International
Labour
Organization

All Aboard!

On-Boarding Training Package for Workers in Myanmar Garment Factories

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Introduction

On-boarding is the process of integrating new employees into an organization. It is primarily the responsibility of employers. Many companies drastically underestimate the importance of on-boarding when they hire new employees. In fact, most of the garment factories in Myanmar have no formal on-boarding programme and provide only a short orientation session to newly recruited employees.

Through the on-boarding process, employees learn about their rights and responsibilities, how to meet the expectations of the factory, communicate adequately and learn how to resolve eventual disputes as efficiently as possible. Employees better understand where their job role fits into the company and how their individual position is valuable to the company as a whole. On-boarding indicates to the workers that the factory cares for his or her well-being. On-boarding provides meaning for the new recruits and a sense of continuity.

Relying on a half-day HR orientation, a series of unrelated administrative tasks, and a folder of forms doesn't work! Forward-thinking factories start the on-boarding process before or at least on the first day and the best on-boarding processes last around 6 months. Research demonstrates that 90 percent of workers decide if they will stay with a company within their first 6 months of starting a new job. As labour turnover is particularly costly for any factory in any sector, well-designed on-boarding processes contributes to reducing labour turnover by engaging with the newly recruited employees and making them feel comfortable in the workplace. With every departure, morale and productivity suffer. The cost of replacing an entry-level employee is 20-40 percent of the person's annual salary. For mid and senior-level employees it can reach 150 – 300 percent respectively. As labour turnover rate in Myanmar garment factories is astoundingly high –around 8% monthly-, dedicating resources and time to on-boarding processes is without any doubt a good investment.

Additionally on-boarding might play a positive role in reducing labour disputes, diminish newly recruited employees' anxiety, and quickly get them to build rapport with peer employees who have been with the company for longer and are in a position to quickly address new recruits' concerns. Effective on-boarding processes can drastically reduce the time-to-productivity metric which is the time required for new employees to have all of the information, skills, and equipment necessary to perform their jobs at an optimal level.

In the framework of the ILO projects, "Strengthening Employers' Organizations in Myanmar" and the "Improving labour relations for decent work and sustainable development in the Myanmar garment industry" (ILO-GIP), a package of training materials including a trainers' guide and set of customizable powerpoint presentations was developed with the aim of supporting the Myanmar Garment Manufacturers Association (MGMA) and its companies-members in providing effective on-boarding for newly recruited employees. This on-boarding training product is an integral part of MGMA's "Employers Package", a suite of services on labour and industrial relations that MGMA provide to its companies-members.

The training package suggests a number of strategic sessions based on the current Myanmar Labour Laws, builds on factories rules and regulations and labour matters, and is to be delivered to newly recruited employees by officers in factories' HR department. Sessions are grouped into eight modules:

1. Welcome to the factory – first orientation
2. Wages and benefits
3. Working hours and leave
4. Health and Safety
5. Freedom of Association and Collective Bargaining
6. Workplace cooperation and grievance handling
7. Harassment and discrimination
8. Child Labour and forced labour

Given the rapid evolution of the Myanmar Labour Law, users are encouraged to make all efforts to ensure continued alignment of their on-boarding efforts with the laws, regulations and rules in place. The modules are meant to be short and practical so that they can be included in busy factory schedules without too many interruptions in the production. These modules are also designed with a participatory approach in mind, allowing the workers to actively engage in the learning process, and share experiences and knowledge.

The total length of the eight modules is equivalent to approximately 1-day of on-boarding training with breaks. It is however highly recommended to stretch these on-boarding sessions over time (around two months) and provide the training in small batches so that workers will have time to absorb the information. Meeting newly recruited workers regularly over the first few months of their joining a factory will provide HR managers an opportunity to learn from the shop floor and quickly address any issue which in turn will benefit the entire workforce and create a sound industrial relations climate.

This on-boarding training package focussing on employees' rights and responsibilities at work should be complemented with practical and on-the-job technical training and other learning experiences catered to the specific role and function of the newly recruited employees.

MODULE

1

Welcome to the Factory

This Trainer's Guide

The Trainers' Guide is an important reference tool for you in running this modular training; it includes all the materials that you will need, and it will also include important background information for the trainer. The slides have been created for your convenience, but you can add, remove or adjust the content of each slide so that is in alignment with your factory's regulations and practices. However, at the time of producing this material (July 2019), the information included in the training kit was up to date and aligned with the Myanmar Labour Laws. Precautions are therefore needed, in case any change is made, in order to ensure that the content continues to reflect the current legal framework.[1] You are invited to always keep up to date with the regularly changing legal framework that applies to the garment industry. Generally, if the content of a slide need to be customized to fit your own factory practices, you will find the instruction on how to do that in the powerpoint slide notes (below the slides).

The following pages present an outline of how you can present the topics that you need to introduce to your new workers. . Depending on your audience's literacy level and general knowledge of the topics, as well as the time allocated for this training at your factory, you may need to adjust the topics, activities and the timing for each module Be creative!

These modules are meant to be short and practical so that they can be included in busy factory schedules without too many interruptions in the production. These modules are also designed with participatory approach which allows the workers to actively engage in the learning process, and share experiences and knowledge. Avoid skipping the activities and presenting just the powerpoint slides. The activities will enhance participants' learning. The total length of the eight modules is equivalent to 1-day of on-boarding training with breaks. It is recommended that you stretch the training over time and provide the training modules in small batches so that workers will have time to absorb the information.

Your objective as the Trainer

Worker's first impressions of a factory have a significant impact on their integration at work and may reduce worker turnover. On-boarding new workers is an opportunity for your factory to welcome new workers, help them settle in and ensure they have the knowledge and support they need to perform their role. Effective on-boarding on-boarding - together with adequately trained supervisors are key factors in reducing turnover and absenteeism. It is a very good investment in everyone's time!

[1] The Myanmar legal framework applicable to the world of work is evolving regularly and rapidly. It is recommended that HR managers keep abreast of these changes in order to ensure full compliance with these legal obligations. The Myanmar Garment Manufacturers Association (MGMA) is a good source of information on these change and can provide guidance when needed.

Your role as a Trainer is to:

- Make new workers feel welcome and appreciated.
- Create a friendly environment that puts new workers at ease. This will help them to learn better and they will be more open to asking questions.
- Ensure that new workers understand that the main purpose of workers' on-boarding is to assist them in understanding their new workplace, and their basic rights and responsibilities.
- Give new workers a good idea on whom to talk to if they have questions or concerns, and where to find further information when they need it.
- Stimulate participation and sharing.

Learning Outcomes

By the end of this module participants should be able to:

- Link Myanmar garment industry with the global garment industry (context)
- Describe the company and types of products that the factory makes
- Recognize the formal/legal nature of their employment contract
- Communicate workers' basic rights and responsibilities in the factory
- Recognize the key people in the factory
- Know whom to turn to if they have questions
- Describe what is included in their on-boarding on-boarding program

Module agenda

Module 1 – Welcome

TIME	ACTIVITIES
10 min	1.1. Welcome to ABC factory & Trainer's introduction
10 min	1.2. Icebreaker/introduction activity
10 min	1.3. ABC company presentation
5 min	1.4. Introduction of supervisors and peer workers
25 min	1.5. Introduction to contract = rights and responsibilities activity
30 min	1.6. Factory tour
1h30	**TOTAL TIME**

Resources required

Training resources:

- Markers
- Flip charts
- Projector
- Computer

Handouts and worksheets:

Handout Activity 1.6. - Example of Employment contract or factory's actual employment contract	One copy for each participant

Activity 1.1.

Welcome to ABC Factory & Trainer's Introduction

10 minutes

Purpose

- To release new worker's tension and anxiety and lay a foundation for a conducive learning environment
- To engage the participants in agreeing a set of 'ground rules' for behavior during the modules.

Methodology

- Oral presentation

Resources required

- Projector or flip chart prepared in advance

Instructions

- Spend 5 minutes welcoming the new workers and introducing yourself and your role in the factory.
- *Show slide "ground rules"* or preferably prepare a similar flip chart in advance and invite participants to suggest what the images mean. Try to put a positive spin on the rules – "Please listen to other people" rather than "Don't interrupt!"
- Stick the ground rules slide/flip chart on the wall of the training room and make sure that all participants understand that they can draw attention to it if they feel that any other participant is failing to stick to these rules. Mention that these rules will apply to all training modules that the workers will receive.

Notes for trainer

Remember that you want to establish a rapport with the new workers so tell them a few interesting things about yourself – not just how many qualifications you have or how long you have been with the factory or what you have accomplished.

There are only 10 minutes for this introduction, including establishing the ground rules. Keep your presentation light and positive and create a positive learning environment. New workers may feel confused and even afraid, and it is important that you help them to relax a little.

- Location of toilets
- Smoking
- Agenda/schedule – come back on time from the breaks
- Location of exits
- Mobile phone use
- Be friendly and polite
- Ask questions
- Participate actively

Activity 1.2.

Introduction activity

10 minutes

Purpose

- For participants to introduce themselves to each other and learn a little about each other.
- To enhance a fun learning environment.

Methodology

- Simultaneous interaction activity.

Resources required

- None

Instructions

- Ask the whole group to stand up and move around whatever space you have available in the training room. During 5-7 min., they should introduce themselves to as many other participants as possible – especially those they did not know before they arrived today.
- For each person that they meet they should find out their name and one interesting fact about them.
- Encourage the group to move around and make introductions as quickly as possible so that they get the chance to meet the maximum number of people in the time available.
- Shortly before the end of the time ask everyone to return to their places. Ask a few participants to share the most interesting fact they found out. If time allows you could also ask for the most surprising fact, the funniest, etc.

Notes for trainer

Keep an eye on the watch, you only have 10 min. for the whole activity.

Activity 1.3.

ABC Company presentation

10 minutes

Purpose

- To enable workers to realize that they are part of an important and growing industry in Myanmar with many career opportunities.
- To provide a basic understanding of your factory, and who is who in at the factory and in the company more broadly

Methodology

- Powerpoint presentation
- Optional material:

  Youtube video Global Garment Supply Chain: https://www.youtube.com/watch?v=l1fiPqWEbkU

Resources required

- Projector
- Computer

Instructions

- *Show the slide with company logo* and repeat how delighted you are to have new workers join the company. Remember to replace the word "ABC factory" in the title by your company name and add your company logo in the middle.
- Present slide on Myanmar garment industry and global garment industry and emphasize the rapid growth in the country that is creating new opportunities for workers.
- Present company organization chart, types of products and link factory work to an international aspect by providing some examples of clients or where they come from, e.g. from Europe, the United States of America, Japan or Korea etc.
- *Show slide "Should you pay to get"* a job and mention briefly that workers should never have to pay for their jobs and that your factory does not accept or encourage this kind of a practice. Do not hesitate to ask your new workers how they have come to seek for a job in your factory. If you realize that some have had to pay any recruitment fees, make a note to discuss this with them later, and try to find the source of the situation, and make all attempt to remediate the situation.

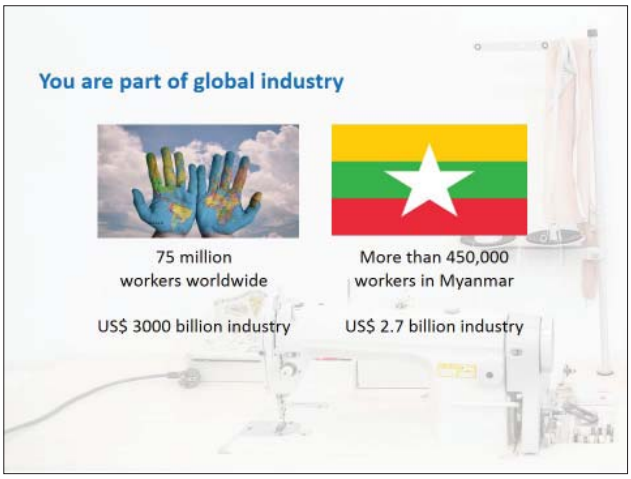
Notes for trainer

If possible, show physical samples of the products that the company makes, rather than list them on your powerpoint or describe them. Your company's showroom usually includes some samples from previous seasons that you can borrow for this purpose.

Replace the word "ABC factory" in the title by your company name and add your company logo in the middle.

Introduce yourself, your position with the company and welcome everyone to the training. Express your delight in having new workers join the company.

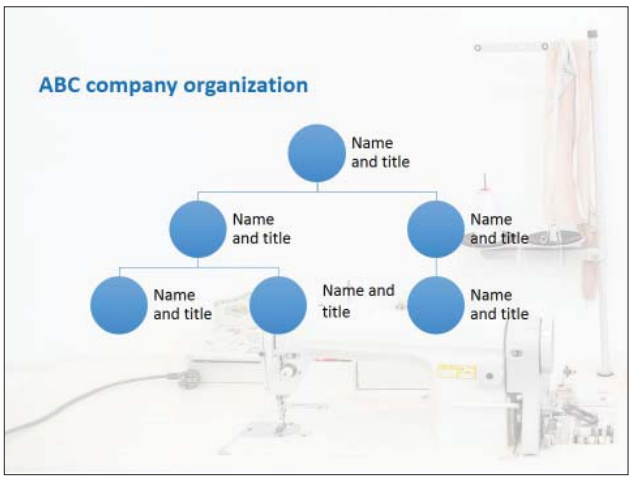
Whenever possible, bring in new workers' supervisors and 1-2 experienced workers that can act as peer support/mentors and introduce them briefly. If your factory has a trade union, you can also invite the trade union representatives to introduce themselves briefly. It is also always worth considering whether the factory manager can step in and greet new workers briefly. This will make workers feel valued.



Adjust the number of people working in the garment industry in your country, if the number changes (Note: 450,000 workers end of 2018 and exports of 2.7 billion USD in 2017 according to investmyanmar2019.com).

Many people have been working in the garment industry, both worldwide (75 million) and nationwide (1.1 million) The garment industry is growing rapidly and providing many jobs and is also contributing significantly to the Myanmar's exports. It provides many career opportunities and you can feel proud to be part of such a global and dynamic industry.

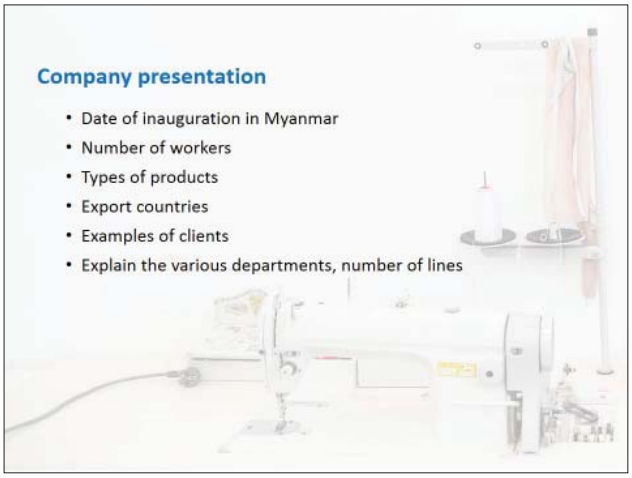
You can also show the 2 min. long Better Work cartoon video on garment industry supply chain to illustrate the point on how Globally the garment industry is.



Replace "ABC" in the headline with your company name.

Include names and titles of key people in your organization and make sure that new workers understand their position in the organization. It is always a good idea to include photos, so that workers will have an easier time identifying management and supervisors from day one.

Make sure that you present a full organizational chart, rather than just top management. If your company headquarters are abroad, and/or if it is a very big company, present the key people in your factory. Feel free to add more names and expand the organization chart in the slide. If you don't yet have an organization chart, you can easily and quickly create one with smart art.



Explain workers the types of products that your company makes and preferably show concrete samples to make it more tangible for them.

Tell which countries you export your products to, and what kind of clients you have. This can increase workers understanding of their role in the very global industry.

Ensure that workers know that they should not pay for a job. If this is this case, as it sometimes can be, refer them to the correct source or authority for remediation.

Explain that workers should not be charged directly or indirectly, in whole or in part, any fees or related costs for their recruitment , and invite the worker to relate how she or he has found his or her way to your factory. Ask if he or she had to pay any broker. If this is the case, try to find out as much information as possible, and report the situation to senior management for further action.

Activity 1.4.

Introduction of supervisors and peer workers

5 minutes

Purpose

- Have workers meet their supervisor and have their first contact off the production floor which tends to be very hectic and not an ideal place to meet.
- Have workers meet a more seasoned worker (a peer) who can assist them with their question and create a sense of safety.

Methodology

- Oral presentation

Resources required

- None

Instructions

- Brief supervisory and peer workers in advance and train them to welcome new workers in a positive manner. Introductions should be short, just name and title, workers will have more time during the factory tour to get acquainted with their supervisor and the peer worker.
- Let supervisors and peer workers stay in the room and participate in the next activity.

Notes for trainer

If your factory has a trade union, you should also invite the trade union representatives to introduce themselves briefly. You can also introduce the workers representatives that have been elected on your Workplace Coordinating Committee. The same goes for the safety and health officer and the workers representatives on your OSH committee. It is also always worth considering whether the factory general manager can step in and greet new workers briefly. This will make workers feel valued.

Activity 1.5.

Introduction to rights and responsibilities activity

30 minutes

Purpose

- Make workers aware of their overall rights and responsibilities in the factory.
- Highlight the two-way agreement and formal (binding) nature of an employment contract.
- Make workers aware that rights and responsibilities for both workers and the factory can be found in the employment contract if they have any questions or doubts.

Methodology

- Powerpoint presentation
- Plenary discussion

Resources required

- Projector
- Computer
- Flipcharts
- Markers
- Scotch tape

Instructions

- Ask participants, "what is the first thing that you should do on your first day in the factory?" Gather a few answers from the participants, and then proceed to tell them that one of the first things that workers need to do is to sign their employment contract.
- *Show the slide "An employment contract is..."* and ask participants whether they have read their contract, and whether they know what is mentioned in it.
- Explain that the employment contract includes rights and responsibilities for both the worker and the factory.
- Ask workers to form groups of 3-4 persons and identify the rights and responsibilities that they think that a) the workers have b) the factory has. Ask groups to write them down on a flipchart.

- Hang up the flipcharts and tell the participants to wait and see how well they know their rights and responsibilities. It is expected that workers have limited knowledge on the topic, so keep the pace fast and light, without putting the workers on the spot.
- *Show slide "Key terms and conditions"*. Describe briefly the key terms and conditions that the local law requires for the companies to include in the contract. Note that trainers should not go into details of each point as the next slides and modules will explain more. At the end of this slide, check the points that each group has listed in their flipchart and draw parallels.
- *Show slide "Period of employment"* and mention that depending on the type of the contract, termination processes are different.
- Ask participants what type of contract they have. Explain the different types of contract, when each type is applied and the implication for termination of each contract type.
- Remind participants that all details can be found in the contract and explain that they will have time to discuss wages and benefits in detail in module 2 (tell when this will happen).
- Ask participants what working times are normally in effect in the factory, and why it is important to come to work on time in a garment factory.
- Tell participants that we have been discussing about our rights, now we should also talk about the responsibilities. Check the flipchart result of the groups for the responsibilities they are aware of. Explain those responsibilities.
- *Show slide "Your responsibilities"*, check whether there are any responsibilities missing from the groups' results. Explain those responsibilities.
- Conclude activity by counting the number of rights and responsibilities each group has captured and congratulate the group that had most points.

Notes for trainer

Workers may feel intimidated by legal details, and too much information, and some may not be able to read very well. It is important to convey the message that both parties have right and responsibilities and that workers can always go back to their contracts and check, if they are uncertain about something. **Encourage workers to ask questions!**

For more advanced groups, you can show new workers a sample of the employment contract template required by the law in Myanmar or whenever possible, go through their actual contract with the worker. Highlight the points that are relevant to them and give workers plenty time to ask questions. Encourage questions as many insecurities and misunderstandings can be dispelled at this stage.

Compulsory by the law.

Update the slide with the types of contract available in your factory.

Under the Employment Contract law, a contract "includes" a probationary period. The law does not refer to probationary periods as separate contracts. Note that the sample contract in standard employment contract template released with Notification 140/2017 also suggests that the probationary period is included in the employment contract.

Employment contracts in Myanmar must – by law - include the points above.

In addition, the contract may include other provisions such as the following. The important point here is to share with the workers all the terms and conditions that will apply to him or her, in your factory.

- Meals program or arrangements;
- Worker accommodation;
- Uniform or dress code;
- Employee skill development training, ifemployer participates
- Ferry

In addition, if the factory has entered into a collective bargaining agreement (CBA) with a Basic Labour Organization (BLO), and that it has improved the basic terms and condition that apply to workers, the CBA becomes a new contract and should be shared with the worker, if it applies to him or her.

If there is any other specific responsibility that you would like to emphasize to the worker, please add to the list.

If your factory has developed specific policies (for example, a policy to prevent sexual harassment, to handle dispute, to promote skills training, etc), it would be a good idea to explain and share these with the worker.

Activity 1.6.

Factory tour

30 minutes

Purpose

- To familiarize workers with the production line and all facilities
- To introduce workers to key people to increase workers' sense of being appreciated and welcome.

Methodology

- Walking tour

Resources required

- None

Instructions

- Show new workers their work stations and their production lines.
- Show location of toilets, eating area and any other facilities they will need to access.
- Show exits, medical clinic and first aid kit location.
- Introduce workers to key people.

Notes for trainer

Tour of your factory is a very important part of the welcome. Many new workers have never been to a garment factory before and it can feel, smell and sound overwhelming for them. Continue to build rapport and whenever possible, have supervisor(s) and peer worker(s) conduct the tour while you participate and observe, and intervene only if needed. Brief all key people in advance.

Handouts

Sample of the official employment contract. Please use your factory's employment contract whenever possible.

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(၂၀၁၇ ခုနှစ်၊ ဩဂုတ်လ ၂၈ ရက်)

အလုပ်ခန့်ထားမှုဆိုင်ရာ သဘောတူညီချက်စာချုပ် ချုပ်ဆိုရန်ကြေညာခြင်း

၁။ အလုပ်သမား၊ လူဝင်မှုကြီးကြပ်ရေးနှင့်ပြည်သူ့အင်အားဝန်ကြီးဌာနအနေဖြင့် အလုပ်အကိုင်နှင့် ကျွမ်းကျင်မှုဖွံ့ဖြိုးတိုးတက်ရေးဥပဒေကို ၂၀၁၃ ခုနှစ်၊ ဩဂုတ်လ ၃၀ ရက်နေ့တွင် ပြဋ္ဌာန်းခဲ့ပြီး ယင်းဥပဒေပုဒ်မ ၅ အရ အလုပ်ရှင်သည် အလုပ်သမားအား အလုပ်တစ်ခုခုကို လုပ်ကိုင်ရန် ခန့်အပ်ပြီးပါက ရက်ပေါင်း (၃၀) အတွင်း အလုပ်ခန့်ထားမှုဆိုင်ရာ သဘောတူညီချက်စာချုပ် ချုပ်ဆိုရမည်ဖြစ်၍ ဝန်ကြီးဌာနက ၂၀၁၅ ခုနှစ်၊ ဩဂုတ်လ ၃၁ ရက်နေ့တွင် ကြေညာချက်အမှတ် (၁/ ၂၀၁၅) ဖြင့် အလုပ်သမား (၅) ဦးနှင့်အထက်ရှိ စက်ရုံ၊ အလုပ်ရုံ၊ အလုပ်ဌာန၊ ကုမ္ပဏီနှင့် လုပ်ငန်းများသည် အလုပ်ခန့်ထားမှုဆိုင်ရာ သဘောတူညီချက်စာချုပ် ချုပ်ဆိုရန် စာချုပ်ပုံစံ သတ်မှတ်ထုတ်ပြန်ကြေညာခဲ့ပါသည်။

၂။ ထိုသို့ထုတ်ပြန်ခဲ့သည့်စာချုပ်အား စက်ရုံ၊ အလုပ်ရုံ၊ အလုပ်ဌာန၊ ကုမ္ပဏီများ၊ လုပ်ငန်းများရှိ အချို့သော အလုပ်ရှင်၊ အလုပ်သမားများက စာချုပ် ချုပ်ဆိုရန် အခက်အခဲများရှိသဖြင့် အလုပ်ရှင်၊ အလုပ်သမားအဖွဲ့အစည်းများမှ ကိုယ်စားလှယ်များ နှစ်ဖက်ညှိနှိုင်းပြီး စာချုပ်မူကြမ်းရေးဆွဲ၍ အတည်ပြုပေးရန် တင်ပြခဲ့ရာ ဝန်ကြီးဌာနမှ ၂၀၁၇ ခုနှစ်၊ ဇူလိုင်လ ၂၉ ရက်နေ့တွင် အလုပ်ရှင်၊ အလုပ်သမားကိုယ်စားလှယ်များနှင့်ဆွေးနွေးခဲ့ပြီး စာချုပ်မူကြမ်းအပေါ် ပြည်ထောင်စုရှေ့နေချုပ်ရုံး၏ သဘောထားမှတ်ချက်နှင့်အညီ စိစစ်အတည်ပြုပေးခဲ့ပါသည်။

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၄။ သို့ဖြစ်ပါ၍ အလုပ်သမား၊ လူဝင်မှုကြီးကြပ်ရေးနှင့်ပြည်သူ့အင်အားဝန်ကြီးဌာနသည် အလုပ်အကိုင်နှင့်ကျွမ်းကျင်မှုဖွံ့ဖြိုးတိုးတက်ရေးဥပဒေပုဒ်မ ၄၁ (ခ) အရ အပ်နှင်းထားသောလုပ်ပိုင်ခွင့်ကိုကျင့်သုံးလျက် အလုပ်ရှင်၊ အလုပ်သမားများအနေဖြင့် အလုပ်ခန့်ထားမှုဆိုင်ရာ သဘောတူညီချက်စာချုပ်ကို အလုပ်ရှင်၊ အလုပ်သမားညှိနှိုင်းအတည်ပြုထားသည့် အောက်ဖော်ပြပါ စာချုပ်ပုံစံပါအတိုင်း ချုပ်ဆိုကြရန် ထုတ်ပြန်လိုက်သည် -

NOTES

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MODULE

2

Wages and Benefits

This Trainer's Guide

The Trainers' Guide is an important reference tool for you in running this modular training; it includes all the materials that you will need, and it will also include important background information for the trainer. The slides have been created for your convenience, but you can add, remove or adjust the content of each slide so that is in alignment with your factory's regulations and practices. However, at the time of producing this material (July 2019), the information included in the training kit was up to date and aligned with the Myanmar Labour Laws. Precautions are therefore needed, in case any change is made, in order to ensure that the content continues to reflect the current legal framework.[2] You are invited to always keep up to date with the regularly changing legal framework that applies to the garment industry. Generally, if the content of a slide need to be customized to fit your own factory practices, you will find the instruction on how to do that in the powerpoint slide notes (below the slides).

The following pages present an outline of how you can present the topics that you need to introduce to your new workers. Depending on your audience's literacy level and general knowledge of the topics, as well as the time allocated for this training at your factory, you may need to adjust the topics, activities and the timing for each module. Be creative!

These modules are meant to be short and practical so that they can be included in busy factory schedules without too many interruptions in the production. These modules are also designed with participatory approach which allows the workers to actively engage in the learning process, and share experiences and knowledge. Avoid skipping the activities and presenting just the powerpoint slides. The activities will enhance participants' learning. The total length of the eight modules is equivalent to 1-day of on-boarding training with breaks. It is recommended that you stretch the training over time and provide the training modules in small batches so that workers will have time to absorb the information.

Your objective as the Trainer

Wages and benefits are the number one motivator for workers to join a factory. Wages can be a sensitive and often inflammable topic in the factories. It is not uncommon for workers to suspect that factories are not honest or transparent about the pay, and wages can easily lead to disputes and grievances. It is therefore of utmost importance that all aspects of salary payments, and content of wages are clear for the workers who may not have any previous experience of formal jobs.

[2] The Myanmar legal framework applicable to the world of work is evolving regularly and rapidly. It is recommended that HR managers keep abreast of these changes in order to ensure full compliance with these legal obligations. The Myanmar Garment Manufacturers Association (MGMA) is a good source of information on these change and can provide guidance when needed.

Your role as a Trainer is to:

- Create a friendly environment that puts new workers at ease. This will help them to learn better and they will be more open to asking questions.
- Ensure that new workers understand how wages and benefits, as well as deductions, are calculated.
- Give new workers a good idea on whom to talk to if they have questions or concerns, and where to find further information when they need it.
- Stimulate participation and sharing.

Learning Outcomes

By the end of this module participants should be able to:

- Explain when and how salaries are paid
- Describe benefits that the factory offers
- Have awareness of various types of possible deductions
- Explain payment slip, how the net pay is calculated and how and when payments are made in your factory

Module agenda

Module 2 – Wages and Benefits

TIME	ACTIVITIES
10 min	Introduction to wages and benefits
35 min	Activity payment slip
45 min	**TOTAL TIME**

Resources required

Training resources:

- Markers
- Flip charts
- Projector
- Computer

Handouts and worksheets:

Handout 2.2. – Factory payment slip (sample copy from training materials to be used only if the factory does not yet have one)	One copy for each participant

Activity 2.1.

Introduction to wages and benefits

10 minutes

Purpose

- To give clear information on wages and how those are calculated to dispel any potential misunderstandings

Methodology

- Powerpoint presentation

Resources required

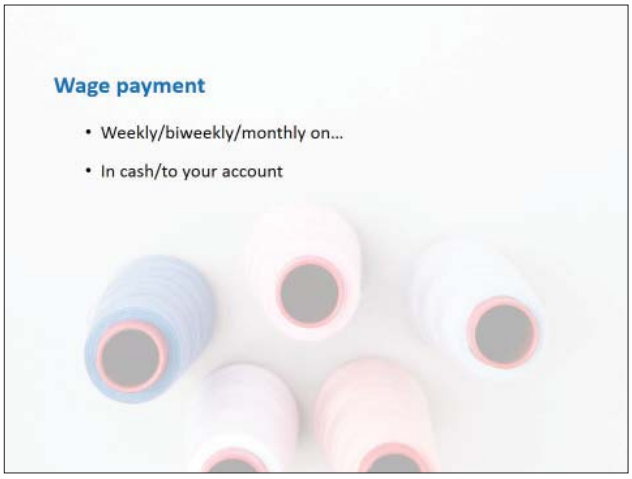
- Paper and pens
- Flip chart
- Marker pen

Instructions

- Ask participants what they know or have heard about wages and wage payments.
- *Show slide "Wage payments"* and explain how the factory pays wages (weekly, monthly, cash, bank etc.). Make sure that you have answered all questions, and probe for questions if there are no questions.
- *Show slide ""* and explain wages for skilled worker, worker on probation and newly hired worker
- Explain fixed wages and piece rate calculations when relevant
- *Show slide "Payment slip"* and explain the components of a payment slip.

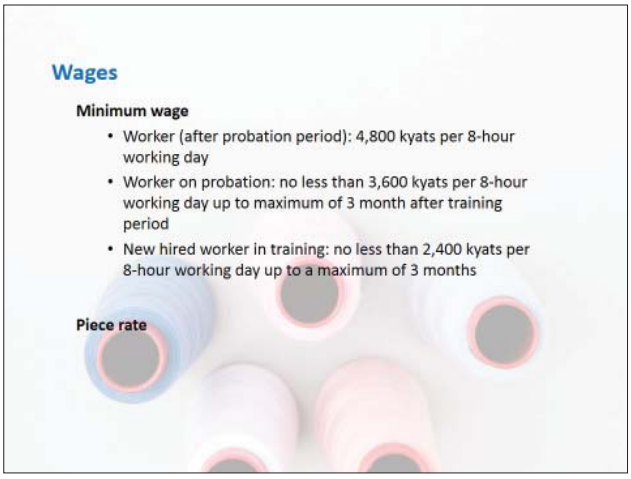
Notes to trainer

Encourage questions, and increase the length of the module in case there are many questions or if you sense that workers are confused and uncertain about some points. Pay particular attention to wages slides, so that workers understand the difference between various types of workers, and when they will be considered as experienced skilled workers.



Update the content of the slide as per your factory's practice.

Workers must be paid at least monthly. They must be paid in cash or in cheque or through bank transfer based on a mutual agreement between an employer and a worker, on a working day (not a leave day) and before the seventh day of the month for the previous month's work. Employers with 1,000 or more workers must pay by the 10th day of the month. Workers who are terminated by the employer must receive their pay within 2 working days.



Explain how you pay the salary, and whether you apply probationary period. Provide concrete examples by e.g. writing numbers on a flipchart; e.g., the worker will earn 2400 kyat/day during the first three months because they are in training, after three months, their salary will increase to 3600 kyat/day during their probationary period, and then increase to 4800 kyat/day after 6 months when they are considered as skilled workers. It is very important that these difference are clear to workers and that there is no ambiguity with how salaries are being calculated.

Piece rate: piece rate refers to the payment of money based on the number of units a worker produces. If you factory applies piece rate wage, please explain how you calculate it. Show concrete examples.

Employers must inform workers of the minimum wage for the sector and post a notice of wage rates, pay days, and processes for fines and deductions in the workplace.

In the case of SEZ's, the SEZ Committee may determine the minimum wages of employees and staff according to the nature of the enterprise and must submit their proposals to the National Committee. The National Committee may then approve or disapprove the proposed minimum wage for that industry or enterprise within the SEZ. The SEZ Committee has a mandated duty to ensure labour rights and entitlements, such as the national minimum wage, are not diminished for employees in SEZs.

Explain that a piece rate refers to the payment of money based on the number of units a worker produce.

Check the payment slip template used by your factory and adjust the components of a payment slip (listed in the slide) accordingly.

Understanding the information on the pay slip is critical to avoid complications later. It is important to take the time needed to explain to the worker how, in your factory, the calculations of the salary is made.

Ideally, the pay slip would be in a language that the worker understand.

Explain to the worker when exactly he or she should expect to be paid, on a monthly basis.

Activity 2.2.

Payment slip

35 minutes

Purpose

- To enable workers to read and interpret their payment slips and know whom to contact if they have any questions that are related to wages and payments.

Methodology

- Group work

Resources required

- Handout payment slip or actual factory payment slip

Instructions

- Distribute the handout payment slip or preferably an actual factory payment slip to all participants and ask them to form groups of 3-4 persons.
- Ask participants to go through the payment slip and discuss its content.
- Ask groups to highlight terms that that they don't understand or are uncertain of.
- After 10 min, ask groups to report back and go through the payment slip one point at the time and note areas that participants are not certain of on a flipchart.
- *Show slide "Allowance and bonus"*: ask participants whether they know how much they receive as bonuses and allowance benefits; explain these points carefully to participants Remember that, if your workers are new, they may not yet know about allowances and bonus..
- *Show slide "Deductions"* and explain the possible deductions. Emphasize the contributions (which may be seen as deductions) that are good for workers' longer term welfare, such as social insurance.
- Ask participants what they may know about overtime and overtime payment. *Show slide on "overtime calculations"* and explain how overtime and overtime payment are applied in the factory. Do this preferably by making a sample calculation on the flipchart with real wages.
- Conclude by asking whether participants have any questions and point out where they can get answers in the future if they are uncertain of how their wages have been calculated.

Notes to trainer

Be as specific as possible – leave room for no interpretation and clarify as much as possible the potentially problematic areas or points which participants may find difficult to comprehend. A potential area of misunderstandings are deductions and how those are calculated. Make sure that participants understand that the factory follows the law, and that deductions are not something that the factory decides on their own. Participants needs to understand that deductions will not be made for annual leave, sick leave, or other entitlements, and never for tools or materials necessary for work. Fines should never be used indiscriminately, they require authorization from the authorities and maybe made only in the cases of:

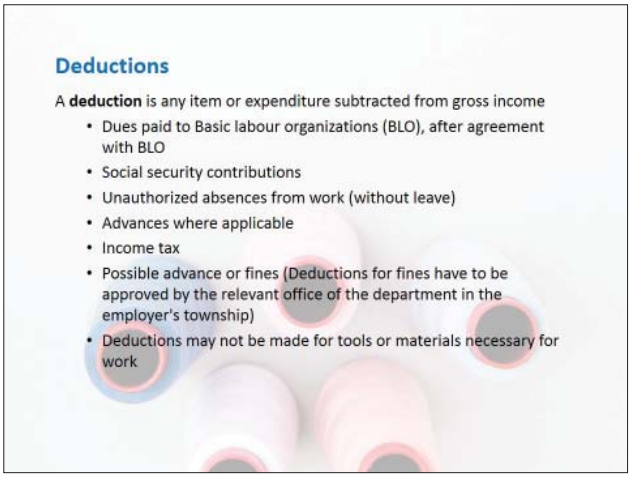
- Wilful negligence, lack of due diligence, dishonest performance or default of the worker which causes direct loss of money and damage or loss of something which the employer openly entrusted to the worker;
- Breach of workplace regulations by the worker, which is subject to fines as specified by the provisions in the employment contract.

Note: Such deductions shall only be made after the employer obtains permission from the Factories and General Labour Laws Inspection Department of the MOLIP. Deductions as fines for damage or loss caused by the performance or negligence of the worker and shall not exceed the value of the damage or loss, and they shall not exceed 50% of the worker's salary. No deductions as fines shall be made from the wages of a worker who is under the age of 16 years.

List all the allowances and bonus applied at your factory

Spend some time explaining about the ferry / bus to the factory and what to do if you are late for the ferry / bus – eventually amend the slide accordingly

Meals: explain if applicable and explain canteen rules –eventually add information on the slides



List all the possible deduction applied by laws and your factory's regulations. Here are some examples.

Employers may not make deductions from workers' pay, with the following exceptions:

Dues paid to basic labour organizations, after agreement with BLO.

- Social security contributions
- Unauthorized absences from work (without leave);
- Advances, where applicable
- Fines (please refer to trainer's notes);

Deductions can not be more than 50% of the (adult) workers' wage

With regards to fines, those are the consequence of

a) The willful negligence, lack of due diligence, dishonest performance or default of the worker which causes direct/straight loss of money and damage or loss of something which employer openly entrusted to worker.

(b) Breach of workplace discipline by worker liable to a fine specified by the provision in the employment contract.

Handout

Example of a Payment Slip

THIS PAYMENT SLIP IS AN EXAMPLE - PLEASE USE YOUR FACTORY's PAYMENTS SLIP WHEN YOU TRAIN YOUR WORKERS

Factory Name	PAYMENT SLIP Month Year	CONFIDENTIAL

Name	:	Position/occupation	: Production worker
Labour registration number	:	Production line number	:
Social security insurance no	:	Department	: Production

Description	Earnings	Deductions
Basic Salary/hour	600.00	
Overtime hours	600.00	
Overtime premium	600.00	
Other	600.00	
Regular bonus	600.00	
Skills bonus	600.00	
Productivity bonus	600.00	
Service bonus	600.00	
Supply bonus	600.00	
Meal Allowance	600.00	
Transportation Allowance	600.00	
Medical Allowance	600.00	
Retirement Insurance	600.00	
Income tax	600.00	
Deductions		
Social security contribution		25.00
Insurance charge		25.00
Saving		25.00
Advanced money		25.00
Fines		25.00
Total deductions		25.00
Total	**8'400.00**	**150.00**

Payment Date	:	Date, month, year
Cash received	:	Worker's signature
Bank Name	:	
Bank Account Name	:	Worker's name
Bank Account #	:	1234567890

NET PAY

8'250.00

Eight Thousand Two Hundred Fifty Dollars

NOTES

MODULE

3

Working Hours and Leave

This Trainer's Guide

The Trainers' Guide is an important reference tool for you in running this modular training; it includes all the materials that you will need, and it will also include important background information for the trainer. The slides have been created for your convenience, but you can add, remove or adjust the content of each slide so that is in alignment with your factory's regulations and practices. However, at the time of producing this material (July 2019), the information included in the training kit was up to date and aligned with the Myanmar Labour Laws. Precautions are therefore needed, in case any change is made, in order to ensure that the content continues to reflect the current legal framework.[3] You are invited to always keep up to date with the regularly changing legal framework that applies to the garment industry. Generally, if the content of a slide need to be customized to fit your own factory practices, you will find the instruction on how to do that in the powerpoint slide notes (below the slides).

The following pages present an outline of how you can present the topics that you need to introduce to your new workers. Depending on your audience's literacy level and general knowledge of the topics, as well as the time allocated for this training at your factory, you may need to adjust the topics, activities and the timing for each module. Be creative!

These modules are meant to be short and practical so that they can be included in busy factory schedules without too many interruptions in the production. These modules are also designed with participatory approach which allows the workers to actively engage in the learning process, and share experiences and knowledge. Avoid skipping the activities and presenting just the powerpoint slides. The activities will enhance participants' learning. The total length of the eight modules is equivalent to 1-day of on-boarding training with breaks. It is recommended that you stretch the training over time and provide the training modules in small batches so that workers will have time to absorb the information.

Your objective as the Trainer

Working and rest hours in the garment factories tend to fluctuate according to the seasons, and are often at the heart of various issues between workers and factory management. It is important that workers are aware of their legal rights, as well as their responsibilities regarding working time and rest.

[3] The Myanmar legal framework applicable to the world of work is evolving regularly and rapidly. It is recommended that HR managers keep abreast of these changes in order to ensure full compliance with these legal obligations. The Myanmar Garment Manufacturers Association (MGMA) is a good source of information on these change and can provide guidance when needed.

Your role as a Trainer is to:

- Create a friendly environment that puts new workers at ease. This will help them to learn better and they will be more open to asking questions.
- Ensure that new workers understand their rights and responsibilities concerning working and rest times.
- Give new workers a good idea on whom to talk to if they have questions or concerns, and where to find further information when they need it.
- Stimulate participation and sharing.

Learning Outcomes

By the end of this module participants should be able to:

- Describe factory working hours
- Explain system for requesting for holidays and leave
- Communicate the consequences of leave without permission
- Explain maternity and paternity leave
- Describe sick-leave protocol

Module agenda

Module 3 – Working Hours and Leave

TIME	ACTIVITIES
25 min	3.1. Activity game: working time quiz
20 min	3.2. Working time and leave
45 min	**TOTAL TIME**

Resources required

Training resources:

- Markers
- Flip charts
- Projector
- Computer
- Box or a hat for quiz questions

Handouts and worksheets:

Handout 3.2. Quiz questions	One set in a box

Activity 3.1.
Quiz: Questions and answers
25 minutes

Purpose
- To introduce the notion of regulated working and rest time to participants without previous experience
- To improve workers' idea of their rights and responsibilities

Methodology
- Quiz

Resources required
- Paper and pens
- Flip chart
- Marker pen
- Bells or objects that make noise
- Projector
- Computer

Instructions
- Cut separate pieces of paper, each with one question that you find in the handout 3.1 (or create your own), and put papers in a box or in a hat
- Divide participants into groups, max 4 groups.
- Explain game rules to the participants:
- Each group will take turn to pick a question and answer it.
- Groups will signal that they are ready to answer by shaking an object that makes noise.
- Trainer asks other groups whether they agree with the answer. If they don't, other groups will explain their perspective.
- Trainer does not comment whether questions are right or wrong at this point, but keeps answers to her/himself.

Notes to trainer

Workers will find out the correct answers during the next module. Do not give out any answers just yet, and ask workers to remember the questions.

Activity 3.2.
Working time and leave

20 minutes

Purpose

- To stimulate workers thinking about why arriving on time or informing about absences is important in a garment factory
- To improve workers' idea of their rights and responsibilities

Methodology

- Presentation

Resources required

- Projector
- Computer

Instructions

- *Show slide "Working time and rest time"* and explain factory shifts and break times, tell participants about rest day and exceptions to it.
- Explain carefully the process of taking annual leave and how long the workers need to work according to the law before getting annual leave.
- Ask participants what they know about overtime. Explain how the factory works during high season and low season (e.g. more overtime during high season).
- *Show slide "overtime "* and highlight that overtime is always volunteer but sometimes it is important that everyone in the factory works overtime to ship goods in time. Mention that overtime should never exceed 20h per week.
- *Show slide "maternity and paternity leave and breastfeeding"* and explain how both work in the factory

- Ask participants if they can take leave if they have a family emergency or something personal that they need to take care of. After getting answers, show slide holiday and other leave and explain how holidays work in your factory.
- Conclude by showing slide sick leave and what to do when you get sick.
- Tell participants whom to contact if they are not able to come to work, and the importance of having a doctor's note because otherwise the hours will be deducted from their salary.

Notes to trainer

The Myanmar labour law offers important parameters to take into consideration:

- Max. 8 working hours per day or 44 hours per week
- There must be a minimum 30 minutes break after 5 working hours
- The combined working hours and break time shall not exceed 10 hours per day
- The normal working weeks shall not exceed 6 days.
- Overtime should never exceed 20h per week.

Working time: please fill in the working time applied at your factory

Weekly rest day: state the day-off of the week applied at your factory

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- Overtime should never exceed 20h per week.

Max. 8 working hours per day or 44 hours per week

Max. 48 hours per week for the work which has to be done continuously.

Overtime is limited to 20 hours maximum per week.

There must be a minimum 30 minutes break after 5 working hours

The combined working hours and break time shall not exceed 10 hours per day

The working days shall not exceed 6 days per week

There must be one day holiday each week (Sunday). If Sunday service is required, there must be a substitution of another day.

Add overtime rate, when, if applicable to your factory:

X % increase (normal working day)

Y % increase (weekly rest days)

Z % increase (public holidays and annual leave days)

The pregnant women workers shall be assigned only to do light work, without any effect to their original wage, salary and benefits. After 7 months of pregnancy, they shall not work overtime and at night.

Pregnant workers are entitled to six weeks of paid maternity leave before birth and eight weeks of paid maternity leave after birth (and four additional weeks in the case of multiple births).

Fathers are entitled to 15 days of paternity leave.

Explain how breast feeding breaks are organized, if applicable to your factory.

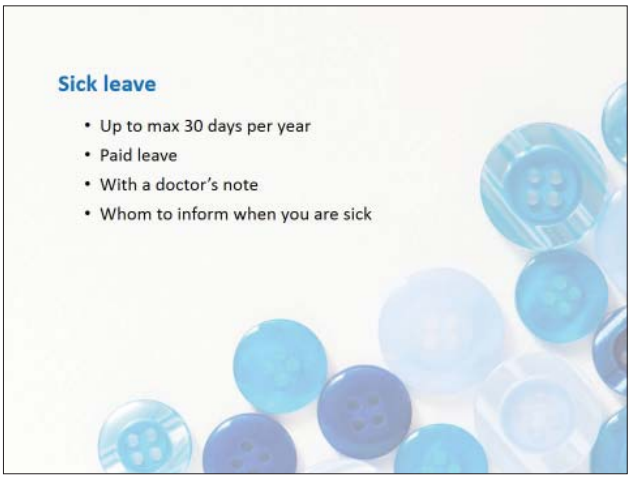
Explain the facilities that exist at the factory, such as day care facility, if relevant

All workers earn 10 days of paid leave per year after their first 12 continuous months of work.

Workers under the age of 15 years are entitled to 14 days of consecutive earned annual leave. Earned annual leave must be used consecutively. Employers fix the time at which leave may be used within three months after the end of the 12-month accrual period during which the leave was earned. Employers and workers can agree to carry over workers' unused leave for up to three years.

Workers are given six days of paid casual leave per year. Workers may use up to three days of casual leave at one time, but cannot combine casual leave with other kinds of leave (such as earned annual leave). Unused casual leave is lost at the end of the year.

Casual leave can be understood as "unexpected or sudden" leave and can be taken to attend the funeral of a family member, or for the health issues of spouses or children.



Workers who present a medical certificate may take paid medical leave up to 30 days per year after working for at least 6 months. Workers may ask to be paid their average daily earnings each week during medical leave. Unused medical leave is lost at the end of the year. Workers who have worked less than 6 months may take unpaid medical leave.

Workers may ask to be paid their average daily earnings each week during medical leave.

Handout 3.1

Quiz questions

Note that you can change, omit or add questions to reflect your factory's regulations related to leaves.

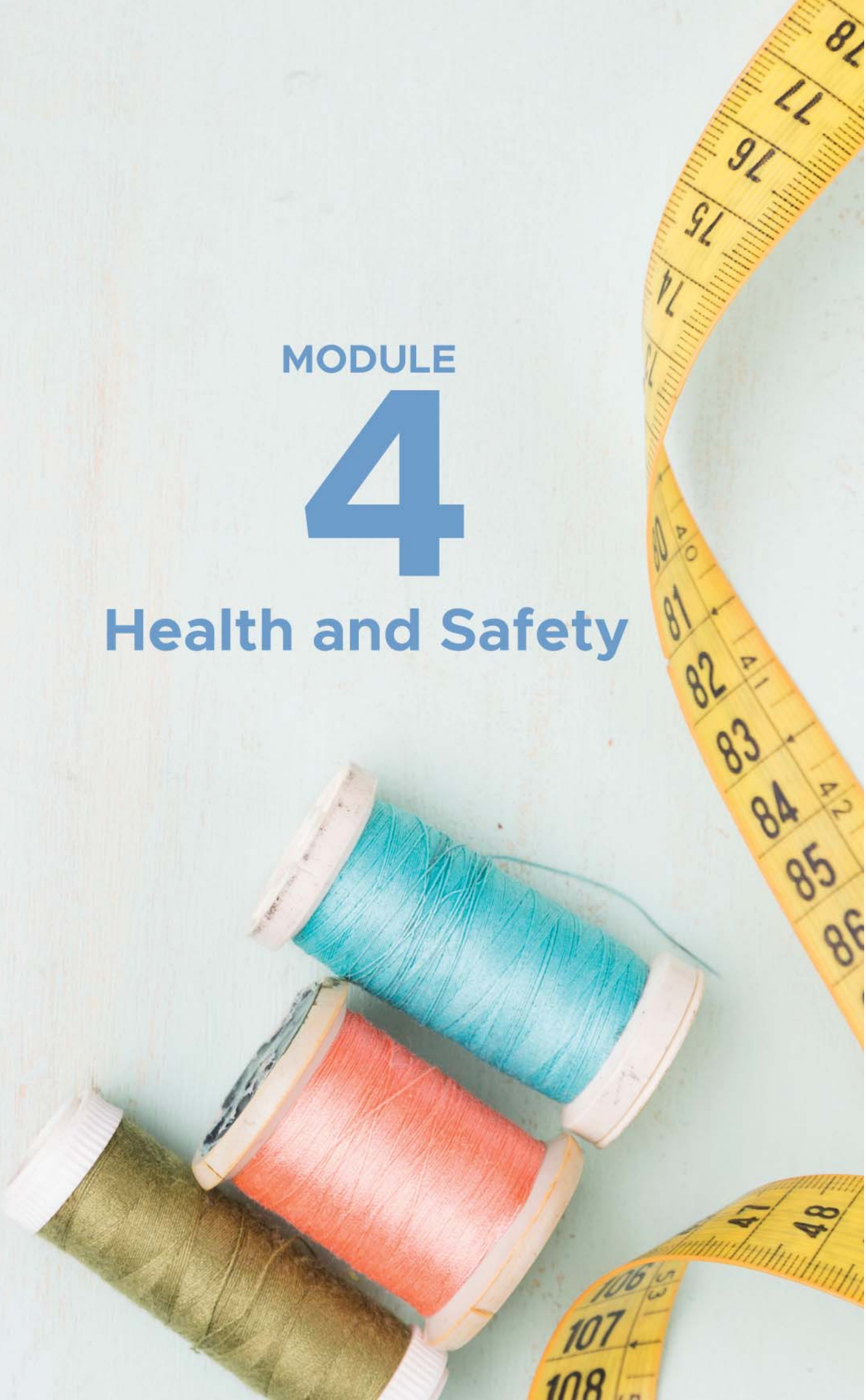
If you do not feel well, what should you do?
If you take sick leave, will you get paid?
Will you get paid during maternity leave?
Is it possible that the factory dismisses you when you are pregnant and/or on maternity leave?
Will you have any privileges during the time you feed your new born child?
What is personal leave?
What is "no permission leave"?
What is the process of taking annual leave?
What happens if you take too many "no permission" leaves?
Do you get paid the same amount for overtime as for normal working hours?
If you get sick, you must go to the factory clinic and stay there the whole day
You have to work overtime if your supervisor or manager tells you to?
You can choose your weekly rest day?
You can take your annual leave when you want to?

NOTES

MODULE

4

Health and Safety



This Trainer's Guide

The Trainers' Guide is an important reference tool for you in running this modular training; it includes all the materials that you will need, and it will also include important background information for the trainer. The slides have been created for your convenience, but you can add, remove or adjust the content of each slide so that is in alignment with your factory's regulations and practices. However, at the time of producing this material (July 2019), the information included in the training kit was up to date and aligned with the Myanmar Labour Laws. Precautions are therefore needed, in case any change is made, in order to ensure that the content continues to reflect the current legal framework.[4] You are invited to always keep up to date with the regularly changing legal framework that applies to the garment industry. Generally, if the content of a slide need to be customized to fit your own factory practices, you will find the instruction on how to do that in the powerpoint slide notes (below the slides).

The following pages present an outline of how you can present the topics that you need to introduce to your new workers. Depending on your audience's literacy level and general knowledge of the topics, as well as the time allocated for this training at your factory, you may need to adjust the topics, activities and the timing for each module Be creative!

These modules are meant to be short and practical so that they can be included in busy factory schedules without too many interruptions in the production. These modules are also designed with participatory approach which allows the workers to actively engage in the learning process, and share experiences and knowledge. Avoid skipping the activities and presenting just the powerpoint slides. The activities will enhance participants' learning. The total length of the eight modules is equivalent to 1-day of on-boarding training with breaks. It is recommended that you stretch the training over time and provide the training modules in small batches so that workers will have time to absorb the information.

Your objective as the Trainer

The majority of non-compliance problems in the factories are linked to health and safety issues. Most issues can be managed or eliminated easily, and while employers are responsible for providing a safe and healthy workplace, workers play an important part in making it happen by following OSH rules and instructions, and being aware of the basic precautions.

[4] The Myanmar legal framework applicable to the world of work is evolving regularly and rapidly. It is recommended that HR managers keep abreast of these changes in order to ensure full compliance with these legal obligations. The Myanmar Garment Manufacturers Association (MGMA) is a good source of information on these change and can provide guidance when needed.

Your role as a Trainer is to:

- Make new workers feel welcome and appreciated.
- Create a friendly environment that puts new workers at ease. This will help them to learn better and they will be more open to asking questions.
- Ensure that new workers understand the importance of health and safety in the workplace and are able to identify and to avoid common hazards in the factory.
- Give new workers a good idea on whom to talk to if they have questions or concerns, and where to find further information when they need it.
- Stimulate participation and sharing.

Learning Outcomes

By the end of this module participants should be able to:

- Explain the most common health and safety problems in the factory and how to prevent them
- Describe common personal protective equipment and its use
- Describe the content and location of the first aid kits
- Explain where to find fire exits in the factory and what to do in the case of fire
- Behave responsibly and take health and safety measures seriously
- Explain the differences between young and adult workers and the types of work that are not suitable for young workers

Module agenda

Module 4 – Health and Safety

TIME	ACTIVITIES
20 min	4.1. Introduction to health and safety
45 min	4.2. Activity gallery walk
10 min	4.3. Young workers and health and safety
15 min	4.4. Activity do & don't
1h30min	**TOTAL TIME**

Resources required

Training resources:

- Markers
- Flip charts
- Projector
- Computer
- Common personal protective equipment
- Complete first aid kit
- Factory evacuation plan

Handouts and worksheets:

Optional handout: Youth4 OSH brochure Safety and health – Factsheet for young workers https://www.ilo.org/safework/info/promo/posters/WCMS_673637/lang--en/index.htm	One copy for each participant

Activity 4.1.

Introduction to health and safety

15 minutes

Purpose

- To understand the importance of health and safety regulation in the factory

Methodology

- Video
- Discussion

Resources required

Videos on OSH in the garment factory

Chemicals
https://www.youtube.com/watch?v=zI7aEf5Pia8&list=PLFDCC369264B8C8DE&index=2

Personal protective equipment (needle guards)
https://www.youtube.com/watch?v=kO9Dy5aTNN0&list=PLFDCC369264B8C8DE&index=3

Personal protective equipment (mesh glove)
https://www.youtube.com/watch?v=EqKwYZ1rYgo&list=PLFDCC369264B8C8DE&index=4

Fire safety in the garment factories (2 short videos)
https://www.youtube.com/watch?v=1WBwzYjJl5s&t=2s
https://www.youtube.com/watch?v=y_tvq3x43g4&t=26s

Instructions

- Introduce the topic of health and safety, and tell participants that this module is important for them personally too.
- Explain that you are going to show a short video and that this will be followed by group discussions.
- Show the selected 1-2 min. OSH video clips on Youtube

- After each clip, ask participants what the message in the video was, and how that could be relevant to their work.

Notes to trainer

The majority of problems in the garment factories are linked to health and safety. It is important that workers and sensitized to understanding how they can influence their own health and safety.

Activity 4.2.
Gallery walk

45 minutes

Purpose

- To understand the importance of health and safety regulation in the factory
- To understand the importance of personal protective equipment
- To familiarize the workers with the content of the first aid kits
- Make workers aware of fire safety and the factory evaluation plan

Methodology

- Gallery walk activity
- Presentation

Resources required

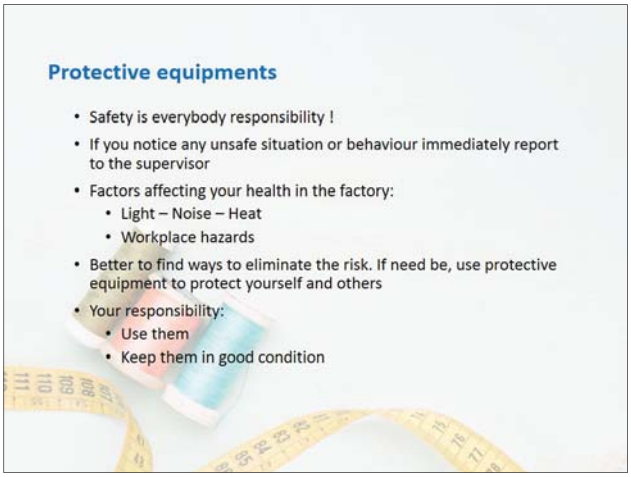
- A few common personal equipment
- Complete First aid kit
- An evacuation plan

Instructions

- Guide people to three galleries that you have prepared in advance including;
    1) A few common personal protective equipment
    2) A first aid kit with all basic first aid tools
    3) An evacuation plan
- Ask the groups to take turns to visit the three galleries and discover their benefits and how to use them. Groups have ca. 3-5 minutes in each gallery.
- Ask participants why they are equipped with the protective equipment.
- *Show slide "Protective Equipment"*: Explain the risks associated with light, temperature, noise, dust, chemical and machines. Point out that some workers find it uncomfortable to wear or the protective equipment and may not like this requirement. However, they should understand that the factory requests them to do so for their own protection. Protective equipment is costly and some other factories may not invest in them as they do not really care about their workers. Emphasize that it is a legal requirement that workers use the protective equipment and keep them in good conditions.
- Ask participants what they have found from the first aid kit and what they are for.
- *Show slide "First aid kits".*
- Explain the products available in the first aid kit and what is requested by the national law.
- Ask workers to identify where the first aid kit can be found in the factory and who is trained on first aid. Explain who can use the first aid kit and when.
- Ask participants what the evacuation plan is for.
- *Show slide "Evacuation plan"* and explain that it is very important to be calm and disciplined when there is a fire alarm. Workers need to be familiar with the evacuation plan, identify the closest exit and participate in the fire drills.
- Explain that workers should assemble at a location indicated in the evacuation plan after escaping from the fire, so that the factory knows who is still trapped inside and tries to get them out.
- Emphasize the importance of fire extinguishers and knowing how to use them. Remind participants that they should keep their work place tidy, and not to block/ hide the fire extinguishers and exits.
- Remind participants of the fire safety videos that they saw in the previous module, and ask them what they remember from them.
- *Show slide "Cleanliness and hygiene".* Emphasize that the workers should keep their workplace and dormitories clean and tidy for themselves and for other peer workers.

Notes to trainer

Fire is a common threat in a garment factory and a topic that must be considered seriously. The more hands-on this training is, the better.



Safety first! Explain that workers are a key actor in building a safety culture in the factory. They should report to their supervisor or any management staff any health and safety concerns they may have so that those can be address quickly.

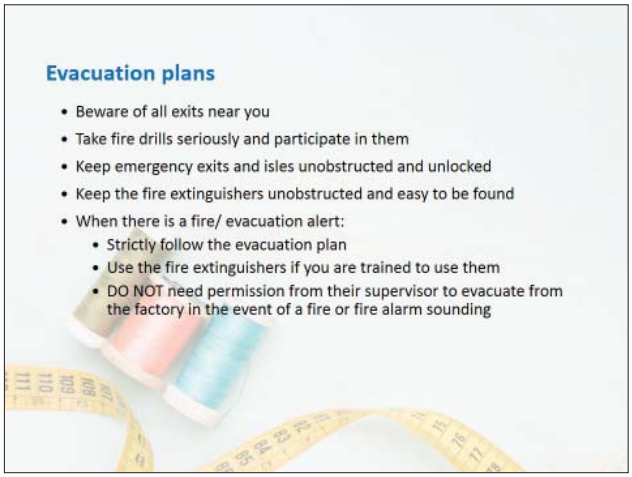
Explain that in extreme case, the worker can refuse to continue working in any condition where hazards are likely to occur. A hazard is the inherent potential to cause injury, harm or damage a worker.

The new OSH law require factories to create OSH committees. And a number of workers will be asked to represent workers on the committee.

All shops and establishments shall have first aid kit containing adequate medicines. Check your factory's first aid kit and adjust the information in the slide accordingly. Point out the first aid kits during the factory tour.

Every factory must provide and maintain boxes with first aid materials. Factories with 150 - 250 workers will provide two boxes, and an additional first aid box for every additional 100 workers will be provided in larger enterprises. The boxes must be overseen during working hours by a trained first-aid worker.

Under the Factories Act, every factory with more than 250 workers must provide a first aid room or dispensary supervised by a medical officer and nursing staff. Point out the location of the first aid room, and present the medical doctor and nursing staff. If possible, visit the first aid room with the new workers, or have their supervisor or peer worker take them there. Make sure that workers know the hours when the first aid room is open.



Fire is a potential hazard in the garment factories, and it is important to take fire drills seriously, and know what to do in case of fire.

Activity 4.3.

Young workers and health and safety

10 minutes

Purpose

- To sensitize young workers to particular health and safety dangers that they face in the workplace.
- To increase young workers curiosity concerning workplace safety.

Methodology

- Presentation
- Discussion

Resources required

- Powerpoint

Instructions

- *Show slide "Young workers under 18"* and draw attention to the fact that young workers should be treated differently from adult workers.
- Discuss how young workers can stay safe at work.
- Conclude by asking whether participants have any questions
- Optional: Distribute the Youth4OSH brochure Safety and health – Factsheet for young workers

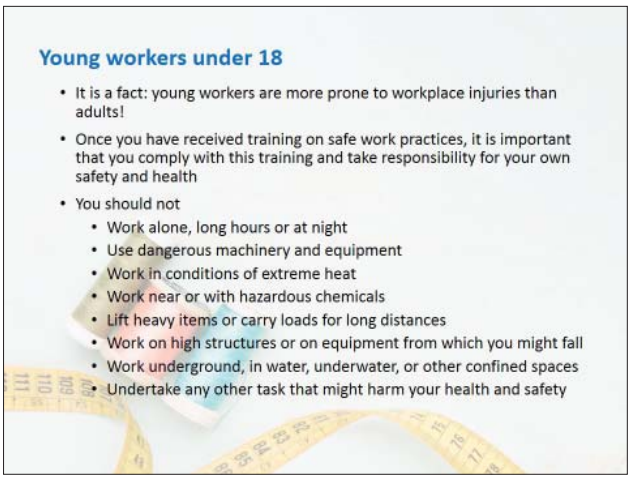
Notes to trainer

Stress the fact that young workers are more prone to accidents than adult workers (it is a fact). You can use the list below for ideas on how young workers can stay safe at work.

Remind the young workers that they have a responsibility for their own safety and health and that they should ensure that:

- They stay focuses on their work. If they feel tired or distracted they should take a short pause and restart their duties
- They perform their job duties as agreed

- They keep their workplace neat, tidy and free of clutter
- They always use PPE given by the management if the hazard can not be eliminated
- They be careful and diligent in their work
- They do not drink alcohol and do not take drugs as these substance decrease their concentration and response capacity.



International and national laws require employers to provide a safe workplace and working conditions, including assigning you work that is suitable for their age and experience. Young workers are more prone to workplace injuries and ill health than adults. Exposure to most workplace hazards can be easily prevented, and the more they know about these hazards and safe systems of work, the less likely they are to be injured.

Activity 4.4.

Activity do or don't

15 minutes

Purpose

- To make health and safety

Methodology

- Group work/game

Resources required

- Set of pictures for each group
- Flipchart with green and red columns prepared in advance
- Tape or bluetac

Instructions

- Give each group a set of pictures
- Give each group a flipchart (with a green column and a red column) and ask the groups to stick the DO pictures on the Green column and DON'T picture on the Red column of a flipchart.
- Hang flipcharts on the wall
- Check groups' results and discuss them in a plenary and ask for some clarifications for the choice that they have made
- Correct if needed and explain what is the correct way of doing things.

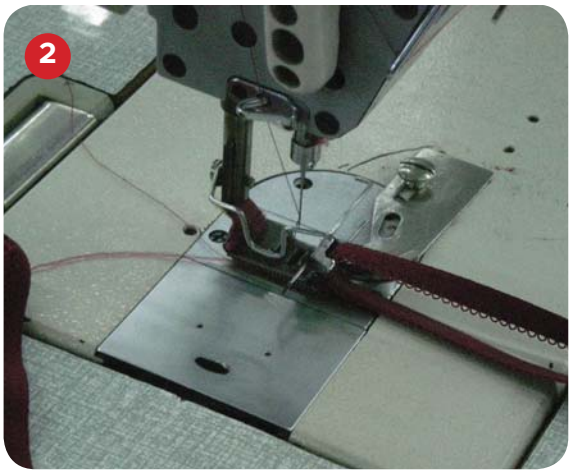
Notes to trainer

Let workers discover the possible incorrect answers first, rather than you correct them immediately. This exercise is about learning, not about being right or wrong. Peer learning is valuable and this exercise can solicit interesting conversations.

Handout

DO and DON'T pictures

Please print the following set of pictures for activity 6. Each group should be given one set of pictures.



7

8

9

10
EXIT

11

12

ANSWER KEY

Picture 1: Good (there is an eye guard on the machine)

Picture 2: Good (there is needle guard on the machine)

Picture 3: Bad (only one glove, sometimes one glove is enough, but in this picture the hand without glove is dangerously close to the cutter)

Picture 4: Good (eye guard in place)

Picture 5: Bad (boxes are blocking the access to the first aid box)

Picture 6: Bad ("home-made" mask, not protecting mouth)

Picture7: Bad (workers are wearing flip flops and there is dangerous chemicals in the bottle)

Picture 8: Good and Bad (good that spot cleaning operations are enclosed and workers are wearing masks but other workers without masks are a bit too close)

Picture 9: Bad (isle is blocked – fire safety risk)

Picture 10: Bad (emergency exit is blocked)

Picture 11: Bad (fire extinguisher blocked)

Picture 12: Good (isle is not blocked and it is clearly marked)

Picture 13: Good (washing hands with soaps keeps us healthier)

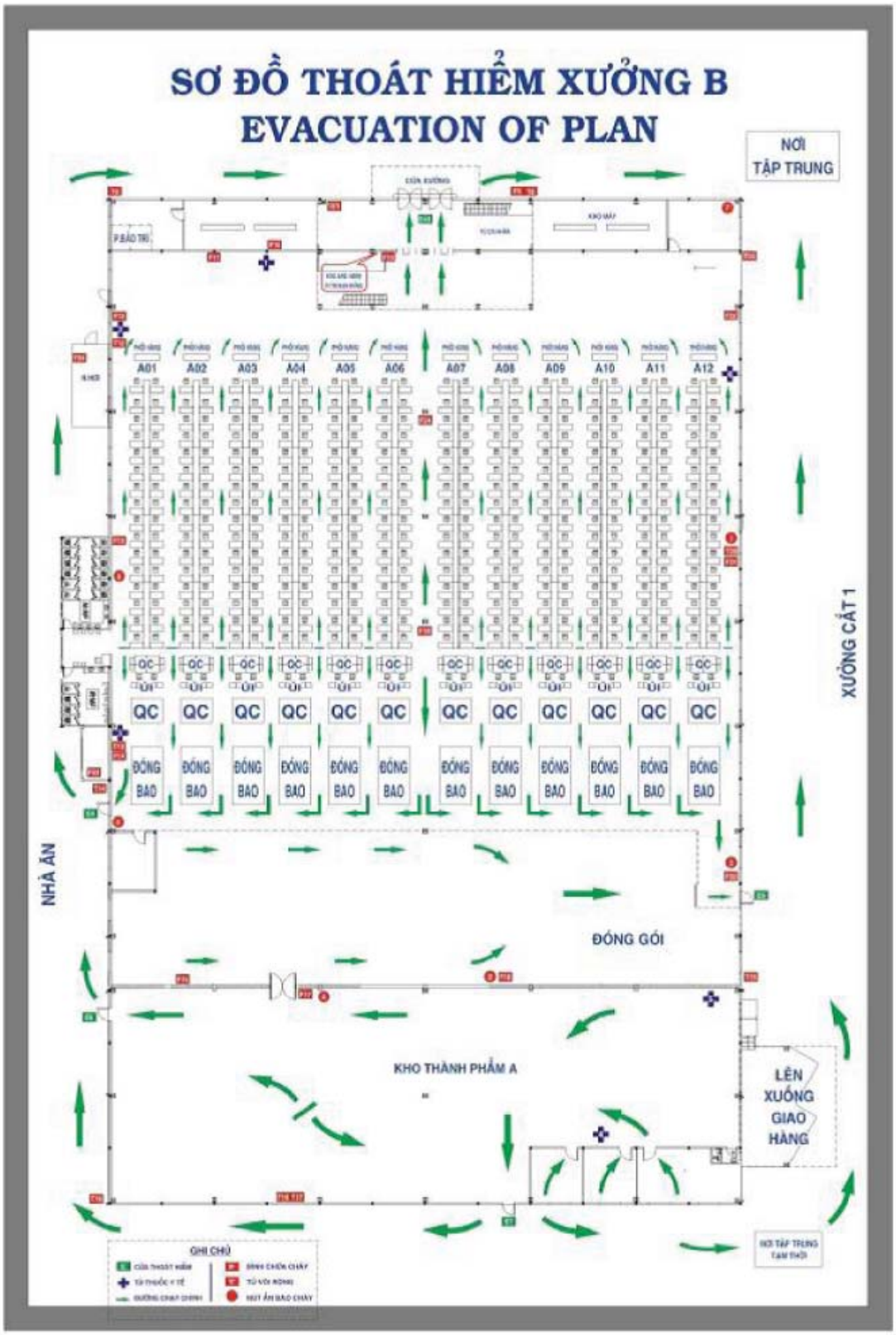
Picture 14: Bad (we should all help to clean up around us)

Picture 15: Good (workers helping to keep the workplace clean)

Picture 16: Good (clean toilet, we can all help to keep the toilets clean as well)

Sample evacuation plan

Please insert your factory's evacuation plan



NOTES

MODULE

5

Freedom of Association and Collective Bargaining

This Trainer's Guide

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Your objective as the Trainer

Worker's first impressions of a factory have a significant impact on their integration and worker turnover. On-boarding is an opportunity for a business to welcome new workers, help them settle in and ensure they have the knowledge and support they need to perform their role. Effective on-boarding - together with supervisory training – is the key in reducing turnover and absenteeism.

[5] The Myanmar legal framework applicable to the world of work is evolving regularly and rapidly. It is recommended that HR managers keep abreast of these changes in order to ensure full compliance with these legal obligations. The Myanmar Garment Manufacturers Association (MGMA) is a good source of information on these change and can provide guidance when needed.

Your role as a Trainer is to:

- Make new workers feel welcome and appreciated.
- Create a friendly environment that puts new workers at ease. This will help them to learn better and they will be more open to asking questions.
- Ensure that new workers understand that workers and managers may seem to have different objectives but there are many areas where both benefit, and it is important to resolve differences, conflicts and disputes in constructive manner.
- Ensure that workers understand the human right to freedom of association and collective bargaining and know what a Basic Labour Organization (BLO) is
- Stimulate participation and sharing.

Learning Outcomes

By the end of this module participants should be able to:

- Describe the role of Basic Labour Organization in a factory
- Explain how to resolve conflicts and disputes in a constructive manner

Module agenda

Module 5 – Freedom of Association and Collective Bargaining

TIME	ACTIVITIES
30 min	Activity on "The right to organize and how to resolve disputes constructively"
30min	**TOTAL TIME**

Resources required

Training resources:

- Markers
- Flip charts
- Projector
- Computer

Handouts and worksheets:

Activity Game 5.1.	1-2 questions for each group

Activity 5.1.

The right to organize and dispute resolution

30 minutes

Purpose

- To improve workers' understanding of their rights to organize
- To assist workers in understanding what a collective bargaining agreement
- To assist workers in understanding that workers and managers have common interests.

Methodology

- Quiz
- Discussion

Resources required

- Projector
- Computer
- Flipchart
- Marker pens

Instructions

- If your factory has a BLO, invite a BLO executive member to co-facilitate this module.
- Divide participants into groups and assign 1 -2 questions from the handout 5.1 to each group.
- Ask the groups to answer the questions in front of the class and ask if other groups have something to add or want to comment. Explain further if needed.
- Ask participants what are the main reasons for working in factory, and write the answers on one side of the flipchart (examples will likely be job security, good wages, good working conditions, opportunities for promotion, etc.). Then, as a manager, the trainer tells participants about management interests (good quality, high productivity, on time delivery, more orders from buyers, etc.)
- Ask participants whether their interests would be better addressed if the factory achieves good quality, high productivity, more orders from buyers, etc. Conclude

that both management and workers share some common interests. Workers need the management to create decent jobs. And management needs workers in order to produce garment and fill in their orders.

- Explain that sometimes however, immediate interests may differ and that there are ways to discuss these apparent differences in a mature way.
- *Show slide "Freedom of Association"* and explain that a BLO (or a trade union) is an organization of workers in the factory which helps both workers and management to achieve their common interests.
- Explain that, under Myanmar law, workers have the right to form and join a Basic Labour Organization (BLO). This right is also a fundamental human rights and is the object of the ILO convention 87 on Freedom of Association. The code of conduct of the Myanmar Garment Manufacturers Association also guarantees this right. Many code of conduct of international brand also protect this right.
- A BLO is the basis of democratic representation and governance at the workplace.
- Freedom of association and the right to organize stems from the realization that by coming together and creating an organization, workers are better able to exercise their right to negotiate work related matters that directly concern them. It can otherwise be intimidating for a single worker to raise concern to the management if he or she acts alone.
- A BLO is an independent organization of workers and the management of the factory does not get involved in its formation or how it is run
- Along with this right BLO has the responsibility to respect the various labour laws.
- If the factory has a BLO, it will nominate the workers representative on the Workplace Coordination Committee (discussed in Module 6)
- *Show slide "Collective bargaining".* Explain what is collective bargaining and collective bargaining agreement.
- Collective bargaining is a process by which the BLO and the management of the factory will negotiate certain issues such as wages, allowances, holidays or any other topics of concern to both. What is agreed is normally confirmed in a written agreement which will last for a duration agreed also between the management and the BLO.
- The terms and conditions negotiated become complementary to those included in the Myanmar labour law.
- Tell the participants if your factory has a collective bargaining agreement. Spend enough time explaining the key content of the collective bargaining agreement and provide a copy of the agreement, alongside the Employment Contract

Notes to trainer

- Conflict at work takes many forms but it is usually inherently present in the worker employer relationship because both parties have different interests. Workers are interested in better salaries and working conditions, as well as better benefits and incentives such as bonuses. Employers on the other hand would like to see higher productivity with lower costs, and they would like workers to be as flexible and loyal as possible.
- Common interests:
    - For management – a BLO or trade union can make things easier – provide one interlocutor to speak with workers, rather than trying to resolve issues individually. This can make things more efficient, and enable management to understand workers' concerns before a conflict arises. A BLO can also help the factory management to address staff and HR issues with staff representatives who are elected by the workers themselves, therefore are legitimate spokespersons for workers and have a mandate to negotiate.
    - For workers, a BLO can provide a collective voice at work, and if workers don't feel comfortable speaking to their supervisor about an issue, then they have an anonymous channel to bring issues to the attention to upper management. Workers can have more influence over policies of concern to them, and their working conditions, if they work together, rather than individually.
    - For management and workers together, BLO can be seen as a bridge, connecting management and the workforce, that help workers and managers understand each other and coordinate better. Workers are free to form and join or not join a BLO .
    - The factory management respects the workers' decision and does not discriminate for or against union members.

Explain that the Myanmar Law protect the rights of workers to come together and form organization to discuss and promote their interests and engage with the employers to improve. This means that the factory can not fire a workers for the simple reason that he or she decides to form or join a BLO.

A trade union helps to gather and organise the diverse concerns and demands of workers into a set of issues (priorities) that could be addressed in reasonably efficient manner through/in negotiation.

A BLO or trade union is:

- Democratic and legal organization with officials/leaders elected by their members.
- Organization that represents the common interests of workers
- Voluntary organization: the right to join and the right NOT to join a trade union belong to workers
- Independent from employers, political parties, government, authorities and others.
- Permanent and sustainable organization (beyond individual members and leaders)

The role of a trade union is:

- Represent and protect its members' rights and interest
- Enter into social dialogue and collaboration with employers
- Represent their members in case of grievance
- Prepare for and negotiate collective bargaining agreement with employers
- Use its connection to members to improve workplace dialogue
- Brings structure and stability to the workplace
- Promotes growth of factory and development of industry and overall competitiveness
- Can offer other services to members (credit, training (law, TU rights, gender equality, etc), legal assistance, health care services, etc)

If in your factory, you have a BLO, give the names and the contact details of the executive committee members.

Collective bargaining is a good indicator of democracy at the workplace.

Negotiating or *bargaining* is a means of joint decision making. It is used by trade unions (BLO) and employers who depend on each other to achieve their goals but who may have different interests. The unique aspect of bargaining is that both the BLO and the employer agree on the questions that concern them. In the case of BLO and employer, that means agreeing the terms and conditions of employment – to the extent that these are not fixed by the law – or improving on legal minimum standards.

Regardless of the subject, in bargaining neither side can simply say to the other 'this is what you are going to do' or 'this is what you get in return for working with me'. Nor does either side have a monopoly on making proposals for how the relationship should work. Rather, each side listens to the propositions of the other and considers whether they are reasonable from the perspective of establishing and maintaining a balance between their own interests and those of their bargaining counterparts.

The advantages of a collective bargaining agreement include:

- Improved wage gains/greater alignment of wage with productivity gains
- Increased productivity
- Less turnover/greater firm-specific training improvements
- Securing of terms enhancing gender equality (i.e. maternity leave, benefits)
- Fairer distribution of wealth and productivity gains
- Greater flexibility in devising rules/regulations that are appropriate to the factory

Handout 5.1

Please cut the following questions into separate pieces of paper and assign 1-2 questions per group. In case the literacy level of participants is generally low, you may want to read aloud each question when you give it to the group.

1. What is a Basic Labour Organization (BLO)?
2. What are the responsibilities of a Basic Labour Organization (BLO) ?
3. If you join or form a BLO, how can you and your fellow workers benefit?
4. What issues does a BLO often negotiate for with the factory management?
5. Will I loose my job is I join a trade union?
6. Will I get any preferential treatment as a BLO member?
7. How many executive committee members are there in the BLO?

NOTES

NOTES

MODULE

6

Workplace Cooperation and Grievance Handling

This Trainer's Guide

The Trainers' Guide is an important reference tool for you in running this modular training; it includes all the materials that you will need, and it will also include important background information for the trainer. The slides have been created for your convenience, but you can add, remove or adjust the content of each slide so that is in alignment with your factory's regulations and practices. However, at the time of producing this material (July 2019), the information included in the training kit was up to date and aligned with the Myanmar Labour Laws. Precautions are therefore needed, in case any change is made, in order to ensure that the content continues to reflect the current legal framework.[6] You are invited to always keep up to date with the regularly changing legal framework that applies to the garment industry. Generally, if the content of a slide need to be customized to fit your own factory practices, you will find the instruction on how to do that in the powerpoint slide notes (below the slides).

The following pages present an outline of how you can present the topics that you need to introduce to your new workers. Depending on your audience's literacy level and general knowledge of the topics, as well as the time allocated for this training at your factory, you may need to adjust the topics, activities and the timing for each module. Be creative!

These modules are meant to be short and practical so that they can be included in busy factory schedules without too many interruptions in the production. These modules are also designed with participatory approach which allows the workers to actively engage in the learning process, and share experiences and knowledge. Avoid skipping the activities and presenting just the powerpoint slides. The activities will enhance participants' learning. The total length of the eight modules is equivalent to 1-day of on-boarding training with breaks. It is recommended that you stretch the training over time and provide the training modules in small batches so that workers will have time to absorb the information.

Your objective as the Trainer

Worker's first impressions of a factory have a significant impact on their integration and worker turnover. On-boarding is an opportunity for a business to welcome new workers, help them settle in and ensure they have the knowledge and support they need to perform their role. Effective on-boarding - together with supervisory training – is the key in reducing turnover and absenteeism.

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Your role as a Trainer is to:

- Make new workers feel welcome and appreciated.
- Create a friendly environment that puts new workers at ease. This will help them to learn better and they will be more open to asking questions.
- Ensure that new workers understand the role of the Workplace Coordination Committee at the factory and how to prevent and resolve dispute as quickly as possible to avoid any costly escalation.
- Stimulate participation and sharing.

Learning Outcomes

By the end of this module participants should be able to:

- Describe the role of the Workplace Coordination Committee
- Explain how to prevent and resolve conflicts in a constructive manner

Module agenda

Module 6 – Workplace Cooperation and Grievance Handling

TIME	ACTIVITIES
30 min	Activity 6.1 -Workplace cooperation, the prevention of conflicts and grievance handling
30 min	Activity 6.2 - Let's practice how to best solve a problem at the lowest possible level
1 hour	**TOTAL TIME**

Resources required

Training resources:

- Markers
- Post it or paper and scotch tape (to stich on the wall)
- Flip charts
- Projector
- Computer

Handouts and worksheets:

Handout 6.1 Factory grievance handling polity	1 copy per worker

Activity 6.1.

Workplace cooperation, the prevention of conflicts and grievance handling

30 minutes

Purpose

- To improve workers' understanding of the various ways they can raise their concerns, and the Workplace Cooperation Committee in particular
- To assist workers in understanding that workers and managers have common interests.

Methodology

- Quiz
- Discussion

Resources required

- Projector
- Computer
- Flipchart
- Marker pens

Instructions

- *Show the slide "Workplace Coordinating Committee"* and explain that the WCC is a formal mechanism for workers representatives and management to discuss workplace related matters. It promotes workplace cooperation.
- If the factory has a BLO, it will appoint workers representatives on the WCC. Explain that if the BLO does not represent 50% of the workforce, the workers may be asked to elect a number of delegates to the WCC. These elections will be organized independently, without interference from the factory. This is part of the workers normal time and no deduction of wages is made for this involvement is the life of the factory.
- Introduce the workers representatives on the WCC to the new workers and discuss how the WCC operates in your factory: how often does it meet, what has it been discussing, etc.

- *Show slide "Disputes and grievances".* Explain that conflicts are sometimes the result of our interpretation of things, not the actual facts and that it is best to be as objective as possible. It is always best to communicate early or, rather than let things escalate.
- *Show slide "Dispute resolution process".* Explain that it is normal that problem arise in the factory. The important thing is to know how to solve them as cooperatively as possible.
- Introduce the workers to your factory grievance handling policy, if you have one, and adapt the following content to fit the specifics of your factory.
- The first step to resolve a possible issue would be to bring it up to the attention of the supervisor (if the supervisor is not the immediate cause of the worker's problem). If the supervisor does not seem the appropriate person to immediately bring your concern to, you can reach out to the BLO or to the workers representative on the WCC or the HR manager.
- If a solution can not be found at that level, the dispute should be solved step by step as per the diagram. To goal is to solve any issue at the lowest possible level, as quickly as possible. The Myanmar labour law prescribes a time frame for each of these steps to produce a decision.
- Explain there are "rights" disputes and "interests" disputes. A rights dispute concern the entitlements that the worker already has by virtue of the Myanmar labour law, the employment contract and eventually a collective bargaining agreement. An interest dispute deals with the future entitlements that the workers would like to gain.
- Explain that a strike should always be the last resort workers and a BLO have to resolve a problem. A strike should only be envisaged by a BLO when all other options have been exhausted. It is very disruptive and can bring hardship to workers and the factory. A strike is a very serious matter. The Myanmar labour law explains when a strike can be envisaged and when it is not the case.
- Emphasize that many disputes can be solved smoothly when workers talk directly to their supervisor, line manager or BLO representatives or workers representatives on the WCC Collective bargaining between the BLO and the management is also a way to prevent dispute from arising in the first place as it offers a formal space to discuss and agree on ja joint way forward on what matters to workers and management.

Notes to trainer

- Conflict at work takes many forms but it is usually inherently present in the worker employer relationship because both parties have different interests. Workers are interested in better salaries and working conditions, as well as better benefits and incentives such as bonuses. Employers on the other hand would like to see higher productivity with lower costs, and they would like

workers to be as flexible and loyal as possible. Workers and management are dependent on each other, and because of this, solutions can most often be found without issues escalating to excess.

- Conflicts are a result of our thoughts and feelings, and interpretations – not usually objective observations - of situations. Conflicts are normal and unavoidable and handling them should be done constructively. It is most effective to prevent conflict or address it at early stages, the key to detecting subtle conflicts is to have open two-way communication between supervisors and workers.
- Disputes:
    - **Rights disputes** arise from existing entitlements or rights in laws or regulations (e.g., overtime wages, working hours etc.), a collective agreement, or through other details of the employment contract.
    - Workers should always try to solve issues by talking to the supervisor/ line manager, basic labour organization representative or workers representatives on the WCC or HR first. If this doesn't work, workers can submit their grievances to the WCCs which must settle the case within five days.. Reports on all grievances are sent to the relevant Township Conciliation Body, and if the matter is not settled, the court is the last option for individual disputes.
    - **Interest disputes** are disputes between a factory and workers or Labour Organization(s) over future rights. They would typically cover issues such as working conditions, recognition of their organizations within the workplace, the exercise of the recognized rights of their organizations, or relations between employer and workers.
    - All interest disputes should first be taken to the WCC, and if they cannot be solved within the factory, they should be brought to the township conciliation body. Special Conciliation Bodies exercise the same role in SEZs.. Conciliation Body has seven days to seek an agreement between the parties. If an agreement cannot be concluded within this time frame then the Conciliation Body has two days to give the case file and a detailed report of unresolved issues to the relevant Arbitration Body within two days. The Arbitration Body must rule on collective disputes within seven days of receiving the case. If either parties does not agree with the decision, either can submit the case to the Arbitration Council within seven days. The Arbitration Council will kame a decision within fourteen days, and is the last option, and both employers and workers must adhere to its decisions.

Employers with 30 or more workers must form a Workplace Coordinating Committee (WCC), which is intended to promote the good relationship between the employer and workers representatives (elected or nominated by the BLO).

If there is a BLO at the workplace, the BLO will appoint workers representative on the WCC. If the BLO represent less than 50% of the workers, there may be a need to organize independent elections for workers to select some additional representatives on the WCC.

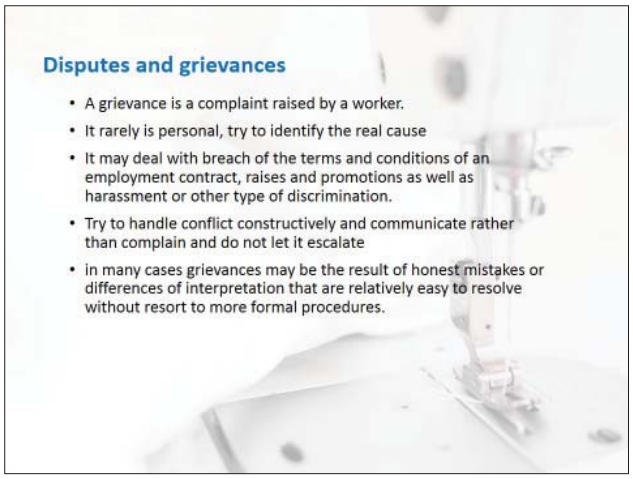
The WCC will also have an equal number of management representatives. Management representatives on the WCC should have the authority to make decisions.

The role of the WCC is to serve as a formal meeting place where workers and management representatives can discuss work related matters, and possibly prevent issues and concerns from escalating. When problems arise at the factory, which could not be solve simply by a conversation between the workers and his or her supervisor, the WCC can play a critical role in finding as quickly as possible an agreeable solution to both parties.

The mandate of the WCC is for 2 years.

Introduce the WCC members to the new workers. Explain that every worker has the right to run for office and this can be discussed in greater detail later.

Explain how often does the WCC meet in your factory



A grievance is a formal complaint that is raised by an employee towards an employer within the workplace. There are many reasons as to why a grievance can be raised, and also many ways to go about dealing with them.

Reasons for filing a grievance in the workplace can be as a result of, but not limited to, a breach of the terms and conditions of an employment contract, raises and promotions as s well as harassment or other type of discrimination.

Explain that, when the worker thinks that his or her rights have not been respected, he or she should discuss this. The first place to do so would be to bring the concern to the immediate a colleague who may be able to explain the situation, or to a supervisor (unless the problem is with this supervisor and in this case the worker should be able to talk to a higher management official).

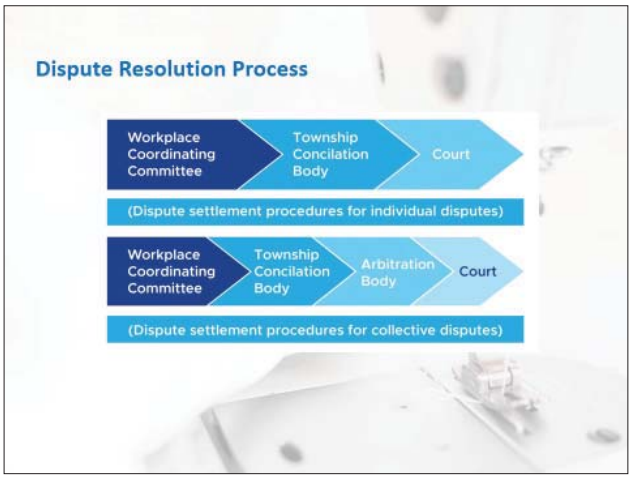
Explain that it is always best to find solutions that are worked out in a dialogue between worker and employer within the factory. This makes sense because in many cases grievances may be the result of honest mistakes or differences of interpretation that are relatively easy to resolve without resort to more formal procedures.

The WCC may play a key role in finding a solution to a problem brought about by the workers.

If the issue remains, every worker should have the right to submit a grievance without suffering any prejudice whatsoever as a result.

Explain your factory's dispute prevention and grievance handling procedure.

Explain that your factory is keen to establish fair, transparent, efficient and effective procedures for the prevention and resolution of workplace conflicts and grievances.



Disputes are best solved early on and at the lowest possible level, and good communication is key to this. It is in everybody's interest that problems are solved peacefully.

If the problem can not be solved immediately between the worker concerned and his or her supervisors, the Workplace coordinating committees play a key role in solving disputes in the factories. **Strike is always the last option!**

Explain the difference between rights and interest disputes

Activity 6.2

Let's practice how to best solve a problem at the lowest possible level

- Divide the workers in small groups and ask them to discuss the possible problems that they think they might have when they work in your factory (remember! Problems are normal and will arise!).
- Ask each small group to write a brief description on a small Post It Note and put the Post It Notes on the wall
- Ask the workers to try to group the problems into categories. You might do this together in plenary if the time is short. There might be a group of problems around wages, one group around holidays, harassment, etc.
- Then you need three buckets or boxes on the floor. Have a sign on each one:
- Line/Section/department
- Factory
- Outside factory
- Hold up one post it note. Ask: What sort of problem is this? Where can it be best solved? For example, if somebody has written they are concerned that pay is low, meaning that the minimum wage is too low, where can that be solved? Clearly, NOT in the factory. It is a matter for the government. To take another example, if a concern raised is that the worker may be sick and need a day off. Where can this be better solved? This issue can be solved by calling the worker's supervisor directly. Let's take another example. If a worker is concerned that the areas around the toilet is too dark and they feel vulnerable. How can this be better solved? Most likely this is a matter for the factory to address trough a discussion at the WCC perhaps.

Notes to trainer

The point here is the need to focus on problems that start in the factory, and can be solved in the factory. Problems that are of the responsibility of the government can not be immediately dealt with in the factory. Those are mostly handled by the workers organizations (such as township, state or federation BLO) and employers' organizations, such as the Myanmar Garment Manufacturers Association (MGMA).

Handout 6.1

Please, distribute your factory specific grievance handling procedure

NOTES

MODULE

7

Harassment and Discrimination

This Trainer's Guide

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The following pages present an outline of how you can present the topics that you need to introduce to your new workers. . Depending on your audience's literacy level and general knowledge of the topics, as well as the time allocated for this training at your factory, you may need to adjust the topics, activities and the timing for each module. Be creative!

These modules are meant to be short and practical so that they can be included in busy factory schedules without too many interruptions in the production. These modules are also designed with participatory approach which allows the workers to actively engage in the learning process, and share experiences and knowledge. Avoid skipping the activities and presenting just the powerpoint slides. The activities will enhance participants' learning.

The total length of the eight modules is equivalent to 1-day of on-boarding training with breaks. It is recommended that you stretch the training over time and provide the training modules in small batches so that workers will have time to absorb the information.

Your objective as the Trainer

[7] The Myanmar legal framework applicable to the world of work is evolving regularly and rapidly. It is recommended that HR managers keep abreast of these changes in order to ensure full compliance with these legal obligations. The Myanmar Garment Manufacturers Association (MGMA) is a good source of information on these change and can provide guidance when needed.

Your role as a Trainer is to:

- Make new workers feel welcome and appreciated.
- Create a friendly environment that puts new workers at ease. This will help them to learn better and they will be more open to asking questions.
- Give new workers few pointers that will help them understand what harassment and discrimination are
- Give new workers a good idea on whom to talk to if they have questions or concerns, and where to find further information when they need it.
- Stimulate participation and sharing.

Learning Outcomes

By the end of this module participants should be able to:

- Identify harassment and discrimination in the workplace and know what is acceptable behavior and what is not
- Explain workers' rights and the actions that they can take in such situation

Module agenda

Module 7 - Harassment and Discrimination

TIME	ACTIVITIES
10 min	7.1. Quiz game with video
20 min	7.2. The right to organize and dispute resolution
30 min	**TOTAL TIME**

Resources required

Training resources:

- Markers
- Flip charts
- Projector
- Computer

Handouts and worksheets:

Handout 7.1. Case study	One copy for each participant

Activity 7.1.

Harassment and discrimination

30 minutes

Purpose

- To improve workers' understanding of their rights and responsibilities
- To assist workers in identifying harassment and discrimination in the workplace

Methodology

- Case study

Resources required

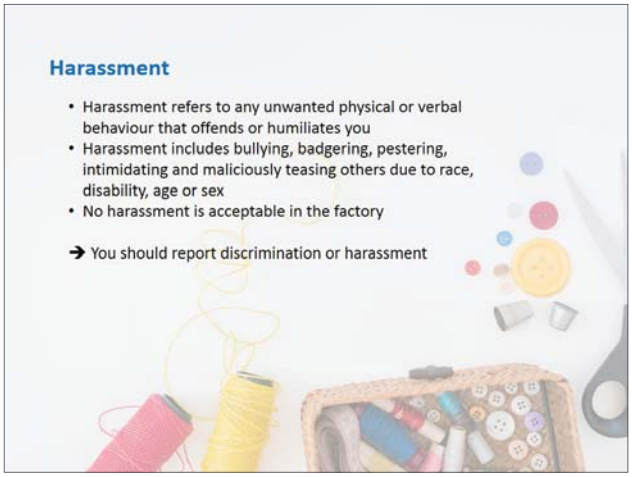
- Projector
- Computer
- Flipchart
- Marker pens

Instructions

- *Show slide "Discrimination and harassment"* and explain the content quickly.
- Divide participants into groups
- Ask groups to read the cases out loud one by one and discuss each case within the group and identify whether there is harassment or discrimination in the case.
- After 15 minutes ask groups to rate the cases. Mention case name and ask what groups think of it.
- Provide correct answers after each case and explain if necessary. Some cases are tricky.
- Ask workers what, in their opinion, should not be considered as harassment? Discuss and conclude the session by showing the slide "What is NOT harassment".
- *Show slides "How to report"* and tell workers what to do if they experience harassment or discrimination.

Notes to trainer

It is important to make a thorough distinction between harassment and performance management. If needed, take time to discuss this point, so that participants understand the difference, and are able to separate workplace demands from harassment and discrimination. Performance management – when done constructively and consistently and respectfully with all workers - is not the same thing as harassment. At the same time, harassment or discrimination should not be disguised as performance management.



Some workers think that everything that supervisors or managers do that annoys them is harassment, but it is important to understand that managing workers' performance and output isn't necessarily harassment.

There are three things supervisors and managers can always do that aren't necessarily considered harassment

1. Insist upon work performance. Supervisors can set standards and insist that workers meet the standards.
2. Give performance feedback. It's OK to appraise performance, e.g., quality and talk to people about poor performance.
3. Enforce policies and rules, as long as they are consistently enforced

Performance management – when done constructively and consistently and respectfully with all workers - is not the same thing as harassment.

Please add other method of communication available in your factory (not only for reporting harassment /discrimination but also for comments, ideas, clarification of the law and factory's regulations)

Handout 7.1

Read the following cases out loud one by one and ask groups to answer.

Case 1: A is a new worker. She has just worked in your team for a week. Apart from doing the same job as others, A is often asked by other team members to do this or that for them, such as to go get drinking water, or to clean something.

Case 2: In factory X, men are paid 10% higher than women for the same job. The management says that it is the company policy to attract more male workers.

Case 3: B has no hair. Some workers often teased that he used to be a robber and gave him the nick name "Pirate". B is very angry with this rumor.

Case 4: C always feels scared when she passes through the cutting workshop. The male workers laugh at her and say loudly "Hey C, you look so beautiful, go out for a cup of coffee with us".

Case 5: Both T and N joined the factory 2 years ago and have worked in the cutting workshop. Last month T was promoted to the team leader position and get his salary increased 20%. N was very frustrated. He believed that T was promoted because T is more handsome than him.

Case 6: D hates to work with X in the QC team. Instead of focusing on checking the semi products, X often stares at her chest or touch her chin.

Case 7: F comes from a rural area. Her accent is quite strange. People keep laughing at her when she says something. F feels very embarrassed.

Case 8: There are some workers in line 1 come from a different state. These workers are often requested by the supervisor to clean the line after work, while the local workers can go home. The supervisor explains that these workers do not have family here, so they do not have much work waiting at home.

Case 9: E, the supervisor of sewing line No.4, is very dynamic. She goes here and there to see whether things are all in good order. She shouts at workers who are slow that they are turtles, and workers who repeat a mistake that they are stupid.

Case 10: K often comes to work 5-10' minutes late because she goes to the temple early every morning. The supervisor does not accept K's reason for being late and deducts her monthly diligent allowance from her salary.

Case 11: H is a very proactive Union representative. She often brings up to the management many issues related to workers' working conditions. Yesterday she was informed that her employment contract, which will end in 2 days, will not be renewed. H checked with other workers who joined the factory at the same time with her and found out that all of them will be employed continuously.

Answer key

Case 1: Harassment (bullying new workers)

Case 2: Gender discrimination

Case 3: Harassment (maliciously teasing others)

Case 4: Harassment /sexual harassment (maliciously teasing others)

Case 5: No sufficient information to conclude that there is any discrimination

Case 6: Sexual harassment

Case 7: Discrimination against different language/accent (or people with different origin). Harassment (pestering)

Case 8: Discrimination against foreign workers (or race/ color)

Case 9: Harassment (insulting others)

Case 10: Neither discrimination nor harassment

Case 11: Discrimination against the Union representative.

NOTES

MODULE

8

Child Labour and Forced Labour

This Trainer's Guide

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Your objective as the Trainer

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Your role as a Trainer is to:

- Make new workers feel welcome and appreciated.
- Create a friendly environment that puts new workers at ease. This will help them to learn better and they will be more open to asking questions.
- Ensure that new workers understand what is child labour and forced labour
- Give new workers a good idea on whom to talk to if they have questions or concerns, and where to find further information when they need it.
- Stimulate participation and sharing.

Learning Outcomes

By the end of this module participants should be able to:

- Explain the minimum age for factory work in Myanmar
- Explain what is a young worker and what kind of restrictions they have for working
- Explain what is meant by forced labour and distinguish volunteer overtime from forced labour

Module agenda

Module 8 - Child Labour and Forced Labour

TIME	ACTIVITIES
30 min	8.1. Introduction to child labour and forced labour
30 min	**TOTAL TIME**

Resources required

Training resources:

- Markers
- Flip charts
- Projector
- Computer

Activity 8.1.

Child labour and forced labour

30 minutes

Purpose

- To improve workers' understanding of their rights and responsibilities
- To improve workers' understanding of child labour and young workers and how to protect both in the workplace
- To improve workers' understanding of forced labour and how to protect themselves of it

Methodology

- Presentation
- Discussion

Resources required

- Projector
- Computer

Instructions

- Ask participants from what age are they allowed to work by law in Myanmar.
- *Show slide "Child labour"* and explain the regulations related to child labour.
- Tell participants that the law sets up this rule to protect children and young workers. Any workers whose age falls into the "young worker group" should submit their ID and parents' permission to get a job appropriate for them. If anyone cheats on their age, the factory is running a risk of violating the law, so the factory will dismiss them if it discovers the case.
- Ask participants whether they have ever heard about the word "forced labour". What it means according to their understanding/ imagination.
- *Show slide "Forced labour"*, explain the concept of forced labour. Emphasize that forced labour can take many forms. Give examples. Remind that forced labour is prohibited.
- Ask participants whether they have experience any form of forced labour in their previous jobs or heard of any friends working in other places.

- Tell participants that while sometimes there are pressures on productivity or meeting deadlines, the factory management will not force any worker to work
- Highlight that as a worker you have the legal right to:
    - 1) Decide whether you work overtime;
    - 2) Keep your personal documents

Notes to trainers

Make sure that you know your facts and the law of Myanmar around these subjects and your factory adheres to them; child and forced labour are not tolerated by the Myanmar Garment Manufacturers Association (MGMA), the international community or international buyers.

- Young people (under 18 years old) who wish to work must be examined by a certifying surgeon. The doctor may issue a certificate of fitness if she/he is satisfied that the young person is at least 14 years old and is capable of production/ factory work. The certificate is valid for 12 months and the doctor can limit the types of work the young person may do. A medical doctor who refuses to issue (or reissue) a certificate of fitness must state in writing the reasons for refusal. Fees for a certificate of fitness are paid by the employer, not the worker or parents.
- Wages of children shall not be deducted just like adult workers, except for the unearned or unauthorized absence from work (e.g. annual leave, sick leave, or other entitlements). Additionally, deductions can not be made on wages of children under 16 years.
- In factories, no children 14-15 years of age may work more than four hours in any day (five hours maximum if breaks are included). They may not work between 6 p.m. and 6 a.m.

No one under 14 years old may be employed, and all workers under 18 years old ('young workers' or 'young people') may only work if a certificate of fitness for work is granted by a certifying surgeon/medical practitioner and if the certificate is kept in the custody of the manager of the factory.

All young workers must carry a token certifying his/her fitness for work while working.

Employers must keep a register of all young workers (under 18 years old) in the enterprise that includes:

- Name of worker and names of parents;
- Type of work and group;
- Shift;
- Number of his/her certificate of fitness.

Mandatory overtime is not forced labor as long as it is within the limits permitted by national legislation or collective agreements. In Myanmar, legally permitted overtime is 12 hours per week in shops and establishments. In factories, 20 hours per week for non-continuous work.

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The International Labour Organization
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Yangon, Myanmar
email: yangon@ilo.org
Website: www.ilo.org/myanmar

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