

WORKER LVS ALFINE KNITS

OVERVIEW:

For case -12, the worker has been represented as 'Worker L'. He and his mother have been working for about 9 years in the respective company since 2012. The ID card was given to them as Tailors, but the worker L has worked as Production In-charge and her mother as Line-Supervisor. They were asking for the Covid-19 lockdown period salary and double wages for OT. In 2020, the company management terminated them orally by making false accusations on them. Then they demanded the management to investigate the false accusation. But the company refused, so they filed a case in the labour commissioner office for conciliation via CITU.

BASIC INFORMATION:

1. Name of the Worker: Worker L
2. Gender of the Worker: Male
3. Age of the Worker (at the time of IDI) 34
4. Name of the Company: Alfine Apparels Pvt Ltd - SF#115 KALAMPALAYAM PIRIVU, Tiruppur Tamil Nadu, 641666
5. Designation of the Worker: Tailor as per ID card (Actually Production In charge)
6. Years of work in the Company: 09
7. Dispute Type: Illegal Termination
8. Year of Dispute onset: 2020
9. Concluded/Ongoing: On going
10. Year of Conclusion (If applicable):
11. Individual/ Collective: Collective: Collective (Worker and his Mother)

TIMELINE OF EVENTS:

DATE	EVENT
2012	Worked as Tailor in Alfine Apparels under contract
2014	Appointed as Tailor in Alfine Apparels (but used to be Production In-charge)
16.02.2021	Both worker L and his mother were orally terminated from work
22.02.2021	Alfine apparels sent termination notice
23.02.2021	Letter sent to Labour Commissioner, SP and Alfine Apparels
18.03.2021	Notice put up on Labour Commissioner office for conciliation
09.04.2021	Called for 1st hearing of conciliation process
19.04.2021	Called for investigation in SP office

CASE HISTORY:

a. About the worker

Worker L and his Mother joined Alfine Apparels during 2012 and hence almost 9 years they have been working in this company. Both of them worked under contract for 2 years and from 2014, they started to work as regular employees. As per Identity Card issued by the company both of them were Tailors. But in actuality, Worker L is the Production In charge and his Mother is the Line supervisor in the same company. Worker L has been very supportive to the Management. Worker L also handled the recruitment process in the Company. Because of the good manners Worker L treats the workers, there were well experienced Tailors who would get pay of Rs.450/- in other companies but work here only for Rs.340/-, this shows the reputation he has got among the workers. During his tenure he represented many legal cases on behalf of the Management, in such a way he earned the trust from the Management. There were nine shifts in a week, but the HR Manager maintains in the records as only seven shifts and hence exploits the Government to show low production from the Company. Sometimes the Company pays a salary once every two months.

b. About the Company

Alfine Apparels produces wearing apparels and also produces inner wears. It was incorporated on 25 August 2005. It exports apparels to the North-eastern and European countries. The company employs around 100 - 150 workers. It has departments starting from cutting to dispatching.

As per Worker L statement, the company gives to the buyer unit cost for Rs.89/- but actually production cost is Rs.22 only in this manner per year the company exports nearly 3.5 lakhs pieces annually and then calculates the profit it gets.

c. Beginning of the Conflict

During this pandemic time, there were nearly 30 persons infected by Corona around the residence of Worker L. This residence is near the Company where he was working. Due to this spread, the Health Department made a ride among all the nearby industries including this Alfine apparel. During this raid it was found that some of the workers were infected of Coronavirus and hence the Health Department sealed the company. The Management suspected Worker L would have complained to the Health department to have an inspection in the company. Meantime, as the consequence of Covid Lock down, worker L used to demand the lockdown wages and double the wages

for Overtime as per the Central Government's order. Since they represented all the other workers on this matter, the Company orally terminated the worker L and his mother with a false accusation that they have misused money which was the salary for the workers under their in-charge production line. To prove this is wrong, Worker L and his Mother insisted the company management have an inquiry and to form a fact finding committee and let it investigate this issue. But the management turned deaf ears to this request and this revealed that whatever the management says is false accusation.

d. Informal resolution process

Worker L and his Mother consulted the CITU union in order to deal with this issue. Meanwhile the Company Management gave a complaint to the Police Station and Mrs Muthukumari- Sub Inspector of Police investigated it. The SI had threatened them with her powers and made them sign that they had manipulated over the other workers' salary and cheated the company. Then the worker L and his mother sent a letter to the Superintendent of Police regarding the mislead of SI Muthukumari on the Labour issue and letter to the Labour Commissioner. They also informed the management by letter.

e. Formal resolution – Conciliation

The worker L and his mother were called for investigation by the Superintendent of Police and meanwhile called out for conciliation from the Labour Commissioner Office. The representative from Alpine Apparels had appeared for the conciliation. Till date there were more than 10 hearings conducted and the next hearing falls on 16th September 2021. While Worker L joined this Company, the management orally promised that they would pay 50 paise per piece which would be consolidated and be paid while he relieves duties. If this would be considered, for 7 years of tenure time, under the responsibility of Worker L as Production In charge, 17, 50000 pieces were produced. If we calculate what has been promised by the Company, now during this termination period, the company had to pay Worker L Rs.8, 75,000/- but inversely, the Company now put false allegation that he mishandled the worker's salary worth Rs.80,000/-. The Labour Commissioner analysed the case and revealed that the documents produced by the management are invalid and not proper. So, the worker L is expecting the conciliation will be over by the next hearing and they can get their settlement.

On the other hand, 3 times they had appeared in SP office for investigation, SI Muthukumari has been approaching them to withdraw the complaint as she was about to be dismissed from the department for her illegal act. CITU also suggested the worker L not to take this issue seriously and focus on the conciliation. But in the conciliation the management used to protect themselves by saying that they had given a complaint to the police. So the worker L had not yet withdrawn the case filed on SI Muthukumari.

f. Workers' view on the case process:

_____As per Worker L statement, during his tenure, nearly 25 persons were terminated by the management orally. As it is prevalent, normally the Industries are not aware of the Labor laws but only find crooked ways to exploit workers' rights and

Government, this is also the situation with Alfine Company. In order to ensure gratuity not to be paid, the management normally renews workers' tenure annually and maintains new recruitment in all the records. The workers also will-nilly agree to this considering financial commitments and with poor understanding of their Rights. Demands of Worker L and his mother in double the salary for lock down time, withdrawal of false accusation by the company against him.

Even Associations such as TEA (Tirupur Exporters Association) are not aware of cases like Worker L and are not fairly treated. This is the sole responsibility of the Workers to get empowered on what is their Rights. Companies exist only for the reason to exploit laborers and thus to make much profit. Only when the workers are organized and know their Rights we may not be a prey for these exploitations. Vital need is that the Workers have to be part of Trade Unions for amicable settlements of issues.

g. Available documents:

_____ ID documents, Letter sent to Alfine apparels, Labour Commissioner, SP; letter sent by Alfine apparels to workers; Summon letter sent by LO for conciliation; letter sent by SP for investigation; Wage slip and Bank statement.