

# Struggle for OSH Rights in Asia



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*Presented at*

Keele Hazards Conference-2011

# Labour Context and Background

- Persistent assault on labour rights.
- Labour has been in some sort of crisis even before the economic crisis.
- Economic crisis has increased the existing vulnerabilities.



- Informalisation and informal labour practices continue to be biggest challenges for organising of labour.
- Informal labour practices in the formal sector – in form of irregular and dispatch workers,



- A majority of workers in Asia work in informal with women as majority.
- However, workers in this sector are increasingly used for profit maximisation/capital accumulation with no benefits to them.



# Asia as hub of sub-contract manufacturing

- China taking the lead with one of the largest producer as well as consumer.
- Globalisation and contract manufacturing moved production to Asia to cut costs.
- Multi National Company brands have no factories any more but work with very complex web of supply chains.
- **Race to Bottom** Countries compete with each other lower labour, OSH and environmental standards.

# Occupational Health for All – Failed Promises

- On policy level, the governments in the region keep on boasting of the need for improving the health and safety at workplaces.
- ILO has been promoting the ‘Seoul Declaration’ drafted during the ILO World Congress in OSH in Seoul in 2008.
- The nicely worded declaration which puts heavy emphasis on prevention, and considers OSH rights as the ‘basic human rights’  
<http://www.seouldeclaration.org/en/Resources>

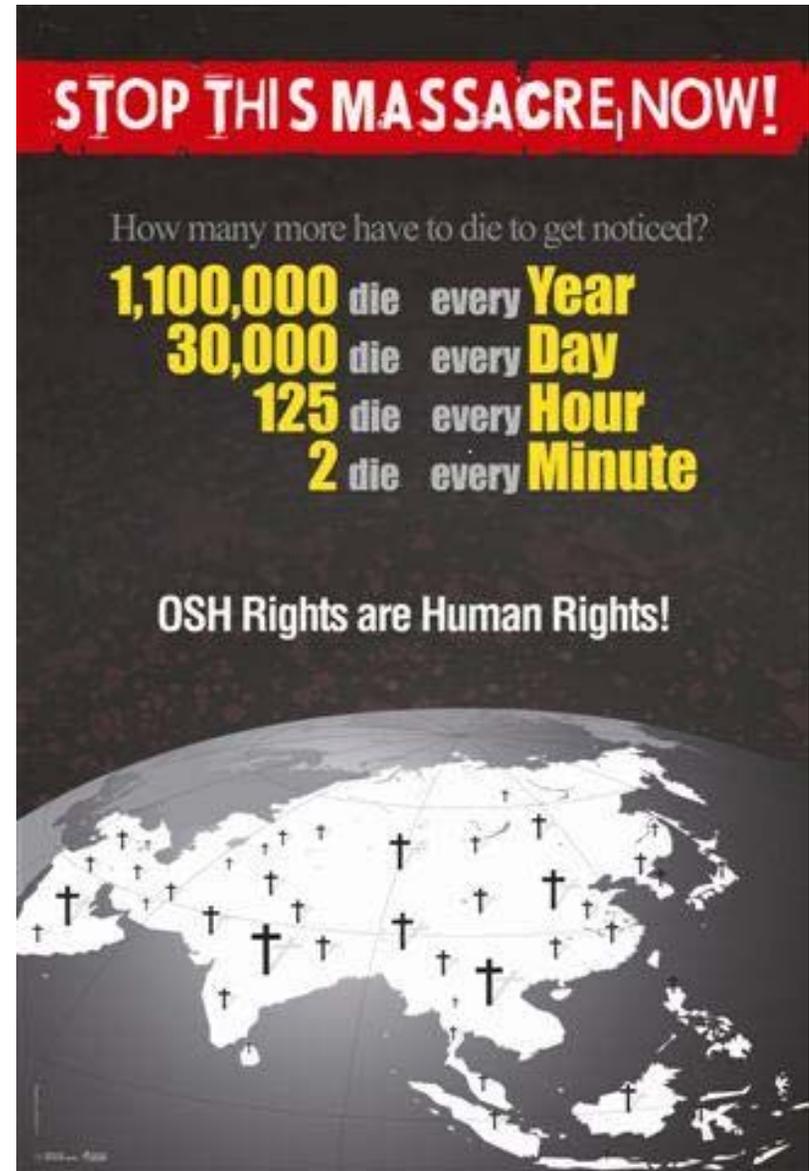


# ASEAN OSHNET meeting in Bandung, September 2010

- “THE Association of Southeast Asian Nations (Asean) is committed to lowering the number of accidents and illnesses at work in the region.”
- "Minimizing the number of accidents and illnesses at work is among the challenges Asean countries are facing during the free trade era like today," secretary general of the Ministry of Manpower and Transmigration, Besar Setyoko

# OSH in Asia- Silent Massacre

- About 2.1 million people die every year (ILO) and almost 1.1 million die in Asia.
- This is yet tip of the iceberg as these figures are just 'estimates'
- In Asia growth and financial data is available for every quarter but workers death and injury data is hard to find.
- ILO extrapolates data from industrialised world to get the estimates



# Responses in Asia

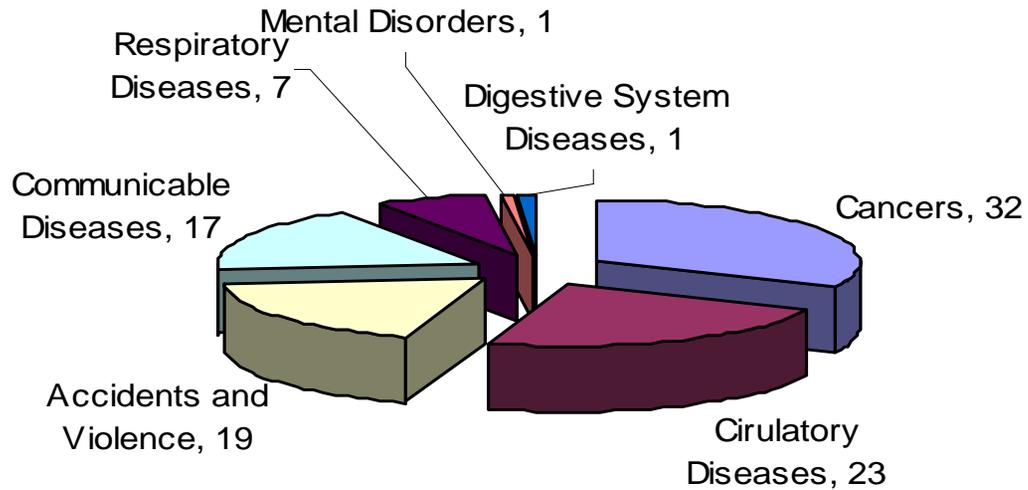


# Gross Under-reporting

Country /Region	Fatal Accidents Reported to ILO in 2001	Estimate by the ILO	Fatal Accidents Reported to ILO in 2003	Estimate by the ILO
China	12736 (12%)	90295	180 (0.18%)	98000
India	222 (0.55%)	40133	179 (0.32%)	48000
Rest of Asia	3051 (4%)	76886	1247 (1.5%)	81000

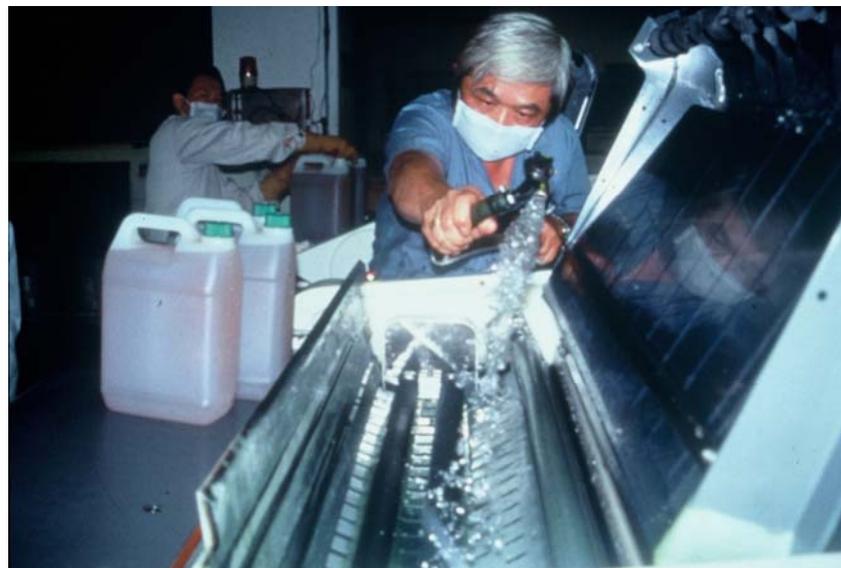
# Occupational Diseases a Major Killer (ILO Data)

## Work Related Deaths



# Occupational Diseases- Hazardous exposure at work in China

- **“Some 200 million Chinese workers serving more than 30 sectors have been exposed to various health hazards in the workplace on the mainland”, Health Minister Chen Zhu November 2010.**
- More than 720,000 cases of occupational diseases reported in China in 2009, up nearly 32 percent over 2008.
- Exposure to toxic chemicals including solvents at workplace a serious issue.



# OSH in Asia - Ground Realities

- Protective Laws+ Good Enforcement + Strong Union Participation + OSH commitment = Safe workplaces
- In reality – laws either do not exist or enforcement is not there or dismantled and replaced by self regulation .
- Unions are under attack and low rate of unionisation.
- Occupational Safety and Health (OSH) is not a ‘priority’
- **Diagnosis** still a major issue
- Compensation still elusive for majority of population.



# Chemical Exposure

- Workers get exposed to chemicals like benzene, acetone, trichloroethylene routinely.
- There may be laws but not enforced.
- Workers are not aware of the hazards.
- Containers are not labelled.



# Chemical (solvent) exposure from the use of adhesives in a shoe factory.



# Personal Protective Equipment



# Working with Solvents in India



# Benzene Poisoning in India

- Benzene exposures in Diamond Workers
- 500,000 workers are employed in Diamond industry in the city of Surat (about 250 km) from Ahmedabad, Gujarat in India.
- The diamond industry issued directives to ban the use of Benzene with immediate effect

## 'Don't know why only my workers are hit'

Owner of Pankaj Diamonds has no clue but workers talk about careless use of benzene, poor ventilation

EXPRESS NEWS SERVICE  
AHMEDABAD, JUNE 25

NARAYAN Padujodon, chairman of Pankaj Diamonds Private Limited, is a loss to understand why only workers of his unit have been found suffering from aplastic anaemia when every unit is using benzene.

"I do not know anything about benzene or its toxicity and have touched till dawn only. But, I have promised to bear the cost of treatment of the victims," says Padujodon.

He says he is aware of six cases of benzene poisoning from his unit, but Dr Rajiv Saxena, whose nephew Ashok Asodaria was the first to be diagnosed with aplastic anaemia, said there were two more workers in Surat in addition to the four already reported.

Padujodon employs over 1,000 men in his business which has an annual turnover of Rs 150 crore. He suspects that the Sarin computerised sorting machines in his factory may have something to do with the cases of aplastic anaemia. He has eight of these machines and benzene is used for marking diamonds before these are put on the machine.

However, the victims say that is not the only purpose for which they use benzene. Twenty-year-old Ashok Asodaria, who is undergoing treatment at Gujarat Cancer Research Institute, says careless handling of benzene



Ashok Asodaria (above) and Jaydeep Manjappa, patients of aplastic anaemia, at Gujarat Cancer Research Institute in Ahmedabad.

Photos by Harsh Shah



### 'Unit owners negligent'

SURAT: WHILE diamond unit owners are blaming Sarin Technologies India Private Ltd, the manufacturer of planter and marking machines, for the cases of aplastic anaemia, caused by exposure to benzene, the company accused the unit owners of negligence.

"We stopped recommending the use of medical benzene some time ago," said Rajeshwari Mehra, vice-president of the firm.

## SDA banishes benzene

EXPRESS NEWS SERVICE  
SURAT, JUNE 25

DIAMOND manufacturers in the city, who were caught off guard by media reports that benzene exposure has caused serious bone marrow problem in some workers, on Saturday decided to stop using the chemical.

An emergency meeting of the Surat Diamond Association (SDA) took the decision.

SDA president Nandu Wani said diamond manufacturers' using planter

machines had been asked to send their employees for medical tests.

He said the unit owners were not aware that benzene is a harmful substance. "Even I was not aware. Now, benzene has been totally banned in the diamond industry," Wani said.

He said benzene was introduced by Sarin Technologies about five years ago. "But benzene is not the only dilutant; manufacturers can use petrol and kerosene as the dilutant in the coating fluid," he said.



## Units using benzene to be closed

Govt team in Surat to inquire into use of benzene by diamond units, will submit report tomorrow

BASHIR PATHAN  
GANDHINAGAR, JUNE 25

A LARMED over the reports of four diamond workers from Surat being diagnosed with aplastic anaemia due to exposure to benzene, the Directorate of Industrial Safety and Health on Saturday rushed a four-member team of senior officials to Surat to inquire into the use of this hazardous substance by diamond units.

Director of Industrial Safety and Health N D Joshiya said the team, led by his

deputy D C Chaudhary, would study the situation and submit a report by Monday. "I have also directed the team to use the provisions of the Factory Act and order closure of units using benzene without prior permission of the directorate. We have reports that some 15 to 20 units in Surat have been using this hazardous substance for marking facets on roughs before cutting and polishing them," Joshiya said.

However, reports from Surat indicate that the use of benzene isn't confined to just

"15 to 20 units"; the chemical is also commonly used for cleaning diamonds. Workers just place rough diamonds on one palm, drop a little benzene, rub the diamonds with bare hands, and then just blow air from mouth to dry them.

The director said the possibility of diamond units in other parts of the State also using benzene could not be ruled out. "It is a very serious matter. The directorate will also conduct checks at diamond polishing units in other towns and cities, like Rajapur in Ahmedabad,"

he said.

In addition to the registered units, the State has thousands of unregistered diamond polishing units, mainly in Surat and Ahmedabad. "The diamond lobby in Gujarat is so powerful and influential that teams of inspectors are prevented from entering the premises of such units. There are about 5,000 cases pertaining to unregistered diamond polishing units pending in court," Joshiya said.

He said that benzene, if handled without using protective gear, could harm the

human body. Benzene is toxic as well as a fire hazardous chemical, he said. It is used mainly by chemical factories.

"We regularly carry out checks at chemical factories. Though these factories use benzene to large quantities, the directorate has not come across any worker showing its adverse effects, maybe because of safety measures being implemented effectively in factories," he said.

Joshiya said benzene poisoning in a diamond unit was unusual. "In diamond units, benzene is used in a

significant amount, so we never expected something of this sort from here."

Dr H N Saljard, Director of National Institute of Occupational Health said they had conducted a study on "occupational health hazards faced by the diamond workers" about five years back, but benzene poisoning did not figure in it. "The use of benzene is a recent phenomenon that has started with the introduction of the computers in the diamond cutting process. Earlier everything was done manually," he said.

# Cancer Clusters in Samsung- Semiconductor in Korea due to Solvent poisoning



*Wafers*

*Baths filled with Solvents or acids*



Sook-young Lee

Min-woong Hwang

Yu-mi Hwang

AML

ALL

AML

1976~2006

1974~2004

1985 ~2007

# Export of Hazard

- **Shifting of hazardous industries** to the developing countries.
- **Exporting hazards to the developing countries.** This includes both exporting hazardous raw materials and hazardous wastes that are dumped into the developing countries.
- Within developing countries hazardous jobs like lead acid battery recycling, are subcontracted to informal sector.



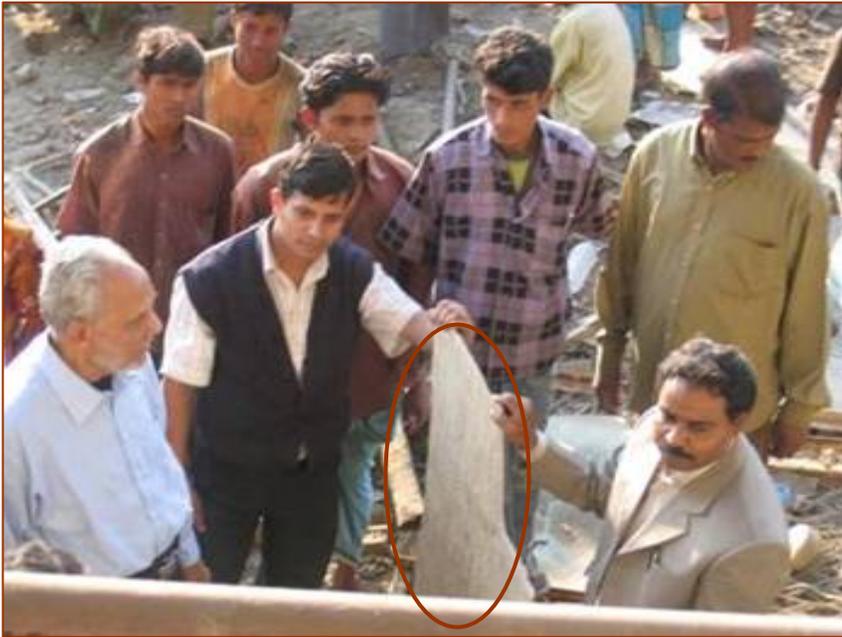
# Ship Breaking in Bangladesh



# Ship breaking is the only source of Iron for Bangladesh



# Owner Proudly shows asbestos



# Child Labour



# Case 2 :E- waste in Guiyu China

- China has banned export of E-waste and yet millions of tones of e-waste reach Guiyu in Guangdong Province.
- North America main sources of the waste followed by Japan and Europe.
- About 100,000 workers work on recycling of this hazardous waste, the number is changing due to fluctuating migrant population.



# Informal Sector -Contributory Factors

- No regulation or regulatory framework
- The lack of clear employer-employee relationship also poses difficulties in defining responsibilities.
- OSH has a very low priority
- No proper work hours and piece rate work leads to self exploitation.



# Contributory factors...

- No clear distinction between living and workplace, exposes other family members to hazards
- Diagnosis of occupational diseases is difficult even in the formal sector and for the informal sector it is almost impossible.



# OSH problems of Women

- The impact on the health of women in informal sector is not well studied.
- Majority of home workers are women and many work with dangerous chemicals and solvents
- Many women face reproductive hazards due to hazardous work and substances.
- There is overlap between the paid and unpaid work like cooking, cleaning and taking care of children.
- This extended work hours puts tremendous pressure on their bodies and mind.



# Child Labour

- Child labour is a big problem in the informal sector especially in South Asia, also on increase in China.
- Children in an informal sector sometimes have to help their parents for economic reasons.
- The growing bodies of children are more susceptible to hazards



# OSH and Poverty

- Strong relation between poor OSH conditions and poverty.
- Sick and injured workers have no hope of any compensation.
- This increases their living costs and drives families to poverty and destitution.



# Reality Check

- Difference between the stated and the implemented policy.
- On one hand all governments want to promote (at least on paper) safe and healthy workplaces, on the other hand same governments are busy (in collusion or at the direction of business) in dismantling all the existing institutions of enforcement – like factory inspectorates etc.

# Destined to Fail???

- The funding of regulatory institutions has always been restricted, which often leads to corruption (though there might be other reasons also).
- It seems that these institutions have been deliberately created to fail and provides an easy excuse for business and other members of the society to criticise the institutions and seek their minimum role.
- they are perceived as ‘impediment’ in ‘free market economy’ and propose more ‘efficient’ self regulatory mechanisms.

# Legalizing the self regulation

- Many governments in the region have reduced the enforcement drastically and instead are emphasising on self regulatory standards like OSHA 18000, etc.
- Though there virtually is no money earmarked for enforcement, auditing and self regulatory business is a thriving multi million dollar industry



# Compensation

- On compensation level, majority of workers are not covered by the compensation laws as they work in the informal sector.
- On the other hand, as a rule of thumb, majority of victims do not receive a just compensation – if they receive any at all.

# Profit out of misery