequately enforced. Current labour law provides for the following:

¹⁰ ILO, [Decent work country programme: Sri Lanka 2018-2022](#), 2018.

- ▶ **A minimum wage** of Rs. 17,500, since March 2024;¹¹
- ▶ **Working hours** of a maximum of eight hours daily and 45 hours per working week;
- ▶ **Hours of rest** including one hour per working day of eight hours or more, and one and a half working days per week;
- ▶ **Overtime payment:** if a worker works beyond their contracted working hours, they are entitled to overtime pay at the rate of one and a half times their regular pay, up to a maximum of 12 working hours;
- ▶ **Leave:** including annual leave of 14 days of annual leave after one year of service, and seven days of casual leave per year, as well as public holidays
- ▶ **Maternity leave:** including for 12 weeks (84 days) of fully paid maternity leave;
- ▶ **A minimum retirement age:** of 60 years old.¹²

Regarding safety and health at work, in 2014, the Government of Sri Lanka adopted a national OSH policy, which applies to all economic sectors and all forms of work.¹³ The national policy provisions provide strategic orientations to:

- ▶ **Review the legislative, institutional and regulatory framework:** including the main legislative instrument on OSH, the Factory Ordinance, No 45 of 1942, covering mainly factories;
- ▶ **Provide compensation** for workers in case of work-related injury or disease;
- ▶ **Deliver education** training and awareness to employers, workers and other stakeholders;
- ▶ **Support the Small and medium-sized enterprises (SMEs) and informal sectors;**
- ▶ **Provide financial support and investment** for OSH programmes and management;
- ▶ **Develop systems for recording,** analysing, storing, disseminating and utilizing accurate and reliable OSH data;
- ▶ **Address gender biases** regarding OSH in the world of work;
- ▶ **Promote an OSH culture** and work-related safety and health;
- ▶ **Promote an integrated OSH system.**

The existing OSH policy makes specific reference to the agriculture sector, highlighting the challenges of the high incidence of informal work in the sector, low productivity, and OSH challenges such as poor working and living conditions, high incidence of occupational accidents, fatalities and diseases, exposure to agrochemicals, a lack of occupational health services, underreporting of injuries and diseases, and a lack of OSH knowledge among employers, workers and other stakeholders.

As of 2024, the Government has drafted a new national OSH policy, together with a National OSH Programme for the period 2024 to 2028. These policy documents still needed endorsement by the newly elected Government at the time of drafting this report, but they aim to strengthen OSH regulations and address issues that have persisted since the adoption of the 2014 policy.

¹¹ NewsFirst, [Sri Lanka Increases National Minimum Wage, in NewsFirst](#), 26 March 2024.

¹² Bipo Times, [Sri Lanka labour law and employment regulations](#), 2022.

¹³ See Ministry of Labour and Labour Relations of Sri Lanka, [The national occupational safety and health policy](#), 2014.

ILO work with tripartite constituents in Sri Lanka has also stressed the need to modernize and strengthen the country's labour inspection system. Labour inspection has a key role to play in ensuring that the country's labour laws, including the protection of workers' safety and health, are enforced.¹⁴ OSH inspections are carried out by special cadre of District Factory Inspecting Engineers, who are limited in number. Labour officers do not carry out OSH inspections, however, the number of labour inspectors and their outreach is much greater than that of factory inspecting engineers. While OSH enforcement remains assigned to factory inspecting engineers, labour inspectors, if adequately trained in OSH, can also provide OSH advice to workplaces and escalate OSH matters to the factory inspecting engineers. As discussions continue on amending labour laws in Sri Lanka, improving the capacity of labour inspectors could provide an opportunity to improve the realization of the right to a safe and healthy working environment and other FPRW in the tea sector.

¹⁴ T See: ILO, Labour inspection needs assessment: Sri Lanka: Joint Workshop, 2023.



2. Objectives

The objective of the study was to assess the realization of the right to a safe and healthy working environment in the tea sector in Sri Lanka. It also looked at interlinkages with the elimination of discrimination in respect of employment and occupation; and freedom of association the effective recognition of the right to collective bargaining. Assessment of FPRW for the elimination of child labour and abolition of forced labour were considered outside of the coverage of the assessment, as they require specific focus and expertise that extend beyond the scope of this study.

The assessment reviewed the legal framework applicable in the sector and conducted direct observations, interviews and group discussions in tea plantations, in order to identify strengths, weaknesses, and gaps in the application of OSH and its interlinkages with the other FPRW. Regarding types of plantations, the assessment examined the situation in both large plantations and smallholders separately, with both types of enterprise varying significantly, as large plantations typically have more formalized operations, while smallholders tend to be family run and informal.

This analytical summary reviews and analyses the findings of the assessment of the tea sector, to bring to light the key observations that the report has made on the application of OSH and interrelated FPRW and provide actionable recommendations to constituents to promote a safe and healthy working environment in the sector.



3. Methodology

3.1. Design of tools and data collection methods

The methodology for the diagnostic assessment of OSH and interrelated FPRW in the tea sector in Sri Lanka was based upon the guidance included in a draft of the ILO Research Manual Assessment of the implementation of fundamental principles and rights at work in the workplace. The Research Manual contains practicable steps on assessing FPRW situations at the workplace, identifying and analysing constraints in their application, establishing the concerns and needs of tripartite constituents and other stakeholders in the sector, and identifying opportunities and approaches to improve their realization. It also contains primary research tools, including tools and handbooks for delivering questionnaires, focus group discussions and semi-structured interviews.¹⁵

The assessment on the realization of OSH and interrelated FRPW standards in Sri Lanka's tea sector utilized a mixed-method approach, focusing on both quantitative and qualitative data collection. The study consisted of two components:

- i. A descriptive cross-sectional survey that assessed the OSH standards in tea fields and factories. Data was collected using a structured, interviewer-administered questionnaire, or in-depth interviews (IDIs).
- ii. Focus group discussions (FGDs) were conducted with employers and workers separately to gather qualitative data. Stakeholder or key informant interviews (KIIs) were held with relevant OSH authorities and tea sector representatives. In addition, NIOSH experts conducted field observations to document OSH issues.

The data collection methods included:

- ▶ desk study;
- ▶ in-depth interviews (IDIs);
- ▶ key informant interviews (KIIs);
- ▶ focused group discussions (FGDs); and
- ▶ observations.

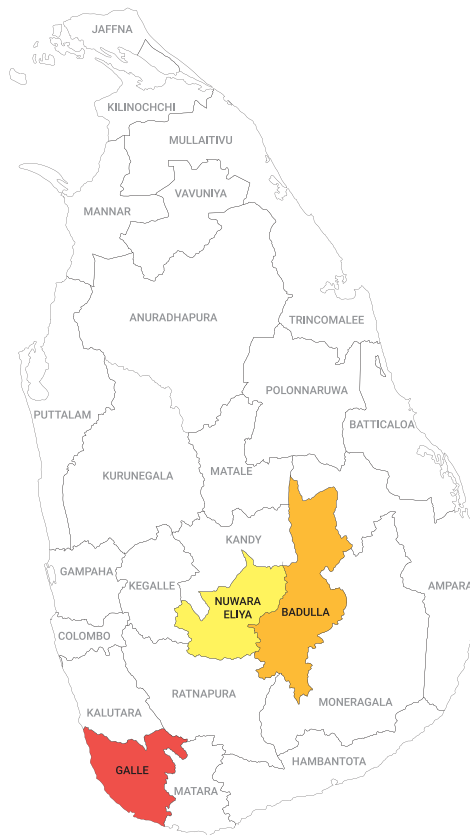
3.2. Assessment process

Of the tea producing districts in Sri Lanka, the study identified Galle, Nuwara Eliya, and Badulla for assessment. These three districts were selected based on the high number of plantations in these areas. Both large plantations and smallholder farms were selected to represent the two main types of tea plantations operating in Sri Lanka.

Initially, a total of 360 plantations were identified included 90 from Badulla, 120 from Galle and 150 from Nuwara Eliya. From these, a smaller sample consisting of 60 plantations was selected, owing to resource constraints. The final sampling was proportional to the respective population sizes, with:

¹⁵ ILO, [Research Manual - Assessment of the implementation of fundamental principles and rights at work in the workplace](#), 2023.

► **Figure 1:** Districts where the assessment was rolled out



- 25 plantations from **Nuwara Eliya**;
- 20 from **Galle**; and
- 15 from **Badulla**.

Ten of the selected plantations were smallholders, with the rest being large plantations.

From each plantation, 20 workers and two managers were selected for the survey, with interviews being conducted in a time-sensitive manner due to the challenges posed to employers and workers by the COVID-19 pandemic (including working time, social distancing etc.).

The survey questionnaire was originally drafted in English, before being translated into Sinhala and Tamil using a forward-backward translation methodology. This was done with care to ensure the cultural relevance and accuracy of the translations. Pre-testing of the translated questionnaire was conducted in a factory in Galle to assess the clarity, relevance, and simplicity of the questions. Finally, feedback from workers and management was used to refine the questionnaire, ensuring its appropriateness for the target populations of the study.

Several steps were taken to ensure the validity and reliability of the study tools:

- **Content and consensual validity:** A Delphi process was employed with a panel of experts from fields such as occupational medicine, community medicine, and plantation management. The experts rated the questionnaire for appropriateness and cultural acceptability, and revisions were made based on their feedback.

- ▶ **Test-retest reliability:** The questionnaire was re-administered to a small sample of workers after two weeks, and the results of the test and retest showed a good level of agreement, with a correlation coefficient (Spearman's) of greater than 0.70 ($r \geq 0.70$).

The study investigation team was primarily selected based on their experience and qualifications in OSH, selected from experts who had been working with NIOSH or supporting NIOSH projects. The team received training on how to administer the questionnaire, including on how to explain technical terms in simple language, on avoiding interviewer bias, on how to correctly ask sensitive questions and on the collection accurate data without influencing the respondents. A principal investigator ensured the quality of the data by checking questionnaires daily for completeness and clarity.

A pilot study was conducted in December 2020 in Galle district to test the data collection tools and refine the methodology. The pilot helped identify logistical challenges and prompted modifications to certain questions to promote better understanding by interview respondents.

The data collection process involved several key steps:

- ▶ **Quantitative Data Collection:** In each plantation, the selected workers and managers were interviewed using the modified questionnaire. Each interview took approximately 20 minutes.
- ▶ **Qualitative Data Collection (FGDs):** Focus group discussions were held separately for employers and workers to collect qualitative data on OSH issues, as well as their interrelations with other FPRW issues. These discussions provided deeper insights into the perceptions and challenges faced by different stakeholders in the tea sector. The FGDs were structured using ILO guidelines, and the questions were designed to encourage open-ended responses, avoiding 'yes or no' answers. FGDs were arranged separately with tea plantation and factory management representatives, tea small holders' management representatives, and workers in large plantations and smallholder farms. Smallholder factories and bought tea leaf factories were not surveyed, as they were not functioning during the survey period due to the COVID-19 pandemic and ongoing crises.
- ▶ **Stakeholder Interviews:** Interviews were conducted with key stakeholders such as members of the Employers' Federation of Ceylon, tea planters' associations, and trade unions. Their experiences and perspectives on OSH were incorporated into the study.
- ▶ **NIOSH Observations:** The NIOSH team conducted site visits to the selected plantations and factories to document OSH practices and identify gaps. Their observations provided technical evidence on safety issues in the tea sector.

The study followed ethical protocols to ensure the privacy and confidentiality of the participants. Informed consent was obtained from all participants, and they were informed about their right to withdraw from the study at any time. In addition, any OSH-related concerns raised by the participants during the study were addressed immediately where possible and appropriate. For instance, minor health issues such as back pain were treated on-site with painkillers.

3.3. Limitations of the study

Despite the thorough process and testing that follows the methodology of the ILO Research Manual, there are several limitations that could affect the reliability and/or applicability of the findings.

Firstly, it is noted that the questionnaire was lengthy, with some questions identified by the survey team as not being well suited to the Sri Lankan context. For this reason, subjective issues about pain, injuries, substance use, domestic violence, or other issues may have been met with responses that workers felt to be what was 'correct' or to be expected of them rather than an accurate portrayal of the situation.

Secondly, the ILO had not previously worked with the employers and workers represented in the study, meaning that respondents may not have fully grasped often complex concepts such as 'safety and health at work', 'fundamental principles and rights at work', 'freedom of association', and other related terms, in order to effectively engage with the process. Definition and perception of these concepts also differed in Sri Lanka, meaning that employers or workers appeared more likely to downplay the severity of injuries.

Thirdly, there were some issues in recording data from smallholder farmers. Smallholders generally did not understand the concept nor importance of OSH management, nor did they perceive participating in the research to be a worthwhile way to spend their time. Given their struggle with low wages, smallholders saw OSH as an additional expense and perceived the research survey to be a time burden.

Furthermore, the ILO methodology is designed to survey 'employers' and 'workers'. However, in the smallholder farms in the tea sector, the lines between these two groups are often blurred. Only one of the ten tea smallholders surveyed was identified as an employer of workers, which made it impossible for the research team to fulfil the relevant parts of the questionnaire. 'Workers', in the sense of being employees, were also rare, with the workforces typically consisting of family labour. The study therefore relied on focus group discussions to gather data from tea smallholders, meaning that data for these plantations is not always comparable with that collected from large plantations.

Finally, there is the possibility for recall, information and self-reporting biases. Since the study asked about prior events, many respondents had difficulty recalling specific incidents relating to safety and health. At the same time, information bias could result from a reluctance to share information over certain issues. For instance, questions about domestic violence and alcohol consumption were not well received by respondents, who were often hesitant to disclose what they saw as private information relating to family life. Self-reporting of data can therefore influence data reliability, particularly where questions regard sensitive subject matters such as working conditions, wages, occupational accidents and work-related diseases, discrimination and unionization.

These limitations do not negate the findings of the study but mean that they should be interpreted with caution and awareness of potential biases. The gaps and limitations of the study can also provide the basis for further research which supplements the findings and addresses some of its limitations to further develop a knowledge base for the tea sector in Sri Lanka.

4.

Overview of the tea sector and its stakeholders

4.1. Tea production in Sri Lanka

Sri Lanka is one of the largest producers of tea in the world. Since its introduction to Sri Lanka in 1867, Ceylon tea production has grown become the principal agricultural export of Sri Lanka. Four per cent of the country's entire land is dedicated to tea plantations, which amounts to nearly 203,000 hectares and produces around 340,000 metric tonnes of tea per annum.¹⁶ Production in Sri Lanka is declining, and productivity is low compared to many competing countries. However, Ceylon tea remains Sri Lanka's primary export, and one of the most important contributors to the country's foreign exchange reserves and balance of payments. It is therefore a sector of strategic importance for the country and where improved performance could significantly benefit the economy and help generate decent jobs.¹⁷

Tea growing areas in Sri Lanka are primarily concentrated in the central highland and southern inland regions. The main tea-growing regions of Sri Lanka are Dimbula, Kandy, Nuwara Eliya, Ruhuna, Sabaragamuwa, Uda Pussellawa and Uva. Ceylon teas are broadly grouped according to the elevations at which they are cultivated: high grown tea, produced in tea estates at over 1200 metres above sea level; medium grown tea, between 600 to 1200 metres; and low grown tea, from up to 600 metres. Due to differences in elevation, climate and terrain, each area produces tea with distinct qualities and flavours.¹⁸

As opposed to the crush, tear, and curl (CTC) method applied in many producing countries, the majority (93 per cent) of Ceylon tea is produced using orthodox and artisanal methods. Its distinct flavour is derived from it being exclusively handpicked, primarily through the two leaves and a bud method (where the bud and the next two leaves of the plant are removed) and there is a long history and expertise of producing tea, dating back over 200 years.¹⁹

More than 2.5 million people are employed in the tea sector in Sri Lanka, and the production process involves more than 500,000 smallholder farmers. These smallholder farmers are responsible for producing over 70 per cent of all tea in Sri Lanka and tend to be family run enterprises, with few externally employed workers.²⁰

4.1.1. Tea production and associated OSH hazards and risks

Production of tea in Sri Lanka involves a number of distinct stages and processes. These are each associated with specific OSH hazards and risks (see Table 1). These production stages are:

- i. **Land preparation and planting:** tea production begins with the preparation of land for cultivating new bushes and transplanting seedlings. This is a crucial step to ensure that the tea plants have optimal growing environments. In carrying out these tasks, workers face risks of cuts and abrasions from tools, musculoskeletal injuries from heavy lifting, and slips or falls on uneven terrain.

¹⁶ Sri Lanka Export Development Board, [Ceylon tea industry capability](#), no date, accessed 10 September 2024.

¹⁷ ETP, [Sri Lanka](#), no date, accessed 09 September 2024.

¹⁸ Ibid.

¹⁹ Olinda, [The two leaves and a bud, the Olinda story](#), no date, accessed 10 September 2024.

²⁰ ETP, [Sri Lanka](#), no date, accessed 09 September 2024.

- ii. Maintenance of tea bushes:** after planting, workers apply mulch around tea bushes in order to conserve soil moisture, regularly applying fertilizer to the crops. Manual weeding is also carried out, sometimes supplemented by chemical herbicides (although chemical use had been affected by national policies during the time of the study). In this stage, workers can be exposed to agrochemicals, potentially leading to issues such as respiratory problems or skin irritation. Additionally, musculoskeletal injuries can occur from repetitive movements, and cuts are common during pruning.
- iii. Tea plucking:** plucking is one of the most labour-intensive tasks in tea production. Workers, primarily women in Sri Lanka, pluck leaves by hand and place them in baskets carried on their backs. Tea plucking occurs year-round but is most intense during the rainy seasons. The repetitive nature of tea plucking can cause repetitive strain injuries, while carrying heavy baskets over long distances increases the risk of musculoskeletal issues. Workers are also vulnerable to slips, falls, and environmental hazards like bee stings, especially in hilly or slippery areas.
- iv. Transportation to factories:** after the leaves are plucked; they are transported to factories for processing. This involves carrying heavy loads of tea leaves to collection points, where they are weighed and recorded. The main risks involved are physical strain from carrying heavy loads and the possibility of falls or trips on uneven or steep terrain.
- v. Processing:** in factories, the tea leaves undergo various processes, including weathering, rolling, fermentation, drying, and packing. Factory workers, mainly men, are involved in handling heavy machinery, tea leaf processing, and quality control. Workers face risks from loud noise levels, dust exposure, and machinery-related injuries. Burns from the drying process, electrical hazards, and fire risks from old or poorly maintained equipment are also common.
- vi. Pruning and maintenance:** at certain intervals, tea bushes are pruned to ensure continued and healthy growth, while workers manage other maintenance activities such as clearing and cutting grass in the fields. Pruning and clearing expose workers to sharp tools, leading to injuries such as cuts, while workers may also suffer strain injuries from heavy manual labour and stings from bees or bites from snakes.

► Table 1: Hazards and risks associated with Ceylon tea production

Process	Tasks involved	Potential OSH hazards and risks
1. Land preparation and planting	► Preparing land for new bushes ► Transplanting seedlings	► Cuts and abrasions from tools ► Musculoskeletal injuries from heavy lifting and repetitive movements ► Falls, trips, and slips on uneven terrain
2. Maintenance of tea bushes	► Manual weeding ► Fertilizer application ► Pruning	► Exposure to chemical herbicides/fertilizers (skin/respiratory issues) ► Musculoskeletal injuries from bending and repetitive movements ► Cuts from sharp pruning tools
3. Tea plucking	► Hand-plucking tea leaves ► Carrying heavy baskets on the back	► Repetitive strain injuries ► Cuts from sharp tea leaves ► Musculoskeletal injuries from carrying heavy loads ► Slips, trips, and falls on hilly terrain ► Bee/wasp stings and exposure to harsh weather
4. Transportation to Factories	► Carrying baskets of tea leaves to collection points or vehicles	► Strain from carrying heavy loads ► Slips, trips, and falls on uneven or steep terrain
5. Processing in Factories	► Weathering, rolling, fermenting, and drying tea ► Operating heavy machinery ► Packing tea	► Hearing loss due to high noise levels ► Respiratory issues from dust exposure ► Hand and finger injuries from machinery ► Burns from boiler rooms ► Electrical hazards and fire risks from old machinery
6. Pruning and Maintenance	► Pruning tea bushes ► Cutting grass ► Clearing overgrown areas	► Cuts from pruning tools ► Strains from heavy manual labour ► Exposure to wasp and bee stings ► Snake bites in dense areas
Additional environmental risks	These are common to tea production and environments	► Bee/wasp stings ► Snake bites ► Leopard attacks (rare) ► Joint and back pain from repetitive tasks ► Alcohol use, which exacerbates health risks

► **Figure 2:** a tea worker with her collection bag



► **Figure 3:** A tea processing factory



4.2. Tripartite constituents and stakeholders in the sector

The Sri Lankan tea sector involves various key actors including government bodies, employers' associations, trade unions, and stakeholders such as development organizations and certification agencies.

4.2.1. Government

Government bodies involved in the tea sector include:

- ▶ **Ministry of Labour and Department of Labour:** the key regulatory body responsible for labour policies and the enforcement of OSH standards across industries, including the tea sector. It is responsible for ensuring that workplace safety regulations are followed and contribute to the formulation of policies related to workers' rights and safety.
- ▶ **National Institute of Occupational Safety and Health (NIOSH):** NIOSH is a statutory board under the Ministry of Labour and plays a crucial role in promoting OSH awareness and capacity building. It provides training, conducts risk assessments, and helps in policy formulation for OSH improvements in the tea industry.
- ▶ **Ministry of Plantations:** oversees the overall functioning of the tea sector, including the development of plantations. The Ministry also collaborates with other entities in implementing OSH standards in the tea sector.
- ▶ **National Institute of Plantation Management (NIPM):** serves as the primary training and educational body for Sri Lanka's plantation sector, offering professional development, management training, and research programmes to enhance the skills and competencies of those involved in tea, rubber, coconut, and other plantation industries. NIPM plays a crucial role in capacity building, promoting good governance, and supporting sustainable practices in the sector. It also provides diploma and certificate courses, aiming to develop future leaders and professionals in plantation management.
- ▶ **Ministry of Health:** through its public health divisions, the ministry supports the welfare of plantation workers by providing health services, including maternal and child healthcare, vaccination programmes, and general health awareness.
- ▶ **Tea Research Institute of Sri Lanka (TRI):** the country's leading research body dedicated to supporting the tea industry. The TRI focuses on enhancing tea cultivation, processing, and sustainability through scientific research and innovation. Its work spans multiple areas, including developing high-yield tea cultivars, pest and disease management, soil conservation, and climate resilience. The institute also plays a key role in promoting sustainable agricultural practices, improving tea quality, and supporting the competitiveness of Sri Lankan tea in global markets.

4.2.2. Tripartite organizations

The Plantation Human Development Trust (PHDT) is a tripartite organization, governed by a board of directors from the Government of Sri Lanka, RPCs and sectoral trade unions. The PHDT is responsible for improving the health and welfare

of workers in tea plantations. It coordinates healthcare services and welfare initiatives for plantation workers and their families, working closely with employers and government health services. The PHDT works closely with government ministries, trade unions, RPCs, and other stakeholders to deliver services focussing on housing and infrastructure, water and sanitation, health and nutrition, childcare, estate worker housing cooperatives, training and physical exercise and sports.

4.2.3. Employers' organizations

Employers' organizations in the tea sector include:

- ▶ **Employers' Federation of Ceylon (EFC):** the EFC represents the interests of employers in the tea sector and other industries. It plays a significant role in advocating for employer rights, facilitating training, and supporting the implementation of OSH practices in collaboration with government bodies and trade unions.
- ▶ **Planters' Association of Ceylon:** represents the interests of tea plantation owners and works to address issues related to labour, productivity, and OSH. It also works with the government to improve the overall functioning of tea estates.

4.2.4. Trade unions

Several trade unions represent the interests of workers in the tea sector. Overall all the trade unions are actively engaged in issues pertaining to plantation workers issues and their rights in many levels including the parliament of Sri Lanka. Key trade unions engaged in the sector include;

- ▶ Ceylon Workers' Congress (**CWC**)
- ▶ Lanka Jathika Estate Workers Union (**LJEWU**)
- ▶ Ceylon Workers' Red Flag Union (**CWRFU**)
- ▶ National Union of Workers (**NUW**)
- ▶ Up-Country People's Front (**UCPF**)
- ▶ Democratic Workers' Congress (**DWC**)
- ▶ All Ceylon Estate Workers' Union (**ACEWU**)
- ▶ The Upcountry Workers' Front (**UWF**)

4.2.5. Certification schemes

The main certification schemes working in Sri Lanka are the Rainforest Alliance, Fairtrade, International Organization for Standardization (ISO) and Ethical Tea Partnership. These organizations aim to promote sustainability and ethical practices within the tea sector. They set standards that include OSH requirements, providing an economic incentive for plantations to promote OSH. Tea cooperatives indicated to the ILO that the possibility of achieving fair trade certification was an incentive to participate in activities on OSH, while for smallholders, fair trade certification allows them to better bargain with bought leaf factories.

5. Findings

5.1. Types of enterprises

The assessment focussed on large plantations and smallholder farms. The large enterprises surveyed were a mix of tea estates and factories. Some of the enterprises surveyed were combined factory and estate operations and/or subcontractors working for larger tea companies, with the legal status of these enterprises playing an important role in how OSH standards are implemented and maintained. Ten of the enterprises surveyed were smallholder farms, which tended to be family-owned and operate without tea factories, while maintaining their own processing facilities.

Among the enterprises surveyed, 62 per cent were registered as estates only, while 23 per cent were registered as both factories and estates, and 15 per cent were registered exclusively as factories. Estates focus primarily on tea cultivation and associated tasks such as tea plucking and fieldwork. Meanwhile, factories handle the processing and packaging of tea leaves.

► **Table 2: Summary table of enterprise composition**

Type of Enterprises	Number of enterprises	Percentage
Factory & estate	25	23%
Estate	67	62%
Factory	16	15%
Total	108	100%

The assessment also highlighted a growing trend towards outsourcing tasks such as grass cutting, cleaning, and sundry work to external contractors, with 36 per cent of the enterprises surveyed reporting such practices. Enterprises see this outsourcing model as offering flexibility, enabling them to allocate specific jobs to contractors without the need to employ full-time workers. However, the practice also poses challenges, particularly in regard to the application of OSH standards, as outsourced workers may not receive the same level of protection or benefits as regular workers. A portion of the enterprises (24 per cent) worked as subcontractors for larger tea companies. This was particularly the case for those that did not have enough crops to justify running their own factories. Some companies also outsourced their tea processing to other factories due to challenges such as a fertilizer ban and fuel shortages, which temporarily impacted their ability to operate independently.

5.2. Employment conditions

5.2.1. Demographic distribution of workers

The findings of the assessment revealed that tea sector remains a predominantly female workforce in the surveyed enterprises, with women making up 66 per cent of the workers. The gender divide reflects in part the gendered nature of many tasks performed, for instance, tea plucking is both labour intensive and largely carried out

by women, as well as the social and economic structure of the workforce in both large and small plantations.

The majority of workers in the surveyed enterprises were middle-aged, with the largest age group being those between 40 and 44 years (22.1 per cent). More than half of the workforce (52.8 per cent) fell within the 30 to 49 age range, demonstrating that tea plantations tend to rely on experienced, older workers. No plantations reported hiring workers of less than 18 years of age. Table 3 shows the demographic breakdown of workers in the tea sector in Sri Lanka.

The low proportion of younger workers working in the sector highlights a potential issue for the future of the tea sector in Sri Lanka. Tea plantation work is often seen as difficult and physically demanding, which has made it more challenging for employers to recruit and retain young workers. Many younger workers are choosing to pursue higher education and/or careers outside of the plantations, including in industrial zones, which tend to offer better working conditions and opportunities. With plantations already suffering from low productivity growth, this ability to attract workers threatens to hinder the development of the plantations sector in the future.

► **Table 3: Age composition of the workforce in the sampled tea estates**

Age range	Women (%)	Men (%)	Total (%)
20-24	0.3	0.7	1.0
25-29	4.7	1.4	6.1
30-34	8.5	3.4	11.9
35-39	12.9	5.9	18.8
40-44	13.5	8.6	22.1
45-49	11.2	5.0	16.2
50-54	9.2	4.6	13.8
55 and above	5.7	4.4	10.1
Total	66	34	100.0

The findings highlighted a strong representation of Tamil workers in the plantations (80.1 per cent), with Sinhalese workers making up the remaining 19.7 per cent. This ethnic composition reflects the historical labour migration patterns, especially in the upcountry plantations where Tamils populations are larger (while in low-country plantations, the Sinhalese population is more prevalent).

5.2.2. Living arrangements

In terms of living arrangements, the majority (69 per cent) of workers surveyed lived in 'line houses' provided by the employers, a common feature of large plantations. Just over a quarter (25.2 per cent) of workers live in privately owned houses inside the plantation, usually where workers had transitioned from employer-provided housing to more independent living arrangements, or where workers worked on smallholder farms. Typically, more than one member of a family in each household was working either on the plantation field or factory. Workers often also engaged in vegetable cultivation in small gardens adjacent to their homes and were able to both eat and sell these vegetables to earn extra income.

The nature of such living and working arrangements highlights an integrated living and working life for tea plantation workers, one where the boundary between the two are often blurred. Most workers lived close to their places of work, reducing their mobility and fostering a dependency on their employers for both livelihood and shelter. This creates a unique work situation for the plantations sector, with its own OSH concerns, that extend beyond the workplace.

5.2.3. Employment status and job roles

The vast majority (87.5 per cent) of workers in large plantations were permanently employed. Having such a work contract enables them access to critical benefits like the Employees' Provident Fund (EPF) and Employees' Trust Fund (ETF). The high percentage of permanent employment demonstrates that large tea plantations do tend to offer workers stable, long-term employment. This in turn helps to promote the retention of workers and continuity of production. In contrast, smallholder farms tended to rely either on family labour, or a small number of casual workers hired on an ad hoc basis. These workers are not formally employed and tend to move between various types of work depending on the season and availability of work.

► **Table 4: Employment status of workers surveyed**

Employment status	Women %	Men %	Total %
Permanent	86.5	89.4	87.5
Temporary	12.7	10.0	11.8
Casual/trainee	0.8	0.6	0.7
Total	100.0	100.0	100.0

Workers' roles within the plantations were heavily gendered. Tea plucking was the most common task, involving almost 40 per cent of the workforce, and was heavily dominated by women workers in the surveyed enterprises, with 54 per cent of women and only 11.8 per cent of men engaged in plucking. Field supervisors made up 23.4 per cent of the workforce, and helpers, who perform various tasks such as carrying tea and assisting with processing, account for almost 18 per cent. Both these tasks had a relatively even split between male and female workers. Otherwise, male workers tended to occupy roles that are perceived to be physically intensive, such as security guards and drivers.

► **Table 5: Gender disaggregated job roles in the tea estates surveyed**

Job role	Women (%)	Men (%)	Total % of workforce
Tea plucker	54.0	11.8	39.6
Field supervisor	23.3	25.3	23.4
Helpers	18.0	18.0	17.9
Security	0.0	14.7	5.0
Packing	3.0	5.6	3.9
Chemical sprayer	0.0	7.4	3.0
Driver	0.0	2.0	0.7
Clerk	0.6	0.0	0.3
Officer	0.4	2.4	1.0
Boiler operator	0.0	2.9	1.0
Electrician	0.0	3.5	1.3
Cleaner	0.87	0.9	0.8
Oiler	0.0	5.0	1.8
Dryer operator	0.0	0.3	0.1
Chemical assistant	0.0	0.3	0.1
Storekeeper	0.0	0.3	0.1

Workers on large plantations were typically paid Rs. 1000 at the time of the survey. These are low wages in the national context, which can lead to work in the sector being unattractive, particularly for younger workers (see 5.2.4. below). While wages are low employers tended to contribute to the Employees Trust Fund on behalf of workers, with employer contributing 12 per cent, while workers contribute 8 per cent.

5.2.4. Worker productivity

Employers in the tea sector perceived low productivity among workers to be a significant issue, particularly when comparing the tea-plucking averages of Sri Lanka's workers to those of countries with competing industries. Employers' organizations highlighted that in Sri Lanka, pluckers harvest an average of 18 kg of tea leaves per day, while in India and Kenya, plucking averages are significantly higher, 34 kg in India and 48 kg in Kenya. However, it should be noted that variation in productivity is directly linked to the type of tea produced, scale and mechanization of production, climatic and geographic factors, and labour costs.

Employers perceived that guaranteed job security for workers and strong trade union pressure meant there was a resistance towards adopting measures to boost productivity. However, it should be noted that other challenges on the plantations, such as inadequate adoption and implementation of safety and health practices and the impact of substance and alcohol consumption were also contributing to low levels of individual productivity and efficiency for workers.

5.3. Occupational safety and health issues

5.3.1. Accidents and injuries at work

Despite the physical demands of tea plantation work, and the hazards and risks associated with it, only 4.8 per cent of workers reported having experienced work-related accidents in the past 12 months. Meanwhile, the vast majority (92 per cent) of workers considered their workplaces to generally be safe.

The most common types of accidents reported to the survey team included wasp attacks (1.1 per cent) and snake bites (1.4 per cent). These were associated with environmental hazards that are common to working on the fields. As women were more often engaged in fieldwork, they were also more vulnerable to these types of accidents. Nevertheless, a higher percentage of men (8.8 per cent) reported accidents than women (4.8 per cent) (See Table 6). The reasons for this were not clear from the assessment, however, may have been due to men being more commonly involved in tasks associated with industrial hazards such as chemical spraying, machine operation and manual handling. It is also possible that women were less likely to report minor environmental accidents and injuries, due to social expectations and cultural norms that tend to downplay the severity of such injuries. A small number of other accidents, such as falls from height, cuts and injuries from carrying heavy materials were reported to the survey team (see Table 7).

► **Table 6: Accidents reported by employers to the survey team**

Accident reported	Women (%)	Men (%)	Total (%)
Yes	2.7	8.8	4.8
No	96.3	91.2	95.2

► **Table 7: Types of accidents and injuries experienced by surveyed workers**

Accident reported	Number of workers	Percentage of workers (%)
Falling from height	7	0.7
Carrying heavy materials	3	0.3
Contact with electric current	1	0.1
Cut from a machine	2	0.2
Knife accident	2	0.2
Injured by tea sticks	1	0.1
Struck by falling objects	1	0.1
Commuter or vehicle accident	1	0.1
Caught in between objects	2	0.2
Snake bites	14	1.4
Overexertion from strenuous movements	3	0.3
Wasp attack	11	1.1
No accident	952	95.2
Total	1000	100.0

Those who did experience work-related accidents and injuries were unlikely to take extended time out of work. Only 1.8 per cent of workers took more than one week off as a result of an accident or injury, while 2.4 per cent took a shorter period of one to three days off due to injury. This suggests that even when accidents occurred, workers may have been reluctant to take leave, possibly due to concerns about potential loss of income and the need to meet daily work quotas.

The overall incidence of 4.8 per cent for minor injuries reported to the survey team appears low, particularly given the hazardous nature of work in the sector. The reality may be that many accidents and injuries go unreported, with workers deeming them not serious enough to report, unwilling to take time off work, or failing to seek medical attention to address them. In the FGDs, respondents stated that minor injuries such as cuts, bruises, and even small falls are considered part of daily life and are not seen as serious enough to warrant formal reports. Meanwhile, fear of repercussions may also affect reporting of incidents, with workers concerned, as above, about losing wages, or being reprimanded for reporting or asking for time off to recover from an injury. This is likely particularly true for temporary and casual workers, who were worried about jeopardizing their job security.

Systems for notifying and reporting accidents and injuries may also be lacking, or entirely non-existent in the case of smallholder farms. Large tea plantations generally have more formalized systems for tracking and reporting work-related accidents and illnesses, with many holding a 'general Register' where they record accidents that lead to workers taking more than three days off. However, there were widespread inconsistencies in adherence to reporting requirements across plantations. Meanwhile, smallholder plantations generally lack formalized systems for reporting accidents and illnesses, with workers often relying on ad-hoc solutions when accidents occur and no consistent documentation or tracking of work-related incidents.

Worker training and knowledge in relation to safety and health at work tended to be low. Only 32.6 per cent of workers reported having obtained task-related training for their jobs. Around 10.8 per cent of workers reported having received some sort of chemical handling training, though this number was greater than the number of specifically employed chemical handlers. A little over half of workers (56.9 per cent) had participated in fire safety training, which is important both in factories and in line houses, where fires are common.

Larger plantations were more likely to make documentation of accidents and injuries, however, this was still done inconsistently, and formal OSH management systems were often inadequately implemented where they existed. Smallholder farms tended to not have formalized or systematic approaches to dealing with or documenting work-related accidents and injuries, making it harder to corroborate data collected from workers.

5.3.2. Worker health

The survey investigated worker health issues both before and after recruitment. At the time of recruitment, the majority of workers did not have any health issues with only 10.6 per cent reporting that they did (see Table 8). The most common issues reported were back pains (5.6 per cent of workers) and joint pains (2.6 per cent), with a small number of workers reporting other issues such as breathing issues, visual disturbances and chronic coughs. During focus group discussions, it was revealed that many workers had not undergone systematic medical examinations upon recruitment and that health issues were often self-reported without having received medical verification.

After joining the tea plantation sector, 96 per cent of workers reported to the survey team that they had no new work-related health issues. The other 3.9 per cent reported developing symptoms such as back pain, joint pain, respiratory issues, and chronic cough, considered to be work-related. 2.3 per cent of workers reported daily symptoms that affected their work. Women reported slightly more health concerns than men, particularly joint pain and back pain. It is noted that the data should not be interpreted as health issues declining following recruitment, but instead that only a small percentage of workers reported new issues that they perceived to be work-related.

► **Table 8: Summary of health issues reported by workers before and after recruitment**

Health Issue	Before Recruitment (% of workers)	After Recruitment in relation to work (% of Workers)
Breathing difficulties/asthma	0.5	0.8
Hearing problems	0.1	0
Kidney diseases	0	0
Digestive problems	0.1	0.1
Joint pains	2.6	1.0
Back pains	5.6	1.3
Chronic cough/cold	0.3	0.7
Visual disturbances	0.6	0
Skin rashes	0.1	0
Blood disorders/anaemia	0.5	0
Allergies	0.2	0
None of these	89.4	96.1
Total	100.0	100.0

It is notable that a large proportion of the workforce is engaged in tasks that involve heavy manual handling. 76.2 per cent of workers reported that they regularly carry, push, or pull loads of 15 kg or more. This is particularly common among women, with 80.3 per cent involved in such tasks, compared to 68.2 per cent of men. This in part reflects women being largely employed in tea plucking, which requires carrying heavy baskets of leaves. However, specific health issues relating to heavy manual handling were not widely reported, even though OSH issues such as high noise levels, tea dust exposures and roto vainer machines, which could cause hand injury were observed.

In terms of access to first aid, 73.4 per cent of workers reported having easy access to first aid facilities, while the remainder did not. This disparity suggests that while most plantations have some health support infrastructure, improvements are needed to ensure all workers have access to basic medical care. NIOSH further observed that fire safety measures and electrical safety were inadequate in some of the factories.

Workers were not specifically questioned on hunger and malnutrition, however, there was some suggestion from the assessment that they could be common issues for workers. During the economic crisis, some employers reported providing emergency food rations to help maintain the nutritional intake of workers.

Meanwhile, organizations such as the PHDT had implemented nutritional awareness programmes in plantations, in an attempt to improve the health and nutritional intake of workers and their families, indicating that it had been seen as a key concern.

A number of issues arose that could influence the reporting of health issues. As aforementioned, workers often reported not having undergone systematic medical examinations upon recruitment, which could lead to identifying work-related health issues later in their employment. Secondly, the data collection relied on workers own recollection of their health issues, which may have introduced recall bias into the data. Thirdly, in FGDs, workers indicated that they often did not seek treatment for common issues such as coughs, colds, or joint or back pains because they did not view these issues as serious, or they did not believe them to be attributed to their work. Meanwhile others mentioned conditions such as arthritis, gastritis, or skin conditions, that were not adequately covered by the survey.

Smallholders stated that OSH was an unknown and new subject area for them. They did not perceive OSH to be a fundamental rights issue and did not keep or maintain documentation related to OSH management. This low level of OSH management correlates with a tendency for OSH conditions to be very poor for smallholders in the tea sector. As per above, while OSH practices and mechanisms for reporting and notifying are inconsistent on large plantations, on smallholder farms there are no systematic approaches to dealing with occupational health concerns, and little or no recording of work-related diseases.

It is evident that underreporting of health issues could mask broader safety and health issues in the tea sector. This may be due to a lack of effective reporting mechanisms. Meanwhile, workers demonstrated a lack of knowledge and understanding of how their work can impact their health, particularly in terms of the longer-term effects.

5.3.3. Alcohol and substance use

The assessment suggests that alcohol and substance use remain prominent health issues among workers in the tea plantation sector (see Table 9). Nevertheless, awareness programmes have led to a decline in these harmful practices.

About 30.6 per cent of workers reported chewing betel, a common practice that includes the use of areca nut, lime, and sometimes tobacco and is associated with high rates of oral cancer. Betel chewing was more common among men (35.6 per cent) than women (28 per cent).

Alcohol consumption remains a concern, particularly among men. 17.6 per cent of workers reported consuming alcohol, though there was a significant gender gap in consumption levels: 44.1 per cent of men, compared to only 3.9 per cent of women. FGDs revealed that many workers were reluctant to discuss their alcohol consumption openly, possibly due to the cultural stigma associated with drinking. However, employers and the PHDT have indicated that alcohol use is a significant and widespread problem.

Smoking is still prevalent, with 39.5 per cent of workers smoking. However, the majority of these claimed to only smoke at parties (37.5 per cent), with the number of daily (1.6 per cent) and weekly (0.3 per cent) regular smokers far lower. Some workers smoked cheaper local cigarettes, known as 'bidis', which are more accessible in rural areas but can be worse for health than other cigarettes.

► **Table 9: Substance and alcohol use among surveyed population**

Substance Use	Women (%)	Men (%)	Total (%)
Alcohol consumption	3.9	44.1	17.6
Betel chewing	28.0	35.6	30.6
Smoking	1.1	39.1	16.0

The study shows that while alcohol and substance use is an ongoing health issue, awareness campaigns such as those conducted by the Cancer Control Programme are slowly reducing harmful habits. It is important to continue these education and awareness practices to help workers understand the related health issues and further reduce usage rates.

5.3.4. Absenteeism and sick leave

Regarding sick leave, 15 per cent of workers reported taking leave during the past 12 months. This suggests that the majority of workers either did not experience severe health problems or chose not to take time off, possibly due to economic pressures or a lack of understanding about sick leave entitlements. Notably 5.8 per cent of the workers had taken longer durations of 21 or more days leave, suggesting that sickness could still be a considerable issue for both employers and workers.

Wasp attacks were the most common cause of absenteeism from sick leave (36 per cent of cases). COVID-19 was the second most common cause during the surveyed period (COVID-19). Other commonly reported causes of absence included headaches, falling from height and causes that were unspecified (see Table 10).

► **Table 10: Causes of absenteeism in the surveyed sample**

Cause of absenteeism	Number of workers	Percentage of cases (%)
Wasp attacks	39	36.1
COVID-19	30	27.8
Headaches	20	18.5
Falling from height	7	6.5
Other causes (unspecified)	7	6.5
Animal bites	2	1.9
Fever	1	0.9
Pneumonia	1	0.9
Back pains due to overexertion or strenuous work	1	0.9
Total	108	100

Given that a significant percentage of workers had taken sick leave, and over 5 per cent of longer durations, it suggests that low OSH standards are to some extent contributing to worker absences. This can have negative impacts both on the workers and their employers, as worker absence, or workers continuing to work when they are unwell, can have negative impacts on productivity. Addressing these issues through effective OSH management could help in reducing rates of absenteeism and increasing productivity.

5.3.5. Access to water and sanitary facilities

Most workers (90 per cent) reported having access to clean drinking water at their workplaces. The remaining 10 per cent of workers stated that they had to carry their own water, especially when working in the fields. Workers in factories tended to have better access to amenities like clean toilets, whereas fieldworkers often faced challenges, such as long distances to welfare centres where these facilities were housed. Toilets existed, but access was insufficient for many workers because of a lack of toilets in the fields.

Sanitary facilities are particularly important for female workers, especially during menstruation. The study indicates that while factory workers have access to clean and separate male and female toilets, fieldworkers often have to walk considerable distances to access these facilities, which can cause discomfort and disturbance for workers, potentially contribute to ill-health, and also reduce worker productivity.

5.3.6. Medical services and clinics

The diagnostic analysis identified several forms of medical service or clinic, available primarily to workers on large plantations, provided through the PHDT and local estate medical facilities. Service provided included:

- i. **Estate medical centres:** most large plantations have an estate medical centre, managed by an estate medical officer, that provides general medical care to workers and their families. The estate medical officer resides on the estate and coordinates with local public health authorities to ensure the health needs of the plantation workers are met.
- ii. **Child welfare and antenatal clinics:** child welfare and antenatal clinics are conducted in collaboration with the area MOH and the estate welfare officer. These clinics ensure vaccinations, child health monitoring, and maternal care are provided. Family planning services are also offered during these sessions.
- iii. **Health programmes:** the PHDT organizes various health programmes for plantation workers, including cancer awareness sessions, Pap smears, and nutritional education programmes. Anti-alcohol and drug abuse programmes are also part of their efforts to improve worker health.
- iv. **Vision and dental care:** Some plantations have arrangements for vision testing and dental care clinics for workers. Workers who require spectacles or dental treatments can access these services through partnerships with external organizations facilitated by PHDT.

While medical services and clinics do exist on large plantations, they do not cover all the aspects to be considered as occupational health services, in line with the ILO Occupational Health Services Convention, 1985 (No. 161) and its accompanying Recommendation (No. 171). Providing occupational health services in the tea sector, as per the guidance in Convention No. 161 and Recommendation No. 171, can play a critical role in safeguarding workers' safety and health, reducing and lowering the impact of accidents and diseases, improving overall wellbeing of workers and contributing to increased productivity.

5.3.7. OSH committees

Among the sampled population, 73 per cent of the employers stated that they had employed a qualified safety officer in the company. Almost all (97.2 per cent) employers stated that they had established safety and health committees in their companies (see Table 7), and that these committees had equal representation from both the employers and workers. The vast majority of these (96 per cent) met at least once a month to discuss safety and health issues. Employers felt confident that the voices of worker representatives were addressed during these meetings, with 97 per cent stating worker proposals were taken into account, though it should be noted that worker perceptions of safety committees and their effectiveness were not recorded in the diagnostic assessment, so no comparison can be made.

Smallholder farms had not established formal OSH committees. In general, smallholder farmers reported that they did not consider OSH as a priority, particularly given rising costs due to the economic crises elsewhere, nor did they understand the potential benefits. The report highlighted that OSH awareness was virtually non-existent, which is a major barrier to establishing OSH committees.

► **Table 11: Availability of OSH committees in surveyed enterprises**

OSH Committee	Number of enterprises	Percentage (%)
Yes	105	97.2
No	3	2.8
Total	108	100

Bipartite committees on large plantations may serve the following functions:

- **OSH policy implementation:** committees can ensure that OSH standards are effectively implemented, assessing workplace hazards, monitoring compliance with safety protocols, and taking corrective actions where necessary.
- **Addressing workers' concerns:** provide a platform for workers to voice their concerns about workplace safety, such as lack of protective gear, unsafe machinery, or ergonomic issues. The committee members then work with employers to address these issues promptly.
- **Training and awareness:** committees can organize training sessions on safe working practices, proper use of PPE, and first aid, helping to improve workers' understanding of safety measures. These training programmes are sometimes coordinated in collaboration NIOSH and other stakeholders.
- **Mediation and dispute resolution:** When disputes arise between workers and management, bipartite committees are tasked with mediating to resolve issues fairly, in order to prevent conflicts from escalating. This can range from wage disputes to workplace harassment or discrimination issues.

OSH committees can play a crucial role in improving OSH standards across the tea sector. By giving workers a platform to voice their concerns, committees can promote social dialogue and foster a culture of safety and accountability. It is important to ensure these committees representativity and to empower them to effectively remedy OSH issues in the sector.

5.3.8. Risk assessments

Employers widely reported that risk assessments took place in tea plantations. 97.2 per cent of employers reported conducting them regularly at their workplaces. The frequency of risk assessments varied between employers, with some enterprises conducting them monthly, quarterly, or annually, often depending on the size and structure of the organization (see Table 8).

► **Table 12: Frequency of risk assessments**

Frequency of Risk Assessments	Frequency	Percent (%)
Monthly	11	10.2
Quarterly	31	28.7
Annually (by a third party)	66	61.1
Total	108	100.0

Risk assessments were typically carried out by in-house safety officers or external safety auditors. These were carried out with the express purpose to identify potential hazards, assess risks, and implement measures to control or eliminate the risks.

Risk assessments are essential for identifying potential hazards in the tea sector in both fieldwork (e.g. exposure to environmental dangers) and factory work (e.g. industrial hazards risks including machinery). The high compliance rate 97.2 per cent suggests that employers recognized the importance of these assessments in maintaining a safe and healthy working environment, and that processes exist through which to improve implementation of OSH standards. However, as with safety committees, it is highly doubtful as to whether smallholder farmers are carrying out risk assessments, given their low level of OSH awareness. While there was confirmation of risk assessments taking place from almost all employers, it should be noted that the quality of these risk assessments and what they consisted of in practice was not assessed by the survey and quality may well be low or, in some cases, risk assessments may, in fact, be non-existent, despite what was reported to the survey team.

5.3.9. Use of PPE

The diagnostic assessment suggested that use of PPE across the sector was inconsistent. Only 8.5 per cent of workers reported using PPE consistently, while a significant portion of the workforce (36.8 per cent) admitted to not using any protective equipment at all. All remaining workers (53.8 per cent) indicated that PPE was not applicable to their tasks, often because they worked in roles that did not involve direct exposure to hazardous chemicals or machinery, though this does not necessarily mean they should not be using PPE.

In terms of gender differences, men were more likely to use PPE than women, with 13.2 per cent of men reporting regular use of PPE, compared to only 5.3 per cent of women. This difference can be attributed to the nature of the work, with men more likely to be engaged in tasks like chemical spraying and operating machinery, where PPE is mandatory. On the other hand, many women working in tea plucking or similar roles considered PPE to be less relevant.

Despite employers making PPE available for certain tasks, and particularly for chemical handling—where items such as respirators, gloves, and safety boots were provided—many workers found PPE uncomfortable and impractical to wear. For instance, workers frequently cited that safety boots were too heavy and impractical for walking on the uneven, often hilly terrain of tea plantations. Women in particular stated that they were unaccustomed to wearing shoes for fieldwork and often opted not to wear the boots provided. As a solution, some employers introduced canvas shoes, which were lighter and more comfortable, but this initiative was still in its early stages.

Therefore, while PPE was often available, its actual usage was limited due to these issues of comfort/adaptability and perceived lack of practicality and of necessity. While almost all (99 per cent) of employers stated that they provided training on the use of PPE, this underlines the need for better training on the proper use of PPE alongside measures to ensure appropriate and adapted PPE is freely provided and that workers are required to use it under the company policy.

5.4. Realization of other fundamental principles and rights at work

5.4.1. *The elimination of discrimination in respect of employment and occupation*

The diagnostic analysis examined whether there were instances of discrimination in respect of employment and occupation in the tea sector, in terms of characteristics such as gender, ethnicity, social background, marital status, religion and education. The vast majority (99.4 per cent) of workers reported that they had not experienced any form of discrimination or differential treatment from the management or their supervisors. Only a very small percentage (0.6 per cent) believed they were treated differently based on any factor. Furthermore, all employers stated that that ethnicity, social background, religion, or political opinions were not used as recruitment criteria.

The analysis also suggested that there tended not to be issues of discrimination between Tamil and Sinhalese workers. The findings suggested that the ethnic groups reported coexisting with minimal conflict and sharing many of the same cultural practices. Workers reported participating in each other's religious and cultural events, and do not tend to experience language barriers as a major issue, even though some workers do not speak both languages.

In terms of gender-based discrimination, the respondents reported no significant incidence of gender inequality in terms of wages or treatment. Almost all respondents (99.1 per cent) indicated that men and women received equal pay for work of equal value. Nevertheless, as aforementioned, there is a clear gender divide in the jobs performed by women and men, which could mean that cultural and societal norms mask discriminatory practices.

While the results suggest that most workers feel free from discriminatory treatment at work, some workers mentioned occasional verbal abuse or aggressive behaviour from supervisors in focus group discussions. This could be viewed as a form of or indicator of discrimination or harassment, though this was not explicitly reported in the survey. Workers also mentioned that 'Kanganis' (supervisors) sometimes shout or show favouritism, but these instances were not perceived as systemic discrimination based on ethnicity, gender, or other factors.

It should be noted that employers and management mentioned having faced violence at the hands of workers. Violence against management was reported as common, with injuries and even fatalities in the most serious cases.

Similarly, when workers were asked about their experiences with sexual harassment or gender-based violence, no workers reported sexual harassment but some expressed concerns about these occasional aggressive behaviours from supervisors, though this was not attributed to gender specifically.

While it was an extremely sensitive issue for survey team, and consequently only one worker reported to the survey team, there was indication that domestic violence is still a common issue for workers in the sector from interviews. While women did not want to report their own cases of domestic violence, due to a belief that domestic issues were private and should not be shared. Some women reported that their husbands were returning home inebriated from consuming alcohol and resorting to violence, with verbal violence most common, but cases of physical violence also reported. NGOs have worked with women in the sector on issues relating to domestic violence, again highlighting the prevalence of violence and harassment, despite an overall lack of reports to the survey team.

5.4.2. Freedom of association and the effective recognition of the right to collective bargaining

Most workers working on large plantations that were surveyed for the diagnostic assessment were found to be unionized. In fact, many workers switch between various unions, depending on the issues that they and their unions prioritize. Unions represent workers' interests in key areas such as wage negotiations, workplace conditions and safety and health issues. Trade unions play several key roles in the sector:

- ▶ ***Wages:*** unions actively engage in discussions with employers and the government to negotiate wages for plantation workers, particularly in advocating for a standard daily wage and ensuring other benefits such as contributions to workers' provident funds.
- ▶ ***Working conditions:*** unions have also advocated for improved working conditions in plantations and factories, including for access to basic amenities like clean water, sanitary facilities, and safe housing.
- ▶ ***OSH standards:*** have promoted the enforcement of OSH standards, addressing issues such as exposure to hazardous chemicals, lack of PPE, and the physical demands of tea plucking and factory work. They work with both employers and government agencies to ensure workers are provided with safe working environments.
- ▶ ***Protection from harassment and discrimination:*** unions also help address issues related to harassment, including verbal or physical abuse from supervisors (such as the so called «Kanganies») and ensure that workers are treated fairly regardless of their ethnicity, gender, or background.

Workers typically pay monthly fees to the union of their choice, with subscription rates charged at around Rs. 320 per month. However, during the FGDs, many workers expressed dissatisfaction with unions, stating that they did not feel they were receiving substantial benefits from their membership fees. One worker remarked that “during our grandmothers' time, paying union dues was unquestionable, but now we ask why we pay, as we don't see much benefit.» This

reflects a growing sentiment among workers that unions and their operations are overly politicized, and do not focus enough on the day-to-day welfare of workers, including addressing OSH issues and advocating for better working conditions.

Union involvement in wage negotiations remains strong, and trade unions have historically played an important role in securing higher wages for tea plantation workers in Sri Lanka. Up until 2019, employers and trade unions negotiated wages directly, alongside welfare, working conditions and OSH standards. However, in 2019, the Government introduced a tripartite wage board for the sector, meaning that while the collective bargaining process was terminated at the enterprise level, it is still negotiated through a tripartite mechanism. Despite the criticisms, workers still saw unions as essential in representing their collective interests, especially in disputes over wages or working conditions.

The study found that unions were not actively involved in organizing OSH-related training or workshops on safety and health for workers. Workers mentioned that most safety training they received came directly from the management or from external sources, such as government programmes or NGOs. The lack of union-led OSH initiatives is a significant gap, and unions could play a stronger role in advocating for better safety practices and ensuring compliance with OSH standards. Through the ILO Safety + Health for All Plantation Workers project two main trade unions have been working to build capacity among members and trade union leaders, in order to conduct OSH awareness campaign and 'pocket' meetings, with the objective of enabling trade unions to work more proactively in the area of OSH.



6. Conclusions

The diagnostic assessment examined the application of the right to a safe and healthy working environment in Sri Lanka's tea sector, alongside interrelated FPRW on discrimination and freedom of association and collective bargaining. It focussed on tea estates and factories operating in the sector, and both large plantations and smallholder farms, using IDIs, KIIs, FGDs and direct observations made during field surveys for data collection. It was difficult to assess the working conditions of tea smallholders, who were reluctant to participate in the research and did not have 'employers' in the traditional sense, making it more difficult to apply the research model to these workplaces.

From the findings of the diagnostic assessment, it is possible to draw conclusions in a number of key areas:

- ▶ **Employment** – the majority of workers working on large plantations are employed under permanent working contracts. Meanwhile, most smallholder farms rely on family labour, and occasionally use casual or seasonal employment. Work on large plantations tends to provide workers with stability, however, the nature of working arrangements, where workers live on the plantations and rely on their employers for accommodation, blurs the boundaries between work and home life and leads to additional OSH concerns regarding the standards of their accommodation. Workers are dependent on their employers for their livelihoods and may feel apprehensive about criticising them or their working conditions. Jobs and job roles in the sector are heavily gendered, with women typically carrying out tea plucking, and men more likely to be involved in tasks such as chemical spraying and the operation of machinery. This segregation of tasks is more prominent in large plantations than small plantations using family labour. The productivity of workers tends to be low in comparison to tea industries in competing countries. At the same time, the workforce is ageing, with fewer young people opting to work on tea plantations, instead pursuing employment in other economic sectors in industrial zones, in part due to unattractive working conditions and wages in the sector. This presents a future challenge for the growth and sustainability of the sector and highlights the need to address working conditions, including OSH, and promote decent work to attract more workers in the sector.
- ▶ **Legal and regulatory framework related to OSH** – the legal and regulatory framework governing work in the tea sector, including on OSH, remains weak. Labour law and regulations are spread across various instruments, and no single OSH law exists to govern OSH practices, while the ILO advocates for a universal coverage of overarching OSH laws that should be applicable to all workers in all branches of economic activity. The proposed revisions to national labour law present the opportunity to strengthen the legal and regulatory basis to promote decent work in the tea sector and throughout the world of work. Given the strategic importance of the tea sector, and the large numbers of workers, consideration of OSH, as well as the interrelated FPRW issues discussed in this paper should be given priority when adopting, updating and revising laws and regulations.
- ▶ **OSH practice** – the diagnostic assessment highlighted a significant deficit of OSH standards, perceptions and knowledge in the tea sector in Sri Lanka. While reports of work-related accidents and diseases to the survey team were relatively low (4.8 per cent of workers reported accidents over the year),

there is likely a significant degree of underreporting which can be attributed to low levels of OSH education and awareness among both employers and workers. Cultural perceptions also appear to contribute to the downplaying and underreporting of OSH issues, with workers often failing to report accidents such as trips, falls or insect bites, nor health issues such as coughs and joint or back pains. Workers often saw these issues as unrelated to their work. Issues of poor OSH standards and low levels of OSH knowledge were particularly pronounced among smallholder farmers, who were unaware of the concept of OSH and its importance as a fundamental right of workers. Consequently, they did not keep nor maintain OSH management records of any formal description. In large plantations, most tended to have established OSH committees, while some form of risk assessment was commonplace, and unionization rates were high. This shows that while OSH challenges persist, channels do exist through which targeted OSH improvements can be channelled. Smallholder farms, who lack these elements of OSH management, require specific targeted interventions in order to establish them.

In relation to the realization of two interrelated FPRW:

- ▶ ***discrimination*** – discrimination in respect of employment and occupation was not widely reported to the survey team. Nevertheless, it is noted that the majority of the workers in the studied districts were Tamil, representing a minority population in Sri Lanka. Throughout the study, both employers and workers reported that women and men received equal remuneration for work of equal value in the tea sector. However, there is a clear gender divide in terms of job roles and tasks performed by women and men, with women more likely to work plucking in the tea fields, and men tending to work in factories. At the very least, this suggests that traditional gender roles remain entrenched throughout the sector. In the surveys, workers did not perceive that they had been subject to violence and harassment, however, in conflicting reports in FGDs, some said that supervisors could be verbally abusive or aggressive. Employers also reported being subject to violence from workers and claimed there had been cases of injuries and even fatalities due to worker violence. Plantations are a living place as well as a workplace, and while this was a sensitive issue for women and men to discuss with the survey team, evidence suggests that women are still often subjected to domestic violence from men at home, highlighting the inequalities and gender discrimination that prevail in the sector.
- ▶ ***collective bargaining and freedom of association*** – unionization in large plantations in the tea sector in Sri Lanka is very high, and almost all workers are member of a trade union. Often workers switch membership between several unions depending on their policies on particular issues, such as wage negotiations, workplace conditions, and safety and health issues. Nevertheless, some workers raised concerns over the effectiveness of unions, perceiving that they did not focus enough on the day-to-day welfare of workers. Meanwhile, some employers had negative perceptions of unions, believing them to hinder productivity. Despite high unionization rates, the evidence highlights a need for stronger industrial relations in the sector and improved bipartite and tripartite social dialogue. There is also a lack of union-led OSH initiatives and workers claimed that unions do not sufficiently advocate for better safety practices nor target ensured compliance with OSH standards.

7.

Recommendations

From the assessment and conclusions on the realization of the right to a safe and healthy working environment, alongside interrelated FPRW on freedom of association and the effective recognition of the right to collective bargaining, and the elimination of discrimination in respect of employment and occupation, a number of measures can be taken to promote safety and health and work and ensure the effective realization of worker's rights in the tea sector in Sri Lanka. Governments, employers, trade unions and workers each have important roles to play in advancing decent work in the sector through the realization of safe and healthy workplaces and other FPRW. These recommendations can help boost the sector in terms of increasing productivity, realizing its potential for sustainable growth and the creation of decent jobs within Sri Lanka.

Government

- ▶ As Sri Lanka proceeds with measures to introduce new employment laws, there is a significant opportunity to address OSH, as well as other interrelated FPRW, in the tea sector. National laws should specifically address issues regarding workers' rights to safe and healthy workplaces. It is also important to address non-discrimination in respect of employment and occupation, and freedom of association and the effective recognition of the right to collective bargaining. In order to ensure protection for as many workers as possible, including smallholder farmers, the law should provide universal coverage for all workers, including agricultural workers, as well as both formal and informal and permanent and temporary workers. The ILO can provide technical assistance to the Government in this process.
- ▶ In the absence of comprehensive OSH law, ILO-OSH 2001 can provide guidance to develop measures to ensure safe and healthy workplaces in the tea sector.²¹ According to ILO guidance, the Government of Sri Lanka should:
 - (01) Strengthen OSH related policies and frameworks, including through the adoption and implementation of the National OSH policy and Programme (2024-2027) and institutionalization of a national tripartite OSH committee;
 - (02) Build a culture of prevention through awareness raising of the importance of OSH, including a focus on workers' health and promoting proactive measures to foster safe and healthy workplaces. Promoting tripartite social dialogue between governments, employers' organizations and trade unions on OSH is important in this regard;
 - (03) Strengthen the capacity of the labour inspectorate to promote and enforce OSH laws, with particular attention to tea plantations;
 - (04) Integrate workplace health promotion into the national OSH policy, and ensure the policies are aligned with health promotion initiatives (including on sector relevant issues such as alcohol and substance use, violence and harassment, nutrition and work-related stress);

²¹ ILO-OSH 2001 are Guidelines that call for coherent policies to protect workers from occupational hazards and risks while improving productivity. They present practical approaches and tools for assisting organizations, competent national institutions, employers, workers and other social partners in establishing, implementing and improving occupational safety and health management systems, with the aim of reducing work-related injuries, ill health, diseases, incidents and deaths.

- (05) Promote the development of occupational health services entrusted with essentially preventive functions and responsible for advising the employer, the workers and their representatives on OSH;
 - (06) Improve the system for recording and notification of occupational accidents and diseases to improve understanding of OSH issues and orient policy decisions;
 - (07) Mandate the provision of clean drinking water and toilets both on site and near work areas;
 - (08) Build its expertise and knowledge of specific OSH risks including chemical risks, biological risks and psychosocial risks to better identify and address these in the tea sector and promote further research in the area, collaborating with organizations like the ILO, National Institute of OSH, and Plantation Institute of Management; and
 - (09) Encourage worker participation through tools, awareness raising and trainings, educating them on topics such as recognition of hazards, implementing safety protocols, preventative measures and use of PPE.
- Discrimination was not widely reported in the study, but respondents highlighted the persistence of highly gendered job roles, incidences of violence and harassment from and towards management, and the persistence of domestic violence in accommodation on plantation sites. Discrimination in the tea sector also merits specific attention due to the high number of Tamil workers working in the sector. Targeted policies are needed to address persisting issues relating to discrimination. To help eliminate discrimination in respect of employment and occupation in the tea sector, the Government should:
- (01) Enshrine the principles of non-discrimination and equal remuneration for equal value in national employment law;
 - (02) Promote equality and non-discrimination policies at the employer level;
 - (03) Engage in and encourage social dialogue on issues relating to discrimination at both the national and enterprise levels;
 - (04) Implement awareness raising and education programmes on recognizing and preventing discrimination for both employers and workers;
 - (05) Strengthen enforcement mechanisms through working with the labour inspectorate or other independent bodies to conduct workplace inspections, investigate complaints of discriminations, and impose sanctions of violating parties;
 - (06) Improve monitoring and reporting through collecting and analysing data on employment trends, wage gaps, and complaints and incidences of discrimination; and
 - (07) Support victims of discrimination through redress mechanisms including legal assistance, counselling and compensatory schemes.

- ▶ The government should promote social dialogue in the sector through the effective realization of collective bargaining and freedom of association. This in turn can help promote safe and healthy workplaces, and non-discrimination at work. While laws are in place to safeguard these principles, more can be done to promote their effective realization such as:
 - (01) Strengthening the existing legal framework to ensure the rights to freedom of association and collective bargaining, including in national employment law;
 - (02) Supporting the sustainability and development of representative organizations of employers and workers, including through programmes offering technical assistance and resources; and
 - (03) Providing training and capacity building to employers and workers to promote engagement in social dialogue, including through awareness raising programmes and tools.

Employers' organizations

- ▶ Employers' organizations in the tea sector should:
 - (01) Contribute to the development and implementation in practice of the existing and revised employment law and national OSH policy and Programme;
 - (02) Provide training and capacity building to employers on OSH standards and practices;
 - (03) Advocate the integration of OSH into business strategies and help to ensure that OSH is considered a priority among their members;
 - (04) Engage in social dialogue and collaborate with social partners to promote and implement effective OSH management systems; and
 - (05) Adopt and implement anti-discrimination policies and promote diversity and inclusion, including through training and awareness programmes with their members.

Employers

- ▶ Employers in the tea sector should make commitments to the principles of OSH and compliance with OSH regulations and show leadership in OSH at the organization level. Employers should make arrangements for effective OSH management systems, as per the National OSH policy. Employers should:
 - (01) Formulate a workplace level OSH policy, in consultation with workers and representatives;
 - (02) Establish and ensure the efficient functioning of a safety and health committee with workers and their representatives and participate fully in bipartite committees;

- (03) Integrate health promotion into their OSH policies, developing programmes that address issues such as alcohol and substance use, violence and harassment, physical activity, nutrition and work-related stress;
 - (04) Implement OSH-related participatory methodologies such as Work improvement in Neighbourhood Development (WIND) and Work Improvement in Small Enterprises (WISE) to raise awareness, increase worker participation and break cultural barriers related to safety and health in the workplace;²²
 - (05) Engage in continuous training and ensure that workers are well-informed about their rights, including the right to withdraw from work in the case of dangerous conditions;
 - (06) Make provisions for the safe use operation, storage and transportation of chemical, physical and biological equipment, as relates to work in both tea farms and factories;
 - (07) Provide for OSH competence and training, to ensure that all workers been trained and are competent to carry out the safety and health aspects of their duties and responsibilities;
 - (08) Implement appropriate documentation for the OSH management system and for OSH records (including on work-related injuries, ill health, diseases and incidents);
 - (09) Implement hazard prevention and control measures to eliminate risks, control risks/hazards, minimise risks and hazards that remain,; and
 - (10) Provide personal protective equipment to the worker at no cost, as a last resort where hazards and risks cannot be controlled, train workers on their proper use and require workers to use them at all times when performing the tasks they are provided for.
- ▶ Employers should conduct awareness raising and training exercises with workers to understand their rights and responsibilities in relation to safety and health at work, discrimination and freedom of association and collective bargaining. They should support public awareness campaigns that help break cultural barriers, myths, and beliefs about safety and health practices in plantation communities. Awareness raising tools, guides, posters, flyers etc. may be disseminated to promote good practices.
 - ▶ Employers should engage with workers in social dialogue at the national and enterprise level to negotiate working conditions, not only on minimum wages, but also on OSH, working contracts, hours of work, benefits etc. Negotiating policies with workers can help ensure the effective ownership of policies, including OSH management policies, build strong industrial relations and lead to improved productivity.
 - ▶ Employers should invest in the improvement of work practices using technology, low-cost or no-cost improvements or through innovative work practices, where hazards or repetitive movements can be limited or contact with hazards minimized.

²² See ILO, [Participatory Action-Oriented Training \(PAOT\)](#).

Trade unions

- ▶ Trade unions operating in the tea sector and their members should:
 - (01) Contribute to the development and implementation of new labour laws and the national OSH policy and Programme;
 - (02) Educate themselves on issues relating to FPRW, including OSH, in order to better engage in workers' issues and participate in social dialogue;
 - (03) Conduct awareness raising and training initiatives to help promote workers understanding of their rights and responsibilities. Unions can play a key role in informing workers in the tea sector on issues such as their responsibilities and rights regarding OSH, identifying and reporting discrimination at work, and about the benefits and practicalities of trade union membership;
 - (04) Engage in social dialogue with the government and employers to promote formal working contracts and permanent work for workers in the tea sector; and
 - (05) Extend the coverage of existing collective bargaining agreements for better working conditions, including working hours, improved OSH and anti-discrimination practices.

Workers

- ▶ Workers should actively participate in workplace safety programmes and initiatives, including involving themselves in OSH committees and contributing to the development and implementation of safety policies and procedures.
- ▶ Workers should take responsibility for complying with OSH guidelines and actively participate in the activities of safety committees to address risks.
- ▶ Workers should understand reporting mechanisms and hazards, and promptly report any hazards, unsafe conditions, or incidents to their supervisors or safety officers.
- ▶ Workers should engage in training and education programmes to develop their understandings of workplace hazards, safe practices, and emergency procedures and commit themselves to overcoming myths and cultural barriers regarding workplace safety, particularly those related to protective gear, hygiene, and risk awareness.
- ▶ Workers should be informed of and exercise their right to withdraw from dangerous work conditions and report safety concerns to employers or relevant authorities.
- ▶ Workers are responsible for the proper use and maintenance of PPE that is crucial for personal safety, as per the OSH policy and their trainings.
- ▶ Workers should collaborate with their trade unions and participate on actions that relate to OSH, as well as other FPRW, and encourage them to enhance the role of unions in designing and implementing improvements to OSH management.

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