



FROM SIT-DOWN STRIKES TO STREET PROTEST: MYANMAR GARMENT WORKER ORGANIZING THROUGHOUT COVID-19 AND THE COUP

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EXECUTIVE SUMMARY

While the vociferous rise of worker-led organizing in the Myanmar garment industry over the past several years has been formidable, it remains markedly underreported throughout mainstream media discussions and nearly absent from global policy discourse. Foregrounding the experiences of worker organizers with the Federation of General Workers Myanmar, formerly Federation of Garment Workers Myanmar (FGWM), this report seeks not only to identify key legal, political, economic, and social mechanisms inside which these efforts fomented, but also situates worker organizing within regional and global contexts. Our work considers the ways in which state- and corporate- led efforts to combat labor exploitation via greater supply chain transparency overshadows and obscures the novel modes of worker organizing substantively equipped to bring lasting change to the garment industry. The report concludes with a set of policy recommendations and topics for further discussion, designed with multiple stakeholders in mind.

Half a million citizens of Myanmar work in garment factories, and a wave of strikes leading up to 2019 increased the number of workers in unions to around 10,000. It is in this year that the FGWM is founded, and in which our research begins. Our research spans 24 months— from September 2019-September 2021—covering a period of viral escalation of worker-led protests in Fall 2019, and worker responses to both the Covid-19 pandemic and 2021 military coup. Data for this project draws from focus groups and in-depth interviews with multiple stakeholders, including: workers, organizers, civil society organizations, government officials, and global brands. The research substantiates itself around a case study of the Federation of Garment Workers Myanmar (FGWM), a union formed in 2019, which offers a deeper ethnographic exploration of worker organizing in the context of a nascent union led by garment workers.

Given that Covid-19 engendered calamitous shifts in global supply chains of garments, this report looks to the pandemic as an amplifying force in the obfuscation of worker organizing efforts through an outsized focus on supply chain transparency. For instance, as has been documented extensively throughout the global South, factories have used coronavirus closures as means to union bust, either by selectively firing union members or mass firing and only selectively hiring back workers who were not union members. These tactics of union busting are not new, but the pandemic indisputably augmented their popularity and power. In a somewhat similar way, the February 2021 military coup in Myanmar heightened the need for worker protection, while exacerbating existing inequalities and power imbalances.

This report divides worker demands into three temporal and analytic categories: pre-pandemic, Covid-19, and coup related. Subsequently, it considers the unique organizing strategies workers and worker organizers developed inside these various circumstances. Worker organizing in this industry is not new or novel; it should be placed in context alongside other discussions of global supply chain transparency and organizing. These distinct iterations of worker organizing signal a larger shift in the potential for worker-led labor protections and remediation. However, organizing efforts alone become unsustainable against a backdrop of global governance and global funding that consistently directs resources and support towards corporate driven modes of addressing labor abuse. The report concludes with a set of policy recommendations developed in consultation with FGWM worker organizers.

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I. Introduction

In recent years, tens of thousands of Myanmar garment workers have demanded an improvement of their working conditions. Whether striking in the streets or through sit-ins in their workplaces, the powerful groundswell of worker organizing and protest has been notable, yet curiously absent from global policy discussions around reducing human trafficking and labor exploitation. The persistent need for such organizing strategies speaks to the inefficacy of existing modes of remediating labor abuses throughout the low wage service and manufacturing sectors. This report speaks to this gap by centering worker organizing as the pivotal lever in reducing labor abuse. We focus on the formidable worker organizing amongst garment workers in Myanmar, with the core of our analysis oriented around the Federation of Garment Workers Myanmar, a union founded in 2019, and later renamed the Federation of General Workers Myanmar (FGWM).

As an emerging democracy that, prior to the Covid-19 pandemic, was rapidly becoming the garment production hub of choice among foreign corporations, Myanmar has been a focal point of international organization and corporate efforts to ensure ethical business practices and supply chain sustainability in recent years. While funds have poured into supply chain transparency efforts, little attention has been paid to worker empowerment and labor organizing initiatives in the country, which hold immense potential to achieve broad, permanent solutions to the widespread practices of labor coercion and exploitation. The potential and inherent capacity of worker organizing remains largely ignored by international policy discourse around forced labor, human trafficking, and global supply chain management.

Indeed, labor unions and worker organizing have each played significant roles in demanding and securing basic rights for garment factory workers in Myanmar. Despite limited financial and popular support for building worker capacity to organize, and limited media reporting of worker strikes, Myanmar garment workers have successfully mobilized diverse forms of collective action in recent years. Reports estimate that thousands of workers have participated in myriad forms of protest, calling for reforms including an improvement in working conditions, arbitration mechanisms for internal disputes, and more severe consequences for employers who violate labor laws.¹

The development of organized labor efforts capable of enacting different forms of protest and solidarity are particularly remarkable given the government's long history of thorough repression of civil and political forms of dissent. It is just over ten years since the 2011 Labor Law legalized trade unions of any kind in the country.² As a result of the fact that compliance and enforcement of labor laws have been low, and global supply chain transparency efforts are limited in their effect, organized strikes have emerged as the primary instrument for garment workers to demand adherence to the law and signed agreements by their factories. At one factory in 2019, management agreed to all 45 demands initiated by the striking garment workers, including concerns over health and safety, wages and benefits, and excessive working hours.³ Strikers have even joined in solidarity to call on officials to enact and enforce their policies,

¹ Salai Thant Zin. (2019). "Myanmar Garment Workers Continue Strike, Demand Regional Minister Resign." *Irrawaddy News*. Dec 24, 2019.

² Min Zar Ni Lin et al. (2019). *Industrial Relations and Workplace Communication in Myanmar Garment Sector*. International Growth Center, F-53407-MYA-1.

³ Business and Human Rights Resource Centre. (2019). "Myanmar: Labour Activists Charged for Role in Garment Factory Strike Over Working Conditions."

demanding resignations for lack of action.⁴ The strikes led by garment factory workers in Myanmar are demonstrative of direct organizing's broader importance and potential as a means through which laborers can shift decidedly unjust working conditions, however, workers also participate in less visible modes of resistance. Facing various threats for striking, workers have also turned to internal factory actions including workplaces sit-ins, singing songs, and wearing red bandanas as ways of designating unified protest during their working days. This report is devoted to understanding the range of different forms of individual and collective protest to capture the full magnitude, power, and necessity of worker led organizing.

The global Covid-19 pandemic brought unprecedented challenges to the global supply chain in garments, with the most disparate and devastating consequences wrought upon migrant workers in manufacturing hubs throughout the global South, including in Myanmar.⁵ As global North consumption was rapidly curtailed due to mandatory retail store shutdowns and an economic recession, global brands notoriously re-negotiated or terminated contracts with suppliers and delayed their payment. These disruptions caused many factories around the world to suddenly lay off tens of thousands of workers. Following a period of negotiation and coordinated actions between workers and global actors, some, but not all, global brands did ultimately agree to honor their commitments to their suppliers. While these reversals allowed a segment of workers to be rehired, punitive union busting became a pervasive tactic to selectively hire back workers who had not been involved in organizing activities. Throughout the pandemic, workers who were not fired, and those who were hired back, were not given proper PPE or social distancing protocols at work.

The military coup of February 2021 exacerbated these challenges. Widespread financial instability caused rampant business closures and unprecedented unemployment rates, especially in the manufacturing sector. In the garment industry alone, an estimated 250,000 jobs were lost in the first 6 months of 2021.⁶ Moreover, in the immediate wake of the coup, the Tatmadaw-controlled government began cracking down on Myanmar labor union activity—beginning with a declaration that 16 of the country's labor unions were illegal. Following the announcement, the government began issuing arrest warrants for union leaders. By the end of April, arrest warrants had been issued for over 75 union leaders, and at least 20 union leaders were formally arrested.⁷ As unique organizing opportunities began to emerge in Myanmar, the novel and concurrent challenges presented by the Covid-19 pandemic and the political coup created a vulnerable environment for labor organizers. The twin threats of employer punishment and government repression loomed large.

To understand these forces— and the challenges that labor organizing faces in Myanmar— this report focuses on identifying the demands and strategies of informal organizing by civil society organizations (CSOs) and worker-led unions, given persistent constraints to collective

⁴ Salai Thant Zin. (2019). Myanmar Garment Workers Continue Strike, Demand Regional Minister Resign. *Irawaddy*, December 24, 2019.

⁵ For an in-depth exploration of repression of labor organizing among Sri Lankan domestic workers, see, Global Labor Justice. (2022). Voices from the Field: Reprisals and repressions of garment workers unions and workers organizations during Covid-19 in Sri Lanka." April 2022. For a concise discussion of how labor abuse claims changed pre- and post-Covid in neighboring Thailand, see, Issara Institute. (2021). Top 5 Labor Abuses in 2019-2020: A Field-based analysis of worker reporting and business responses in Thailand," January 2021.

⁶ International Labor Organization. (2021). Employment in Myanmar since the military takeover: A rapid impact assessment.

⁷ Connell, T. (2021). "Two Women Union Leaders Arrested in Myanmar: Total Now 20+." *Solidarity Center*, April 29, 2021.

bargaining, and a dramatically shifting economic and political landscape. As laws, policies, and economic demands are shaped by interests operating at higher (national, regional, and international) scales, the local demands of workers are pushed from the foreground. For instance, popular legal interventions like the 2015 EU Modern Slavery Act and 2015 UK Supply Transparency Act, promise that increased supply chain transparency will foster accountability to improve labor conditions. However, such interventions are underpinned by the exigencies of economic efficiency, which do not consistently align with workers' needs -- and therefore cannot be depended upon to protect workers' interests. The pandemic threw into sharp relief the limits of relying on the norms and interests of consumptive habits and transnational policies of the Global North. Worker-led efforts, rather than corporate or consumer-led ones, reconfigure the focus to the ideas and needs of workers themselves. Establishing more equitable channels of negotiation between workers and employers -- including the global brands who buy from them -- would grant a greater voice to workers to define the most pressing problems and the design most fitting, adequate solutions.

Worker organizing, both through and alongside trade unions, is pivotal to achieving freedom of association and collective bargaining.⁸ Worker organizing strategies reframe relationships of power and authority and weaken the propensity of worker exploitation. Their successes indicate that the existing problems within a supply chain, especially with regards to exploitation and accountability, would be best addressed by turning more power directly over to workers, in contrast to efforts at relegating repression via allocating additional power to governments, corporations and consumers.

II. Background

a. The Political Economy of the Garment Industry in Myanmar prior to the Covid-19 Pandemic

In the decade leading up to 2021, Myanmar experienced a dynamic and historic transition in its political economy. After years of economic isolation, the lifting of international economic sanctions led to booming levels of foreign investment in the country, driving a rapidly expanding garment industry.⁹ Historically, the garment sector in Myanmar suffered from a limited market due to sanctions imposed by the United States and Europe, and primarily served clients in Japan and South Korea.¹⁰ After these sanctions were lifted (in 2011 and 2013 respectively), large multinational companies such as H&M, C&A, and Adidas began seeking Myanmar factories to source their products.¹¹ Global clothing retailers reportedly considered Myanmar the next potential production base in Asia's low-end garment industry supply chain, a cheaper production hub, with notably weaker framework of labor laws and enforcement relative to China, Thailand, Cambodia, and Indonesia.¹² As a result, the value of garment exports in Myanmar tripled from 2012 to 2017.¹³ Prior to the Covid-19 pandemic and the military coup in February 2021, which

⁸Marks, E. & Olsen, A. (2015). "The Role of Trade Unions in Reducing Migrant Workers' Vulnerability to Forced Labour and Human Trafficking in the Greater Mekong Subregion," *Anti-Trafficking Review*, issue 5 (111–128).

⁹Theuws, M. et al. (2017). *The Myanmar Dilemma: Can the Garment Industry Deliver Decent Jobs for Workers in Myanmar?* International Labor Organization.

¹⁰Theuws, M. et al. (2018). *Weaving Gender: Challenges and Opportunities for the Myanmar Garment Industry*, International Labor Organization.

¹¹Ibid.

¹²Theuws, M. et al. (2017).

¹³Asian Institute of Technology and Mekong Migration Network. (2019). *Jobs in SEZs: Migrant Garment Factory Workers in the Mekong Region*.

destabilized the country's economy, the garment industry in Myanmar was projected to expand to 1.5 million workers over the next five to ten years, and had already created formal employment for almost half a million people.¹⁴ These jobs, of which an overwhelming majority are occupied by women, prompted the migration of women from rural to urban areas in order to seek employment in garment factories within or in the peri-urban areas of cities like Yangon and Mandalay.

Despite the growth of the garment manufacturing industry in Myanmar, working conditions for migrant women laborers were largely unregulated, due to a long history of industry protection and repression of worker organizing. The lifting of economic sanctions in 2011 and subsequent explosion in the garment industry coincided with a series of political, economic, and administrative reforms that sought to relax some of the repressive policies of the military-backed government. Under the military junta's last reign from 1962 to 2011, workers in Myanmar were prohibited from organizing, and collective bargaining did not exist in any form.¹⁵ After the 1988 student uprising against military rule, the junta further repressed trade unions and all other political organizations, which were forced to operate underground or flee the country.¹⁶ Even during the first general election held in 2010, operating under the new 2008 Constitution, all political organizing activities were banned in the industrial zones.¹⁷ Media were denied access and prevented from reporting on working conditions and labor disputes.¹⁸

At the start of Myanmar's so-called "democratic transition" following the 2010 election of Union Solidarity and Development Party (USDP), the U Thein Sein government enacted the 2011 Labor Organization Law, which legalized trade union formation and set out legal labor rights. Subsequently, the 2012 Labor Disputes Settlement Law provided an official mechanism within the government to resolve labor disputes.¹⁹ Following the passage of the Labor Organization Law, the Federation of Trade Union of Burma (FTUB)—then in exile—was able to return to the country. Before this critical shift in Myanmar, the nation's labor movement had been subject to an unrelenting attack by the state. The subsequent 2012 Labor Disputes Law introduced township reconciliation bodies; new government entities assigned to preside over labor disputes if they could not be internally adjudicated through factory level workplace coordination committees.

Though the laws initiated sparked change, workers around the country continued to demand progress. A 2013 Joint Commission to Study the Rights of Owners and Workers initiated by the Myanmar Parliament found that workers lacked access to basic services such as clean drinking water. The report also found that the minimum wage was set so low that a large number of workers were found to be in poor health and psychologically impacted by exploitation.²⁰ In 2014, fifty factories were cautioned not to engage in illegal overtime work after inspections by the Factories and General Labor Laws Inspection Department found evidence of such practices.²¹ Following the election of the National League for Democracy (NLD)

¹⁴ Theuws, M. et al. (2018).

¹⁵ Min Zar Ni Lin. et al. (2019). *Industrial Relations and Workplace Communication in Myanmar Garment Sector*.

¹⁶ Ibid.

¹⁷ Action Labor Rights. (2016). *Under Pressure: A Study of Labour Conditions in Garment Factories in Myanmar which Are Wholly Korean Owned or in a Joint Venture with Korean Companies*.

¹⁸ Ibid.

¹⁹ Ye Yint Khant Maung. (2019). A New Way for Workers Rights Beyond the Legal Framework: The All Burma Federation of Trade Unions." *Tea Circle Oxford*, October 14, 2019.

²⁰ Action Labor Rights. (2016).

²¹ Ibid.

government, many have argued that the government failed to do much for workers during their term because they adopted a traditional neo-liberal economic policy that continued to prioritize trade relationships over worker's rights. Despite legislative changes, many workers in factories shared that they were unaware of their labor rights and thus not able to lodge complaints if they did not receive the legal minimum wage, overtime pay, rest breaks or time off. Freedom of association remains limited, with factory workers facing a range of threats to organization. Research from 2020 found that over a fifth of workers in low-skilled employment in the manufacturing sector were in a situation of forced labor²²

After the legalization of trade unions, many workers' groups applied to register as legal trade unions. By September 2019, when FGWM was first organized, 1,671 factory-level unions had been formally registered. The Myanmar government often points to this high number as evidence of workers' right to organize. Some commentators have supported this claim, arguing that the workers' right to organize and protect their interests inside the factory had been legally granted. However, in practice, workers in Myanmar who try to organize trade unions inside their factory face difficulties, discrimination, and other significant risks.

Around the industrial zones of Myanmar, there are two general types of local organizations that are oriented towards supporting workers: labor rights civil society organizations (CSOs) and trade unions. The former category consists of organizations working for the rights of workers, including: Action Labour Rights, Solidarity Trade Unions Myanmar, Yaung Chi Oo Workers Association, Let's Help Each Other, Association for Labour and Development, Future Light Center, and We Generation Network. These organizations work with international organizations, global governance agencies, and foreign aid agencies to develop projects on worker development issues like labor law education and dispute settlement. The labor rights CSOs in his category also play a critical role in educating workers about their rights and supporting workers with labor disputes.

The second category includes formal trade unions including: Confederation of Trade Unions Myanmar (CTUM), All Burma Federation of Trade Unions (ABFTU), Myanmar Industries Craft and Service Trade Unions Federation (MICS), and Federation of General Workers Myanmar (FGWM). According to Ko Kyaw Myo, a member of ABFTU's central advocacy committee, unions emerged following a need to bridge the gap between the passage of the 2011 law and its implementation: "Myanmar has only allowed workers to legally form and join unions since 2012." As a result, workers in the country have had to build their unions from the bottom up in the face of persistent resistance from many employers. These employers wield "union-avoidance" tactics, which commonly include terminating the employment contracts of union leaders and members as well as various forms of intimidation, all ultimately aimed at suppressing the freedom of association (FOA) through fear. Enforcement of labor laws presents an additional complication given the propensity of corruption in Myanmar. The increasing hostility of employers, uneven enforcement of labor law, and the fact that union federations are at an early stage of development demonstrate the need to uphold and advance freedom of association in Myanmar.²³

²² Harkins, B. et al. (2021). *From the Rice Paddy to the Industrial Park: Working Conditions and Forced Labour in Myanmar's Rapidly Shifting Labour Market*. LIFT: Yangon; Rogovin, K. and Thet Hnin Aye. (2015). *Internal Labour Migration in Myanmar: Building an Evidence-base on Patterns in Migration, Human Trafficking and Forced Labour*. ILO: Yangon.

²³ Interview w Solidarity Center, 2021.

b. Covid-19: Impacts on Supply Chains and Factory Closures

Globally, fashion brands have canceled \$40 billion worth of orders since the arrival of the Covid-19 pandemic. This reduction and cancellation of orders has been cited as the primary reason for mass worker layoffs in manufacturing countries, with the Purchasing Managers Index (PMI) in September 2020 showing that decreased global demand led to rapid overall deterioration in the manufacturing sector. These shifts culminated in the lowest performing months in the global manufacturing sector since December 2015.²⁴

The Covid-19 pandemic has further exacerbated the vulnerabilities of garment workers in Myanmar. In Myanmar, the ‘Cut, Make, and Pack’ (CMP) business model of garment manufacturing made it an attractive destination for international companies searching for a large low-wage labor force and hoping to take advantage of Myanmar’s status as a duty-free exporter to the EU. However, the reliance on the import of nearly all inputs and supplies under the CMP business model rendered Myanmar particularly vulnerable to the supply chain disruptions triggered by Covid-19. The reasons for the downturn in the garment industry and the resulting factory closures were twofold: disruptions in raw material inputs from China, and a sharp decline in global demand for apparel. Given that 90% of the raw materials used in Myanmar’s garment industry come from China, lockdowns in China had a significant impact on the availability of input supplies. In March 2020, Myanmar recorded a 37% decrease in textile and leather imports relative to the level of imports one year prior. Furthermore, Covid-19 customs regulations and overland border closures prevented factories from receiving supplies even if shipments were already in Yangon ports or ready to ship from China. The supply of materials from China subsequently improved, but factories in Myanmar reported that orders from Western markets had fallen up to 75% in 2000 by comparison to the orders received in 2019.²⁵

The suspension of factory operations in the country ranged from temporary to permanent closures due to Covid-19 safety measures or financial difficulties. Between January and July 2020, the Yangon region reported 56 permanent closures and 117 temporary closures. Following a peak of Covid-19 cases in Fall 2020, a government mandate on September 22 closed all garment factories due to the pandemic. In response, the government offered to pay 40% of worker salaries during the closure period. Although workers were promised support from the social security board, an ILO report revealed that 53 % of insured workers did not receive the compensation they were due.²⁶ Given the sparse and uneven distribution of such funds, many workers supported the reopening of factories on October 12, even though workplaces had not implemented Covid precautions. Like workers throughout the world, Yangon garment workers were forced to choose between personal health and financial security.

While Covid-19 assembly regulations in Myanmar limited gatherings to five people, thousands of factory workers continued to work shoulder-to-shoulder on assembly lines throughout the pandemic. In the early months of the pandemic, workers repeatedly reported being supplied with just one surgical mask per week, no access to hand soap, and no appropriate social distancing precautions inside the factories, or on crowded factory buses commonly used for transportation. Despite months of direct outreach from unions, the brands and their

²⁴ Worker’s Rights Consortium and University of Pennsylvania Center for Global Worker’s Rights. (2020). “Covid-19 Tracker: Which Brands are Acting Responsibly towards Suppliers and Workers.”

²⁵ Myo Pa Pa San. (2020).” Myanmar Garment Factories Report 75% Fall in Orders Amid COVID-19.” *The Irrawaddy*, September 1, 2020.

²⁶ International Labor Organization. (2021). *The Impact of Covid-19 on Myanmar's Garment Sector*. Yangon.

subcontracted factories largely failed to implement adequate occupational health protocols during the pandemic.

In the early stages of the pandemic, several major retailers suddenly canceled and reduced their supply orders. The consequences were particularly devastating for Myanmar factory workers, who routinely faced extremely low wages, long working hours, and other labor violations even prior to Covid-19. Factory closures resulted in mass layoffs, unpaid wages, and pay reductions, with a targeted disenfranchisement of union workers demanding the reinstatement of their employment as well as the provision of protective equipment to ensure their safety and socioeconomic survival during this globally challenging time.

In mid-March 2020, Myanmar's government announced an initial stimulus package worth 100 billion kyats (\$70 million USD), to support sectors most vulnerable to Covid-19, including the CMP garment and manufacturing industry, hotel and tourism, and local small and medium-sized enterprises (SMEs). The stimulus package allowed for businesses to apply for loans with a 1 per cent interest rate and extended deadlines for tax payments and provided tax exemptions for businesses.²⁷ Although this initial stimulus package included the garment industry, it did not provide direct support to garment workers and was criticized for being too small of a fund given the immense needs of businesses across the multiple sectors heavily impacted by Covid-19.²⁸

On April 27, the government launched the "Overcoming as One: Covid-19 Economic Relief Plan" (CERP). The plan outlined 7 goals, 10 strategies, 36 action plans and 76 actions to improve the microeconomic and macroeconomic environments in Myanmar, ease the impact on workers and households, address Covid-19 financing, promote innovation, and improve healthcare systems. With regards to support measures for the garment industry, CERP outlined the government's intention to increase the size of the loan fund established in March from 100 billion kyat to 200-500 billion kyat by the end of 2020. Although CERP articulated the goal of easing the impact on workers as well as households, the strategies utilized were limited, including measures such as the creation of labor-intensive infrastructure projects for individuals laid off, the provision of in-kind food and ration assistance to vulnerable and at-risk populations, and flexibility on interest and mortgage payments. The measures seemed to be targeted at vulnerable and at-risk populations and did not include comprehensive information on measures to address mass unemployment. As noted by the International Growth Center, the CERP was developed in a top-down manner, focusing on the Ministry of Planning, Finance, and Industry, and was extremely weak in its support of workers in the informal sector.²⁹

International donors, development partners and NGOs worked hard to meet the needs arising from this increasing unemployment - including the Livelihoods and Food Security Fund (LIFT) that supported direct cash transfers, and legal assistance for workers who had been

²⁷ Nan Lwin. (2020). "Myanmar Unveils \$70-Million Stimulus Package to Ease Economic Blow from Virus." *The Irrawaddy*. March 19, 2020.

²⁸ Nan Lwin. (2020). "Myanmar Prepares Covid-19 Relief Package Worth up to Several Billion Dollars." *The Irrawaddy*. April 28, 2020.

²⁹ Brancati, E. et al. (2020). "Coping with Covid-19: Protecting Lives, Employment, and Incomes in Myanmar," *International Growth Center*; Jollans, D. & Owen, J. (2020). "Overcoming as 14: The Role of State and Region Government's in Supporting Myanmar's Covid-19 Economic Response Plan," *Asian Foundation and Renaissance Institute*.

impacted by Covid-19 layoffs.³⁰ One of the larger scale measures to directly support garment workers was the EU Myan Ku Fund, funded by the EU's NEXUS Response for Myanmar and implemented by the UN Office for Project Services (UNOPS) and the SMART Textile and Garments project staff. The €5 million fund was set up in April 2020 in response to factory closures and was extended until 30 November 2020. The fund targeted apparel and footwear workers employed since the first of January 2020, with evidence of work termination, suspension, or reduction, and prioritized the following: workers of factories registered with the Ministry of Labour, Immigration, and Population as having closed or suspended operations; workers and trade unions in acute need; and the disbursement of benefits widely to a large population.³¹ The amount of cash transfer support ranged from 35,000 kyat to 125,000 kyat per month, but only for as long as there were sufficient funds.³² As of the beginning of October 2020, the fund had disbursed over 5.4 billion kyats (€3.5 million) through its mobile platform. It has been suggested, however, that going forward the detailed eligibility criteria could be simplified and that the decision to limit cash support to garment sector workers could be reviewed to ensure that cash was available for more workers across industrial settings.³³

c. The Role of Organized Labor in the February 2021 Coup

The military junta-backed coup of February 2021 was met by an extraordinary Civil Disobedience Movement (CDM) in Myanmar, with labor activists on the front lines of the protests.³⁴ On February 26, nearly one month after the beginning of the coup, the Tatmadaw-controlled government announced on live television that 16 of the country's labor unions were illegal. According to the official announcement, these organizations were not properly registered in line with Sections 9, 10, 11 and 12 of the Labour Organization Law enacted in 2011.³⁵ They were informed that action would be taken against them if they continued their work and activities. In response to the declaration, the Confederation of Trade Unions Myanmar (CTUM) issued a statement condemning the military regime for destroying industrial relations and calling upon the ILO to deny the regime access to ILO meetings and conferences.³⁶ The International Trade Union Confederation (ITUC) also filed a formal complaint with the ILO, expressing concern over the announcement blacklisting the sixteen labor organizations in addition to the "arrest, intimidation and threats against trade unionists."³⁷ In the face of this bevy of threats, labor organizations have curtailed their activities, while also vocalizing protest of the blacklist and harassment tactics. For instance, Ma Moe Sandar Myint, a leader of FGWM, shared that "It

³⁰ LIFT Fund. (2021). "LIFT's Covid-19 Response: One Year of LIFT'S Covid-19 Response; Stories that Inspire Hope."

³¹ EU Nexus Response for Myanmar. (2020). "EU Myan Ky Fund: Eligibility Criteria." August 26, 2020.

³² Smart Myanmar. (2020). "EU Myan Ku Fund Disburses Over 45,000 Payments; 2.5 Million EUR to Workers in Need" August 6th, 2020.

³³ Interview with Ben Harkins, 2021.

³⁴ Lin, K. (2021). "Myanmar Workers and Unions on the Front Lines in the Fight Against Coup." *Labor Notes*. February 26, 2021

³⁵ Solidarity Center. (2021). "Labor Rights Violations by the Military in Myanmar." June 10, 2021.

³⁶ Confederation of Trade Unions Myanmar. (2021). *CTUM Condemns the Regime for Denying Freedom of Association and Freedom of Speech to the Workers March 1, 2021*.

³⁷ Nebehay, S. (2021). "Global Union Watchdog Reports Abuses of Myanmar Workers' Rights to ILO." *Reuters*. March 15, 2021.

is ridiculous for an illegitimate junta to declare us an unlawful association. We will ignore their announcement and continue the fight.”³⁸

The announcement did appear to correlate with greater military violence against protestors and union leaders. The day after it was made saw the most violent crackdown since the beginning of the coup, with at least 18 peaceful demonstrators killed by force. Furthermore, the number of arrest warrants for union leaders increased, forcing leaders to go into hiding. The week that the announcement was issued, arrest warrants were issued for eight CTUM leaders under Penal Code 505, which criminalizes any cause or intent to cause disobedience or disloyalty to members of the government. By the end of April, at least 20 union leaders had been arrested, while arrest warrants had been issued for at least 75 union leaders.³⁹ Among the arrested crowd were key leaders such as Daw Myo Aye, director of Solidarity Trade Union of Myanmar, who was subsequently released.⁴⁰

Within the broader movement, workers from other sectors such as municipal government, ministries, healthcare, and transportation have protested, going so far as to shut down necessary functions and systems within the country to reject military rule. The participation of female garment workers was particularly unique for inspiring and leading the broader protest movement. For instance, garment workers were contacted by student activists to participate in a key strike on February 6, and nearly all 300 factories in the Peri-Urban township of Hlaing Tharyar participated in protest. The sheer mass of protesting garment workers was significant in catalyzing the broader mass protests in Yangon. The level of activism by the garment workers in Myanmar is not unprecedented, largely because of their prior persistent activism in protesting labor conditions under the National League for Democracy (NLD) government, and the fact that “workers were already angry” and activated due to the labor protests during the pandemic.⁴¹ In 2019, the garment sector engaged in a wave of strikes, cementing in place the ability of garment workers to develop a well-organized, effective, and large base supportive of striking, especially since workers began to see the benefits of striking, according to Ma Moe Sandar Myint. This level of experience with organizing and the dedication to protests has been crucial in ensuring the garment workers’ leading role in the political resistance movement, but the added dimensions of age and gender has also played a unique and unprecedented role in the CDM.⁴²

d. Impact of the Coup on the Garment Sector

In July 2021 the ILO published a report estimating that 250,000 garment sector jobs were lost in the first 6 months of 2021 with women accounting for approximately 86% of these.⁴³ A domino effect instigated by various factors has contributed to a broader stoppage of work, particularly for the subsection of the workforce that is not formally organized. For example,

³⁸ China Labour Bulletin. (2021). “Myanmar Military Intensifies Crackdown on Trade Unions and Labour Activists.” February 27, 2021.

³⁹ Lin, K. (2021).

⁴⁰ Johnson, S. (2021). “Myanmar Military Junta Arrests Prominent Trade Union Leader.” *The Guardian*. April 19, 2021.

⁴¹ Nachemson, A. (2021). “‘Spirit to Fight’: Inside the Labor, Minority Rights Roots of Myanmar’s Protests.” *NPR*, March 23, 2021; Blomberg, M. (2021). “Garment Workers’ Leader Heads Up Protests Against Myanmar Coup.” *Thomson Reuters Foundation*, February 3, 2021.

⁴² Lin, K. & Haack, M. (2021). Myanmar’s Labor Movement is Central to the Fight Against Authoritarianism. *Jacobin*. February 12, 2021.

⁴³ International Labour Organization. (2021). *Employment in Myanmar since the military takeover: A rapid impact assessment*.

widespread financial instability has led to the shutdowns of bank transactions, resulting in limited access to cash and the inability of firms to pay their workers, leading in turn to the closure of businesses and unemployment of workers. The collapsing financial and banking situation, compounded with the inability to pay workers, played a significant role in the stoppage of work, most particularly impacting the construction and manufacturing industries.⁴⁴

In April, foreign business chambers operating in Myanmar conducted a joint survey of 372 companies to assess the coup's impact on foreign business operations and decisions around human resources. The survey found that the primary challenges causing companies to take emergency measures in terms of human resources were: disruption of internet and communications, inability for employees to work on site or travel, shutdown of bank transfers and operations with no access to cash, lack of safety for employees, and inability to plan for the future.⁴⁵

Having lost their jobs, many internal migrants working in the peri-urban garment sector returned to home states. News reports indicate that those leaving Yangon were primarily from Hlaingthaya, Shwepyitha, North Dagon, South Dagon, North Okkalapa and Dagon Seikkan townships. International organizations have estimated that the number of internally displaced persons in Myanmar ranges from 200,000–250,000 persons since the coup, although it is unclear what percentage constitutes workers from urban areas. For those that have fled to the rural areas of Myanmar, there are even fewer employment opportunities.⁴⁶ The UNDP now estimates that 48.2% of the population could fall into poverty in 2022 due to lost wages and the subsequent loss of access to food and basic services.⁴⁷

IV. Methods

This research project was initially formulated with the goal of understanding the transformative possibilities of worker organizing in Myanmar's garment industry. Our research questions centered around: How worker organizing has been cultivated, supported, grown in the garment industry? How has it achieved strident gains for workers? What challenges do worker organizers face, and how a worker organizing approach must be understood alongside corporate policies towards global supply chain transparency?

Our research began in Fall 2019, and the world quickly changed with the arrival of the pandemic in December 2019. Similarly, in February 2021, the coup imposed new life-threatening daily circumstances under which workers survived. We tried to negotiate a sensitivity to honoring our initial research questions, while also understanding that workers faced daily new threats of economic and political violence. Our initial research questions remained the same, but we became increasingly interested in how respondents' answers changed as they reflected on different contemporaneous challenges.

The research spans Summer 2019-September 2021, capturing one period of viral escalation of worker-led protests in Fall 2019, and worker responses to both the Covid-19

⁴⁴ Muramatsu, Y. and Jibiki, K. (2021). "Myanmar's Economy, Once Asia's Last Frontier, Lies in Tatters." *Nikkei Asia*. April 2, 2021.

⁴⁵ Foreign Chambers of Commerce in Myanmar. (2021). *Joint Survey on the Impact on Businesses Operating in Myanmar*. April 2021.

⁴⁶ Regencia, T. (2021). "Myanmar Coup Displaces Thousands as Global Refugee Numbers Rise." *Al Jazeera*. June 18, 2021.

⁴⁷ UNDP. (2021). *COVID-19, Coup d'Etat and Poverty: Compounding Negative Shocks and Their Impact on Human Development in Myanmar*. April 30, 2021.

pandemic and 2021 military coup. Data for this project is drawn from focus groups and in-depth interviews with multiple stakeholders, including: workers, organizers, civil society organizations, government officials, and global brands. The research also homes in on a case study of the Federation of General Workers Myanmar, formerly Federation of Garment Workers Myanmar (FGWM), a union formed in 2019, to offer a deeper ethnographic exploration of worker organizing in the context of a growing union led by garment workers. Qualitative data consist of key informant interviews with a diverse group of stakeholders involved with the garment industry and global supply chain management issues, including: 40 worker interviews; business and human rights organizations (Business Kind Myanmar, SMART Myanmar), civil society organizations (Confederation of Trade Unions Myanmar, Action Labour Rights, Thone Pan Hla Association, Myanmar Federation of Garment Workers, Center for Economic and Social Development (CESD), UN and donor agencies (ILO, UNOPS, GIZ), INGOs (CARE and their Aung Myint Mhu project, ActionAid, Fairwear Foundation), and women's groups and other international labor actors (Solidarity Center, Global Labor Justice). Additionally, we conducted focus group interviews with garment workers, with particular attention paid to workers who have participated in strikes, workers who hold leadership roles (both as appointed by factory worker committees, and in worker driven unions), and workers who have been impacted by changes stemming from the Coronavirus pandemic. Formal in-depth interviews were conducted with workers; with reliance on snowball sampling methods to recruit other workers. In acknowledgement of the massive layoffs catalyzed by the Coronavirus pandemic, it was ensured that the research sample included workers who had been laid off, and who may have returned to rural areas. Several op-eds from this research were published on *openDemocracy's Beyond Trafficking and Slavery* platform.⁴⁸

V. Organizing Between a Pandemic and a Coup: The Evolution of Worker Demands

“Solidarity with our sisters is the only way we can change the law.”

- Chairwoman of the Factory C factory union

Although the COVID-19 pandemic is unprecedented and has caused extreme disruptions in the public health and economic environment in countries around the world, the impact of the pandemic on workers and their rights in Myanmar reveals underlying tensions within the country's labor regime that have long existed. Factory owners and manufacturers are driven by economic incentives and imperatives, and acquiescence to worker demands (to the extent that it exists) only manifests when it is necessary to maintain orderly production or to yield greater economic gains. As the pandemic wreaked havoc on manufacturing orders, workers were suddenly more disposable and much more easily manipulable with the threat of poverty. Factory owners were never driven by a moral commitment to workers' rights and, as soon as the economic returns diminished, any incentives to buy worker obedience by agreeing to limited demands disappeared. This is evident both at the individual factory manager scale and at the international scale of multinational corporations calling for supply chain transparency and the

⁴⁸ See, e.g. in *OpenDemocracy*: Harkins, B. (2021). “Worker's Rights in Myanmar: A Decade of Fragile Progress Comes under Threat December 13, 2021”; Ko Maung. (2021). “Myanmar's Spring Revolution: A History from Below.” December 15, 2021; Khaing Zar Aung and Brighi, C. (2021). “Unions Call for more Sanctions on Anniversary of Myanmar's Coup.” February 14, 2021.

abolition of human trafficking, all the while continuing to ignore basic labor demands of the workers who make their products in Myanmar factories.

At a national level, government protection of workers and enforcement of labor regulations faced similar exigencies, including the desire to attract foreign direct investment and protect the financial security of the dominant class and their investments at any cost. It is therefore unsurprising that the space allotted for labor demands, collective bargaining, and striking has been sparse and particularly restricted during the pandemic. Even within the liberalization and legalization of unions and strikes is embedded a desire to regulate workers' behavior and channel the conflict into a more controlled, orderly practice, one that can help maintain pre-existing parameters of power. As that potential diminished during the pandemic, the government used the purported circumstances to essentially roll back the rights previously promised, forbidding strikes and picket lines. In response, workers creatively drummed up new ways of coming together. One worker explained that there were many "small actions" taken inside the factory to respond to different issues: "Inside factories, we can take large actions and small actions. For example, if we are not satisfied with the toilets we have, we all together just sit down in front of toilets. If there is a problem with the ventilation system in the factory, we respond by bringing handheld fans. Stopping our work immediately and wearing uniforms together is another kind of small activity we organized inside the factory." These daily acts of small, daily resistance demonstrate the formidable power of workers to come together.

The rights awarded to workers in Myanmar only go so far as to continue the mass availability of labor under, at most, incrementally improved conditions. The policies of multinational corporations that purport lofty ambitions of liberating their supply chains and national-level regulation can thus never truly be said to codify or protect workers' needs. Worker organizing is the only vehicle that can sincerely represent workers' unmediated interests, and it is only by listening to and amplifying their voice that more ambitious changes to the labor regime can be actualized. This section seeks to draw out the central demands that workers in Myanmar voiced in their interviews and highlight the continuities and changes in their needs as the economic and political environment underwent turbulent changes through the pandemic and the coup.

Pre-Pandemic

Working conditions in Myanmar, even prior to the disruptions caused by the pandemic and the coup, were precarious. Despite the government's economic liberalization that brought newly established labor legislation including minimum wage protections, rights to freedom of association, and occupational safety and health policies, these recently won rights have not been evenly implemented and remain hotly contested on the factory floor. Our interviews revealed that written laws were not sufficient to protect workers on the ground - even after codification, workers had to organize, protest, and fight to translate legal rights into practice. Furthermore, existing pathways to remediation as suggested by factory management (workplace coordination committees) and the government (township conciliation bodies), often failed to result in any substantive change. Workers were also not protected from retaliation if they launched a complaint. As the leader of the Factory B factory union stated, "the present situation is [that] laws are only in the books. Employers [do] not obey these laws . . . worker unions are the only enforcing actor for these laws." Prior to the pandemic, the central demands workers organized around were to enforce existing labor regulations surrounding minimum wage and overtime; sexual harassment; disbanding trade unions; transparency; and verbal abuse and repression.

Minimum Wage and Overtime

In 2013, Myanmar enacted a Minimum Wage Law following a drawn-out negotiation between the government, garment factory owners, and labor unions, the legal minimum wage was finally set two years later, in 2015, as MMK 3,600 (USD \$2.50) for a standard eight-hour workday. The law stipulated that a new rate would be set every two years, and in May 2018, the minimum wage was raised to MMK 4,800 (USD \$3.40). Yet, despite the legal minimum wage requirement, workers we interviewed reported receiving lower wages and needing to rely on organizing tactics within their factories to receive their legal due. Employers found numerous loopholes that helped justify the systematic underpayment of “trainees” and those on “probation.” The Aung Myin Hmu project has explained that “Basic Salary is MMK 4,800/day. This is 2,400 for trainees and 3,600 for those in probation period. People who are trainees remain so for 3 months and then are on probation for another 3 months.” One of the most common reasons workers we interviewed listed for joining or starting workplace unions and organizing was to receive adequate wages.

The Chairwoman of the Factory C, a Chinese owned factory, union decided to start organizing within her factory to fight for their lost wages. At the time, the factory was only paying workers MMK 2,700, 25% below the minimum wage of MMK 3,600. Many workers moved to other factories that were already in compliance with the minimum wage. Recognizing immediately that this “was injustice,” she met with Ma Moe Sandar Myint of FGWM, joined factory union training, and started the factory union at her workplace. The first act of organizing within the factory was the collection of signatures to increase the wage to MMK 3,600. It was only due to these efforts that the factory’s wages were increased to meet minimum wage requirements. This story is not unique; wage disputes were raised as one of the central demands for nearly all workers interviewed for this study. A former garment worker and union member at the Factory L garment factory reported that they had participated in a 45-day protest in front of their factory to increase their daily wages. Over 7,000 workers joined the strike FGWM led on January 19, 2019, to demand an increase to the minimum wage.

Even when the minimum wage was met, most workers we spoke to noted that their daily wages were not sufficient to support their cost of living. The Chairwoman of the Factory K Apparel garment factory stated in her interview that she and her fellow workers all “rely on overtime wages due to our limited daily wages. Our minimum wage is not enough.” Similarly, the leader of the Factory C union reported that many workers resigned from the factory due to lack of overtime, which “is important for workers because they don’t earn sufficient wages within normal working hours.” Workers reported their cost of rent to average MMK 80,000 to 90,000—nearly a full month’s salary on a daily minimum wage of MMK 4,800 given a standard five-day work week. The stalled minimum wage increase was further exacerbated by the plummeting exchange rate, in which buying power has significantly decreased.

With low wages that were insufficient to meet workers’ needs, even when factories complied with minimum wage laws, and long workdays, overtime was one of the most common points of contention between workers and factory owners. Overtime wages were an important source of material support for factory workers; however, the lack of control over overtime compensation, working vs. non-working days, and transportation to and from the factory during holidays and off hours was a persistent issue for the workers we interviewed. A worker at the Factory B garment factory cited overtime without express approval and compensation as one of the prime examples of worker exploitation: “There [is] a lot of oppression in our factory. We had

to work until 10:30PM as . . . overtime work. Employers violated our rights and exploited our labor unjustly.” When this same garment factory’s union compiled their final list of demands, one of the most important demands the worker cited was to “have a reasonable amount of workload for a specific time frame,” as decided by the workplace coordinating committee.

The issue of overtime was raised as a top priority at other factories as well, and, in some cases, confronted with success through worker organizing. The chairwoman of the factory union at Factory A, a clothing factory that supplied to a Swedish multinational brand, noted that when their union was established in November 2019, one of their 36 initial demands was overtime approval and transportation. Describing the differences she saw in working conditions and rights before and after the establishment of the factory union, the chairwoman noted, “after the union was organized, the rights we received from the factory [were] very different. . . Before there was a union, [the factory] called overtime whenever they want, even on Sunday, without ferry (transportation). Now, we agreed that [the factory has] to arrange transportation for workers if they want to work overtime . . . [and] they must call overtime by the consent of our factory union.”

However, many of these hard-fought gains disappeared once the Covid-19 pandemic arrived. As the pandemic wreaked its havoc across global supply chains, orders slowed to a drip and overtime vanished as a source of reliable supplementary income, leading many workers to resign. Even in cases where factories had years remaining in their contracts, employers stopped calling overtime due to lack of orders. Although Myanmar’s minimum wage law clearly states that a new minimum rate is to be set every two years, negotiations have been stalled due to government postponement, citing a new pandemic regulation banning gatherings of five people or more. At the time of publication, the minimum wage in Myanmar remains at the 2018 rate of MMK 4,800.

Sexual Harassment

The Myanmar garment industry, which represents the second biggest export sector for the country, is powered chiefly by women.⁴⁹ Over 90% of people employed in the garment sector in Myanmar are women.⁵⁰ The industry is heralded as a major contributor to labor force participation among women, providing opportunities for economic and political empowerment, career advancement, and skills training. International media coverage of protests surrounding the military coup highlighted the role of women garment workers as the forefront of the political movement, detailing how their experiences in union organizing at their garment factories instructed and equipped them for this new political struggle. But the garment factory is not exactly the site of women’s empowerment it’s heralded to be. Sexual harassment and gender-based violence are pervasive issues in Myanmar’s garment factories, despite the overwhelming majority of women in the workplace.

Sexual harassment in the form of verbal abuse is one of the most common issues in garment factories. Supervisors frequently pressure workers with gendered verbal abuse, with explicit words such as “prostitute,” “whore,” “bitch,” and other degrading comments reported by our respondents. One garment factory worker at Factory A noted that prior to the formation of their factory union, they faced routine verbal abuse roughly ten times a week, and that supervisors used “rude words” to address workers all the time during working hours. When

⁴⁹ Theuws, M. et al. (2018).

⁵⁰ Ibid.

workers have reported these complaints to human resource managers, they're often told that verbal abuse does not meet the definition of sexual harassment. Speaking about one of these incidents, a human resources manager at the Amava Apparel factory told *The Democratic Voice of Burma* (DVB) that making these comments "is just speaking and not a sexual activity. It is not a big deal."⁵¹

This dismissive attitude towards sexual harassment and gender-based forms of subordination extends beyond verbal abuse. Factory supervisors often take advantage of their power to silence such complaints, even when they rise to undesired physical contact or sexual assault. The supervising men often enjoy a large degree of impunity, despite the prevalence of requesting sexual favors, undesired physical contact, and assault. In one case, a translator at the factory asked a garment worker to perform sexual activities in exchange for increased compensation. Fearing the possibility of being dismissed from the factory, she did not feel like she had a choice in the matter. When coworkers reported the incident, the garment worker denied the claims for fear of reprisal.⁵² Without a confidential apparatus for sexual harassment claims, for every reported story, there are countless others that go unnoticed.

Sexual harassment is indisputably one of the top issues that workers have fought for to protect their legal rights within the factory. The chairwoman of Factor A garment factory reported that sexual harassment issues was the principle reason that drove the organization of the factory union: "there [was a lot of oppression from factory management. . . . Workers did not dare to demand their rights due to the risk of being dismissed. But when sexual harassment occurred in our factory, we . . . workers could not accept this. . . . This ignite[d] our protest and [the] forming [of our] factory union." Of all the legal rights that were violated, the workers at the factory found sexual harassment to be the most unacceptable - and rallied around the issue. Workers at the factory protested, compiled a list of demands, and founded a union to mobilize in solidarity. Although the issue of sexual harassment and lack of accountability mechanisms persists, one worker at the factory did note that verbal abuse has declined, and that if supervisors use "rude words," they are required to sign an apology and warning letters - and if one person signs three warning letters, they are automatically dismissed. Despite the lack of formal mechanisms for reporting and accountability, workers have been able to make incremental progress in protecting themselves from sexual harassment through collective action and organizing.

Maternity Leave, Pregnancy, and Childcare

For women workers, workplace treatment during pregnancy, maternity leave, and lack of childcare policies often galvanized an interest to join workplace unions when traditional remediation measures failed.⁵³ One worker who had worked at a one of Factory C's branches, stated that she learned about organizing and the union after facing discrimination during pregnancy. She had worked at the factory since 2017 and was dismissed without compensation when she was three months pregnant. At the time of dismissal, she was unaware of the rights of mothers in the workplace, and her manager told her that she could resume working after her

⁵¹ Seik Nyan & Ye Yint Khant Maung. (2020). "Advancing the Rights of Women Workers Through the 2020 Elections." *Oxford Tea Circle*, October 15, 2020.

⁵² Ibid.

⁵³ For an in-depth discussion of childcare concerns see, e.g., Kusakabe, K. & Melo, C. (2019). "Jobs in SEZs: Migrant Garment Factory Workers in the Mekong Region." Asian Institute of Technology and Mekong Migration Network, June 2019.

child was born. After an unexpected miscarriage, she went back to work at the factory with a renewed resolve to seek justice for her wrongful termination. She became one of the founding members of the factory's union, which was established in July 2018, and worked as a line representative in the union.

After she became a union member, she recalls learning crucial rights around maternity leave and rights of mothers in the workplace writ large. She learned, too, that she may have qualified for "emergency leave" when she herself was pregnant, another category to protect workers. Though she had a social security card, it was not until she became a union member that she learned how to use it.

Becoming organized through the union changed other working conditions. She recalled, "Before we had a union, the factory gave us a card to go to the toilet, without the card, we could not go to the toilet. In a sewing line with a total of 50 workers, there were only two cards for the toilet. For pregnant people and unhealthy workers, the toilet cards were simply not enough. Supervisors and security guards shout at us if we forgot to bring the card. Sometimes, they even demanded money in lieu of a toilet card to allow us to use the bathroom."

Becoming organized gave workers the strength to protest inside the factory. "If there is a problem at the workplace, we will discuss it within us first and we will protest inside the factory if we need. After we protested inside the factory and organized the union, we received more rights than before. It became a better workplace. They can do whatever they want if I am not a member of the union. When I became a union member, they did not dare to do so." The leave policies also dramatically improved after the factory union was founded: "My real-life experience (dismissal of being pregnant) made me join the union. Now, I can take my leave just by dialing HR."

Despite the dramatic improvements made, unionized workers continually face different and ever-evolving tactics of repression. Since Factory C owned several sister factories, the factory management would frequently move workers from each factory to another factory to stop the organizing and strikes. As mentioned by most interview respondents, union members often faced verbal abuse, harassment, and limited recourse.

During the Pandemic

The Covid-19 pandemic heightened the precarity of garment workers in Myanmar, as it put their health, safety, and economic livelihood at great risk. These conditions, dangerous on their own, were also exploited by factory owners facing their own economic troubles as an opportunity to offload their financial losses and limit worker organizing and union power. Not only did factory owners fail to provide proper safety conditions and protections for their workers during a global pandemic, but they used the pandemic as an excuse to renege on promised wages, limit negotiations and dispute resolutions through formal legal channels, and dismiss union workers without cause. The actions of factory owners during the pandemic and the way they seized upon the opportunity to turn back hard-fought gains in worker's rights over the past few years reveals just how vulnerable the legal rights of garment workers are - and how they are subject to the economic exigencies of the market as well as the delicate balance of power between factory owner and laborer.

Occupational Health and Safety: PPE and Protection

At the height of the first and second wave of the pandemic throughout 2020, workers juggled the life and death need to work alongside the life and death threats of Covid infection. During an interview in January 2021, a worker expressed the dire landscape through sharing current infection numbers: “At the moment, there are around 700 (I think a bit more as of today) workers who are Covid-19 positive and around 8000 workers are quarantined. In one factory, about 2000 workers were told to stay in on the company’s compound without being allowed to leave. They found that 300 workers were Covid-19 positive cases but neither government nor employer took on the responsibility of testing the rest of the workers. The union is demanding that workers be given the opportunity to test. Workers have no choice; many continue to work even with their looming fears of getting the virus. Lacking protection from factories, labor unions have tried their best to provide safety material such as two masks per week and hand gel to their members.

Factory Closures and Wage Theft

Many garment factories in Myanmar closed temporarily because of the pandemic and lack of orders. The ILO has reported that 142 factories in Myanmar either closed temporarily or permanently, and 171 factories reduced their labor force from January 2020 to January 2021.⁵⁴ Even when factories closed only temporarily, many workers were left without pay for long periods of time or else permanently dismissed. While factory closures during such an arduous public health and economic emergency may seem inevitable, the conditions surrounding worker dismissal and lack of compensation reveal a severe curtailment in the protection of worker’s rights at a time of extreme vulnerability. Garment workers have reported unfair dismissal and wage theft concerning back pay owed to them even prior to the first case of COVID-19 in the country. Many factory owners, especially those who are not native to the country, including significant and growing numbers of Chinese and South Korean owners, have cut their losses and fled the country without notice or proper compensation for their workers. As evidence has repeatedly shown, when faced with times of extreme difficulty, only capital is deemed worthy of protection - not the health, safety, and livelihood of the laborers upon which the industry is built.

In April 2020, the government announced a mandatory two-week closure for all factories to control and prevent the transmission of COVID-19. During this two-week period, workers were promised support from the social security board to the amount of 40 % of workers’ wages. However, our interviews and other reports reveal that most garment workers did not receive this compensation. The ILO detailed in a report that “53 % of insured workers in the garment sector had not received the 40 % salary compensation,” over two months after factories re-opened.⁵⁵ In addition, there are numerous garment workers who were not part of the social security system because their employers had not enrolled. One garment worker at Factory H told us that even though she and her fellow workers “gave our due to the Social Security Board, they did not give anything back to us because we are ineligible. I have worked there about two years. But we didn’t receive anything.” Even when policies were in place procuring a minimal amount of social protection for workers during a period of mandated closure, they failed to translate into material improvements, enacted support for workers - not to mention closures enacted by factories out of economic circumstances, not regulated by the government.

⁵⁴ International Labor Organization. (2021). *The Impact of Covid-19 on Myanmar's Garment Sector*. Yangon.

⁵⁵ *Ibid*, 9.

Severance Pay

Indeed, many factory owners closed shop without notice, providing severance pay, or paying owed wages to their workers. One garment worker that we interviewed explained that she stopped working in February 2020, when she showed up to the factory one day to find that their boss had fled the country, the factory was closed, and that she was out of a job: “We went back to our place in [the]. . . evening [of February 4], then we went to the Factory [on February] 5. By that time, [the] factory owner was gone. No one expected such [an] occasion. As far as I knew, [which] we heard from the translator who left, [the] financial situation of our boss [was an] imbalance between income and expense. That’s why he fled. . . . At giving wage day, there was nothing in his office. We realized then our boss fled away.” Once the financial losses from Covid-19 conditions became too heavy to sustain, factory owners tried to pass on the damages to their workers in one final act to try to extract as much as they could before cutting them loose. Not only did workers at this factory not receive notice of dismissal and factory closure or severance pay (which workers are legally entitled to under Myanmar’s labor laws), but they didn’t receive any of the pay they were owed for the last period of work. It was particularly easy for factory owners who had come and invested from China or other neighboring countries to cut their losses and return home, leaving behind their workers and the salaries they owed without facing any legal consequences. Pandemic severance theft was recurrent through interviews both with workers and with CSOs and remains one of the largest ways in which garment workers were robbed of owed wages globally.⁵⁶

Moreover, the notoriety of the case and the ambiguity surrounding the employment status for these left-behind workers created further difficulties in finding new jobs. The garment worker we interviewed told us that when she “searched for jobs in other factories,” they “did not accept me when they heard I was from the factory [where] the owner fled away.” At the time of the interview, she still had not found a new job nor had she been provided social security dues despite making her employee contributions. She remains left behind by capital investors and the government, with no way to reclaim her lost wages, receive government subsidies, or make a new living. As deftly argued by the Asia Wage Floor Alliance, while the Covid-19 pandemic has further exacerbated and illuminated issues of wage theft, it has become a “central aspect of the business models of global apparel brands, and not an unintended result of crises, such as the Covid-19 pandemic.”⁵⁷

Union Busting and Repression

As our interviews have revealed, unions are often the only enforcement and accountability mechanisms for workers’ rights in Myanmar’s garment factories. It’s therefore unsurprising that wherever opportunities present, factory owners have tried to undercut their parameters and power. Workers we’ve interviewed detailed how their factory management has discriminated against union members, threatened to demote workers when they discover that they are union members, and moved workers around from factory to factory to dispel the possibility of organizing taking place. The COVID-19 pandemic presented unique conditions that factory managers quickly exploited to undermine union organizing - lower demands for labor, and higher stakes for employees, less government oversight in labor dispute resolutions, and outright government bans on informal gatherings, which could be interpreted to include

⁵⁶ Worker’s Rights Consortium. (2021). *Fired then Robbed*.

⁵⁷ Asia Floor Wage Alliance. (2021). *Money Heist: Covid-19 Wage Theft in Global Garment Supply Chains*.

labor protests and other union tactics. It is now well-documented that garment factories throughout Myanmar have used circumstances surrounding the COVID-19 pandemic to bust unions.

One notable case worker organizers recounted occurred at Factory E, which supplied garments to 2 well-known Spanish brands. This dispute centered on the permanent dismissal of 571 workers, including all 520 members of the factory union, in March 2020, hours after union representatives requested increased protections in the factory against the risk of Covid-19 infection.⁵⁸ The factory claimed that the reason behind the dismissals was the lack of orders, but the disproportionate number of union members dismissed - not to mention their subsequent dismissal of 50 workers who protested against their union-busting actions - reveals their clear attempt to use the Covid-19 pandemic as an opportunity to break down worker organizing and re-establish their power over their employees. Only after international organizations and media, including the New York Times, picked up the story, and workers directly engaged the brands supplied by the factory, were the workers able to reach an agreement with the factory to reinstate 75 fired workers and recall hundreds of other union members when operations return to normal.⁵⁹ However, for every widely reported story that is able to garner press attention and use it to generate support for sidelined laborers, there are dozens more where union-busting goes unnoticed and unindicted. As Ko Thurein Aung from Action Labour Rights has said, “we can use these tactics only for the official supplier of famous brands. In usual situations, it is very hard to be successful in the case of sub-contractors or other unknown brands.”⁶⁰

For example, at Factory I, after workers protested for safer working conditions during the Covid-19 pandemic among other demands, 160 of the 500 protestors were dismissed without explanation. Since the workers had also tried to work through formal legal channels with the Myanmar Industries Craft and Service-Trade Unions Federation (MICS), five members of MICS were also charged for assisting with an unlawful strike. One of the garment workers we interviewed from Factory J reported that after the factory’s temporary closure due to Covid-19 conditions, factory management dismissed 315 workers - including union leaders and 300 union members.⁶¹

Government actions have either silently or explicitly supported factory management in these blatant attempts at union busting; in many cases, police have arrested union leaders and supporters, jailing them due to Covid-19 related restrictions and other provisions on illegal strikes.⁶² Newspapers have reported factory union leaders and trade union members being sentenced to months in prison under the Prevention and Control of Communicable Diseases Law due to their actions protesting factory policy regarding Covid-19.⁶³

Coup

After the coup, labor unions were involved in the leading role to abolish the Military Dictatorship in Myanmar. On February 6, FGWM went out onto the Yangon Streets to denounce

⁵⁸ Tillet-Saks, A. (2020). “Mango and Zara workers are STILL camped outside Myan Mode factory in Myanmar Protesting the use of Covid-19 to union bust.” <https://twitter.com/andrewtsaks/status/1246111775466143744>

⁵⁹ Ibid.

⁶⁰ Ye Yint Khant Maung. (2020). “Covid-19 Weaponized Against Unionists in Myanmar.” *Oxford Tea Circle*, July 9, 2020.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Z.aw Zaw Htwe. (2020). "Six Labor Strike Leaders Jailed for Breaking Myanmar's Covid-19 Rules," *The Irrawaddy*, May 5, 2020.

the coup and thousands of members of FGWM participated. Workers unions, including CTUM, ABFTU and FGWM, and rights groups announced their call for an extended nationwide general strike to stop the production process of factories. In a joint public statement, these labor groups proclaimed, “We are not content simply to create martyrs in the struggle for Myanmar democracy. We must win this struggle, and the extended nationwide work-stoppage is the path to the people’s victory.”

In September 2021, FGWM and ABFTU issued a joint statement to call for comprehensive sanctions from global brands. CTUM also called for comprehensive sanctions, though their call was more targeted toward governments. Their collective statement pointed to the tradeoff between work and political goals: “We are willing to sacrifice in order to win a future with dignity. As the organized collective voice of many thousands of Myanmar workers, we call upon all international brands still operating in Myanmar to stop directly or indirectly sourcing from Myanmar and to stop all operations in Myanmar.” Leaders and members of factory unions agreed to make short-term sacrifices of workers to combat the military dictatorship.

During the movement of workers against the coup, the issue of sanctions has been hotly debated. Recently, public debate has homed in on whether comprehensive or targeted sanctions are a more effective organizing strategy. Combining the shared political goals of workers’ rights and citizen’s rights under a democracy has introduced new challenges to unions like FGWM, but also attests to the far-reaching impacts of a culture of worker organizing. For FGWM, comprehensive sanctions are seen as the primary organizing strategy for empowering workers in their collective struggle towards the abolition of the military dictatorship in Myanmar; one union leader said, “we are ready to lose our job and sacrifice if we are sure to win this fight as soon as possible.” Opposing this strategy some CSOs are calling for targeted sanctions. They argue that sanctions on the garment sector will only impact the thousands of garment workers, particularly as this is not a sector from which large amounts of money flows to the military.

IV. Policy Recommendations

Prioritizing worker capacity to organize collectively to combat exploitation is critical to securing social and economic justice that leaves no one behind.

- 1. Supporting a Culture of Organizing.** The rise of worker-led unions has become a pivotal alternative to the Workplace Coordination Committees (WCC), which are often considered by factory owners to be a sufficient mode of remediating disputes. Attending to the different material needs of workers, and promoting an ethic of group care, has been a vital component of FGWM's organizing culture. The explication of these strategies herein hopes to reveal the intricate life of organizing beyond what may be visible.
- 2. Build and Support Transnational Ecosystems of Worker Organizing.** Global capital's characteristic "race to the bottom" empowers multinational corporations to threaten to pull manufacturing contracts from Myanmar evading myriad situations ranging from worker organizing, seeking lower labor costs, and to comply with economic sanctions regimes. Recognizing that global and regional worker struggles and resistance are connected is essential for workers to build coalitions within and across unions and worker rights organizations in countries throughout Southeast and South Asia. A singular approach that looks exclusively at just supply chains between multinational brands and their production hubs in specific countries allows brands to pit workers in countries against one another.
- 3. Support Worker Organizing Across Industries.** Currently the stakes of worker organizing remain high. Workers come together through industry-wide unions, like FGWM, and at the level of the workplace. They often lack the time and resources to connect with workers across industries. This connection is important not only for recognizing the similarities that workers face in the manufacturing industry, but also across other sectors of care work, service work, and informal work.
- 4. Create Programs and Incentives for Factories to Strengthen Workplace Democracy.** Workplace democracy is essential to change factory culture and build a robust, sustainable, and more equitable relationship between workers and employers, especially in cases when rule of law and external accountability mechanisms are inaccessible. Workers should be involved in factory-level decision making, participate in trade unions at the factory-level, and democratically elected worker representatives should be involved in dispute settlements.
- 5. Promote the Flow of Information to Workers by Supporting Independent Media Channels.** Workers and labor organizers need reliable sources of news reporting about labor challenges throughout the country. Workers have relied on news from "Myanmar Labour News," which publishes independent reporting in Burmese on issues in different Myanmar industrial zones. As the only media channel for labor issues in Burmese, it has constraints. For instance, while workers rely on the Facebook page of "Myanmar Labour News" almost exclusively, they have commented that there is limited opportunity for critical discussion around labor issues on the forum. Working with workers to develop

user-friendly platforms and training workers on computer and mobile phone literacy will increase their organizing capacities.

6. **Support Political Education Training** to help workers understand the parallel systems of military dictatorship and global capitalism. As our interviews revealed, worker organizers and unions are often the only enforcement and accountability mechanisms for workers' rights in Myanmar's garment factories. Workers need to know their legal and political rights to inform their organizing, protests, and the pathways they seek for remediation. Political education training should include: know your rights materials, understanding prevention, protection, and complaint mechanisms, introductions to trade union federations and other worker organizers, negotiation tactics, etc. All materials should be accessible to all workers in terms of content, vocabulary, and form.
7. **Listen to, Engage, and Compensate Worker Participation in Policy Efforts.** Global brands, funders, and international organizations can do better to drastically change a culture that fails to prioritize worker-driven efforts to improve working lives. For instance, persistent efforts around "social dialogue," prioritize bringing multiple stakeholders to the table without acknowledging drastic power differences between different actors. International organizations should recognize such differences by amplifying worker perspectives and compensating workers for participation.
8. **Innovate Nuanced, Worker-led Approaches to Supply Chain Transparency** While more global North brands have prioritized corporate social responsibility via new transparency requirements, these impacts have had limited impact on changing a landscape of labor rights. Worker organizations should be the driving force in the creation, monitoring, and enforcement of programs designed to improve their working decisions. Such plans and agreements should include legally binding agreements with workers that hold brands and retailers accountable for all working conditions in their supply chain. To enforce these accountability measures, corporations should publish transparent and traceable product information, available to the public and all workers in the supply chain.
9. **Explicitly Penalize, Disincentivize Union Busting Tactics.** Factories and the brands they supply to should develop a system of reparations for Covid-related firings. Research revealed that factories and brands used Covid-19 supply concerns to justify union busting practices--several factories fired only workers who were affiliated with unions and targeted worker organizer leaders for indiscriminate firing. As a remedy, for instance, in cases where workers were fired citing pandemic-related decrease in orders and demand, workers have demanded that factories re-hire workers in the order that they were fired. Further, these union busting tactics must be considered within global supply chain transparency efforts and agreements.
10. **Update the Minimum Wage.** Workers have repeatedly asked for their delayed increase in the minimum wage, which has been stalled for three years. The last minimum wage increase occurred in 2018 and raised the minimum wage to the current level of 4800 kyat

(just under 3 USD) per day. The next increase was scheduled for May 2020, however, was delayed due to the pandemic.

11. **Fund Unconditional Cash Transfer** programs for workers displaced by the political coup and pandemic. The EU emergency cash transfer program, Myan Ku, transferred money directly to over 45,000 unemployed workers and disbursed over 4 billion MMK in just 4 months. Still, its impact was limited due to a limited focus on workers in certain sectors, or with certain vulnerabilities. Unconditional cash transfer programs can translate into real, tangible, enacted support for a much broader swath of informal and formal workers in a range of sectors. In addition to governments, global brands must also participate in dialogues on cash transfers.
12. **Decrease Bureaucratic Barriers to Legalization of Trade Unions.** While trade unions in Myanmar were legalized in 2011, the current legal framework for trade union registration is bureaucratically burdensome. In addition to making trade union registration more accessible, further efforts should also work to guarantee freedom of association for workers. Workers should not face any constraints or retaliation for exercising their right to association and bargaining with employers. Finally, the recent blacklisting and political targeting of organized labor illustrate gaps between legislative support of trade unions and their ability to work without threat.
13. **Support the Infrastructure in Myanmar's Independent Labor Court.** Labor rights groups and trade union federations alike agreed that an independent labor court must exist to see labor disputes.
14. **Prioritize Occupational Health Safety and Ongoing Responses to Covid-19:** When the Covid-19 pandemic hit Myanmar's industrial zones, workers reported not receiving enough medical support from factories, including access to Covid-19 tests and essential personal protective equipment such as face masks. Even though workers are required to contribute 2 to 3 % of their salary towards social security benefits, they reported that they weren't provided effective protection or medical services throughout the pandemic. Government-funded clinics are overwhelmed and don't provide sufficient services for workers. Factories must supply PPE and testing kits for workers that they continue to put at risk and enforce the government's Covid-19 occupational health and safety protocols.
15. **Prioritize Protections and Remedies for Gender-Based Violence and Sexual Harassment.** Require corporations, employers, and contractors throughout the supply chain to establish and maintain safe, fair, and effective dispute resolution mechanisms, especially in cases of gender-based violence and sexual harassment, to include: legal, social, and administrative support for complainants and protection against retaliation; workplace complaint and investigation mechanisms; and fair access to courts and tribunals.
16. **Support New Coordination Mechanisms Among Unions to Support Collective Bargaining and Advocacy.** In late 2019, the Myanmar Labour Alliance formed to include trade unions and labor rights NGO. They worked collectively to fight back severe

labor rights violations inside factories throughout the Covid-19 pandemic and in the movement against Military Dictatorship in Myanmar.⁶⁴ The group has become an organized front for Myanmar in the international trade union community and has been one of the main actors which works to make Comprehensive Economic Sanction on Myanmar. Coordinating bodies like the MLA should receive more support and develop a stronger structure to support workers and labor rights organizations.

POP OUT BOX APPENDIXES

1. Case Studies
 - a. Factory E
 - b. Factory D
 - c. Factory G
2. Thet Thet Soe's Poem
3. Worker's Song
4. Timeline of Worker Organizing

⁶⁴ <https://www.facebook.com/myanmarlaboralliance/>

CASE: Factory G

Factory G is one of the main suppliers to an Irish multinational fast fashion brand, and an American apparel company made famous for its denim. At the height of the factory's operations, they have employed up to about 800 workers. In April 2020, workers at Factory G organized a union, with the assistance of the FGWM. The union helped them win the back payment of one month of owed wages and grade bonuses, a tiered salary system that rewarded workers' seniority, ranging from Grade A workers who received 20,000 MMK to Grade C workers received 10,000 MMK in addition to their basic wages. Fair and timely compensation of bonus payments were consistently among the top worker demands.

In September 2020, 270 Factory G workers were dismissed with short notice. Factory management stated that they needed to reduce the workforce due to Covid-19 order cancellations. Once again, however, the majority of dismissed workers were members of the factory union. At first, those workers refused to accept compensation for termination and tried to be reinstated in the factory. However, the majority of fired workers were not able to wait for reinstatement, and many sought employment at other factories, in other industries, or migrated home to rural areas throughout the country. In total, 56 workers held out to demand the reinstatement with full compensation.

As workers pursued different tactics, they eventually contacted the American apparel company's corporate headquarters with limited response. Furthermore, to stifle attempts by workers to effectively organize up the supply chain, factories have gone to numerous lengths to ensure that workers are not aware of the brands they produce clothing for. Factory management arranged for logo branding to be done by non-union workers and sometimes, branding was finished at another factory. Factory G unionists reported that some workers did not know which brands the factory produced clothes for. This attempt to decrease transparency hoped to limit the amount of direct protest or demands workers are able to leverage up the supply chain. These tactics of repression are directly opposed to the ethos of supply chain transparency that underly most recent efforts to combat modern slavery and labor abuse across global supply chains.

CASE: Factory D

During the Covid-19 pandemic, new government restrictions emerged that forbid picket-lines and other forms of mass protest. These pop-up regulations aimed to quell labor resistance from garment workers around the world during mass layoffs, union busting, and lack of personal protective equipment pervasive during the pandemic. Facing these new restrictions to their means of protest, garment workers turned to non-traditional modes of protest. On June 15th, 2020, 1,100 garment workers at Factory D, a supplier for two South Korean multinational clothing brands, initiated a sit-down strike in their workplace. The sit-down strike was a tactic made famous by US autoworkers and the United Auto Workers (UAW) union in the 1930s. For nearly two weeks, Factory D workers sat at their sewing stations for the entire day withholding their work in protest. Workers demanded that factory management pay an increase in wages that management previously agreed to, stop management's verbal abuse of the workers, allow workers to leave the factory when necessary during work hours, and recognize the workers' union.

Factory D's corporate leadership refused to pressure their subcontracted factory to address worker demands for decency in the factory. Workers did not have a strike fund and faced economic hardship for each day without wages. To support their strike efforts, worker organizers launched a crowdfunded fundraiser and raised several thousand USD from individual international donors. The donations went directly to workers' elected executive committee for distribution. Within the crowdfunding platform, workers also asked consumers to apply pressure to corporate headquarters in South Korea.

The sit-down strike concluded when workers won their demands. Although they successfully organized a union inside the factory, workers subsequently reported that all problems were not completely solved. After the coup, on September 8, 2021, Factory D permanently closed its doors. In their closing statement, the factory attributed their closure to two strikes in 2020 and one strike in 2021. Workers were disappointed that Factory D blamed post-coup factory closures on worker resistance and failed to mention any of the coup-related political conditions that led to the factory's closure.

CASE: Factory E

At the start of 2020, Factory E was operating with a workforce of 1,274 workers. The factory supplied clothing to one Dutch and two Spanish multinational fashion brands. The morning of March 28, 2020, the factory asked the workers to work 4 hours overtime, but the workers refused. The union immediately approached factory management and tried to negotiate leaving work at the typical time. While the union was negotiating, a manager swiftly announced to workers that the factory was reducing the workforce by 571 people. The manager attributed the layoffs to pandemic supply chain issues, claiming that there was not enough raw materials being supplied. Notably, 520 of these 571 fired workers were union representatives or members, reflecting one of the largest pandemic firings that explicitly punished Myanmar worker organizers. In addition to firing these workers, they also withheld March wages, citing a decrease in orders due to Covid-19. In the same month, the Korea-based owners of the factory retained 700 workers who were not members of the union, and the factory continued to operate.

Workers organized alongside demands for: 1) reinstatement of all 571 workers and an additional 49 who walked off the job in solidarity; 2) that workers laid off for Covid-19 reasons were rehired in the same order in which they were fired. Workers argued that the employer violated Myanmar labor law, which requires a month's notice to reduce the workforce. They additionally argued that by targeting only union workers, this factory exploited the Covid-19 crisis as a strategy for union busting. Advocating for their demands, workers decided to strike in front of the factory demanding the reinstatement and opposing union busting by the employer.

In a report published after this firing, Inditex indicated that it would maintain its commitment to pay for all orders in production or completed current position on payment for orders in production or completed in Bangladesh. This commitment to securing global supply chains under the current pandemic, must come with enforceable labor protections across all Inditex suppliers. On April 3 the factory owner finally agreed to pay the dismissed workers their previously denied March salaries, but demands for reinstatement were not honored.

Thet Thet Soe's Poem

Dear Son

by Thet Thet Soe

Thet Thet is a garment worker and head of the union at Factory D and the treasurer at Federation of Garment Workers Myanmar.

Dear Son,

On the night of 14.10.2020, I heard fireworks from somewhere on the sky and realized that Thadinkyut festival (Myanmar Full Moon Day and big holiday) is approaching. This immediately made me think of you, my son, because I remember last year you told me "When you come home from Yangon, could you please bring fireworks for me." The fireworks in the sky made me think about how happy you would be to see fireworks in the sky. It made me really miss you.

Son, I am away because I am working in a garment factory in Yangon. I want to let you know that I am also the head of a labour union here. Some of my friends and coworkers told me not to take up the union leader position because many people hate union leaders. With pride, I told them that if we do not fight against this bad system now, our children will have to live their life and be oppressed when their time comes. Son, I fight for you. I know you can't fully comprehend my absence, and when I think of you, I can only quietly whisper to myself, "please understand me, my son."

Son, I cherish our daily routine. When I get back from work around 7pm, I normally ring you, my son. You often reply, "Hello Mom, you arrive back from work?" Then you ask me what I have eaten for dinner. Sometimes, you ask me to use video call when you want to show me something. I loved when you showed me how you know how to dress yourself. When you saw my face, I could see your eyes are tearing up. I rarely use video call when we speak because I do not want you to see me cry; I feel helpless to also see you sad.

Son, you are a really good boy. You never ask for pocket money and even when I do give you some pocket money, you ask me if I have enough for myself. You don't say it, but I know that you want me to be next to you more than money and anything else. I can see in your eyes.

Son, you teach me how mother's love is more important than money. One day after this pandemic is over, I will try to live with my son. I promise you my son. I will come back to you.

*I love you so much son,
Mommy*

Worker's Song

*Sung to Pete Seeger's "Solidarity Forever"
These lyrics were frequently sung during strikes
to motivate and unite protesting workers.*

သွေးသစုစာ
(တေးရေး - ထူးအိမ်သင်)

အရှေးကပြုပြင်ညီနောင်အပွဲခေါင်းတို့ သွေးစည်းကာ ညီစညီကမ္ဘာ
ငါတို့ရဲ့ သမိုင်း တစ်ခေတ်ကို ငါတို့သွေးနဲ့ ရေးခဲ့သည် သွေးသစုစာ
လည်း ပျော်ပျော်

ဒီအလုပ်သမားတွေ အတွက်ဆို အသက်ကိုလည်း တာမထိ သပေါစေ
အလုပ်သမားသွေးနဲ့ ရဲရဲရဲကိုချီ
လွတ်လပ်ခွင့်နဲ့ ငြိမ်းချမ်းရေးအတွက်ရည်
အဆုံးသတ်တိုက်ပွဲ ငါတို့ နှံ့ကပြည်။ (နှံ့မှာလား - နှံ့မှာပဲ။)

FGWM
သွေးစည်း ညီညွတ်မှု
တိုက်ပွဲ ချချ။

Timeline of Worker Protest:

In the past decade, thousands of Myanmar garment workers have protested working conditions demanding provisions for leave, holidays and overtime pay as stipulated by Myanmar's labor laws.⁴⁹ This timeline of protest between 2018 –2021 offers a glimpse at the sheer magnitude and diversity of worker organizing as it has been reporting in the media. Drawing on select media accounts alone means that this timeline offers just a partial account of protests. It also demonstrates, as worker organizers have shared, that media reporting can be vital to supporting worker demands and encouraging cultures of workplace activism. As such, FGWM continues to advocate media literacy, and improving accessibility to mobile phones and other technologies through which to disseminate information.

**FEB 6
2012**

Workers from Tai Yi Garment Factory protested to increase minimum wages, which has a huge impact on the minimum wages law. The factory union was organized after this strike and registered under the current legal system.

**AUG 21
2018**

More than 100 workers initiate a 70-day long protest in front of Fu Yuen Garment Factory, following the dismissal of 30 members of factory union on August 20. Additional demands include an end to workplace oppression of factory supervisors, and to increase the number of toilets available to workers. A followup protest on Oct. 14, 2018, in downtown Yangon includes unionists from seven factories. At this subsequent action, the chair woman of the Fu Yuen Factory union told the media that if the government neglected their demands, they would call for protests all over the country. Protesters reported about 25 injuries instigated by attackers who were hired by employers.

**AUG 29
2019**

Thousands of workers from 50 factories (4000 from Hlaing Thar Yar district and 6000 from Kyauk Tan district) protested the firing of two union leaders from Prosperity Knitting factory. They protested the violation of Article 23 of the revised law which state that any disputes between employers and workers should be handled by the labour department / the court. The union that led the protest was the IndustriALL affiliate Industrial Workers' Federation of Myanmar (IWFM).

**OCT 23
2019**

250 employees from 12 garment factories on Yangon's outskirts and from the Department of Fisheries held a sit-in protest outside the Yangon regional government compound to seek government intervention over salary deductions, violations of workplace agreements, firing of workers participating in union activities, etc. The sit-in ended when Chief Minister and regional minister of Immigration and Human Resources met with the workers and employer representatives and pledge to support a resolution of their disputes through township-level arbitration committees.

**NOV 7
2019**

More than 400 factory workers from the Natural Garment Company held a protest calling on the National League for Democracy's regional chief minister to take action against employers who they said violated labor rights and employment contracts. Labor disputes began in Aug 2019 because staff said their salaries were cut—this led to a 1500 worker strike in September. 5 labor rights activists were threatened with 24 days in prison unless they paid fines of USD 21 for the Nov 7 protest.

**JAN 19
2020**

About 10,000 workers took to the streets to demand an increase in the minimum wage from 4800 kyat to 9800 kyat, arguing that the rate set by the government is below the cost of living in the country. Protestors came up with the amount 9800 after consulting 1200 garment workers in the region. Unions have argued that workers need a minimum of 8000 kyat to be self-sufficient.

**JAN 29
2020**

Garment workers marched to City Hall to protest poor working conditions, low wages, and their employers' efforts to suppress their right to demonstrate. This came after factory bosses dismissed union leaders to prevent them from organizing protest movements.

**FEB 2
2020**

IWFM held a demonstration of 15,000 members to protest against the Arbitration Council's decision to deny full reinstatement to 260 workers of a textile factory who were fired for taking strike action in October. In the strike that took place in October, workers made 23 demands including a wage increase, skill bonus, shuttle transport, etc. Only 15 of the 23 demands were agreed to, but the company refused to sign an agreement and dismissed workers for involvement in the strike.

**MAR 27
2020**

Thousands of garment workers protested layoffs caused by production slowdown amid the Covid-19 pandemic. Protesting workers are from General Enterprises Garment factory which announced it would lay off 8000 of its 10,000 workers, and from LoadStar factory which was to reduce its workforce by 400. The factories promised to provide compensation to the affected workers, but garment workers stated they are not interested in compensation and simply want to keep their jobs. The article states that at least 20/500 manufacturing facilities in Myanmar have shut down due to the pandemic.

**MARCH
2020**

About 1500 workers from four factories in Dagon Seikan Township engaged in a monthlong protest demanding full salary payment during the Covid pandemic. Workers from the Bluebird Enterprise backpack factory, the Rainhouse Myanmar raincoat factory, the Mayshar Myanmar glove factory, and the Blue Diamond bag factory participate in the strike.

**APR 3
2020**

Nearly 1500 garment workers from 4 factories staged a demonstration, demanding that owners temporarily close down plants during the pandemic and give them paid leave. Workers fear they could contract the virus if they continue working there.

**APR 17
2020**

On March 28, 2020, the Myan Mode garment factory (owners are Korea-based) in Yangon permanently fired all 520 union members, citing a decrease in orders due to Covid-19. But all 700 workers who are not members of the union were kept and the factory continues to operate. The hundreds of fired union workers established a camp in front of the factory gates in protest. Factories have been using a “temporary closing tactic” to break unions—they close briefly and re-open with new, non-union workers. They also often change the technical details such as the name / registrant to circumvent labor laws.

**AUG 20
2020**

More than 200 workers from Ah Nan Garment Factory opened a protest camp due to an incident in which the factory mistakenly paid a lower salary to over 60 workers. The workers were told off after complaining to HR and nothing was immediately done to rectify the problem.

**FEB 8
2021**

Garment workers are at the center of ongoing protests against the military coup calling for the restoration of democracy in light of the seizing of power by the military.

**FEB 15
2021**

[...] Two weeks after the military took power in a coup, workers took the street in Myanmar to show resistance against the dictatorship. This included hundreds of thousands of government employees including doctors, railway workers, garbage collectors, etc.

**FEB 26
2021**

[...] Continuous protests after the coup was declared in February including government workers, medical workers, garment workers, bank employees, teachers, etc. The military responded with repression, arresting those participating in the peaceful protests, and killing a few. This article talks about how garment workers were among the first to call for street protests since 2019—“this helped boost the confidence of the civil disobedience movement.”

**MAR 13
2021**

Garment workers who produce clothing for Primark were locked inside their factory by supervisors to prevent them from joining anti-coup protests on Feb 18—up to 1000 workers were trapped.

**MAR 22
2021**

Garment workers have been urging international brands to denounce the military takeover and put pressure on factories to protect workers from being fired or worse, arrested and killed for participating in protests. Companies' responses have been mixed, with most stopping short of taking any substantial action. Sanctions on Myanmar were dropped since the mid 2010s, with mixed views on whether they should resume or not. Sanctions would wreck the livelihoods of the 600k garment workers, but some union leaders say they would rather that than endure military oppression.

**JUN 17
2021**

Action Labor Rights (ALR) produced a report about a protest at the Xing Jia shoe factory on 15 March where workers demanded to be paid for their work. The military opened fire, killing three, and also arrested 17.

**SEP 15
2021**

Since Feb, garment workers have been detained by junta forces due to their participation in the coup—leading to many workers fleeing / not daring to return to the factories. Worksites are no longer secure places for the labors and those who fled are facing many difficulties. As a result of 200 garment factories being shut down after the coup on Feb 1, over 300k workers became unemployed.

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