

WORKER S VS NEWLINE EXPORTS

OVERVIEW:

For case -19, the worker has been represented as 'Worker S'. She worked as a Tailor for more than 4 years. After covid-19 pandemic, in October 2020 when she was going to shift in a company van, the van was met with an accident. She was injured severely and had pain in the chest area. The company has supported medical claims when she was in the ICU. But she was urged to discharge from the hospital even before the complete recovery. Then she pursued the medications in the hospitals near her locality. She was unable to do even the household things. The company has not provided any support further or any compensation. Then she was in the process of filing a case in labour court with the assistance of Labour rights NGO members.

BASIC INFORMATION:

1. Name of the Worker: Worker S
2. Gender of the Worker: Female
3. Age of the Worker (at the time of IDI): 39
4. Name of the Company: New Line Exports - SF. NO.: 362/1, Thaneer Pandal Colony, Avinashi Road, Tirupur - 641652. India.
5. Designation of the Worker: Tailor
6. Years of work in the Company: 4 years
7. Dispute Type: Accident Compensation
8. Year of Dispute onset: 2020
9. Concluded/Ongoing: Ongoing
10. Year of Conclusion (If applicable):
11. Individual/ Collective: Collective

TIMELINE OF EVENTS:

DATE	EVENT
2016	Appointed as Tailor in New Line Exports
24.10.2020	Factory bus met with an accident
05.11.2020	Accident Case filed at Avinashi Govt Hospital Police Station
12.11.2020	Factory management visited the worker and promised orally to bear the medical expenses
05.01.2021	Nagarathinam sent medical bills to the factory management through co worker
11.01.2021	EDWF Secretary intervened the issue
19.01.2021	Communist Advocate was consulted

CASE HISTORY:

a. About the worker

Worker S, 39 years, is a Dalit worker from Ramapuram village of Sathyamangalam Taluk. Worker S has been working at Newline Exports for 4 years. She never had any identity card, ESI, PF or any other social benefits proofs. Same is the case with most of her coworkers from the same village. A total of 8 workers were working at the factory from her village; after the accident only 4 of them are working at the factory. According to them, the management uses a face recognition system for attendance.

Her husband, aged 45, is a printing press worker who on an average earns rs. 500-600 per day. However, he doesn't provide for the family as such. They have two children - Sharma(16) and Sushma (14).

b. About the Company

New Line Exports was established in 1998, NewLine group of companies has a very strong foothold in the knitted garment export industry. With more than a decade of expertise in the field, we specialize in manufacturing and exporting fashionable and eco-friendly knitted garments. It produces Men's wear, Kids' Wear and Women's Wear. It has Knitting unit, Printing unit, Embroidery unit, Cutting unit, Stitching unit, Checking unit, Ironing unit, and Packing unit. It exports to the UK, USA, and Europe.

c. Beginning of the Conflict

She and 28 of her co-workers met with an accident while commuting to work on the factory bus on 24.10.2020. A total of 8 workers were working at the factory from her village; after the accident only 4 of them are working at the factory. Workers were all taken to Avinasi Government Hospital for first aid and later shifted to Tiruppur district government hospital as it had better facilities. The management later admitted Worker S at Suga Suga private hospital in Avinashi as she was heavily injured among the others. And again shifted her to Revathi hospital, Tiruppur.

Worker S was hospitalised for 11 days and the management took care of the expenses. But the management pushed the hospital to discharge her soon even before the complete recovery and medication process. Then she was discharged by the hospital. This hospital was almost 100 kms away from her village. When she was admitted to Avinashi Government Hospital, they registered an accident case in their Outpatient token slip. Also they mentioned in the Informed to police column 'Yes'.

The factory management staff had visited her at home and promised to take care of all future medical expenses that she may incur. With reference from the doctor at Revathi hospital, Tiruppur, she did later follow-up treatment at Amudha and Ritheesh hospitals in Sathyamangalam. She met these expenses by taking loans from friends and local money lenders. As she was still recovering, these hospital bills were sent to the factory management through her co-worker from the same village in

January, 2021. She hasn't heard back from the management till date, despite several attempts to reach the HR manager - Gowtham over phone.

Worker S was bedridden for almost 3 months; while her daughter managed domestic chores, her son started working at a construction site. As they have no other means of income, he still is working and is not attending school.

d. Informal resolution process

_____ Erode District Women Federation (EDWF) is the women workers collective of READ NGO which formed with the intention to be registered as Trade Union. The EDWF secretary came and enquired about the accident and family situation to Worker S. Later, they suggested meeting communist party legal advocate in Sathyamangalam. When consulting with the advocate whether it can be filed as a case, the advocate suggested no use of registering the case since there is no permanent amputation. Also, he said that claim money is not more than Rs.15000. For that we have to pay court fee and advocate fee. So he suggested visiting the factory and meeting the CEO directly since they promised to take care of all medical expenditure. Due to Covid situation and health conditions, she couldn't go to the factory and follow up with them. EDWF has been in contact with Worker S to get back the amount and compensation from the management as soon as possible.

e. Workers' view on the case process:

Worker S feels helpless. She is worrying that her husband is not supportive to the family and he is an alcohol addict. She wants to bring up her children in a good way and wishes to make them study well. So only she started to work to meet the family and education expenses. But unfortunately she met with an accident and was heavily injured over the chest area. She found it difficult to breathe. At this condition, she cannot go to any work in future, even though she has completely recovered. She can't even do the household chores as before. Her son used to be good at studies, but now he is working in a construction site for daily wages. Even to Rithesh Hospital, she has to travel over 20 kms. For that she takes a car for rent, as she cannot travel by car or bus. All the expenses are done by getting loans from moneylenders and microfinance. She still wonders how she's gonna repay all the money with this poor health. The company management's attitude was different when compared at the time of the accident and now. She was frustrated and feels that it is okay if the management just provides the expenses met so far and no need of compensation.

f. Available documents:

_____ Newspaper Articles regarding the accident, Medical Case Sheet, Treatment Report.

g. Missing Documents:

_____ Company Identity documents of worker S

