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A Study Report on Working Conditions of Tea Plantation Workers in Bangladesh



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International Labour Organization

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Sylhet, December 20, 2015

Executive Summary

1. Background, methodology and objectives

Bangladesh is the tenth tea producing and ninth tea exporting country in the world. The first commercial-scale tea garden in Bangladesh was established in 1854. Today there are 164 tea gardens in Bangladesh located in seven districts. Tea is cultivated on 115,757 hectares of land. A total of 359,085 people live in tea garden areas, including 89,812 registered workers and 19,592 casual workers working in the tea gardens. The workers are not of local origins but are mainly descendants of immigrants who came from different parts of India during British rule.

The tea garden workers of Bangladesh lead a poor life due to their low income (less than US\$1 for a day's work from sunrise to sunset), which is much lower than that of the Indian tea garden workers. As a result, the workers are not able to consume sufficient food and nutrition. In addition, workers have a poor literacy rate. While Bangladesh has made commendable progress in all aspects of millennium development goals between 1992 to 2015, for example reduced extreme poverty from 70.2% to 35.1%, increased primary school enrolment from 60.5% to 100%, child mortality reduced from 146 to 48, maternal mortality reduced from 5.74 to 1.43 per thousand live birth (Planning Commission, 2015), gross disparity still exists in tea garden areas. Tea garden labourers are among those who are usually excluded from a number of government services with a view that they should be cared for by tea garden authorities. The tea garden authorities have the responsibility to ensure housing, safe water, sanitation, medical and educational facilities for the tea garden labourers and their families but these are not practiced fully by the authorities.

Effective social dialogue is not taking place among different the partners, including the Bangladesh Cha Shramik Union or Tea Plantation Workers' Union (BCSU), the Tea Owners Association and the government. External support to workers and their organization may assist them in becoming capable of attaining the power of collective bargaining as envisaged in the Right to Organize and Collective Bargaining Convention, 1949 (No. 98). Furthermore, the ILO is dedicated to the creation of opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity through its Decent Work Country Program. It is important to give special attention to gender aspects since women workers are more vulnerable than male workers in the tea industry. Wellbeing of workers also has direct impact on their productivity. The labour cost of production can be reduced by raising labour productivity. An organized and self-motivated labour force is a prerequisite for higher labour productivity and vice-versa.

This study was conducted to generate new and updated knowledge and empirical evidence, using both qualitative and quantitative methodologies, on the working conditions of tea plantation workers. It is expected that the findings will be useful in order to identify issues and implement appropriate responses to ensure that tea plantation workers fully enjoy fundamental principles and rights at work, safe working conditions and fair remuneration, without discrimination based on ethnicity, identity, social origin, disability or other grounds. It is anticipated that the findings will therefore be useful to ensure decent and productive work for tea plantation workers.

A total of 297 tea plantation workers from ten tea estates were interviewed and six focus group discussions (FGDs) were conducted with *Panchayet*, a tea plantation workers' social administrative body, which deals with arbitration and coordination amongst tea communities, and community leaders to unveil the overall life and livelihood of tea plantation workers. The study also conducted 27 key informant interviews and arranged two meetings with BCSU and tea plantation workers. The draft report has been compiled based on empirical data derived from primary and secondary sources. Finally, the draft report was presented in two workshops with the active participation of all stakeholders. The report has been finalized by accommodating all appropriate feedback received during these workshops. The study report is divided into eight sections to cover information on the socio-biographic profile, working conditions, fundamental rights at work, gender issues, socio-cultural beliefs and practices and role of stakeholders. The study has proposed recommendations based on the expectations of tea plantation workers and the observations of the research team.

2. Socio-biographic profile

Although most of the employers reported that there is no gender preference in the recruitment process, the study found that the tea plantation industry is dominated by female workers. Approximately 64% of all workers are female. It is observed that many tea plantation workers start work at their early age. In a number of instances, children are engaged in the tea gardens as relievers or helper of their parents. Once they grow up, they change their status so that they are no longer assistants to or relievers of their parents but temporary workers and a portion of them become permanent workers. Workers who start working at an early age do not get access to education. In addition, child marriage, poverty and lack of consciousness are identified as major reasons for the low rate of education in the community. Only 35% of our respondents were found to be literate. Among them, a small portion (11.5%) completed secondary school certificate and large number (43.4%) simply attended some level of primary school but have forgotten how to read and write. They opined that they failed to continue their education mainly due to poverty of their parents and lack of institution closer to their habitats. Some had to take care of their siblings as their parents were engaged in the tea gardens as workers. Outside formal education, only 6.1% of workers had the opportunity to receive training provided by their employers for permanent workers. A number of NGOs provide training in health and hygiene for tea plantation workers. More than half (56%) of respondents were found to be in between 21 to 41 years of age. There were a number of workers engaged in the tea industry of the age of 60. Almost all of the respondents were living with their families. Fifty seven per cent of workers had three to six children and in few cases the number reached seven children. Lack of education, consciousness and the high rate of child mortality were identified by key

informants as major reasons for the large family sizes. Sixty eight per cent of the respondents reported that they were the main breadwinners of their families. Almost all tea plantation workers mentioned that their foreparents came from India, most of whom are not alive.

Only 1.7% of respondents in this study were born in India. Around 56% of the respondents were born in the tea plantation where they were currently working and 42.4% stated that they came from other tea garden areas. The study revealed that a number of workers came from Barisal and Comilla districts of Bangladesh and were living inside the garden areas which have become known as Barisal and Comilla lines. The majority of workers were living in a specific tea garden from generation to generation but one was found to have owned land. Although around 65% of respondents opined that they had their own land, the reality is that the land is owned by the Government and is under the lease of the tea plantation. The tea plantation allots land to workers for cultivation.

3. Working conditions and labour benefits

3.1: Employment status and tasks: Data shows that a large majority of respondents had been working on a specific tea plantation for more than 11 years, with a small percentage working for over 40 years. Thirty seven per cent of respondents had been employed at a specific tea plantation for less than ten years. Most of the tea plantation workers interviewed (87%) are engaged as permanent workers and others are casual, daily or seasonal workers. The majority of workers in the latter three types of employment claim they are not entitled to receive access to the same rations, shelter and health facilities as permanent workers. Types of work vary seasonally. As the study was conducted during peak season, between 80% and 85% of respondents were actively engaged in plucking tea. At the time of the study, 5% of respondents were engaged in dry season activities, which include weeding, dressing tea plants, applying fertilizer, clearing the forest land for the extension of plantation areas, pruning vulnerable tea trees, repairing canals and roads and domestic chores at the households of the managers. According to key informants, there is no job hierarchy among tea plantation workers. All workers are regarded as tea plantation workers and the management deploys them as per the need of the garden and their personal wishes. The remaining workers work as security guard (6.6%), factory workers (5.2%), and domestic workers in managers' homes (2.4%) or *Sardars* (leader of workers) (1.7%).

3.2: Recruitment and contract: A number of the respondents had more than one reason to work in a tea plantation. The majority of respondents decided to work in the tea gardens due to ancestral connections, whereas others claimed they had no other alternative (63.2%). A negligible number of workers (1%) is engaged in the tea plantation industry due to their personal interest in the tea industry. Both personal decision and family expectations were reasons to engage in the tea industry. Any tea plantation worker who does not work or is not registered as permanent worker in the tea garden, is not permitted to live in the labour line. As tea plantation workers do not possess land inside or outside the garden, they are obliged to work as tea garden workers. Tea garden workers are like ancestral contract labour as their employment also secures their accommodation. The recruitment process for workers is carried out by the tea plantation authority mostly in an informal manner and in most cases (93%) without written contract and appointment letter. Each plantation has a

fixed number of permanent positions of worker and once any worker retires from employment or the position is vacant for any reason, their children are given first priority and can be recruited directly by the tea garden authority. Sometimes *Panchayet*, who act as a bridge between workers and tea garden owners, help in this type of employment. Around 90% of respondents were recruited by their employers directly. During recruitment, 58.6% of respondents were informed about the working environment. Thirty five per cent of respondents were informed about working conditions by their family members, neighbours and relatives, who are workers. In terms of voicing concerns, FGD respondents claim there is no mechanism through which to speak to management, and many believe that they must work at the will of the management. Further, 85% of survey respondents feel they are not consulted when working hours or the nature of work is changed. In Bangladesh, housing or labour lines are located inside the tea plantation. Ninety nine per cent of surveyed tea plantation workers stated that they walk to their workplace. Of those surveyed, 53.2% get to work in less than 30 minutes of walking and around 40% had to spend between 31 and 60 minutes to reach their workplace.

3.3: Wages: The cash remuneration of tea plantation workers is calculated weekly based on daily performance. Ninety nine per cent of respondents opined that they get remuneration weekly. A plucking worker is required to pluck 23 kg (varies from 18 kg to 24 kg) of leaves a day and if they fail to achieve the target or *Nirik*, remuneration may be cut proportionately. If the performance is higher than target, additional remuneration (2 to 3 taka (BDT) per kg) is paid for additional plucking. Other work is also target based and remuneration depends upon the performance except factory work, security and domestic work in managers' residences. According to an existing contract, a tea plantation worker receives BDT 69 per day as cash remuneration. This study calculated the honorarium of last month and found that more than half (55.2%) of the respondents could earn within the range of BDT 1501-2000 per month, whereas 33% workers earned less than BDT 1500. Only 2% of the respondents stated that they received more than BDT 3001 last month as cash remuneration. It is found that a number of workers have to receive assistance from other family members, including young children, to fulfill their targets. It was found that around 14% of respondents took assistance of their family members to secure their daily remuneration. Around 99% of respondents reported that they don't have complications in payment and their employers pay them in time.

However a small portion of them (7.4%) noticed that they did not get the full amount of their agreed wages. According to key informants, if a worker fails to meet target, they may not receive full payment of agreed wages. In addition to cash remuneration the plantation workers receive a number of benefits from their employers. Around 89% of respondents opined that they receive support like 3 kg of rice or flour as ration per week, free accommodation, and medical services. However, most respondents had complaints against the tea garden authority. They were of the view that they were being exploited by their employers as their income was not sufficient for their livelihood. More than 84% of surveyed tea plantation workers stated that their income was insufficient to fulfil their family needs. Tea plantation workers, who participated in FGDs, stated that they struggle to maintain livelihood for their families with their low income and most other needs remain unfulfilled.

3.4: Housing: Every tea plantation is required to provide cost free accommodation for permanent workers. Around 91% of surveyed tea plantation workers were living under the arrangement of tea estate authority. But more than half of them (about 56%) were not satisfied with the size, quality, design and other facilities like sanitation and drinking water. According to them, the tea garden authority allocates roughly 2200 square feet of land to construct a house. The size of the house is also fixed at 10.5 feet by 21 feet. The tea garden authority provides all materials for the construction. A worker must build their own house including the cooking area. It was observed that although the roof is capable of protecting against bad weather, the ventilation facility is insufficient and floor is made of mud. In some cases, workers sleep in the same room as their livestock , which creates serious health hazards, affects sleep and ultimately affects their productivity in tea plantation work. The tea garden authority has not provided sanitation facilities. Although water options should be arranged by the tea garden authority, an insufficient number of water options were found to be installed and those that were did not function adequately. Around 80% of the respondents were not satisfied with the overall housing accommodations provided to them.

3.5: Working hours and leave: Tea plantation workers usually work six days a week and are not entitled to receive wages for the weekend. The working hours are fixed at eight hours per day starting at 9 am. During peak months most workers have to work additional hours or seven days a week. They usually do it willingly as additional income comes from those additional hours. It was found that during peak seasons, 78.1% of respondents worked 6 days a week during peak seasons and around 11% of respondents worked 7 days a week. Another 11% of respondents stated that they worked 4 to 5 days a week during peak season as temporary workers. The management of the tea industry, however, claim that workers do not work sincerely, usually work less than their fixed eight hours and are engaged in other activities outside the tea plantation. It was found that 88% of workers take one break during a full day of work. The length and time of the break depends upon the pressure of work. Most plantations have a specific time to take a midtime break to weigh their plucked leaves. This break time is also utilized for midday meal and refreshment.

A number of workers take a ten minute break while some take two hours. In most cases (around 62%), workers take a one hour break. Plantations with low production have no provision for breaks as the workers are assigned to work from morning to noon. Despite long hours at the plantations, more than half the respondents (around 54%) found good work life balance for their families and social communities outside of their work. Around 40% of respondents stated that the long working hours meant that their dependent family members were poorly cared for during their work time. Leave is generally allowed but few workers enjoy casual leave due to lack of knowledge about the provisions of leave. Recipients of annual leave were found to be very low (3.7%). Sick leave and festival leave are commonly enjoyed by respondents (49.1 and 39.6 per cent respectively). In order to obtain permission for sick leave, workers are required to stay long hours at the plantation.

3.6: Maternity protection and child care: Female workers are entitled to maternity leave with their daily wages for their first two pregnancies. They were found to have poor access to other services including medical visits and special allowances during pregnancy. Among respondents, 50.2% had experience of being pregnant after their involvement as tea plantation workers and among them, about 88% had the opportunity to take maternity

leave. Despite experiencing physical complications, 13% of this group did not enjoy maternity leave, fearing loss of income and opportunity. In most cases, tea plantation workers had more than two experiences of pregnancy and naturally they had experience of work and maternity leave during pregnancy. Although employers do not impose laborious work during pregnancy, most pregnant workers could not work as they did before their pregnancy. Pregnant workers failed to meet their targets and were at risk of wage cuts by the management. There is no provision of paternity leave in the tea industry. Despite requirements to establish a childcare facility in each tea plantation, only a few plantations were found where a facility was introduced by the tea garden management. Only 18.9% of respondents stated that their employers had arranged a childcare facility for working mothers in the garden. Other working mothers face serious difficulties. Many of them keep their children at home in the care of their siblings who are also children. This reality prohibits many children of tea garden workers from receiving breastfeeding and education. In the absence of an alternative facility, some workers keep their children with them in the open spaces around their workplace.

3.7: Working environment, occupational safety and health: In the tea plantation sector, workers' safety and security issues are ignored widely. About 63% of respondents stated that their health and safety was at risk because of their work. They identified multiple reasons including having no shelter close to the workplace, no safety kits, no toilet facility, long working hours in a harsh environment, risk of snake bites and poisonous chemicals. Another group of respondents work in the factory with dust, long working hours and handle machinery without safety measures. The harsh environment of the factory causes health hazards and more than 75% of respondents reported that they had experienced negative effects on their health. A high number of respondents (84.3%) experience headaches, which they viewed as a result of being exposed to natural elements including wind and rain, in their work environment. A large number of respondents (about 74%) experienced muscular pain. Back pain (71.9%) and skin diseases (65.5%) were identified as other health problems. Injuries are also a common problem among both tea garden and factory workers. Fatigue and job stress are also experienced by tea plantation workers. A few tea gardens supply kits with hand gloves, boots and masks to protect against hazard and health risks but those are not properly used by plantation workers. Although 23% of respondents were given protective gear, very few workers were found to be using protective gear in their workplace. It was hardly to find toilets and urinal facilities in the study area tea garden locations. Sixty seven per cent. of respondents reported that tea garden authorities provide clean drinking water during work. When the people who supply clean water (who are also tea plantation workers) were asked about the sources of water, they replied that they collect this from tube wells. When collection of water from tube wells is difficult, particularly during dry seasons, water is collected from ponds or canals. As a result, the water supply may not be safe though the suppliers claimed that they use water purification tablets for canal and pond water. A few tea gardens were found to have break rooms or shed areas for having food, taking rest or taking shelter during rainfall. Only 12.2% of respondents reported to have this facility. Workers were observed to be passing their and taking their midday meal break under the shade of trees. In every tea garden there is a health center run by a compounder, one dresser and a female attendant called midwife who can provide first aid only. It was alleged by the workers that the same medicine is prescribed for all diseases and therefore they are not cured by their services. Supply of low quality medicine was another

complaint by workers. If a worker is not given treatment at the tea garden or in the event of an accident, the worker is referred to a medical hospital. Treatment expenses are arranged by tea garden authority however most respondents noted that expenses are not fully paid by their employers. Around 52% of respondents mentioned an ambulance facility. About 68% of respondents were dissatisfied with the health services offered by tea garden authority. Among the tea gardens studied, only one garden health centre had an MBBS physician. According to key informants, once an accident occurs, the injured worker receives treatment and full wages and ration during the whole period of their treatment. If the injury causes a disability, the injured worker can deploy any family member to work in their position. While around 48% of respondents had experience in receiving compensation due to accidents during work, around 39% of respondents did not receive compensation. Many FGD participants complained that "Getting compensation is dependent upon the efforts of *Panchayet* leaders but they do not work properly always and thus many people fail to get their due compensation and are exploited." During illness, however, workers are paid sick leave for all days, hospital costs and doctors' fees, treatment expenses and medicine costs as compensation.

Around 90% of respondents had experience of harassment by their supervisors. A number of respondents (11.3%) reported experience of physical abuse. A good number (38.3%) of surveyed workers had experienced being pressurized to meet targets fixed by management and 29.1% of respondents stated that management forced them to carry out overtime work during peak season. In some cases the FGD participants stated about the sexual harassment by supervisors or co-workers in the tea plantations. According to tea plantation worker leaders, workers have had to adjust to the negative work culture of tea plantations.

4. Fundamental rights at work

The ILO Declaration on Fundamental Principles and Rights at Work has identified four fundamental rights of workers. The state of these rights in tea plantations have been described in the following sections:

4.1: Freedom of association and collective bargaining: Collective bargaining is regarded as one of the main instruments of establishing workplace justice. Effective collective bargaining can take place at the factory only with the presence of collective bargaining associations or trade unions. The study finds that the sample tea plantations have a workers' association, which is called *Panchayet*. Every member contributes financially but are unwilling to participate in *Panchayet* activities. Workers become members of the *Panchayet* upon registration as workers in the tea plantation. Management does not resist or assist in the formation of such associations. The main roles of the *Panchayet* are to minimize the conflict between workers and supervisor (*Tila babu*), to secure the payment of dues to workers and to negotiate with management on behalf of workers when necessary. The survey data shows that 47.8% of workers participate while 52.2% never participate in *Panchayet* activities. Respondents who do not participate in *Panchayet* activities indicated a distrust of *Panchayet* leaders and stated that they use this organization for their own interests.

4.2: Forced or compulsory labour: While the majority of respondents (71.7%) have not directly experienced forced labour, 26.9% of the workers claimed that they have been forced to work against their will. Tea plantation owners reported that there is no direct

evidence of forced labour in the tea plantations but indirect practices are there. Every worker is required to pluck 23kg of tea leaves a day. If a worker is unable to reach this target, their wages are reduced proportionately. Due to their low income, however, workers try to earn more by plucking more than the target so although they are not forced to do overtime work, they feel bound to do so. Another manifestation of forced labour is that they are required to be working in the tea garden to keep their residence. Workers are also forced to work in tea plantations due to lack of job opportunities elsewhere.

4.3: Child labor: According to the findings of this study, only 1% of respondents were found to be below the age of 18 years. However, 47.1% of respondents acknowledged the existence of child labour in tea plantations. Children do not work as permanent workers but as substitute of or in addition to another family member. Some children work as a replacement of a parent who is unable to work, in order to secure their residence. During peak season, the presence of child labour is more visible. The tea garden authority welcomes children along with their parents to finish the plucking within required timeframes. Workers also take their children to work to meet targets or secure more income. In some cases, children of tea plantation workers work during vacation days and after or before of school hours.

4.4: Discrimination in respect of employment and occupation: The Bangladesh Labour Law sets out the right to freedom from discrimination. Nevertheless, the interviewees' accounts assert that tea plantation workers are not completely free from discrimination. A number of respondents (21.2%) reported that they have experienced discrimination. Some workers are favoured over others by management on account of a number of factors including gender (23%), pregnancy and maternity (18.6%), age (14.2%), political opinion (10.9%), religious beliefs (9.3%) and participation in union activities (6.6%).

5. Role and status of women tea plantation workers: gender perspective

5.1: Equality of opportunity and treatment: The sample data shows that gender division of labour is highly practiced in tea plantations. A large portion of workers are women and they are predominantly involved in tea plucking. In the sample, women workers were engaged in tea plucking, while factory workers, supervisors and security guards were predominantly men workers. There are some gender biased beliefs and practices amongst management in the tea industry. It is generally believed that women are more efficient and skilled in plucking tea due to their nimble fingers.

5.2: Role in family decision-making: Findings of the study suggest that the socio-cultural norms of tea plantation worker communities allow women to participate in the family decision-making process. According to respondents most family decisions are made jointly by both husband and wife. The family economy is managed by the women workers in some instances. Few men workers opined that their wives are contributing to the family equally although sometimes the wife earns more than her husband. In such scenarios, the wife gets preference in the maintenance of family economy. Most respondents stated that in their families, both wife and husband make decisions jointly about the schooling of their children. Respondents stated that women's participation in cultural festivals is not restricted, rather, women are organizers and in most occasions, performers at festivals. The research team

observed that women are the key performers of cultural programs and festivals in the tea plantation workers' community.

5.3: Women's participation in the decision-making bodies in the tea estate: Although women enjoy high status in their families, their participation in the decision-making process in tea plantations is not as common. Women members of the *Panchayet* do not get equal opportunity to participate in the decision-making process compared to men members. Some respondents opined that women are engaged in the *Panchayet* ornamentally as they do not take part in meetings regularly and sometimes men leaders or members do not consider that women members should participate in decision-making processes in the *Panchayet*.

5.4: Dowry system in the tea garden community: In spite of women being engaged in work in tea gardens, the dowry system is widely practiced in the tea garden community. The amount and nature of the dowry depends on the economic capability of the parents of the bride and bridegroom. Respondents considered that this practice often created a burden on the family and many of them had to quit their jobs before their retirement to arrange money for their daughter's marriage. Premature retirement of workers is commonly known as "selling permanent position" and creates economic insecurity for the family but without alternatives, they choose this decision to take money from their provident fund. Some workers who had sold their positions were being forced to leave their residences, which were provided by the tea garden authority. The dowry system therefore creates insecurity for entire families of tea plantation workers.

5.5: Access to education: Although gender-based discrimination with regard to access to education is not visible, it is prevalent in tea garden areas. According to key informants, tea plantation workers are becoming conscious about the importance of education and many of them send their boys and girls to both primary and secondary schools. A few respondents opined that parents sometimes do not feel that it is safe to send their daughters to high school or college as they have to walk long distances alone. As a result, there is a low attendance of girls in high schools and colleges and an increased rate of drop-out. Child marriage was identified by respondents as another factor responsible for dropping-out from school. In some cases parents engage their daughters in household activities such as cooking, taking care of siblings, collection of firewood and as a result, they are unable to attend school. Few children were found to be engaged as helpers for their parents or working elsewhere. Due to acute financial crises, parents are forced to send their daughters to work instead of school. Tea garden authorities prefer to recruit girls as they are considered to be more manageable and sincere than boys. The number of boys and girls receiving higher education is increasing in the tea plantation community but most educated youth are not eligible for the quota system for government employment. Key informants opined that the issue was controversial. Some in the tea garden community have the opportunity to be included in a quota system as long as they obtain a certificate from the Bangladesh Adivasi Forum. To obtain a certificate, one must be a member of an indigenous group, which is listed with the forum.

5.6: Freedom of movement: No restriction is imposed on women workers with regard to her freedom of movement. Respondents noted that their tea garden community allows women

to leave the tea plantation for any purposes however women have limited movement beyond the tea plantations mainly because of their isolated habitat, language barriers, fear of discrimination and shyness.

6. Socio-cultural beliefs and ethnic identity

Tea plantation workers identified themselves as distinct group. However, within the tea plantation community, there are sub-groups based on their origin and ethnic identity. In some instances, norms and customs vary within the same religious group. British companies brought workers from different states of India and they still identify with those ethnic identities. In the course of time, a portion of Bengalese people have engaged in tea plantation work. Bengalese are identified by their native districts from where they have migrated and tend to associate with others of the same origin. During the study, a few labour lines called Barisal line and Comilla line were identified.

6.1: Language: The study found that the tea garden communities are conversant in ten languages. Historically tea workers were brought from the Assam, West Bengal and different places of India. They have their own mother tongue, which has now evolved to incorporate elements of the local language. Workers who originate from the Indian state of Orissa usually speak in Deshali, which is in fact a mixture of Bangla and Oriya, the language of Orissa. Few respondents defined it as Bhosepuree language. Another group of workers was found who speak in modified Hindi. Few speak in Assomia, Munda, Orang and Telugu language, Santali language is practiced by the Santal ethnic group and Khasi language is practiced by the Khasi community in the tea garden. Despite having existence of those languages, the workers are found to be familiar with a language that has been formed as the mixture of Bangla, Deswaly/Deshali, Hindi and Assomia commonly known as the 'language of tea garden'. Tea community leaders observed that due to lack of practice, their languages are disappearing.

6.2: Ethnic identity: Given the criteria for identifying indigenous and tribal peoples set out in Indigenous and Tribal Populations Convention, 1957 (no.107) and Indigenous and Tribal Populations Convention, 1989 (no. 169), the communities may be considered indigenous peoples. Convention No. 169 refers to self-identification of such communities. According to the findings of this study, tea plantation workers prefer to use two tiers of ethnic identity. First, they identify themselves as part of the tea labourers' community and secondly, they identify with ethnic groups of their ancestors, who migrated from different Indian states during British era. In the tea gardens, which were part of the study, 38 ethnic groups were identified. Among the ethnic groups identified, the Koirey group is found to be the most empowered among the tea plantation workers' community. It has a high number of educated people and they are leaders in the *Panchayet* and tea workers' union. Other ethnic groups identified in the gardens include Lohar, RobiDas, Bagdee, Bhumij, Bauri, Bahadur, Nayek, Rikiason, Shobdokar, Ashon, Naidu, Donia, Rai, Munda, Chotree, Patra, Kalindee, Kumir, Halder, Kondo, Bhumia, Orao, Santal, Mahali, Barai, Rajbhar, Shill, Pashi, Kharia, Goala, Munda, Bunargee, Nunia, Uria, Kaloar, Bhuian, Kurmi and Khasis. All of those communities have distinct norms and values which are poorly or not practiced by them. They are known as the tea labourers community to the broader Bangalee community. The Bangladesh Adivasi Forum also does not recognize most of their communities as indigenous communities. A small number of tea plantation workers are receiving higher education and

are engaged in employment outside the tea plantation. Unfortunately, most of the workers feel shy to disclose that they have an education and employment elsewhere, fearing discrimination. One key informant who was a college teacher and the member of tea plantation workers' community was of the view that their educated youths are not interested to return to the tea plantation community. They stay in urban areas with mainstream employment and always with a tendency to hide their origin.

6.3: Religious and cultural festivals: Most of the respondents belong to the Hindu faith and a few of them practice Ancient religion, Christianity and Islam. All of the religious groups celebrate their religious festivals. They have separate prayer houses, which are constructed by employers and in some instances by tea plantation workers. Cultural and religious festivals are usually celebrated with the contribution of tea plantation workers. The employers and the local government authority also support them for this purpose. In addition to religious festivals, they have distinct cultural festivals. According to respondents, *Jhumur Nach* and *Lathi Nach* (special pattern of dances) are popular among all tea plantation communities. By nature, the tea plantation workers' community has an interest in cultural festivals and they usually arrange it simultaneously with a religious occasion. According to our respondents, amongst all festivals, Durga Puja is the most widely celebrated in the tea gardens. Irrespective of religion and caste, every tea plantation community participates in the event and dance, drama, devotional songs are enjoyed. Celebration of birth and death is also practiced widely in the community. Marriage is arranged following the rituals of respective ethnic groups. Music and dance are part of marriage ceremonies of any group.

6.4: Relationship with mainstream community: Tea plantation communities work and live inside tea garden areas and are mostly isolated from the outside world. Out of ten tea gardens, which were studied, only two were close to the mainstream community and most people in those gardens usually avoided leaving the tea garden. According to respondents, some leave the tea gardens to sell firewood and to buy groceries and they have mixed experiences during their interaction with the mainstream community. One of their *Panchayet* leaders stated that language barriers, and limitations in communication make it difficult for tea plantation workers to interact with mainstream people. Along with tea plantation workers, a number of indigenous groups have been living inside the tea plantations since time immemorial. These people are under serious threat of eviction and restrictions by tea garden authorities, who have labelled them as illegal occupants. Sometimes, the tea plantation owners create hindrances for use of the tea garden road for communities who are living next to the garden and have no alternative especially the Khasi community. This situation disrupts the communal harmony in the tea plantation areas.

6.5: Nature of access to mainstream services: Respondents explained that they are discriminated against and excluded from government services because of their status as tea plantation workers. Only 7.5 % of respondents stated that they were receiving assistance from the government. Local government representatives expressed the view that the tea garden authority should take responsibility for the workers so that the government would have no obligation to support them. They are mostly excluded from government social safety programs. According to respondents, non-government organization (NGO) services are allowed in the tea gardens. Most workers receive credit, primary and non-formal

education, water and sanitation services from various NGOs. It was found that more than half (56%) of respondents were the members of a NGO savings group and took microcredit from them. But none of them was able to mention the amount of their savings in their NGO account and had no plan how to utilize that savings.

7. General issues

It was found that more than 90% of the tea workers were not satisfied with their remuneration. Any work in the tea plantation industry is labour intensive and around 78% of respondents were not satisfied with the physical intensity of the work. Although around 43% of respondents were satisfied with their average working hours, others showed their dissatisfaction. Job security was satisfactory to most respondents (around 75%) but around 60% of surveyed workers were not happy with workplace safety. The overall work environment in tea plantations was not satisfactory to 76% of respondents. Around 63% of respondents opined that their rights are violated whereas 25% did not feel that their rights are violated and 12% were not in a position to comment regarding rights, as they were unaware of their rights.

8. Concluding remarks

In spite of their harsh reality, the tea plantation workers still have dreams and want to change their lives. Both tea plantation workers and union leaders are of the view that education is fundamental for bringing change to the community. All of them showed deep interest towards education and want to see their children educated and engaged in employment other than as tea garden labourers. A significant number (46.1%) of them expect that their children will be educated and will take up employment in the tea gardens. Most respondents complained that despite being educated, children of tea plantation workers do not get official jobs in the tea gardens.

About 4.4% of respondents were of the view that their educated children will work outside the tea gardens. About 41.1% of respondents opined that tea garden work has become less attractive due to poor remuneration and therefore members of their community should be engaged in multiple activities both inside and outside tea gardens. A small portion (3.4%) of respondents was frustrated and thought that due to not having an education they and their children will have engaged in tea gardens. However, almost all tea plantation workers had a desire to maintain a connection with tea gardens as it provides housing facility free of cost. Leaders of the tea labourers' community as well as survey respondents claimed that their members live well in the tea gardens as they have ration facilities, free housing and sometimes pieces of cultivated land leased from the tea garden authority. Tea plantation workers do not have sufficient opportunity for education and do not have required skills to engage in occupations outside the tea industry. Their ethnic identity, culture and languages are disappearing. The tea plantation workers are living in homes that housed their ancestors but are denied ownership of these homes. Their cultivated land which is sub-leased by the tea garden owners, is being grabbed or occupied by tea garden owners and the government in the name of extension of tea garden area or in the name of a forestation or any other development activities and many of their community members are being evicted from land. The leaders amongst tea garden workers do not have sufficient capacity, education, information or confidence to participate in the collective bargaining process with tea garden management. In many instances, leaders amongst tea garden workers are busy with their

own interests and do very little for other workers. Human rights activists, journalists, civil society groups and researchers give little attention to the plight of the tea garden workers' community but their active role could help in establishing and promoting the rights of poor tea plantation workers. It was also found that workers sometimes behave unethically, which disrupts the working environment in tea gardens. Tea plantation workers have been known to cut down trees and steal fertilizers, which adversely affects the tea plantation operations. There is plenty of opportunity for the government officials in the labour department to play their significant role to build the capacity of the tea workers leaders and employers to manage the workers' rights issues while contributing to the benefit of the tea industry.

9. Policy recommendations

The tea industry has good prospects as it has significant demand in the national and international market. Attention should therefore be given for the improvement of the tea industry. Development of tea industry is important due to a number of reasons. This sector generates employment opportunities and the consumption of tea in the country is increasing rapidly. Without the adequate focus on the development of the tea industry, unemployment in the country will increase and the government will have to spend foreign currency to import tea. It has been observed that the tea industry is not given adequate attention by either the government or tea garden owners. The development of the tea industry is strongly linked to the well-being of tea plantation workers' communities. Considering the importance of flourishing tea industry in Bangladesh, the study recommends following interventions by respective stakeholders:

9.1: Bangladesh Cha Sramic Union (Bangladesh Tea Workers' Association)

- Tea plantation workers should be organized and they should raise their own voices against any form of violation of rights in the workplace. The BCSU is able to provide training to *Panchayet* leaders as well as general workers about existing labour laws. They also can connect their people with government support and services.
- Service providers and local representatives have allegedly stated that tea workers are not self-motivated and do not show their willingness to participate in development activities run by government and NGOs. They should send their children to school and participate in water, sanitation and hygiene activities run by the government and NGOs. Workers need to be self-motivated to raise their issues in national landscape. Tea plantation workers are poorly remunerated but any increase in remuneration will only be possible if there is an increase in their productivity. For workers to be more productive, they must feel a sense of ownership and responsibility and therefore motivation, at the tea gardens. The BCSU work to increase motivation of workers in the tea gardens.
- Educated members of tea garden communities should be included in union leadership and they should have opportunities for development through training and workshops. The BCSU could lobby with national and international organizations, which work to promote workers' rights. The BCSU could also arrange dialogue between the tea garden authority, tea garden workers and civil society to sensitise them and create awareness of workers' rights.
- Internal conflicts should be resolved between the existing tea union leaders. An advisory board should be comprised of educated tea plantation workers who have strong emotional attachment and commitment to their community. They should be more conscious about the rights of tea plantation workers and should work as a bridge between tea garden management, government and tea plantation workers. The activities of union leaders should

be transparent, accountable and devoted to tea workers. The functions of Labour House, the secretariat of the Bangladesh Tea Plantation Workers' Union, should be strengthened so that it can be a centre for welfare of workers.

9.2: Tea garden authority

- Tea garden authorities should give consideration to further investment in the plantation in order to increase tea production. Land under the possession of tea plantation workers which was allocated for cultivation should not be taken for the expansion of tea plantations.
- The management should strictly follow labour laws. Wages and labour benefits should be provided as set out in the labour law. Improvement of educational and health care facilities should be given higher priority in order to create an empowered and sustainable tea garden community. Tea garden management could arrange monthly meetings with workers in order to form a stronger workplace relationship. Child labour should be restricted. Children should not be engaged in work at tea plantations in any capacity so that they can get education. Educated members of tea workers' families should be given the opportunity to work in tea gardens in positions that utilise their academic qualifications. Tea garden authorities could share profits with tea plantation workers, which could have a positive effect on motivation and therefore, productivity of workers.
- Childcare facilities should be available in all tea gardens. Tea garden workers must feel comfortable to send their children to crèche in order for crèches to be set up.
- There are a few services available including training for worker leaders by the Department of Labour and various NGOs in welfare, education, water, sanitation and hygiene. Workers however have limited access to the services due to the restriction of tea garden authorities. Access to these services should be ensured.

9.3: The Government of Bangladesh

- Officials of the Department of Labour should have frequent visits to tea gardens in order to inspect the nature of labour standards. Officials could identify gaps and difficulties in ensuring decent working conditions in the tea plantations as per the national labour laws and ILO standards.
- Regular training should be arranged by labour welfare centers so that the bargaining capacity of both workers and union leaders is increased.
- The Bangladesh Tea Research Institute could play a role in increasing productivity at tea plantations as well as the promotion of the rights of tea plantation workers. Government authorities should have dialogue with leaders in the tea plantation communities during preparation of any legal provision which concerns the tea industry.
- Although most of tea gardens are located in Sylhet division, the Labour Court is located in Chittagong, which restricts access for workers. The Labour Court should be established in each district. Any change in existing laws and formation of new laws relating to tea plantation workers should be based on effective dialogue amongst the Government, tea garden authorities and tea garden workers.
- The tea garden authority denies the right to own land by showing leasing documents issued by the Government. The tea community is always under threat of eviction by the tea garden authority. The Government can lease the cultivable land to tea community people who are already using that land.

- The Government should control the domestic market of tea by imposing restrictions on the import of tea so that locally produced tea is consumed. Restrictions on the import of tea will increase both quality and quantity of locally produced tea.
- The Department of Inspection for Factories and Establishments should be strengthened. Regular and frequent visits by labour inspectors could contribute to better observation of workers' labour rights in the tea gardens. For effective inspection of labour rights issues, all the vacant posts should be fulfilled.

9.4: Non-government organizations and civil society organizations

- NGOs and civil society actors should be sensitive to the issues faced by tea plantation workers. They should have dialogue on issues regarding labour rights of tea garden communities at policy level. Activities by NGOs on education, water, sanitation, hygiene, population control, micro credit and awareness raising campaigns should be strengthened with the support of tea garden management.
- Researchers and journalists should take an advocacy role to promote the adoption of policies, which strengthen workers' rights.
- National labour unions could connect tea plantations workers in their activities and contribute to raising tea labourer issues nationally and act as pressure group for ensuring decent working conditions in tea gardens. They also can provide training to tea plantation union leaders in order to strengthen their bargaining capacity.

9.5: International Labour Organization and International Labour Federations

- Social dialogue between employers and workers would allow workers to raise their concerns and possibly achieve better observance of their rights. The ILO and international trade union federations could arrange training sessions and provide logistical support to tea workers' unions in order to increase capacity building.
- The ILO can support the Government in adopting policies, which strengthen workers' rights and in implementation of labour laws.

Abbreviations

BD	Bangladesh
BTRI	Bangladesh Tea Research Institute
CHT	Chittagong Hill Tracts
DDL	Deputy Director of Labour
FGD	Focus Group Discussion
IDEA	Institute of Development Affairs
ILO	International Labor Organization
KG	Kilo Gram
NGO	Non-Government Organization
TK	Taka
UNICEF	United Nations International Children Emergency Fund
USD	United States Dollar

Chapter One:

Research Context and Methods

1.1: Background of the Study

Agro-based plantation industries in the developing world, particularly strawberries in Africa, tea in South Asia, bananas in Latin America and South Asia are constituted by rural unskilled workers. These workforces hold little labour power to make any befitting change to their lives. Wage exploitation and violation of labour rights are usual practices at the workplace. Women dominate the workforces in these industries but their congregation is found at the lower tier. Gender-based discrimination and power practices in the workplace make the work difficult. The labour market participation of women does not reduce their familial responsibilities. Due to beliefs in different gender roles of men and women, women are more vulnerable in the labour market. Women participate in employment and simultaneously perform traditional and culturally imposed familial duties. Gender division of labour imposes triple shifts on women as they are supposed to perform regular work, overtime work and household responsibilities.

Ulrich's study (2014) based on the experiences of Kenya's large scale export oriented horticulture farms cultivating fruits, flowers and vegetables suggested that horticultural production offers an alternative income opportunity, particularly for the unskilled workforce and for women. This study shows that a number of negative factors are associated with employment at a commercial farm including low wages (US\$1.40– \$2.90 per day), poor working conditions, overtime work, health risks and flexible and temporary patterns of employment based on seasonal demand. Gender-based exploitation and violation of labour rights is one of the main features of these industries as it is shown in Brahic, Olaiya & Jacobs' study (2011). It explains the complex intersection of gender disadvantage and labour oppression compounded by casual employment based on the evidence in export-oriented horticulture estates in Africa, particularly in cut-flower farms in Ethiopia, Uganda, and Tanzania. This study has pointed out that workers have no access to employment benefits such as maternity leave, weekly or annual holiday, decent working hours, overtime pay, sick leave, social protection schemes, medical benefits, housing allowances, the right to collective bargaining and they are excluded from any opportunities for promotion.

The tea industry in South Asia exposes that similar exploitative and vulnerable working conditions prevail in plantation fields in other parts of the world. Based on survey data of 182 households, Bhowmik (2011) shows that although the Plantation Labour Act 1951 stipulates a number of guidelines for plantation workers' living and working conditions such as permanent structured houses with sanitary facilities and supply of drinking water,

recreation facilities, cheap canteens, free primary education for children but no plantation has fulfilled all the provisions. According to this study, 76% of respondents have a structured house, which was built in 1869 but repair costs are not provided by employers. None of the workers have regular toilets rather they use open-air fields. As a result, infection from hook worms is quite high. Amongst respondents, 49% are illiterate and 12% are functionally literate and only 14% have reached to high school. In Assam, India, if in-kind payments are not included, incomes are far below the World Bank defined poverty line. Typical violations of workers' rights on tea plantations in Assam, India and Kericho, Kenya, include denial of health care and subsidized food, inadequate provision of housing and water, and sexual harassment. Wages are significantly below living wages and bad working conditions in turn lead to widespread malnutrition in main tea-producing regions. In almost all these regions, the rate of stunted children is above 30%. In the region of tea estates of Sri Lanka and India, stunting rates are well above the national average. In Malawi, the stunting rates in the tea regions are about 50%. Child mortality rates in tea gardens are significantly above the national average in Nyanza, Kenya and West Bengal and Assam in India (Herre et al., 2014). They work long hours in challenging climatic conditions, often with little access to health and safety protection, sometimes even without potable water. Therefore, they bear the high risk of different health hazards, such as body pain, anemia, headache, respiratory constraint and skin diseases (Borgohain, 2013). The ICESCR enshrines (Article 7) the right to "safe and healthy working conditions". The ILO has set an appropriate frame in the Safety and Health in Agriculture Convention (No. 184). Despite these international norms, agriculture is often excluded from coverage under national occupational health and safety regulations, and where laws do cover agriculture they are often not enforced. Working time is one of the main gaps in the protection of agricultural workers with many of them regularly working long hours, often from sunrise to sunset.

Working conditions in the tea estates of Bangladesh is not unlike that of plantation workers in other South Asian countries. Tea garden workers mostly belong to different ethnic communities who are marginalized and have little access to services provided by the State. These communities are mostly involved in ancestral agriculture-based production. The source of earning for ethnic people is cultivating land and working in the tea garden. Due to lack of education and unawareness, ethnic communities are not aware about their health and wellbeing. As the ethnic people can't keep up with their daily expenditure they send their under-aged children to work for having economic support (Nath, 2013). The tea garden labourers of Bangladesh are a specific group of vulnerable people who are living without respect, and generally lead a very poor life due to their poor income (less than US \$1) for an entire day's work from sunrise to sunset which is much lower wages than the Indian tea garden workers. Women, who are very welcoming in this sector due to a popular belief that they are more efficient in plucking, face greater deprivation than men. Malnutrition, ill health, drop-out from schools, child marriage and child labour are the common characteristics among tea garden communities (Das and Islam, 2006). A considerable number of tea garden children aged between six and 12 years do not go to school. The poor socio-economic conditions and lack of motivation among the guardians, non-availability of schools in the premises of tea gardens and reservations of the tea garden authorities are obstacles towards education for children in tea gardens (Hossain, 2007). Unawareness about health and hygiene makes them more susceptible to various health hazards, which causes them ill health (Ahmed, 2012). Around 65% respondents of Das and Islam's study

had the experience of receiving and giving dowry during the marriage of their son and daughter.

1.2: Objectives of the Study

The study is conducted to generate new and updated knowledge and empirical evidence on the working conditions of tea plantation workers in order to identify and implement appropriate responses to ensure that they fully enjoy fundamental principles and rights at work, safe working conditions and fair remuneration without discrimination based on gender, ethnicity, social origin, disability or other grounds. To achieve this general aim, this study is guided by following specific objectives:

- To identify and investigate the ethnic and historical background, working and living conditions, as well as socio-economic situation of tea plantation workers in Bangladesh, taking into account a gender perspective;
- To examine gaps and challenges in the application of existing national laws, policies and relevant ILO Conventions concerning tea plantation workers;
- To assess organizational capacity of the Bangladesh Cha Shramik Union (Tea Plantation Workers Union) and its performance in solving the problems of tea plantation workers.

1.3: Methodology

1.3.1: Design of the Research

With the objectives of an in-depth exploration into workplace hazards, abuse and violation of labour rights in tea gardens, the research project used both qualitative and quantitative approaches. The goal of the qualitative design is to represent the participants' reality as faithfully as possible from their own point of views (Morgan and Kunkel, 2001). In order to ensure an in-depth exploration of psychological, social and economic aspects of tea plantation worker's lives, the qualitative design could help the researchers to gather information through the use of ordinary conversation and observation. The quantitative approach helped the research in gathering data which is important for designing and selecting intervention strategies for the wellbeing of workers. Since the research findings are heavily dependent on reliable data (Patton, 1990), the researchers paid special attention in the field work phase where data was collected through participatory process.

Since gender and ethnicity are core focus of this study, gender sensitivity has been maintained throughout the research while selecting the sample, collecting and analyzing the data. For reliable and gender sensitive information for example, regarding sexual harassment and women's status in the family and community, two female research assistants were included in the research team.

1.3.2: Selection of Study Area

The study was conducted within the geographic boundaries of Sylhet and Moulvibazar districts in Bangladesh. These areas are heavily concentrated with study population. Considering the different types of ownership, ten tea gardens have been selected for acquiring primary data. The sample tea gardens were selected considering the management pattern (government and private companies) and types of the garden (A, B and C). As

highest numbers of tea gardens are located in Moulvibazar district, six estates were selected from this district and four tea estates from Sylhet. Getting access to any ethnic group is always challenging for a researcher from the mainstream community. Keeping this challenge in mind, the research team have considered following issues for selecting sample tea gardens:

- Personal connection with the tea garden authority
- Proximity and connectivity for frequent visits
- Connection with tea labourer's unions
- Connection with organizations working in tea garden areas.

1.3.3: Selection of Sample

All tea plantation workers (both men and women) living and working in tea gardens were considered as the population of the study. However, different stakeholders like employers, Bangladesh Employers Federation, National Coordination Committee for Workers' Education, government agencies, including the Ministry of Labour, human rights defenders, researchers, ethnic peoples' organizations and ethnic people's representatives and development partners were also included as research participants.

The sample respondents were selected based on their availability and personal interest. Thirty respondents were selected from each garden. After careful examination of the interview schedules, three respondents were discarded from the sample therefore, a total of 297 interviews were taken into consideration while analyzing the data. The study also conducted 25 key informant interviews (KII) from a range of stakeholders including employers, Bangladesh Employers Federation, National Coordination Committee for Workers' Education, government institutions, tea workers' unions, researchers, indigenous peoples' organizations and ethnic people's representatives. These 25 respondents were selected based on their connectivity with the research population and willingness to take part in the research process. Standardized interview protocols were developed to collect data from target population and other stakeholders. Experienced tea plantation workers were included as focus group discussion (FGD) participants.

1.3.4: Data Collection

There are no rigid rules that dictate the process of data collection in qualitative research (Patton, 1982). Qualitative research has historically been accommodating to three approaches to data collection:

- (i) In-depth, open-ended interviews;
- (ii) Observation; and
- (iii) Analysis of written documents (Patton, 1990).

The project used a "mixture" of all three techniques along with informal and formal individual and focus group discussions. Standardized interview protocols were used to collect data from key informants. The interview protocol was developed using open-ended questions covering all aspects of the research objectives, particularly investigation of the

work environment, wage, exploitation and measures to improve the conditions of a tea plantation worker's life. Similarly, checklists were also prepared for conducting FGDs. Extensive field notes have been collected through observation and open discussion. The research team spent a fair amount of time at the research sites to develop rapport with the participants so that information could be gathered in a free, friendly, and trustworthy manner. The data was collected in both textual form and audio recordings and researchers sought prior permission to do so from research participants. Photographic images of the working environment are captured. Selected secondary sources have been reviewed and analyzed following the guidelines of ILO. In addition, there were four workshops (two in Sylhet and other two in Moulvibazar) held to discuss this study. They were attended by various stakeholders included tea garden authorities, tea garden workers and their representatives, civil society actors, NGO representatives, journalists, researchers and human rights activists. The draft report has been shared with them and feedback from the workshops have been accommodated in the final report.

1.3.5: Data Analysis

The collected data has been organized, analyzed and interpreted following generally accepted principles and practices associated with qualitative and quantitative research. After collection of data, audio tapes and recorded data have been transcribed and analyzed using the framework of the decent work approach. Quantitative data has been processed and analyzed using SPSS software. Anecdotes from participants have been analyzed and presented according to the major themes and categories included in the decent work agenda.

1.4: The Context of the Study: Tea Plantation Industry in Bangladesh

Tea is the one of the major exporting products in Bangladesh. Bangladesh is the tenth tea producing country and ninth tea exporting country in the world. The first commercial scale tea plantation in Bangladesh was started in 1854 by Duncan Brothers, a British company, in the *Surma* valley of Sylhet (Haque, 2013). Now there are 164 tea gardens spread over 1,15,757 hectares of land in seven districts of Bangladesh. There are 90 tea gardens in Moulvibazar, 21 in Sylhet, 20 in Habigonj, 22 in Chittagong, 1 in Rangamati, 1 in Brahmanbaria and 9 in Panchagarh district (BTB, 2015). According to the total amount of production, the tea estates of Bangladesh are categorized into three: A, B and C. The category 'A' gardens are belonging to Duncan Brothers, James Finlay, Deundi Tea Co., the New Sylhet Tea Estate Ltd. etc. These are wholly or partly British owned and dominate Bangladesh's tea trade. Productions in these estates are higher than the others. They account for 25% of tea acreage and over 58% of the tea production in Bangladesh. Category 'B' estates comprise the locally owned private industry. They have the potential to upgrade their quality but so far, have not done anything to increase their productivity or labour standard. Category 'C' are low yielding small estates, where the workers are not well paid and suffer the worst conditions. A total of 359,085 people live in tea garden areas including 89,812 and 19,592 as registered and casual laborers respectively.

To protect the rights of the tea workers, a number of legislative measures have been adopted in Bangladesh. Most of these laws have been enacted for the general labour force and are equally applicable to tea workers. The main regulatory framework of worker rights

in Bangladesh comes through the ratification of ILO conventions and recommendations. Bangladesh has ratified all ILO conventions except Convention No. 138¹.

Table 1.4.1: ILO Conventions on Fundamental Labour Rights

Fundamental rights		Name of the convention
1.	Freedom of Association & Collective Bargaining	C087: Freedom of Association and Protection of the Right to Organize Convention, 1948 C098 - Right to Organize and Collective Bargaining Convention, 1949
2.	Non Discrimination & Equal Remuneration	C100 - Equal Remuneration Convention, 1951 C111 - Discrimination (Employment and Occupation) Convention, 1958
3.	Free from Child Labour	C138 - Minimum Age Convention, 1973 C182 - Worst Forms of Child Labour Convention, 1999
4.	Freedom from Forced & Compulsory Labour	C029 - Forced Labour Convention, 1930 C105 - Abolition of Forced Labour Convention, 1957

By ratifying these conventions, Bangladesh has demonstrated a commitment to ensure all the formal rights such as the right to get an appointment letter, sufficient and regular pay without any discrimination, reasonable working hours, job security, involvement in trade unions and collective bargaining. All these issues were included in different laws enacted in Bangladesh, namely, a) The Maternity Benefit (Tea Estate) Act, 1950; b) The Bangladesh Plantation Employees Provident Fund Ordinance, 1959; c) The Tea Plantation Labour Ordinance, 1962; d) The Tea Plantation Labour Rules, 1977; e) The Tea (Amendment) Ordinance, 1986; and f) Bangladesh Cha Sramik Kallyan Fund (Bangladesh Tea Workers' Welfare Fund) Ordinance, 1986. Most of these enactments were later repealed and replaced by the Bangladesh Labour Act 2006. As per the Bangladesh Labour Act 2006, employers are expected to provide adequate ration, wages, a decent home, potable water, sanitary facilities, maternity leave and benefits. It also has kept the provision of the Arbitration Council and the Labour Court to settle industrial disputes. However, there are some limitations in the Bangladesh Labour Act 2006². The main weakness of this law is the

¹ Bangladesh did not sign the convention No. 138 on the minimum age to enter in employment. The reason for not signing this convention is that it may force many of the children into more vulnerable situation as many of them are surviving with their own employment.

² It is claimed that this law is not fair and just towards workers rights because it has given more power to the employers and some articles directly violate the human rights of workers in terms of work hour, accident compensation, strike in new establishments, preserving service book, pay of fired workers, punishment for molestation and non implementation of maternity benefit by the authority and so on.

failure with regard to the application of the ILO convention on Freedom of Association and Protection of the Right to Organize, 1947 (No. 87). In a recent amendment, the right to collective bargaining and the worker's share in company's profit has been included³.

Table 1.4.2: Key features of Bangladesh Labour Act 2006

	Key provisions	Limitations
Working conditions and labour benefits	<ul style="list-style-type: none"> • Provision for appointment letter and identity card. • Right to minimum wage. • Maternity leave for 16 weeks with full payment • One day weekly holiday and one day annual leave for every eighteens days of work • 8 hours for each working day, 48 hours a week, in exceptional case 60 hours. • Payment date is within seven days after the end of the last day of the wage period 	<ul style="list-style-type: none"> • Absence of rationing facilities • No maternity benefits for the workers who have already two children • Overtime work up to 10 pm • No provision for accommodation and transport facilities • Provisions for punishment of employers in case of violating labour rights is very weak, (e.g.; 3 months imprisonment or with fine of one thousand taka (US\$ 15) • No job protection and social security benefits
labour	<ul style="list-style-type: none"> • Right to form association and collective bargaining • No discrimination at work in terms of wage and employment conditions 	<ul style="list-style-type: none"> • Minimum membership requirement of 30 percent of the total permanent workers for approval of unions
Fundamental rights	<ul style="list-style-type: none"> • Minimum age of employment is 18 years • Freedom from forced and compulsory labour 	<ul style="list-style-type: none"> • Restriction on temporary workers for joining in union. • Provision of joining in only one trade union for each worker • Only one union in each factory

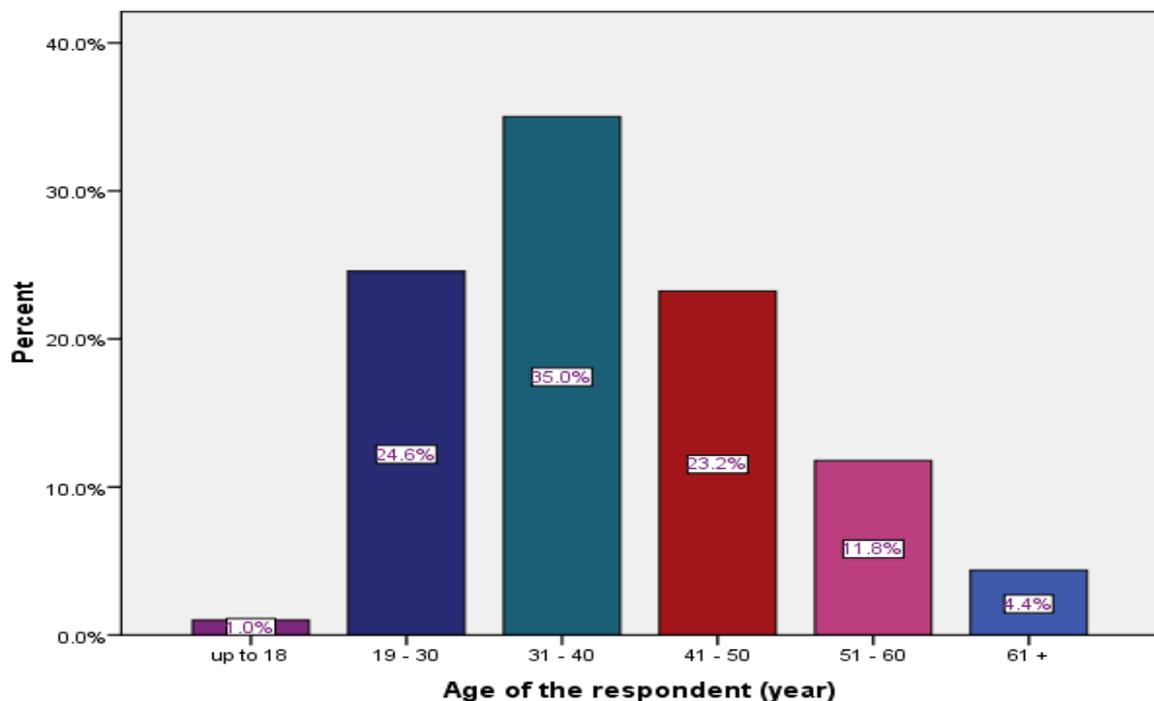
Source: Bangladesh Labour Act 2006 (Act No. 42 of 2006)

³ The cabinet approved the proposed amendment to the Bangladesh Labour Act 2006. In place of profit sharing, a new provision for creating a welfare fund with 5% profit for the workers has been incorporated. Some other new provisions are including allowing trade unions at the RMG unit, workers' safety and their welfare ('Cabinet Approves Labour Law Management' in Financial Express, 23rd April, 2013).

Chapter Two: Study Findings

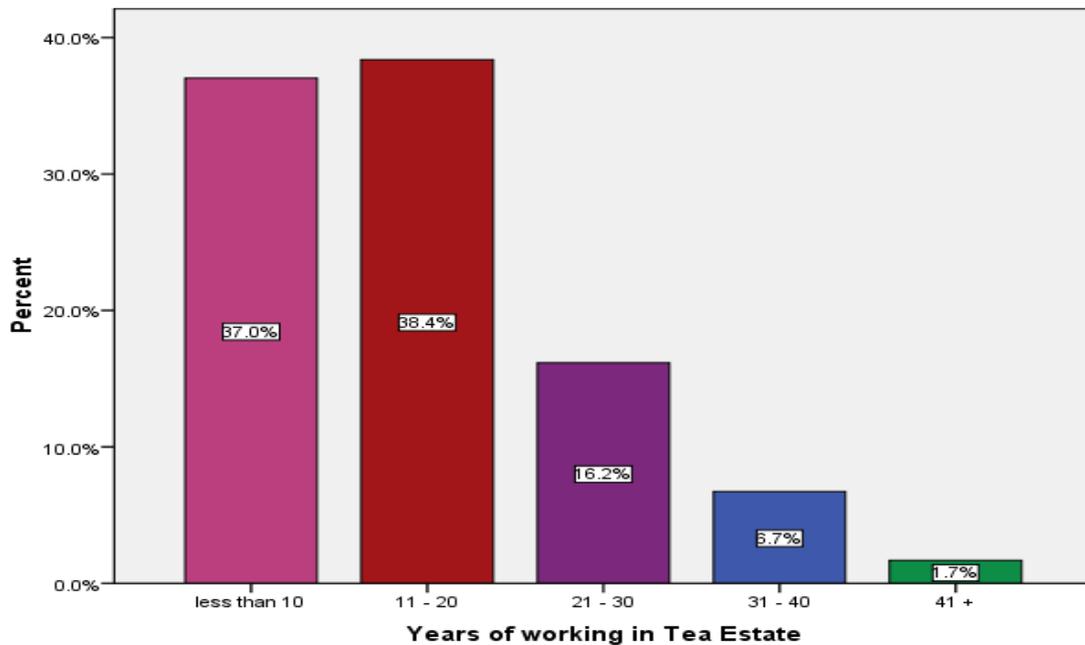
2.1: Socio-Biographic Profile of the Tea Plantation Workers

Women workers dominate the tea gardens. Among the respondents, 190 (64%) are female whereas 107 (36%) are male. The age distribution of tea workers shows that 1% workers are up to 18 years old, 24.6% are between 21 to 30 years, 35% are between 31 to 40 years, 22.9% belong to the age group of 41 to 50 years and 11.8% belong to the age group 51 to 60 years. The majority of the workforce (83.8%) is below 50 years and only 4.4% are over 60 years old.

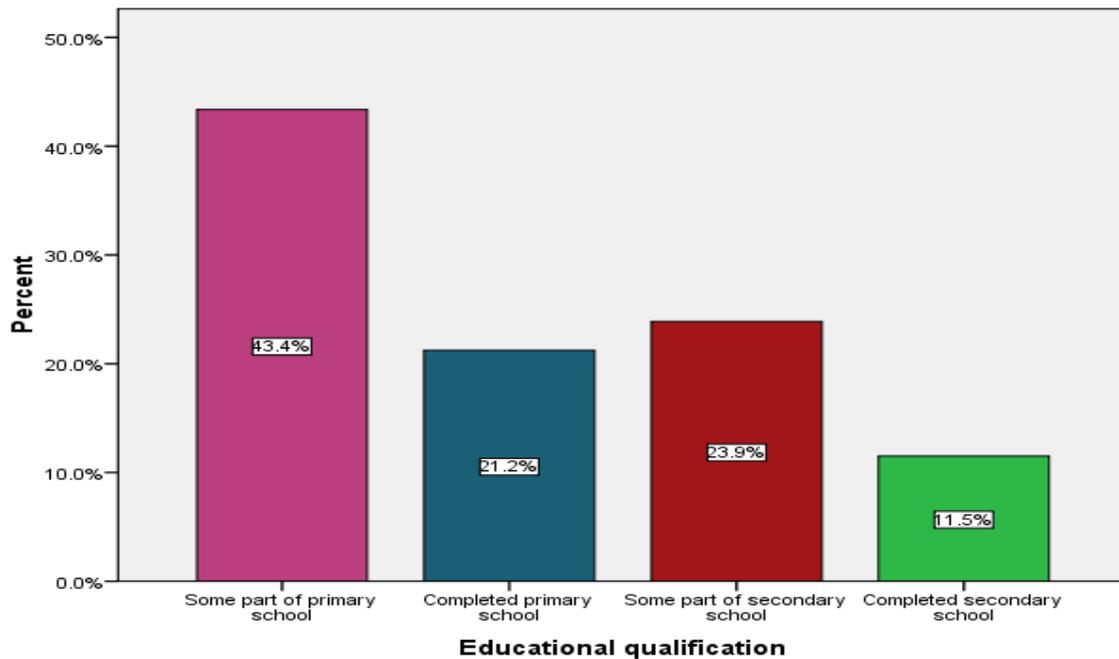


It was found that all of the tea plantation workers were born in tea gardens. They consider tea plantations as the main source of their livelihood. Change of tea garden is also unusual

to them. Usually tea plantation workers continue their tea garden job as long as they are physically active. The data shows that 37% of workers have been working for up to 10 years, 16.2% have been working for 21-30 years and some have been working for 31-40 years. A few respondents were engaged in work for more than 40 years. According to FGD participants, tea plantation work is laborious and requires physical strength and such prolonged engagement can cause serious health complications and diminishes productivity.

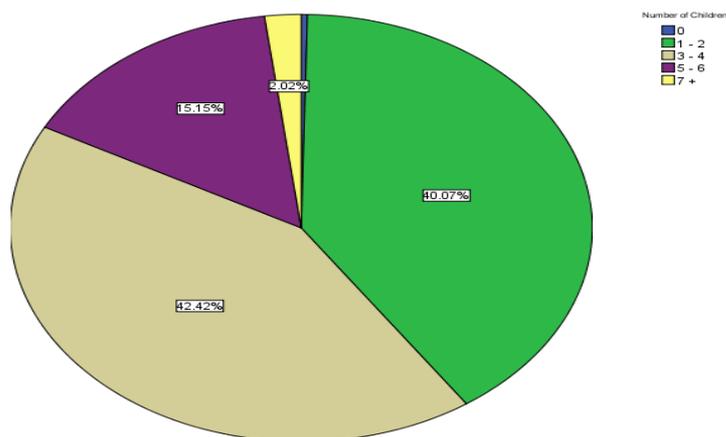


The data shows that most of workers (62%) are illiterate whereas 38% are able to read and write. Among the workers who can read and write, majority of them completed some parts of primary school (43.4%), very few have crossed the primary level (21.2%) and some parts of secondary level (23.9%). Only 11.5% workers have completed secondary education. However, no workers were found to have crossed the higher secondary level.



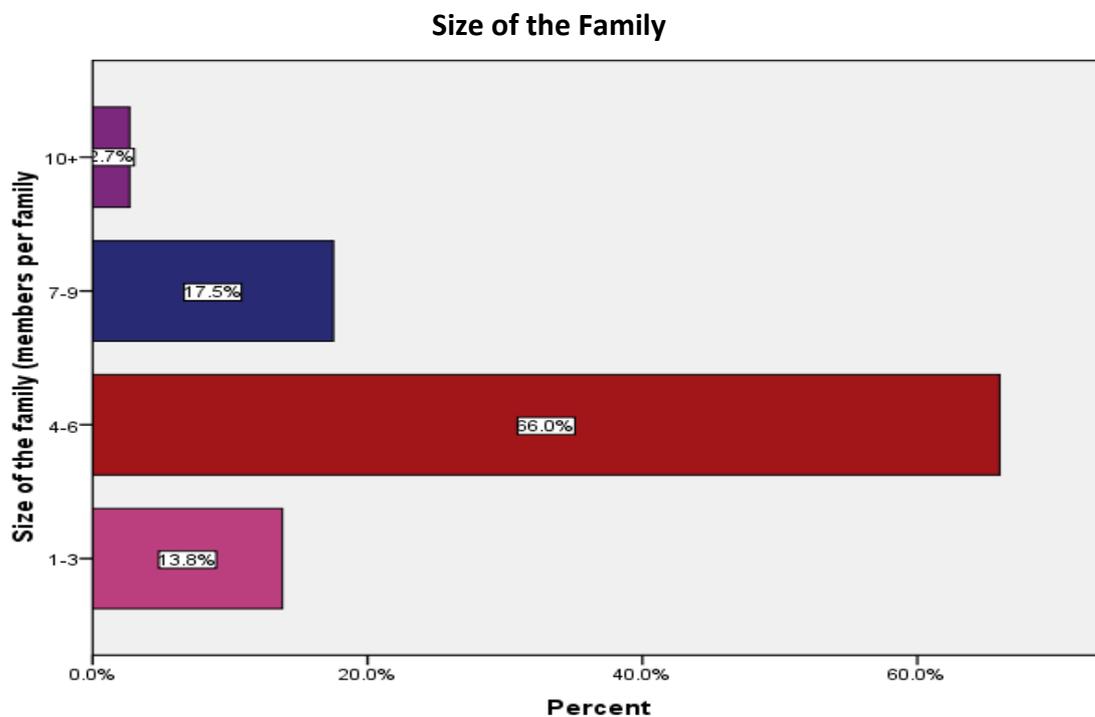
When they were asked about the reason for not continuing their education, the common answer was poverty, unavailability of schools in the locality and unawareness of the importance of education by guardians. Due to their lack of education most tea workers are not conscious about family planning. In addition, birth control and reproductive health services are not readily available. As a result, number of children in each household is found to be large. The numbers of workers' families having up to two children are 40.1%. About 42.4% of workers' families have three to four children and 15.2% of workers' families have five to six children.

Number of children of tea workers



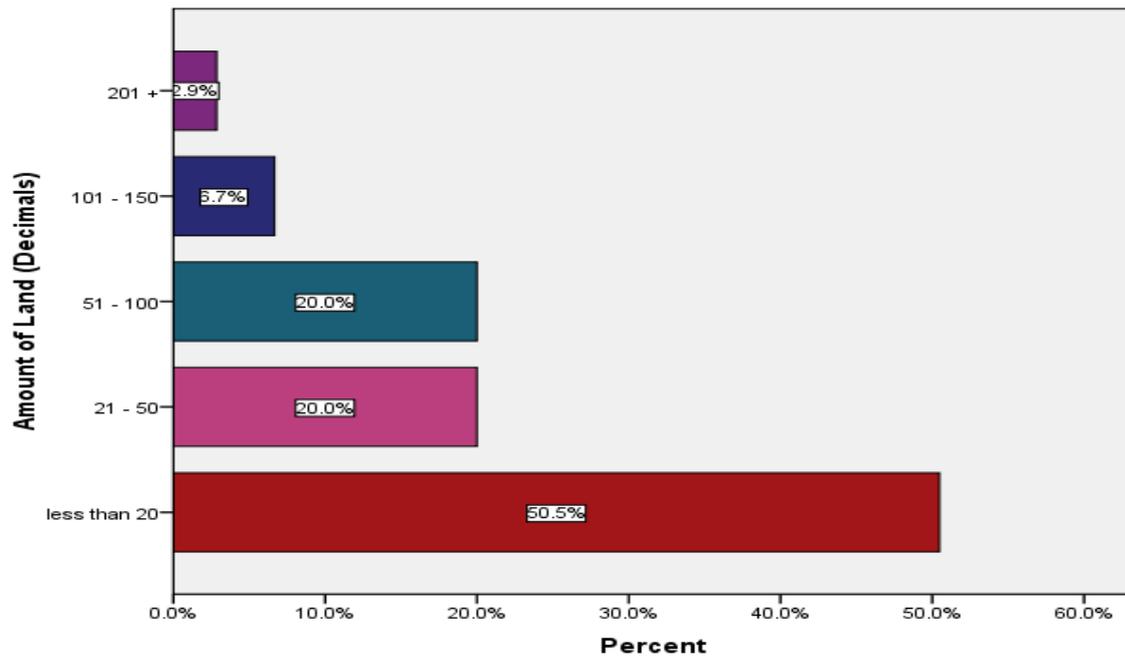
The average size of the family is comparatively large. The majority of families, about 66%, consist of four to six members. Only 17.5% of workers' families have seven to nine members. Some families are also found with more than ten members (2.7%). Although tea plantation workers are involved in this occupation year after year and generation to generation, they don't have the ownership of the land that they are cultivating or even the house in which they are living. The data shows that none of the workers have ownership of

land either inside or outside the tea garden. Only 35.4% have mentioned that they cultivate some land in the tea garden under lease from the tea garden authority but they don't have permanent ownership.



Workers can only cultivate it as long as other family members are involved in tea production but cannot handover the ownership. The amount of cultivable land is very little. Around 55.5% of respondents are occupying less than 20 decimals of land, 20% workers are using 21 to 50 decimals land and 20% are using 51 to 100 decimals land.

Ownership of Land (Decimals)



The forefathers of tea garden workers migrated predominantly from different parts of India during British rule. However, workers currently involved in tea states are almost all born and brought up in Bangladesh. The table (1.4) shows that the birth place of 55.9% workers are in the same region where they are currently working and living, 42.4% are born in another region of this country and only 1.7% workers are born in outside the country.

2.2: Working Conditions and Labour Benefits

2.2.1: Employment Status and Tasks

Data shows that majority of respondents have been working on the estate for more than 11 years, with a small percentage working for over 40 years. Around 37% had been employed there for less than ten years. Most of the tea plantation workers interviewed (87%) are engaged as permanent workers and others are casual, daily or seasonal workers. The majority of workers in the latter three types of employment claim they are not entitled to receive the access to the same rations, shelter and health facilities that permanent workers do. Types of work vary seasonally. As the study was conducted during peak season, between 80-85% of respondents were actively engaged in plucking tea. At the time of the study, 5% of respondents were engaged in dry season activities, which include weeding, dressing tea plants, applying fertilizer, clearing forest land for the extension of plantation areas, uprooting vulnerable tea trees, repairment of canals, roads, domestic activities in homes of of managers and assistant managers. The remaining employees were security guards, factory workers and domestic workers in managers' homes. According to key informants, there is no job hierarchy among tea garden workers. All workers are regarded as tea garden workers and the management deploys them as per the need of the garden and their personal wishes. Few work as security guards (6.6%), factory workers (5.2%), domestic workers at the homes of managers or assistant managers (2.4%) or Sarders (leader of workers) (1.7%).

2.2.2: Recruitment and Contract

A number of reasons for deciding to engage in tea plantation activities were identified.. Living inside the tea garden, people become oriented with garden activities naturally and sometimes get involve in the tea garden as helper of their parents. It is a common practice in tea garden communities for children living in tea gardens to replace their parent in the work force once they grow up. Around 63.2% of the respondents noted that they had engaged in the industry following their ancestors. More than half of the respondents (54.3%) opined that they have engaged in work at the tea garden to earn an income. The number of workers engaged in the tea plantation industry for their personal interest was negligible (1%).

About 49% of respondents noted that due to their lack of skills they have little or no access to the mainstream job market which forces them to get involve in tea plantation work. Almost the same number of respondents (49.2%) was influenced by family members to be engaged as tea plantation workers. Since work in the tea gardens is the prerequisite for residential facilities, families encourage their younger members to work in tea gardens. The recruitment process does not follow open advertisements but is usually done in an informal manner by the tea garden authority. According to them, each tea garden has a fixed number of permanent positions of labourers and once one retires from employment or the position is vacant due to any reason, their children get first priority and can be recruited directly. Sometimes *Panchayet*, a sub-committee of the Bangladesh Cha Shramik Union (BCSU), help in this type of employment. Around 90% of respondents stated that they were recruited by their employers directly.

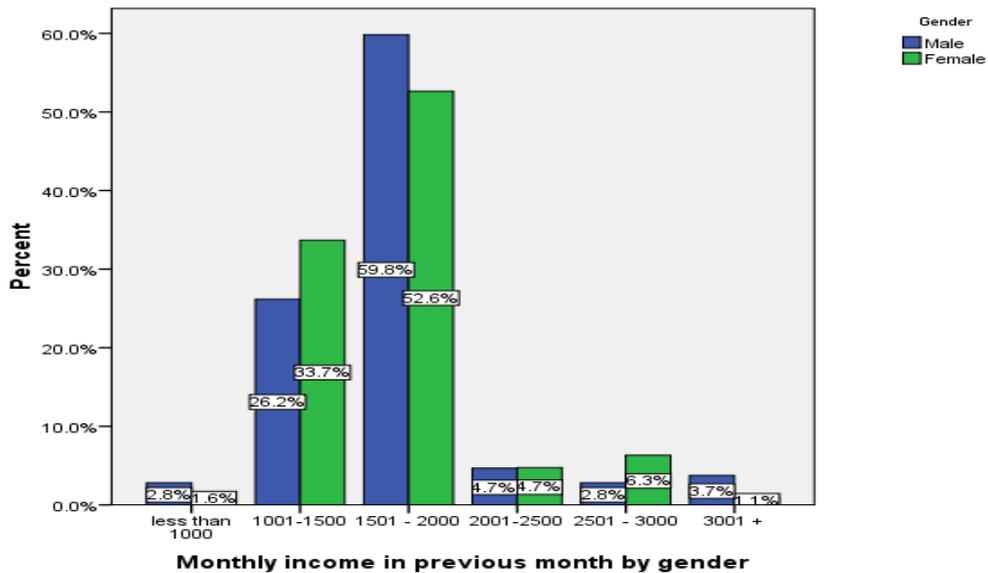
It was found that the dwellers of tea gardens are naturally familiar with activities in the industry and do not need and orientation regarding their work before recruitment. Although employers are responsible for informing new workers about the working environment of the industry, it was found that not all workers are informed by them. The study found that 58.6% of respondents were not informed about their working conditions by anybody. A written contract between employer and employee is an essential legal requirement at the workplace. However, this important process is widely denied or ignored in the tea industry. Only 2% of the respondents had written contracts with their employers. Around 5.4% of respondents stated that they don't know whether a written contract or agreement was signed or not with their employers. Near 93% of respondents had neither contract nor appointment letter. Few key informants noted that this practice denies the legal obligations of employers to their employees and that workers are subject to workplace exploitations. According to them, most tea plantation workers are not able to understand the terms and conditions of their contract due to lack of education.

FGD participants reported that employment relations in the tea gardens are not strong. There is a gap between management and workers. Workers have no voice on any issues and are supposed to work as per the will of the management. About 85% of respondents stated that the tea garden authority make decision and imposes them upon workers. Respondents mentioned that major work related decisions, for example, with regard to working hours and the nature of jobs, are made by the tea garden authority without consulting workers.

Residential areas of tea garden workers, usually called labour lines, are located inside the tea gardens. Workers work at different locations inside the garden and they usually get to their workplace by walking a few minutes which depends upon the size of the tea estate. Around 99% of the surveyed workers informed that they walk to reach their workplace while 53.2% of respondents reported that they reach their workplace by 30 minutes of walking and around 40% respondent had to walk about 31 to 60 minutes to reach their workplace. A few (6%) have to walk more than one hour to reach their workplace.

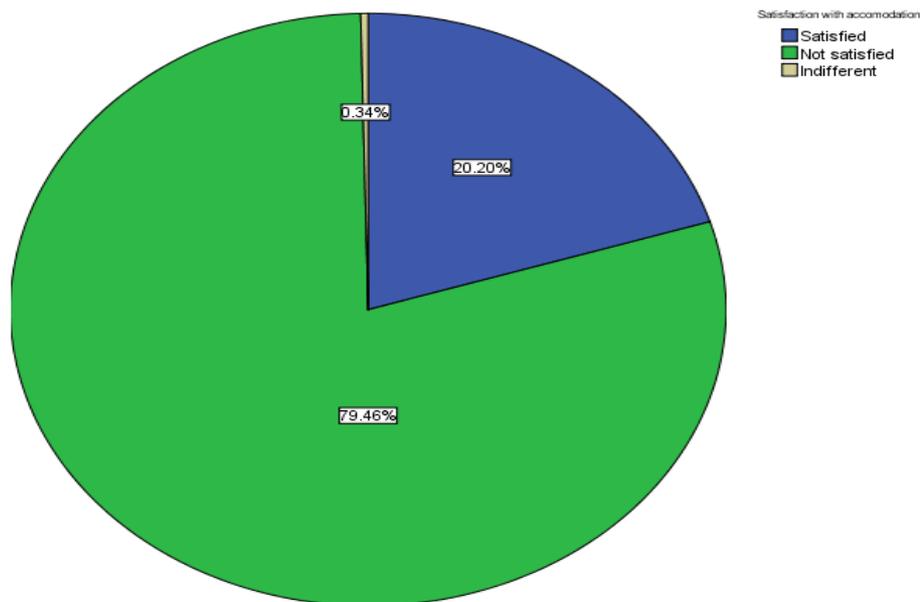
2.2.3: Wages

The cash remuneration of tea plantation workers is usually calculated weekly based on daily performance. Around 99% respondents opined that they get remuneration weekly. A plucking worker is required to pluck 23 kg (varies from 18 kg to 24 kg) leaves a day and if they fail to achieve the target or *Nirik*, remuneration may be cut proportionately. If performance is higher than target, additional remuneration (2 to 3 taka (BDT) per kg) is paid for additional plucking. Similarly, other work is also target based and remuneration depends on the performance except factory work, security guard and domestic workers in managers' residence. According to existing contracts, a tea plantation worker receive 69 BDT per day as cash remuneration. This research calculated the honorarium of last month and found that more than half (55.2%) of respondents could earn within the range of 1501-2000 BDT a month whereas 33% workers earned less than 1500 BDT. Only 2% of the respondents informed that they bagged more than 3001 BDT last month as cash remuneration. It is found that few workers have to receive assistance from other family members to fulfill their targets. Younger children are usually found as helping hands. It was found that around 14% of respondents took assistance of their family members to secure their daily remuneration. Around 99% of the respondents reported that they don't have complications in getting this cash payment and their employers pay them in time. However a small portion of them (7.4%) noticed that they did not get the full amount of their agreed wages. According to key informants, it happens sometimes if any worker fails to fulfill their target. In addition with cash remuneration the plantation workers receive some benefits from their employers. Around 89% of respondents opined that they receive support like 3 kg of rice or flour per week as ration, free accommodation and medical services. However, most respondents had a number of complaints against the tea garden authority. They were of the view that they are exploited by their employers and that their income is not sufficient to meet necessities. On the other hand, employers observed that the facilities including rations, housing and medical support should be included with regular wages and that they are better than that of garment workers. However, more than 84% of surveyed tea plantation workers stated how their income was not sufficient to fulfill their family needs. Tea plantation workers, who participated in FGDs, stated that they have to struggle to maintain livelihood for their families with their poor income and that most other needs remain unfulfilled.



2.2.4: Housing

The tea garden authority provides cost-free accommodation for permanent workers. Around 91% of surveyed tea plantation workers are living under the arrangement of tea estate authority. The remaining 9% are temporary workers and as per the rule of the tea garden, are not entitled to get housing facility. However, more than half of them (about 56%) were not satisfied with the size and quality of houses including sanitation and drinking water. According to them, the tea garden authority allocates roughly 2200 square feet of land to construct a home. The size of the house is fixed (10.5 feet X 21 feet) and the tea garden authority provides all materials for the construction. Respondents were of the view that a home of such small size is not sufficient to sleep comfortably. Although the roof protects against bad weather, the ventilation facility is not sufficient and the floor is made of mud. They have to construct a cooking place on their own. In some cases, the workers sleep in the same room as which create serious health hazards and has effects on sound sleep and workers' productivity in the tea garden. Sanitation facilities are not provided by the tea garden authority. Although water options should be arranged by the tea garden authority, insufficient numbers of water options are found to be installed and most of them do not function well. Around 80% of respondents were not satisfied with the housing accommodation provided to them.



According to FGD participants, the tea garden authority takes the responsibility for maintenance of their houses, but the process is lengthy. One worker expressed her dissatisfaction in the following way:

I am living in a broken house along with my three daughters who are college going students. My husband passed away who used to work also in the tea garden. I dare to stay there during night suspecting that someone can harass us. I cannot sleep at night because I have to guard my young daughters. My house was damaged six months ago. I informed accordingly to the garden authority but they had not taken any step yet. I requested *Panchayet* leaders also. I have got nothing but promise. As I am not a male, nobody cares me.

2.2.5: Working Hours and Leave

Tea garden workers usually work six days a week. During peak months, most workers have to work additional hours. They usually do it willingly because extra income comes from additional hours. According to respondents, during peak season, pressure of plucking increases and most of plucking workers engage for additional hours. In few cases, they have to work for the whole week. 78.1% of respondents work six days a week and around 11% work seven days a week during peak season. Another 11% of workers stated that they work four to five days a week during peak season. Around 88% of respondents opined that they take a break once a day depending on the pressure of work. Most the gardens have a specific time to take a mid-time break to weigh their plucked leaves. This break time is also for a mid-day meal and refreshments. There is no fixed duration for the break. It varies from ten minutes to two hours. Few tea gardens with low production have no provision for break. Workers prefer to avoid taking breaks so that they can meet their targets quicker and leave the workplace sooner.

It was revealed that the plantation workers have adjusted their lives with their work. They have become used to managing their family and social commitments with work. As they belong to the same community, their social commitments are within their own territory. Family members manage well with the working hours and personal life. The majority (around 54%) of respondents have a good work-life balance for their families and social

communities outside of their work. Around 40% of respondents said that they struggle to balance between family and work as they cannot take sufficient care and support for their dependent family members.

According to the labour law, tea garden workers are entitled to various types of leave namely casual leave, sick leave and festival leave. Enjoyment of leave is generally allowed in the garden but the whole issue is dependent upon the will of the management. Around 93% of respondents stated that they get leave when necessary while only 7% reported that they did not get leave in time of need. The tea garden authorities justified denial of leave as necessary on occasions where the tea garden has huge pressure of work and that workers are permitted to take leave once the pressure is over. It is found that many workers do not know the rules of leave and, therefore, do not apply for casual leave. Only 7.2% of respondents opined that they get casual leave. Recipients of annual leave were found to be very low (3.7%). Sick leave and festival leave are commonly enjoyed by the respondents (49.1 and 39.6 per cent respectively). According to respondents, they have to wait longer hours with their ailment at the garden office for getting approval of sick leave. One of the FGD participants expressed her reaction:

Last week I took sick leave as I got serious headache, but I had to stay at garden office for about four hours, which was painful for me. Many people like me had to wait to count their attendance. It is not justice. Many of us avoid taking leave during minor illness fearing such humiliation.

2.2.6: Maternity Protection and Child Care

In the tea plantation industry, women are found to be the most powerful workforce. Their number is also high in this industry. But getting proper access to maternity protection and childcare facilities are found to be widely neglected. But the issue is given high importance in national and international labour rights. The International Labour Organization (ILO) defines maternity protection as a precondition of genuine equality of opportunity and treatment for men and women (Maternity Protection at Work, 51: 1997). In tea gardens, they work in ever worsening conditions. In many occasions, it is found that they work for low payment and other opportunities are protected by labour legislation.

Although female workers are entitled to maternity leave with their daily wages for their first two births, they have poor access to other services including medical check ups and special allowances during pregnancy. Amongst respondents, 50.2% had experience of being pregnant after their involvement as tea plantation workers. Among them about 88% had the opportunity to take maternity leave. Despite experiencing physical complications, a section (13%) of this group did not take maternity leave fearing loss of income and opportunity. In most cases, tea plantation workers had more than two experiences of pregnancy and naturally they had experience of work during any of their pregnancy. Although employers do not impose laborious jobs during pregnancy, most pregnant women are unable to work as they did before their pregnancy, fail to meet targets and are at risk of wage cuts by the management. There is no provision of paternity leave in the tea industry.

Childcare contributes to the productivity of working parents, which ultimately benefits the industry. Both parents are found to be engaged at work in tea garden and therefore childcare facility is essential. Despite having provisions to establish childcare facilities in every tea estate, this research found different practices. There were a few gardens where

childcare facilities were introduced by tea garden management. Only 18.9% of respondents opined that their employers had arranged childcare facilities for working mothers. Most working mothers keep their children at home where the child is cared for by their siblings who are also children. This reality prohibits many tea garden children from receiving education. Tea garden children are also deprived of breastfeeding. Some workers, who don't have alternative facilities, keep their children with them in the open spaces around their workplace. One of the mothers stated:

I have no younger children at home. On the other hand, there is no shade or safe place to keep our baby inside the garden. Therefore, I keep my eight months baby in the garden with me. I keep her lying on the earth inside the garden nearest to my workplace. She has to tolerate sunlight, wind, rain and insect bites. I feel very sad as a mother, but what can I do?

2.3: Working Environment, Occupational Safety and Health

A healthy working environment is crucial for the physical, psychological and economical wellbeing of a worker. Boles and others (2004) explain that physical and emotional desire of work increases the performance outcome of workers. A proper workplace environment also reduces the rate of absenteeism, which leads to increased productivity of any workplace. But in the tea plantation sector, workers' safety and security issues are ignored widely. About 63% of respondents opined that their health and safety was at risk because of their work. Plantation workers identified multiple reasons for health and safety risks including no shelter closer to their workplace, no safety kits, no toilet facilities, long working hours in harsh environment, risk of snake bites and exposure to poisonous chemicals. Tea factory workers have to handle machines without safety kits and they work for long hours standing close to hot waves and dust and as a result, they are exposed to a number of health hazards. More than 75% of respondents reported that their work environment has negative effects on their health. There was a variety of working environments found in the tea gardens of this study. Duncan Brothers was found to be the best amongst all other companies as they give some attention to the working environment in their gardens and factory.

Respondents were asked to discuss any health problems they had due to their working environment. Almost all of them mentioned that they had a number of health problems. Headache was commonly found amongst respondents (84.3%). Body pain was identified by a large number of respondents (74%). Workers work for longer hours standing and carrying heavy loads from long distances that cause back pain among (71.9%) respondents. Skin problem is also commonly seen amongst tea workers (65.5%) due to the frequent attachment of poisonous chemicals and use of contaminated water. Pesticides are applied on the leaves of tea and chemical fertilizers are mixed into the soil. Both of these cause skin infections. Workers are exposed to bites of poisonous insects. Tea garden and factory workers are both exposed to injuries. There have been cases of workers who lost their legs, hands and fingers while working at factory. Fatigue and job stress are also common amongst tea plantation workers.

Supply of safety kits and equipment, such as gloves and boots, are essential to minimize health risks and occupational hazards however, unfortunately, only a few gardens provide such kits. Although 23% of respondents noted that they received a supply of protective gears, very few were found to be using the gear at work. There were hardly found toilets or urinals at the workplaces in the tea gardens. According to tea garden management, it is not

justifiable to provide latrine facilities as workers have to work in different places. The tea garden authority provides clean drinking water during work and 67% of the respondents are covered under this arrangement. The researcher(s) asked the people who are engaged of supplying clean water (who are also tea garden workers) about the sources of water. They replied that they collect water from tube wells and they also collect it from ponds or canals when collection of water from tube wells becomes difficult particularly during dry seasons. Supplied water may therefore not always be safe and pure. There were a few gardens with a break room or shed area for eating, resting or taking shelter during rainfall. Only 12.2% of respondents told that they do have this facility. The research team observed workers resting and having their mid-day meal under the shade of trees. Malnutrition is common among tea garden people. Due to poverty, unawareness, and unavailability of essential health care services, tea garden workers are at high health risk.

In every tea garden, there is a health center run by a compounder, a dresser and a female attendant who can provide fast aid only (about 99%). It was alleged by workers that the same medicine is prescribed for all diseases therefore they are not cured by their services. Workers also complained that there is a supply of low quality medicine. In the case of severe ailment and accidents, workers are referred to a medical hospital outside the garden and the tea garden authority manages treatment expenses. However, most respondents noted that expenses of treatment are not fully paid by their employers. According to management, workers are provided with a vehicle to go to a hospital outside the tea garden during emergencies. Around 52% of respondents consider this service to be an ambulance facility. Due to those realities most respondents (about 68%) showed their dissatisfaction towards the health services offered by the tea garden authority. Among ten sample tea gardens, the researcher(s) found a doctor with MBBS in only one tea garden under the ownership of Duncan Brothers. It is worth noting here that the Camelia Foundation Hospital, which offers medical and health care services for tea garden employees, is under the ownership of Duncan Brothers.

The nature of compensation for accidents during work was found to be good in tea gardens. According to key informants, once an accident has occurred, the injured worker receives treatment, full wages and rations during the whole period of their treatment. If the injury causes disability, the injured worker can deploy any family member to take their position. Around 48% of respondents had experience in receiving accident compensation. A few workers complained that accident compensation is not distributed amongst injured workers. According to FGD participants, receiving compensation is dependent upon the efforts of *Panchayet* leaders but they do not work properly always. As a result, many people fail to get their due compensation and are exploited.

About 67% of respondents had experience of being absent from work at least once in the last 12 months due to health problems. They were absent for between three and 16 days. All reported that they got compensation and sick leave for those days. Around 78% of respondents noted that they got hospital costs, doctors' fees, and medicine costs as compensation.

Harassment by supervisors and co-workers is common in tea gardens. As most of their work is target oriented, workers have to meet targets and if they fail, for any reason, they are

verbally abused by their supervisors. Around 90% of respondents have experienced verbal abuse. In some cases, workers experience physical abuse (11.3%). Around 38.3% of surveyed workers experienced being pressurized to meet targets fixed by management. Around 29.1% of respondents stated that management forcefully engaged them in overtime work during peak season. Workers also experience sexual harassment by supervisors and co-workers in the tea gardens. The negative work environment exposes tea garden workers to exploitation and deprives them of a decent life. According to tea garden workers' leaders, the negative work environment has become tolerable to workers and has become a part of the work culture in tea gardens.

2.4: Fundamental Rights at Work

2.4.1: Freedom of Association and Collective Bargaining

All workers and employers deserve the right to form and join associations for the support and enhancement of their interests. This gives them the basic right of freedom of expression and allows both workers and employers to set up, join and run their own organizations without interference from the state or one another⁴. The main aim of an organization is to promote the interests of the respective parties through a collective bargaining process. Collective bargaining is a process through which employers and trade unions or their representatives discuss and negotiate their relations according to the terms and conditions of work. Bargaining in good faith leads to mutually acceptable collective agreements therefore, collective bargaining is regarded as one of the main instruments of establishing workplace justice. Effective collective bargaining can take place at the factory only with the presence of collective bargaining associations or trade unions. The tea gardens in this study have workers' associations, which is called the *Panchayet*. Membership of the *Panchayet* is automatically ensured for registered workers in the tea gardens. The major roles performed by the *Panchayet* are to minimize the conflict between workers and supervisor (*Tila babu*), to secure the payment of dues and to negotiate with management regarding needs of workers. The data shows that 47.8% of workers participate while 52.2% never attend *Panchayet* activities. The reason for not been involved in *Panchayet* activities is the mischievous role of the leaders who use this organization for their own interest. During a FGD, one worker said:

Panchayet do nothing for us. Workers contribute regularly to *Panchayet* fund but nothing is spent for us. I have not received any help from them though I am unable to educate my three daughters. *Panchayet* leaders have good connection with management and they use it for their own purposes. If we do not work a day for unavoidable circumstance, wages are deducted from us. But it does not happen for them, they receive their payment as usual. Sometimes, they manage job for their relatives against vacant posts in the garden. Actually, no one is with us, we are alone and alone!

It is evident from the field survey that in many instances, the Bangladesh Cha Sramic Union serves the interest of the tea garden authority instead of securing rights of the tea workers. Many workers reported that it is an organization for the management rather than tea workers.

⁴ Declaration on Fundamental Principles and Rights at Work 1998 acknowledged freedom of association and the effective recognition of the right to collective bargaining as the most important fundamental rights which come from the 'Freedom of Association and Protection of the Right to Organize Convention 1948' and 'Right to Organize and Collective Bargaining Convention 1949'.

2.4.2: Forced or Compulsory Labour

Forced or compulsory labour occur when employers compel the workers to work through indirect and direct threats, such as withholding food, land or wages, physical violence or sexual abuse, restricting workers' movement or locking them up (ILO, 1998). Following international standards⁵, the Bangladesh Labour Act of 2006 states that the total working hours are 48 hours per week but not more than 10 hours per day. For an emergency case, the total working hours can be 60 hours per week but it would not be mandatory. According to this law, if anyone doesn't want to do overtime work, they have the right to leave the factory after finishing the normal work shift. The data shows that the majority of workers (71.7%) have no direct experience of forced labour, only 26.9% of workers have the experience of forced labour. It is worth noting here that there is no direct evidence of forced labour in tea garden but indirect practices are there. Every worker is supposed to pluck 21 to 23kg of leaves per day. If any worker is unable to reach this quantity, the wage is deducted proportionately. On the other hand, the amount that they earn each day, which is 69 BDT is insufficient to meet daily costs. They try to earn more by plucking more than the target imposed on them. Therefore, literally they are not forced but bound to work overtime. Workers are required to be working in the tea garden in order to keep their residence.

Unavailability of jobs outside the garden also forces them to be attached with tea cultivation. One of the key informants shared his personal views:

We have no alternative way to survive except the work in the tea garden. We have no connection with the outside world through which new employment can be found. Some of our young children are completing secondary and higher secondary school but remain unemployed. For getting a government job huge amount is needed as bribe but we cannot manage it due to poor income.

2.4.3: Child Labour

The Declaration on Fundamental Principles and Rights at Work are committed to the effective abolition of child labour. The Minimum Age Convention, 1973 (No. 138) prohibits child labour. C138 states that each member will specify a minimum age under which no one will be allowed to work at any occupation (ILO, 2003). It ensures the right to develop physical and mental potential for every boy and girl by preventing them from getting involved in hazardous work. As a signatory of this declaration, Bangladesh is committed to stop all forms of work that impede the development of children. Moreover, after the adoption of the Child Labour Deterrence Act 1993 (popularly known as Harkin's Bill) the Bangladeshi government received strong pressure to stop child labour. This law proposes a ban on imports to the United States from countries that deploy children in any stage of the production. Accordingly, the Government of Bangladesh included the provision of restricting children from hard work in the Bangladesh Labour Act 2006.

⁵ Declaration on fundamental principles and rights at work ensures that employment must be free from forced or compulsory labour that comes from two core conventions: the Forced Labour Convention, 1930 and the Abolition of Forced Labour Convention, 1957.

According to national law, children under 18 are not allowed to work in the tea gardens but it is a regular case in the tea gardens. In this study, only 1% of workers were found to be under the age of 18. However, 47.1% workers have acknowledged the existence of child labour in the tea garden. It was found that all tea plantation workers were born in tea gardens, as their parents were involved in working at tea gardens. They consider it as their family occupation. Children do not work as permanent workers but as a substitute or complement of the other family members. During peak season, the presence of child labour is more visible.

Causes of child labour

- ❖ Helping parents in household activities/tea plucking
- ❖ Replacement work of family member to secure residence at tea garden
- ❖ Reluctance of going to school
- ❖ Complementing to family income
- ❖ Family feud due to addiction of parents

Tea garden authorities welcomes children to come along with their parents to finish the plucking timely. Workers also bring their children to meet targets and to secure more income. Usually, tea workers are supposed to pluck 21 to 23kgs to fill the quota (*Nirikh*) for 69 BDT and receive 2 or 3 BDT for each of additional kilo of plucked tea. Since they can't maintain the familial cost by their income they try to increase their income by engaging their underaged children in tea plucking. It is confirmed by a *Panchayet* leader who said:

Poverty forces many of us to employ children at work in tea garden. We (me and my husband) earn 3200 BDT per month and we spend 2100 BDT for our three school going children. We are sending our children to school but if any of us (me and my husband) do not have work we will not be able to continue their education.

In some cases children work during vacation and after or before of school hours. Some children are involved as a replacement for their father or mother when they are unable to work in order to secure their residence. If no one is working in the tea garden, the housing facility is not provided to that family. As a result, many children are forced to start their work in the garden when adult members are unable to do so. During a FGD, one worker said:

Though I am not interested to employ my children in tea garden, I have to do it at least for one of my children to keep my residence. If no one from my family work in this tea garden, we have to leave from the house where we are living over fifty years. I have not much money to build a house outside the garden.

Generally male child workers dig canals across the tea garden, repair the broken road and take care of the tea plants and female child workers pluck tea leaves. Sometimes female child workers are appointed in the tea industry to put tea into sacks. In some cases, child workers are appointed to apply pesticide over tea leaves. The work outside the garden can return more money but an invisible chain confines them to work in the garden. In some occasions, children are employed to prepare drugs, which are made for the tea garden workers and strangers coming from the outside.

2.4.4: Discrimination in Respect of Employment and Occupation

The Declaration of Philadelphia affirms that “all human beings irrespective of race, creed or sex have the right to pursue both their material wellbeing and spiritual development in conditions of freedom and dignity, of economic security and equal opportunity” which frees all humans from discrimination⁶ whether direct or indirect. Direct discrimination can happen when the laws, rules or practices explicitly cite a particular ground such as sex or race to deny equal opportunities and indirect discrimination occurs when rules or practices appear on the surface to be neutral but in practice lead to exclusion. The Bangladesh Labour Act 2006 has also protected the right to freedom from discrimination. Nevertheless, the interviewees’ accounts assert that tea garden workers are not completely free from discrimination. Few workers (21.2%) reported that they have the feeling of discrimination. Some workers are favoured by management over others. Factors that influence discrimination by management include sex (23%), pregnancy and maternity (18.6%), age (14.2%), political opinion (10.9%), religious beliefs (9.3%) and participation in union activities (6.6%).

Table 2.4.4.1: State of Fundamental Labour Rights at Tea Garden

	Labor Rights	Findings
1.	Freedom of association and collective bargaining	Existence of workers’ union (<i>Panchayet</i>) in each garden but very low participation of workers due to unawareness and ineffective and paradoxical role of <i>Panchayet</i> leader.
2.	Free from forced and compulsory labour	Workers are bound to do overtime work to fill <i>Nirikh</i> or securing more income for subsistence.
3.	Free from child labour	No registered child workers are found but many are involved in assisting or substituting their parents.
4.	Freedom from discrimination	Gender division of labour is practiced. Women are dominated in plucking but other sectors are dominated by male workers. However, no discrimination is found in wages between male and female workers.

2.5: Role and Status of Women Tea Plantation Workers: Gender Perspective

2.5.1: Equality of Opportunity and Treatment

The data shows that gender division of labour are highly practiced in tea estate. A large number of workers are women and most are involved in tea plucking. Management of tea gardens have some gender-biased beliefs and practices. It is generally believed that tea garden communities particularly women are more efficient and skilled in plucking tea due to their nimble fingers. Among the sample factories, it has been found that women workers congregated in tea plucking, while factory workers, supervisors, security guards are predominantly men.

⁶ The ILO adopted Discrimination convention, 1958 (No. 111) and Recommendation (No. 111) provides a ground and moral binding for maintaining non-discrimination at work. For defining discrimination, the article 1, paragraph 1(a) of the Discrimination Convention states that “any distinction, exclusion or preference (made on certain grounds) which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation”.

2.5.2: Role in Family Decision-Making: Findings of the study suggest that the socio-cultural norms of the tea plantation workers' community allow women to participate in the family decision-making process. According to respondents, most family decisions are made jointly by both husband and wife. In many instances, the family economy is managed by female workers. Few male workers opined that their wives contribute to the family equally even if the wife earns more than that of husband. Given this, the wife gets preference in the maintenance of the family economy. In most families both wife and husband take decisions jointly about the schooling of their children. Taking part in cultural festivals is not restricted, rather, women sometimes act as organizers and in most occasions as the performers. The research team observed that women are the key performers at festivals in the tea plantation workers' community.

2.5.3: Women's Participation in the Decision-Making Bodies in the Tea Estate: Although women enjoy higher status in the family, their participation in decision-making process at the tea gardens is less common. Females members of *Panchayet* do not get equal opportunity to participate in their decision-making process compared with their male counterparts. Some respondents opined that women are engaged in *Panchayet* ornamentally as they do not participate in meetings regularly. Often men leaders or members do not fill that their women members should take part in decision making process in the *Panchayet*.

2.5.4: Dowry System in the Community

Despite having economic engagement of women in tea garden, the dowry system is found to be prevalent in the tea garden workers' community. It was known that the dowry system is widely practiced in their community and the amount and nature of the dowry depends on the economic capability of parents of bride and bridegroom. Respondents were of the view that this practice creates an additional burden to the family and many of them have to quit their jobs before their retirement to arrange money for daughters' marriage. This type of immature retirement, commonly known as selling permanent position, creates economic insecurity for the family. However, without an alternative they choose this option in order to get money from their provident fund. There were a few workers who sold their jobs. Due to not having employment in the tea garden, the tea garden authority forced them to leave their homes which they had been given by tea garden management. The dowry system therefore creates insecurity for all family members of tea plantation workers.

2.5.5: Access to Education: Although gender-based discrimination is not visible directly in receiving education, disparity and discrimination is common in tea garden areas. According to key informants tea plantation workers are becoming conscious about the importance of education and many of them send their boys and girls to both primary and secondary schools. However, few opined that parents do not feel it is safe to send their daughters to high school or college as they have to walk long distances to reach school. This reason hinders the attendance of girls at high school and college and leads to an increased rate of drop out amongst girls. One key informant stated:

We do have one primary school in a garden with one teacher. In most cases we do have more than 100 students at school, how a teacher can manage the whole school? There is no high school closer to garden and that is why receiving higher education becomes difficult for our children and it is particular for our young girls. They fill insecure on the way to their schools and are scolded frequently

by derailed youths. For this reason many parents do not allow their young girls to go to distant schools and colleges.

Child marriage is identified by respondents as another reason for dropping out of school. In some cases, parents engage their daughters in household activities such as cooking, taking care of siblings, collection of fire wood and as a result, they cannot attend school. A few children were found to be engaged as helpers of their parents or working as substitutes of their parents. Due to acute financial crises, parents are forced to send their daughters to work instead of sending them to school. The tea garden authority prefers to recruit girls as they are more manageable and sincere than boys. However, the number of girls receiving higher education is increasing in the tea garden community. Most educated youths are not always eligible for the quota system in getting government employment. A leader of Bangladesh Adivasi Forum opined that the issue was controversial. A few in the tea garden community who receive a certificate from the Bangladesh Adivasi Forum have the opportunity to be part of a quota system. The forum has a list of indigenous groups who are entitled to receive a certificate from the forum.

2.5.6: Freedom of Movement: Respondents noted that their community allows women to go outside the tea gardens for any purpose. No restriction is imposed on any women against her freedom of movement. But in practice, women rarely leave the tea gardens. mainly because of their isolated habitat, language barriers, fear of discrimination and shyness.

2.6: Socio-Cultural Beliefs and Ethnic Identity

Tea plantation workers identified themselves as a distinct group. However, within their identity as being part of the tea labourers' community they have sub groups based on their origin and ethnic identity. In some occasions their norms and customs vary within the same religious group. The British companies brought workers from different states of India and they still identify with those ethnic identities. In the course of time a fraction of Bengalese people have engaged in tea plantation work. Bengalese identify themselves by their native districts or their place of origin for example Barisal or Comilla.

2.6.1: Language: The study found that there are ten languages spoken within the tea garden communities. The workers who migrated from the Indian state of Orissa usually speak in Deshali, which is in fact a mixture of Bangla and Oriya, the language of Orissa. Few respondents defined it as Bhosepuree language. Without a relationship with Indian clan members, they prefer to to speak the language in their own way. Another group speaks a version of modified. Few speak in Assomia, Munda, Orang and Telugu. Santali language is roughly practiced amongst the Santal ethnic group and Khasi language is practiced by the Khasi community in the tea garden. Despite the presence of those languages, the workers are found to be familiar with a language that has been formed as the mixture of Bangla, Deswaly/Deshali, Hindi and Assomia commonly known as the language of tea garden. Tea community leaders observed that due to lack of practice, their languages are disappearing.

2.6.2: Ethnic Identity: Given the criteria for identifying indigenous and tribal peoples set out in Indigenous and Tribal Populations Convention, 1957 (no.107) and Indigenous and Tribal Populations Convention, 1989 (no. 169), the communities may be considered indigenous peoples. ILO Convention No. 169 refers to self-identification of such communities. According to the findings of this study, tea plantation workers prefer to use two tiers of ethnic identity.

Firstly, they identify themselves as the tea labourers community and secondly, they identify with ethnic groups of Indian states from which their ancestors migrated during the British era. In the studied tea gardens, 38 ethnic groups were identified. Among them, the Koirey group was found to be highly empowered with a high number of educated people amongst them. They are often leaders in *Panchayet* and the tea workers' union. Other ethnic groups found in the tea gardens include Lohar, RobiDas, Bagdee, Bhumij, Bauri, Bahadur, Nayek, Rikiason, Shobdakar, Ashon, Naidu, Donia, Rai, Munda, Chotree, Patra, Kalindee, Kumir, Halder, Kondo, Bhumia, Orao, Santal, Mahali, Barai, Rajbhar, Shill, Pashi, Kharia, Goala, Munda, Bunargee, Nunia, Uria, Kaloar, Bhuian, Kurmi and Khasis. Although all of those communities have distinct norms and values, they are poorly or not practiced. They are known as the tea laborers community to the broader Banglaee community. The Bangladesh Adivasi Forum also does not recognize most of the tea garden communities as indigenous communities. A small number of tea plantation workers' community members are receiving higher education and engaged in employment outside the tea gardens. Unfortunately most of them feel shy to disclose their employment status fearing discrimination. One key informant who is a college teacher and a member of the tea plantation workers' community was of the view that their educated youth are not interested to get back to their community. They stay in urban areas with mainstream employment and always with a tendency to hide their origin.

2.6.3: Religious and Cultural Festivals: Most respondents belong to the Hindu faith, few of them practice Ancient religion, Christianity and Islam. All religious groups celebrate their religious festivals. They do have separate prayer houses, which are mainly constructed by employers. Some prayer places are found to be constructed by the tea workers. Cultural and religious festivals are usually celebrated by the contribution of tea workers. The employers and local government authority also support workers in their celebrations. In addition to religious festivals, tea garden workers have distinct cultural festivals. According to respondents *Jhumur Nach* and *Lathi Nach* (special pattern of dances) are widely popular amongst all communities. By nature, the tea plantation workers' community has a fascination with cultural festivals and they usually arrange them around a religious occasion. According to respondents, amongst all other festivals, Durga Puja is celebrated widely in the tea gardens and irrespective of religion and caste, every tea plantation community participates in the event and dances, drama, devotional songs are celebrated joyfully. Celebration of birth and death is also practiced widely in the community. Marriage is arranged following the rituals of each respective ethnic group. According to the respondents, song and dance are part of the marriage ceremonies of any group in the tea garden community.

2.6.4: Relationship with Mainstream Community: Tea plantation communities work and live inside tea garden areas and are mostly isolated from mainstream peoples' habitats. They have poor or no connection with the outside world. Out of ten studied gardens, only two were close to the mainstream community. However, most people in those tea gardens usually avoid going outside their tea garden. According to respondents, few leave the garden to sell fire wood and to buy groceries. According to respondents, they do have mixed experiences in their interaction with mainstream community. One *Panchayet* leader stated that language barriers, unconsciousness, illiteracy and simplicity are obstacles in easy interaction with mainstream people. Along with tea plantation workers, a few indigenous

groups have been living inside the tea gardens from time immemorial and they are under serious threat of eviction and restrictions. The tea garden authority has labelled them as illegal occupants. Sometimes the tea garden owners create hindrances in the use of the tea garden road for communities who are living next to the garden and have no alternative especially Khasi community, which disrupts between communal harmony. One key informant, who has experience in working with both tea garden workers and the Khasi indigenous community was of the view that:

The *Khasi* community is living inside some gardens from time immemorial and leads their lives with betel leaf cultivation. In recent time, tea garden authorities are threatening them for eviction and several attacks are being made to grab the land of *Khasi* indigenous people. Though it is their traditional rights to live there peacefully as the original inhabitant of the land, they are under threat as they don't have valid documents. Garden authority has taken lease from the government and is claiming legal rights over *Khasi* habitats and trying to uproot the *Khasi* people. Moreover, the garden authority impose restrictions on free movement of Kasi people and do not allow them to use garden road for any purpose which is only option to go outside and carrying goods. Sometimes they have to offer bribe to security guards of the garden for frequent use of the roads.

2.6.5: Nature of Access to Mainstream Services: According to respondents, tea plantation workers are discriminated against and excluded from government services. Only 7.5 % of respondents stated that they were receiving assistance from the Government under its social safety nets. The local self-government representatives made the point that tea garden authorities should take responsibility for their workers so that the Government would have no obligation to support them. They are mostly excluded from government social safety programs. The research team asked one key informant who was a member of the tea plantation workers' community as well as the member of Union Parishad (grassroots level local self-government body) about such exclusion. During FGDs, one local government official stated:

People of tea plantation workers community have no leadership or representation in local self-government institution. Therefore, they have nobody who will raise their issues and naturally opportunities are distributed among mainstream people by their representatives. This year, I have been elected as the member and raised my voice in favor of our community and have arranged three tube-wells for safe drinking water, few of our people are getting old-age allowance and allowance for people with disabilities. It was not possible if I was not elected. So we should increase our leadership and should be elected in local self-government bodies.

Getting access to NGO services is allowed in the tea gardens and most workers receive credit, primary and non-formal education, water and sanitation services from different NGOs. It was found that more than half (56%) of the respondents are the members of a NGO savings groups and took micro credit from them but none of them was able to mention the amount of their savings in NGO account and had no plan to utilize their savings.

2.7: Role of the Stakeholders

The tea industry has good prospects as it has huge demand in the national and international market. Stakeholders' roles are indispensable for the protection of labour rights. However, the role of tea garden owners, the Government and tea workers' communities are not beyond criticism. One specific objectives of this study was to know the role of stakeholders. The study findings concerning this objective are presented below.

2.7.1: General Workers

General tea workers are not aware about their rights and duties. Due to lack of knowledge about rights and duties and unawareness about individual wellbeing, workers are not committed enough to make the industry sustainable. Management were of the view that tea workers do not own the tea garden and therefore are reluctant to work with full devotion. The tea workers also agreed that in some occasions, workers are not sincere and they argued that it was because of their poor wages. One *Panchayet* leader stated:

“Due to lack of sufficient wages some male workers do not work for given time and fail to fulfill target (*Nirik*). But it does not affect the owner, if a worker fails to fulfill target, s/he does not get full wage. But all female workers are sincere and work for the whole day and in most of the time they work for additional time for extra earning. But it becomes difficult during off season; due to lack of leaves in the garden, they have to spend additional time to fulfill *Nirik*.”

It is noticed that the workers sometimes go for unruly movements being instigated by outsiders, who disrupt the working environment in the garden. They also claimed about some unfair means frequently used by tea plantation workers such as cutting down shed trees and stealing fertilizer, particularly in government tea estates. All of these practices reduce the production of the garden, which is frequently reported by the management. One of the managers of a tea estate opined:

“Most of the tea gardens are facing acute problems. Labourer-owner relationship is hostile. There is no doubt that the workers are not leading a better life, they do have poor income and the facilities are not adequate to fulfill all needs in a decent manner. On the other hand workers are reluctant to fulfill their target or *Nirik*, it is particularly true for male workers. Many of male workers do not follow the instructions of employers and even make bad deal with employers. This creates gap between the two important parties in the garden. Political influence is also a problem in the garden, being motivated by a political party sometimes workers call upon strike or shout down without discussion with their employers. Use of wine is also a problem in the garden, many workers spend a large portion of their income in this purpose and they cannot arrange most essentials for their families. Sometimes a drunken worker misbehaves with his employer unconsciously. This practice also reduces their productivity and they become sick.

Another manager of a tea estate stated :

The male workers usually do not fulfill their target jobs and in most cases they do not work for fulltime. Three to four hours of work is considered as maximum by this group. As its result the productivity of garden is decreasing. If this process continues, many of gardens will be disappeared soon and a large number of people will become jobless and shelter less. Once the garden was welfare oriented and now it is business oriented and thus, profit is must for increasing salary and facilities of workers. So workers should be sincere and should own the garden. There are gardens where workers can earn additional income from plucking. All of such gardens are highly productive and workers can fulfill their target within short time and get additional money for additional work.

2.7.2: Bangladesh Cha Sramic Union

An organized labour force is a prerequisite for effective collective bargaining and protection of labour rights. Unfortunately, tea garden workers do not have efficient leadership. A power imbalance exists between the tea garden owners' association and tea workers' association. Since most workers are illiterate, they cannot bargain effectively with the employers' association. On the other hand, the management and general workers stated that their leaders are busy with their own interests and do little for workers. On many occasions, the leaders are not aware of existing labour laws. Research participants,

particularly workers reported that union leaders do not work for the welfare of the workers, rather they are more interested in their own wellbeing. During FGDs, one worker said:

I am working in the garden for almost 12 years but I never received any assistance from a *Panchayet* leader. If workers make any complain to them they negotiate with garden authority but we do not reap any benefit. Basing our claim *Panchayet* leaders find valid ground to bargain for securing their higher interest. Many *Panchayet* leaders do not work but they receive their payment regularly. How is it possible to get wages without work?

Due to the paradoxical role of union leaders, it is surprising to note that no democratic election took place in the Bangladesh Cha Sramic Union, Bangladesh Tea Workers' Union, (BCSU) until 2001 since it was registered in 1948. During this period the leaders were chosen by selection instead of election therefore, union representation was not the reflection of the choice of workers but the choice of management. This union is known as a company union or a loyal trade union. The first democratic election was held in two phases on 26th October and 2nd November 2008 through which workers elected 199 *Panchayet* committees, seven valley committees and a 30 member executive committee. This was the first experience of 1,17,000 poverty stricken permanent tea plantation workers in electing their representatives, using their right to vote. In this election, Makhan Lal Karmaker and Rambhajan Koiri's panel got the absolute majority in all tiers of the union including *Panchayet*, valleys and the central committee. Unfortunately, the joy and excitement was disrupted within few days after regaining the power by Awami League in 2009. Some labour leaders denied leadership of the elected committee claiming that leaders elected in the Caretaker Government cannot represent all workers. Within a short period of time, a local gang with blessing of ruling party men forcibly took control of the 'Labour Office' at Sreemongal on 25th November 2009. With court verdict, the elected committee started to work. However, it is alleged that this committee is not active in securing worker rights. The contribution of workers is not handled fairly. Nothing is spent on the welfare of the workers. Training for *Panchayet* leaders is almost absent. One of the leaders of the BCSU stated:

We cannot raise our voices properly due to lack of education and consciousness. Although we do have the biggest trade union in Bangladesh, our leaders are not well trained and skilled to handle qualified and educated government officials and tea garden owners. We don't have sufficient training on labour laws and other rights-related issues.

On the other hand, executive committee members reported that this committee cannot support welfare activities due to financial crisis. Rambhajan Koiri, secretary of BCSU, said:

We are committed to do things for tea workers' community but unable to implement for lack of money. Workers' contribution is far below than the targeted amount as many workers are not contributing their part being instigated by our opponents. The half of the collected amounts is equally distributed among 7 valley committees and another half is used to run central office. By covering all official expenses nothing is remain in our hand to run welfare actives.

2.7.3: Garden Authority and Management

The tea garden authority is the key stakeholder who is responsible and capable to implement labour rights at the workplace. Interviewed workers reported that management does not care about the lives of workers. During key informant interviews, one *Panchayet* leader said:

Management never wants to change our lives. Actually they are happy with our present condition. They like to keep us static in our position because if we become educated and self-

dependent, garden authorities will lose the potential sources of labour. Tea garden is a different world within the world. We are captive in the invisible jails of tea plantation owners.

Sound workplace relations cannot be built without cordial and responsible dealings of the garden management. The study explores that unequal power relations exist between workers and management. The British introduced a hierarchical relationship in the tea gardens where managers expect worship from workers. Interviewed workers reported that the manager, usually called *Babu*, considers them to be lower class people who are to serve the manager. One worker said:

We born and brought up in a jungle. We have no class, no dignity, no desire and no hope. We are only to carry out the order of Babu. To them we are untouchable. They never enter in our house or take a glass of water from our house. Even they do not sit together with us. The reason is that it may decrease their social position. This attitude reflects in all dealings with us. The country is independent but we the tea plantation workers are not independent, we are leading a captive life under the custody of our employers.

Interviews with tea garden managers confirmed this observation. It was reported that usually managers do not allow workers to meet with them and that issues are settled by assistant managers or other staff working in the office. One manager stated that it is very difficult to control workers if distances are not maintained. Workers stated that it was the strategy of management for exploiting workers. Workers expressed that they cannot place their demands frequently as managers keep a distance from them. They also claimed that their opportunity to attend government training at the labour welfare center is dependent on permission of their employers and in most cases they are not allowed to participate. The same observation was made by the government officials who run the center. One of the labour inspectors stated that he had extensive experience of working with tea plantation workers and found many limitations. He was of the view that the tea plantation workers are poorly cared for by tea garden authorities. They have poor access to education, health, water, sanitation and housing facilities. Although few gardens have day care facilities, due to lack of encouragement by tea garden owners, tea plantation workers do not use those facilities. The labour inspector thought that all of those issues should be addressed by the employers sensitively.

2.7.4: Government of Bangladesh

To ensure the labour rights in tea gardens, two departments, namely the Department of Labour and Welfare and the Department of Inspection of Factory and Establishment are working closely under the Ministry of Labour. The Department of Labour and Welfare is responsible for training the workers' leaders to settle disputes between workers and employers, while on the other. It was alleged that the government officials of the Department of Labour are negligent in their activities and that their supervisory role in ensuring a good working environment in the industry is defective. Government officials of the Department of Labour do not work properly in the tea garden. They could examine labour standards in the garden following ILO labour standards ratified by the government. One *Panchayet* leader stated:

Workers do not know about the support of government. Labour inspectors visit the garden but never talk to workers nor go to labour line for observing the plight of workers.

Officials from the Department of Labour could influence the Government by taking appropriate action. They could also convince the tea garden owners to implement workers' rights. The labour inspectors could oversee the implementation status of existing labour laws and could identify and report the areas where labour rights are violated.

2.7.5: NGOs and Human Rights Organizations

NGOs lead development initiatives, which can help to sustainably transform communities. Though large numbers of NGOs are engaged with microfinance, few are running water, sanitation and hygiene interventions and tea plantation workers taking part in these activities. Tea garden authorities usually do not allow NGOs to run their interventions in the labour lines because they fear that it may instigate workers inside the tea garden. According to a member of management:

Some NGOs promotes trade union or organize tea plantation workers against the management irrationally and it creates tension in the garden and affects production. From this experience sometimes we show our disinterest to allow NGOs.

Sometimes NGOs have to struggle to get permission from garden management. One key informants who is an executive of an NGO stated:

We had to convince the garden management that our intervention will never go against the interest of them; rather it would help to contribute positively in the production of the garden. After several sittings, we finally been able to convince them and received their consent to work in the garden. However, in some areas we are still waiting to get approval from the garden authority.

2.7.6: Bangladesh National Labour Federation

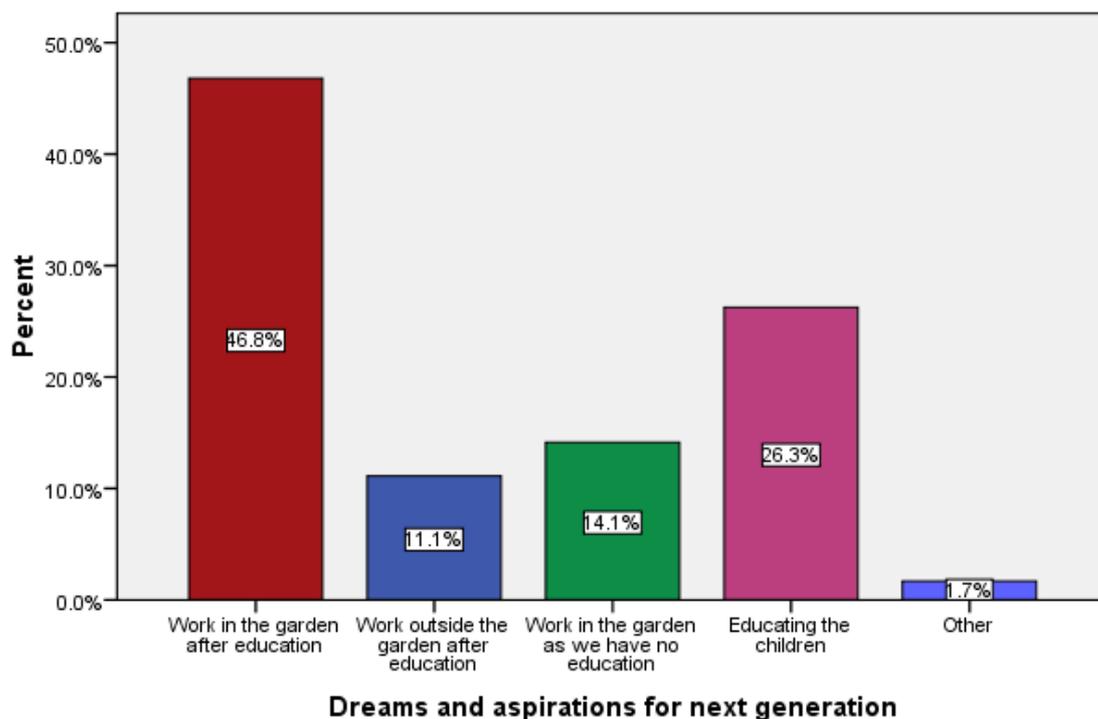
For an effective role of trade union in specific sector, they need to be integrated with national labour federations. National labour federations can guide the sector-based trade union and can create a common platform for all workers and raise their collective voice for policy level dialogue. It is unfortunate that BCSU has no direct connection with a national labour federation. During an interview with the General Secretary it was revealed that BCSU has no connection with Jatiyo Sramic Federation of Bangladesh, the National Labour Federation of Bangladesh (JSFB) or Sramic Kormochari Oikko Parishad (SKOP). BCSU leaders are not invited by SKOP or other national labour federations while negotiating with the Government. The same perceptions came through key informant interviews with federation leaders. According to a representative of JSFB:

The tea plantation workers are not organized and their union is not linked with any national trade union. Tea plantation workers work for themselves by ignoring the interests of ordinary labourers. Tea union leaders are not capable and are not self-motivated. That is why the laborers should be organized and their capability should be increased through training so that effective and qualified leadership comes from ordinary labourers in the tea gardens. There is serious scarcity of good organizers who can motivate workers towards their interest. They should deploy their representatives in JSFB headquarter so that the issues of tea plantation workers are raised nationally.

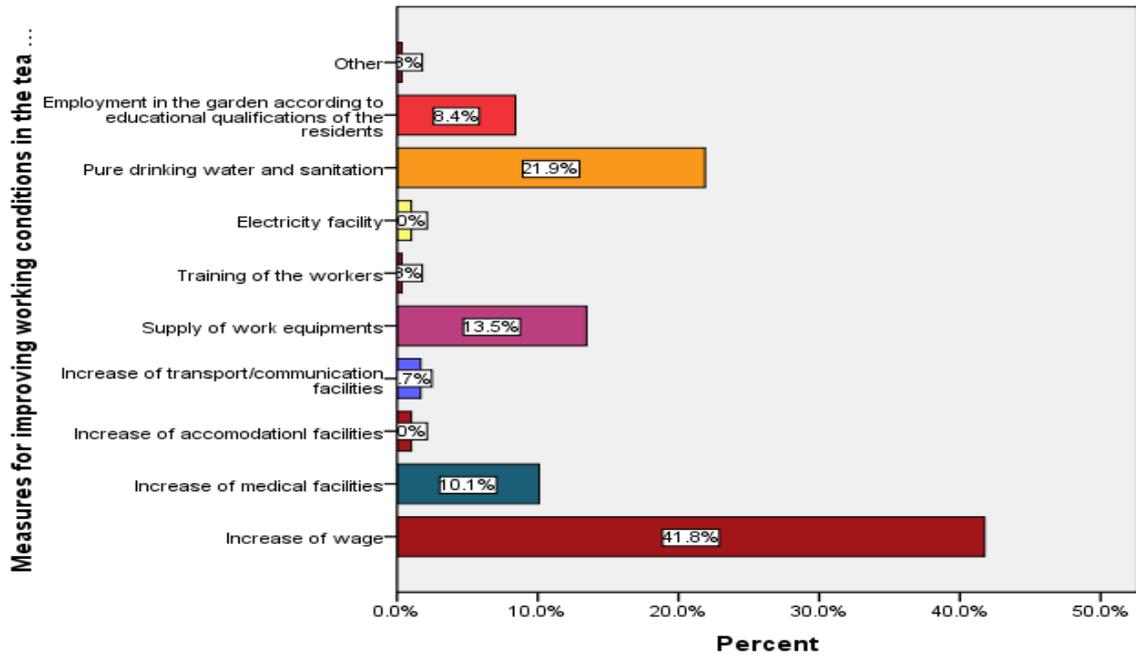
2.8: Aspiration and Future Hope

During initial period in mid 19th century, tea workers were brought by British planters mainly from Bihar, Madras, Orissa, Andhra Pradesh, Madhya Pradesh, Uttar Pradesh and Tamil Nadu in India. They were lured to come and work in a jungle valley with the promise of wealthy living in tea estates where "gold leaves fall from trees". They have been working

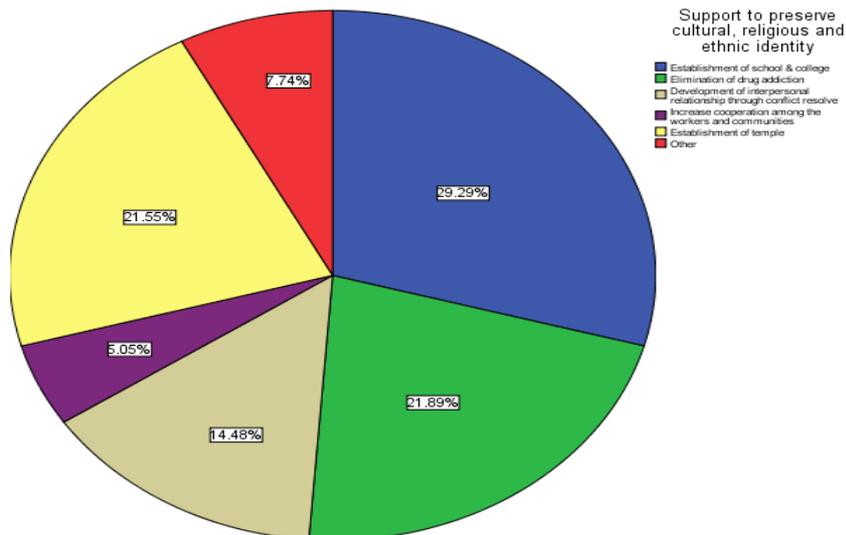
here more than a century from one generation to the next. There have been four generations of workers who initially came to the tea gardens of Bangladesh, but nothing has changed the fate of unfortunate tea plantation workers. They are the disadvantaged and marginalized communities and are subject to many kind of deprivation and exploitation of human rights. Having experienced extreme deprivation over the years, they have become accustomed to living without hope and desires for themselves. These communities do not expect any radical change for their own wellbeing, but dream of a better future for their descendants. According to research data, 49.5% of workers express their desire to work in the tea gardens, 3.4% express the desire to work outside the tea gardens and 41.1% workers express that children will decide later. The positive aspect is that all the workers want to educate their children though their initiatives are not satisfactory yet.



According to this study, workers have a number of suggestions of ways to improve working conditions. 41.4% of workers suggested increasing wages, 21.9% suggested pure drinking water, 13.5% suggested a supply of equipment, 10.1% suggested improvement of medical facilities and 8.8% suggested employment creation according to their educational qualifications.



The most interesting aspect is that tea communities are prepared to inherit their cultural, religious and ethnic identity. Respondents have expressed their views for protecting their own identity and culture. For preserving their identity and cultural heritage, they urge for establishing school and college (29.3%), elimination of drug addiction (21.9%), establishment of temple (21.5%), development of interpersonal relationship (14.5%) and increased cooperation among workers (5.1%).



Chapter Three:

Conclusion and Recommendation

3.1: Concluding Remarks

In their harsh reality, the tea plantation workers still have dreams and want change their lives. Both tea workers and union leaders are of the view that education is the fundamental for bringing change to the community. All of them showed deep interest in education and want to see their children educated and engaging in employment other than as tea garden labourers. A good number (46.1%) of them expect that their children will be educated and will take up employment in the tea gardens. Most respondents complained that despite being educated, tea plantation workers' children do not get official jobs in the garden eventhough they were capable of holding such jobs. A few (4.4%) also believe that their educated children will work outside the garden. Around 41.1% of respondents opined that tea garden work has become less attractive due to poor remuneration therefore members of their community should be engaged in multiple activities both inside and outside the garden. A small section of respondents (3.4%) were frustrated and thought that due to not having an education, they and their children will have to engage in work at the tea gardens. However, almost all tea plantation workers wished to maintain a connection with tea gardens somehow as it provides housing facility free of cost. Leaders in the tea labourers' community as well as survey respondents claimed that their members survive in the garden as they do have ration facility, free housing as well as sometimes pieces of cultivated land leased from the tea garden authority. Tea garden workers do not have sufficient opportunities for education and do not have required skills to engage in occupations outside the tea industry. Their ethnic identity, culture and languages are disappearing. There are tea plantation workers who live in the same homes as their ancestors but are denied from its ownership. Their cultivable lands are being grabbed or occupied by tea garden owners and the Government in the name of extension of garden area or in the name of a forestation or any other development activities and many of their community members are being evicted from the land. The leaders amongst tea garden workers are not capable participating in a collective bargaining process with management. In many occasions, their leaders are busy with their own interests and do very little for general workers. Human rights activists, journalists, civil society groups and researchers give poor attention to the plight of the tea labourers' community and their active role could help in establishing the rights of poor tea plantation workers.

It was also found that the workers sometimes engage in unruly behaviour with the support of external people, which disrupts the working environment in the garden. Some tea plantation workers cut down shed trees and steal fertilizers, which reduces productivity in the garden. There is plenty of opportunity for government officials of the Department of Labour to play their significant role to build the capacity of the tea union leaders and employers to resolve their gaps and disputes for the better of the tea industry. The overall findings of the study suggest that the situation of tea plantation workers needs to be improved and that their rights should be protected based on the mutual agreement amongst tea plantation workers, garden owners and the Government. Researchers, civil

society actors, service providers and international agencies like the ILO can contribute with their own capacities.

3.2: Policy Recommendations

The tea industry has good prospects as it has huge demand in the national and international market thus attention should be given to the improvement of this industry. Development of the tea industry is important for a number of reasons. The tea industry generates considerable employment in Bangladesh and the consumption of tea is increasing rapidly. If the industry gets less attention, unemployment will rise and the Government will have to spend foreign currency to import tea. It has been observed that the industry is poorly cared for by both the Government and tea garden owners. In fact, the development of the tea industry is strongly linked to the wellbeing of tea plantation workers' communities. Considering the importance of flourishing tea industry in Bangladesh, the study recommends following interventions by respective stakeholders:

3.2.1: Bangladesh Cha Sramic Union (Bangladesh Tea Workers Association)

- Tea plantation workers should be organized and they should raise their voices against any form of violation of rights in the workplace. BCSU can provide training to *Panchayet* leaders as well as general workers about existing labour laws. They also can connect their people with government support and services.
- Service providers and local representatives complain the tea workers are not self-motivated and do not show their willingness to participate in development activities run by the Government or NGOs. They should send their children to school and participate in water, sanitation and hygiene activities of the Government and NGOs. They need to be motivated to raise their issues in at a national level. Tea plantation workers are poorly remunerated but it can only be possible to increase remuneration if their productivity is increased. Workers should feel a sense of ownership, which can be achieved by the motivational role of BCSU.
- Educated members should be included in the union leadership and their efficiency should be increased through training and workshops. The leadership should be accountable to all members. BCSU can lobby with national and international organizations who are working for labour rights to increase workers' capacity. They can also arrange dialogue between the tea garden authority, tea garden workers and civil society to create awareness amongst all stakeholders.
- Internal conflicts should be resolved amongst the tea union leaders. An advisory board should be comprised of educated descendants of tea plantation workers, who have strong emotional attachment and commitment to their communities. They should be more aware of the rights of tea plantation workers and should work as bridge between management, the Government and tea plantation workers. Their activities should be transparent, accountable and focused on tea garden workers. The functions of the labour house should be strengthened so that it can be a welfare centre for workers.

3.2.2: Tea Garden Authority

- Tea garden authorities should focus on investing to increase tea production through the extension of new plantations. Cultivable land under the possession of tea workers which was allocated for cultivation should not be taken for the expansion of tea plantations.
- Tea garden management should strictly follow labour laws. Wages and labour benefits should be provided according to the labour law. Improvement of educational and health care facilities should be given higher priority to create a sustainable, enabled community.
- Tea garden management should arrange monthly meetings with tea workers, to enhance better communication workers and the management. Child labour should be restricted and children should not be engaged to work in any capacity so that they can get an education. Educated members of workers' families should be given the opportunity to engage in tea garden work, which uses their academic qualification. The tea garden authority can make provision for sharing profits with tea plantation workers, which could create a sense of ownership amongst workers.
- Childcare facilities should be available in all tea gardens. Tea garden workers must be comfortable to send their babies to the creche in order to set up creches.
- There are a few services are available, such as training for worker leaders by the Department of Labour and Welfare, education, water, sanitation and hygiene by NGOs. However, workers have limited access to those services due to the restrictions of the tea garden authority. Access to these services should be ensured.

3.2.3: The Government of Bangladesh

- Labour department officials should frequently visit tea gardens and observe the labour standards. They can find limitations and difficulties in ensuring decent working environment according to the national labour laws and ILO standards.
- Regular training should be arranged by labour welfare centers so that the bargaining capacity of both workers and union leaders are increased. Bangladesh Tea Research Institute could play a role in increasing productivity as well as improving the rights of tea plantation workers. Leaders of the tea garden communities should be involved in the development of national legal provisions that concern the tea industry.
- Although most of the tea gardens are located in Sylhet division, the labour court is located in Chittagong which restricts easy access for workers. The labour court should be established in each of the district. Any change in existing laws and formation of new laws relating to tea plantation workers should be based on effective dialogue between the Government, tea garden authorities and tea garden workers.
- The tea garden authority denies the right to own land by showing leasing documents issued by the Government. The indigenous community is always under threat of eviction by the tea garden authority. The Government can lease the cultivable land to indigenous people who are currently using that land.

- Government should control the domestic market of tea by imposing restrictions on import of tea so that locally produced tea is consumed. It will increase both quality and quantity of locally produced tea.
- The Department of Inspection of Factories and Establishments should be strengthened. Regular and frequent visits by labour inspectors could contribute to increased observation of labour rights in the tea gardens. For effective inspection of labour rights issues, all the vacant posts should be filled.

3.2.4: NGOs and Civil Society Organizations

- NGOs and civil society actors should raise awareness of the issues of tea plantation workers. They should have dialogue regarding labour rights of tea garden communities at policy level. NGO-run activities on education, water sanitation, hygiene, population control, micro credit and awareness raising campaigns should be strengthened with the support of tea garden management.
- Researchers and journalists should take advocacy roles to adopt policies, which protect and promote labour rights of workers.
- National labour unions can include tea garden workers' unions in their activities and can contribute to raising tea labourer issues nationally and act as pressure group to ensure a decent working environment in tea gardens. They can provide training to tea garden union leaders for strengthening of their bargaining capacity.

3.2.5: ILO and International Labour Federations

- Social dialogue between the employers and the workers may allow workers to voice their concerns and could be effective in achieving their rights.
- ILO and international trade union federations can arrange training sessions and provide logistical support to tea garden workers' unions to increase capacity building.
- ILO can support the Government in adopting policies which protect and promote labour rights of workers and in implementing labour laws.

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Appendix: List of Tables

A. Socio-biographic data

Gender

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Male	107	36.0	36.0	36.0
	Female	190	64.0	64.0	100.0
	Total	297	100.0	100.0	

Age group of the respondent

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	up to 18	3	1.0	1.0	1.0
	19 - 30	73	24.6	24.6	25.6
	31 - 40	104	35.0	35.0	60.6
	41 - 50	69	23.2	23.2	83.8
	51 - 60	35	11.8	11.8	95.6
	61 +	13	4.4	4.4	100.0
	Total	297	100.0	100.0	

Living with family

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	294	99.0	99.0	99.0
	No	3	1.0	1.0	100.0
	Total	297	100.0	100.0	

Size of the family

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1-3	41	13.8	13.8	13.8
	4-6	196	66.0	66.0	79.8
	7-9	52	17.5	17.5	97.3
	10+	8	2.7	2.7	100.0

Size of the family

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1-3	41	13.8	13.8	13.8
	4-6	196	66.0	66.0	79.8
	7-9	52	17.5	17.5	97.3
	10+	8	2.7	2.7	100.0
	Total	297	100.0	100.0	

Main breadwinner for the family

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	202	68.0	68.0	68.0
	No	94	31.6	31.6	99.7
	Don't know	1	.3	.3	100.0
	Total	297	100.0	100.0	

Number of Children

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	0	1	.3	.3	.3
	1 - 2	119	40.1	40.1	40.4
	3 - 4	126	42.4	42.4	82.8
	5 - 6	45	15.2	15.2	98.0
	7 +	6	2.0	2.0	100.0
	Total	297	100.0	100.0	

Knowledge of reading and writing

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	113	38.0	38.0	38.0
	No	184	62.0	62.0	100.0
	Total	297	100.0	100.0	

Educational qualification

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Some part of primary school	49	16.5	43.4	43.4
	Completed primary school	24	8.1	21.2	64.6
	Some part of secondary school	27	9.1	23.9	88.5
	Completed secondary school	13	4.4	11.5	100.0
	Total	113	38.0	100.0	
Missing	System	184	62.0		
Total		297	100.0		

here missing means no education

Reasons of dropout from school

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Poverty	141	47.5	49.6	49.6
	Non availability of institution	31	10.4	10.9	60.6
	Taking care of siblings	3	1.0	1.1	61.6
	Other	109	36.7	38.4	100.0
	Total	284	95.6	100.0	
Missing	System	13	4.4		
Total		297	100.0		

Professional training other than formal education

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	18	6.1	6.1	6.1
	No	279	93.9	93.9	100.0
	Total	297	100.0	100.0	

Type of training

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Hygiene	2	.7	11.1	11.1
	informal	11	3.7	61.1	72.2
	Formal	5	1.7	27.8	100.0
	Total	18	6.1	100.0	
Missing	System	279	93.9		
Total		297	100.0		

Type of organization that provided training

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Employer	15	5.1	83.3	83.3
	NGO	2	.7	11.1	94.4
	Unknown	1	.3	5.6	100.0
	Total	18	6.1	100.0	
Missing	System	279	93.9		
Total		297	100.0		

Place of birth

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	In the region where I'm currently staying	166	55.9	55.9	55.9
	In another region of the country	126	42.4	42.4	98.3
	In another country	5	1.7	1.7	100.0
	Total	297	100.0	100.0	

Ownership of land in this tea estate or outside this tea estate

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	105	35.4	35.4	35.4
	No	192	64.6	64.6	100.0

Ownership of land in this tea estate or outside this tea estate

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	105	35.4	35.4	35.4
	No	192	64.6	64.6	100.0
	Total	297	100.0	100.0	

Amount of Land

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	less than 20	53	17.8	50.5	50.5
	21 - 50	21	7.1	20.0	70.5
	51 - 100	21	7.1	20.0	90.5
	101 - 150	7	2.4	6.7	97.1
	201 +	3	1.0	2.9	100.0
	Total	105	35.4	100.0	
Missing	System	192	64.6		
Total		297	100.0		

Engage in income generating activities in addition to work in the tea estate

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	98	33.0	33.0	33.0
	No	199	67.0	67.0	100.0
	Total	297	100.0	100.0	

B. Employment status and Tasks

Years of working in Tea Estate

		Frequency	Percent	Valid Percent	Cumulative Percent
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Valid	less than 10	110	37.0	37.0	37.0
	11 - 20	114	38.4	38.4	75.4
	21 - 30	48	16.2	16.2	91.6
	31 - 40	20	6.7	6.7	98.3
	41 +	5	1.7	1.7	100.0
	Total	297	100.0	100.0	

Stypeofworker Frequencies

	Responses		Percent of Cases
	N	Percent	
Type of A permanent worker ^a	256	86.2%	88.6%
A casual worker	30	10.1%	10.4%
A daily worker	5	1.7%	1.7%
A family worker	3	1.0%	1.0%
Other	3	1.0%	1.0%
Total	297	100.0%	102.8%

a. Dichotomy group tabulated at value 1.

Sworkperformed Frequencies

	Responses		Percent of Cases
	N	Percent	
work performed by Tea plucking workers ^a	235	79.1%	81.3%
Security guard	19	6.4%	6.6%
Domestic worker at the manager's house	7	2.4%	2.4%
Factory worker	15	5.1%	5.2%
Supervisor	5	1.7%	1.7%
Other	16	5.4%	5.5%
Total	297	100.0%	102.8%

a. Dichotomy group tabulated at value 1.

C.Recruitment and Contract

Reasons for work Frequencies

	Responses		Percent of Cases
	N	Percent	
Reason for involving at work ^a			
It provides an income-earning opportunity	158	32.8%	54.3%
Personal interest in the industry	3	.6%	1.0%
Lack of other income-earning opportunities	135	28.0%	46.4%
Ancestral	184	38.2%	63.2%
Other	2	.4%	.7%
Total	482	100.0%	165.6%

a. Dichotomy group tabulated at value 1.

Decision to work in the tea garden

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Own decision	144	48.5	48.5	48.5
Neighbors	4	1.3	1.3	49.8
Family members or relatives	146	49.2	49.2	99.0
Other acquaintance	3	1.0	1.0	100.0
Total	297	100.0	100.0	

Way of getting recruitment

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Directly by your employer	266	89.6	89.6	89.6
Through a recruitment agency	9	3.0	3.0	92.6
Other	22	7.4	7.4	100.0
Total	297	100.0	100.0	

Knowledge about working conditions at workplace

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	81	27.3	27.3	27.3
Partially	39	13.1	13.1	40.4
No	174	58.6	58.6	99.0
Don't know	3	1.0	1.0	100.0
Total	297	100.0	100.0	

Connector with the workplace

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid My employer	78	26.3	65.0	65.0
Don't know who she/he is	5	1.7	4.2	69.2
Someone except my employer	37	12.5	30.8	100.0
Total	120	40.4	100.0	
Missing System	177	59.6		
Total	297	100.0		

Written contract or letter of appointment

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	6	2.0	2.0	2.0
No	275	92.6	92.6	94.6
Don't know	16	5.4	5.4	100.0
Total	297	100.0	100.0	

Understanding about the written contract or letter of appointment

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes, completely	1	.3	.3	.3
Not at all	2	.7	.7	1.0
No, not completely	3	1.0	1.0	2.0
Not applicable	291	98.0	98.0	100.0

Understanding about the written contract or letter of appointment

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes, completely	1	.3	.3	.3
Not at all	2	.7	.7	1.0
No, not completely	3	1.0	1.0	2.0
Not applicable	291	98.0	98.0	100.0
Total	297	100.0	100.0	

Consultation with the workers for any changes at workplace

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	42	14.1	14.1	14.1
Don't know	3	1.0	1.0	15.2
No	252	84.8	84.8	100.0
Total	297	100.0	100.0	

Way to reach at workplace

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Walking	294	99.0	99.0	99.0
Private transport (bicycle, motorbike, etc.)	1	.3	.3	99.3
Transport provided by the employer	2	.7	.7	100.0
Total	297	100.0	100.0	

Traveling Time to work place (Minutes)

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid less than 30	158	53.2	53.2	53.2
31 - 60	118	39.7	39.7	92.9
61 - 90	4	1.3	1.3	94.3
91 +	17	5.7	5.7	100.0

Traveling Time to work place (Minutes)

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid less than 30	158	53.2	53.2	53.2
31 - 60	118	39.7	39.7	92.9
61 - 90	4	1.3	1.3	94.3
91 +	17	5.7	5.7	100.0
Total	297	100.0	100.0	

D. Wages

Ways of calculation of wages

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Days	1	.3	.3	.3
Weeks	294	99.0	99.0	99.3
Months	2	.7	.7	100.0
Total	297	100.0	100.0	

Monthly income in previous month

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid less than 1000	6	2.0	2.0	2.0
1001-1500	92	31.0	31.0	33.0
1501 - 2000	164	55.2	55.2	88.2
2001-2500	14	4.7	4.7	92.9
2501 - 3000	15	5.1	5.1	98.0
3001 +	6	2.0	2.0	100.0
Total	297	100.0	100.0	

Assistance from other family members

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	42	14.1	14.1	14.1
No	255	85.9	85.9	100.0
Total	297	100.0	100.0	

Assistance from other family members

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	42	14.1	14.1	14.1
	No	255	85.9	85.9	100.0
	Total	297	100.0	100.0	

Regularity in wage payment

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	293	98.7	98.7	98.7
	No	4	1.3	1.3	100.0
	Total	297	100.0	100.0	

Status of receiving full amount wage

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	275	92.6	92.6	92.6
	No	22	7.4	7.4	100.0
	Total	297	100.0	100.0	

Allowances and benefits except wages

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	264	88.9	88.9	88.9
	No	33	11.1	11.1	100.0
	Total	297	100.0	100.0	

Sufficiency of income

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	47	15.8	15.8	15.8

No	250	84.2	84.2	100.0
Total	297	100.0	100.0	

E. Housing

Availability of accommodation by the tea estate

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	269	90.6	90.6	90.6
No	28	9.4	9.4	100.0
Total	297	100.0	100.0	

Accommodation of adequate size (e.g. with ventilation, floor and breathing [air] space)

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	153	51.5	55.8	55.8
No	121	40.7	44.2	100.0
Total	274	92.3	100.0	
Missing System	23	7.7		
Total	297	100.0		

Satisfaction with accomodation

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Satisfied	60	20.2	20.2	20.2
Not satisfied	236	79.5	79.5	99.7
Indifferent	1	.3	.3	100.0
Total	297	100.0	100.0	

F. Working Hours and Leave

Working days in a week

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	4	18	6.1	6.1	6.1
	5	15	5.1	5.1	11.1
	6	232	78.1	78.1	89.2
	7	32	10.8	10.8	100.0
	Total	297	100.0	100.0	

Availability of rest time

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	261	87.9	87.9	87.9
	No	36	12.1	12.1	100.0
	Total	297	100.0	100.0	

Duration of rest time in each working day

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	0	36	12.1	12.1	12.1
	0.1	44	14.8	14.8	26.9
	0.2	1	.3	.3	27.3
	0.714	1	.3	.3	27.6
	1	182	61.3	61.3	88.9
	1.1	4	1.3	1.3	90.2
	2	29	9.8	9.8	100.0
	Total	297	100.0	100.0	

Work-life balance for family and social commitments outside of work

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very well	17	5.7	5.7	5.7

Well	160	53.9	53.9	59.6
Not very well	119	40.1	40.1	99.7
Don't know	1	.3	.3	100.0
Total	297	100.0	100.0	

Availability of leave

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	276	92.9	92.9	92.9
No	21	7.1	7.1	100.0
Total	297	100.0	100.0	

Type of leave Frequencies

	Responses		Percent of Cases
	N	Percent	
type of Casual leave ^a	39	7.6%	14.6%
Festival leave	203	39.6%	75.7%
Sick leave	252	49.1%	94.0%
Annual leave	19	3.7%	7.1%
Total	513	100.0%	191.4%

a. Dichotomy group tabulated at value 1.

G. Maternity Protection and Child Care

Experience of pregnancy after engagement in garden work

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	149	50.2	50.2	50.2
No	41	13.8	13.8	64.0
Not applicable	107	36.0	36.0	100.0
Total	297	100.0	100.0	

Opportunity for maternity or paternity leave

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	131	44.1	44.1	44.1
	No	166	55.9	55.9	100.0
	Total	297	100.0	100.0	

Enjoyment of maternity benefit during your leave

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	114	38.4	87.0	87.0
	No	17	5.7	13.0	100.0
	Total	131	44.1	100.0	
Missing	System	166	55.9		
Total		297	100.0		

Availability of child care facilities or services available on the tea estate

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	56	18.9	18.9	18.9
	No	227	76.4	76.4	95.3
	Not Sure	14	4.7	4.7	100.0
	Total	297	100.0	100.0	

Difficulties for caring children during work-time in the tea garden

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Babies don't get proper care	69	23.2	36.3	36.3
	Babies become sick	14	4.7	7.4	43.7
	Babies don't go to school	5	1.7	2.6	46.3
	No Difficulties	102	34.3	53.7	100.0
	Total	190	64.0	100.0	

Missing System	107	36.0		
Total	297	100.0		

H. Work Environment

Knowledge about health and safety risk at work place

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	185	62.3	62.3	62.3
No	112	37.7	37.7	100.0
Total	297	100.0	100.0	

Awareness about health and safety risk

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	224	75.4	75.4	75.4
No	59	19.9	19.9	95.3
Somewhat	14	4.7	4.7	100.0
Total	297	100.0	100.0	

Healthproblem Frequencies

Type of health problems ^a	Responses		Percent of Cases
	N	Percent	
Skin problem	163	16.6%	65.5%
Muscular pains in shoulders, neck or limbs	184	18.7%	73.9%
Backache	179	18.2%	71.9%
Injuries	102	10.4%	41.0%
Headache	210	21.4%	84.3%
Stress	34	3.5%	13.7%
Overall fatigue	97	9.9%	39.0%
Other	13	1.3%	5.2%
Total	982	100.0%	394.4%

a. Dichotomy group tabulated at value 1.

Health safety equip Frequencies

	Responses		Percent of Cases
	N	Percent	
Health safety Protective gear (e.g. hand gloves) ^a	62	11.8%	23.0%
Latrines/urinals	24	4.6%	8.9%
Clean drinking water	181	34.3%	67.0%
Break room or area	33	6.3%	12.2%
Health care services	222	42.1%	82.2%
Other	5	.9%	1.9%
Total	527	100.0%	195.2%

a. Dichotomy group tabulated at value 1.

Health services Frequencies

	Responses		Percent of Cases
	N	Percent	
Type of health First aid services ^a	279	58.4%	98.9%
Access to a nurse or doctor	34	7.1%	12.1%
Ambulance service	149	31.2%	52.8%
Other	16	3.3%	5.7%
Total	478	100.0%	169.5%

a. Dichotomy group tabulated at value 1.

Satisfaction with the health services in the garden

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	96	32.3	32.3	32.3
No	201	67.7	67.7	100.0
Total	297	100.0	100.0	

compensation for an accident during work

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	142	47.8	47.8	47.8
No	115	38.7	38.7	86.5
Don't know	37	12.5	12.5	99.0
Not applicable (nobody has gotten injured in my work-place that I am aware of)	3	1.0	1.0	100.0
Total	297	100.0	100.0	

Absence from work due to health problems

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	199	67.0	67.0	67.0
No	98	33.0	33.0	100.0
Total	297	100.0	100.0	

Compensation benefit for sickness

	Responses		Percent of Cases
	N	Percent	
Compensation for sickness ^a	167	29.3%	69.6%
Compensation for doctors or hospital fees	188	33.0%	78.3%
Compensation for medicines and injury treatment	214	37.6%	89.2%
Paid sick leave	569	100.0%	237.1%
Total			

a. Dichotomy group tabulated at value 1.

Workplace harassment Frequencies

	Responses		Percent of Cases
	N	Percent	
Work Place Physical violence from Harrassment ^a	26	6.2%	11.3%
supervisors or co-workers			

	Bullying or harassment from supervisors or co-workers	206	49.3%	89.6%
	Unwanted sexual attention from supervisors or co-workers	31	7.4%	13.5%
	Pressure to fulfill targets from supervisors or co-workers	88	21.1%	38.3%
	Enforcement to perform overtime work	67	16.0%	29.1%
Total		418	100.0%	181.7%

a. Dichotomy group tabulated at value 1.

I. General

Satisfaction with Remuneration

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very satisfied	2	.7	.7	.7
Satisfied	26	8.8	8.8	9.4
Not very satisfied	136	45.8	45.8	55.2
Not at all satisfied	133	44.8	44.8	100.0
Total	297	100.0	100.0	

Physical intensity of work

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very satisfied	3	1.0	1.0	1.0
Satisfied	63	21.2	21.2	22.2
Not very satisfied	187	63.0	63.0	85.2
Not at all satisfied	44	14.8	14.8	100.0
Total	297	100.0	100.0	

Average working hours

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very satisfied	17	5.7	5.7	5.7
Satisfied	112	37.7	37.7	43.4
Not very satisfied	149	50.2	50.2	93.6
Not at all satisfied	19	6.4	6.4	100.0
Total	297	100.0	100.0	

Job security

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very satisfied	79	26.6	26.6	26.6
Satisfied	143	48.1	48.1	74.7
Not very satisfied	53	17.8	17.8	92.6
Not at all satisfied	22	7.4	7.4	100.0
Total	297	100.0	100.0	

Workplace safety

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very satisfied	19	6.4	6.4	6.4
Satisfied	101	34.0	34.0	40.4
Not very satisfied	140	47.1	47.1	87.5
Not at all satisfied	37	12.5	12.5	100.0
Total	297	100.0	100.0	

Overall

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Very satisfied	2	.7	.7	.7
Satisfied	67	22.6	22.6	23.2
Not very satisfied	134	45.1	45.1	68.4
Not at all satisfied	93	31.3	31.3	99.7
44	1	.3	.3	100.0
Total	297	100.0	100.0	

Prevalence of labour rights violation

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	186	62.6	62.6	62.6
No	74	24.9	24.9	87.5
Don't know	31	10.4	10.4	98.0
Prefer not to answer	6	2.0	2.0	100.0
Total	297	100.0	100.0	

Involvement with any cooperative/savings group

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	166	55.9	55.9	55.9
No	131	44.1	44.1	100.0
Total	297	100.0	100.0	

Protection by social benefits or assistance from the government

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	22	7.4	7.4	7.4
No	275	92.6	92.6	100.0
Total	297	100.0	100.0	

J. Fundamental Principles and Rights at Work

Membership in a trade union

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	142	47.8	47.8	47.8
No	155	52.2	52.2	100.0
Total	297	100.0	100.0	

Membership in other association

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	74	24.9	24.9	24.9
No	223	75.1	75.1	100.0
Total	297	100.0	100.0	

Feeling of discrimination

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	63	21.2	21.2	21.2
No	234	78.8	78.8	100.0
Total	297	100.0	100.0	

\$factorsoffavorness Frequencies

	Responses		Percent of Cases	
	N	Percent		
Factors of getting favoursness ^a	Race, colour, ethnicity	6	3.3%	6.5%
	Sex/gender	42	23.0%	45.7%
	Religious beliefs	17	9.3%	18.5%
	Social origin	13	7.1%	14.1%
	Political opinion	20	10.9%	21.7%
	Trade union membership	12	6.6%	13.0%
	Age	26	14.2%	28.3%
	Disability	3	1.6%	3.3%
	Pregnancy and maternity	34	18.6%	37.0%
	Other	10	5.5%	10.9%

Total	183	100.0%	198.9%
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a. Dichotomy group tabulated at value 1.

Existence of gender preference in hiring of tea garden workers

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	86	29.0	29.0	29.0
No	211	71.0	71.0	100.0
Total	297	100.0	100.0	

Gender division of labour in the tea garden

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	117	39.4	39.4	39.4
No	180	60.6	60.6	100.0
Total	297	100.0	100.0	

Existence of forced labour

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	80	26.9	26.9	26.9
No	213	71.7	71.7	98.7
Prefer not to answer	4	1.3	1.3	100.0
Total	297	100.0	100.0	

Types of labour rights violation Frequencies

	Responses		Percent of Cases
	N	Percent	
Types of labour rights violation ^a			
Availability weekly holiday	16	3.8%	5.7%
Not allowed to take vacation time	49	11.7%	17.4%
Remuneration for work in holiday	76	18.1%	27.0%

	Regularity of wage payment	28	6.7%	10.0%
	Benefits for overtime work	40	9.5%	14.2%
	Right of forming or joining in trade union or any other association	15	3.6%	5.3%
	Not allowed to leave the workplace	51	12.1%	18.1%
	Had your personal identification documents taken away	6	1.4%	2.1%
	Not applicable	139	33.1%	49.5%
Total		420	100.0%	149.5%

a. Dichotomy group tabulated at value 1.

Availability of child labour tea estate

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	140	47.1	47.1	47.1
No	124	41.8	41.8	88.9
Don't know	33	11.1	11.1	100.0
Total	297	100.0	100.0	

If yes, who are they?

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Boys	8	2.7	5.7	5.7
Girls	19	6.4	13.6	19.3
Both	113	38.0	80.7	100.0
Total	140	47.1	100.0	
Missing System	157	52.9		
Total	297	100.0		

K.

Presence of labour inspectors in the tea garden

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	83	27.9	27.9	27.9
	No	214	72.1	72.1	100.0
	Total	297	100.0	100.0	

L.

Language for conversation within family

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Ethnic language	214	72.1	72.1	72.1
	Bangla	83	27.9	27.9	100.0
	Total	297	100.0	100.0	

Belongingness to a particular ethnic community

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	172	57.9	57.9	57.9
	No	125	42.1	42.1	100.0
	Total	297	100.0	100.0	

Religious and cultural festivals in the community

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Religious	294	99.0	99.0	99.0
	Bengali cultural	3	1.0	1.0	100.0
	Total	297	100.0	100.0	

Relationship with neighboring communities

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very Good	91	30.6	30.6	30.6

Good	197	66.3	66.3	97.0
Not good	9	3.0	3.0	100.0
Total	297	100.0	100.0	

Problems in adapting with mainstream community

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	46	15.5	15.5	15.5
No	230	77.4	77.4	92.9
Prefer not to answer	21	7.1	7.1	100.0
Total	297	100.0	100.0	

Influence of ethnic identity in access to government and other services

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	20	6.7	6.7	6.7
No	253	85.2	85.2	91.9
Not applicable / Don't know	24	8.1	8.1	100.0
Total	297	100.0	100.0	

Preference of maintaining original ethnic and religious identity

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	256	86.2	86.2	86.2
No	41	13.8	13.8	100.0
Total	297	100.0	100.0	

Opinion regarding the transformation of ethnic identity

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	116	39.1	39.1	39.1
No	172	57.9	57.9	97.0

Don't know	9	3.0	3.0	100.0
Total	297	100.0	100.0	

Decision making in sending children to school

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Husband	64	21.5	21.5	21.5
Wife	24	8.1	8.1	29.6
Jointly	205	69.0	69.0	98.7
Other	4	1.3	1.3	100.0
Total	297	100.0	100.0	

Decision making in spending money

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Husband	80	26.9	26.9	26.9
Wife	31	10.4	10.4	37.4
Jointly	179	60.3	60.3	97.6
Other	7	2.4	2.4	100.0
Total	297	100.0	100.0	

Decision making in taking part in cultural festivals

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Husband	21	7.1	7.1	7.1
Wife	23	7.7	7.7	14.8
Jointly	248	83.5	83.5	98.3
Other	5	1.7	1.7	100.0
Total	297	100.0	100.0	

Participation of women worker in Panchayat or decision making bodies in the tea estate

	Frequency	Percent	Valid Percent	Cumulative Percent
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Valid	Yes	262	88.2	88.2	88.2
	No	26	8.8	8.8	97.0
	Don't know	9	3.0	3.0	100.0
	Total	297	100.0	100.0	

Existence of dowry system in the tea community

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	189	63.6	63.6	63.6
	No	96	32.3	32.3	96.0
	Don't know	12	4.0	4.0	100.0
	Total	297	100.0	100.0	

Equal opportunity for boys and girls in access to education

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	252	84.8	84.8	84.8
	No	45	15.2	15.2	100.0
	Total	297	100.0	100.0	

Freedom of women to go outside the home

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	165	55.6	55.6	55.6
	No	132	44.4	44.4	100.0
	Total	297	100.0	100.0	

N.

Dreams and aspirations for next generation

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Work in the garden after education	137	46.1	46.1	46.1
	Work outside the garden after education	13	4.4	4.4	50.5

Work in the garden as we have no education	10	3.4	3.4	53.9
Educating the children	15	5.1	5.1	58.9
Other	122	41.1	41.1	100.0
Total	297	100.0	100.0	

Measures for improving working conditions in the tea estate

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Increase of wage	123	41.4	41.4	41.4
Increase of medical facilities	30	10.1	10.1	51.5
Increase of accomodationl facilities	3	1.0	1.0	52.5
Increase of transport/communication facilities	5	1.7	1.7	54.2
Supply of work equipments	40	13.5	13.5	67.7
Training of the workers	1	.3	.3	68.0
Electricity facility	3	1.0	1.0	69.0
Pure drinking and sanitation	65	21.9	21.9	90.9
Employment in the garden according to educational qualifications of the residents	26	8.8	8.8	99.7
Other	1	.3	.3	100.0
Total	297	100.0	100.0	

Support to preserve cultural, religious and ethnic identity

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Establishment of school & college	53	17.8	17.8	17.8
Elimination of drug addiction	22	7.4	7.4	25.3

Development of interpersonal relationship through conflict resolve	32	10.8	10.8	36.0
Increase cooperation among the workers and communities	15	5.1	5.1	41.1
Establishment of temple	64	21.5	21.5	62.6
Other	111	37.4	37.4	100.0
Total	297	100.0	100.0	

