STUDY

EXISTENCE AND EFFECTIVENESS OF GRIEVANCE AND REMEDY MECHANISMS IN FOOTWEAR AND LEATHER FACTORIES IN INDIA

Cividep India

INKOTA

SLD
Society for Labour & Development

CONTENTS

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ABBREVIATIONS

BMZ: Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung // German Federal Ministry for Economic Cooperation and Development

CSOs: Civil Society Organizations

CSDDD: Corporate Sustainability Due Diligence Directive

EU: European Union

GRM: Grievance Redressal Mechanism

IGS: Integrative Grievance System

ILO: International Labour Organisation

INR: Indian Rupee

LkSG: Lieferkettensorgfaltspflichtengesetz // German Supply Chain Due Diligence Act

MSI: Multi Stakeholder Initiative

NGOs: Non-Governmental Organizations

OECD: Organisation for Economic Cooperation and Development

PPP: Purchasing Power Parity

SHG: Self Help Group

SC/ST: Scheduled Caste/Scheduled Tribe

UNGP: United Nations Guiding Principles on Business and Human Rights

IMPRINT

Federal Ministry
for Economic Cooperation
and Development

EXECUTIVE SUMMARY

Production along global supply chains is increasingly being criticised for its impacts on the living and working conditions at the places of production. Regulation for controlling business and state conduct is gaining ground, whether in form of so-called soft law such as the United Nations Guiding Principles on Business and Human Rights (UNGP) and the OECD Guidelines for Multinational Enterprises as well as the OECD Due Diligence Guidance for Responsible Supply Chains in the Garment & Footwear Sector, or as binding regulation such as the Act on Corporate Due Diligence Obligations for the Prevention of Human Rights Violations in Supply Chains (Lieferkettensorgfaltspflichtengesetz – LkSG) in Germany. The Corporate Sustainability Due Diligence Directive (CSDDD), adopted by the European Union in 2024, will lead to the introduction of similar laws in all EU member states in the next few years.

Alongside preventing human rights abuses and establishing human rights conform working and living conditions, access to effective remedy plays an increasingly important role. In the area of business and human rights, the UNGP and OECD Guidelines formulate the duty for businesses to take part in non-judicial complaint mechanisms or to implement their own. The LkSG also contains regulation on the implementation of complaint mechanisms.

Grievance redressal mechanisms provide remedy in cases of rights violations and support the business risk analysis through evaluation of complaints. Moreover, because the mechanisms can be accessed early-on, they have a preventative function.

The present study intends to initiate and support processes to improve access to remedy for workers in Indo-German supply chains for shoes, leather products and leather. The existing grievance redressal mechanisms in the Indian export-oriented leather and footwear industry are evaluated, and a baseline is created. The larger objective of the study is to facilitate an impact-oriented dialogue with stakeholders in the value chain and initiate and accompany the implementation of effective grievance systems in Indo-German supply chains in the leather and footwear sector.

We are investigating the existence of grievance redressal mechanisms and its functioning from an effectiveness perspective of UNGPs. We have focused on the leather and footwear industry in India, specifically on clusters in Tamil Nadu (Ambur and Ranipet) and Uttar Pradesh (Kanpur and Agra). The study covered a total of 211 workers from all four clusters (112 from Uttar Pradesh and 99 from Tamil Nadu). We adopted interview as a method for data collection from the workers. The workers were reached out from a general list of factories that was compiled by INKOTA, CIVIDEP and SLD based on trade data. Trade data from 01/01/2023-19/10/2023 linked the factories and tanneries the workers were or are working for, to German lead firms that are covered by the German Due Diligence Act (LkSG) and/or are members of the Social Standard Initiatives amfori BSCI, CADS, the Fair Wear Foundation and the Partnership for Sustainable Textiles. The Indo-German supply chain links were derived from trade data for footwear (Harmonized System code 64) and leather garments (Harmonized System code 4203).

Study on existence and effectiveness of grievance and remedy mechanisms in footwear and leather factories in India

Our results highlight, that the workers find several barriers in accessing the existing grievance redressal mechanisms or even raising a formal complaint. Fear about repercussion in terms of loss of employment, wages, or benefits were a major concern. Also workers were sceptic about the existing mechanisms, which they feel are totally rigged by the management. As they don't have any confidence in the procedures, they see no point in raising a complaint. Along with this, following are the major shortcomings and bottlenecks identified as:

- Insignificant presence of trade union/worker collectives.
- Either non-existence of regulation mandated grievance mechanisms (committees) or existence of dysfunctional committees.
- Poor representation of workers in the existing grievance committees in the factories.
- Lack of transparency in terms of accessing the grievance mechanisms coupled with poor information about the process and procedures to be followed.
- There is almost no representation or assistance available for workers from outside the firm or even from the grievance redressal committees in the firms.
- No mention of transnational corporate or social standard initiative grievance systems.
- Very little to no information about the lead firms for which the workers produce or about social standards initiatives in which those lead firms fulfil their human rights due diligence obligations.
- The existing grievance redressal mechanisms are not really protective of workers' rights and in fact raising a complain can have serious consequences.

To make access to remedy significantly more effective for the workers in India's leather and footwear industry, there is a common, but differentiated responsibility of Lead Firms (Brands/ Buyers) along with Social Standard Initiatives, Supplier Factories, Civil Society Organisations and Worker Collectives at local and global levels.The model of the Integrative Grievance System as summarised in the working paper "An Effective System for Grievances and Remedy in Transnational Supply Chains" shows very practical design options to tackle this task. INKOTA, CIVIDEP and SLD will publish a brief manual with recommendations for practitioners based on this study and the Integrative Grievance System.

CHAPTER 1: INTRODUCTION

Grievance Redressal Mechanisms

Grievance redressal mechanisms (GRM) were in classical terms regarded as a vital component of a firm that immediately affects organizational behaviour and industrial relations. (Tirno, Amin, & Chowdhuri, 2020). In this frame of reference, grievance is nothing but the dissatisfaction regarding work and workplace filed by employees formally to their immediate supervisor (Rose, 2004). However, the study is going beyond the firm as the frame of reference and takes supply chains as frame of reference. For the definition of grievance and grievance redressal mechanisms this means looking beyond raising a complaint to the supervisor and instead, establishing structures and systems to make sure that workers can raise their dissatisfaction and obtain a remedy.

It is important for the employee to address their grievance and for employers to solve the issue to ensure a smooth production process. (Nurse & Devonish, 2006), (Freeman & Medoff, 1985). This is also true for lead firms in supply chains. However, the state of grievance redressal mechanisms, both in terms of existence and effectiveness is a matter of serious concern, especially in the supplier factories in global south (Mezzadri & Rakhi, 2023). While industrial relations are often mapped based on collective mobilizations, this is a challenging approach for labour-intensive sectors in India as the worker collectives hardly exist (Chatterjee & Ravi, Threadbare: Working Conditions At South Indian Leather- based workers , 2023). The limited presence of trade unions at the supplier level exacerbates the numerous obstacles that workers encounter, complicating the identification and documentation of labour rights violations within the lower tiers of supply chains. The absence of collective representation consequently hinders workers' ability to address grievances, as trade unions serve as the principal mechanism for pursuing such issues (Delaney, 2016). In these contexts, the labour precarity experienced by workers may prevent them from engaging with the grievance redressal mechanism or the existing mechanisms may not be effective enough to deliver actions on industrial disputes (Mezzadri & Rakhi, 2023) (Paul, et al., 2022).

UNGPs and Access to Grievance and Remedy

Fig. 1: The three pillars of the UNGP

The endorsement of the UN Guiding Principles for Business and Human Rights (UNGPs) by the UN Human Rights Council in 2011 marks a significant milestone in the discourse surrounding business and human rights in public policy (Zagelmeyer, Bianchi, & Shemberg, 2018). The UNGPs include three interrelated pillars; state duty to protect human rights, corporate responsibility to respect and access to remedy. We are focusing on the third pillar here and it involves both state-based grievance mechanisms and non-state-based grievance mechanisms.

The UNGPs were designed to advance the business and human rights agenda by reconciling opposing views through a principled pragmatism approach.[1] This approach creates a governance system that integrates both public and private governance elements (Zagelmeyer, Bianchi, & Shemberg, 2018). State-based and traditional grievance mechanisms, integral to public governance, are well-established and extensively studied in legal research. In contrast, non-state-based grievance mechanisms pertain to the realm of private governance and remain largely unexplored in the field of business and human rights (Ruggie, 2013). Within the UNGP framework, non-state-based grievance mechanisms hold a distinct role compared to state-based mechanisms. This distinction stems from numerous failed initiatives to mandate human rights responsibilities for transnational corporations, which led to a policy deadlock between mandatory and voluntary regulation approaches. Ruggie (2013, p. 104) explicitly states that the "most underdeveloped component of remedial systems in the business and human rights domain is grievance mechanisms at company's operational level ".

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1) John Ruggie coined the term "principled pragmatism" to explain the basis of the UNGPs. He describes it as "an unflinching commitment to the principle of strengthening the promotion and protection of human rights as it relates to business, coupled with a pragmatic attachment to what works best in creating change where it matters most - in the daily lives of people" in the interim report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises of 2006.

Access to Remedy and European Law

Both the UN Guiding Principles on Business and Human Rights (UNGPs) and the OECD Guidelines for Multinational Enterprises, along with the OECD Due Diligence Guidance for Responsible Supply Chains in the Garment & Footwear Sector, emphasize the importance of access to remedy as soft law. However, several hard law regulations have emerged in this field. Notably, the European Union's Corporate Sustainability Due Diligence Directive, which must be enacted as national law in all EU member states by 2026. Germany has already implemented its own Due Diligence Act, effective since January 2023. Known as the Act on Corporate Due Diligence Obligations for the Prevention of Human Rights Violations in Supply Chains (Lieferkettensorgfaltspflichtengesetz – LkSG), it outlines human rights due diligence requirements for German businesses. Section 8 of the LkSG mandates businesses to establish their own grievance procedures or engage in appropriate external ones. The EU directive extends these requirements, mandating companies to compensate for human rights violations they have caused, either independently or collaboratively. It also requires robust stakeholder involvement in all aspects of human rights due diligence, ensuring meaningful access to remedies. These provisions align with international standards on corporate responsibility as outlined by the UNGPs. Consequently, the German Due Diligence Act will need revisions to comply with these broader EU mandates.

Access to Remedy and Integrative Grievance Systems

To ensure access to remedy for individuals affected by human rights violations in supply chains, the four spheres of remedy (state-based judicial, state-based non-judicial, non-state-based judicial, and non-state-based non-judicial) must interlock. Yet even in the area of non-state-based non-judicial access to remedy itself, companies should establish a comprehensive Integrative Grievance System (IGS) for their supply chains to be effective (Gläßer, Pfeiffer, Schmitz, & Bond, 2021).[2] This system must integrate three geographic levels, three procedural tracks and use various types of procedures within those tracks. Effective access to remedy can be created through four distinct design categories. The IGS, with its valuable insights into creating effective remedies for Indian leather and footwear workers in transnational supply chains (Gläßer & Bond, An effective system for grievances and remedy in transnational supply chains. Focus: Leather, leather products and shoes, 2022), serves as a foundation for the recommendations in this publication. INKOTA, SLD and CIVIDEP will publish a separate manual with more specific recommendations for practitioners as a follow-up.

STATE-BASED JUDICIAL
(e.g. civil or criminal courts)

STATE-BASED NON-JUDICIAL
(e.g. national contact points of the OECD, complaints unit at the German Federal Office for Economiv Affairs and Export Control under the LkSG)

ACCESS TO REMEDY

NON-STATE-BASED JUDICIAL
(e.g. European Court of Human Rights)

NON-STATE-BASED NON-JUDICIAL
(e.g. grievance mechanisms of MSI such as the Fair Wear Foundation, arbitrational courts or company owned grievance mechanisms)

Fig. 2: Types of remedy according to UNGP

Transnational/cross-regional: main office of the grievance system
Overall organisation of the IGS coordination and support of conflict contact points, organisation of arbitral proceedings, handling of complaints about regional conflict contact points

National/regional: conflict contact points for users
Reception of complaints, accompanying and advising complainants, case management of individual complaints, organisation of the conflict management procedure, organisation of trainings and qualfications, support of businesses/communities with conflict resolution

Local: businesses and communities
low-threshold acceptance of complaints, election of contact/trust persons, contact to regional conflict contact points, administering complaints procedures

Fig. 3: Geographic Levels of the Integrative Grievance System

TRACK A - Conflicts between workers or affected third parties and businesses due to rights violations or dangerous situations are addressed. *Examples: A worker files a complaint due to sexual harassment at the workplace. A home worker asserts a lack of work safety. Local communities submit a complaint due to water pollution or imminent illegal land grabbing.*

TRACK B - Conflicts between suppliers and member companies are addressed. *Example: A supplier turns to the IGS because of non-contractual cancellation of orders by a member company.*

TRACK C - Intra-institutional conflicts between members of the governing organisation are reason for complaint. *Example: An organisation representing affected rights holders, which is member of the IGS governing organisation, asserts the violation of agreed purchasing practices by a member company.*

Fig. 4: Procedural Tracks in the IGS

REGIONAL CONFLICT CONTACT POINT

RECEPTION OF COMPLAINTS

ANALYSIS OF THE CASE THROUGH AN INVESTIGATIVE UNIT OF THE GRIEVANCE MECHANISM

CONSULTATION AND CHOICE OF PROCEDURE TOGETHER WITH COMPLAINANTS

LOCAL FACORY LEVEL

CONCILIATORY MEDIATION WITH NEUTRAL THIRD-PARTY GUIDANCE

SUPRA-REGIONAL ARBITRATION INSTITUTION

ARBITRATION PROCEEDINGS UPON FAILURE OF CONCILIATORY MEDIATION OR UNSIUTABILITY OF COMPLAINT FOR CONCILIATORY MEDIATION

Fig. 5: Procedures in Track A in the IGS

Grievance Redressal Mechanisms in the Indian Leather and Footwear Industry

The leather and footwear industry in India is predominantly located in Tamil Nadu, Kolkata in West Bengal; Kanpur and Agra in Utter Pradesh, Jalandhar in Punjab; and Hyderabad in Andhra Pradesh. Indian industry is one which is highly integrated into to the global value chains and accounts for around 4.42 million people, of whom around 30% are women. The industry has a major role in the economy of the country and the export value of leat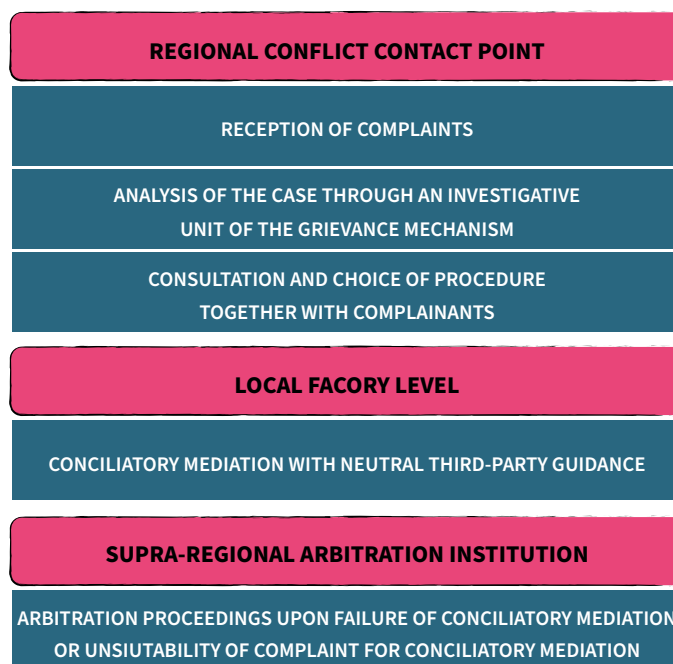her industry stood at $ 5.26 billion during 2022-23. (CLE, 2023). The industry is characterised by exploitative labour practices including low wages, occupational health and safety risks, involuntary overtime, child labour, restricted freedom of association, and a lack of grievance redressal mechanisms. For example workers in tanneries are susceptible to numerous occupational health and safety hazards due to the use of hazardous chemicals like Chromium. (Ravi, 2020). Further the industry is quite notorious for its poor working conditions, precarious employment conditions and indifferent employment relationships. (Chatterjee & Ravi, Threadbare: Working Conditions at South Indian Leather-based Workplaces, 2023) (Raaj, Prasad, & Pieper, 2019; Wazed, 2021; Chellapilla, Jaiswal, Haller, Kernegger, & Ravi, 2017)

There has been studies and reports indicating the presence of home workers in the leather industry linked to the global value chains, thanks to subcontracting by the Tier 1 factories. This has created a band of workers who are out of any labour legislations and access to remedy in case of grievances regarding work. (Delaney, 2016) However the lack of access to remedy is not unique to home workers. Workers in Tier 1 factories encounter significant challenges in organizing and engaging in collective bargaining. This is largely due to the lack of respect for their freedom of association, alongside practices that undermine their job security, wages, health and safety standards, and their ability to resist harassment and intimidation (Damodaran and Mansingh, 2008; SOMO, 2012). Further in the working of the grievance mechanism

it has been observed that workers have very limited access to local or international grievance management mechanisms. This highlights the limited capacity for such mechanisms to influence business practices, and the limitations to address human rights abuses in the supply chain (Delaney, 2016) (CIVIDEP, 2020).

We are looking at the existence and effectiveness of grievance redressal mechanisms in leather and footwear industry across the clusters in Tamil Nadu (Ambur and Ranipet) and Uttar Pradesh (Kanpur and Agra) for workers in the export-oriented factories. The study critically assesses the status and functioning of the grievance redressal mechanisms and explores the possibility of the identifying deficits, suggesting remedial measures, initiate a project to work on the aspects highlighted. The study used the UNGP effectiveness criteria to assess the functioning of the existing mechanisms. We also are looking at the clusters separately to have a contextual picture of the cluster in terms of grievance redressal. The report develops across six chapters, following the introductory chapter, the Methodology chapter outlines the objectives and design of the study, the third chapter presents the socio demographic profile of the workers from both the clusters, which gives us a preliminary idea about their social location and vulnerabilities associated with the same. The fourth chapter talks about the employment profile, which presents in detail the working conditions and the precarity associated with the same. Fifth chapter briefly presents the major grievances and the barriers for grievance redressal in the industry. This sets the context for the following chapters. The sixth chapter is the critical one which takes across through the six UNGP effectiveness criteria and gives critical perspective about the state of affairs of grievance redressal mechanisms. The seventh chapter summarises the major results and insights from all the chapters and the report conclude with the recommendations and ideas for future course of action.

Background of the Study

The study is within the framework of a project sponsored by the German Ministry for Development Cooperation BMZ. The study covers the major leather and tanning clusters across Tamil Nadu and Uttar Pradesh in India. The study is carried out by INKOTA in partnership with two organisations CIVIDEP India (CIVIDEP) and Society for Labour and Development India (SLD). The study feeds into the dialogue process mainly with social standard initiatives and companies in the footwear and leather industry as well as political stakeholders. The project and multi-actor partnership are designed to contribute to the long-term improvement of social and environmental conditions along the value chain of German firms producing footwear and leather in India. The study intends to initiate and support processes where the existing grievance redressal mechanisms are evaluated, and a baseline is created. The larger objective of the study is to facilitate an impact-oriented dialogue with stakeholders in the value chain and initiate and accompany the implementation of effective complaint systems in Indo-German supply chains.

We are investigating the existence of grievance redressal mechanisms and its functioning from an effectiveness perspective of UNGPs. We have focused on the leather and footwear industry in India, specifically on clusters in Tamil Nadu (Ambur, and Ranipet) and Uttar Pradesh (Kanpur and Agra).

Objectives of the Study

- **Identify and analyse existing grievance and redressal mechanisms:** Examine and document current grievance and remedy mechanisms in the footwear and leather industry.
- **Assess design criteria for effective complaint systems:** Engage with the effectiveness criteria in line with UNGP guidelines and identify systems aligned with them.
- **Identify deficits in existing grievance and remedy systems:** Identify and articulate deficits in current grievance and remedy systems.
- **Provide Inputs to address the deficits:** Facilitate data driven inputs for collaborative workshops or forums involving stakeholders for practical solutions to address identified deficits in grievance and remedy systems.
- **Develop recommendations for a practical implementation process:** Formulate recommendations for initiating and supporting a practical implementation process to close gaps in existing complaint systems.
- **Document and disseminate research findings:** Prepare comprehensive reports, articles, or presentations communicating research objectives, methods, findings, and recommendations.

CHAPTER 2: METHODOLOGY

Theoretical Framework

The study adopts the UNGP effectiveness criteria for grievance and redress systems across the existing mechanisms (state judicial, state non-judicial, non-state judicial, non-state nonjudicial) in the leather and footwear firms. The UNGP sets eight effectiveness criteria that are, of course, interwoven. (UNOHCHR, 2021)

Legitimate:

The grievance mechanisms enable the trust of the stakeholder groups for which they are intended and are accountable in the sense of fair handling of grievance procedures.

Accessible:

They are known to all stakeholder groups for whom they are intended and provide sufficient support to those who may face particular obstacles to accessing them.

Predictable:

They provide a clear, well-known process with a predictable timeframe for each stage of the process, as well as clear statements on the types of processes and outcomes available and means of monitoring implementation.

Equitable:

An equitable grievance mechanism is one that seeks to ensure that aggrieved parties have reasonable access to sources of information, advice, and expertise necessary to engage in a grievance process on fair, informed, and respectful terms.

Transparent:

A grievance mechanism that keeps parties to a grievance informed about its progress and provides sufficient information about its performance to build confidence in its effectiveness and to meet any public interest at stake.

Rights-compatible:

Rights-compatible grievance mechanisms ensure that outcomes and remedies accord with standards of human rights.

Source of continuous learning:

The grievance mechanism should draw on relevant measures to learn lessons to improve the mechanism and prevent future maladministration and harm.

Building on exchange and dialogue:

The grievance mechanism should build on exchange and dialogue. It shall consult the stakeholder groups for which it is intended on its design and performance and shall seek dialogue as a means of addressing and resolving grievances.

Research Design

We follow a descriptive research design where the detailed descriptive research on the existing grievance and redressal mechanisms will be captured. The descriptive analysis entails critical insights into the deficits of the existing system and allows space to formulate collaborative corrective measures. It helps us describe in detail the access and usage of the existing systems in the factories from a worker's point of view and also critically evaluate the systems from a sensitivity and responsiveness from a system perspective.

Geographical Coverage

The study covers the major leather and footwear clusters of

1. Tamil Nadu: Ambur and Ranipet regions
2. Uttar Pradesh: Agra and Kanpur regions

Unit of Analysis

The primary unit of analysis of the study are the workers from the factories in the selected clusters. The study covered a total of 211 workers from all four clusters (112 from Uttar Pradesh and 99 from Tamil Nadu). The design made sure that the diversity in workers profile in terms of demographic and employment profile is captured in the sample.

Sampling Strategy

The study adopts a stratified random sampling procedure to select workers. The workers are reached out from a general list of factories that was compiled by INKOTA, CIVIDEP and SLD based on trade data. Trade data from 01/01/2023-19/10/2023 linked the 16 factories and tanneries the workers were or are working for to German lead firms that are partially covered by the German Due Diligence Act and/or are members of the Social Standard Initiatives amfori BSCI, CADS, the Fair Wear Foundation and the Partnership for Sustainable Textiles. The Indo-German supply chain links were derived from trade data for footwear (Harmonized System code 64) and leather garments (Harmonized System code 4203). The strata are defined to create a sample which is representative of the larger population. The adopted strata are sex, job roles, employment type, social groups and type of firms. The sample also maintains the general proportion of workers which are derived from the publicly available data sources.

Sources of Data

The primary source of data is from the workers from the footwear and leather factories in both clusters.

Method and Tool of Data Collection

We adopted interview as a method for data collection from the workers. The data was collected using a structured interview schedule. The questionnaire for the structured interviews can be found in the annex to this study. The interview schedule covers the basic profile of the worker and the information and views of the workers on the grievance and redressal mechanisms in the factory. The study used a digital platform of KOBOTOOL Box for data collection where the data enumerators were trained on using the tool and the data collection happened digitally. This enabled us to validate the data faster and save time in terms of data entry and cleaning.

Analytical Framework

The study as mentioned earlier adopts a descriptive design and hence the analytical framework also goes with the basic descriptive analytics for the structured questions. The analysis flows the effectiveness criteria for access to remedy of the UNGPs and questions are grouped accordingly. The cross tabulations will be focused more around the general details of the workers and classification of workers based on the grievance redressal mechanisms that are available for them. The qualitative information collected from the workers are used for a thematic analysis to explain the quantitative data captured.

CHAPTER 3: SOCIO DEMOGRAPHIC PROFILE OF WORKERS

The section details the socio demographic profile of the workers in the leather and footwear industry who were covered under our survey. This section gives a brief idea about the composition and situation of the constituents we are covering in the study.

Figure 6 gives an idea about the spatial distribution of the workers across the states and the clusters within the state. The state wise distribution is fairly equal among the two states where 112 (53%) come from Uttar Pradesh which is a state located in northern India, while 99 (47%) come from Tamil Nadu which is a state located in southern India. Further among these states two leather clusters were covered. Kanpur (40%) from Uttar Pradesh and Ambur (39%) from Tamil Nadu are the major clusters.

Figure 7 shows the distribution of gender and age of workers among the two states. It is interesting to note that the gender distribution in Tamil Nadu is skewed towards more females (76%) while that of Uttar Pradesh is towards more male workers (88%). This is partly due to the nature of the industrial development in the region and also the bias in sample selection through worker collectives of CSOs. The age distribution in the regions also follows distinctive patterns. The Uttar Pradesh clusters have more younger workers with almost 40% of workers being less than 30 years old, while the representation in Tamil Nadu of that age group is only 19%. At the same time Tamil Nadu reports almost half of the workers above 40 years, while Uttar Pradesh reports only 20% workers above 40 years of age.
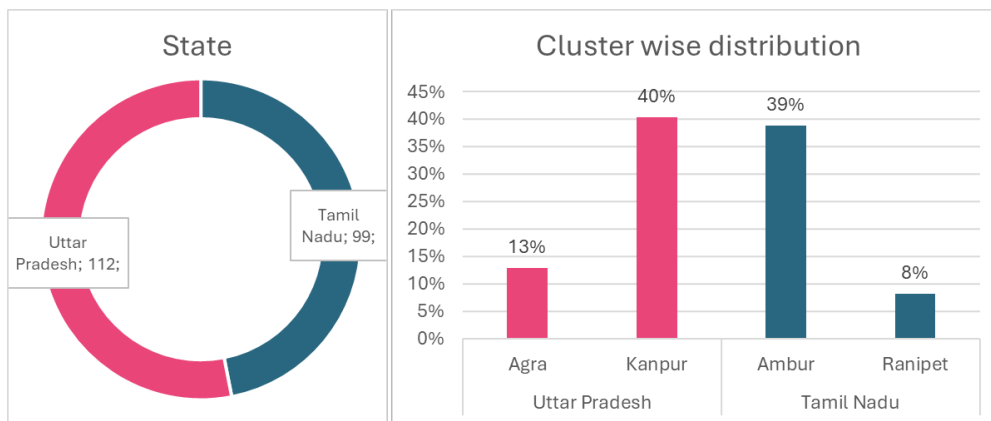

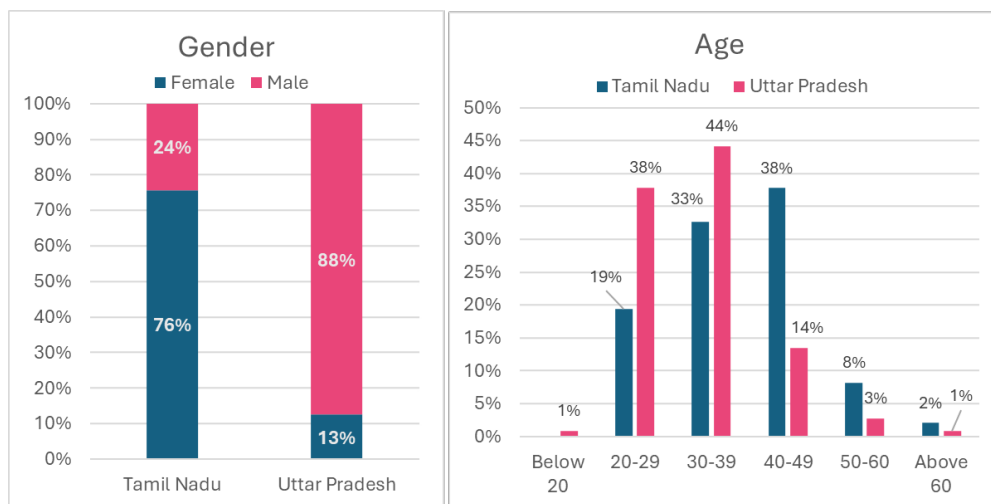Fig. 6: Distribution of workers across the clusters / Source: Primary Data, n-211

Fig. 7: Gender and age distribution of workers / Source: Primary Data, n-211

Figure 8 presents the religion and social category wise distribution of workers inthe two states. It is interesting to note that there is a significant difference both in religious and social category wise distribution across both the states. The notable differences are in the case of representation of followers of Islam, which is 26% in Uttar Pradesh while it is only 2% in Tamil Nadu and representation of SC/ST (Scheduled Caste/ Scheduled Tribe) which is 60% in Tamil Nadu while it is only 35% in Uttar Pradesh. It is also important to note the disproportionate representation of the SC/ST categories[4], which are socially disadvantaged, being involved in the industry. It is a result of the nature of the industry as well as the job roles which are deemed as dirty and therefore traditionally associated to SC/ST communities. (Arisa, 2023)
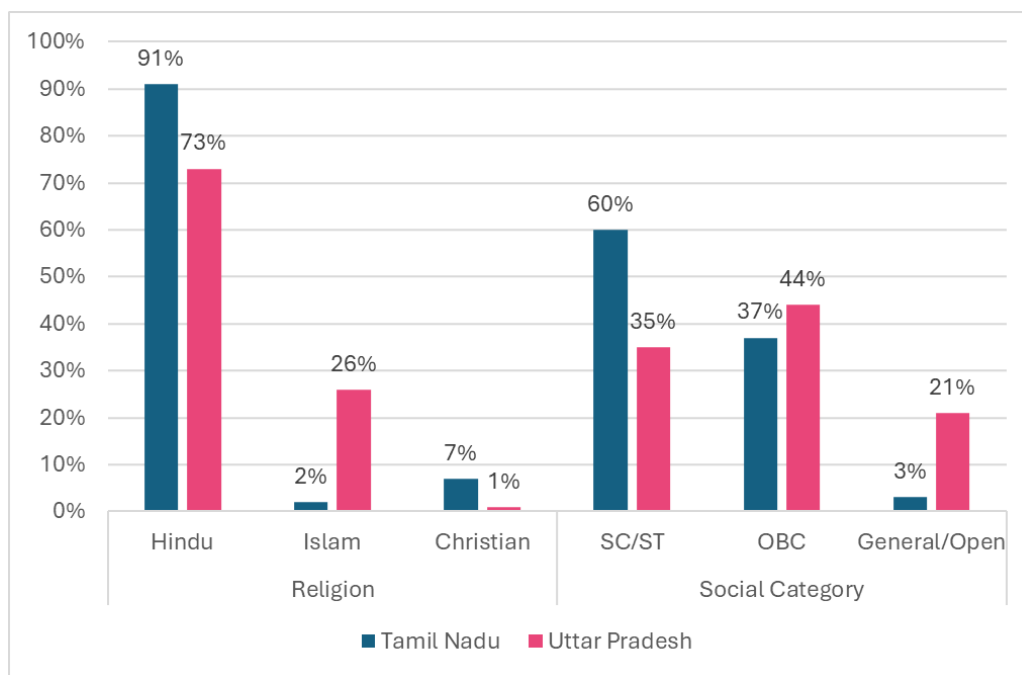

Fig. 8: Distribution of religion and social category [3] of workers / Source: Primary Data, n-211

3) Indian society is typically characterised by existence of caste system which is essentially and via the social hierarchy assigned to various communities. The Indian government has three major categories according to which different caste groups are classified. The SC/ST groups represent the most vulnerable and marginalized section in the society. The other backward class (OBC) represent the caste groups which are slightly above the SC/ST in the social hierarchy while the General/Open category represents caste groups which are in top of the hierarchical system.
4) The proportion of SC persons in the states of Tamil Nadu and Uttar Pradesh as per Census of India is around 20%. Detailed information is available at https://censusindia.gov.in/census.website/data/data-visualizations/PopulationSearch_PCA_Indicators .

CHAPTER 4: EMPLOYMENT PROFILE OF WORKERS

This section deals with the basic aspects of employment in the leather industry across the four clusters. The analysis attempts to present the aspects of employment which has significant relevance for grievance redressal and social dialogue mechanisms. We are looking at wages and working conditions predominantly. The state wise analysis is done where we observed significant differences, others have been done at the unit level itself.

Figure 9 presents details about supply chain transparency. It is important to note that only half of the workers (50%) could name at least one brand or give any information about a brand for whom they are producing or were producing in the past. Among the workers who could name a brand, Zara and Red Tape are the popular ones. Other brand information that could be given was: Avoli, Bata, Bugatti, Clarks, Deichmann, Dune, Ecco, Everton, Jack & Jones, Joesph Seibel, Kickers, Lotus, Mango, Public Desire, Soleflex, Xero Shoes. Here we only mentioned those brands that were named more than once; as the workers and intervie-

wers do not necessarily have the information how to pronounce and/or spell the brand names, there might be misinterpretations included. Some workers could give the information "some German brand" or "some Italian brand" "Thailand". Only 5 workers across the 16 production facilities named the brand that we also found in the trade data. Meaning that 206 workers did not know they were producing for a lead firm, that is according to trade data responsible to set up a transnational grievance remedial mechanism for them.

Figure 10 shows the top 10 job roles the interviewed workers are mainly involved in. Almost one fifth of the workers (19%) reported to be involved in stitching, which is typically stitching of the upper of the shoes and the sole to bottom stitching. This is followed by cutting (15%), attaching (13%) and moulding (11%). It has to be noted that 10% of the workers are involved in different activities of tanning which include, buffing, cleaning and dyeing.
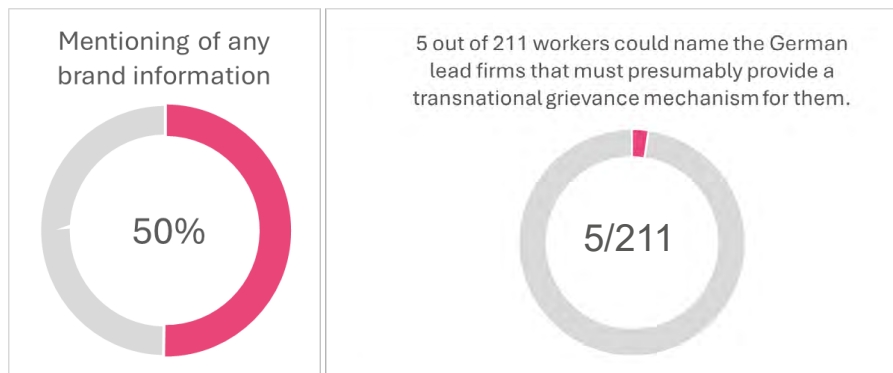

Fig. 9: Mentioning of any brand information / Source: Primary Data, n-211
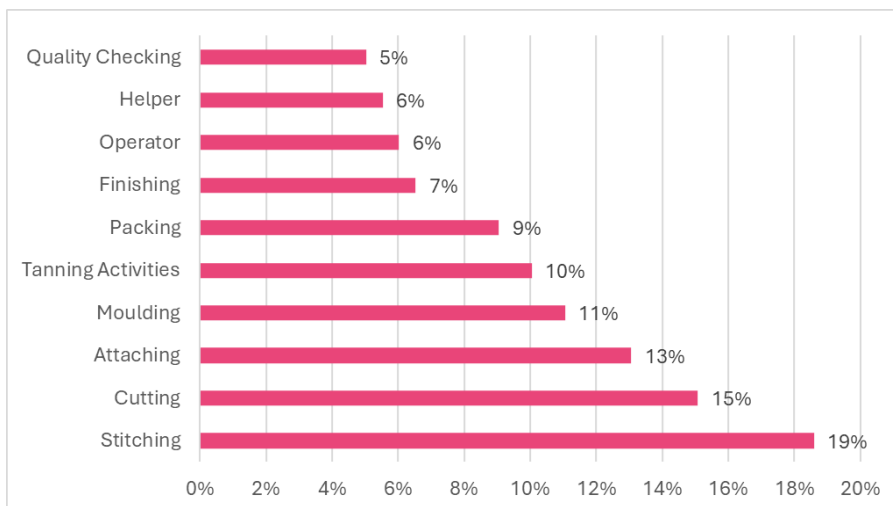

Fig. 10: Top 10 job roles in the leather and footwear industry / Source: Primary Data, n-211
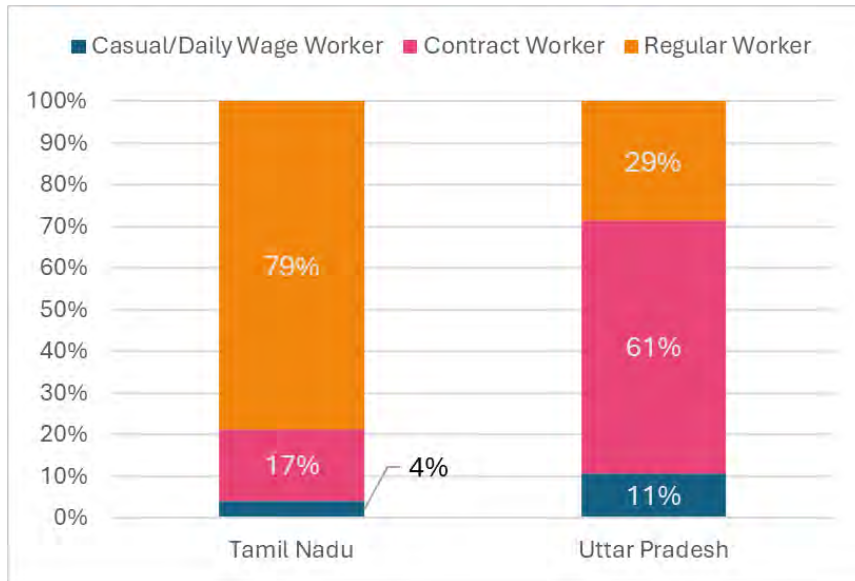
Fig. 11: Nature of employment in leather and footwear industry /Source: Primary Data, n-211

Figure 11 shows an interesting aspect of the employment profile in the industry and the distribution across the states. Nature of employment is divided into three here: Regular worker[5], Contract worker[6] and Casual/Daily wage worker[7]. There is a marked difference in the distribution of the workers across the two states/four clusters. While Tamil Nadu has almost four fifth (79%) of their workers reporting to be regular workers, less than one third (29%) of workers from Uttar Pradesh has the same status This difference is captured in the share of contract workers in Uttar Pradesh where almost two third of workers reports to be contract workers. This is a clear indication of the precarity associated with employment in the Uttar Pradesh clusters. Uttar

Pradesh also reports 11% of Casual/Daily wage workers while that proportion stands only at 4% in Tamil Nadu.

The aspect of provision of social security benefits[8] which is presented in figure 12 further establishes the case of difference between the clusters in the states and increased precarity of the Uttar Pradesh clusters. We can observe that while more than four fifth (84%) of workers in Tamil Nadu reports to have access to at least one social security benefit, only 42% of workers from Uttar Pradesh has the same status. This corroborates with the earlier finding of Tamil Nadu having more regular workers compared to the latter.
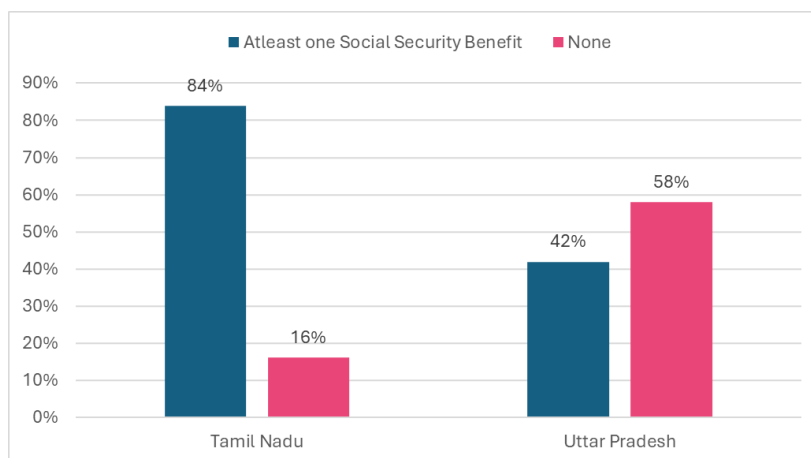
Fig. 12: Provision of social security benefits / Source: Primary Data, n-211

5) Regular worker refers to workers who have regular work/engagement in the factory and the worker having at least one form of social security benefit (it does not automatically mean, the worker has a contract / pay slip / any proof of employment).

6) Contract employment refers to the workers employed in the factory through third party employers and for whom the factory takes minimal responsibility. It does not automatically mean, the worker has a contract / pay slip / any proof of employment.

7) The category casual/daily wage worker refers to the workers who are hired on the spot as per the demand and are paid according to attendance and have no social security benefits.

8) Social Security benefits in India are mainly retirement benefit know as Provident Fund (PF) and health benefits known as Employment State Insurance Scheme (ESI)

Fig. 13: Working conditions in the leather and footwear industry / Source: Primary Data, n-211

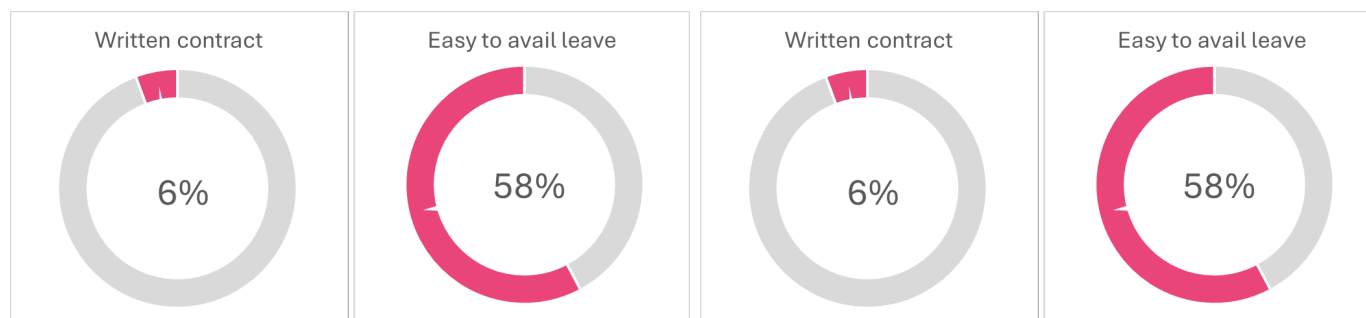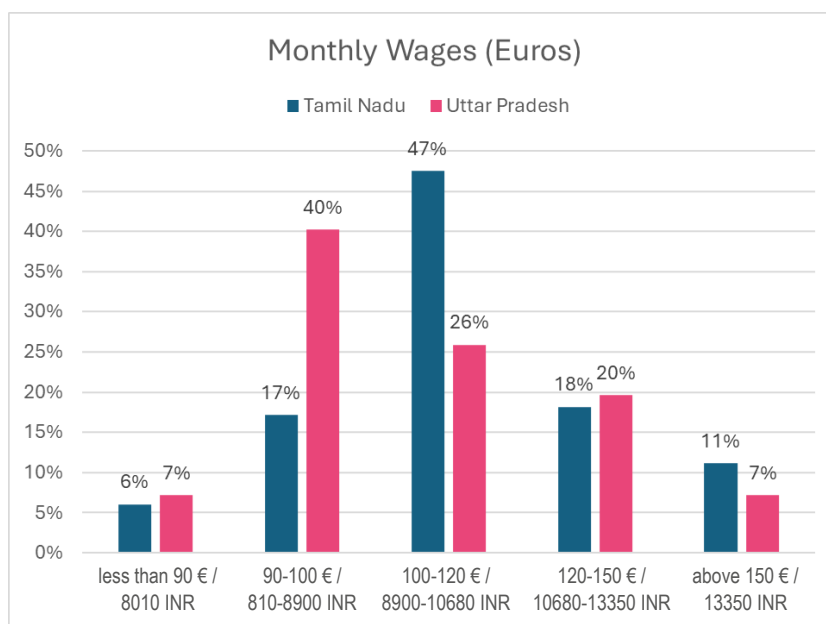Fig. 14: Distribution of Monthly Wages in Hand[9] (INR/Euros[10]) /Source: Primary Data, n-211

Figure 13 gives a glimpse of the high levels of precarity in working conditions in the leather and footwear industry. We have not observed any significant difference in the four aspects discussed here regarding the different clusters, hence a larger picture is given. The most contentious aspect to be noticed is that only 6% of workers reports to have a written contract letter. This indicates the level of precarity in the employment terms and poses a direct contradiction to the regular and contract employment reported in the previous figures. Almost half of the workers reports (42%) that it is difficult to avail a leave in their workplace and more than half (54%) of the workers reports to be doing overtime work. Another important aspect indicating the precarity in the working condition is that more than four fifth (77%) of the workers reports to have production targets. Noncompliance of the production targets generally leads to either forced overtime or deduction in payment or other forms of abuse/violence in the factory.

Figure 14 presents the distribution of the monthly wages in hand for the workers across the two clusters. It is very evident that the Uttar Pradesh cluster has more workers in the lower wage band, almost one fourth (24%) of the workers from the clusters there earns below 350 PPP$[11] (ca. 8010 INR, 90 Euros) while the share of Tamil Nadu is only 12%. In the case of higher wage bands, the pattern is reverse, while 38% of workers from Tamil Nadu earns more than 450 PPP$ (ca. 13.350 INR, 150 euros) the share of Uttar Pradesh stands at 30%. However, we don't see a major difference in the distribution, Tamil Nadu cluster has a slight edge over the Uttar Pradesh cluster.

9) Monthly wages in hand refer to the wages paid to the workers after social security deduction and overtime payments or other allowances if any. It needs to be noted that this is not the basic wages.
10) Euros are calculated using an exchange rate of 89 INR for 1 Euro for the year 2023.
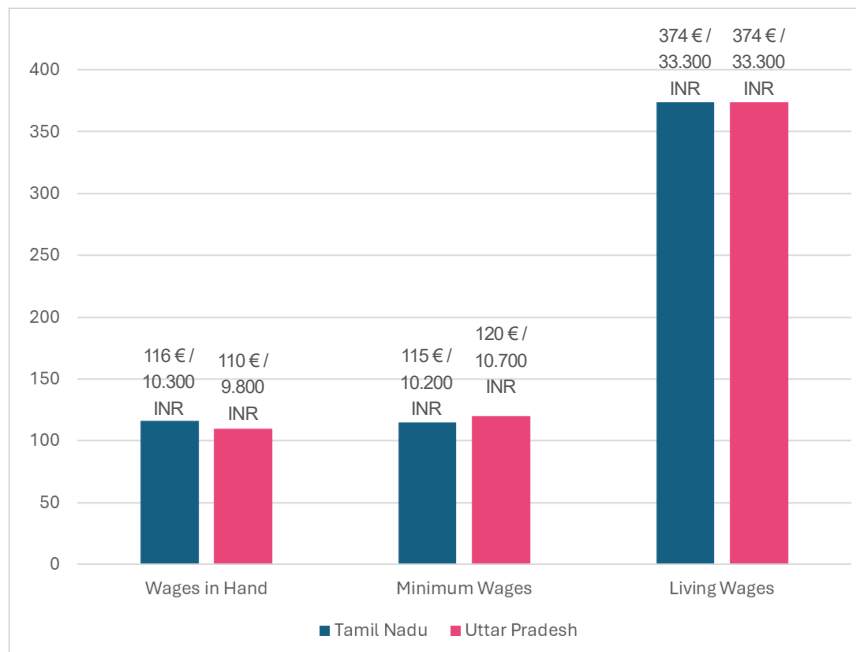11) The PPP$ (Purchasing Power Parities Dollars) figure were arrived at using the PPP$ conversion rates from OECD for the year 2022. https://data.oecd.org/conversion/purchasing-power-parities-ppp.htm .

Fig. 15: Average Wages in Hand, Legal Minimum Wages[12] and Living Wages[13] (INR/Euros)
Source: Primary Data and compiled from external sources, n-211

Figure 15 reports the average wages in hand at the two clusters to be 452PP$ (ca. 10.300 INR / 116 euros) for Tamil Nadu and 428 PPP$ (ca. 9.800 INR / 110 euros) for Uttar Pradesh respectively. This indicates a slightly better position of Tamil Nadu clusters in comparison to the Uttar Pradesh clusters. However, the most important aspect to be noted here is that while Tamil Nadu clusters report wages being paid marginally above the legal minimum wages, the Uttar Pradesh cluster reports it to be 20 PPP$ (ca. 900 INR / 10 euros) below the legal wages.

It is also to be noted that the wage figures from the primary data comprises of overtime wages and other allowances. It was reported that 54% of workers are involved in overtime work. Hence the actual wages paid will be much lower than minimum wages in Tamil Nadu cluster as well. Overtime and other coercive production practices also form part of the monthly wages.

The gap between the actual wages and the minimum wages to the living wages is almost three times and indicates the precarity level of wages being paid in the industry. It is also argued that the low level of legal minimum wages is keeping the floor sticky to lower wages, where the industry makes sure that they pay around the legal wages. The actual wages being only one third of the living wages indicates that the wages paid are not sufficient to meet the needs of the family of the worker but will barely meet the needs of and individual or the huger level survival requirement of a family.

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12) Legal Minimum Wages for all production clusters have been referred from the Wage Indicator Database on Minimum Wages. Find more detailed information here https://wageindicator.org/salary/minimum-wage/india .
13) Living Wages figures are obtained from the Asia Floor Wage Alliance (AFWA). The regional living wage for India was at 33290 INR (converted using PPP$ exchange rates). Find more detailed information here https://asia.floorwage.org/living-wage/

CHAPTER 5: GRIEVANCES IN THE INDIAN LEATHER AND FOOTWEAR INDUSTRY

The report focuses on the existence and effectiveness of grievance redressal mechanisms in two major leather and footwear regions of India. As an introductory section, we are looking into two major aspects: major grievances in the industry and the consequences of raising a grievance in the industry. This information sets the tempo for the analysis to follow and highlights the necessity of more effective supply chain-based integrative grievance systems. It also needs to be understood that the term grievance redressal mechanisms in the Indian context does not only mean regulated systems and practices followed in the industry. Instead, it is a combination of regulated mandatory systems and also certain local systems or informal arrangements, usually on an ad hoc basis. The regulated mandated system includes the committees to be formed under various labour laws on grievance redressal mechanism, and the informal arrangement includes the initiatives by the firms separately, linked to CSO/NGOs and also community collectives.

Figure 16 is listing out the major grievance expressed by the workers from all four clusters in the interviews. Distribution is almost the same across the clusters on the major issues. Almost three-fourth (72%) of workers has grievances with Production Targets. This is followed by Verbal Abuse (68%) and Wages (63%). It also has to be understood that these three are closely linked as extractive production targets lead to abuse from supervisors/ma-

nagers and also results in wage cuts. This is clearly expressed by a number of workers in the in-depth interviews. A worker observed *"I get 40 INR an hour which is very less and if I miss any target they still deduct from this amount."* We have another worker saying *"If targets are not achieved then they can say anything, even use vulgar language."*.

The next level of grievances is again linked to these first mentioned: Leave (45%), Overtime Wages (44%) and Social Security Benefits (43%). A women worker responded that the manager scolded her on leave request: *"From whom work will be done if you go on frequent leaves".* The case of overtime and overtime wages has some interesting narratives from the workers. The Indian legislation mandates payment of double wages for each hour of overtime work, and this is violated rampantly. A worker observed: *"I get paid Rs.40 per hour for normal work and for 2.5 hours of overtime the factory pays only 80 INR."* She also told us an important aspect of working hours: *"The usual working hours is 9-10 hours in a day and overtime is calculated beyond this and if we are late by 15 mins then you are one hour in cut."*.

This highlights two aspects: None of the factories observes an 8 hour working day and they do not count break (lunch and tea) as working hours. A civil society actor observed: *"So the wage theft is on multiple levels, first they are made to work 9-10 hours*
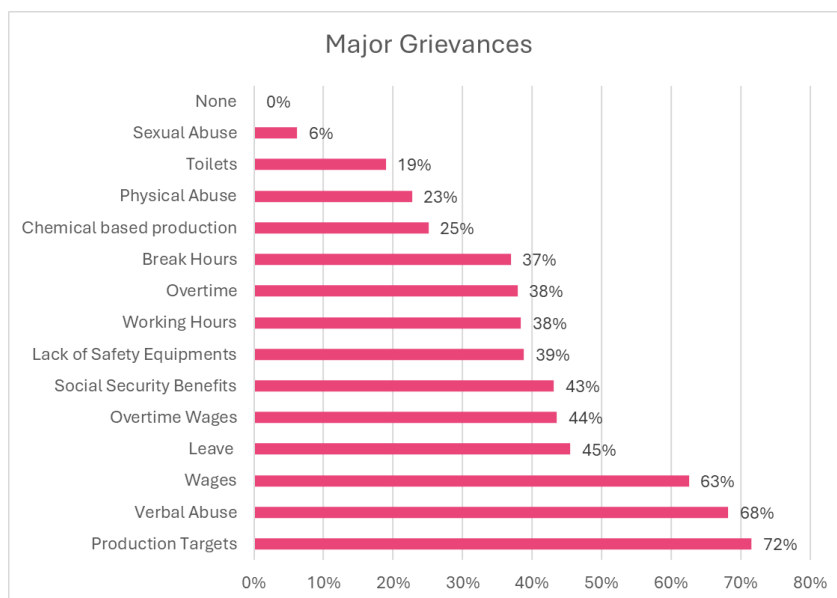
as normal working hours. Further, the legal overtime rates are not paid. In some cases, the overtime is not at all paid and the worker has to do overtime to finish the production target."

The next set of grievances expressed by almost one third of workers includes: Lack of Safety Equipment (39%), Working Hours and Overtime (38%) and Break Hours (37%). The issue of safety equipment is very specific to workers in tanneries and also those who are involved in stitching. Finger cuts and minor injuries are common in the sector and the unfortunate part is that most of them either do not have health related social security registrations or related public health care is not easily accessible. *"They will give it when the investigation/audit comes"*, this is the sad state of provision of safety equipment and most of the workers complained about the quality of the equipment provided. Regarding the break hours many workers observed that the break that they get is not enough and they are only allowed to eat during the break. A worker observed: *"We are not allowed to leave the factory premises, we have to get our lunch, and get it done within 30 minutes."* The workers will have to manage their toilet breaks also during this break and also they are not allowed to rest or relax.

The most important part of the analysis here is that all the workers said that they have some grievance or the other. It is an expected but quiet unfortunate situation. This needs to be coupled with the fact that there is a considerable portion of workers who do not raise any complaints about the grievance they have.

Figure 17 looks at the consequences of raising a complaint in the factory. It is important to understand that this as a primary indicator of the effectiveness of grievance redressal mechanisms that exist. Three-fourths of workers report Termination/Layoff from work (73%) and Verbal Abuse (70%) as consequecnes. This is a common practice and is done to deter workers from raising a complaint. A worker frankly observed: *"If you become too fast (in expressing a complaint), you will be thrown out of the company."*

More than half of the workers also reported Discrimination at Workplace (51%) and Denial of Leave (52%) as consequences. The issue with leave is the most common form of discrimination workers feel at the workplace. An interesting narrative from the worker reports: *"On complaining, work pressure is increased due to which he commits mistakes and leads to other forms of punishment."*

Physical Abuse (30%), Wage Deduction (21%) and Denial of Benefits (20%) are other consequences which the workers have reported on raising a complaint in the factory. It also needs to be observed that only 6% of the workers feel that there won't be any negative consequences for raising a complaint. A women worker succinctly observed: *"Threatening and frightening workers is a common way of preventing people from complaining and they do it with a few who tried raising complaints and rest of us got the message. So if the factory is not adjustable we don't think about complaining but just leave the place and join another factory hoping it would be better."*
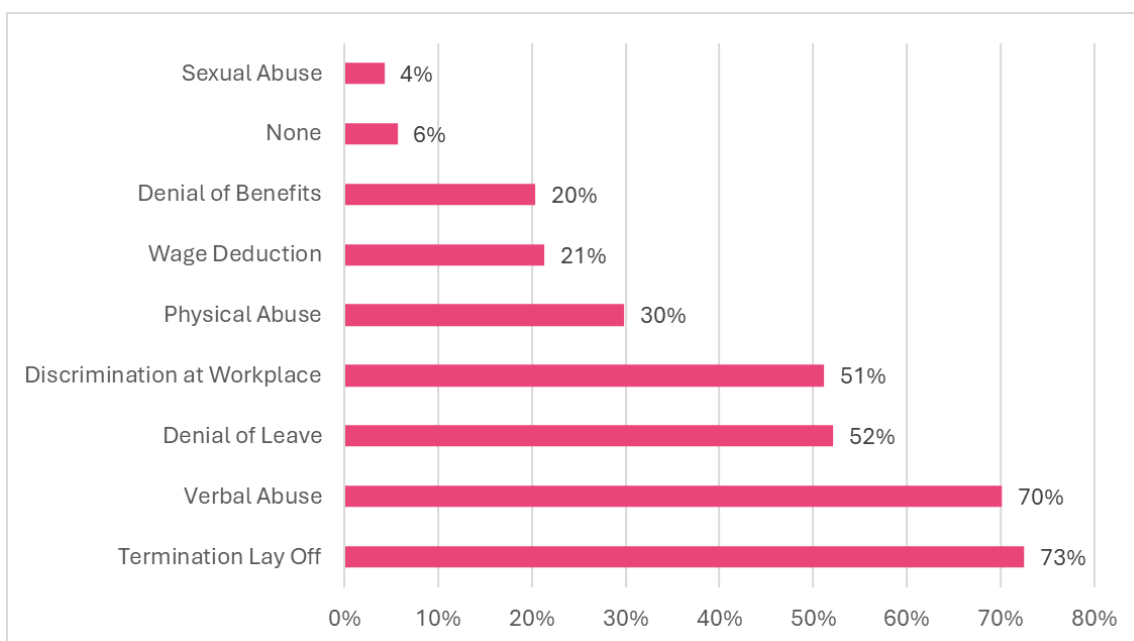

Fig. 17: Consequences of raising a complaint in the factory / Source: Primary Data n-211

CHAPTER 6: EFFECTIVENESS OF EXISTING GRIEVANCE REDRESSAL MECHANISMS

This section forms the integral part of the report and looks at the grievance redressal mechanisms through UNGP effectiveness criteria. We are looking at the following effectiveness criteria Legitimate, Accessible, Predictable, Transparent, Source of continuous learning, Building on exchange and dialogue. This doesn't mean that we consider the criterion "rights-compatible" to be less important. It means, that we are focussing at the existence and effectiveness of the existence, thereby commenting on the nature of grievance mechanisms in the leather and footwear industry. To comment on the rights-compatibility of existing grievance mechanisms, it would make sense to have a structured overview of remedy solutions achieved in the grievance mechanisms and to review the rights-compatibility of those results. Due to the shortcomings of the existing grievance mechanisms in the Indian leather and footwear sector, it's not possible to set such a focus at the moment.

Legitimate

First, we are looking at the criterion "legitimate", which refers to if and how grievance mechanisms enable the trust of the stakeholder groups for which they are intended and are accountable in the sense of a fair handling of grievance procedures.

Figure 18 presents the existence of trade unions in the factories and management's response to the same. The sector is known
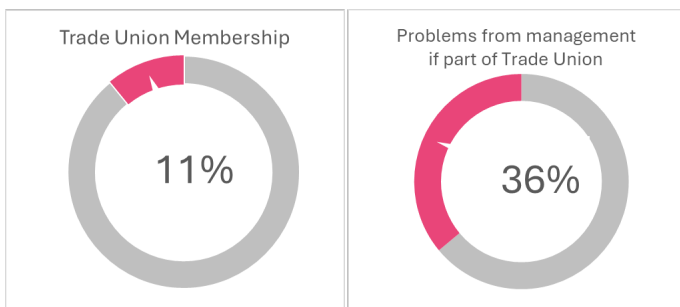
for serious union busting and discrediting of any organized activities among workers. It is reported by the interviewed workers that only 11% of workers are part of trade unions in both clusters. Further, only 36% of workers reported that workers faced any problem from management if they were part of a trade union. Considering this figure being low, need may be misinterpreted and has to be taken into serious account as most of the workers are not aware of the consequences, as there are no unions existing in any of those factories.

Figure 19 reports on the aspects of official grievance redressal mechanisms in the leather and footwear industry. It is interesting to note that there is significant difference between the two clusters. While four-fifth (81%) of workers in Tamil Nadu reports the existence of grievance redressal mechanisms, only 12% of workers from Uttar Pradesh reports the same. It is important to note that almost half of the workers from Uttar Pradesh either don't know about a mechanism (46%) or reports on the non-existence (42%). This is further reflected in the status of workers being able to raise an official complaint in the factory. While 69% of workers from Tamil Nadu reports that workers in their factories have raised official complaints only 28% of workers from Uttar Pradesh reports the same. This presents the contrasting picture of two clusters with respect to existence of grievance mechanisms and workers access to the same.
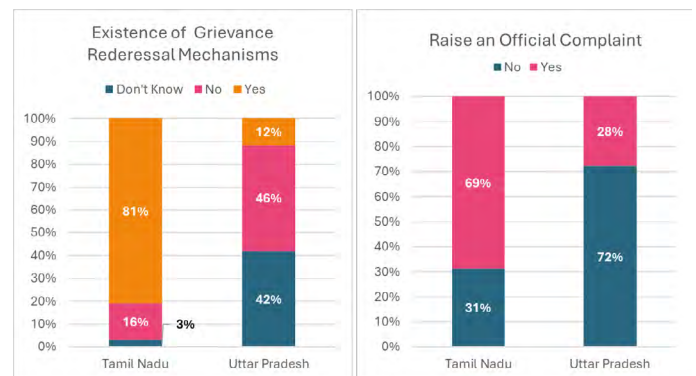

Fig. 18: Aspects around the existence of Trade Unions
Source: Primary Data n-211

Fig. 19: Aspects of grievance mechanisms in the factory
Source: Primary Data n-211

Accessible

This section focuses on the aspect of accessibility of the grievance redressal mechanism in the factories and it indicates towards the effectiveness of the same. Grievance authorities, representation of workers and institutional facilities geared towards grievance redressal is being analysed here.

Figure 20 indicates the authorities/avenues to which the workers raise complaints in the Indian leather and footwear industry. The noteworthy aspect is that almost three-fourth (70%) workers raise their complaints to supervisors/line managers, which is followed by general managers (37%) and HR Manager (14%). It needs to be noted that only 1% of workers reported to have filed complaints in grievance committees in the factory and only 8% workers raised their issue to Trade Unions. This partly indicates the absence/ ineffectiveness of both and factory management being the only source for the worker to reach out and raise the issues. It is absolutely important to note that while workers in all factories were asked which other institutions workers in their factories could reach out to about their grievances and/or file complaints, not a single person mentioned a grievance system based on their supply chain (e.g. Social Standard Initiative grievance mechanisms or company-based grievance mechanisms) or factory auditors or similar institutions. If they were mentioning "others", they gave the following answers: the lady guard, a factory internal person or company friends.
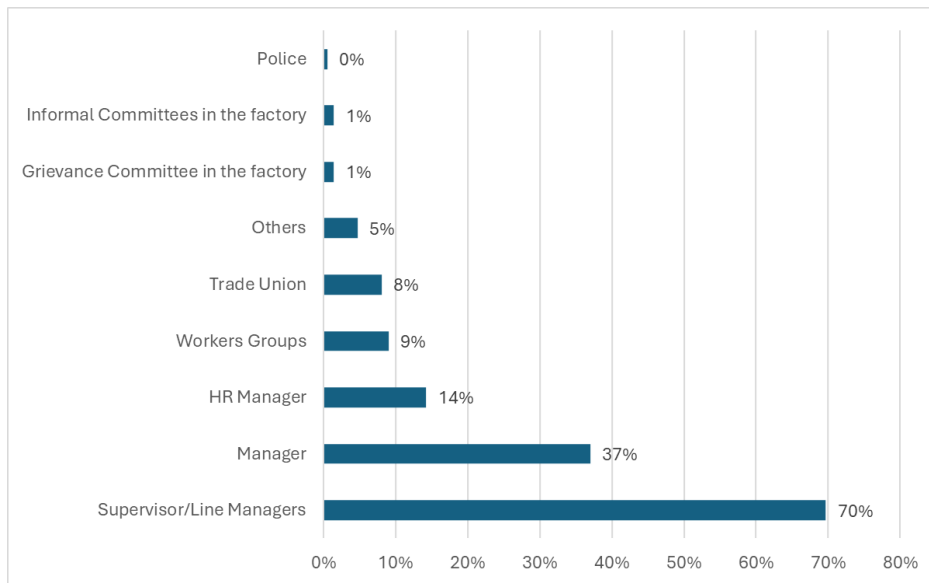

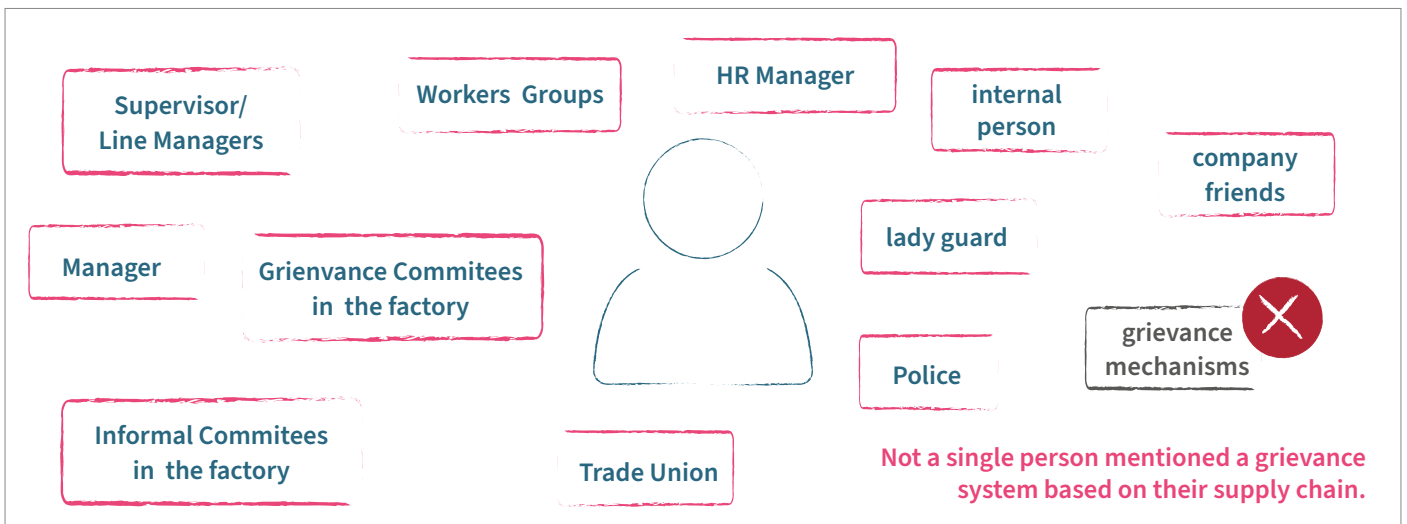Fig. 20: To whom do workers raise complaints / Source: Primary Data n-211

Fig. 21: Which other institutions can workers reach out to about grievances / Source: Primary Data n-211

Figure 22 further explains the above aspect. If a worker wants to file an official complaint, almost half of them report to rely on management (45%) or other workers (46%). While only 4% of workers reported to rely on trade unions and only 7% of them reported about informal collectives. It is also interesting to note that 10% of workers reported to have no help being available. Further none of the workers reported anything about any existing grievance redressal to provide help to file a complaint. This is a clear indication in the effectiveness of the grievance redressal mechanisms in the Indian leather and footwear industry.

Figure 23 presents the existence of different grievance committees in leather and footwear industry. As the previous figures indicate the Uttar Pradesh clusters don't report existence of such mechanisms, however the Tamil Nadu clusters report existence of Internal Complaints Committee (73%), Canteen Committee (55%), Safety Committee (63%), Workplace Committee (37%), Transport Committee (4%) and Others (1%). It needs to be noted that these are mandatory committees to formed in India factories across all states (including Uttar Pradesh) according to different labour legislations and workers participation needs to be ensured.
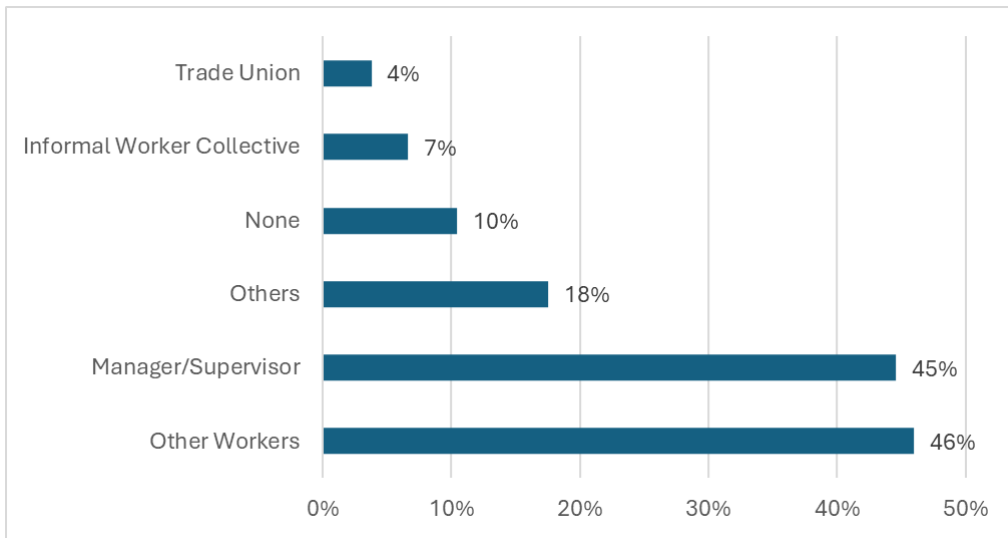

Fig. 22: Whose help can be sought to file an official complaint /Source: Primary Data n-211
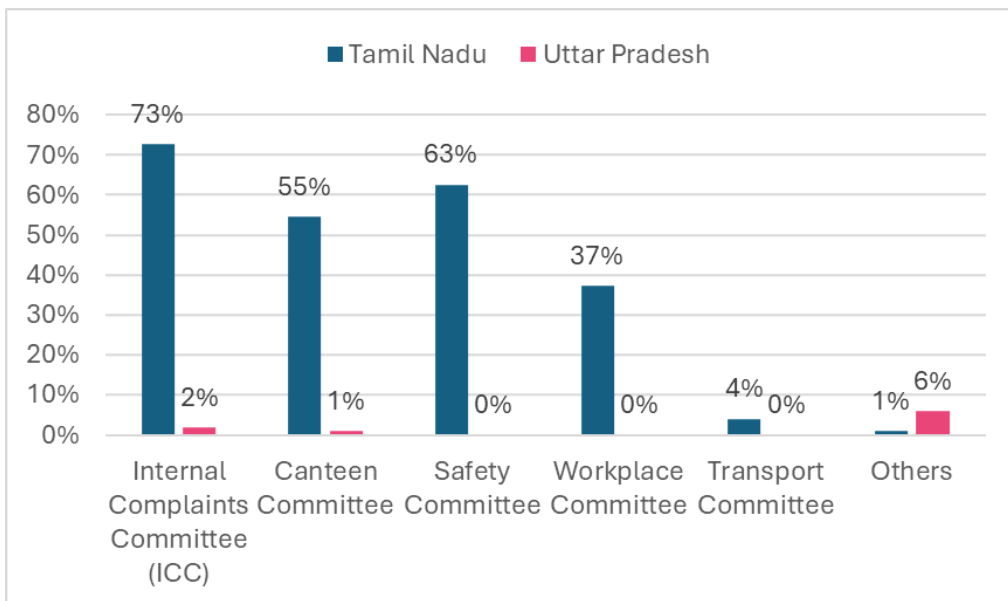

Fig. 23: Presence of official factory grievance committees / Source: Primary Data, n-93
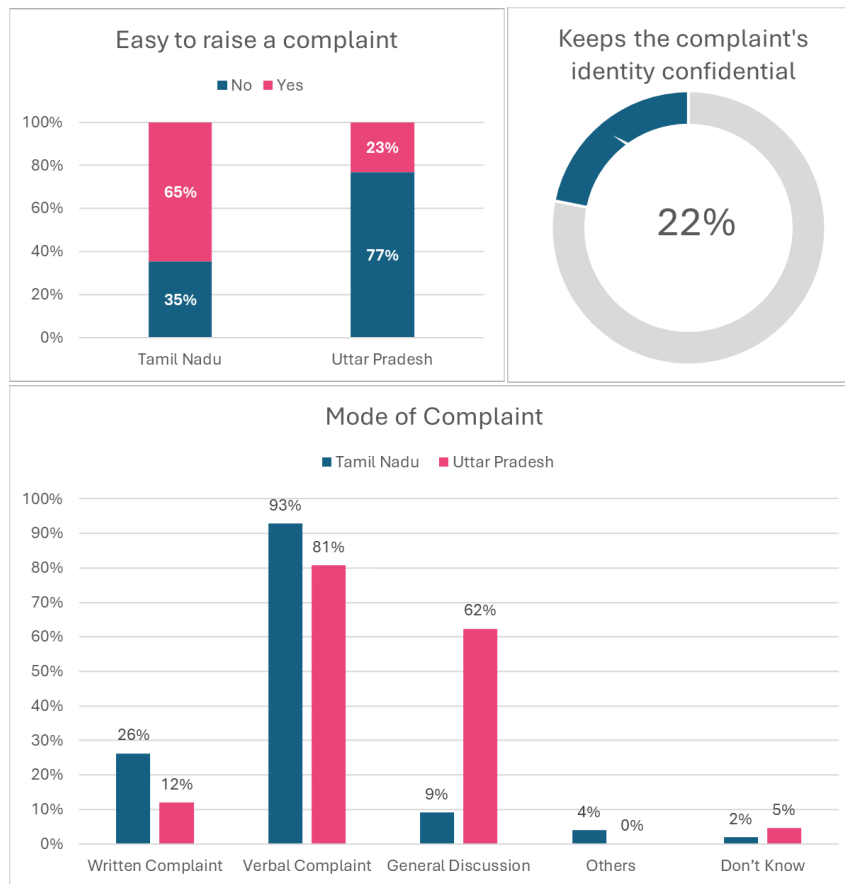
Fig. 24: Aspects on raising an official complaint / Source: Primary Data, n-211

The panel of diagrams in figure 24 discusses the aspects of raising an official complaint in the factory. It is to be observed that the regional difference persists in the aspect of ease of raising a complaint. While two third (65%) of workers from Tamil Nadu finds it easy to lodge a complaint, less than one-fourth (23%) of workers from Uttar Pradesh finds the same. However, only 22% of workers across both the cluster feels that the complaint's identity is kept confidential in the process. This is an important aspect in effectiveness of a grievance process to be legitimate so that the stakeholders have trust in the process. The third aspect on nature of complaints is interesting. Verbal complaints make up the majority of complaints in both clusters. The case of written complaints is relatively low in both the clusters and the case of Uttar Pradesh is only 12%. It is interesting to note that general discussion as a mode of complaint is prevalent in Uttar Pradesh, as for almost two third of worker (62%) this is a current way to raise complaints. This is mainly the discussion of their grievance to the co-workers.

Figure 25 presents the representation of workers in the grievance redressal committees in factories across the two clusters. It has to be noted that only 20% of workers from Tamil Nadu reported workers being elected, while that of Uttar Pradesh is further low at 9%. It is interesting that more than almost three-fourth of workers from Tamil Nadu reported workers being nominated to committee. This practice indicates how worker collectives are being controlled by the management and reduces the effectiveness of the same. This needs to be understood along the aspect of 81% of workers from Tamil Nadu reporting presence of grievance redressal mechanism (Figure 12). Despite those mechanisms existing, they are largely controlled by the management. This questions the effectiveness of the same. Almost half (48%) of workers in the Uttar Pradesh cluster do not know about the existence of a grievance redressal mechanism in the factory.
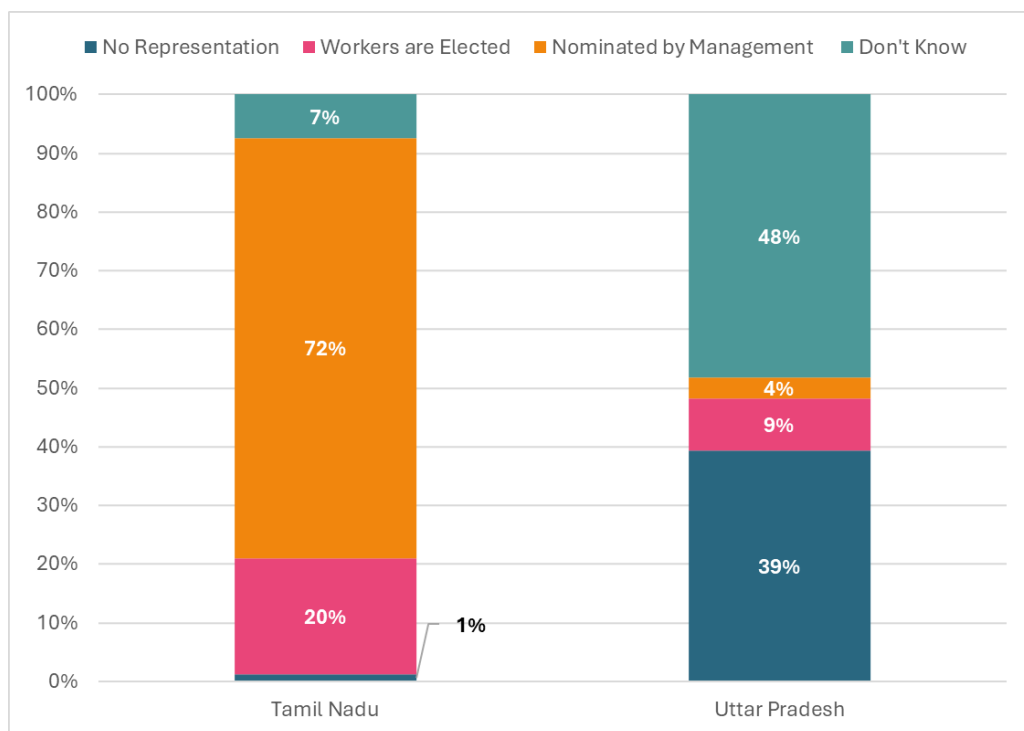

Fig. 25: Representation of Workers in Committees / Source: Primary Data, n-93

Figure 26 reports the cluster wise existence of grievance redressal mechanisms and effectiveness of the same. Regarding the information materials on raising a complaint the general picture is that only half of the workers have access to the same. Cluster wise picture says a little above half (53%) of workers from Tamil Nadu have information materials on raising a complaint, while Uttar Pradesh stands at only 32%. Regarding the understandability of the materials the Tamil Nadu cluster is far better off compared to the Uttar Pradesh. While 49% of workers from Tamil Nadu cluster reports in affirmation on effectiveness of information materials only 13% from Uttar Pradesh reports the same. The case of a designated person being available for grievance redressal 60% of workers from Tamil Nadu confirm the same, while Uttar Pradesh stands at a mere 22%. Similar is the case with existence of complaint register/book/box/e-mail etc. where Tamil Nadu cluster reports almost three-fourth (72%) workers have access to them, only one-fourth (27%) workers reports the same in Uttar Pradesh. Despite this relative better performance of Tamil Nadu cluster, the overall performance on these aspect in both the clusters is not encouraging in establishment of an effective grievance redressal mechanism. No workers mentioned any specific telephone hotlines, WhatsApp-Channels, Apps or e-mail-addresses.
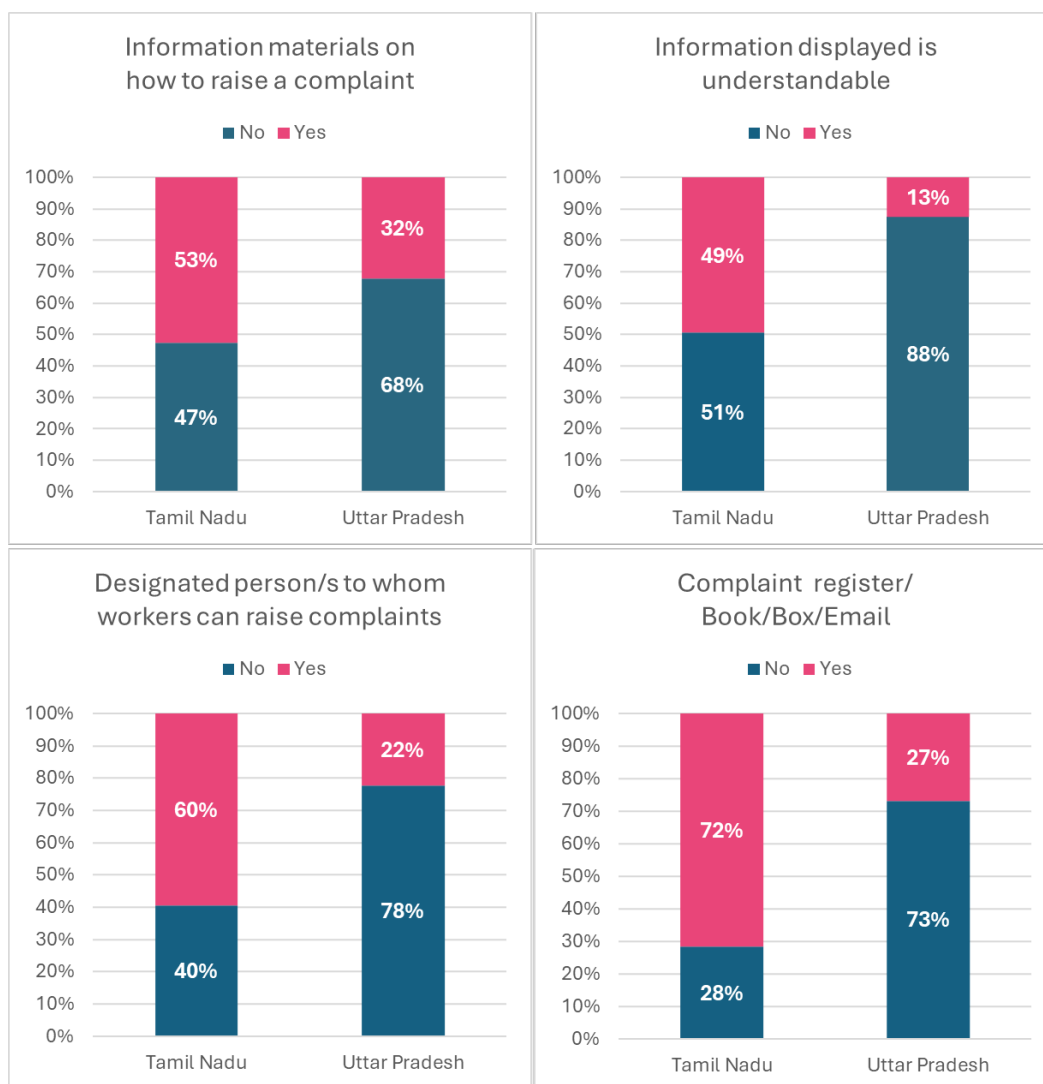

Fig. 26: Existence and information about grievance redressal mechanism / Source: Primary Data, n-211

Predictable

This section of the report looks at the effectiveness criterion of predictability of the grievance redressal mechanism. The GRM should provide a clear, well-known process with a predictable timeframe for each stage of the process, as well as clear statements on the types of processes and outcomes available and means of monitoring implementation. We are focusing on timeliness, familiarity with the process and institutionalised assistance for raising complaints in this section.

Figure 27 indicates the distribution of response of the worker on the timeliness of the grievance redressal mechanism in respective clusters. It is interesting to note that workers responding in affirmation in Tamil Nadu is 25% and that in Uttar Pradesh is only 4%. Further close to three-fourth (71%) of workers in Uttar Pradesh do not know about whether the grievances get sorted in time. It is also important to note than almost two third (60%) of workers from Tamil Nadu responded that there is no timeliness in addressing a grievance.

Secondly, we look at the awareness of workers about all the steps involved in grievance redressal mechanism. The overall awareness is very low across the clusters. In Uttar Pradesh only a mere 6% of workers are aware of all steps involved in the process, while that of Tamil Nadu cluster is at 24%. It also must be noted that this aspect of awareness of the steps could be an aspect which could be made part of the previous two effectiveness criteria, however we decided to feature it under predictability as the awareness of the steps makes the process predictable to the complainant.

All these three aspects point towards a poor functioning of grievance redressal mechanism across the clusters, where Tamil Nadu require improvement in terms of grievance handling and redressal, while Uttar Pradesh faces serious challenges of worers not even being aware of such a system.
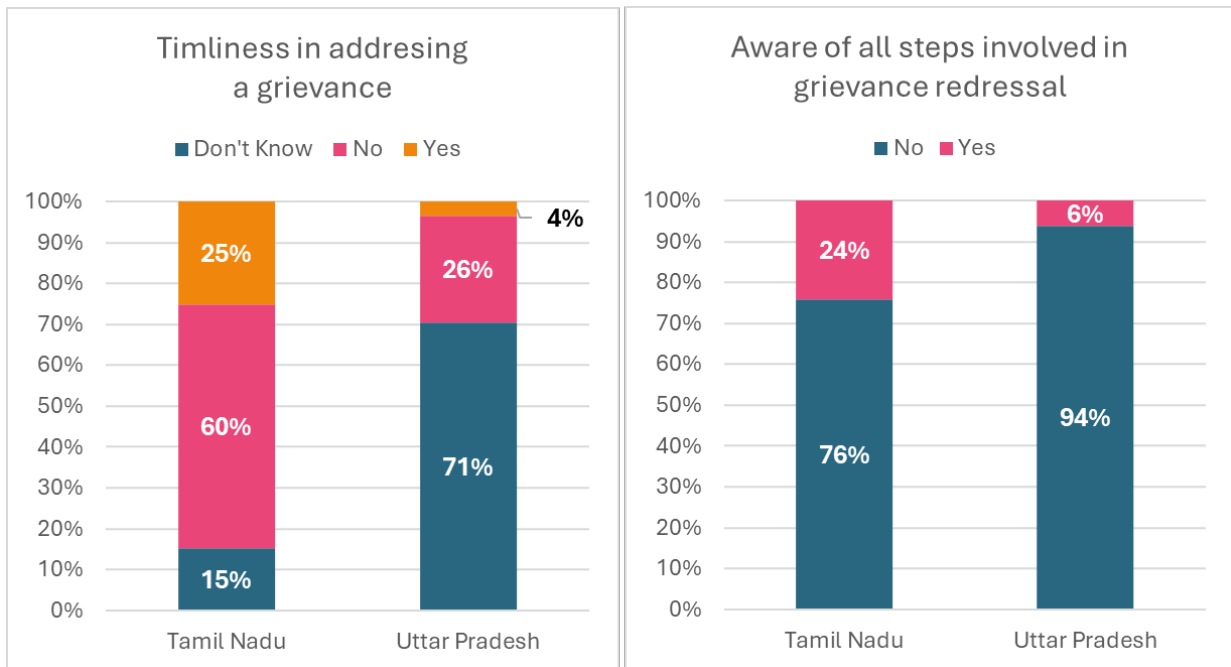

Fig. 27: Aspects of process involved in grievance redressal mechanism. / Source: Primary Data, n-211

Equitable

The two diagrams in figure 28 present the cluster wise picture of assistance given to a worker in case of raising a grievance in the factory. It is important to note that more than four-fifth (83%) of workers from Uttar Pradesh said they are given no assistance, while the share of the same in Tamil Nadu is only 30%. Among the workers who get assistance nearly half of them reported the assistance to be of the nature of information sharing. Drafting the complaint, representing the worker in the grievance committees are reported only by a small minority. Regarding the source of assistance, the two clusters have significant differences, while two-third (74%) of workers from Tamil Nadu feel their source of assistance will be Manager/Supervisor, majority (51%) of workers from Uttar Pradesh feels it will be other workers. It is also to be noted that one-third (33%) of workers from Uttar Pradesh feels they won't get any support. It is imperative to note that very few workers feel that they will be assisted by Trade Union, reason being trade unions really don't exist. It's also imperative to note that no other institution (e.g. a grievance coordinator of a grievance mechanism or a state counselling centre or an NGO counselling centre or a labour court mediation centre etc.) is mentioned here. This leads to the interpretation that

workers tend to only seek remedy and advice on how to obtain redress within the factory context at the moment. These aspects point towards the sad state of affairs with respect to assistance in raising grievances. Further, there is no regulated mechanism or presence of worker collective; formal or informal in assisting workers in raising their issues. The nature of assistance also indicates towards a regressive system of assistance.

Fair procedures in a GRM also mean, that there are neutral persons in the mechanism available to investigate the complaint and to mediate the conflict or contribute to a remedy solution in other procedural ways. It is to be noted that only 14% of workers reported that there is any scope for an outside mediation in the existing grievance mechanisms. Grievance redressal is currently mostly an in-house exercise and it's rare that the grievances are settled in outside mechanisms. A fair procedure also includes procedural options if remedy hasn't been taken. Only one third of workers feel that they can refile a grievance if they are not satisfied with the remedy issued. Both the aspects are equally distributed among the clusters under investigation.
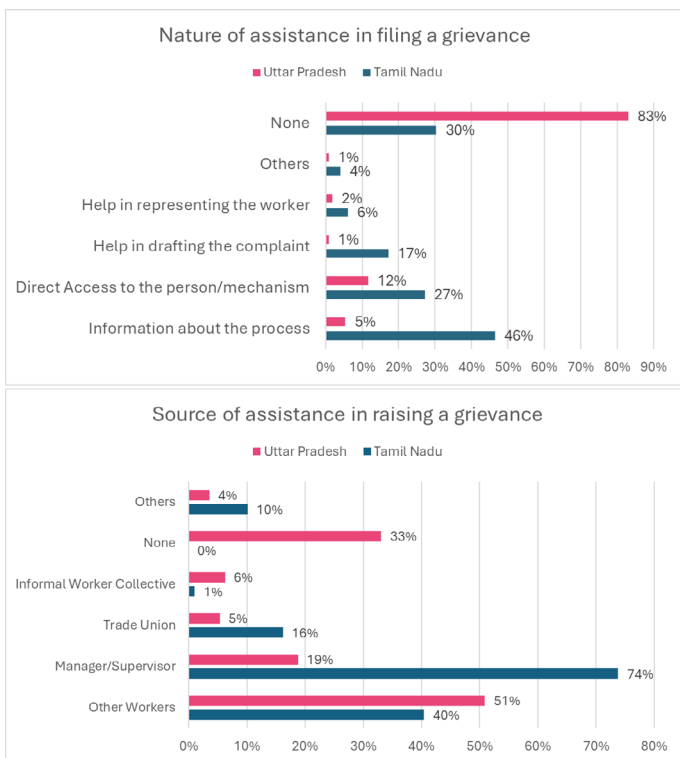

Fig. 28: Assistance given to worker in raising grievances.
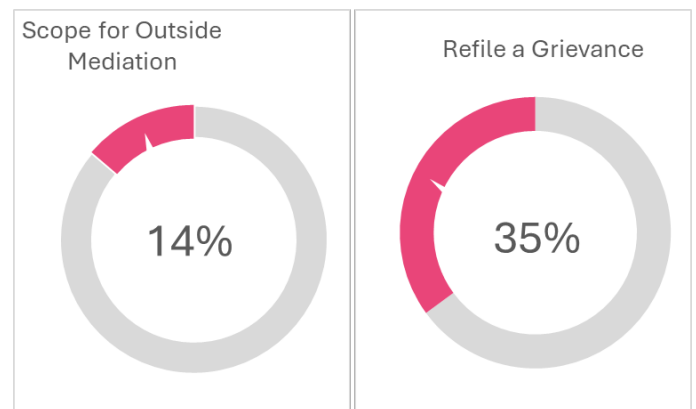Source: Primary Data, n-211

Fig. 29: Access to fair conflict resolution procedures.
Source: Primary Data, n-211

Transparent

This section is focusing on aspects of transparency in the existing grievance redressal mechanisms. The effectiveness criteria of transparency is concerned with a complaints mechanism that informs the parties to a complaint about its progress; and provides sufficient information about its performance to build confidence in its effectiveness and to meet all the public interests at stake. Here we are looking at these aspects about transparency.

Figure 30 reports on the aspects of grievance redressal mechanism in specific and factory in general in terms of being transparent. It is reported that less than 10% of workers perceive/know that their factory is open for an external audit in terms of grievance handling and same number of workers reports to have a public display about the status of the grievances raised. The second aspect needs to be viewed in the perspective of this information

on status of grievance handling being part of regulated practices in the country[14] and forms an important aspect of sustainability reporting, yet workers are not aware of the same. The other two aspect of workers being consulted on their grievances and workers having information about the progress on their complaints, there is significant difference across the clusters. With respect to workers being consulted, while 40% of workers from Tamil Nadu reports affirmatively, only 5% reports the same from Uttar Pradesh. With respect to information about the status of the grievance the situation is similar, while almost half of the workers (49%) from Tamil Nadu reports they will get information about the status, only 9% of workers from Uttar Pradesh reports the same. This clearly indicates the poor state of grievance redressal mechanism from a transparency criterion and indicates towards the areas of improvement overall and specifically in Uttar Pradesh cluster.
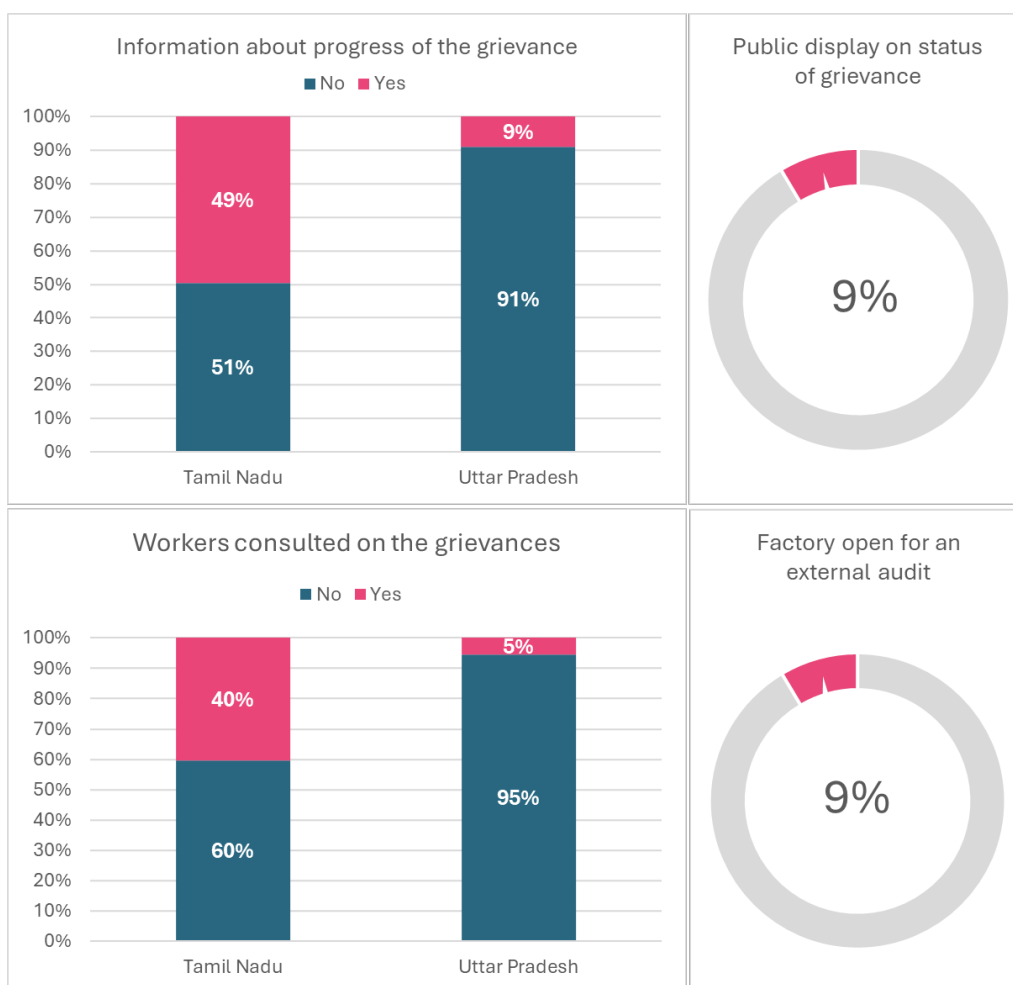

Fig. 30: Aspects regarding Transparency in the grievance redressal mechanism. / Source: Primary Data, n-211

14) According to Indian labour law at least the information „number of grievances received" and „number of grievances resolved" in the official committees needs to be publicly displayed. The progress of complaint procedures has to be kept in a way that it can be addressed.

Source of continuous learning and building on exchange and dialogue

This section is looking at the extent to which the grievance redressal mechanism is continuously improving. The grievance mechanism should build on exchange and dialogue. It shall consult the stakeholder groups for which it is intended on its design and performance and shall seek dialogue as a means of addressing and resolving grievances.

Only 13% workers confirmed that there is a feedback system in the factories in general about the grievance mechanisms and even those who confirmed the existence were of the opinion that it existed mostly in paper and was not really functional. In regard to workers being consulted on the effectiveness of the remedy issues, the overall picture is poor. In the Uttar Pradesh clusters only 8% of the workers and from the Tamil Nadu clusters only 36% of the workers reports that workers are consulted. However, in-depth interview with workers reveal that these consultations are mostly on an ad hoc basis and the results of the consultations are not acted upon in case of dissatisfaction.
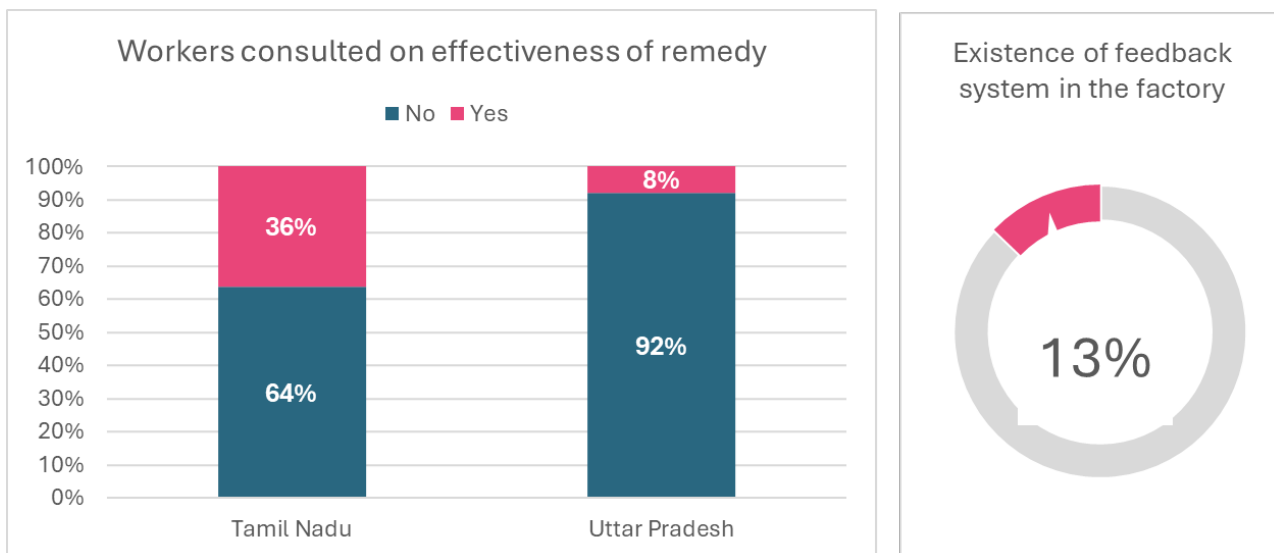

Fig. 31: Aspects of a system of continuous learning and exchange and dialogue / Source: Primary Data, n-211

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CHAPTER 7: MAJOR FINDINGS AND INSIGHTS

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The chapter is listing out the major findings of the report and gives us an overview about the results of the study. We are also exploring the interconnectedness of the results from different sections and possible correlations or associations.

The chapter highlights the major results from the previous analysis of the data. The chapter throws insights into the existence and effectiveness of grievance redressal mechanisms in the Indian leather and footwear industry. It also forms the background for the concluding chapter with suggestions and action points for working on the same.

Socio demographic and employment profile

1. There is a disproportionate representation of SC and ST[15] workers in all the clusters. This becomes important when we consider the extremely marginalized social location of these categories in society. This is an indication of the nature of employment. For this reason it is especially important that effective – meaning effective in the sense of all criteria - grievance mechanisms exist.

2. Only half of the workers across both the regions could give any information on the brands that they were or are probably producing for. This primarily stems from the reason that production is highly splintered, and workers do also not care to look for the brands as it has no tangible benefit for the workers.

3. Regarding the nature of employment, we observed high levels of informal employment, specifically in Uttar Pradesh where two-third of the workers are in informal employment, and this is further confirmed by the fact that 58% of workers in the Uttar Pradesh clusters have no social security benefits at all.

4. The analysis on working and employment conditions revealed the extreme levels of precarity in working conditions across both regions. Only 6% of workers have a written contract letter indicating terms of employment. Only half of the workers find it easy to avail leave from work. More than three fourth of workers reported to have mandatory production targets, which is a form of extractive labour practices and a source of abuse and violence in the workplace.

5. Regarding wages, the floor is always sticky and drives the wages to be only at the legal minimum wage levels. It is important to note that the wage information which we collected includes overtime payments and other allowances. Despite including those additional payments, the wages paid in hand in Uttar Pradesh were lower than the minimum wages and barely at the level of minimum wages in Tamil Nadu. If we estimate the basic wage after deducting the overtime and other allowances, the wages paid will be lower than the legally mandated wages. More importantly the wages paid, and the minimum wages are only one third of living wages estimated for the regions. This indicates the gravity of precarity associated with wages. It also needs to be noted that the study covered the workers from the export-oriented factories alone, wo have a relatively better situation than workers in domestic supply chains and home-based workers

Grievances in the Indian leather and footwear industry

6. Severe grievances exist in the firms and unrealistic production targets, verbal abuse and low wages are the major ones. Termination/lay-off from work, verbal abuse and denial of benefits/leave are the most common consequences faced by workers if any complaints are raised.

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15) Indian society is typically characterised by existence of caste system which is essentially and via the social hierarchy assigned to various communities. The Indian government has three major categories according to which different caste groups are classified. The SC/ST groups represent the most vulnerable and marginalized section in the society. The other backward class (OBC) represent the caste groups which are slightly above the SC/ST in the social hierarchy while the General/Open category represents caste groups which are in top of the hierarchical system.

Existence and Effectiveness of Grievance Redressal Mechanisms

Legitimate

7. There is a poor presence of Trade Unions in both regions and very few workers have membership in Trade Unions.

8. There is a poor presence of mandatory official grievance factory committees in the Uttar Pradesh clusters, while Tamil Nadu reports the presence of the mandatory committees.

9. While worker representation in the grievance factory committees in Uttar Pradesh is absent, in Tamil Nadu a large majority of workers representation is nominated by the factory management, which essentially defeats the purpose.

Accessible

10. Presence and awareness about the avenues for grievances and the functioning of grievance mechanisms is poor across all the clusters and especially worse in the case of Uttar Pradesh.

11. It is absolutey important to note that while workers in all factories were asked which other institutions workers in their factories could reach out to about their grievances and/or file complaints, not a single person mentioned a grievance system based on their supply chain (e.g. Social Standard Initiative grievance mechanisms or company / lead firm-based grievance mechanisms) or factory auditors or similar institutions. The workers saw their direct supervisors as the main address for complaints.

12. In terms of assistance given to workers in raising complaints majority of workers from Uttar Pradesh reports no assistance being provided and half of the workers from Tamil Nadu only gets assistance in terms of information. Further, the source of assistance is either other workers or managers in the firm. This indicates the ineffectiveness of the existing grievance mechanisms, which are the mandatory committees.

13. Only 23% of workers in Uttar Pradesh find it easy to raise a complaint whereby this means mainly to raise the grievance with your supervisor / line manager.

14. Only 22% of the workers trust that a complainant's identity would be kept confidential.

Predictable

15. In Uttar Pradesh only a mere 6% of workers are aware of all steps involved in the process, while that of Tamil Nadu cluster is at 24%.

16. In Tamil Nadu 25% of workers trust that complaints would be handled in a timely manner. In Uttar Pradesh only 4% of workers trust that complaints would be handled in timely manner.

Equitable

17. Fair procedures in a GRM mean, that there are neutral persons in the mechanism available to investigate the complaint and to mediate the conflict or contribute to a remedy solution in other procedural ways. It is to be noted that only 14% of workers reported that there is any scope for an outside mediation in the existing grievance mechanisms. Grievance redressal is currently mostly an in-house exercise and it's rare that the grievances are settled in outside mechanisms.

18. A fair procedure also includes procedural options if remedy hasn't been taken. Only one third of workers feel that they can refile a grievance if they are not satisfied with the remedy issued

Transparent

19. Less than 10% workers report that their firms are open to external audits about the grievances. Workers would normally not be consulted on the grievances, also not by internal investigation responsible persons.

20. Only 9% of workers report that there is public information about the status of complaints.

Source of Continuous learning and building on exchange and dialogue

21. Workers are normally not consulted on the effectiveness of remedy achieved in any grievance procedure.

22. Only 13% of workers report the existence of a feedback system on achieved redresses in the factory.

CHAPTER 8: CONCLUSION AND RECOMMENDATIONS

The results have highlighted the state of grievance and remedy mechanisms in the leather and footwear industry in four of the major clusters in India. The workers find several barriers in accessing the grievance redressal mechanisms or even raising a formal complaint. Fear about repercussion in terms of loss of employment, wages, or benefits were a major concern. Also workers were hopeless about the existing mechanisms, which they feel are totally rigged by the management, hence they don't have any hope in raising a complaint. This along with this, following are the major shortcomings and bottlenecks identified as:

- Insignificant presence of trade union/worker collectives.
- Either non-existence of regulation mandated grievance mechanisms (committees) or existence of dysfunctional committees.
- Poor representation of workers in the existing grievance committees in the factories.
- Lack of transparency in terms of accessing the grievance mechanisms coupled with poor information about the process and procedures to be followed.
- There is almost no representation or assistance available for workers from outside the firm or even from the grievance redressal committees in the firms.
- No mention of transnational corporate or social standard initiative grievance systems.
- Very little to no information about the lead firms for which the workers produce or about social standards initiatives in which those lead firms fulfil their human rights due diligence obligations.

The existing grievance mechanisms do not really protect workers' rights and filing a complaint can have serious consequences.

Common but Differentiated Responsibility

These has led the discussion of what can be done with the situation and what measures have to be taken to improve the condition of grievance redress mechanisms and improve the access and usage of the same for the workers. We suggest a strategy of "Common but Differentiated Responsibility". The final outcome of an effective Integrated Grievance System is to be a product of the strategies and changes initiated by multiple actors in the global value chains. But this does not mean that all the actors have equal responsibility for the outcomes. Rather, within common responsibility, there can also be a differentiation of responsibilities. The major actors who can initiate a change in the system are the following.

1. Lead Firms (Brands/Buyers) along with Social Standard Initiatives
2. Supplier Factories
3. Civil Society Organisations
4. Worker Collectives at local and global levels

Responsibilities of Lead Firms along with Social Standard Initiatives

The first principle that could be used for apportioning differentiated responsibilities is that the firm that has the power to influence the process of producing labour and environmental outcomes should have a greater degree of responsibility (Young 2004: 381). The very term lead firms, as usually used in GVC analysis to refer to brands and retailers, or headquarter firms point to the critical role of brands and retailers in setting the contours of the contracting relationship. Using monopsony power, the lead firms set not just technical requirements but also, working conditions and factory environment that the manufacturers have to accept or face the pain of losing business (Nathan, et al., 2022). These contracting conditions, in turn, impact on labour and employment conditions in the supplier segments of the value chains. Thus, the suppliers can mandate employment relations standards with respect to grievance mechanisms to be eligible for contracting with the supplier firms.

Responsibilities of Supplier Firms

Suppliers play an important role in the effectiveness of the grievance mechanism, but do not do so under the pressure of restrictive contracts with the brands, which in turn is the main reason for labour rights violations within the company. But there are other labour outcomes that do not require a change in supplier prices to be carried out. There will of course be costs involved in bringing about the changes. But more than costs, what is involved are labour and employment policy changes by the manufacturers. And studies show that productivity is higher in firms that institute these policies than in those that do not (ILO 2015) and it is an incentive for the supplier firms to initiate such changes. The specific initiatives to be taken can be around, establishing mandated grievance redressal committees and ensuring democratic representation of workers in the same. The suppliers have a responsibility to facilitate worker collectives in the firms and collaboratively work with the same in addressing the needs of the workers. The supplier firm's commitment to a violence free and rights oriented production facility with established and transparent channels of grievances has to be made a business standard and hall mark of the firm itself.

Responsibilities of Civil Society Organisations

The Civil Society Organisations (CSOs) working at the global and at the local level can play a dual role in improving the grievance redressal process in the firms. The CSOs can play a major role in representing workers in outside the factories if the grievances are not addressed within the firms. The CSO can effectively connect between the workers and the legal systems both at a national and international level. The CSOs are key players in building campaigns and highlighting the issues in grievance processes and initiating for policy level advocacy and campaigns. The international CSO can initiate strategies like multi stakeholder initiatives (MSIs) where the global standards on grievance redressal can be brought into picture also these MSIs can be a bridge between the workers and the international grievance redressal possibilities. (Fox, 2009)

Responsibilities of Workers Collectives

The workers collective and trade unions have responsibility in assisting the workers in raising grievances, creating awareness about the process and procedures, and assisting workers in raising a grievance. However, a major challenge in this regard remain in terms of trade unions being non-existent in the leather and footwear industry. This has to be addressed first by having informal worker collective in the firms addressing the general welfare issues of the workers and creating common resource pools, which can later with sufficient support from both workers and management be organised into formal collectives. The self-help group (SHG) inspired movement can be a possible direction to the taken which can focus both on the associational rights of the worker as well as general welfare and well-being (White, 2010) (Agarwal, 2018). Practical recommendations to Stakeholders in the industry:

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ANNEX – INTERVIEW SCHEDULE (QUESTIONNAIRE) FOR STRUCTURED INTERVIEWS

1/6

Age (Personal)

_____

Sex (Personal)

○ Male   ○ Female   ○ Others

Religion (Personal)

○ Hindu   ○ Islam   ○ Christian   ○ Others

Social Category (Personal)

○ Scheduled Tribe (ST)   ○ Scheduled Caste (SC)   ○ Other Backward Classes (OBC)   ○ General/Open

Employment Status (Personal)

○ Regular Worker   ○ Contract Worker   ○ Casual/Daily Wage Worker

Nature of the Firm

○ Only Tanning   ○ Only Footwear/Leather Products Manufacturing   ○ Both

Do you know for which brand you are producing? (Personal)

○ Yes   Please mention the name of the Brand _____   ○ No

What is the work that you are involved majorly in the factory (for example in Tanning- Buffing/Cleaning /Salination/Bleaching/Soaking etc and in Footwear- Stitching/Cutting/Moulding/Packing etc)?

_____

What are your monthly wages received in hand? (Personal)

_____

What social security benefits are provided to you? (Personal)

○ PF   ○ ESI   ○ Both   ○ None

Do you have a written contract letter indicating period of employment, wages and other benefits? (Personal)

○ Yes   ○ No

Working Hours -Starting Time (Personal)	**Working Hours -Ending Time (Personal)**
hh:mm	hh:mm

Do you do overtime work? (Personal)

○ Yes   ○ No

Do you find it easy to avail leave from work? (Personal)

○ Yes   ○ No

Do you have to achieve targets for production? (Personal)

○ Yes   ○ No

Do you have membership in any trade union? (Personal)

○ Yes   ○ No

If workers are part of Trade Union, do they face any problems from management ? (Factory)

○ Often   ○ Sometimes   ○ Rarely   ○ None

Do workers ever raise an official complaint about their grievances in the factory ? (Factory)

○ Yes   ○ No

What is the reason that workers do not raise complaints (Factory)

Is it easy to raise a complaint about a grievance in the factory? (Factory)

○ Yes   ○ No

Do workers ever discuss their grievances in the factory to the co-workers? (Factory)

○ Yes   ○ No

What are the major grievances of workers about the factory? (Factory)

Physical Abuse	○ Yes	○ No	Remarks
Leave	○ Yes	○ No	Remarks
Toilets	○ Yes	○ No	Remarks
Production Targets	○ Yes	○ No	Remarks
Overtime Wages	○ Yes	○ No	Remarks
Verbal Abuse	○ Yes	○ No	Remarks
Sexual Abuse	○ Yes	○ No	Remarks
Overtime	○ Yes	○ No	Remarks
Wages	○ Yes	○ No	Remarks
Safety Equipment	○ Yes	○ No	Remarks
Break Hours	○ Yes	○ No	Remarks
Working Hours	○ Yes	○ No	Remarks

What are the major grievances of worker sabout the factory? (Factory)

Social Security Benefits   ○ Yes   ○ No   Remarks _____

Chemical involved in Production   ○ Yes   ○ No   Remarks _____

None   ○ Yes   ○ No   Remarks _____

Others   ○ Yes   ○ No   Remarks _____

If Others, Please mention other grievances reported

_____

Is there an official committee in your factory to raise your complaints? (Factory)

○ Yes   ○ No   ○ Don't know

Which are those committees? (Factory)

☐ Internal Complaints Committee (ICC)   ☐ Transport Committee
☐ Canteen Committee   ☐ Redressal Committee
☐ Safety Committee   ☐ Others
☐ Workplace Committee

If Others, Please mention

_____

To whom can workers raise complaints? (Factory)

☐ Supervisor/Line Managers   ☐ Informal Committees in the factory
☐ Manager   ☐ Police
☐ Grievance Committee in the factory ☐ HR Manager
☐ Trade Union   ☐ Others
☐ Workers Groups   ☐ Don't Know

If Others, Please mention

_____

How are workers represented in the official committees? (Factory)

○ Workers are Elected   ○ Nominated by Management   ○ No Representation   ○ Don't Know

What is the mode of raising complaints about the grievances? (Factory)

☐ Written Complaint   ☐ Others
☐ Verbal Complaint   ☐ Don't Know
☐ General Discussion

If Others, Please mention

_____

Does your factory have a complaint register/book/box/email id etc where you can enter your complaints? (Factory)

○ Yes   ○ No   ○ Don't know

Does your factory have a designated person/s to whom workers can raise complaints? (Factory)

○ Yes   ○ No   ○ Don't know

Are you aware about how to raise an official complaint about your company? (Personal)

○ Yes   ○ No

Does the mechanisms in the factory for raising complaints keep the identity of the worker confidential? (Factory)

○ Yes   ○ No   ○ Don't know

If Yes, Explain how?

_____

Do you have information materials (display boards/notices/pamphlets) about how to raise a complaint in your factory? (Factory)

○ Yes   ○ No   ○ Don't know

Is the information displayed simple enough for you to understand? (Personal)

○ Yes   ○ No

Are workers given any orientation about the grievance redressal mechanism/process in the factory? (Factory)

○ Yes   ○ No   ○ Don't know

Are the contact details of the person to whom the complaints are displayed publicly? (Factory)

○ Yes   ○ No

If workers raise a complaint is there a stipulated time period in which the complaint get addressed? (Factory)

○ Yes   ○ No   ○ Don't know

Are you aware of all the steps involved in the grievance redressal mechanism /process? (Personal)

○ Yes   ○ No

What kind of assistance is given to workers to raise a complaint in the factory ? (Factory)

☐ Information about the process   ☐ Help in representing the worker
☐ Direct Access to the person/mechanism ☐ Others
☐ Help in drafting the complaint   ☐ None

If Others, Please detail the assistance to be given.

_____

Whose help can a workers seek to file a complaint? (Factory)

☐ Other Workers   ☐ Informal Worker Collective
☐ Manager/Supervisor   ☐ None
☐ Trade Union   ☐ Others

If Others, Please mention

_____

Does a worker get information about the progress of the complaint raised? (Factory)

○ Yes   ○ No   ○ Don't know

Does the factory have a public display of information about the grievances raised? (Factory)

○ Yes   ○ No   ○ Don't know

Are workers/other persons consulted by the factory on their grievances? (Factory)

○ Yes   ○ No   ○ Don't know

Is there a scope for outside mediation once a complaint is raised? (Factory)

○ Yes   ○ No   ○ Don't know

If an investigation/fact finding/audit is required, is it done by third party externals? (Factory)

○ Yes   ○ No   ○ Don't know

Are the workers consulted to know if the remedy issued solved their grievance? (Factory)

○ Yes   ○ No   ○ Don't know

Can a worker refi le a grievance if they feel that justice has not been given? (Factory)

○ Yes   ○ No   ○ Don't know

Is there a feedback mechanism in the factory which consults the workers on the remedy issued on the grievances raised? (Factory)

○ Yes   ○ No   ○ Don't know

What are the consequences if a worker raises a complaint in the factory? (Factory)

Verbal Abuse	○ Yes	○ No	Remarks _____
Denial of Leave	○ Yes	○ No	Remarks _____
Physical Abuse	○ Yes	○ No	Remarks _____
Denial of Benefi ts	○ Yes	○ No	Remarks _____
Sexual Abuse	○ Yes	○ No	Remarks _____
Termination/Lay Off	○ Yes	○ No	Remarks _____
Wage Deduction	○ Yes	○ No	Remarks _____
Discrimination in WorkPlace	○ Yes	○ No	Remarks _____
None	○ Yes	○ No	Remarks _____
Others	○ Yes	○ No	Remarks _____

If Others, Please mention the consequences

_____

What are the barriers that you face in raising a complaint in the factory ? (Personal)

_____