

Position Paper on Sumangali

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This Position Paper outlines BSCI's understanding of and approach to the practice of Sumangali as well as actions we have taken to ensure protection for at-risk workers.

Understanding Sumangali

The term 'Sumangali' refers to certain worker recruitment and retention practices in the spinning sector and in the textile and garment industries in India, in which typically young unmarried women are recruited from rural villages to work in spinning mills for a number of years. It was initially devised to counter labour shortages. However, it has in practice left young workers vulnerable to potential exploitation.

Sumangali exists under various names and the specific practices vary between different employers. The defining characteristic of Sumangali is the employers' retention of a substantial part of the worker's wage, which is promised in a lump-sum at the completion of the worker's contract period. Furthermore, Sumangali commonly entails strictly monitoring and controlling the movement of the young women outside working hours to ensure that they sleep in designated hostels provided by the employer.

Both the provision of a lump-sum payment before marriage and of a controlled and supervised living environment for the young workers resonates well with marginalised rural families from lower castes that often lack economic alternatives. However, the isolation of these young workers in addition to the economic hardship of their families renders them highly vulnerable, increasing the risk that numerous rights in the workplace might be violated. For example, research shows that the lump-sum payment due at the end of the worker's contract is often illegally deducted from the due wage, depriving the workers of their right to decent remuneration and commonly resulting in a bonded labour situation.¹

BSCI's Approach and Actions in Relation to Sumangali

Sumangali schemes and Sumangali-type recruitment and retention practices can directly or indirectly contribute to violations of all [BSCI Code of Conduct](#) principles, with the following BSCI Code of Conduct principles particularly at risk of violation:

- The rights of Freedom of Association and Collective Bargaining
- No Discrimination
- Fair Remuneration
- Decent Working Hours
- Occupational Health and Safety
- No Child Labour
- Special Protection for Young Workers
- No Precarious Employment
- No Bonded Labour

BSCI does not endorse the practice of Sumangali under any guise, and provides a number of control measures to ensure its participants are aware of and equipped to address the practice should it arise in their supply chains.

Nevertheless, Sumangali presents a number of challenges. For example, while BSCI audits help identify such practices and safeguard the strict follow-up of corrective actions towards their eradication, identification of such employment schemes can be difficult in practice. To this end, in 2011, BSCI brought this issue to the attention of auditors and specifically instructed them to follow the relevant auditing guidance on Sumangali issued by Social Accountability International.³ In April 2011, a memo was sent to all the auditing companies that perform BSCI audits to ensure their understanding of and cooperation in this matter. In order to safeguard that the lower tiers related to the audited factory are made known to BSCI participants, auditors are asked to list all the sub-suppliers that a factory utilises and to verify that a functioning management system is in place. The new BSCI Code of Conduct that was published in 2014 underlines the importance of paying special attention to the verification of working conditions of the most vulnerable people, particularly when being recruited through subcontracting. This special care is reflected under the two new principles “No Precarious Employment” and “Special Protection for Young Workers”. These principles mention in particular, access to effective grievance mechanisms and to occupational health and safety trainings, and BSCI auditors are required to provide satisfactory evidence that such special care has been taken.

Strengthening Partnerships

For the sustainable improvement of working conditions, it is indispensable to cooperate with relevant local actors and stakeholders and to raise awareness in lower tiers of the respective supply chains. This is especially true in the case of Sumangali, considering that it is typically practiced in spinning mills, which are located on lower tiers of garment supply chains; and that less than 20%² of cases occur in manufacturing that directly supply brands. Therefore, in addition to its efforts vis-à-vis first-tier suppliers, BSCI reached out to the Tirupur Exporters Association (TEA), the association of exporters of cotton knitwear in Tirupur.

In 2010 the TEA established the Tirupur Stakeholders Forum (TSF), a multi-stakeholder initiative for collective dialogue and action, bringing together relevant stakeholders in Tirupur including brands, NGOs and trade unions, to arrive at a mechanism for understanding the industrial practices related to working conditions and work together to find sustainable solutions. TEA took up the issue of Sumangali to prevent the exploitation of workers in the value chain and to work out best practices and recommendable solutions. BSCI is member of TEA through its Indian representative office and was instrumental in elaborating the “*Guidance for Migrant Women Workers in Hostel & Recruitment Process – Spinning/Garmenting Factories*” which was published in its first version in September 2011.⁴

It is important to recognise that most of the workers recruited through a Sumangali-type scheme are working in the domestic Indian spinning and garment industries. Thus comprehensive solutions to eradicate exploitative labour practices must include domestic business actors as well as the official Indian authorities. Therefore, BSCI is in close contact with the Tamil Nadu Multi-stakeholder Programme (TNMS) coordinated by the Ethical Trading Initiative (ETI). The programme aims at changing practices in the lower tiers, to build awareness both at the spinning mills as well as in villages where girls are recruited, and to change Indian legislation in a way that increases worker protection. Through such collaboration, the involved actors strive to address some of the root causes, comprising the lack of economic alternatives for families in rural India; a lack of awareness on labour rights and obligations; insufficient enforcement of Indian laws and stringent labour inspections.

^{1,2} Fair Labor Association & Solidaridad, “Understanding the Characteristics of the Sumangali Scheme in Tamil Nadu Textile & Garment Industry and Supply Chain Linkages,” 2012, <http://solidaridadnetwork.org/understanding-characteristics-sumangali-scheme-tamil-nadu-textile-garment-industry-and-supply-chain>.

³ Social Accountability International, “SA8000 Guidance Document,” 2013, http://sa-intl.org/_data/n_0001/resources/live/SA8000ConsolidatedGuidance2013.pdf.

⁴ Tirupur Stakeholders Forum, “Guidance for Migrant Women Workers in Hostel & Recruitment Process – Spinning/Garmenting Factories,” 2011, http://www.tsf.org.in/documents/TSF_GUIDELINE_VERSION_1_0_ENG.pdf.