

ACTIVIST BRIEFING:
#SHEWEARSTHECOST CAMPAIGN



Table of Contents

1. About this guide	3
2. Exploitation in the fashion industry.....	3
3. Garment workers left wearing the costs of COVID-19	5
4. Case study – Rashima’s story	7
5. The opportunity.....	8
6. The Targets.....	8
7. Messaging	10
8. Campaign resources.....	12
9. Where to get support.....	12

1. About this guide

This activist briefing outlines the background to ActionAid Australia's #SheWearstheCost campaign, which is calling on Australian and international fashion brands to uphold garment workers' rights. This briefing covers campaign messaging, strategic conversations and activist tactics for the campaign. ActionAid Australia is partnering with our offices in Bangladesh and Cambodia to implement this campaign. We are also working closely with the Clean Clothes Campaign and other international workers' rights organisations through the international #payyourworkers campaign.

2. Exploitation in the fashion industry

The global fashion industry is one of the largest employers of women workers in low-income countries. There are 35 million women garment workers worldwide – women make up 80% of garment workers across the globe – and many of the clothes sold in Australian stores are made by women in countries like China, Bangladesh, India, Vietnam, Cambodia and Indonesia.

The fashion industry has provided new employment opportunities for women in low-income countries. However, it is also plagued by exploitation, with poverty wages and poor working conditions entrenched across the industry. While Australian and international fashion brands continue to cash in huge profits, women garment workers are left wearing the cost.¹

The Australian Fashion industry

The Australian fashion industry was worth more than \$22 billion in 2019-20, with Australian fashion brands making a combined annual profit of \$761 million.² In contrast, very few Australian brands can provide evidence that they are paying the workers that make their clothes enough to cover the basic living costs of themselves and their families (known as a living wage).³ Poor working conditions are also endemic across the fashion industry.

Most Australian and international brands produce their clothes through complex supply chains that often involve multiple factories across countries. Power imbalances, coupled with trade rules that favour multinational corporations, give brands the flexibility to quickly transfer production from one factory or country to another in the search for the cheapest production costs. This results in a race to the bottom on wages and working conditions. By spreading production across a large number of factories, brands can maintain plausible deniability when human rights violations occur, pushing this responsibility onto the factories making their clothes.

Hidden supply chains

Most Australian and International fashion brands work with many suppliers, sometimes across several countries. Transparency about where brands are producing and with which

¹ Oxfam (2020) *Shopping for a bargain: How the purchasing practices of clothing brands in Australia impact the women who make our clothes*, http://whatshemakes.oxfam.org.au/wp-content/uploads/2020/12/2020-AC-006-WSM-Research-Report_Digital_FA_Pages.pdf

² Ibid

³ Baptist World Aid Australia (2019) *The 2019 Ethical Fashion Report*, https://media.business-humanrights.org/media/documents/files/documents/FashionReport_2019_9-April-19-FINAL.pdf

suppliers is vital to ensure that when human rights violations occur brands can be held responsible for resolving the situation.

After decades of advocacy by garment workers and civil society organisations, supply chain transparency has improved significantly in recent years, with many brands disclosing at least some of their supply chains. However, more work is needed to ensure that all brands, as well as retailers and e-retailers, are transparent about all tiers of their supply chain.

Poverty Wages

Poverty wages is one of the most critical issues facing garment workers globally, with workers in the supply chains of major fashion brands paid an average of 2-5 times below the living wage.⁴ This wage exploitation is systematic across the industry as brands search out the cheapest labour costs. Power imbalances in the global economy mean that governments in low-income countries often have to keep minimum wages low to attract international brands and other multinational corporations. Brands also employ aggressive purchasing practices to push production prices down and factories are forced to cut costs to win contracts.

Australian and international brands have a clear responsibility under the UN Guiding Principles on Business and Human Rights to pay fair wages, including to pay a living wage even when this is higher than a country's minimum wage. With few Australian brands complying with these principles, the garment workers making their clothes are locked in working poverty.

Restrictions on fundamental workers' rights

Freedom of association and collective bargaining are fundamental labour rights that enable workers to come together and advocate for better pay and working conditions. Many Australian and international brands support freedom of association and collective bargaining rights on paper, however this doesn't always translate into practise. Garment workers often face restrictions on their right to organise, with brands moving production to countries where these rights are restricted. Union-busting in garment factories is also widespread, with unionised workers often facing threats and harassment and targeted for retrenchment. It is critical that fashion brands take steps to ensure that freedom of association and collective bargaining are upheld across all factories they work with to ensure that garment workers can claim their labour rights and fight for improved working conditions.

Gender discrimination is widespread across the fashion industry

The global fashion industry is one of the largest employers of women workers in developing countries and women make up 80% of garment workers globally. Women workers often favoured because existing gender discrimination means that they are willing to work for lower wages and are less likely to challenge exploitative working conditions.⁵

⁴ Oxfam Australia (2019) *Made in Poverty: The true price of fashion*, <https://whatshemakes.oxfam.org.au/wp-content/uploads/2019/02/Made-in-Poverty-the-True-Price-of-Fashion.-Oxfam-Australia.pdf>

⁵ Clean Clothes Campaign (2019) *Will women workers benefit from living wages? A gender-sensitive approach to living wage benchmarking in global garment and footwear supply chains*, https://cleanclothes.org/file-repository/ccc_dec2019_luginbuhl_lw_gender.pdf/view

Existing gender discrimination means that women workers are often paid lower wages and are concentrated in lower-level positions, with the transition to higher-skilled, higher-waged positions often leading to a defeminisation of labour.⁶ Women workers are also frequently subject to verbal abuse, physical and sexual harassment. Brands must take steps to ensure pay parity for women workers in their supply chains and access redress if garment workers experience sexual harassment and gendered violence.

3. Garment workers left wearing the costs of COVID-19

The global fashion industry has taken a hit during the pandemic and Australian brands have been impacted by store closures due to lockdown and physical distancing rules. However, Australian brands that were impacted by the pandemic benefited from the Government's JobKeeper initiative, which supported businesses facing significant revenue reductions to continue paying their Australia-based employees. Additionally, while store closures have impacted on in-store sales, there was a 29 percent increase in online fashion sales in 2020,⁷ and many Australian and international brands have continued to make big profits during the pandemic.⁸

While many big fashion brands continue to make huge profits during COVID-19, the women who make their clothes are wearing the cost. Research by the Clean Clothes Campaign found that between March and May 2020 South and Southeast Asian garment workers³ received an average of 38 percent less than their regular income, with lost wages estimated to be between US\$3.19 and US\$ 5.79 billion.⁹

This reduction in pay was a direct result of international brands' response to the pandemic, with workers left to face the pandemic alone as many international brands cancelled orders, refused to pay for in-production orders or delayed payments to factories, and requested retroactive discounts. This pushed the costs of the pandemic down the supply chain, to factories in low-income countries and then onto workers.

Women workers pushed further into poverty and hunger

Garment workers were already living on the poverty line before the pandemic began.¹⁰ COVID-19 wage reductions are now pushing the women making our clothes further into poverty as they bear the brunt of job losses and reduced working hours.

A recent survey by the Worker Rights Consortium across 158 factories and nine countries¹¹ found that hunger has increased during the pandemic. 77% of garment workers reported

⁶ Clean Clothes Campaign (2019) *Will women workers benefit from living wages? A gender-sensitive approach to living wage benchmarking in global garment and footwear supply chains*, https://cleanclothes.org/file-repository/ccc_dec2019_luginbuhl_lw_gender.pdf/view

⁷ NAB (2021) *NAB Online Retail Sales Index: December 2020*, <https://business.nab.com.au/wpcontent/uploads/2021/02/NAB-Online-Retail-Sales-Index-December-2020.pdf>

⁸ Nike recorded US\$1.4 billion in profit in just the third fiscal quarter of 2020-21 and paid dividends of over US \$434 million to shareholders in 2020, up 14% from 2019 <https://news.nike.com/news/nike-inc-reports-fiscal-2021-third-quarter-results>; Just Group made a 29% increase in profit in 2020 <https://justgroup.com.au/pdf/annualreport2020.pdf>; ³ Excluding China

⁹ Clean Clothes Campaign (2020) *Un(der)paid in the pandemic*.

¹⁰ Oxfam Australia (2019) *Made in Poverty: The true price of fashion*, <https://whatshecomes.oxfam.org.au/wpcontent/uploads/2019/02/Made-in-Poverty-the-True-Price-of-Fashion-Oxfam-Australia.pdf>

¹¹ Bangladesh, Cambodia, El Salvador, Ethiopia, Haiti, India, Indonesia, Lesotho and Myanmar

that they, or a member of their household, have gone hungry since the beginning of the pandemic. 80% of garment workers with dependent children said they were forced to skip meals or reduce the amount or quality of food they eat in order to feed their children.¹²

Severance theft is leaving garment workers out in the cold

Garment workers are among the hardest hit by jobs losses since the emergence of COVID19. To make matters worse, many workers have not received their legally mandated severance pay. This has left workers without an income and with no money to tide them over until they can find alternative employment. Severance payments are particularly important for garment workers because most of the countries where fashion brands produce their clothes provide limited unemployment benefits.¹³

In Bangladesh and Cambodia, as well as many other producing countries, garment workers are legally entitled to receive severance payments when their employment is terminated. Yet, research by the Worker Rights Consortium across 400 factories that either closed or where at least 50 garment workers were terminated since March 2020 found evidence of severance theft at 31 garment factories in nine countries. In total, 37,637 workers across these factories are owed “an estimated US \$39.8 million in legally due compensation.”¹⁴ The research has also identified an additional 210 factories where the evidence indicates that severance theft may have occurred, but additional documentation is required to verify these claims. The Worker Rights Consortium estimates that across these factories 160,000 workers could have lost up to US \$171.5 million in severance theft.¹⁵

Australian and international brands have a responsibility to step in when there are disputes over severance pay. Brands can use their influence to pressure factories, or their parent companies, to pay workers their legal entitlements. There is also a growing precedent of large brands covering severance payments themselves, for example in 2010 Nike paid \$1.54 million in unpaid severance that was owed to 1,450 garment workers after the closure of two factories in Honduras.¹⁶

¹² Worker Rights Consortium (2020), *Hunger in the Apparel Supply Chain*,

<https://www.workersrights.org/wpcontent/uploads/2020/11/Hunger-in-the-Apparel-Supply-Chain.pdf>

¹³ ILO (1996-2020) *World Social Protection Data Dashboards*, <https://www.social-protection.org/gimi/WSPDB.action?id=13>

¹⁴ Worker Rights Consortium (2021) *Fired, then Robbed: Fashion brands' complicity in wage theft during Covid-19*, p. 14, <https://www.workersrights.org/research-report/fired-then-robbed-fashion-brands-complicity-in-wage-theft-during-covid19/>

¹⁵ Ibid, pp. 1-2.

¹⁶ Ibid, pp. 9-10.

4. Case study – Rashima’s story

Rashima’s story



Rahima, 35, has been a textile worker for 11 years. Both she and her husband, a driver, work long hours, with most of their income going to pay for their sons’ education. She is scarred both by the long hours, the bullying she experiences at work and a violent attack she suffered at the hands of a male supervisor.

Rahima’s 19-hour day starts at 5am, when she begins cooking food for the family. By 7.30am, she’s inside amongst the heat, noise and fumes of the factory floor, where she stays until 9pm each night, with only two short breaks to eat.

When Rahima returns home, exhausted, she begins her household chores - buying food, cleaning, cooking and looking after her children. She describes the profound exhaustion she feels - “I’m too tired to talk to my kids, and I just want to sleep.”

For all this, Rahima is paid just \$2.80 an hour.

The backbreaking work she does is only part of Rahima’s burden. She lives in daily fear of being punished for not working fast enough. She’s still traumatised from an incident a few years ago, when she was violently attacked by a supervisor, forcing her to leave her job.

But recently, Rahima has discovered a ray of hope amongst the horrific conditions of the factories.

Rahima has begun attending her local ActionAid workers café, where she has the chance to bond with other women workers in mutual support, sharing their challenges and helping each other resolve problems at work. She’s been able to access training on her legal rights as a worker, and is now keen to share this knowledge with other women.

“I cannot forget what happened to me. But since then I have become brave. I know my rights and can fight for them,” she says.

5. The opportunity

Garment workers are amongst the hardest hit by COVID-19 pandemic and strong evidence has emerged that the response of many international brands to the pandemic has worsened the situation for women workers. This has shone a light on persistent workers' rights issues across the fashion industry and reignited calls for Australian and international brands to ensure that workers' rights are upheld across their supply chains.

ActionAid Australia is responding to this situation by partnering up with our offices in Bangladesh and Cambodia in order to amplify the voices of garment workers. We are also working in collaboration with the international #payyourworkers campaign to pressure Australian and International brands to step-up their support to the women making their clothes during the pandemic.

6. The Targets

Nike

Over 1,200 garment workers have been protesting over unpaid wages and benefits from Violet Apparel after the factory suspended its workers in May 2020, before suddenly announcing it would close permanently on 1 July.

Nike claims that the brand ended its relationship with Violet Apparel in 2016. However, Violet Apparel's sister factory Olive Apparel is an approved Nike supplier, and the Cambodian Alliance for Trade Unions (CATU) has provided strong evidence that Violet Apparel had been producing Nike garments as a subcontractor for many years. This includes photographs of order forms with signatures from management of both factories. Nike also has a longstanding and ongoing partnership with Ramatex Group, which owns both factories.

In its statement on 10 March 2021, Nike indicated that "Ramatex Group has addressed the situation independently and engaged in an arbitration process which resulted in a binding decision, which they have acted upon."¹⁷ However, CATU has confirmed with ActionAid that Cambodia's Arbitration Council refused to consider workers' demand for compensation in lieu of prior notice, and therefore did not make a decision on this case.

12 months after workers were suspended at Violet Apparel, they have still not received the wages, benefits and severance payments that they are owed, including compensation in lieu of prior notice, seniority indemnity, payment in place of unused annual leave and five days of unpaid wages during the Khmer New Year holidays in April.

¹⁷ Nike (2021) Nike statement on Violet Apparel https://media.business-humanrights.org/media/documents/Nike_Response_-_BHRRC_-_3.10.21.pdf

Nike's Code of Conduct requires that suppliers "provided legally mandated benefits, including holidays and leaves, and statutory severance when employment ends."¹⁸ Nike recorded US\$1.4 billion in profit in just the third fiscal quarter of 2020-21 and paid dividends of over US \$434 million to shareholders in 2020, up 14% from 2019. In contrast, impacted workers from the Violet Apparel factory are owed approximately US\$ 343,000 in wages and severance pay.¹⁹

It is clear that Nike has both the responsibility and the ability to take swift action to resolve this complaint. ActionAid is joining with members of the #payyourworkers campaign to call on Nike to step in and ensure that all impacted workers are paid their legally mandated wages, benefits and severance payments.

Dotti, Jay Jays and Just Jeans – Owned by the Just Group

Garment workers in Bangladesh are wearing the cost of covid-19. A survey of 200 garment workers in Bangladesh conducted by ActionAid International found that 60% of workers have lost their jobs since the Bangladesh experienced its first lock down in March 2020. 96% of workers that lost their jobs or were placed on furlough, reported that they did not receive either their furlough or severance payments. 76% of workers reported that their household had run out of money to buy food at least once since March 2020.

The mass retrenchment of garment workers during covid-19, alongside widespread claims of wage and severance theft, has shone a light on the impact that international brands response to the pandemic has on the workers making their clothes. When brands cancel or refuse to pay for orders, or pressure factories to give discounts, they push the financial costs of this global pandemic onto garment workers. This is why the #payyourworkers campaign is calling on all brands to commit to honour all contracts and not delay payments or request discounts on orders for the entirety of the pandemic.

Many Australian and international brands have made this commitment. The Just Group, which owns Australian brands Dotti, Jay Jays and Just Jeans, which all produce in Bangladesh, is yet to make this commitment.

The Just Group has also been in the news recently due to an investigation by the Australian Tax Office into JobKeeper subsidies that the company received, despite recording a 29% increase in profit in 2020.

The Just Group also has a chequered history when it comes to ensuring workers' rights are upheld across its brands supply chains. The Just Group are not transparent about their supply chains, and they have not publicly released the list of factories they work with to produce their clothes. Beyond this, the Just Group have not made a commitment to ensure workers in their supply chains are paid a living wage, and there is no public evidence available to show that they are paying a living wage.

¹⁸ Nike (2020) Supplier Code of Conduct, p. 8, https://purpose-cms-preprod01.s3.amazonaws.com/wp-content/uploads/2021/02/23072112/Nike_2021_Code_of_Conduct.FINAL_.pdf

¹⁹ <https://www.payyourworkers.org/violet>

With Bangladesh currently struggling through a second lockdown, now is the time for brands like Dotti, Jay Jays and Just Jeans to step-up and ensure their workers are supported through this crisis by committing to honour all contracts and not delay payments or request discounts on orders for the entirety of the pandemic. ActionAid is also asking that the Just Group improve transparency across its supply chains by publicly releasing its factory lists. This action is critical to ensure that garment workers are not left bearing the brunt of the pandemic, while fashion brands continue making big profits.

7. Messaging

The problem: Australian and international fashion brands are continuing to make big profits during the pandemic, while Garment workers in Bangladesh and Cambodia are wearing the cost.

The solution: Together we can call on brands like Nike and the Just Group's Dotti, Jay Jays and Just Jeans to step-up and support the workers making their clothes through this crisis. Join the #shewearsthecost campaign!

Elevator Pitch: Garment workers in Bangladesh and Cambodia are amongst the most impacted by COVID-19 as job losses and reduced working hours push women workers further into poverty. 77% of garment workers have reported that they, or a member of their household, have gone hungry since the beginning of the pandemic. Australian and international brands have a responsibility to step-up and ensure that women workers are not left wearing the cost of COVID-19. Join the #shewearsthecost campaign and call on Nike and the Just Group's Jay Jays, Just Jeans and Dotti to support the women making their clothes through this crisis.

Strategic Conversations & Handling Objections

To have strategic conversations and move people to action we use a framework called **Outrage, Hope, Action**. This framework is commonly used by other civil society organisations and unions when campaigning. You can use the below format when having conversations with the public and other activists in relation to this campaign:

- 1. Introduction:** Who you are and what you want to talk about. You can foreshadow your ask here, but you don't have to be specific. eg. 'I'm calling you about actions you can take for women's rights' or 'I'm calling to let you know about the campaign and upcoming actions you can take'.
- 2. Build rapport:** Make a connection with them, don't rush into the serious stuff. Engage in some small talk, follow on from what you already know about them or experiences you have shared. Ask questions, be curious about them, but not too nosy! This process is about building a relationship.
- 3. Outrage:** Introduce the issue and find out what they think about it. This is a good time to gauge their level of interest/concern, their values, and where they are coming from. This could include 'agitating' by exposing the facts and evidence about the injustice that is occurring.

- 4. **Hope:** Give them information they may be missing. You want to encourage people to feel hopeful that change can happen or about the role they can play in being part of the change.
- 5. **Action:** Introduce the ask. Leverage their concern into commitment. It could mean repeating their views back to them and linking them to ActionAid. If it is difficult to get commitment you can go back to exploring the issue or providing more information and hope.
- 6. **Closing:** Thank people for their time and say goodbye.

#SheWearstheCost conversation script

Introduction	Hello, my name is X and I’m a volunteer with ActionAid Australia. Today we’re talking to people in your area about our new #shewearsthecost campaign on garment worker rights and how you can be involved.
Build Rapport	Have you heard much about ActionAid’s campaigns before? I got involved with ActionAid because I care about... (share your story)
Outrage	<p>Right now garment workers in Bangladesh and Cambodia are being pushed into poverty and hunger because international brands are more concerned about profit than the women who make their clothes.</p> <p>Many garment workers were already living in poverty before the pandemic began, because the wages they receive were not enough to cover basic living costs for themselves and their families.</p> <p>Now while big fashion brands like Nike and the Just Group’s Jay Jays, Just Jeans and Dotti are continuing to make huge profits, garment workers are left wearing the cost of COVID-19 as they are hit by job losses and salary cuts.</p> <p>The impact on garment workers is devastating:</p> <ul style="list-style-type: none"> - 38% of garment workers lost their jobs or were temporarily suspended between March and August 2020. - Garment workers that continued to work at the same factory reported on average a 21% cut in their earnings. <p>77% of garment workers have reported that they, or a member of their household, have gone hungry since the beginning of the pandemic.</p>

Hope	It doesn't have to be this way! Fashion brands care about what the public thinks. if we work together, we can push brands to take action in support of workers' rights! To do this we need to grow the power of our movement and turn up the pressure on big brands like Nike and the Just Group's Jay Jays, Just Jeans and Dotti to do the right thing and support their workers through this crisis!
Action	Will you sign our petitions calling on Nike and the Just Group to step up their support for the women making their clothes during the pandemic?
Close	Thanks for taking the time to chat today.

8. Campaign resources

The petition QR codes or a PDF version of the petition and other materials to support you to hold events can be found by visiting the Activist Toolkit section of our website:

<https://actionaid.org.au/home/take-action/activistnetwork/activist-toolkit/>

Links to additional resources are below:

1. [Nike petition](#) – online version only to share via socials or email
2. [Just Group petition](#) - online version only to share via socials or email
3. [Social media action information](#)
4. [Fact Sheet: Exploitation in the Fashion industry](#)
5. Campaign tool kits
 - Operation Fitting Rooms (ie. Let's make Nike and Just Group's clothing labels more accurate!)
 - Clothing Swap
 - Movie Screening

9. Where to get support

For more information about the campaign and how you can get involved, contact the Community Organiser, Shayma on _Shayma.El-Ardenli@actionaid.org or the Head of Policy and Campaigns, Kat on Katherine.Tu@actionaid.org.