

# **Asian Migrant Workers at Ramatex in Namibia**

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## Abbreviations

ITGLWF	International Textile, Garment and Leather Workers Federation
ILRF	International Labor Rights Fund
LaRRI	Labour Resource and Research Institute
NAFAU	Namibia Food and Allied Workers Union
N\$	Namibian currency (linked to the South African Rand)
NUNW	National Union of Namibian Workers
RMB	Chinese currency
TEQ	Target-Expected Quantity
TNC	Transnational Corporation
TV	Television
US\$	US currency

## **INTRODUCTION**

This report presents the key findings of a pilot research project on Asian migrant workers working at Ramatex, conducted from 31<sup>st</sup> August 04 to 4<sup>th</sup> October 2004. This pilot research was funded by the International Labor Rights Fund, and jointly facilitated by the Labour Resource and Research Institute (LaRRI) and the International Textile, Garment and Leather Workers Federation (ITGLWF).

The report is divided into four parts. **Section A** gives the history of the Ramatex Corporation and the labour issues surrounding the Namibian factory leading up to 2003. **Section B** outlines the methodologies used and details the problems and limitations encountered during this study.

**Section C** contains the key findings regarding the Chinese workers based at Ramatex. It is based on 11 informal interviews conducted during the research period in Windhoek, Namibia. Seven of the interviewees were Chinese migrant workers, one was a Malaysian manager at Ramatex, two were Chinese business people who had links with Ramatex, and one was a Bangladeshi worker who had close contact with the Chinese workers.

**Section D** summarises the experiences of the Bangladeshi workers who came to Namibia in 2003 and 2004 and were deported in September 2004. **Section E** is an excerpt for an earlier study done with the Namibian workers experiences in the Ramatex factory. **Section F** provides some recommendations arising out of this research.

This report does not aim to provide information on all issues related to Ramatex' operations in Namibia. Such background information is contained in the booklet "Ramatex: on the other side of the fence", published by LaRRI in 2003. However, **Appendix 1** provides a summary of Namibian newspaper reports on the Asian migrant workers.

**Appendix 2** summarises the results yielded from an Internet search on web sites in China in January 2005. It provides some information on issues such as recruitment of Chinese workers to Namibia.

**Appendix 3** presents the research questions used for the Chinese workers. They were used as a guide during the "informal" discussions with interviewees.

**Appendix 4** consists of the press statement of the National Union of Namibian Workers (NUNW), on the Ramatex workers from Bangladesh.

## **A. BACKGROUND**

Ramatex Berhad was established in 1982 as Gimmill Industrial (M) Sdn., a small textile manufacturing plant in Batu Pahat, Malaysia. The Ramatex Group, as it is now known today, expanded vertically from dyeing and knitting mills into yarn manufacturing in 1989 and continued its growth into finishing fabrics and printing in 1992. On November 12, 1996, the Ramatex Group was officially listed on the Kuala Lumpur Stock Exchange. Ramatex is the undisputed leader in the Malaysian textile industry. Today members of the Ma Family who originally set up the business are still the majority shareholders, owning 59 percent. They also still play an active management role (Mollet 2001).

The company produces fabric and garments for Nike, Adidas, Puma, Otto Versand, Target, Wal-Mart and Sears Woolworth. Ramatex's subsidiary Tai Wah penetrated the international market in 1982, producing branded apparels for European buyers under names such as Adidas, Christian Dior, Ralph Lauren, Nike and Halmode.

Ramatex Berhad has subsidiaries in China, Mauritius, Namibia and South Africa. Ramatex has three garment factories in the Eastern Cape of South Africa owned by two of its subsidiaries: SA Tai Wah Textiles (Pty) Ltd and the May Garment Company (Pty) Ltd. On 16 September 2003, SA Tai Wah and May Garment gave notice that their operations in Dimaza, Eastern Cape, South Africa would cease resulting in job losses for 2,500 workers. Apparently, this was due to the company's relocation of production to Namibia. Most workers in South Africa earned around N\$ 950 per month while the wages paid in Namibia are lower.

With a turnover of about US\$200 million a year, the Ramatex group currently operates from three major manufacturing facilities in Malaysia, China and Namibia. The Malaysian facility mainly caters to the export quota markets, whereas products manufactured in China are mainly aimed at the Chinese domestic market and non-quota customers. The production in Namibia serves the US market under the Africa Growth and Opportunity Act (AGOA).

The company has similar operations in all three countries consisting of spinning mills, knitting plants, dye and print houses. It also operates (under the subsidiary names Gimmill Industrial and Fulong) several sewing plants. The

company's total annual capacity stands at around 50 million kilograms of yarn, 30 million kg of knitted and dyed fabric and 75 million garments. The operations in Namibia are envisaged to reach 16 million kg of yarn, 12 million kg of fabric and 3.6 million garments per annum within five years (Mollet 2001).

The majority of fabric produced by the Ramatex group is used in-house while 85% of the yarn produced is exported. About 3% of the turnover is reinvested into research and development each year and the company has computerised its manufacturing facilities with state-of-the-art technology and machinery. All the factories are linked via a computer integrated manufacturing system, which monitors each stage of production.

The main subsidiaries of Ramatex are the following:

**Fulong Sdn Bhd., Malaysia** (Garment manufacturing)

**Ramatex Textiles Industrial Sdn. Bhd., Malaysia** (Manufacturing of yarn, knitting, dyeing and printing of fabrics)

**Ramatex Industrial (Suzhou) Ltd., China** (Yarn manufacturing, and fabric knitting, dyeing and printing)

**Gimill Industrial (M) Sdn. Bhd., Malaysia** (Manufacturing of garments)  
Fulong Sdn. Bhd. Malaysia

**Tai Wah Garments Industry Sdn. Bhd., Malaysia** (Garment manufacturing)

**Gimill Corporation Pty. Ltd., Singapore** operates a plant in Mauritius (Sentosa Enterprises Limited) producing T-shirts, polo shirts and pants.

In addition, three investment holding companies (Ramatex Capital Limited in the British Virgin Islands, Ramatex [North Asia] Pty.Ltd. in Singapore and Summit Deal Sdn. Bhd.) are part of the Ramatex group.

Ramatex more than doubled its sales between 1996 and 1999. Profits more than tripled in this period to RM 105 million (US\$ 28 million) but fell to RM 71.6 million (US\$ 18.8 million) in 2002. Overall, the Ramatex group employs about 50,000 people (Mollet 2001).

The company plans to buy several medium-sized manufacturers in Cambodia and Indonesia to strengthen its position in the international textile market and to increase its profits. According to Ramatex' executive director Albert Lim Poh Boon, the company plans to serve the wealthy part of the textile market from its Malaysian factories while the production in Namibia and China would go for 'cost efficiency' and provide low cost products. The Namibian operations are meant to cater to the European Union, the Middle East and the East Coast of the USA (Musa and Pahat 2003).

Even before Ramatex started its operations in Namibia, concerns were raised regarding the environmental impact of the company's operations. Earthlife Namibia approached various ministries and the City of Windhoek to enquire about the environmental assessment, especially regarding the company's water consumption, health and safety measures for workers and people living near the factory and the possible pollution through contaminated waste. Earthlife Namibia anticipated Ramatex would consume about 1.5 million litres of water per day (which would be more than half of Windhoek's total water consumption) once the company became fully operational. The organisation was also concerned about the use of toxic substances and asked for more information on the disposal and treatment of waste water and the protection of workers (The Namibian, 25.01.2002) These concerns were met with open hostility by the Namibian government which accused the organisation of being against development and job creation. Despite promises that environmental control would be vigilant and that an environmental study ('verification study') would be made public, this has not happened. According to a local newspaper, the Windhoek mayor expressed his anger at 'anti-developmental forces who would like to see thousands of previously disadvantaged and dehumanised Namibian families continue languishing in poverty' (The Namibian, 23.01.2003; 01.02.2002).

Tensions arose when thousands of job seekers lined up for jobs at Ramatex in early 2002. Female trainees were issued letters instructing them to take pregnancy tests (at their own costs) in line with 'company policy'. Workers also complained that Ramatex was only interested in young women workers up to 25 years of age (The Namibian 07.02.2003; New Era 01-03.032002). The company allegedly also did not want to employ tall or overweight workers. Workers also claimed that Ramatex trainers had slapped them on their head,

pinched them and insulted them for making mistakes. Ramatex executive director Albert Lim Poh Boon, however, denied the allegations while the former Trade and Industry Minister Hidipo Hamutenya called on workers to 'embrace the Ramatex work ethics' and to 'put your skills to work with passion' (The Namibian 14.03.2002). On the other hand, the Minister of Women's Affairs and Child Welfare, Netumbo Nandi Ndaitwah, described the pregnancy tests as discriminatory against women. The permanent secretary in the Ministry of Labour pointed out that in terms of the Namibian Labour Act, denying a woman a job because she is pregnant would constitute an unfair labour practice (New Era 01-03.03.2002).

By March 2002, more than 1000 young workers (mostly female) had completed their training in basic sewing and quality control and were awarded certificates of competence. Ramatex promised to provide intensive technical training to more than 6,500 Namibian workers before the end of 2002. The Namibian government was hoping that this would be the first step towards building a 'skills-based competitive advantage for Namibia to become the leading centre for textile and garment industries in Africa' (New Era 11-14.03.2002; Namibia Economist 15-21.02.2002).

In June 2002, Ramatex made headlines again as several workers suffered from skin rashes and swollen hands. Workers called on the Namibian government to bring in independent doctors to investigate the causes of their illness. Workers believed that the rashes were a reaction to the dust and cotton particles in the factory but were told to leave their jobs if they felt they had allergic reactions. Workers further claimed that they could not consult health practitioners during work time, as Ramatex would deduct the money for the day and issue them with warning letters. The workers wanted the Ministry of Labour to obligate/force the company to provide protective masks and gloves and to send labour inspectors to the factory (The Namibian 26.06.2003).

Workers were also unhappy that they did not receive N\$ 750 a month as the company had promised, but only N\$ 480 a month. To make matters worse, workers were told that due to a shortage of materials caused by a delay in the delivery of containers, production workers would be 'laid off' for a week and not receive any payment during that time (ibid).

The Namibia Food and Allied Workers Union (NAFAU), which had been refused

access to the company premises, also raised concerns about the working conditions at Ramatex, the unfair recruitment procedures and the controversy surrounding the disclosure of the environmental impact assessment. The company once again denied all allegations and continued to refuse NAFAU access to workers - even over lunchtime. The union then held meetings with workers outside the factory premises to inform them about their rights (The Namibian 08.07.2002).

In July 2002, the Ministry of Labour gave Ramatex an ultimatum of 3 weeks to register its workers with the Social Security Commission as required by law. A government investigation team was dispatched to the factory to examine the working, health and safety conditions. The company was also advised to allow collective bargaining at the factory in compliance with the Labour Act (The Namibian 12.07.2002).

However, not everybody supported the call for Ramatex to adhere to Namibian laws and regulations. A well-known Windhoek lawyer wrote to NAFAU General Secretary Cuana Angula, requesting that he apologise to Ramatex for his comments on the working conditions. The lawyer went as far as questioning Angula's loyalty to SWAPO and accused him of collaborating with the enemies of government (The Namibian, 15.07.2002). Likewise, the Namibia Chamber of Commerce and Industry (NCCI) attacked what it called the 'unsubstantiated claims' about the Ramatex factory. They alleged that criticism of Ramatex would harm Namibia's chances of attracting investments (The Namibian, 17.07.2002).

In August 2002, more than a thousand Ramatex workers set down their tools in protest against vague work contracts, which they believed set their monthly salary at N\$ 360. The strike was abandoned when NAFAU and the Ministry of Labour intervened to allay workers fears. Ramatex claimed that workers would receive performance-related pay on top of their basic N\$ 360, which would bring up their salary to around N\$ 800 per month. The company agreed to take the striking workers back and announced that workers would be paid N\$ 3 per hour plus production-related incentives (The Namibian, 29.08.2002; 30.08.2002; New Era 30.08-02.09.2003).

In September 2002, the Ramatex Executive Director complained to the Namibian Prime Minister that the Windhoek Municipality was not granting

Ramatex sufficient additional land (at discount rates) for expansion. Ramatex threatened that unless their request was granted, they might move to other countries. The municipality pointed out that there was no more land available at the existing site and that Ramatex had illegally used some of its land for the construction of workers' hostels. On several occasions the company had refused to discuss these illegal building activities and even continued the construction without approved plans despite the City's written instruction to stop (The Namibian 05.09.2003, 25.09.2002; Die Republikein 05.09.2002, 13.09.2002;; New Era 06-08.09.2003, 23-26.09.2002).

In the weeks that followed, the Ministry of Trade and Industry (particularly the Investment Centre) and Ramatex tried to address some of the conflicts, which they attributed to a "clash of cultures". An agreement was reached between the Municipality and the Ministry of Labour and Ramatex signed a recognition agreement with NAFAU in October 2002 (The Namibian 02.10.2002).

In April 2003, however, tensions boiled over once again. Following a 'wildcat strike' over poor wages and conditions of service by over 3,000 workers on the 14<sup>th</sup> of April, the Ramatex management closed the factory for two weeks and threatened to eliminate the architects of the wildcat strike. The company also declared its intention to fire all workers. NAFAU tried to negotiate the re-opening of the factory but was unsuccessful and was even accused by some workers of selling out their demands (The Namibian, 22.04.2003, 23.04.003, 24.04.2003; Republikein 23.04.2003).

When the factory re-opened its doors on the 28<sup>th</sup> of April, Ramatex sought to fire 600 workers whom they accused of 'masterminding' the strike. After negotiations between the company, NAFAU and the Labour Commissioner during which Ramatex was (once again) reminded about Namibia's labour laws, workers were issued with new contracts. The company also accepted that all accused workers would have to be given fair hearings (The Namibian 29.04.2003, 30.04.2003).

Again in May 2003, Ramatex suspended 416 workers (without pay) accusing them of masterminding the strike. Shortly afterwards, several hundred Asian workers set down their tools demanding wage increases and better conditions of service. This strike lasted just a few hours and was kept under wraps by the company, which did not even report it to the Ministry of Labour. The company

claimed that some Buddhist workers wanting to observe the religious festival of 'Wesak' prompted the work stoppage. However, this explanation was contradicted as Ramatex dismissed seven of the striking Asian workers and sent them back to their home countries (The Namibian 08.05.2003, 13.05.2003, 14.05.2003, 02.06.2003, 16.06.2003, 07.07.2003; Die Republikein 30.05.2003).

By September 2003, 54 of the 416 suspended workers were not yet reinstated. They were mostly from the dyeing, knitting and spinning departments. Further disciplinary hearings were scheduled for October 2003. Until that point, five workers had been dismissed after disciplinary hearings but most were reinstated and transferred to different departments within the Ramatex complex.

By October 2003, Ramatex and NAFAU had reached some agreements. The company agreed that NAFAU should come up with a scheduled time to introduce courses or seminars for supervisors and management. In addition, the company agreed that workers could elect two full-time shop stewards and one union official.

## **B. RESEARCH METHODOLOGY**

### **1. Designing the Research Questions and Research Methodology**

The research commenced with a discussion among the researchers involved on the following issues:

- The overall goal of the research;
- How the research may be beneficial to the parties involved
- The general labour situation at Ramatex;
- The general situation of Chinese migrant workers in Windhoek;
- The research methodology
- Information that is already available
- Contacts available

Taking on board the research questions provided by the ILRF, the researchers revised the questionnaire to suit the local context (see Appendix 3).

Initially, researchers planned to carry out a large number of interviews with Chinese migrant workers and to collect their stories/ photos for publication. They also planned to interview Filipino workers as well, if the Namibia Food and Allied Workers Union (NAFAU) could help establish the necessary contacts. However, due the sensitivity of labour issues and the widespread fear at Ramatex, researchers could not interview workers directly. They first worked to gain trust and operated very carefully to do this.

### **2. Background Research (Chinese workers)**

- Briefing by LaRRI and NAFAU;
- Reading all the newspaper clippings and related-documents;
- Visiting the Ramatex area to see if there were any places that Chinese workers would go to after work;
- Visiting China Town and all Chinese Restaurants in Windhoek to see if Chinese workers would go there during weekends;
- Visiting casinos that were reportedly visited by Chinese workers.

### **3. Identifying potential places to meet Chinese workers**

In the first week, researchers identified the following places to meet Chinese Ramatex workers:

- a. Chinese restaurants

- b. China Town
- c. Casinos
- d. A small computer training centre close to the Ramatex factory
- e. NAFAU contacts
- f. Local accommodation of Bangladeshi workers who had taken Ramatex to court.

#### **4. Revising the Assumptions**

The assumption that Chinese workers would go to China Town to buy daily necessities proved wrong. The researcher went to the China Town many times during weekends but there were no Chinese workers, only Chinese business people and Namibian customers.

The assumption that Chinese workers might eat in Chinese restaurants was also wrong. The researcher visited different Chinese restaurants every day but hardly met Chinese workers. Chinese business people from China Town frequented these restaurants.

The Chinese workers stayed in the hostels inside the factory compound. Generally they did not go out at night because there was not much nightlife in Windhoek and because they encountered a language barrier. Researchers tried to find Chinese workers in nightclubs but without success. NAFAU could not provide contacts to Chinese workers as the union had not recruited them.

Through the Bangladeshi workers the researcher came into contact with one of the Chinese workers who was the Bangladeshi's girlfriend. However, she was too scared to be interviewed, even under conditions of strict confidentiality. She was not even prepared to answer some questions in writing in her own time.

The casino was the only place where the researcher could meet Chinese Ramatex workers. As such, the researcher spent days and nights in the casino and tried to establish contacts with the Chinese workers there.

Several of the original assumptions were not realistic and the research was much more difficult than expected. The dramatic events involving the Bangladeshi workers (see section C) also raised the fear among Chinese workers who were quite suspicious.

As a result of these constraints, researchers had to abandon the idea of carrying out a large number of interviews. They could not even tell workers that they were carrying out research and pretended to be tourists who had come to visit Namibian friends.

Over time, the researcher managed to have a dinner with two Chinese migrant workers and they started talking about their work situation in more detail. The trust between the Chinese workers in the casino and one of the researchers was built up by his participation in the gambling activities. He served as a translator and also to change money since the workers did not have their passports. In the end, these contacts served to engage in casual conversations which revealed important information about the Chinese Ramatex workers.

## C. KEY FINDINGS – CHINESE WORKERS

### 1. Company data

- It is difficult to track the number of Chinese workers over time. Workers themselves provided conflicting figures and indicated that the numbers changed all the time as new workers were arriving and others were leaving. Initially a few hundred Chinese workers were employed by Ramatex but this figure is estimated to have increased to around 3 000.
- Among the Chinese workers, the vast majority are women in their 20s and 30s. There are only about a hundred Chinese men.
- According to the information collected by NAFAU, the main buyers of Ramatex Namibia are the following companies in the United States: Kmart, Sears, Shopko, OshKosh, Mervyn, T.C.P., Sakes/Sacks, M.C.T., Meijer and Kids'R'Us.
- According to a worker's estimate, the productivity and the size of the three factories are similar. In total, they could produce 90,000 clothing items per day.
- Chinese and Filipinos occupy most of the supervisory roles while Malaysian Chinese hold the most senior positions.

### 2. Why does the company use migrant workers?

*(this section is based on the information from a Malaysian Ramatex manager and a Chinese businessman in Windhoek)*

- Imported Skills: there is a lack of skilled workers in Namibia and Namibian workers take a long time to acquire the skills.
- Divide and rule: the factory management does not want to rely on one source of workers. Having workers from different countries employed under different conditions prevents solidarity among them. On the other hand, it is very difficult to manage workers from different countries. From the management's point of view, Chinese workers have the skills but they do not speak English. Filipinos learn fast and are able to speak some English. Namibian workers can speak English but do not have the skills. The manager considers Bangladeshi workers to be the worst: *"Bangladeshi workers are the worst. Few speak English and they are wandering around during work hours. They do not have work ethics"*.

- Willingness to work overtime: Namibian workers are not willing to work overtime. They want to go back home after the normal hours of work and be with their families. However, the migrant workers came to Namibia to work as much as possible. They are always willing to work overtime and are prepared to work flexible hours to suit the requirements of the global garment industry (i.e. orders that need to be met in a very short period of time).

The recruitment of Asian workers takes place through labour recruitment agencies from different countries. The Ramatex management relies on the agencies and therefore Ramatex has less control over the quality of the imported workers. The case of Bangladeshi workers (see section D) illustrates this point.

### **3. Employment history**

Most of the Chinese workers used to work in factories in their hometown before they came to Ramatex. One worker said she started working in the garment industry as a sewer for half a year in China. She did not finish secondary school, but picked up the skills quickly. She wanted to earn more money while having a chance to “see the world”. She chose Namibia because the work environment is not very harsh, unlike in the USA where workers have to work extremely long hours. She passed the examination set by the labour agency. She came to Namibia with a good friend and managed to pay part of the agent’s fee. The rest she had to borrow from relatives in order to come to Namibia. Once she completes her contract, she does not want to work in a garment factory anymore. She has signed a two-year contract and has been in Namibia for more than one year.

Another worker in the dying department used to work in the big state-owned dying factory (which employed 50,000 workers) in Wubei, China. This factory was closed down a few years ago, and therefore he and other colleagues (around 500) decided to take the opportunity to come to Namibia. He was guaranteed overtime work in his contract, which states that the normal working hours are 8 hours per day. He is required to work at least 10 to 12 hours a day. He felt that the general working conditions at Ramatex are acceptable and relatively better than those in the factories of China.

As has been established, Chinese workers came to Namibia to earn more

money than they could in China, where their wages would be around RMB\$ 800 to 1,200<sup>1</sup> (US\$ 100 to 150). Some workers wished to gain work experience in other countries while others had already worked abroad, e.g. in Sudan and Malaysia. The Chinese workers came to Namibia through labour recruitment agencies (one of those is Hubei Foreign Trade Company). They paid RMB\$ 13,000 to 18,000 (US\$ 1,700 to 2,200) to the agencies. This covered all the expenses for the work permit, agent's fee etc.<sup>2</sup>

The expectations of Chinese workers were high. They expected enough overtime work to earn additional money on top of their basic salary. They knew that they could earn more money working in the USA but that it would be very hard work there.

The Chinese Ramatex workers came from different towns and regions in China, for example, Fujian, Jiangsu, Hebei, Zhejiang, and Hubei.

One worker flew from her home town first to Xiamen, then to Hong Kong, then to Johannesburg and from there to Windhoek. She spent 3 days in planes and airports. When the workers arrived, they felt very tired. However, they were immediately sent to work. No training was provided since they are skilled workers

At Ramatex, Chinese workers are employed as sewers, mechanics, as well as in the packaging and dyeing departments.

#### **4. Conditions of employment**

Chinese workers have employment contracts, which they described as clear and well written, though not many interviewees could remember the details. There was no indication of violations of the contract and none of the interviewees complained.

##### Basic salary:

Sewer: US\$ 200, Mechanics: US\$ 400, Dyeing: US\$ 300, Supervisor: US\$ 400

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<sup>1</sup> RMB is the currency used in China. Approximately, US\$ 1 equals RMB\$ 8.

<sup>2</sup> If the workers wanted to go to Mexico, the agent's fee could be RMB\$ 50,000 (US\$ 7,000). Some workers could afford to pay the agent's fee on their own but some had to borrow money from relatives, friends or banks.

### Working hours:

- 9 hours per day and five working days a week. Additional work is counted as overtime work (this is in compliance with the Namibian Labour Act).
- Working hours vary, depending on the orders received from abroad. Sometimes workers have to work until late at night but sometimes they may be off at 5pm.
- Sewers worked from 7h00 to 12h00 in the morning and again from 1pm to 7pm. During busy periods they work until 10pm after a one-hour dinner break.
- For dyers, there were only two shifts—from 6:30am to 6:30pm and from 6:30pm to 6:30am.

### Overtime rate:

For sewers and mechanics, the overtime rate was 1.5 times the basic salary if they work overtime during weekdays and Saturdays (in line with the Namibian Labour Act). On Sunday, the rate of pay was twice the normal rate. Workers indicated that it was difficult to refuse overtime work if requested by their supervisors. This also depended on the workers' relationship with their supervisor. If they got along well with the supervisor, they could indicate if they did not want to work overtime without being accused of being lazy and unproductive.

### Target-expected quantity (TEQ)

For sewers, TEQ is applied at Ramatex. If they produce more than the target, they earn an extra-bonus. One Chinese worker said that during each hour they were supposed to produce 35 clothing items. If they could produce above this target, they could get 10 Namibian cents (about 2 US\$ cents) for each item above the target. However, if they could not reach the basic target, the supervisor may not allow them to work overtime.

The piece rate also depended on the type of clothing items they were producing and on the production procedure involved. It is not a fixed rate for all clothing items and it is not the same for the different production procedures.

### Overtime earnings

This varies to a large degree. Some interviewees said they could get monthly overtime payments of as much as N\$ 6,000 (US\$ 1000) and others indicated that they could earn N\$ 2,000 (US\$ 333).

Sometimes there was not enough overtime work for the Chinese workers as this depended on the orders received. Occasionally, there was not enough work in general, and workers had to wait for work off duty. During busy periods, workers worked throughout the night until 12h00 the next day. During such periods sewers made an additional US\$ 200 per month and dyers earned an additional US\$ 300.

#### Overall gain from the contract

After paying for all their expenses, workers estimated that they could save around N\$ 40,000 to N\$ 70,000 (US\$ 6 600 – 11 600) during their 2-3 years contract. If they worked in China, they would earn around US\$ 2,400 and still have to pay for their daily living expenses.

#### Payment time and method

Workers were paid on 6<sup>th</sup> or 7<sup>th</sup> day of each month. Their basic salary was paid via the Ramatex branch into their bank account in China (in US dollar). Overtime was paid in Namibian dollars into a local bank account. The overtime payment was used to cover the daily expenses in Namibia. Chinese workers could request to have their full salary paid in Namibia.

There was no delay of payment. The workers could ask to send money home every three months. Since their hostels were not very safe, some workers would bring all their money with them to work.

#### Accommodation and Food

Ramatex provided food and accommodation for the Chinese workers. They all lived in hostels inside the factory compound. Each room could accommodate 6-8 workers. Each room had its own toilet and was air-conditioned. Workers were free to use the air-conditioners if they wished during summer. Each room contained clothing cabinets and 3-4 “double-decked” beds. However, workers had to buy their own TV and desk. Interviewees did not complain about their accommodation.

However, many interviewees were not satisfied with the quality of the food provided. Some preferred to prepare their own food and bought items from a supermarket near by. A Chinese businessman was asked to provide food for the workers and Ramatex suggested a rate of US\$ 1 per worker per day, which

was incredibly low.

Once there was a strike of Chinese workers who complained about the quality and the hygiene of the food. It seemed to have been resolved.

#### Annual leave and sick leave

The Chinese workers' contract stated that they have 7 days annual leave, plus the official holidays in Namibia. This violates the Namibian Labour Act, which provides for 24 consecutive days annual leave. In addition, the contract provided for 12 days sick leave.

#### Medical Consultation

When the factory started its operations, there was no in-house doctor. Ramatex relied on a Chinese doctor to treat the workers and the company paid for the service. In 2004 there was a Chinese company doctor and a Filipino nurse for all the workers. Although the doctor did not seem to be experienced, workers were afraid of consulting other doctors because if they did so they had to pay for the medical expenses. They also encountered language problems when trying to consult other doctors.

A Chinese worker said that there were workers who got sick and were sent home. A Chinese businessman, who claimed that some workers got hepatitis and were then isolated and treated, disputed this.

#### Termination of contract

Workers have to complete their contract, otherwise they have to pay for their return air tickets. There was a case when a worker wanted to go back home after having extending his contract. He could not terminate the contract because he would have had to pay for his ticket. He then decided not to work and simply waited for the end of his contract to go back home.

#### Most significant problems experienced by Chinese workers

1. Food (poor quality)
2. Fluctuating overtime work (sometimes too tiring, sometimes not enough work to earn extra-money)
3. Sometimes no electricity available
4. Sometimes not enough water available
5. Long queues in the dining hall. Sometimes there was no food left for those at

the end of the queue.

### Training

Most of the Chinese workers were skilled workers and did not need further training. Before they came to Namibia, they had to pass a test conducted by the labour agency in China. The fee for this test was RMB200 (around US\$25).

None of the interviewees mentioned that they came to Namibia to train local workers. They came to work as production workers. There was not much interaction between Chinese and Namibian workers. This contradicts the claim by Ramatex management that Chinese workers were brought in to facilitate training and skills-transfer.

## **5. Labour rights**

There was no trade union for Chinese workers. The interviewees were not interested in joining a union because this might anger management. They did not want to confront the management directly and did not believe that unions would help to solve conflicts. Most interviewees were aware of the existence of trade unions for Namibian workers, although they had little idea of what the unions were doing.

Chinese workers seemed to be afraid of their supervisors and they tried to maintain good relationship with them.

### Pregnancy Test

Female workers have to pass a medical examination, including a pregnancy test, before they come to Namibia. Failure to pass the test would disqualify them to work in Namibia.

One interviewee said there was a female worker who felt pregnant after she came to Namibia. She was then sent back to China, reportedly having to pay her own air ticket to go back home.

## **6. Occupational health and safety**

Researchers asked workers if they had any concerns regarding occupational health and safety at Ramatex. Nobody complained and a dyer said he could

wear gloves at work and that the ventilation inside the factory was acceptable. The sewers said that accidents as a result of broken needles were not common.

## **7. Other issues**

### Leisure time

Chinese workers mostly stayed in their hostels, watching videos (which they circulated among themselves), organising karaoke and even gambling (playing cards and mah-jong). A few workers would go to the casino at night but most felt that Windhoek did not have much in the way of nightlife. They were also inhibited because they could not speak English.

If there was a collective demand, the factory might organise outings for the Chinese workers during longer holidays. For example, one interviewee wanted to visit the Namibian coast and she said if other workers wanted to go as well, the factory might hire a bus for them so that they could go over the Christmas period.

### Curfew

Workers were not allowed to leave the hostel after 11pm. Sometimes the factory would check if the workers were back by 11pm. They may be retrenched if they do not adhere to the curfew.

### Computer training centre (less than 10 square metres)

There was a small computer-training centre close to the main gate of Ramatex. This centre provided some very basic computer training for some of the Chinese workers. Workers could also type letters there and send them home via e-mail. The centre was run as a private business and charged N\$ 10 (US\$ 1.6) for typing and sending an e-mail letter. Chinese workers also came to make phone calls to China, which cost N\$ 1,5 (US\$ 0.25) per minute.

### Protests and strikes

There were incidents when about 100-200 Chinese workers expressed their dissatisfaction with their working conditions. They complained about the lack of opportunities to work overtime and decided to go back to China.

There were strikes by Chinese workers due to the poor quality of food and disagreement over the pay for overtime work. Interviewees said that those involved in leading the strike were sent back home.

A Chinese businessman remarked that one of the reasons for the strikes was the absence of the boss who was not stationed in Namibia. In China, workers know that the employers and the government work together to control workers.

#### Views on other migrant workers

There was not much interaction between Chinese worker and other migrant workers because of the language problems. The communication was largely limited to daily greetings, unless the Chinese worker could manage English. Interviewees expressed little sympathy for Bangladeshi workers, saying that “they were not working in the factory and they exaggerated the payment they gave to the labour agent”. However, they agreed that the living conditions of the Bangladeshi workers were very poor.

One interviewee said that the Filipino workers (unlike the Chinese) were very united to fight for their rights.

#### Views on Namibian workers

Generally, there was not much interaction between Chinese and Namibian workers because of the language problem. According to a Chinese businessman, Chinese workers feared being harassed by the Namibian workers and therefore they would go to a nearby supermarket as a group.

However, one of the interviewees developed a good relationship with her Namibian colleagues after initial problems.

#### Comparing the wages of Chinese and Filipinos workers

One interviewee indicated that Chinese workers in the dyeing department received higher wages than the Filipino workers (US\$ 150 per month) who were regarded as less skilled. The Filipino workers were not satisfied with this arrangement.

#### Passport

Chinese workers could not travel outside Namibia as the Ramatex management kept their passports.

### **8. Conclusion**

The key issues affecting Chinese Ramatex workers in Namibia can be

summarised as follows:

- The biggest problems experienced were the low quality of food provided by the company, fluctuating overtime work, a lack of water and electricity at certain times and long queues in the dining hall.
- The interviewees were not aware of their rights of association. Nor did they show much interest to join a union for fear of management hostility.
- The interviewees were not fully aware of decent standards of work as their only reference was the condition they experienced in the factories of China.
- Most of the Chinese workers were production workers not engaged in training or skills transfer programmes.
- The life of the Chinese workers in Namibia was quite isolated. Most of their time was spent inside the Ramatex compound and they did not have much interaction with local workers and other Namibians.
- There were differences in the remuneration between Asian workers, with Chinese workers getting the best packages and the Bangladeshi workers the worst. The Chinese workers showed little sympathy for the Bangladeshi workers.

These findings sketch some aspects of the living and working conditions of Chinese Ramatex workers in Namibia. Although most seemed to be fairly content, many were not aware of their basic rights (e.g. freedom of association, safe work environment etc.). The Chinese workers usually compare their experiences in Namibia with those experienced in China, where labour rights are not fully protected.

## **D: KEY FINDINGS – BANGLADESHI WORKERS**

This section is based on testimonies from Zakkir Hossain (spokesperson) and 15 fellow migrant workers from Bangladesh.

### **1. Background**

Sixty-six (66) textile workers arrived from Bangladesh between June- August 2003. All of them were men, 25-30 years old, who hailed from various towns in Bangladesh. Thirty-six (36) of them had previous experiences as textile workers in Bangladesh, while others had worked as migrant workers in the textile industry of Brunei (26), Malaysia (7), Saudi Arabia and Qatar. These previous experiences ranged from 2-6 years and the group thus consisted of skilled textile workers. They had all received training in Bangladesh or Brunei and had worked for the following companies:

- Pengenalan Pekerja Asing in Malaysia
- Seri Partamas Garment Manufacturer Sendirian Berhad; Pat's Garments & Textiles Industries Sendirian Berhad; Jati Freedom Textile Sendirian Berhad (all in Brunei)

Twenty-one (21) of the workers were married with children (18 with families in Bangladesh; 3 with families in Namibia) while the others were single with children to support in Bangladesh. All their families relied on the workers' remittance payments for their survival.

### **2. Why Namibia?**

All workers came to Namibia because of the salary and benefits promised, such as free food and accommodation. Workers learned about the jobs in Namibia through advertisements in local newspapers. They were recruited through agents in Brunei (Ramatex agent with the name of Linda) and in Bangladesh (Bay Eastern Agency). These agents conducted interviews and then offered contracts to the successful applicants.

#### Pay to work

In return the workers had to pay the agents US\$ 3,500 of which only US\$ 1,000 were recorded with receipts. The agents then arranged transport, permits etc. Workers were offered contracts on condition that they paid US\$ 3,500 in cash.

In order to raise this amount, workers had to sell their houses, land and livestock and take out loans with banks, families and friends. As a result many were indebted when they came to Namibia. They had hoped that by coming to work for Ramatex, they would be able to recover that money and still send money home to their families. They expected to work many hours of overtime.

### **3. Employment conditions**

All Bangladeshi workers were employed at Ramatex factory C (Flamingo garments) that produces T-shirts, trousers, jackets and children's clothing. Sixty-three (63) workers were employed as sewers at a monthly salary of US\$ 200 while three (3) were employed as quality controllers at a salary of US\$ 300 per month. Their production manager is Chinese and the supervisor Filipino. This is the common pattern in all departments at Ramatex, as supervisors and managers are either Chinese or Filipinos. There are no Bangladeshi or Namibian supervisors.

#### Contracts

The workers' contracts were signed in Bangladesh (in the name of "Lichen Apparel Namibia (Pty) Ltd.) and set out the monthly wages. They also contained a clause that "The basic accommodation and food shall be provided by the employer, in accordance with the local situation in Namibia". The employer was also responsible for the air ticket and for reimbursing the workers for "all approved medical expenses for in-house or designated clinic or hospital for medical treatment".

Workers received only 7 days annual leave, while the Namibian Labour Act (1992) prescribes a minimum of 24 consecutive days annual leave. The contract furthermore stated that the employer has the right to terminate the contract if the worker fails to comply with company rules and regulations, if he/she violates Namibian law and if the workers "performance failed to meet satisfactory requirements". Furthermore, the contract states: "In the event that the employee is unable to complete the contract for whatever reasons, then the employee shall born all expenses to return back to[their home country], including airfare".

### **4. Life in Namibia**

The Bangladeshi workers arrived in Namibia, hoping that they would be able to

recover some of their “agency fees” by working many hours of overtime. Their 3 years contracts without overtime would mean that at a wage of US\$ 200 per month, they would have to work for about 18 months just to repay these fees. They hoped that the remaining 18 months of their contracts plus the overtime pay would allow them to earn enough money to send home to their families and to generate some savings.

Until September 2003, all workers received the payment as stipulated in their contracts. After that time, the wages of the quality controllers were unilaterally reduced from US\$ 300 to US\$ 200 and all Bangladeshi workers were informed that the company would no longer provide food for them. Twenty-nine (29) workers were accommodated at Farida Hotel in Windhoek while the other twenty-seven were accommodated in a company house near the factory.

During July and August 2004, another 418 Bangladeshi workers were brought into Namibia. They were unskilled workers who were paid US\$ 120 per month, which was effectively reduced to US\$ 75 per month as US\$ 45 is automatically deducted for food. These 418 workers were all men who were accommodated at “Hotel Ramatex”, a single house in Windhoek West where they had to endure horrific conditions (lack of space, privacy, ablution facilities etc).

This second group of Bangladeshi workers had been recruited through an agent, Alif Hossain, who operates for Eastern Overseas (a “government approved recruiting agency” registered in Dhaka, Bangladesh) and for Ajensipekerjaan Golden Blossom Sdn. Bhd. in Selangor, Malaysia. The workers (many of whom were illiterate) had been promised US\$ 120 during their first month of employment and that this amount would be increased to US\$ 200 per month plus US\$ 50 for food and free accommodation.

### Overtime

The normal working day starts at 7h30 in the morning and lasts until 17h30. Thereafter, overtime sets in. Normal overtime is paid at 1.5 times the normal rate and work on Sundays is paid doubly as required by Namibian law. Only those workers who meet their production targets are allowed to work overtime.

The Bangladeshi workers usually worked 26 hours of overtime per week – far in excess of what is allowed by the Namibian Labour Act. However, Asian workers tried to work as many hours of overtime as possible. At times,

production slowed down due to reduced orders, which meant that workers could only work overtime of a few hours. The supervisors had the authority to decide who could work overtime and who could not. They usually gave preference to Chinese and Filipino workers. Production managers set the targets and had the power to allocate overtime to workers of their choice.

#### Leave

During their first year in Namibia, the Bangladeshi workers received only seven days paid leave. When they were sick or absent from work for any reason, the company deducted the day's pay from their wages. The company also punished workers' absenteeism by "banning" them from working overtime.

#### Medical care

The company employed about 4 Chinese company doctors who could not speak English. They could only provide basic first aid and in serious cases, workers were forced to go to the local clinics, hospitals and private doctors. They then had to carry the costs themselves and did not get re-imbursed by the company.

#### Other problems

There was no canteen/cafeteria or other place for workers to sit during break-times. Bangladeshi and Namibian workers had to sit in the open where dust and sand were blown into their food.

There was dust and dirt everywhere in the factory, which the workers experienced as a major health hazard. They received no protective clothing at all. After work, they often had problems with the electricity and water supply at "Hotel Ramatex" and also found it very difficult to sleep due to the overcrowded conditions.

### **5. Retrenchments**

On 3 August 2004, the first group of 66 Bangladeshi workers was dismissed, allegedly due to "poor performance", i.e. failing to meet production targets. However, the workers claimed that their performance was equal to that of Chinese workers and better than those of the Filipinos who were not retrenched. The company never gave any indication/warning that their performance was not as expected.

The retrenched workers believed that the real reason for the retrenchment was the company's plan to replace them with cheaper unskilled workers from Bangladesh who were prepared to work for US\$ 120 per month. The retrenched workers indicated that Ramatex feared that having workers with different salaries from one country might cause trouble and motivate the lower paid workers to demand US\$ 200 as well.

The company informed the Namibian Ministry of Home Affairs that the work permits of the group of 66 should be cancelled and a new group of workers from Bangladesh was brought in. Ramatex wanted to deport the group of 66 on 4 August 2004, but in a last minute High Court ruling, they were allowed to stay in the country.

## **6. Humanitarian crisis**

The 66 Bangladeshi workers faced a humanitarian and possibly life-threatening crisis. They had to pay their last money towards legal costs of their case. In addition, they had no money to pay for their rent and food. Knowing their predicament, the workers believed that the company was trying to drag out the case in an attempt to literally starve them.

In August 2004, the first secretary of the Bangladeshi High Commission in South Africa came to Namibia to try to resolve the conflict. He appealed to the company to allow the workers to complete their contracts but without success. Ramatex merely offered to take them back at a rate of US\$ 120 per month. The Embassy then indicated that they could not do anything further for the workers. However, the Embassy decided to halt the further recruitment of Bangladeshi workers for Ramatex Namibia. Apparently Ramatex had planned to bring in as many as 2,000 unskilled Bangladeshi workers to Namibia.

Namibian immigration laws are usually very strict to secure jobs for Namibians. It was in total contradiction of Namibian laws and policies that Ramatex was allowed to import unskilled and semi-skilled workers from Asia. The Bangladeshi workers explained that it would take only about three days to train a worker for the jobs carried out in the Ramatex factory. The three Bangladeshi workers who were initially recruited as quality controllers were turned into packers after only six weeks in Namibia.

Unable to negotiate their conditions of employment and to ensure adherence to

Namibian labour laws, it seems that the Bangladeshi workers were kept in bondage and their most basic freedoms were curbed.

## **7. Unionisation**

None of the Bangladeshi workers ever belonged to a trade union but they were interested to meet the Namibia Food and Allied Workers Union (NAFAU), which is the recognised bargaining agent for the Namibian Ramatex workers. Most of the Bangladeshi workers joined NAFAU in September 2004. They hoped for the union's support of their demand to have their contract paid out to them and to be repatriated to Bangladesh. As their spokesperson said: "We don't understand why Namibia is importing unskilled workers. There are so many unemployed people here".

## **8. Deportation**

On 9 September 2004, the group of Bangladeshi workers that stayed at "Hotel Ramatex" rioted against the inhuman conditions they had to endure. The next day, their agent flew in from Malaysia and wanted to address the workers. However, their anger boiled over and the agent had to be "rescued" by the Namibian police. Thereafter, a meeting was held between Ramatex management, the Namibian government and NAFAU. A decision was taken to deport the workers back to Bangladesh and the Namibian police and the Special Field Force cordoned off "Hotel Ramatex". One of LaRRI's researchers was threatened as a "trouble maker" and prevented from speaking with the workers. During the next few days, the whole group of 400 Bangladeshi workers were deported, returning home without any compensation.

At the end of September 2004, the first group of 66 Bangladeshi workers reached an out of court settlement with Ramatex. They agreed to a "voluntary" repatriation to Bangladesh in return for an air ticket and US\$ 1 800, the equivalent of 9 months wages.

## **9. Conclusion**

The testimonies given by the Bangladeshi workers point to a number of violations of Namibian laws and policies, and raise the concern that Ramatex is allowed to operate above the law. Workers' testimonies also pointed to an international syndicate of labour brokers who engaged in human trafficking. Their operations were similar to those syndicates that offered young women in Eastern Europe and South-East Asia seemingly attractive jobs (or husbands),

and then sold them into the sex trade.

The operations of the labour broker syndicates amounted to blackmail as they forced workers to pay huge amounts in hard currency (mostly undocumented) in order to get contacts. These undocumented payments amounted to millions of US\$ in the case of Ramatex alone.

The workers' testimonies also raised serious questions about the relationship between Ramatex and the Namibian Ministry of Home Affairs, which has granted hundreds of work permits to Asian workers to carry out tasks that could be performed by Namibian workers.

## **E. Namibian Workers**

The following findings are from a study prepared by the Labour Resource and Research Institute in November of 2003. It is very important to note the differences in the experiences of the Namibian workers to those of the Asian workers. In some cases they paint a very different picture of life working for Ramatex. It should also be noted that there was not the added language barrier while conducting interviews with the Namibian workers and many of the Namibian workers do have an extra sense of security speaking openly because many of them do belong to a union.

## **Labour Relations and Workers Rights**

### **Recruitment and Training**

Almost all workers indicated that employment at Ramatex was advertised widely on the radio and newspapers. A few indicated that they had been notified by the Ministry of Labour. They said that the requirements for a job at Ramatex were Namibian citizenship, grade 10-12 of schooling, age 18-25 and sewing experience. This is how workers found out about jobs at Ramatex:

*I was looking for work and I came across people lining up for training at VTC and then I joined them.*

*I went to the Ministry of Labour and I was informed that they were recruiting for Ramatex.*

*I heard through the newspaper, I went to the Ministry of Trade and filled in the forms, whereby our names were called later through the radio for interviews. The interviews took place at the offices of the Ministry of Trade.*

This practice was confirmed by Ramatex manager Ms Lim (Interview, 09.07.2003) who said that recruitment does not take place at Ramatex as the Ministry of Labour was doing the recruitment for the company. The Ministry keeps a database, and the company contacts them whenever they need more

workers.

According to the workers, they were offered on the job training before they could be fully employed by Ramatex. Some were trained at the Windhoek Vocational Training Centre and some are still being trained on the factory premises. The duration of the training varied. Some were trained for 3 months, some for only three weeks whilst some have been trainees for over five months:

*I am still in training. I work for N\$1.50 p/h. Those of us still in training were told we will be in training for 3 months, but now those three months have passed, this is the fifth month and I am still apparently a trainee, getting N\$ 1.50 per hour.*

*I was trained for just two weeks. We used to get N\$ 30 per week. After that we came to Ramatex and we were told we have to undergo training again for another three months still at N\$3.00 per hour and we were told that after training we will get promoted but it is still the same amount.*

*Were trained at VTC for three weeks and we were paid N\$ 30 per week, and then we came to Ramatex and were told to undergo training again for another three months, whereby we were paid N\$ 3 per hour. Since then we are still getting N\$ 3 per hour after the completion of training.*

*We were promised N\$ 3 per hour while on training, but now training is finished and we are still getting N\$3 per hour. Some people who just start training are even earning more than us. It is very upsetting.*

*I was trained as a cutter. The problem is that they said the training should be for three months, but now you find yourself in training for seven months and you are still in training and getting such little money. They told us if you complete three months your salary would increase.*

*I am still in training and I get N\$1.50 per hour. We were told that training will only last for three months, and now its six months on training and I'm still getting N\$ 1.50 per hour.*

Ramatex manager Ms. Lim outlined the company's training policy as follows:

*The people recruited are then sent to Ramatex for training and placement. Ramatex offers training to its employees for a minimum period of three to six months depending on how fast different individuals learn the skills needed. The trainees receive an allowance during the training.*

When asked what the allowance was, Ms Lim responded that this was confidential. She further revealed that some people were sent to Malaysia for training.

### **Working Hours**

Ramatex workers usually start the day shift at 07h00 or 07h30 in the morning while the night shift begins at 19h30 and at 21h30. Most workers leave work by 19h30. The kitchen workers start at different times. Some work from 08h00 until 17h00, some work from 06h00 until 15h00 and other shifts lasts from 10h30 until 19h30:

*We start at 7 in the morning knock off at 5 in the evening. Generally we work for about 6 days a week, Sunday is overtime.*

The effects of working everyday for long hours were clearly felt by the workers:

*Sometimes I spend three months without seeing my children. The problem is that I have to work from 7 in the morning until 7:30 in the evening so that I can earn little bit more.*

*We work from 7 in the morning to five in the afternoon. But with overtime we work until 19:30 and sometimes we leave at 9 or 10 o'clock at night. This is Sunday to Sunday.*

*We work everyday, from the first day of the month to the last day. If you do not work overtime during the week, they will not allow you to work overtime over the weekend, because they know only by working overtime can one make a bit of money.*

*We work the same hours everyday. If you are tired you are told to go home and never to come back again. If you miss work on Saturday and Sunday, you are just told to go home or you get fired depending on the number of warnings. If you just miss work on Saturday and Sunday, the moment the Chinese supervisor see you he or she will only talk to the Filipino in the office, they will then tell you, 'go office, sign warning'.*

*I start at seven in the morning. We iron over a hundred items in an hour and we stand the whole day. The standing is very painful, but there is nothing I can do because it is my work. I leave at 19h30 in the evening, whether it is a weekend or normal weekday. Sunday-to-Sunday. When I started I used to attend night classes but I don't get time anymore and I stopped going to classes, because I have no time.*

A kitchen worker explained:

*We work six days a week and we are supposed to get one day off. However, sometimes we work seven days and don't get paid for the work done on Sundays. Because most Sundays are regarded as off days, even when we are required to report for duties on that day, we do not get paid for working.*

*The day that we are supposed to be on leave we don't choose ourselves. The managers draw up a list of names indicating who will be off duty. They choose names randomly and if you take a day off for yourself the managers will write you a warning letter.*

Almost all respondents indicated that they work every day of the week and often for 11 hours. The reason given was 'to make a bit more money'. Every worker is only awarded a one-hour break during the working day but they do not have tea breaks. The lunch breaks differ according to the different factories. This is how one worker explained the lunch arrangements:

*We do not get tea break, except for the 1-hour lunch. The company does not provide lunch; we each have to bring our own from home. The Chinese and Filipino workers are given food during lunch, because they have hostels on the premises.*

If a worker starts at 7:00 AM and leaves at 19h00 it means that person spends twelve hours a day in the factory – eleven hours work and one hour lunch break. If workers are employed as packers or to do the ironing, they will spend eleven hours of their day, at least six days a week. At the end of the seven-day week, 77 hours would have been spent standing, about 2,340 hours in a month!

*Workers indicated that they are not allowed to consume anything while working, except during their lunch hour:*

*We (Namibians) are only allowed to drink water. If you are found drinking anything coloured, then your chances of being called for a warning at the office is quite high. You know why I have a problem with this rule is that the Chinese people are allowed to eat whatever they want even when we are working. They come there with their packets of chips and cold drink and display them on their desks and eat. When it comes to us (Namibians), our glasses or containers of water are not even supposed to be on the table. This also raises a health concern, because the fabric is always dusty and when a glass of water is on the floor it can gather dust (ontsi) from the fabric and the water is contaminated. In addition our Chinese colleagues are always spitting and one fears that they might spit in your water if it is not closed.*

## **Salaries and Benefits**

Ramatex workers spoke about their basic monthly income at length. Although there seemed to be an inconsistency in the monthly basic salary mentioned by different respondents, the consensus is that trainees earn below N\$ 300 (US\$ 43)<sup>3</sup> whilst those who completed their training generally earn below N\$ 600 (US\$ 86). Workers are extremely unhappy about their low salaries and expressed their frustrations as follows:

*We are paid N\$ 3 (US\$ 0.43) per hour. When you calculate, it is supposed to be N\$ 648 per month, but they only pay us N\$ 585 and they say it is a basic salary. When we work overtime, we only get N\$1.50 extra per hour. But on Sundays it is a double hourly rate. On Saturday it is N\$4.50 per hour and on Sunday it is N\$6 per hour.*

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<sup>3</sup> In November 2003, the US\$ - N\$ exchange rate was 1 - 7.

*I am a trainee and get N\$297 basic pay. They pay N\$1.50 per hour plus 75c extra for overtime, but only if you have worked every day of the month and week, otherwise you get less than that. We are not paid if you are off sick or if you take any other leave.*

*My base salary was N\$ 600. Including over time I was getting N\$ 800 but only if worked overtime for many days.*

*Before I started work at Ramatex, I had my savings account with SWABOU. Now that I am working I still have to go to my savings account to get some money from there. At least then my cousin used to give between N\$300-500 every month. Now no one gives me anything because they believe I am working. Ramatex has not contributed anything to me really. At that time I used to have some money in the bank, but now I really do not have anything at all. In essence I can say its now a disadvantage.*

*I just want to complain about the day we get the money. I think the day is very far. We get the money after 7 days of every month. Like me, my father is not here in Windhoek. I am taking care of my father's house and I need to pay bills at the end of the month. And also to help my brother and my sister. The salary is very small. I pay for the house alone N\$ 200. The rest of the money you can only buy food, clothes you can't consider.*

In addition to the low pay, workers are also not always sure how much they will get paid at the end of a respective month:

*We have a problem. Sometimes you calculate the amount you are going to get at the end of the month. But at the end of the month the amount on the pay slip is very little. Especially those of us who work for N\$1.50 per hour. Once the company sees that the money is becoming too much they take a bit off... It is just the company that's eating the money. They never reimburse you even if you present the case at the office. There is no month when one is sure about the amount you are going to get even if you think you will get N\$700 you will be paid less... We do not know why we get paid so late, maybe it is because we are a lot.*

*Sometimes you work so hard because you are expecting to get a*

*commission. We were told that if you reach a certain production level, you qualify for commission. End of the month comes and no commission. Sometimes the agreement was that you will get 85 cents per T-shirt, but when the commission appears on the pay slip the addition is 1c. Imagine what one will do with a cent? I do not know how they count because even if you count, you will never be able to understand how they arrived at the 1 cent.*

Another worker raised a concern with regard to discrepancy in monthly payments:

*When we started we were promised N\$ 25 per day. Now the more people they are employing, the lower the wages. I am very upset because some of these new employees are those we trained, and now they earn more than us. They are getting between N\$ 700 to N\$ 800 a month while we are only getting N\$ 500 a month.*

As a result of their low salaries, production workers try to work overtime to make ends meet. However, there is no or very little impetus for kitchen staff to work overtime:

*We can work overtime in the kitchen, but it does not help to work overtime because we hardly get paid for working overtime. We only get an additional 20c per hour for overtime. That's' how little we earn. It is better to go home and do something beneficial for the family instead of wasting time and energy for 20 cents extra per hour at Ramatex. What do you do with 20 cents in this world?*

### **Making Ends Meet**

Time and again, Ramatex workers explained how difficult it is to make ends meet with their minimal monthly income. In most cases, workers cannot make ends meet with their salaries and are forced to live beyond their means. Like other urban residents, rent, food, and water surfaced as the most important necessities for workers. The majority mentioned that they are hardly left with any money to buy enough food let alone clothing:

*I have to pay for my transport N\$ 200, N\$ 250 for rent, account N\$ 152*

*and for five months I have not even sent money for food for my children. Look at my clothes they are so old because I cannot afford new ones.*

*There is nothing left for saving, I rent a room for N\$ 300, I spend N\$ 120 for transport after that there is only N\$ 200 left with that I have to buy food and I have a child to look after and there is nothing left.*

Other workers added:

*With regard to transport, I spend N\$ 100 per month because we are in a group and we share the cost. I spend N\$ 350 per month on rent for a room. I spend at least N\$ 300 on food and have an account for my bed on which I pay just the amount I can afford per month because I cannot afford the required installment. I am normally left with about N\$100 or less after all these expenses.*

*I do not spend anything on transport because I walk from home everyday. However, I spent N\$ 300 for the room per month.*

*My child is in a daycare, and I pay N\$ 150. I don't pay anything more but what I am getting here is really very little for what I need.*

*I walk everyday. I pay rent for the house, which is N\$ 350; I spend food for my family about N\$ 300. I spend N\$ 150 on transport.*

*My rent is N\$ 300, Food N\$ 300. I pay N\$ 300 for a bed. I earn N\$ 585 and I spend N\$ 900. My mother helps me out with the rest.*

*I spend N\$ 190 on transport a month and my basic salary is N\$ 377. If I work over-time it amounts to N\$ 400 and something and then you subtract N\$ 190 for transport.*

*We get some money from the family members, and they always tell us why we bother to go and work at Ramatex, instead of just staying home.*

*The problem is that we are staying in other people's houses and when you explain to them that the pay is not so great, they do not understand. They just think you are lying. Like now after a few days even before the*

*10<sup>th</sup> of the month the money is gone and this is difficult to explain. .*

A suspended worker (when asked whether she had any additional source of income) explained her predicament as follows:

*Maybe my mother, but it was not enough, the only person who was assisting me was my boyfriend. Sometimes he gave me N\$500, enough to buy clothes. I could never allow myself to take N\$500 and go shopping. No, you just have to share with the rest of the family.*

None of the workers enjoyed their incomes alone. Sharing is a norm in most African societies and most Ramatex workers had to carry the responsibility of extending financial support not only to their own children, but also to their siblings and in some cases to their parents.

### ***Protective Clothing and Work-Related Accidents***

*We noticed that Ramatex workers were not wearing any protective clothing. When we asked them for the reasons, they explained:*

*We do need them but we do not have them at all. I have asthma every day. I report daily to the office and nothing happens (coughing while explaining). We want aprons, because the fabric's colour is always fading off and it affects our clothes. Everyday you go home you have to do some washing otherwise all your clothes will be too old and coloured.*

A kitchen worker added:

*They have given us hoods and aprons for protection, but one thing that we really need are hand gloves, because we are made to cut frozen fish without gloves and extremely frozen meat is not safe at all.*

Other production workers stated:

*I do folding after the clothes are ironed, we work standing and those clothing are very dusty. We mostly get sick because of the dust from the clothes. On Sunday I went to the hospital because I was coughing. At the hospital x-rays were done on me and it was discovered that I have a*

*lot of dust on my lungs. The nurses at the hospital asked me whether we are given masks to protect ourselves from dust. I told them no, we are not given any masks, but I see some Chinese people wearing masks. I didn't know that they could protect you from getting sick. I don't know whether the company gave the masks to the Chinese or if it is theirs.*

*We need uniforms because you cannot wear your best clothes here. It will be old by the end of a working day. The clothes will be ruined and dusty by the end of the day and what about our health in the long run?*

*You know every time you come with your clothes, they get old and dirty and the money is not sufficient to buy more clothes. I have to wash my clothes at least five times a week. They get too dirty to wear them the next day. Like me I came here with nice clothes but now they are old and the money is too little. It is only enough to maybe buy food, or rent or taxi.*

When we asked workers if they made any attempt to find out from the company as to why they did not receive protective clothing, they replied:

*I asked my supervisor when I realised that the clothes were dusty. He told me that since he started he had not seen people given any protective items and he told me that I should take a piece of cloth to cover myself. But the piece of cloth is also dusty because it is from the same type of fabric.*

Workers recounted accidents at work, which seem to happen regularly:

*Look I am cut; this is because of Ramatex [pointing at a scar on her finger]. This was stitched at the hospital. They took me to the hospital. I have lost the use of my finger. My finger does not bend backward and forward anymore. I was not compensated for this.*

*There are a few people who had accidents on duty already. Nothing is done about it, they are only sent home.*

*Just after we got suspended I saw a lady who is living in Ombili<sup>4</sup>; the*

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<sup>4</sup> Section of Windhoek's Katutura township

*button machine cut off her middle finger. She just went to the hospital on her own. Those needles are very dangerous. The needles are not strong, they breaks quickly.*

*I was not injured while at work, but I have seen people who developed big funny lumps on their bodies. Their bodies were swollen and I think they are allergic to the fabric.*

Several workers pointed out that they were concerned about suffering back problems later in their lives. A worker who does ironing explained that they are expected to iron at least a hundred items per hour:

*The standing is very painful but there is nothing I can do. It is my work. I have already started suffering back pain especially at night when I go sleep. I do not know what will happen to me in a few years to come.*

*We stand the whole day and we never get a chance to sit. Since I started working here I stand seven days a week. We are already sick now. We feel pain because of the long hours standing, and if they see you leaning on something for support you will be given a warning.*

Other workers could perform their tasks like sewing while sitting. We wondered how comfortable the chairs were that Ramatex provided for them. They explained:

*The chairs are planks and they are very uncomfortable. It is very painful for your buttocks, and if you make a cushion to sit on it will be taken away from you. If you bring a cushion from home it will be destroyed when leaving for home by the security because they assume that you brought it to steal. They will open it to see what is inside.*

### **Relationship with Supervisors and Colleagues**

Ramatex workers indicated that they have two supervisors. A Namibian and a Chinese supervise each line in each factory. The views and opinions about the Chinese supervisors were often not very favourable. Namibian workers described the Chinese supervisors' behaviours towards them as 'inhumane' and 'just like colonisers':

*The Chinese have terrible manners. They treat you bad. If you ask for two days leave, then they say I do not want to give you two days; I will only give you one day. Otherwise they let you go for a whole month with no pay.*

*The behaviour at Ramatex is quite confusing. My former employer and me used to understand each other very well. He never used to insult me like the Chinese people at Ramatex.*

*At my division we were trying to organise ourselves, so that we can sign contracts, stipulating the amount of money that we are supposed to be paid. The supervisors are supposed to be working and communicating well with the other colleagues, but most of the supervisors are Chinese and they were not willing to co-operate with us. And things don't work like that.*

Another worker expressed her anger as follows:

*The relationship is very bad, because there is no communication. They insult and shout at us. Sometimes we want to use the toilet and we are not allowed to. The other day one Chinese was told to clean up, but he came and ordered me to do the cleaning. When I refused, the manager told me that he will fire all the Namibians and only work with Filipinos and Chinese. They call us blacks all the time. They want the Namibians to do all the dirty, messy work while the Chinese, Malaysians and Filipinos are doing the easy work.*

*There is a problem if you want to take leave; the manager has to give you forms to sign. Even if your mother has passed away and you want to take days off, the manager will ask you: 'why your mother die?' If you go it will be risky because you won't be paid for those days when you are absent or they will fire you when you come back. Yes, he is the one who asks people: 'why your mothers die?' He asks that in my ears, Even if you bring the death certificate it won't help. But one just has to take the risk; you will be a fool to miss your mother's funeral because of Ramatex. Whether there is a death in the family or a visit to the hospital, the worker will not be paid for this time off work.*

This is how a suspended worker explained what she did not like about her supervisors:

*I loved the job. You know when I was at work I would be working with passion, but the problem came in when someone suddenly started talking to you in a very rough manner. Or a Chinese supervisor would just stand around during work. If one is alone, you work better. You know you have made a mistake and you correct it. But the moment someone comes and stands around you, you make more mistakes, you become nervous and they [supervisors] start screaming at you.*

This was confirmed by other workers:

*They do not listen. For example, sometimes you will be working hard to finish a bundle when suddenly the supervisor says you have to redo it because it is faulty. If you do not agree and do not want to redo it, the supervisor will write your number down. Once the supervisor has this number, you are recorded for having made a mistake regardless of whether or not this is true.*

*The Chinese have the worst manners. The Filipinos have respect for others as human beings. Except the one in the office, we believe the Chinese influenced him. One day I told my Chinese supervisor that I was going to the North. My mother was sick and she [supervisor] tells me, go and come back tomorrow. I told her it is far. She said: 'if you do not come back tomorrow, you will never work again at Ramatex'.*

*If a Chinese person hates you or if you have a disagreement once, she will make your life difficult. Everyday it will be: 'you no gooda. You lazy' etc. Even if you cough, she will have a problem. They easily go to the office and say 'I do not like this person; please take her away from my line, because I do not like her'.*

*They will transfer you. You might be moved from sewing to packing. Sometimes you ask for a permission slip to go to town, maybe coming back in the afternoon. But on the payslip, the Chinese supervisor will write 'go to town do not ever come back'. Or she will say: 'go but*

*tomorrow you are not working'.*

*If you have a problem with a Chinese nothing is done, you cannot even explain yourself. What happen is that the people in the office only ask you to sign a warning. Some of us have up to five warnings and 'I am on the final warning'. They only speak Chinese as well. There is normally not much done all they say is that you are bound by a signed contract..*

A kitchen worker remarked:

*We are not allowed at all to taste the food we cook. If they see you tasting you will be sent home immediately or they will make you sign a warning for misbehaving. They will come and open your mouth and make you spit the food out. Sometimes you are chewing your gum and you will be forced to open your mouth so that they see what is in your mouth.*

Conflicts and physical attacks between the Chinese supervisors and the Namibian workers seem to be almost an everyday experience, a scenario which the following quotes demonstrate:

*I once had a fight with a Chinese supervisor. She provoked me for too long until I could not take it anymore. I really lost it that day. She threw a t-shirt at me. I picked it up. She threw another one and I picked that up. The third time she tried again and I hit her in the face. So, her colleague took me to the office. They asked what was the problem. She just kept saying 'me I don't know'. The people at the office said I should go home and I reported to NAFAU. NAFAU asked them why they send people home without investigating properly about what happened. So, they reinstated me, just to be suspended after the April 2003 strike. But now she [supervisor] has gone back to China, because Ramatex management could also not take her behaviour any longer. She was not executing her supervisory duties properly. She was transferred from factory B to A, but she was still behaving the same way.*

*I was using a broom and a Chinese worker wanted the broom that I was using, I told him that he should wait until I finished. He grabbed the broom from me and hit me with it and kicked the bucket of water that I*

*was using. I then went and told our Malaysian Manager about the issue and she was not helpful. Then I went to another one, and he spoke to another manager...He didn't want to listen, he only pushed the door in his face and he told me that I should go and open a case with the police because they don't want to talk about the issue. I did go to the police and the Chinese worker was arrested and it created havoc at the factory when he was taken into custody. They were saying that Namibians are very dangerous. Since then I have been having problems with our supervisor here because apparently I should not have reported the assault. I was in pain when he hit me, and I was crying that day and I think they might fire me any day because of that.*

Intimidation and unfair labour practices are common at Ramatex as several workers testified:

*I wanted to go to a funeral and when I asked the manager he only gave me a warning form to fill in, but I am still going to the funeral no matter what might happen.*

*Sometimes the way they treat us you look at them and you feel they are more Namibian than we are. For us that's colonisation.*

One worker explained how unhealthy the division between Namibian and Chinese workers could be. She was hoping that workers would learn to live together:

*All I want to say is that people should work together. We do not like each other especially when it comes to Namibians and Chinese. Let's communicate, let's stand together and let our union also be stronger.*

### **Ramatex Workers' Social Life**

Given the long hours of work, the low salaries and the long distance to and from work that most workers have to walk, Ramatex workers experienced an almost total destruction of their social life (which refers to activities such as spending time with family and friends, going to church, or enjoying entertainment):

*Sometimes I spend three months without seeing my children and they*

*are just in Gobabis.*

*Every weekend you know you have to be here. If you miss one day then you know Monday you will be given a warning...you have no time to visit anyone.*

*Whenever we need something we always have to send family members to buy things for us because we have no time.*

*When I started I used to attend night classes but I don't get time anymore and I stopped going to classes. In my case, for example, the people who paid for NAMCOL classes are complaining, because I do not get time to go to school anymore. They are complaining about their money being wasted. The owner of the house always says 'My house is so dirty, you never clean it, you are always coming home late, there is no work like that'. I asked the company if I can still continue going to classes. They told me if I want to go to school I should go to school but that I should remember there are a lot of people who are outside the gate ready to work.*

*Working here is like prison; one does not get time to do anything else... You leave home in the morning, you come back at night. The salary is even terrible. You take this out, you take that out, and then at the end of the day, there is nothing left, especially if one Saturday and Sunday passes without working.*

### ***Employment Contracts***

Most workers complained about the poor working conditions and their low wages. We asked whether they had an employment contract and if yes, whether they were familiar with the content. If they signed a contract, did they understand the content? Some workers were aware of the contract but had no idea what it contained. One can therefore conclude that the workers might have unintentionally agreed to what they now regard as exploitation. One of the workers explained how this happened:

*The contract was read to more than 3000 people at one time, how will one hear anything, and then you were just made to sign. We were not*

*even allowed to read the contracts ourselves. That NAFAU man read the contract to us. We just signed, we were afraid we would get fired, so we just signed.*

Another worker added:

*I have an employment contract but I did not see a copy. It was read to us at the gate and we were told 'go through quickly, run go inside'.*

The contracts given to workers at Flamingo Garments (a Ramatex subsidiary that operates within the Ramatex compound) indicate that workers are employed on a renewable one-year contract basis. Workers are put on a 'flexible remuneration scheme' which allows management to unilaterally decide if a worker is paid according to 'time-based remuneration' (according to the time worked) or according to his/her productivity. The contracts also state that workers will be 'progressively appraised' and that they can be dismissed based on this evaluation within the first three months.

The contracts further state that the company may transfer workers to carry out duties and job functions 'as the company deems fit'. The usual hours of work per week are 45 but workers 'may be required to work overtime when requested' and they 'should not refuse' shift work. The contract informs workers that they 'shall follow the company's arrangement on their rest day for operational requirements'. According to the contract, workers are entitled to 24 consecutive days annual leave, 12 days sick leave, and 'medical assistance resulting from work-related accidents.

The contracts end with a paragraph which states that: 'The employer has the right to amend the above rules and regulations and other procedures and it will be made known from time to time'. Furthermore, the Ramatex code of conduct states that 'employees must obey their superiors at all time with respect' and that they are not allowed to talk during working hours which is seen as 'unsatisfactory work performance'.

The Ramatex contract is another indication of the power imbalances between workers and the company. Several clauses in the contract empower the company to change conditions of employment unilaterally and may thus be in conflict with the Namibian Labour Act which aims to promote dialogue and

negotiations between employers and workers.

### **Trade Union Membership**

Ramatex currently employs about 7,500 workers of whom about 6,000 are NAFAU members. The trade union was recognised by the company as the 'exclusive bargaining agent' in 2002. Although the company initially tried to avoid the union and refused NAFAU access to its premises, the attitude of management has changed. According to Ms. Lim, the senior manager at Ramatex:

*NAFAU has a better understanding and focus on what business is all about. NAFAU does not only concentrate on fighting for the workers, but also understands the way business operates.*

When asked whether there were continuous negotiations between Ramatex and NAFAU, her reply was that all negotiations had been concluded. Although workers had high hopes that their working conditions would improve when their union was recognised, some seemed disillusioned:

*Most of us only joined NAFAU after the strike. Most of us are not really familiar with NAFAU and they only help us on matters like when we for example break a needle while working and Ramatex wants to fire us from the job... But when it comes to salary increments they don't get involved.*

*Even if we complain about our problems, NAFAU does not solve any problems here in Ramatex. I am not impressed by NAFAU; they are only best at making us lose our jobs. When we have a dispute NAFAU is never siding with the workers but with the company.*

*NAFAU does not necessarily get us out of hearings and generally leads to work suspensions. They are weak. There is also pressure from the President. For example, whenever these unions try to make changes, the President blocks them.*

In September 2003, Ramatex dismissed 30 workers, claiming that they had not reached the required production target as per company policy. NAFAU

challenged the issue and won the case. The union examined the evaluation of workers' performances and found that there were inconsistencies in the way the evaluation was carried out. By 1<sup>st</sup> of October 2003 only 3 cases were still in dispute and further discussions are being held.

NAFAU also managed to negotiate for the election of 2 full-time shop stewards as well as an office on the company premises. However, NAFAU's recognition agreement provides for negotiation on 'substantive issues' (like wages and other employment conditions) to take place every three years which severely hampers the union's attempts to negotiate better conditions for Ramatex workers.

## **F. RECOMMENDATIONS**

While most of the Namibian Ramatex workers have joined Namibian trade unions, this is not the case with the Asian workers. Most of them are isolated from their Namibian counterparts, unable to overcome cultural and language barriers which are coupled with the company's divide and rule strategy. In addition, Asian workers fear losing their contracts if they cause the company any trouble. Filipino and Bangladeshi workers experience worse conditions of employment than the Chinese and are thus more inclined to join a trade union.

NAFAU struggles with the question of how to recruit and service Asian Ramatex workers. The Bangladeshis who joined the union in September 2004 were deported shortly afterwards and the union was unable to secure adequate compensation for them.

The Chinese workers seem to be satisfied with their working conditions at Ramatex and do not seem to be interested in joining a trade union. However, they lead very isolated lives and seem to be in need of contact with Namibian society. This could be achieved through day trips around Windhoek, visiting Namibian families as part of a cultural exchange, short courses on basic oral English, workshops for newly-arrived workers to help them adapt to life in Namibia, workshop on labour rights etc. It might be better to start with the less sensitive issues and build up trust before turning to labour rights issues.

Namibian unions may consider organising activities with the Computer Training Centre (just opposite Ramatex) regarding courses to improve computer and language skills. Another contact point could be the Healthy-Way Traditional Chinese Medicine Clinic (Address: Shop No.128 B, Wernhil Park, Shopping Centre 1<sup>st</sup> Floor, Windhoek), which some workers visit to treat health problems.

However, since most of the Chinese workers do not speak English, it is essential to have an organizer who could speak Mandarin to take up this task. Also, since the workers are scared of management, getting some kind of approval from Ramatex management would ease the fear of the workers. This, however, seems impossible, given the hostile relationship.

Once trust is gained, there could be more activities to bridge the gap among Asian workers and between Asian workers and Namibian workers. Also, the Chinese workers might then be more willing to share their views and experiences.

It is not advisable to employ an outside researcher to carry out further research on Chinese workers in Namibia because it is costly and extremely difficult. Chinese workers are hardly accessible and it will take any researcher a long time to establish the necessary contacts and to convince workers to overcome their fear. Activities-based research as described above is recommended.

Asian workers at Ramatex work far longer hours of overtime than permitted by the Namibian Labour Act. This may well be a result of the fact that such workers are indebted to labor brokers and thus particularly vulnerable to management demands for excessive overtime. Any trade union organising the Asian workers should be sensitive towards this dilemma and should seek ways to assist such workers to address the particular restrictions and fees inherent in migrant workers' contracts.

Trade union intervention is certainly required on health and safety issues as many workers stretch their physical abilities to the limit and are not provided with the necessary protective clothing and comfortable chairs to sit on. This could be an area of entry for trade unions to gain support from Asian workers. Indeed, an inclusive and comprehensive trade union organizing strategy seeking to engage workers of all nationalities would go far in countering the divide-and-rule tactics employed by the company. Such a strategy should encourage diverse groups of laborers to work together to improve factory conditions that affect all Ramatex workers.

## Appendix 1:

### Media reports on Asian Ramatex workers in Namibia

There have been media reports on Asian workers of Ramatex in local newspaper in Namibia. The relevant reports from 2002 to September 2004 are summarised below to provide some background to those who may not be familiar with the situation in Namibia.

The following events follow chronological order:

- May 2003      About 700 Asian workers, most of them from China, went on strike for a few days, demanding a N\$ 500 across-the-board salary increase and other improved conditions of service. The strike was not reported to the Namibia Government when it started. Workers' representatives and the management reached a compromise after a few days with promises of better salaries and working conditions.
- Oct 2003      LaRRI published the report titled 'Ramatex: on the other side of the fence'. In Ramatex' response to this report, it was quoted that Ramatex employed 8,173 Namibian workers and 1,800 Asian workers. Ramatex claimed that the Asian workers were primarily employed as trainers and would remain in the country for a period of two to three years to ensure skills transfer.
- Dec 2003      About 700 Filipino workers signed a petition after at least two employees were forced to return to Philippines after they had allegedly contracted Hepatitis C. The petition raised the following issues:
1. Filipino workers lived in a close-knit living condition, with eight people sharing a room;
  2. The canteen was not clean and caused the spread of diseases;
  3. Some workers tested positive for Hepatitis C but argued that they had gone through medical checks before coming to Namibia. They argued that they should not be liable for the medical costs involved. Ramatex claimed that Hepatitis C was a sexually

transmitted disease and thus the company would not pay for the medical expenses;

4. The Filipino workers were not happy with their basic salary of US\$ 200 that was paid in Namibian dollars. Due to the declining exchange rate, workers received only N\$ 1,400, which was much lower than they expected;
5. They asked the Philippines Embassy in South Africa to visit Ramatex and to assist them in solving their problems.

Jan 2004      An estimated 300-400 Chinese workers (out of a total of around 800 Chinese workers at that time) set down their tools in protest against the company decision that they pay for Hepatitis C tests and related medical treatment. Other demands included the reduction of the contract period from three years to two years and a food allowance that would be offered instead of being forced to eat in the unhygienic canteen/cafeteria. This was the first time that grievances among the factory's foreign workers resulted in a work stoppage. Some Chinese workers left the company, though it was not clear whether they were forced to terminate the contract or whether they had to pay for their for their air tickets.

July 2004      At least 500 Filipino workers refused to work overtime for four days during one of the plant's peak production times. They demanded wage increases due to the devaluation of the Namibian dollar which affected their salary.

June-Sept 2004      A few hundred Bangladeshi workers were brought in to work in Ramatex with promised overtime work and free food and accommodation. However, they found their wages to be lower than promised. They also did not receive the promised food and accommodation. Their living conditions were outrageous at "Hotel Ramatex" and after protests, the Bangladeshis were deported. Another group of Bangladeshis took the company to court and then agreed to an out of court settlement with some compensation. Concerns were raised regarding the application of Namibian law to foreign workers who signed contracts outside Namibia.

## Appendix 2: Media reports in China on “Chinese workers working abroad in Namibia”

A web-search through three search engines, namely Bai Du, Yahoo (China) and Google (China) in January 2005 revealed additional information about Chinese workers in Namibia. Below is the summary of the results yielded

### 1. Job recruitment advertisement

Job advertisements to work for a big multi-national textile factory in Namibia were found. They were posted in 2004. The name of the textile factory was not mentioned but the factory concerned had to be Ramatex.

Some advertisements were more detailed than the others and listed out a more detailed list of requirement. Below are the examples of the requirements listed in the advertisements.

#### Company A

##### Job title: Sewer

- Requirement: female, aged below 30, in good health condition, junior secondary school education level, skilled in mastering high-speed sewing machine, can make clothing item (knit-wear) independently.
- Remuneration: basic salary US\$ 200 (actual salary up to about US\$ 350), free food and accommodation.
- Fee: RMB\$ 14,000 (air ticket included) (US\$ 1,750)
- Examination: in April and May

#### Company B

##### Job title: Sewers (100 workers needed)

- Requirement: aged between 18-30, skilled in mastering the related machines with 3 years experience, in good health condition and right mindset.
- Remuneration: basic salary US\$ 300, plus overtime payment and bonus, free food and accommodation
- Contractual period: three years

Company C

Job title: Sewers (200 workers needed)

- Requirement: female, aged below 32, in good health condition, skilled in mastering relevant machines.
- Remuneration: average salary about US\$ 500-600, free food and accommodation, insurance and basic medical expenses included.
- Fee: RMB\$ 18,000 (air ticket included) (US\$ 2,250)

Job title: Skill supervisor

- Requirement: male/female, aged below 35, in good health condition, vast experience in textile industry.
- Remuneration: basic salary US\$ 400, plus overtime payment, free food and accommodation, insurance and basic medical expenses included
- Fee: RMB\$ 22,000 (air ticket included) (US\$ 2,750)

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- Application fee: RMB\$ 100
- Deposit for examination is RMB\$ 2,000 (US\$ 250). If the worker passes the examination, the deposit would be deducted in the labour recruitment fee. If the worker does not attend the examination for personal reasons, the deposit is not refundable.
- Successful applicant needs to pay RMB\$ 4,000 (US\$ 500) as deposit and it will be refunded upon completion of the contract.
- Deposit for passport: RMB\$ 500 (around US\$ 63), refundable upon completion of the contract.

Key observations:

- The labour recruitment fee varies, from US\$ 1,750 to \$ 2,250. The fee is higher for supervisory posts.
- The fee workers have to pay can be complicated, as can be seen from the advertisement in Company C.
- Female workers below 30 years of age are preferred.
- The usual contractual period is three years.
- Free food and accommodation is provided.

**2. Fraud case**

There was a report about an individual in Fujian who claimed to represent

Ramatex to recruit workers for Namibia. About 238 workers paid around RMB\$ 18,000-20,000 each to this person (RMB\$ 4,000,000 in total or US\$ 500). The person escaped and was sought after by the police. Thereafter, the Chinese Ministry of Commerce issued a statement in 2003 to warn workers to be careful of fraud. There is a “Co-ordination Committee for Labour Affairs Co-operation in Namibia” and the relevant labour recruitment practices have been standardised. However, no details are available.

### **3. Bribery case**

The Chinese government in April, 2004 prosecuted a staff member of the Chinese Embassy in Namibia for accepting bribes from May-July 2003 to help a labour agent in recruiting workers to work in Namibia. The sum of money involved was US\$ 25,000. However, no information was available about the company involved.

### **4. Labour-exporting strategy**

A short article was published in July 2002 by a provincial government in China. It stated the rationale behind the labour-exporting practices to Namibia as follows:

- a. There were too many skilled textile workers in China but not enough job opportunities. Exporting labour for the textile industry abroad would help ease the domestic unemployment problem;
- b. It fit the national “going out” strategy, but no details about this strategy were given.

The article mentioned that 120 workers (both managers and production workers) were sent to Namibia to work for Ramatex and to help train the local workers. It was supposed to be a skill-transfer co-operation. This point should be noted because in reality Chinese workers have been involved in actual textile production and not in training.

## **Appendix 3: Research Questions on Asian Migrant**

### **Workers in Namibia**

#### **Company Data:**

- Basic workforce data (how many workers, how many are men/women/Namibian/ Chinese/Malaysian/Filipinos/Bangladeshi etc.)
- Information regarding ownership and management of factories
- Information regarding buyers (TNCs) sourcing from the Namibian factories
- Why does the company use migrant workers? (in Namibia, wages and benefits for Asian workers are higher than for local workers – what is the company’s motivation to still recruit large numbers of Asian workers?)

#### **Individual Interviews**

##### **1. *Personal information:***

(Gender, age, length of employment at Ramatex, country of origin, family circumstances etc.)

##### **2: *Employment history:***

- Where did you work before you joined Ramatex?
- (Some details about previous employment- duration, position and location; migrant work in other countries?)
- Why did you decide to come to work in Namibia?
- Who recruited you to come to Ramatex in Namibia?
- What expenses did you incur to come to Namibia? (passport, work permit, flights, agent’s fees etc.)
- What were your expectations when you came to Namibia?

##### **3: *Current employment information***

- Factory name
- Product made by the worker/task performed
- Nationality of immediate supervisor
- Nationality of line manager
- Nationality of factory/department manager
- Nationality of General Manager/CEO

#### **4: Terms of Employment**

- Do you have an employment contract? Who decided on it and what does it say?
- Do your employment conditions differ from what you were promised/what is written in the contract?
- What is your wage? Which benefits do you get?  
What deductions are made from your basic salary?
- When do you get paid?
- What is the minimum wage paid to Asian workers? What is the maximum they can earn? Which benefits do they get?
- Who decides on wage increases at your factory?
- What time do you usually begin/end work?
- How many hours do you work per day? How many days per week?
- How many hours of overtime do you work per week? Why do you agree to overtime work?
- How much are you paid for overtime?
- How much paid/unpaid annual leave do you have?
- How much sick leave can you take each year? (paid/unpaid)
- Does the company offer you any other kind of leave?
- What happens if you terminate your employment earlier than agreed in the contract?
- Which are your biggest problems at work?
- If you have problems at work, how do you solve them?
- How does the company appraise your work? Do salary increases depend on this appraisal? (if not, what influences salary increases?)
- Do you receive any training at work? (please explain)

#### **5: Labour rights**

- Is there a trade union in your factory?
- Are you a member of a trade union? (explain why/why not)
- Are you interested to join a union?
- Are women screened for pregnancy before they are employed?
- What happens to women if they become pregnant?
- Do you know of any workers who have been sexually harassed?
- Are you scared to complain about problems at work? (please explain)
- Are you paid for all hours you worked?
- Does the company pay you during annual leave, sick leave, and maternity leave?

## **6. Health and safety**

- Do you experience any health problems at work?
- Did you raise your concerns with the company management (or your union)? What was done?
- Are you receiving protective clothing and equipment to protect your health?

## **Appendix 4: *NUNW Statement on the Ramatex***

### ***Workers from Bangladesh***

***Windhoek, 10 September 2004***

Over the past few weeks we investigated the conditions of Bangladeshi Ramatex workers in Namibia. What we found caused us disbelief and outrage. It is indeed tragic that 14 years after independence, workers in Namibia are deprived of basic human rights while the Ramatex Company continues to operate as if it is above the law. We have therefore decided to make our findings public and to share them with the Namibian government, the Namibian public in general and our friends internationally.

#### **How it all started**

The first group of 66 workers from Bangladesh arrived in Namibia between June and August 2003 on a three-year contract. Twenty-one (21) of them are married with children while the others are single with children to support in Bangladesh. All their families rely on remittance payments for their survival.

The Bangladeshis came to Namibia because of the salary promised and the benefits (free food and accommodation). Workers learned about the Ramatex jobs in Namibia through advertisements in local newspapers. They were recruited through agents in Brunei and in Bangladesh (Bay Eastern Agency) whom they had to pay **US\$ 3,500 (!)** of which only US\$ 1000 were recorded with receipts.

Given the prospects of a few years of better earnings in Namibia, the Bangladeshi workers had to sell their houses, land and livestock and take out loans with banks, families and friends. As a result many are indebted today. They had hoped that by coming to work for Ramatex in Namibia, they would be able to recover that money and still send money home to their families. They expected to work many hours of overtime to achieve this goal.

#### **A rude awakening**

Sixty-three (63) workers were employed as sewers with a monthly salary of US\$ 200 while three (3) were employed as quality controllers at a salary of US\$

300 per month. The workers' contracts were signed in Bangladesh and set out the monthly wages. They also contained a clause stating that: "The basic accommodation and food shall be provided by the employer, in accordance with the local situation in Namibia". The employer (Ramatex) was also responsible for the air ticket and for reimbursing the workers for "all approved medical expenses for in-house or designated clinic or hospital for medical treatment".

The Bangladeshi workers received only 7 days of annual leave, while the Namibian Labour Act (1992) prescribes a minimum of 24 consecutive days annual leave. The workers had hoped that they would be able to recover their "agency fees" and save some money that they could send home to their families. However, after only 6 weeks in Namibia, Ramatex unilaterally changed their contracts by cancelling the provision of food and reducing the quality controllers' salary from US\$ 300 to US\$ 200 per month. This again is an open violation of the Namibian Labour Act.

Twenty-nine (29) workers were accommodated at Farida Hotel in Windhoek while the other 27 were accommodated in a house in Windhoek West, known as "Ramatex Hotel". We learned that this house is owned by Mr Gertze, a former official in the Ministry of Trade and Industry and Namibian High Commissioner to Malaysia.

On 3 August 2004, Ramatex decided to fire the 66 workers under the pretext that they had not been productive enough. This seems to be a mere excuse for unfair dismissals. During July and August 2004, Ramatex brought in another 418 Bangladeshi workers. They are all unskilled workers who are paid US\$ 120 per month, which is effectively reduced to US\$ 75 per month as US\$ 45 is automatically deducted for food. These 418 workers are all men and are all accommodated at "Hotel Ramatex" under conditions that are even worse than those of the notorious migrant worker hostels in colonial Namibia. We regard those people responsible for the workers' accommodation and food as criminals who do not regard workers as human beings.

Ramatex informed the Namibian Ministry of Home Affairs that the work permits of the 66 retrenched Bangladeshis should be cancelled. Ramatex wanted to deport the group of 66 on 4 August 2004, but a last minute High Court ruling ensured that they could stay in the country. Their case will continue next week.

### **Humanitarian crisis**

The 66 retrenched Bangladeshi workers face an immediate humanitarian and possibly life-threatening crisis. They had to pay their last money towards legal costs which amounted to N\$ 46 000 to date. They will have to pay another N\$ 25 000 for the court case. In addition, the workers have no money to pay their rent and will run out of food by the end of the week. They will need about N\$ 65 000 to sustain themselves for a month. Knowing their predicament, the workers believe that the company is trying to drag out the case in an attempt to literally starve the workers.

The upcoming court case is highly significant as it will highlight the abuses and human rights violations that occur at Ramatex. The testimonies given by the Bangladeshi workers point to a number of violations of Namibian laws and policies and raise the question if this company operates above the law. It is high time that justice is done and we call on the courts to put an end to such abuses. The Bangladeshi workers' experiences point to an international syndicate of labour brokers who engage in human trafficking. Their operations are similar to those syndicates that offer young women in Eastern Europe and South-East Asia seemingly attractive jobs (or husbands), and then sell them into the sex trade. The labour brokers essentially resort to blackmail as they force workers to pay huge amounts in hard currency (mostly undocumented) in order to get contacts. These undocumented payments amounted to US\$ 1.21 million in the case of the Bangladeshi Ramatex workers alone!

In conclusion, we would like to point out that when workers stand up for their rights, some government officials and ministries point to the need for protection of the "national interest". We are not sure what is really meant by "national interest". Does it mean excluding workers' rights and trampling on their dignity? Does government believe that the national interest is identical with the interest of transnational corporations?

### **Our demands**

As Namibian trade unions, we commit ourselves to rendering whatever support we can to our fellow workers from Bangladesh. Like their Namibian counterparts, they are victims of a company that tramples on workers' rights and ignores Namibian laws and policies. NAFAU has recruited many Bangladeshi workers as members and will defend their rights and interests. We support their demand to have the value of their contracts paid out and to be

reunited with their families in Bangladesh at company cost.

The Bangladeshi workers will need material support to keep themselves alive during the period of the trial. Their own resources are exhausted and they will need food and money to pay for their accommodation and legal fees. They are about to run out of money and food. We therefore appeal to humanitarian and human rights organisations as well as the Namibian public in general to render support as a sign of solidarity.

The workers' testimonies also raise serious questions about the relationship between the company and the Namibian government which has granted and continues to grant hundreds of work permits to unskilled and semi-skilled Asian workers who carry out tasks that could easily be performed by Namibian workers. This stands in sharp contrasts to Namibia's immigration laws and practices, which are usually meant to ensure jobs for Namibians. Given the huge undocumented amounts made by the recruitment agencies, we suspect high-level corruption in the granting of work permits. Is it a coincidence that the Bangladeshi workers are accommodated in a building belonging to a former official of the Ministry of Trade and Industry? We therefore call on relevant government agencies like the Offices of the Ombudsman, the Prosecutor General and the Labour Commissioner to launch an immediate investigation into the dubious relationship between Ramatex and certain government Ministries. We will present an official request for such an investigation.

There is no time to waste as we expect to uncover a web of dubious operators and shady deals. There are vested interests at stake, which want the court case to collapse to hide their own role in one of the most despicable chapters in independent Namibia. Those who perpetrated and upheld the suffering of Ramatex workers must face criminal charges. We do not believe in the granting of special privileges to Ramatex and call on the government to ensure that all our laws apply evenly. We also call on the Namibian courts to ensure that justice is done by granting a speedy trial and not to allow delaying tactics to literally starve the Bangladeshi workers out of their rights.

This is an extremely urgent matter that needs to be resolved. As Namibians we are embarrassed that our country can be host to such abuses of human rights. We are determined to play our part in ensuring that this will never happen again. We are only prepared to give Ramatex and our government until next week to

rectify the situation. Should they fail, we will immediately launch an international protest campaign against Ramatex and even consider calling a general strike at Ramatex to express our outrage at the continuous violation of workers rights.

**Alphaus Muheua**

**First Vice President**

**National Union of Namibian Workers (NUNW)**