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

Analytical summary



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► 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 Nepal.¹ 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 rubber 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

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.

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 rubber sector in Sri Lanka and 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 tea and coconut sectors. The findings of the report and the recommendations drawn for the rubber 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 rubber sector.

Joni Simpson, Director for ILO Country Office for Sri Lanka and the Maldives

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► List of abbreviations

ACEWU	All Ceylon Estate Workers' Union
CLSD	Circular Leaf Spot Disease
CWC	Ceylon Workers' Congress
CWRFU	Ceylon Workers' Red Flag Union
DWC	Democratic Workers' Congress
DWCP	Decent Work Country Programme
EDB	Export Development Board
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
NIOSH	National Institute of Occupational Safety and Health
NIPM	National Institute of Plantation Management
NGO	Non-governmental organization
OSH	Occupational safety and health
PHDT	Plantation Health Development Trust
PPE	Personal protective equipment
RDD	Rubber Development Department
RRISL	Rubber Research Institute of Sri Lanka
RSS	Ribbed smoke sheet rubber
TSR	Technically specified rubber
UCPF	Up-Country People's Front
UWF	The Upcountry Workers' Front

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1. Background and context

1.1. The rubber sector in Sri Lanka

The rubber sector is a cornerstone of the Sri Lankan economy. Dating back to 1876, when the first rubber tree seedlings were cultivated at a commercial level, it has grown into a large and multi-faceted industry. Supply chains link plantations to the domestic production of a variety of rubber-based products, including tires, shoe soles and surgical gloves. Sri Lanka exports both natural rubber and rubber-based products all over the world.³

Sri Lanka's rubber sector comprises both upstream activities, such as the production, processing and marketing of rubber, and downstream activities, i.e. the manufacturing of rubber-based products.⁴ This assessment focuses on plantations and the initial processing of rubber, in line with the scope of the *Safety + Health for all plantation workers in South Asia project*.

Rubber is both an important sector and a key target area for economic growth for Sri Lanka. In 2023, export revenue for the sector was over US\$930 million. While there are Government and industry objectives to develop and grow the rubber sector, recently Circular Leaf Spot Disease (CLSD) has been identified in its first stages as Pestalotiopsis, a fungal infection which causes leaf fall, and lowers the yield and quality of rubber, therefore threatening the industry. The sector also plays an important role, with almost 200,000 workers engaged in rubber plantations and the processing of natural raw rubber, of which 40 per cent are women. The manufacturing of rubber products employs a further 40,000 workers, including a number of jobs which require highly skilled workers.⁵ The farming and processing of raw rubber products take place in various scales of operations by smallholders, private estates, and plantation companies. Smallholders play a key role in the sector, accounting for around 70 per cent of rubber lands. These cover 133,000 hectares, three major and fifteen minor rubber-growing districts.⁶

Workers in Sri Lanka's rubber plantation sector face particular occupational safety and health (OSH) hazards and risks in relation to their working environment. These include physical injuries from using sharp tools, exposure to unguarded machinery, and long hours of labour and physically intensive tasks such as the tapping of rubber trees. The use of agrochemicals such as fertilizers and pesticides pose health risks including chemical exposure, particularly for those who handle or are in proximity to chemicals including pesticides and fertilizers. Weather conditions can further contribute to hazardous working environments, with rainy seasons leading to slippery terrains and making rubber tapping more difficult, while working in these conditions, particularly without the appropriate personal protective equipment (PPE), cause lower productivity. Long-term health issues such as musculoskeletal disorders from repetitive tasks, along with insect bites, are also common among workers. The sector's women workers are often assigned labour-intensive tasks such as tapping rubber trees, carrying heavy loads, or repetitive work, can involve contact with agrochemicals, lack access to health and sanitation facilities, and inadequate PPE. This can make women particularly vulnerable to OSH risks and hazards.

³ Sri Lanka Export Development Board, [Sri Lanka rubber industry](#), no date accessed 16 September 2024.

⁴ Ibid.

⁵ Sri Lanka Export Development Board, [Industry capability of Sri Lankan rubber and rubber products sector](#), no date accessed 16 September 2024.

⁶ Sri Lanka Export Development Board, [Industry capability of Sri Lankan rubber and rubber products sector](#), no date accessed 16 September 2024.

There are also issues relating to other interrelated fundamental principles and rights (FPRW) issues in the rubber sector. The sector merits particular attention in regard to discrimination, in part because the large number of women who work in the sector, and also due to the relatively large number of Tamil workers engaged in rubber plantation. It has been reported that Tamil workers remain disproportionately affected by marginalization and discrimination in Sri Lanka, as well as especially poor working and living conditions.⁷ Furthermore, while plantations trade unions do cover the sector, rates of unionization and collective bargaining are far lower than in the country's tea sector, where industrial relations tend to be stronger and better established.

Existing research highlights significant decent work deficits in terms of OSH and interrelated FPRW in Sri Lanka's rubber sector. However, further research and analysis are required to build a comprehensive knowledge base that can address these issues and provide practical recommendations to improve working conditions. Through conducting an assessment of the realization of FPRW in Sri Lanka's rubber sector, it is possible to identify the specific challenges faced by employers and workers and to support the development of targeted policies to promote decent work for all. This in turn could contribute to the sustainable growth of the rubber industry, particularly as the country continues to recover from its recent economic and political crises, as well as the impact of the COVID-19 pandemic.

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.

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)

⁷ OHCHR, [Sri Lanka: UN expert calls for 'inclusive society' to end scourge of slavery](#), 2021.

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.⁸

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:

- ▶ **A minimum wage** of Rs. 17,500, since March 2024;⁹
- ▶ **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;

⁸ ILO, [Decent work country programme: Sri Lanka 2018-2022](#), 2018.

⁹ NewsFirst, [Sri Lanka Increases National Minimum Wage](#), in NewsFirst, 2

- ▶ **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.¹⁰

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.¹¹ 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.

¹⁰ Bipo Times, [Sri Lanka labour law and employment regulations](#), 2022.

¹¹ See Ministry of Labour and Labour Relations of Sri Lanka, [The national occupational safety and health policy](#), 2014. 6 March 2024.

2. Objectives

The objective of the study was to assess the realization of the right to a safe and healthy working environment in the rubber 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 rubber 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 rubber 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 the realization of OSH and interrelated FPRW in the rubber 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.¹²

The assessment on the realization of OSH and interrelated FRPW standards in Sri Lanka's rubber 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 rubber 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 rubber sector representatives. In addition, NIOSH experts conducted field observations to document OSH issues.

The data collection methods included:

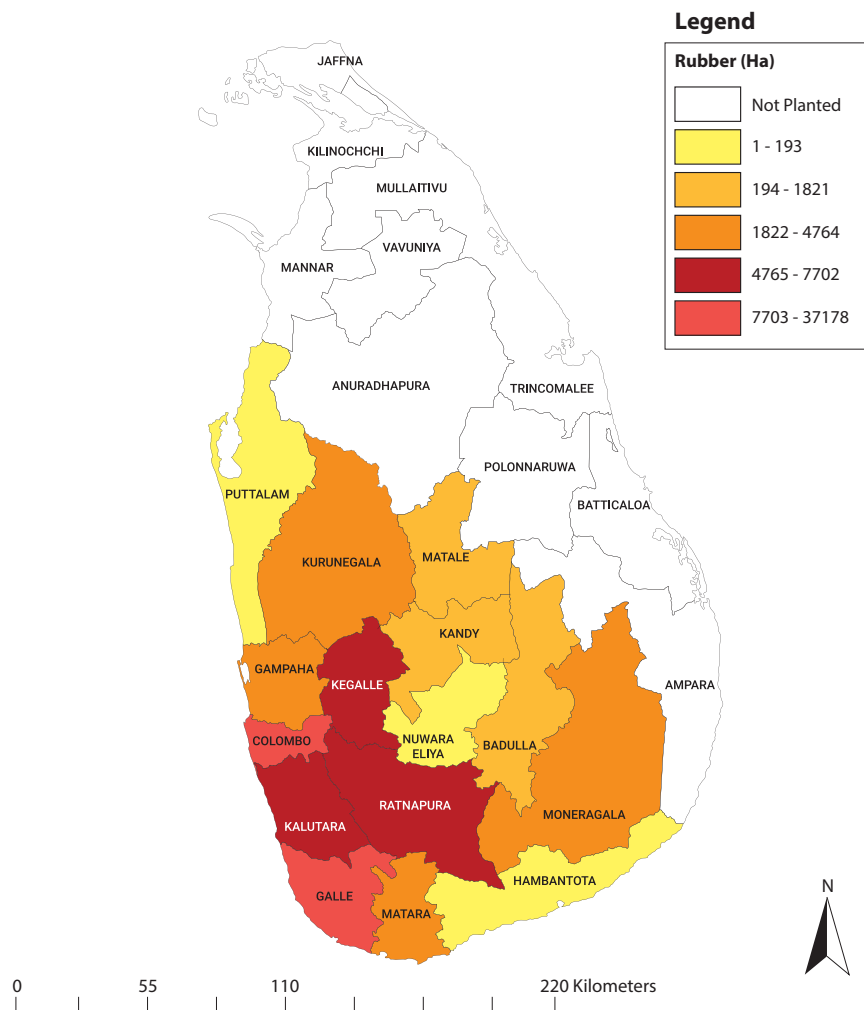
- ▶ desk study;
- ▶ in-depth interviews (IDIs);
- ▶ key informant interviews (KIIs);
- ▶ focused group discussions (FGDs); and

3.2. Assessment process

Of the major rubber producing districts in Sri Lanka, the study selected the Kegalle and Rathnapura districts. The districts were selected due to their strategic importance to rubber production and the large number of plantations (see Figure 1).

¹² ILO, [Research Manual - Assessment of the implementation of fundamental principles and rights at work in the workplace](#), 2023.

Figure 1: Rubber producing districts in Sri Lanka



Source: Vidanagama et al, *Cradle-to-Gate Product Life Cycle Greenhouse Emissions from Rubber Industry in Sri Lanka*, 2016.

Through nominations from plantation companies, the survey team compiled a list of 45 rubber plantations. Using random sampling, a final sample size of 20 large plantations and factories and ten smallholders, including 400 workers was then selected for the study. This process of random sampling was used to ensure the representativeness of the sample. Within each enterprise, workers engaged in different occupations and tasks were selected using probability proportion to size sampling (PPS). Twenty workers and two management representatives were chosen per enterprise and workers were chosen in order to give a diverse representation of different occupations and job roles.

The survey questionnaire covered six main areas: questionnaire identification, personal identification, employment conditions, occupational accidents, occupational health, and equality. 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. The main steps were taken to ensure the validity and reliability of the study tools were:

- ▶ **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 random sample of five 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 selected on the basis of their experience and qualifications in OSH, chosen from a list of 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 using simple language, avoiding interviewer bias, how to correctly ask sensitive questions, and on the collection accurate data without influencing respondents. A principal investigator ensured the quality of the data by checking questionnaires daily for comprehensiveness and clarity.

A pilot study was conducted in December 2021 in the Gampaha district to test the data collection tools and refine the methodology. A separate district was used from the final study locations, in order to prevent participants becoming aware of the study and causing a “rippling effect” influencing employer and worker responses. 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 questionnaire. Each interview took approximately 20 minutes.
- ▶ **Qualitative Data Collection (FGDs):** FGDs were held separately for employers and workers to collect qualitative data on OSH issues. These discussions provided deeper insights into the perceptions and challenges faced by different stakeholders in the rubber sector. The FGDs were structured using ILO guidelines, and the questions were designed to encourage open-ended responses, avoiding yes/no answers.
- ▶ **Stakeholder Interviews:** Interviews were conducted with key stakeholders such as plantation company representatives and management, plantation workers, 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 rubber 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, the diagnostic assessment noted the impact of the ongoing crises in Sri Lanka on data collection. Due to the COVID-19 pandemic, there was often workforce unavailability during data collection, due to factors such as lockdowns and other containment measures, fears of contamination from workers, and absence due to illness. Furthermore, the economic crisis meant that there was a severe fuel shortage, making it difficult to travel to remote rubber plantations to collect data. Overall, these crises often restricted access to the full workforce on plantations, hindered participation of respondents, and delayed the data collection process, leading to challenges in obtaining comprehensive and representative data.

Secondly, there were a number of challenges related to working with smallholders that impacted data collection and the findings of the study. Small rubber farmers tend to operate informally, without formal working agreements, documentation, or record-keeping, making it harder to collect data on OSH and other issues relating to working conditions. Due to the small workforces, and use of casual and family workers, traditional sampling methods were less effective in identifying representative samples on small plantations, while the roles of 'employers' and 'workers' on the farms were often blurred. Furthermore, due to severe financial difficulties of farmers, respondents were often unwilling to invest their time on the research, often viewing OSH measures as an unnecessary cost, which discouraged their engagement with the study. For this reason, FGDs were the primary tool applied to collecting data from smallholders, which means the sets of data for large plantations and smallholders are not always comparable.

Thirdly, it should be noted that the ILO had not previously worked with the employers and workers in the study, meaning that respondents may not have fully grasped often complex concepts such as OSH and FPRW, in order to effectively engage with the process. There were also cultural differences with the workers, meaning that the understanding and severity of OSH risks and hazards and of accidents, injuries and illnesses were often downplayed. A general lack of awareness meant that OSH and interrelated FPRW tended not to be priorities of employers and workers, which made it harder to convey to them the value of contributing to the research.

Finally, it should be noted that, despite their presence in the sector, trade unions were not included in the FGDs for the report, nor were employers and workers surveyed or interviewed on their engagement in the sector. This is a significant oversight of the survey team and limits the conclusions and recommendations that the report can make in regard to freedom of association and collective bargaining. However, given that the same trade unions that operate in the tea sector are also engaged in the rubber sector, it follows that many of the same conclusions reached in the corresponding report on the assessment of FPRW in the tea sector in Sri Lanka apply.

These limitations do not negate the findings of the study but mean that they should be interpreted with caution and awareness of potential biases. Due to the issues, it should again be noted that there was a greater reliance on the use of FGDs, as opposed to structured interviews and questionnaires, as these were deemed ineffective with the respondents. The gaps and limitations of the study can also provide the basis for further research, that supplements the findings and addresses some of its limitations, to further develop a knowledge base for OSH in the rubber sector in Sri Lanka and help to design further studies that are better adapted to the cultural context.

4. Overview of the rubber sector and its stakeholders

4.1 Rubber production in Sri Lanka

Rubber production began in Sri Lanka in 1876, when Brazilian rubber seeds sourced from Kew Gardens, in London, were planted in the Henarathgoda Botanical Garden, in Gampaha. The industry grew rapidly, and by the beginning of the 20th century, large parts of the country's wet zone was being used for rubber cultivation.¹³ By the 1970s, around the peak of Sri Lankan rubber production, there were around 200,000 hectares of rubber plantations.¹⁴

Since its peak in the 1970s, rubber production in Sri Lanka has declined. Once the fourth largest producer of rubber in the world, Sri Lanka is now the 13th largest producer, with annual production of around 130,000 tonnes. Nevertheless, rubber remains a major export for the country, exporting almost 74,000 kg in 2023, at a value of over US\$930 million.¹⁵

Given its former role as one of the world's largest natural rubber producing countries, Sri Lanka's rubber sector is seen as having untapped potential. Consequently, in 2017, the Government launched a national agenda for the development of the sector.¹⁶ As a result, in recent years, production of rubber has recovered to some extent, with an industry objective is to reach an export value that totals over US\$4.4 billion by 2028.¹⁷

Sri Lanka produces almost all types of raw natural rubber, including ribbed smoked sheet (RSS) rubber, crepe rubber, technically specified rubber (TSR), latex concentrates, and specialty rubbers. While RSS remains the most commonly produced type of raw rubber, crepe rubber dominates natural raw rubber exports, accounting for 84 per cent. Of manufactured rubber products, solid tyres are the largest export, with Sri Lanka being the largest exporting country of tyres in the world.¹⁸

Sri Lanka's rubber plantations remain located predominantly in the country's wet zone. This encompasses primary and traditional rubber growing districts including Colombo, Galle, Gampaha, Kalutara, Kandy, Kegalle, Kurunegala, Matale, Matara and Rathnapura.¹⁹ Rubber cultivation takes place in a mix of small- and medium-sized farmers and large-scale plantations. Similarly, the industry has both small-scale and large-scale processing factories, with the latter typically taking place on large plantations.

Plantations and the processing of natural raw rubber employs nearly 200,000 workers, of whom over 40 per cent are women. Through manufacturing and other related supply chain activities, the industry provides direct and indirect employment to over 300,000 workers.²⁰

13 Ministry of Plantation Industries, [Sri Lanka rubber industry master plan 2017-2026](#), 2017, pp. 6-7.

14 Sri Lanka Export Development Board, [Why source rubber from Sri Lanka?](#), no date accessed 17 September 2024.

15 Sri Lanka Export Development Board, [Natural rubber from Sri Lanka](#), no date accessed 17 September 2024.

16 Ministry of Plantation Industries, [Sri Lanka rubber industry master plan 2017-2026](#), 2017.

17 Sri Lanka Export Development Board, [Natural rubber from Sri Lanka](#), no date accessed 17 September 2024.

18 Sri Lanka Export Development Board, [Natural rubber from Sri Lanka](#), no date accessed 17 September 2024.

19 Sri Lanka Export Development Board, [The natural rubber industry of Sri Lanka](#), 2015.

20 Sri Lanka Export Development Board, [Industry capability report: rubber and rubber based products](#), 2023.

4.1.1. Rubber production and associated OSH hazards and risks

Production of rubber in Sri Lanka involves a number of distinct stages and processes. Workers face a number of specific OSH hazards and risks depending on the tasks they are engaged in (see Table 1). Production stages include:

- i. Rubber growing:** rubber production begins with the preparation of land for planting new rubber trees. This involves clearing land, digging holes, and planting rubber seedlings, ensuring proper spacing for optimal growth. Workers must also ensure that the soil is suitable for the trees to grow. Workers engaged in rubber growing can face musculoskeletal injuries from heavy lifting, bending, and repetitive digging motions. Slips, trips, and falls are commonplace, especially when working on uneven or hilly terrain. The use of sharp tools like spades and machetes can increase the risk of cuts. Exposure to chemical pesticides and herbicides can pose further health risks.
- ii. Rubber tapping:** once trees have matured, workers collect latex through a process of rubber tapping. Sharp specialized knives are used to cut into the bark to tap the latex, which is collected in small cups. A common risk from this process are cuts from the use of sharp tools. Workers also face environmental hazards such as leech bites, insect stings, and snake bites.
- iii. Latex collection:** after tapping, latex is collected from the cups and transported to collection points. Workers gather this into large buckets, which often involves carrying heavy loads over long distances. This can cause musculoskeletal problems, including back, shoulder and joint pain.
- iv. Fertilizer and herbicide application:** rubber trees require regular fertilization and pest management. Workers apply fertilizers and herbicides manually, using sprayers. This can lead to chemical exposure or the inhalation of fumes, and the risk of chronic health issues such as respiratory problems or skin problems.
- v. Processing and manufacturing in factories:** once latex is collected it is then processed. This involves machinery that transforms raw latex into rubber products. Factory workers may be exposed to mechanical hazards from unguarded machinery, leading to potential injuries. Chemical exposure from processing latex, along with fumes, can also cause respiratory problems. Noise from factory operations and dust from rubber can also pose additional hazards.

Table 1: Hazards and risks associated with rubber production

Process	Tasks involved	Potential OSH hazards and risks
1. Land preparation and planting	Clearing land, digging, planting seedlings.	Musculoskeletal injuries, cuts from tools, slips/falls.
2. Rubber tapping	Cutting grooves in bark to extract latex.	Knife injuries, slips, leech/snake bites, heavy lifting.
3. Latex collection	Collecting latex and transporting it.	Back strain from heavy loads, falls, animal bites.
4. Fertilizer and herbicide application	Applying chemicals manually to promote growth.	Chemical exposure, inhalation risks, long-term toxicity.
5. Processing and manufacturing	Operating machinery, processing latex.	Mechanical injuries, chemical exposure, noise, dust.

4.2 Tripartite constituents and stakeholders in the sector

The Sri Lankan rubber 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 rubber sector include:

- ▶ **Ministry of Labour and Department of Labour:** the key regulatory bodies responsible for labour policies and the enforcement of OSH standards across industries, including the rubber sector. They are responsible for ensuring that workplace safety regulations are followed and contribute to the formulation of policies related to workers' rights and safety.
- ▶ **Ministry of Plantations:** oversees the overall functioning of the plantations sector, including the development of plantations.
- ▶ **National Institute of Occupational Safety and Health (NIOSH):** NIOSH 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 rubber industry.
- ▶ **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.
- ▶ **Rubber Development Department (RDD):** the RDD is the key institution responsible for the regulation and development of the sector. Established in 1994, its primary focus is strengthening extension services related to rubber replantation and cultivation. It oversees various functions including the registration of rubber lands, training and technical support to smallholders and estate owners and licensing and regulation.²¹
- ▶ **Rubber Research Institute of Sri Lanka (RRISL) –** The RRISL is the premier institution dedicated to research and development in the rubber industry. It focuses on improving rubber cultivation, processing, and productivity through scientific research. Located in Agalawatta, the institute plays a key role in supporting the sustainability of the rubber sector by introducing new technologies, promoting agro-management

21 Rubber Development Department, [Our vision](#), no date accessed 17 September 2024.

practices, and ensuring quality standards. It also collaborates with stakeholders to address challenges related to climate change, labour productivity, and market competitiveness.

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 rubber 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 focusing 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' Federation of Ceylon (EFC): This organization represents the interests of employers in the tea sector, as well as other industries, including rubber. 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.

4.2.4. Trade unions

Several trade unions represent the interests of workers in the rubber 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**
- ▶ **Up-Country People's Front (UCPF)**
- ▶ **Democratic Workers' Congress (DWC)**
- ▶ **All Ceylon Estate Workers' Union (ACEWU)**
- ▶ **The Upcountry Workers' Front (UWF)**

5. Findings

5.1. Types of enterprises

The diagnostic assessment of FPRW in the rubber sector covered 20 large rubber plantation enterprises and ten smallholder rubber plantations in the Kegalle and Rathnapura districts. Large plantations typically operate with formalized structures, employing both temporary and permanent workers, and tend to have some form of established OSH practices. Smallholder plantations tend to operate informally, hire fewer workers, and have less emphasis on employment agreements and on formal safety and health procedures.

5.2. Employment conditions

5.2.1. Demographic distribution

The majority of the work in the surveyed plantation was carried out by women, who accounted for 87.5 per cent of workers, a trend that was consistent across both large estates and smallholders. Women were primarily engaged in labour-intensive tasks such as rubber tapping, while the smaller proportion of men working in the sector tended to be employed in roles such as machine operators in processing factories.

The largest age group of workers in the sector were those aged between 40 to 44 years old, with a median age group of workers of 34.3 ± 4.8 years, and a range of 21 to 65 years. No workers under the age of 18 were found to be working on the plantations surveyed. Many of the workers living on rubber plantations did so with their families, who had often worked in the rubber sector for decades, spanning multiple generations.

Among respondents, 68 per cent of workers identified as Tamil, while the remaining 32 per cent identified as Sinhalese. This results in a diversity of cultural and ethnic backgrounds on the plantations, complete with their different languages and cultural practices. People from the two ethnic groups often intermarry on plantations, creating an environment where workers share families, a variety of rituals, ceremonies and day-to-day practices. The majority of the workforce spoke both Sinhala and Tamil (59.5 per cent) while the rest tended to speak either only Sinhala (17.3 per cent) or only Tamil (22.5 per cent). Furthermore, migration patterns have brought a small number of Tamil-speaking and Sinhalese workers from other nearby regions who live alongside other workers on the plantations.

5.2.2. Living arrangements

Most of the surveyed workers in the rubber sector lived on plantation grounds. Of these, the majority (61.3 per cent) lived in 'line houses', a form of accommodation provided by the plantation, while 30.8 per cent of workers lived in private homes on rubber estates. Workers lived with their families on the plantations, but many

of the habitants, and often the majority, did not actually work on the plantations. In large plantations, the line house arrangement ensured that the majority of workers had access to facilities such as clean water and electricity. However, the arrangement can create a dependency of workers on their employers, and lead to a blurring between work and home lives. It also means that OSH issues arise and should be considered regarding workers accommodation as well as their workplace. Meanwhile, smallholder plantations are typically family run, and the majority of workers live in family houses on or nearby the plantation.

5.2.3. *Employment status*

The majority of the workers surveyed in large plantations (86.5 per cent) were employed on a permanent basis. Of the remaining workers, 12.3 per cent were employed on a temporary basis and 1.3 per cent were trainees. Despite the large number of permanent workers, three quarters of those workers did not have formal work contracts. Under Sri Lankan law, a formal work contract is not a mandatory requirement to become a permanent worker in the rubber sector. Meanwhile, workers' wages are determined through the Wages Board Ordinance.

Workers on large plantations contribute 8 per cent of their salaries to the Employee Provident Fund (EPF), and employers contribute a further 12 per cent. This provides workers with a pensionable income, where they can draw 20 per cent of their basic income on retirement. Some large plantations offer other welfare services, including childcare services, meal room facilities for factory workers. Furthermore, during Sri Lanka's economic crisis, some employers distributed free food rations to workers, helping mitigate the impact of food shortages.

Smallholder farmers, are family run, rely on family labour, and tend not to employ workers. Only a few casual workers were identified throughout the assessment, and these worked irregularly on farms during mornings. All persons working on smallholder farms did so on an informal basis, without employment contracts.

Table 2: Summary table on employment status among surveyed workers

Category	Percentage (%)	Description
Permanent	86.5	Workers with long-term employment, contributing to EPF and entitled to benefits.
Temporary	12.3	Hired on a short-term or casual basis without long-term employment benefits.
Trainees	1.3	Workers undergoing training, usually for specific tasks within the plantation.
Workers Without Contracts	74.3	Both permanent and temporary, without formal employment contracts.
Workers Receiving Payslips	94.8	Receive regular payslips, ensuring transparency in wage payments.

5.3. Occupational safety and health issues

5.3.1. *Accidents and injuries at work*

Considering the OSH hazards and risks associated with work in the sector, relatively few work-related accidents and injuries were reported to the survey team. Of the workers surveyed, only 3.5 per cent stated that they had had an accident in the last 12 months (1.9 per cent of women and 6.5 per cent of men). Of those cases, most injuries were minor, with leech bites being the most common (affecting 2.9 per cent of workers) and snake bites reported by a small percentage (0.8 per cent). A few workers (0.3 per cent) reported they had experienced an injury from a fall. No worker reported having experienced minor cuts related to their work, despite these being a common hazard due to working with sharp tools. In addition to the low overall number of reported accidents, no worker declared that they had been subject to more than one work-related accident.

Given the low level of reported cases, it follows that the majority of workers (96.5 per cent) declared they had not taken any leave from work due to accidents or injuries. Of those who had, 1.5 per cent had taken leave more than one week, 0.5 per cent had taken leave between four days and one week, and 1.5 per cent had taken 1 to 3 days of leave.

Workers appeared to have limited understanding of workplace norms and regulations that related to OSH and work-related accidents and injuries. Furthermore, only 8.8 per cent stated that they had sufficient knowledge regarding available compensation or insurance benefits. The vast majority of workers (97 per cent) were unsure of whether the employer or worker should cover the costs in the event of an accident, while the same percentage of workers did not understand what constitutes danger at work, nor know when or how to withdraw from unsafe tasks. These findings highlight a significant gap in knowledge regarding workplace safety, which may have contributed towards a lack of reporting of accidents. While most workers (88 per cent) perceived their work and workplaces to be safe, this too could be indicative of a lack of understanding of the hazards and risks associated with their work.

The study also assessed worker training and knowledge on safety and health. Of the respondents, 44.5 per cent of workers felt that such training was not applicable to their work. Of the remaining workers, only 20.3 per cent had received task-related training, whereas 35.3 per cent of those who felt it was relevant stated that they had not received any safety and health training in relation to their work at all. This evidence corroborates findings above that workers are lacking in education and awareness regarding OSH issues, which may in turn lead to underreporting of accidents.

Workers were further questioned regarding fire safety and first aid in the case of electrical shocks. 54.3 per cent of workers felt that they had adequate knowledge regarding safety aspects in regard to emergency fire situations and the actions to take to mitigate them. However, the majority of workers (70.3 per cent) stated that they had not been trained in first aid provision if a worker was subject to an electric shock.

5.3.2. Worker health

The findings of the study show that the majority (92.3 per cent) of workers did not report any pre-existing health conditions at the time of recruitment. The remainder of workers reported symptoms such as back pain (4.5 per cent), joint pain (1.0 per cent) and breathing difficulties (0.5 per cent).

Following recruitment, only 4.2 per cent of workers attributed new health issues that they were experiencing to their work, with a slightly higher percentage of men (5 per cent) than women (3.8 per cent) experiencing symptoms. Of the workers who had been affected by ill-health, 3.7 per cent of workers reported experiencing symptoms daily, while 1.7 per cent reported experiencing weekly, and a small percentage (0.5 per cent) reported experiencing them infrequently (e.g., once every six months). Note that this should not be interpreted as workers symptoms decreasing following recruitment, but only these percentages of workers reporting new symptoms that they attributed to their work.

Despite the low number of incidents of ill-health among workers, the diagnostic assessment indicated that musculoskeletal pain, such as back pain and knee pain were common among rubber plantation workers. Despite the physically demanding nature of their work, most workers perceived these health problems to be a part of everyday life and ageing, rather than work-related. This indicates a lack of awareness about occupational health hazards and risks, as well as a cultural tendency for workers to downplay the kind of physical discomfort and pain that they had experienced from their work. Improving worker understanding and awareness of health hazards and risks, and the available mechanisms to report incidents of ill-health are critical to improving levels of safety and health in the sector.

Workers were not specifically questioned on malnutrition, however, there was some suggestion from the assessment that it could be a common issue 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 Plantation Health Development Trust (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.

Most employers from larger plantations (70 per cent) reported conducting annual medical check-ups. Health assessments were primarily conducted by estate medical practitioners or through local health service and workers tended to have access to child and maternal health clinics run by medical officers, midwives, and public health inspectors.

5.3.3. Alcohol and substance use

Among the workers surveyed, 17 per cent of workers reported that they consumed alcohol, with men (44.9 per cent) more likely to drink than women (2.3 per cent). Betel chewing, a habit linked to oral cancer that was once commonplace among plantation workers, has declined significantly, although over a third (37.5 per cent) still use it. Very few workers (0.3 per cent) reported that they smoked cigarettes or beedis. Nevertheless, it is notable that the subject of substance use can be a sensitive cultural issue and it is possible that the use of alcohol, chewing of betel

and smoking were higher among the sample group in practice. The figure for smoking is notably considerably lower than that recorded in the tea sector (16 per cent, including 39 per cent of men), suggesting that there may be inconsistencies in the data reported.

Table 3: Substance and alcohol use

Substance use	Women (%)	Men (%)	Total (%)
Alcohol consumption	2.3	44.9	17
Betel chewing	31.3	49.3	37.5
Smoking	0	3.6	1.2

5.3.4. Absenteeism and sick leave

Absenteeism and sick leave among surveyed rubber plantations was rare, with 94 per cent of workers reporting that they had not taken sick leave within the last 12 months. This indicates a very low incidence of formal absenteeism among the workers, despite the OSH hazards and risks associated with their work and a prevalence of musculoskeletal issues.

A low incidence of absenteeism and use of sick leave could be attributed to several factors, including a lack of awareness among workers over their right to leave, a fear of losing wages, and cultural attitudes towards work, injury and illness. A reluctance to take sick leave appeared to be exacerbated by a lack of formal leave policies. Many workers were either unaware of their entitlements or did not have access to paid leave. In many cases, workers opted to seek informal medical care rather than take time out from work to recover fully. As above, some plantations offered basic health care facilities or clinics for workers to help treat these conditions.

Provision of paid sick leave to workers, as well as transparency over policies towards sick leave, and promoting awareness among workers through OSH committees can be an important step towards promoting worker safety and health. These practices can also contribute towards increased productivity in rubber plantations and help mitigate the social and economic costs of health issues, including inequalities.

5.3.5. Access to water and sanitary facilities

Almost all workers (97.5 per cent) reported that they had access to clean drinking water at their workplace. Meanwhile, all workers on large plantations had access to toilet facilities in factories, though there were no toilets for workers to use in the fields. Meanwhile, on small plantations, sanitary facilities in the home are the only facilities that were available to workers, who generally tap rubber trees for a few hours in the morning and return home for breaks, so perceived toilets in the fields to be unnecessary. Nevertheless, sanitary facilities are important for worker health, and particularly important for the women workers who are working out in fields, especially during menstruation. While it was not deemed by workers to be an issue, it is likely that worker health could be improved by the provision of sanitary facilities at the workplace.

5.3.6. Medical services and clinics

The diagnostic assessment found that, on large plantations, medical services for plantation workers are generally provided by estate medical practitioners, who conducted clinics with the assistance of public health midwives and inspectors. 70 per cent of these employers offered annual medical check-ups by qualified doctors. Otherwise, they relied on estate medical practitioners to deliver routine care. Workers were able to visit medical centres for treatment when needed, though the quality and consistency of care varied across plantations. In case of serious conditions where estate medical practitioners were not available, workers were referred to the nearest hospital.

While these services were in place in large plantations, the assessment identified room for improvement in both the consistency and quality of medical care provided to workers on plantations.

Meanwhile, due to the nature of smallholder farms, medical services are not provided, and these workers relied on the medical services of nearby villages, which are of varying quality.

5.3.7. OSH committees

According to the diagnostic assessment, large plantations tend to have established OSH committees. 65 per cent of employers confirmed the existence of OSH committees, which usually met on a monthly basis. OSH committees were typically chaired by senior management, including CEOs and estate managers, which may indicate a degree of importance and priority being placed on safety and health. The primary focus of OSH committees was to identify and mitigate potential OSH hazards, review incidents and accidents, and ensure that proper safety protocols were in place. Those who had established OSH committees claimed to have established OSH committees with equal representation from management and workers' representatives, with women members who represented both employers and workers.

Bipartite OSH committees serve as a platform for workers to voice their safety and health concerns and provide feedback on safety measures. Employers perceived the safety committees to be very helpful in minimizing OSH hazards and risks in plantations. Women were said to be represented in safety committees both at the employer and worker levels.

While OSH committees are in place in larger plantations, smaller plantations lack OSH committees. This is in line with a general lack of attention given to OSH management and lack of formal OSH structures in small rubber plantations.

5.3.8. Risk assessments

Risk assessments were relatively uncommon among the surveyed enterprises. In larger plantations, only 35 per cent of employers stated that they had conducted risk assessments. Among those who had conducted risk assessments, the frequency with which risk they were conducted varied. Some adopted proactive approaches, claiming to conduct risk assessments on a weekly basis to identify

emerging risks. Risk assessments were more common where work was deemed to be higher risk, such as work in processing factories—including chemical handling during latex processing—or rubber tapping. Other employers conducted risks assessments only once per year, or on a reactive basis (i.e. after an accident had taken place). This reactive type of risk assessment goes against the main OSH principle of prevention and may not fully capture the dynamic nature of risks in plantations, where changes such as seasonal variations and the wear and tear of equipment can significantly alter workplace risks over time and.

Smallholder plantations rarely conduct risk assessments. This owes to the largely informal nature of their operations and structure, and a lack of awareness regarding the importance of OSH management and of systematic safety evaluations. Where safety practices did exist, they were typically reactive and ad-hoc, addressing an issue only after it was identified due to an accident.

Risk assessments are essential for identifying potential hazards in the rubber sector in both fieldwork and processing work. A lack of formal risk assessments is likely to mean that many common hazards and risks go unrecognized. Notably, workers were unaware of appropriate safety measures that should be taken or of the potential impacts that hazards and risks can have on their safety and health. For instance, chemical safety is a major concern on rubber plantations, but workers were often not aware of correct storage and handling procedures for the use of pesticides or processing chemicals. This may lead to workers perceiving that the workplace is safer than it is in practice.

Furthermore, inconsistencies in the data bring into question some of the findings of the survey. As above, OSH committees supposedly exist in the majority of cases, however, risk assessments rarely taking place suggests either a lack of OSH committees or their poor functioning. Meanwhile, weekly risk assessments are very unlikely, and the fact that some employers have claimed to conduct these suggests a potential misunderstanding of the question or of the concept of risk assessment. Regardless of these inconsistencies, it is clear that both well-functioning OSH committees and regular risk assessments are an important area of focus for improving OSH management in the rubber sector.

5.3.9. Use of PPE

The diagnostic assessment suggested that the use of PPE across the surveyed enterprises and workers was inconsistent. 53.8 per cent of workers reported using PPE, leaving almost half the workforce without this protection. In some cases, PPE was available but not enforced by employers on large plantations. Meanwhile, the cost of PPE was deemed to be prohibitive by many smallholder farmers with limited resources.

The usage of PPE varied between men and women workers, with 60.1 per cent of men using protective equipment compared to 50.4 per cent of women. This disparity may be influenced by gender-specific roles in plantations, with men often undertaking tasks perceived to be more hazardous such as machinery operation or pesticide application.

The most commonly used PPE included gloves, safety boots, and aprons. These were designed to protect against cuts, chemical exposure, and physical injury. However, field workers, and particularly those involved in rubber tapping, were less likely to use the available PPE. The use of safety boots, for example, was

considered impractical for navigating the terrain of rubber plantations, especially during the rainy season when the ground can be slippery and uneven. This discomfort and the perceived inefficiency of PPE for their specific tasks contribute to a low use rate among field workers.

In addition to PPE often not being provided, workers were often inadequately trained on its proper use. Many workers were not aware of how PPE could be applied to effectively protect themselves from occupational hazards.

There is a need for both improved PPE provision, design, in terms of appropriateness for worker's tasks, and education and training programmes on the importance of its proper use. Employers should consider investing in PPE specifically designed for rubber plantations, such as lightweight, non-slip footwear and breathable gloves. Regular monitoring and reinforcement of PPE use can be critical steps to protecting workers safety and health, where hazards and risks cannot be eliminated or substituted through other means.

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 rubber sector, on the basis of characteristics such as gender, ethnicity, social background, marital status, religion, political opinion and education. The results of the analysis found no significant evidence of discrimination on these grounds, with 98.3 per cent of workers perceiving that they had not been discriminated against at work. The sentiment that workers were being treated equally was echoed during FGDs. Furthermore, women did not feel they had been subject to domestic violence, however, questions regarding this issue were considered to be extremely sensitive it is likely that answers did not reflect the realities of the situation due to cultural sensitivities, with non-governmental organizations (NGOs) highlighting the prevalence of domestic violence in the sector.

Positive perceptions of non-discrimination may be attributed to the communal nature of plantation life. It is notable that workers live in often close-knit communities, share common social and cultural practices, often speak both main languages, and intermarry between ethnic groups. Some management appeared to prioritize promoting fairness and inclusivity and a work environment where discrimination was not tolerated. In certain instances, training programmes had been provided by employers in collaboration with NGOs, on issues such as women's empowerment and gender violence, alongside on financial management and health issues including alcoholism and smoking.

It is, however, important to note that an absence of reported discrimination does not necessarily indicate that discriminatory practices do not take place. The findings may reflect a lack of awareness among plantation workers about what constitutes discrimination, or a reluctance to report issues due to fear of reper-

cussions. Particularly in smaller plantations, where formal grievance mechanisms are often lacking, workers may not have the platform to voice their concerns about unfair treatment.

In order to continue building an environment of inclusivity, clear anti-discrimination policies should be established, and workers should be educated and made aware of their rights to be free from discrimination in respect of employment and occupation. Establishing formal channels for reporting grievances, and developing such practices in smallholder plantations, could further help promote workplaces free from discrimination.

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

The diagnostic assessment suggested that freedom of association and collective bargaining was limited in the rubber sector. Collective bargaining processes were strong in the plantations up to 2019, with employers and trade unions negotiating important aspects including wages, welfare, OSH, etc. However, following the Government introducing wage boards for the tea, rubber, and coconut sector the collective agreement was halted. It is notable that in the data collected, no mention was made of trade unions, and no interviews were conducted with trade unions, nor was any reference made to collective bargaining taking place with employers in this sector, possibly for this reason. In large plantations a degree of worker representation takes place regarding safety and health, through bipartite OSH committees. However, these do not serve the same function as workers unions, lacking the authority to negotiate labour issues such as wages, working hours or terms of employment.

This situation is further exacerbated on smallholder plantations, where workers lack structured support systems and organized representation entirely. Workers often lack understanding of their rights to freedom of association and collective bargaining, are not aware of the benefits of engaging in unions and union activity, or fear repercussions from organizing collectively.

Despite a lack of data from the diagnostic assessment, the apparently weak unionization of workers and collective bargaining structures in the rubber sector are a significant barrier to achieving and maintaining decent work conditions in the sector. To address this gap, there is need for greater support from governments, employers and plantation unions to encourage workers to join unions, educate and inform workers of their rights and provide legal support for workers who choose to organize. In larger plantations, strengthening the role of OSH committees, and strengthening trade union representation within OSH committees, can help to promote collective bargaining and social dialogue in the sector.



6. Conclusions

The diagnostic assessment examined the application of FPRW within Sri Lanka's rubber sector, with a particular focus on OSH. It focussed on both large and small plantations and processing factories operating in the sector, using IDIs, KIIs, FGDs and direct observations made during field surveys for data collection.

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

- ▶ **employment** – the majority of the workers in large plantations are employed on a permanent basis. This provides workers with a good level of stability, though it is notable that the majority of these workers do not have formal working contracts, nor is this a legal requirement for the sector. Workers tend to both work and live on plantations, and rely on their employers for accommodation, an arrangement blurs the boundaries between work and home life. Formality of work is a particular issue in smallholder farms, where very few workers have formal working arrangements. Job roles in the sector are heavily gendered, with women most likely to be engaged in rubber tapping in the fields and men most likely to work in factories and operate machinery. This highlights specific employment and cultural characteristics of the rubber sector which should be given particular attention in designing policies to promote the FPRW of workers. Working conditions are of particular concern for the sector, as young workers have been seeking employment elsewhere, which could cause issues for employers in attracting and retaining an adequately sized workforce in the future.
- ▶ **Legal and regulated framework related to OSH** – the legal and regulatory framework governing work in the rubber sector, including on OSH, remains relatively 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 rubber sector and throughout the world of work. Given the strategic importance of the sector, and the large numbers of workers, consideration of the FPRW, and particularly OSH, issues discussed in this paper should be given priority when adopting, updating and revising laws and regulations. Consideration of smallholder farms in the rubber sector, and the particularly acute challenges they face in regard to OSH standards is also essential to the effective realization of decent work in the sector.
- ▶ **OSH practice** – Workers and employers in the rubber sector perceived work in the sector to be safe. At the same time, few incidents of worker accidents and injuries and ill health were reported to the survey team. However, this does not necessarily indicate high standards of OSH management in plantations. The study suggested that both employer and worker knowledge and understanding of OSH issues was low, and that workers had not been adequately trained on OSH. Record keeping and reporting related to safety measures was also typically poor. Due to cultural and social factors, workers felt that issues including musculoskeletal disorders, such as joint pain and back pain, were likely not work-related, despite

the physically demanding nature of their work. Worker absenteeism was also low, though workers were unaware of their rights regarding paid sick leave, where they existed, and hesitant to take time off work for fear of losing money. Workers working without allowing their symptoms to completely heal could cause future health and productivity issues. Risk assessments were also uncommon across enterprises, particularly in smaller plantations. This creates a situation where neither employers nor workers are adequately aware of OSH hazards and risks. PPE provision was inconsistent, with workers often not provided with PPE, or unwilling to use it because it was deemed unnecessary, uncomfortable or ill-suited to their work. In all cases, OSH management was considerably weaker among smallholder plantations, where the requirements for OSH and its role as a FPRW were not well understood, and resources considered too limited for landowners to perceive that OSH should be a priority.

In relation to the realization of two interrelated FPRW:

- ▶ ***discrimination*** – discrimination in respect of employment and occupation was not widely reported in the rubber sector. The diagnostic assessment suggested that the close-knit and multi-cultural communities, and shared languages, cultures and beliefs of workers in the sector could help promote feelings of non-discrimination. However, findings could also reflect a lack of awareness among workers about what constitutes discrimination or a reluctance to report issues due to fear of repercussions. Formal grievance mechanisms are often lacking, particularly in small farms, and workers may not have the platform to voice their concerns about unfair treatment. Job roles in the sector are still highly gendered, which indicates a level of gender discrimination, even if this is not perceived by employers or workers due to cultural norms. Questions regarding violence towards women in the workplace and in their homes in plantations were not well-received by respondents due to the cultural sensitivities involved, however, this does not mean that this does not take place.
- ▶ ***collective bargaining and freedom of association*** – trade unions exist in the rubber plantations sector in Sri Lanka, with the unions which serve the tea sector, where unionization rates are very high, also engaging in the rubber sector. However, as per the limitations of this report, the diagnostic assessment did not survey nor interview trade unions, and employers or workers were not asked about their roles in collective bargaining. Given the lack of findings directly related to collective bargaining and freedom of association, there is a need to conduct further research on their role in the rubber sector in Sri Lanka. Nevertheless, the diagnostic assessment of the tea sector identifies the important role that trade unions can play in plantation life and the negotiation of working conditions. It is therefore clear that the promotion of collective bargaining and freedom of association in the rubber industry can help improve working conditions and the implementation of FPRW in the sector, including in regard to safety and health and the decent deficits that have been identified above.

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 at work and ensure the effective realization of worker's rights in the rubber 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 rubber 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 rubber sector.²² According to ILO guidance, the Government of Sri Lanka should:
 - (1) 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;
 - (2) 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;
 - (3) Strengthen the capacity of the labour inspectorate to promote and enforce OSH laws, with particular attention to rubber plantations;
 - (4) 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);

²² [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.

- (5) 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;
 - (6) Improve the system for recording and notification of occupational accidents and diseases to improve understanding of OSH issues and orient policy decisions;
 - (7) Mandate the provision of clean drinking water and toilets both on site and near work areas;
 - (8) 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 rubber sector and promote further research in the area, collaborating with organizations like the ILO, National Institute of OSH, and Plantation Institute of Management; and
 - (9) 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 job roles in the sector are highly gendered, and worker understanding of what constitutes discrimination and regarding their rights to be free from discrimination were low. Discrimination in the rubber sector also merits specific attention due to the high number of Tamil workers working in the sector. To help eliminate discrimination in respect of employment and occupation in the rubber sector, the Government should:
- (1) Enshrine the principles of non-discrimination and equal remuneration for equal value in national employment law;
 - (2) Promote equality and non-discrimination policies at the employer level;
 - (3) Engage in and encourage social dialogue on issues relating to discrimination at both the national and enterprise levels;
 - (4) Implement awareness raising and education programmes on recognizing and preventing discrimination for both employers and workers;
 - (5) 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;
 - (6) Improve monitoring and reporting through collecting and analysing data on employment trends, wage gaps, and complaints and incidences of discrimination; and
 - (7) Support victims of discrimination through redress mechanisms including legal assistance, counselling and compensatory schemes.
- Freedom of association and collective bargaining are not being widely practiced in the rubber sector, with low unionization of workers, despite plantations unions covering the sector in principle. The Government should promote social dialogue in the sector through the effective realization of collective bargaining and freedom of association. While laws are in place to safeguard this FPRW, more can be done such as:

- (1) Strengthening the existing legal framework to ensure the rights to freedom of association and collective bargaining, including in national employment law;
- (2) Strengthening social dialogue and workplace cooperation unit in the Department of Labour of the Ministry of Labour, in its capacities for the training of management and workers on social dialogue and workplace cooperation, with a particular focus on developing social dialogue mechanisms, guidelines etc. for the rubber sector;
- (3) Supporting union formation in the sector, including through offering technical assistance and resources for the establishment of unions in the sector, across primary and secondary processing;
- (4) Supporting the sustainability and development of representative organizations of employers and workers, including through programmes offering technical assistance and resources; and
- (5) 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 rubber sector should:
 - (1) Contribute to the development and implementation in practice of the existing and revised employment law and national OSH policy and Programme;
 - (2) Provide training and capacity building to employers on OSH standards and practices;
 - (3) Advocate the integration of OSH into business strategies and help to ensure that OSH is considered a priority among their members;
 - (4) Engage in social dialogue and collaborate with social partners to promote and implement effective OSH management systems; and
 - (5) Adopt and implement anti-discrimination policies and promote diversity and inclusion, including through training and awareness programmes with their members.

Employers

- ▶ Employers in the rubber 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:
 - (1) Formulate a workplace level OSH policy, in consultation with workers and representatives;
 - (2) Establish, strengthen and ensure the efficient functioning of a safety and health committee with workers and their representatives and participate fully in bipartite committees;

- (3) 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;²³
 - (4) 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;
 - (5) Make appropriate OSH arrangements to ensure safe and healthy workplaces for rubber sector workers;
 - (6) Make provisions for the safe use, operation, storage and transportation of chemical, physical and biological equipment, as relates to work in both rubber fields and factories;
 - (7) 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;
 - (8) Implement appropriate documentation for the OSH management system and for OSH records (including on work-related injuries, ill health, diseases and incidents);
 - (9) 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.

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

Trade unions

- ▶ Trade unions operating in the rubber sector and their members should:
 - (1) Contribute to the development and implementation of new labour laws and the national OSH policy and Programme;
 - (2) Educate themselves on issues relating to FPRW, including OSH, in order to better engage in workers' issues and participate in social dialogue;
 - (3) 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 rubber 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;
 - (4) Engage in social dialogue with the government and employers to promote formal working contracts and permanent work for workers in the rubber sector; and
 - (5) 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 their rights 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 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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