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Aug 31, 2006

## Gag Order Placed on Indian Labour Support Organisations

■ **Garment Companies in Bangalore, India, FFI/JKPL, seek to Prevent Exchange of Information**

We write to you to ask you to contact the brands sourcing from Fibres and Fabrics International Pvt. Ltd. (FFI) and its subsidiary Jeans Knit Pvt Ltd (JKPL) to demand that they take action to improve working conditions at the factory. Instead of seriously engaging with local stakeholders to improve working conditions, FFI and JKPL have sought to prevent exchange of information about company practices among international campaigners through a court order, based on allegations of reputation damage by FFI/JKPL. The order is in place from the 28th of July at least until the case will appear in court at the 28th of August 2006. The court order has been issued by the City Civil Court in Bangalore. FFI and JKPL produce for Dutch label G-Star and are reported to produce for US based brands Tommy Hilfiger, Guess and Ann Taylor amongst others.



Since September 2005, a series of interviews with workers have been carried out by local trade unions and NGOs. Workers reported serious wide-ranging violations of workers' rights and human rights in these factories. The interviews revealed that workers are subjected to serious physical abuse and psychological intimidation, forced to meet high production targets resulting in unpaid overtime and are fired without warning if management is not satisfied with production speed. Workers also reported a lack of letters of employment; lack of crèche, rest rooms and canteen facilities; non-provision of identity cards; and absence of proper safety measures.

Indian organisations report that workers have no way to voice their concerns or defend their rights and interests. Workers have been warned not to talk to outsiders about the conditions in the factories. In late July 2006, local Indian NGOs and trade unions were issued with a restraining order by the court preventing them from circulating any information about the labour situation in FFI and JKPL to organisations abroad.

The Garment and Textile Workers' Union (GATWU), Women Garment Workers Front (Munnade), Civil Initiatives for Development and Peace (CIVIDEP), the New Trade Union Initiative (NTUI) and the Clean Clothes Campaign Task Force in India have all been named in the court order preventing them from circulating information outside India.

Reports summarizing the interviews with workers, whose identity remained hidden to protect the workers from reprisals, were sent to G-Star, Tommy Hilfiger, Guess and Ann Taylor.

[Take action now! >>](#)

### G-Star's Response Does Not Ensure Progress

The Dutch Clean Clothes Campaign has continuously been in contact with G-Star and an intensive exchange of information has taken place (see [http://www.schonekleren.nl/bedrijven/gstar\\_06-07-17.htm#brief](http://www.schonekleren.nl/bedrijven/gstar_06-07-17.htm#brief) for more information). We welcome this dialogue. Despite taking some action to deal with the problems at FFI and JKPL, G-Star has failed to develop an effective remediation strategy with the factory. Instead of addressing the issues, G-star has spent considerable time and resources questioning the validity of the claims of the labour support organizations. For years now, the most well-known, fashionable clothing brands acknowledge that poor working conditions are endemic in the garment industry, and that therefore the challenge is how to deal with this rather than deny the existence of

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[Indian jeans manufacturer FFI tries to silence its critics >>](#)

violations.

G-Star implies that they could resort to 'cut and run' in a letter to the Dutch Clean Clothes Campaign. Cutting and running from a factory - in other words, withdrawing orders - is not a constructive approach to dealing with poor working conditions in a company's supply chain. The CCC is very clear that buyers should work with factory owners and management to develop and implement remediation strategies, and should not 'cut and run' when violations are reported.

In a reaction to the international campaign, G-Star has also urged FFI towards SA8000 certification using a commercial auditing company. Whilst this is a step in the right direction, the CCC have long been critical of commercial audits (see [http://www.cleanclothes.org/publications/quick\\_fix.htm](http://www.cleanclothes.org/publications/quick_fix.htm)) as they marginalize workers and their organizations, and fail in particular to identify violations of freedom of association, excessive and forced overtime, abusive treatment and discrimination of workers: Precisely the issues at stake in the FFI/JKPL factory.

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### **Guess: No Response**

A letter sent by the Clean Clothes Campaign at the beginning of July 2006 to Guess remains unanswered. We are in the process of contacting other brands reported to be sourcing from the factory, and we will update this web page according to their response.

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### **Ann Taylor and**

#### **Tommy Hilfiger Responses (updated August 31, 2006)**

Ann Taylor responded on August 23rd 2006 to a letter from the Clean Clothes Campaign saying they were *'extremely disturbed to learn about the severe non-compliance finding identified by your organization. Upon receiving your letter last week, we immediately sent third party monitors to aggressively investigate the allegations by conducting unannounced facility visits and performing both on-site and off-site worker interviews of these locations. We have validated several non-compliance issues cited in your reports and are taking immediate actions in response.'*

In a telephone conversation on August 30th Ann Taylor also informed the CCC that the audit they immediately carried out after they were informed of the violations in the factory confirmed abusive conditions in the factory including concerns of the possibility of physical and verbal harassment.

Ann Taylor also reported that they willing to work in a collaborative way with other brands that share their philosophy and approach to compliance issues. They are working with an international not-for-profit auditing organisation to develop a remediation plan, but in the meantime have requested FFI/JKPL to take immediate corrective actions.

The CCC welcomes the fact that Ann Taylor are willing to take a collaborative approach and the immediate action they have taken.

We welcome the opening of dialogue with Tommy Hilfiger. The brand reports that they are no longer sourcing from FFI/JKPL. However, they were sourcing there until spring 2006 and therefore during the period that the violations were reported in the factory. Therefore, we have requested that the Tommy Hilfiger writes to the FFI/JKPL outlining their concerns about the reported violations and reflecting the demands put forward by the CCC. We call on Tommy Hilfiger to take this step immediately.

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### **Response of Factory Management**

Due to the attention given by the Dutch CCC and local organisations to the situation in the factory, and pressure from G-Star, a meeting took place on June 9 between the factory management and GATWU / NTUI. It was agreed at this meeting that the factory legal advisor should meet with workers to hear first-hand about the conditions facing the workers. However, the factory legal advisor has failed to meet the workers and GATWU as was agreed. Another meeting took place on July 3 between factory management and local Indian organizations involved in interviewing workers. These organizations shared their findings with management. No follow up has been given to this meeting.

The restraining order placed on the local Indian organisations makes it clear that FFI/JKPL is not serious about dialogue with local stakeholders. Seeking to silence the local stakeholders through a court order does not indicate willingness on the part of FFI/JKPL to make improvements at the factory, or to contribute to a

resolution of the dispute.

Nevertheless some changes have been made such as stoppage of unpaid overtime work. While these changes are very welcome, they do not reflect systemic changes nor effectively address the violations reported by workers. Moreover, we see the possibility of the companies taking cover under the restraining order and victimising workers associated with the Garment and Textile Workers' Union and other labour support organisations.

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### **Demands to the Brands**

We call on G-Star and the other brands sourcing from FFI/JKPL to work collaboratively to ensure that:

- FFI/JKPL remove the restraining order on the local Indian organisations.
- FFI/JKPL meets with local stakeholders including GATWU, NTUI and Women Garment Workers' Front 'Munnade' to follow up on previous meetings.
- The factory management develops and implements a remediation plan in collaboration with GATWU and other stakeholders to address the specific issues at the factory as already outlined to FFI/JKPL and the brands sourcing from the factory (see below).
- There is local stakeholder involvement in any social audit and other activities aimed at addressing the issues in the factory.
- A complaints' mechanism is set-up for workers to report non-compliance issues anonymously that involves organisations that workers are confident will follow-up on their concerns.
- Freedom of association is truly implemented, and mechanisms for collective bargaining established. A continuous dialogue with local stakeholders is the basis for this.

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### **Demands to FFI/JKPL Management**

The following are among the demands made by the Garment and Textile Workers' Union (GATWU) to FFI/JKPL management:

1. Immediate halt to all human rights violations such as violence against workers.
2. Recognition of all labour and human rights of workers under national and international law.
3. Halt to physical abuse of workers by supervisors and managers and enquiry into past incidents of such abuse.
4. Constitute committees that include workers to ensure that the Supreme Court of India guidelines concerning prevention of sexual harassment are followed.
5. The companies must demonstrate on a monthly basis through verifiable documents how overtime wages are being paid.
6. Issuance of letter of employment and identity cards to all new employees. This is important because there is a high rate of turnover.
7. Provision of 'leave with wages book' to each new employee.
8. Provision of crèche, restrooms and canteen facilities covering all employees.
9. Institution of proper health and safety measures especially in the Washing Unit.
10. Halt arbitrary termination of the services of workers without following due legal process.
11. Recognition of the right to freedom of association and collective bargaining of the workers and prevention of any victimisation of workers for associating themselves with labour support organisations.

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**Please read our Jan 10, 2007 UPDATE:**  
**[Fibres & Fabrics: Labour Organisations still gagged](#)**

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### **Take Action now!**

Dear Mr Ghaise

I have been informed by the Clean Clothes Campaign about the violations of workers' rights in your factory. GATWU, NTUI and a fact finding mission carried out interviews with workers at your factory and reported serious wide-ranging violations of workers' rights and human rights in these factories including harassment of workers; severe physical abuse; arbitrary termination of services without following due legal process; lack of letter of employment; lack of crèche, rest rooms and canteen facilities; non-provision of identity cards; absence of proper safety measures and non-payment of overtime wages.

I am shocked to learn that a court order has recently been placed on local Indian

organizations in order to prevent them from circulating information related to the situation in FFI and JKPL outside India. The injunction in no way builds meaningful dialogue to bring about a remediation plan to deal with the issues workers face.

We are pleased to hear that you have taken some small steps to address some of the issues in the factory, but I am concerned that you have failed to address these issues in any long-term way, and there are many more serious issues to be dealt with.

I therefore call on you to:

- Remove the restraining order on the local Indian organisations.
- Meet with your local stakeholders including GATWU, NTUI and Women Garment Workers' Front 'Munnade' to follow up on previous meetings.
- Develop and implement a remediation plan in collaboration with GATWU and other stakeholders to address the specific issues at the factory as already outlined to you and the brands sourcing from the factory.
- Ensure there is local stakeholder involvement in any social audit and other activities aimed at addressing the issues in the factory.
- Set-up a complaints' mechanism for workers to report non-compliance issues anonymously that involves organisations that workers are confident will follow-up on their concerns.
- Truly implement freedom of association and establish mechanisms for collective bargaining. A continuous dialogue with local stakeholders is the basis for this.

I look forward to hearing about the steps you have taken to address these issues.

Yours sincerely

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Dear Mr Van Tilburg

I have been informed by the Clean Clothes Campaign about the violations of workers' rights in Fibre and Fabrics International Pvt Ltd, and its 100% owned subsidiary Jeans Knit Pvt Ltd and that your company is a buyer from these factories.

I have also been informed that you have been in communication with the Dutch Clean Clothes Campaign, and I welcome this dialogue.

Despite taking some action to deal with the problems at FFI and JKPL, I understand that G-Star has failed to develop an effective remediation strategy with the factory. Instead of addressing the specific issues that are at stake at FFI and JKPL, G-Star has spent considerable time and resources questioning the validity of the claims of the labour rights organizations. I feel that this is not the right approach to address the poor working conditions in your supply chain.

I know that G-Star urged FFI and JKPL towards SA8000 certification using a commercial auditing company. I believe that, whilst this is a first good step, this does not guarantee proper and sustained local stakeholder involvement, nor effectively address the issues facing workers in the factory. I call on G-Star to persuade FFI and JKPL to meet with local stakeholders and implement a remediation plan to address the specific issues at the factory as already outlined to FFI/JKPL and G-Star.

I am shocked to learn that a court order has recently been placed on local Indian organizations in order to prevent them from circulating information related to the situation in FFI and JKPL outside India. The injunction in no way builds meaningful dialogue to bring about a remediation plan to deal with the issues workers face. G-Star should condemn the restraining order and make sure that follow-up is given to previous meetings between factory management and the local union and organizations. G-Star should furthermore take steps to see that FFI and JKPL do not victimise workers for speaking out about the experiences in the factory or for exercising their right to freedom of association.

I'm disappointed to understand that G-Star threatens to withdraw from FFI and JKPL. 'Cut and run' will in no way serve the common cause to improve the labour conditions at FFI/JKPL.

I call on G-Star to work collaboratively with the other brands sourcing from FFI/JKPL to ensure that:

- FFI/JKPL remove the restraining order on the local Indian organisations.
- FFI/JKPL meets with local stakeholders including GATWU, NTUI and Women Garment Workers' Front 'Munnade' to follow up on previous meetings.
- The factory management develops and implements a remediation plan in collaboration with GATWU and other stakeholders to address the specific issues at the factory as already outlined to FFI/JKPL and the brands

- There is local stakeholder involvement in any social audit and other activities aimed at addressing the issues in the factory.
- A complaints' mechanism is set-up for workers to report non-compliance issues anonymously that involves organisations that workers are confident will follow-up on their concerns.
- Freedom of association is truly implemented, and mechanisms for collective bargaining established. A continuous dialogue with local stakeholders is the basis for this.

I look forward to hearing what steps you have taken to address these issues.

Yours sincerely

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Dear Sir / Madam

I have been informed by the Clean Clothes Campaign about the violations of workers' rights in Fibres and Fabrics International, and its 100% owned subsidiary Jeans Knit Pvt. Ltd. Your company is reported to be a buyer from these factories.

Local Indian organizations, GATWU, NTUI and a fact finding mission carried out interviews with workers at FFI/JKPL and reported serious wide-ranging violations of workers' rights and human rights in these factories including harassment of workers; severe physical abuse; arbitrary termination of services without following due legal process; lack of letter of employment; lack of crèche, rest rooms and canteen facilities; non-provision of identity cards; absence of proper safety measures and non-payment of overtime wages.

I am shocked to learn that a court order has recently been placed on local Indian organizations in order to prevent them for circulating information related to the situation in FFI and JKPL outside India. The injunction in no way builds meaningful dialogue to bring about a remediation plan to deal with the issues workers face. Your company should condemn the restraining order and make sure that follow-up is given to previous meetings between factory management and the local union and organizations. Your company should furthermore take steps to see that FFI and JKPL do not victimise workers for speaking out about the experiences in the factory or for exercising their right to freedom of association.

I am extremely disappointed that you have failed to respond to the Clean Clothes Campaign who wrote to inform you about these violations, and more importantly, that you have failed to take action that you are prepared to make public.

We call you to work collaboratively with other buyers to ensure that:

- FFI/JKPL remove the restraining order on the local Indian organisations.
- FFI/JKPL meets with local stakeholders including GATWU, NTUI and Women Garment Workers' Front 'Munnade' to follow up on previous meetings.
- The factory management develops and implements a remediation plan in collaboration with GATWU and other stakeholders to address the specific issues at the factory as already outlined to FFI/JKPL and the brands sourcing from the factory.
- There is local stakeholder involvement in any social audit and other activities aimed at addressing the issues in the factory.
- A complaints' mechanism is set-up for workers to report non-compliance issues anonymously that involves organisations that workers are confident will follow-up on their concerns.
- Freedom of association is truly implemented, and mechanisms for collective bargaining established. A continuous dialogue with local stakeholders is the basis for this.

I look forward to hearing what steps you have taken in this case

Yours sincerely

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Dear Sir / Madam

I have been informed by the Clean Clothes Campaign about the violations of workers' rights in Fibres and Fabrics International, and its 100% owned subsidiary Jeans Knit Pvt. Ltd. where Tommy Hilfiger was sourcing from until recently.

Local Indian organizations, GATWU, NTUI and a fact finding mission carried out interviews with workers at FFI/JKPL and reported serious wide-ranging violations of workers' rights and human rights in these factories including harassment of workers; severe physical abuse; arbitrary termination of services without following due legal process; lack of letter of employment; lack of crèche, rest rooms and canteen facilities; non-provision of identity cards; absence of proper safety measures and non-payment of overtime wages.

I am shocked to learn that a court order has recently been placed on local Indian

in order to prevent them for circulating information related to the situation in FFI and JKPL outside India. The injunction in no way builds meaningful dialogue to bring about a remediation plan to deal with the issues workers face.

I welcome your dialogue with the CCC and your agreement to write to FFI/JKPL to express your concerns and call on them to take action. I urge you to raise the following points in your letter:

- FFI/JKPL remove the restraining order on the local Indian organisations.
- FFI/JKPL meets with local stakeholders including GATWU, NTUI and Women Garment Workers' Front 'Munnade' to follow up on previous meetings.
- The factory management develops and implements a remediation plan in collaboration with GATWU and other stakeholders to address the specific issues at the factory as already outlined to FFI/JKPL and the brands sourcing from the factory.
- There is local stakeholder involvement in any social audit and other activities aimed at addressing the issues in the factory.
- A complaints' mechanism is set-up for workers to report non-compliance issues anonymously that involves organisations that workers are confident will follow-up on their concerns.
- Freedom of association is truly implemented, and mechanisms for collective bargaining established. A continuous dialogue with local stakeholders is the basis for this.

I look forward to hearing what steps you have taken in this case

Yours sincerely

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## 5. Letter to Ann Taylor

Ann Taylor: Kay Krill President & Chief Executive Officer Fax only: 001 212 536 4412

Dear Sir / Madam

I have been informed by the Clean Clothes Campaign about the violations of workers' rights in Fibres and Fabrics International, and its 100% owned subsidiary Jeans Knit Pvt. Ltd. which supply your company.

Local Indian organizations, GATWU, NTUI and a fact finding mission carried out interviews with workers at FFI/JKPL and reported serious wide-ranging violations of workers' rights and human rights in these factories including harassment of workers; severe physical abuse; arbitrary termination of services without following due legal process; lack of letter of employment; lack of crèche, rest rooms and canteen facilities; non-provision of identity cards; absence of proper safety measures and non-payment of overtime wages.

I am shocked to learn that a court order has recently been placed on local Indian organizations in order to prevent them for circulating information related to the situation in FFI and JKPL outside India. The injunction in no way builds meaningful dialogue to bring about a remediation plan to deal with the issues workers face.

I welcome your dialogue with the CCC, the fact you immediately carried out an investigation into the violations reported and that you have immediately requested FFI / JKPL to take corrective action. I also welcome your willingness to take a collaborative approach and to develop a remediation plan. I hope that your action will have the following effects:

- FFI/JKPL remove the restraining order on the local Indian organisations.
- FFI/JKPL meets with local stakeholders including GATWU, NTUI and Women Garment Workers' Front 'Munnade' to follow up on previous meetings.
- The factory management develops and implements a remediation plan in collaboration with GATWU and other stakeholders to address the specific issues at the factory as already outlined to FFI/JKPL and the brands sourcing from the factory.
- There is local stakeholder involvement in any social audit and other activities aimed at addressing the issues in the factory.
- A complaints' mechanism is set-up for workers to report non-compliance issues anonymously that involves organisations that workers are confident will follow-up on their concerns.
- Freedom of association is truly implemented, and mechanisms for collective bargaining established. A continuous dialogue with local stakeholders is the basis for this.

I look forward to hearing what steps you have taken in this case

Yours sincerely

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