

CASE STUDIES IN WOMEN'S EMPOWERMENT

A story from Asia

When cats become tigresses in Thailand

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The Bed & Bath factory: an exemplary struggle

This case study describes the situation of garment workers in Thailand, based on the story of over 900 workers from the Bed & Bath factory who showed up on the morning of 7 October 2002 to find that the factory gates were locked and their bosses had run away, leaving all the workers without any compensation. Nearly 400 workers decided to fight for their rights and camped on the ground floor of the Ministry of Labour building for three months until their case was solved in January 2003.

Throughout the three-month period, the workers stayed firm and insisted on fighting for their rights and for justice. As a result the law was changed to the benefit of all workers in Thailand. And 40 worker leaders started the 'Solidarity Group Factory', the first workers' factory in Thailand.

¹ <http://www.thailabour.org/index.html> and www.igtn.org



'Bed & Bath are brave, not slaves, struggle for dignity and liberty. Winning the victory. Bed & Bath fight, fight!' (*Slogan of the Bed & Bath workers*)

Brief overview of the garment industry in Thailand

Since 2005 Thailand has ranged between being the world's 11th and its 13th exporter of garments; it was among the top ten exporters in the world from the mid-1980s to the mid-1990s. Up to 1.08 million workers are employed directly in the garment production chain, with over 5,000 manufacturers covering textile, fabric, printing, knitting and garment-making. However, 80 per cent of the workers in the garment industry, mostly women, work in garment manufacturing alone. There is no accurate record of how many women work in the garment industry – it may be double or triple the official figures – since the industry is dispersed in numerous small factories, sweatshops, and home-based enterprises nationwide, making garments to clothe the world. But it is estimated that over a million workers in Thailand are engaged in garment production, valued at about USD 5–7 billion.

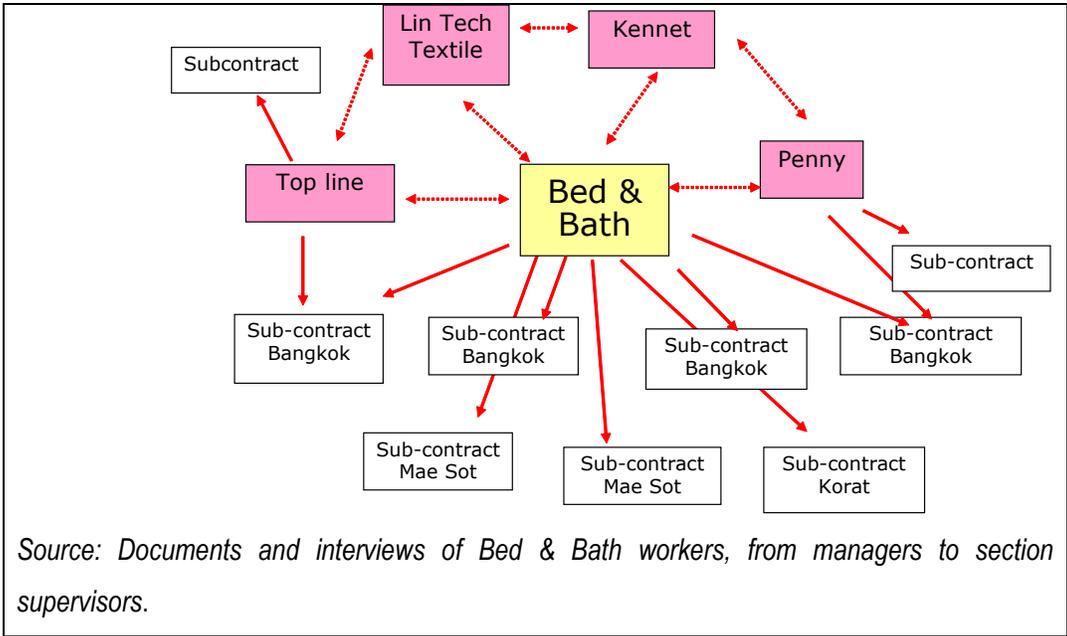
The changing global supply chain in the garment industry and the impact on workers

The Bed & Bath factory is an example of a production system under globalisation and liberalisation. Everyone in the production chain, from the brands to the agents and the factory owners, tried as hard as possible to avoid risk so as to maximise profit. The owners of Bed & Bath, for instance, rented all their equipment, such as machines and cars, from two large banks, Bangkok Bank and City Bank.

Chaiyapat Phothikamjorn and his wife Oyporn Songpornprasert established the Bed & Bath factory in 1994 and managed it together. The Phothikamjorn family has been in the apparel business for 20 years and owns five factories: Bed & Bath, Penny Industry, Top Line (Chaiyapat also hold shares in this company), Kennet Textile, and Lintech Textile (an allied factory owned by relatives). These five factories are members of the Thai Garment Manufacturing Association (TGMA), which was managed by members of the Phothikamjorn family. The family holds the largest share in both Bed & Bath and Top Line.

Production orders from brands are sometimes distributed among the five factories if the order exceeds the capacity of individual factories. All the companies use the same system. If one company received orders over its capacity it subcontracts others to finish the work. Bed & Bath (B & B) received the highest number of jobs, so the workers there worked very hard. The B & B factory received orders over its capacity, and even though the workers worked around 20 hours per day, production could not finish on time. In common with the practice of other large and medium-sized garment factories which directly receive orders from customers and agencies, or factories receiving garment export quotas for production, the B & B factory also passed on orders for production to around 40 subcontractors, each employing between 10 and 250 workers. Eight of these subcontractors, located in Mae-sod on the Thai–Burmese border, are home-based enterprises that hire Burmese workers at well below the minimum wage. B & B also distributed production orders to over 20 home-based subcontractors in Bangkok.

Diagram 1. The Bed & Bath production process



Bed & Bath's customers



In the month before B & B closed down, the company produced garments for around 60 brand names, including popular brands such as Nike, Adidas, Levi's and Harley Davidson. It also produced garments for many other smaller brands and shops in the USA which ordered through agencies such as Haddad, the largest agency in the USA.

'We produced for Levi's, Nike and another 3–4 high-quality brands. For example, for Levi's adult clothes we got good prices. Nike's children's-wear prices were a little bit lower. The quality is nearly the same but adult clothes require a higher quality than children's wear because I think that kids grow very fast so kids wear clothes for less time. Another reason is that children's wear has no quota limit:: if a company can get a large order they can export in large amounts. Children's wear is more focused on a beautiful and colourful look rather than quality, which differs from adults' wear. Clothes for adults focus on quality and neatness, which means the level of cut and sew is different too.'

'My shops receive orders from different sources. Formerly, I had received from B & B but now I cancelled my order. When they closed down the factory, it owed us money. B & B paid only 40 per cent to every subcontractor. Now I get orders from Grandeur, it distributes quality orders for export products and cotton.' (Shop A)

'Subcontractors and garment companies have to be together. If the companies face problems, small subcontractors like us are affected too. We produce in the same system as companies but our prices are a little bit cheaper.' (Shop B)

B & B sent production orders to many subcontractors in Bangkok, Mae-Sod and Korat. Our research team interviewed four subcontractors producing for B & B in Bangkok, all of them home-based enterprises with 10–20 sewing machines. We found that their problems were as follows:

- Some home-based enterprises do not have trade registration.
- Taxes are paid by deducting three per cent of their revenue, and the company is responsible for paying the taxes.
- Subcontractors have to pay for devices such as needles, thread and scissors.
- Subcontractors survive in the industry because they do not pay for accommodation, water or electricity.

- The working conditions of home-based enterprises are poor, workers have:
 - no social security;
 - no benefits;
 - no minimum rate wage system;
 - payment by piece rate or a target system.

Of the 40 small enterprises to which B & B subcontracted jobs, the workers remember that 21 enterprises in Bangkok had a total of 550 sewing machines, in Korat there was a total of 250 sewing machines, and the 7–8 subcontractors in Mae-Sod had 10–20 machines each. This means that the subcontractors employed an estimated 1,100 workers. This figure does not include workers employed in factories under the Phothikamjorn family and in allied factories, in total an estimated 2,000 workers. Information from interviews indicated that workers in home-based enterprises are not protected under labour law since their businesses are not registered. This leads us to assume that the invisible labour force, or unregistered workers, in export garment production numbers four times the official figure for workers stated in national statistics, which is one million workers formally employed in export garment production.

Shop B further explained:

'One problem of subcontracting is that as device and tool prices get higher, they have to be responsible for it. Today the thread price is 60 baht per kilogram. We don't know how much thread we will use in each order we get. Another problem is financial flow. Some of them have weak financial status. When subcontractors receive orders, they sign a contract with the factory but they never pay in advance. The normal practice is that when they finish the work and give the bill to the factory, they must wait for payment for 20 days or a month. Factories calculate the price of the order. The factory calculates by doubling its price, so we get double what the factory gets, but we have to pay for production expenses.

'The first reason that factories subcontract jobs is to avoid air shipment (in case the factory cannot finish in time, it has to load goods by air); the second reason is because the factory has received orders exceeding its capacity, so some of the jobs are subcontracted. This system allows the factory to get higher profits, for example, production inside a factory gets ten baht profit but subcontracted jobs gain four to five

baht more profit. If the factory subcontracts many orders, it may get millions of baht.'
(Interview with a former B & B supervisor)

Subcontractors also said that they have no bargaining power with customers and bargaining with the factory rarely happens. For some orders they get five or ten baht, for some only two to three baht. *'Most factories set low prices prepared for bargaining, if we can bargain we may get a little bit higher, but sometimes we cannot bargain at all.'* (Shop B)

Working conditions at B & B

Below we present some workers' testimonies on working conditions inside the B & B factory. The workers at B & B worked overtime, sometimes till after midnight. Their employer also put methamphetamines in the drinking water to keep them awake and make them work longer.

'I've been working at Bed & Bath for five years; we always have lots of orders, not many holidays, and we even have to work on the national holidays. We sometimes work non-stop for three days and three nights. We are very exhausted but we have to do it because we are forced to do so. If we refused to work, our wages would be deducted. Though our bodies are so sore we cannot stop, sometimes we fall asleep while working. We cannot stop, otherwise all the wages earned for the past three days will be deducted.'

'There was one time when my colleague brought a lemon, and was fined 2,000 baht [USD50]. She was crying because she didn't earn much, I tried to beg the employer not to deduct from her salary, but the employer refused. So I asked him to deduct her 300 baht per week, but he still deducted 2,000 baht.'

'My friend is pregnant, when the employer found out he was angry with her, he yelled at her saying, "You didn't even have enough to eat, how dare you get pregnant." Another case was when my friend's child was sick, so she wanted to take leave to take her child to the hospital. He said, "Will your child die if you do not take him to the hospital? I won't let you go. Finish your work!"'

'The personnel department will inform us in advance that customers will monitor the factory. They told us that Haddad and Nike will monitor the factory and that we have to be ready and have to lie to the customer. He said that the customer will ask us, "Do you work overtime?" and we have to say "No!" But in reality pregnant workers work overtime and on Sunday as well. We sometimes work until two a.m. or till dawn, but we have to say that we work overtime only up to eight p.m. Whenever we lie, it is because they said that we have to lie. Also what is important is that we have to have a cloth-mask and safety glasses. If we lie we will get paid 400 baht.'

'I was afraid of being raped when I had to go home late. My husband would scold me when I returned home, he said what have you been doing until one a.m., two a.m., three a.m.? If we cannot finish the work, the employers and their friends would not let me go back home. My husband likes to scold me and he beat me up one or two times.'

'For my daughter, when she stays with me I have no time to look after her while she went to school and I was concerned about her safety so I sent her to stay with my sister. When I didn't have money to send her to my sister, she would be unhappy and would beat or scold my daughter because she doesn't want to look after her.'

The Bed & Bath workers' struggle



The struggle of 350 Bed & Bath workers from October 2002 to January 2003 paints a picture of the new production process adopted by employers in the Thai garment industry. The managers of the Bed & Bath Company shut down the factory in a situation which looked like bankruptcy, leaving their entire financial burden behind and taking their money to live comfortably in the USA. Over 900 workers were left without anyone taking responsibility for them. The intention of the employers was to keep the case quiet.

The strategies used in the struggle:

- Camping out in front of Government House, the Ministry of Labour, for three months.
- Demonstrating about the problem and submitting letters to many offices: Nike office, UN, ILO, US Embassy, Parliament, Police Head Office, etc.
- After two weeks, a women worker jumped to stop the Minister's car from leaving the compound. Two hundred workers invited the Minister to leave his car and come to talk to them.
- After one and a half months the workers started garment production by bringing sewing machines to the MOL. If the case had not been solved, they threatened to start a factory in the MOL.
- After nearly three months, seven women and three men shaved their heads in protest.

Examples of bad practice similar to this case have been seen in the past. In particular, the Iryo Garment and Par Garment factories were cases where employers thought that after disappearing for several years they could silently open a new factory under a new name, without taking responsibility for the workers laid off at the old factories. But the case of B & B is different. Most of the workers had only a few years of experience, so they gave up and began

to seek new jobs. But more than 350 workers fought and protested at the Ministry of Labour for over three months to push for the employers to take responsibility and to bring them to court. Finally, the workers were able to push for more protective measures for workers' rights, and some received a compensation payment from the government. But the workers are still trying to seek legal action against the employers.

The chronology of the B & B struggle

7–21 October 2002 – Over 600 workers went to the Ministry of Labour asking for an investigation of the company's status, since their employers had disappeared and had shut down the factory without compensation, owing wages to around 900 workers.

21 October – Over 400 workers decided to organise at the Ministry of Labour. The struggle lasted three months.

22 October – Workers' representatives handed a letter to the Ministry of Labour calling for: (1) legal action against their employers once they had been located; (2) an investigation into the workers' contributions to the Social Security Fund paid by the employers; (3) an investigation into the reasons behind the closure of the factory. While the workers called for their employers to be caught, the officers in the Ministry put pressure on the workers by giving the Ministry the sole power to follow up the case, which in many cases resulted in workers receiving much less compensation than they were entitled to and in some cases none at all

24 October – The turning point in the situation came when Mr Suwat Lipatapolop, Minister of Labour, was surrounded by the workers while sitting in his car. The workers were able to meet face to face with him, asking him to speed up the investigation. This resulted in a decision on 25 October, based on which labour officers in the Samutprakarn province issued an order to the employers to pay 301 workers a total of 1,128,022.50 baht. The Samutprakarn court also issued arrest warrants against the employers Chaiyapat Photikamjorn and Oyporn Songpornprasert, and cancelled their passports.

1 November – Around 300 workers marched from the Labour Ministry to the National Police Centre to hand a letter to the Chief Police Commander requesting him to speed up the arrest.

4 November – The workers marched to the Nike office in Bangkok calling for the company to acknowledge its part in the responsibility, carrying banners with slogans such as 'Nike, we produce for you. What can you do to help us?'

18 November – A Solidarity Forum was held at the Labour Ministry with B & B workers.

23 November – The workers marched to the Conference of Asian Political Parties, which was taking place in the Shangri-La Hotel, asking for justice. The Assembly of the Poor also marched to this conference.

29 November – The workers rallied at the US embassy, asking it to put pressure on the Thai government.

10 December – The workers submitted open letters to the UN high commissioner and to the deputy director of the ILO office in Bangkok.

17 December – The workers submitted an open letter to the prime minister at Government House.

19 December – Thai Labour Solidarity Committees and 300 members of labour alliances visited B & B workers at the Ministry building and set up a forum entitled 'Law must be justice, workers are not slaves'. They also together declared their intention to press the Ministry to solve labour right violations immediately.

4 January 2003 – The workers sewed T-shirts and cotton shirts to gain money for their struggle at the Ministry.

9 January – At 6 p.m., seven workers' representatives shaved their heads in protest the Ministry's sluggish performance in addressing their problem.

31 January – The first phase of the struggle of 171 workers ended after three months.

February – The Solidarity Factory of former B & B workers was established. They used 'Made in Dignity' as their logo for production. Forty B & B workers work this factory and continue to campaign for their former employers to be punished by law.

Dignity Returns:

'Labour Dream isn't an impossible dream!'



The workers told me that 'from our struggle, we have realized how we have been exploited in the factory. Therefore we have decided to start our own factory, a factory where there will be no exploitation and everyone will be equally treated as human beings, and we will get back our dignity.'

'A dream factory...?'² – from Bed & Bath factory to Solidarity Group factory

'We want the factory to grow and prosper so that it can be a model as well as a beacon for other workers. We hope to use our profits to help society, especially workers in trouble ... I know it will be difficult, but we're trying with all our hearts to make it a reality. We will prove ourselves.'

'Sometimes people outside say that we still have to work hard – it's no different than working in the old factory. But we know that it is different. In this place, there is no boss hanging over us or taking advantage of us. There are no threats or insults. And most importantly, in this place, we are in a factory of our very own.' (Manop Kaewpaga, member of the Solidarity Group)

After the Bed & Bath workers ended their protest at the Ministry of Labour, a number of the workers looked for work in new factories. Many others felt that they no longer wanted to subject themselves to the conditions they had experienced in the past – both in the factory and in the capital city in general – and returned to their homes in the countryside. However, 40 workers, most of them leaders of the protest, decided to start up their own factory and to name it the Solidarity Group Factory, an expression of their strong determination to make a difference in their lives and to change from being 'employed workers' to being 'factory owners'.

These former B & B workers each have a share in the cooperative business, after taking a loan from the Government Savings Bank of 700,000 baht to open a small garment factory. Currently, the Solidarity Group subcontracts from other factories. Sometimes they get orders from trade unions for campaign T-shirts and banners. Their factory is located in the Bang-

² Labour Dream, the impossible dream, *Solidarity Group: history and product*, Thai Labour Campaign, 2006

Khuntien District of Bangkok. They began work on 21 February 2003. They would prefer not to work in this subcontracting system, but in they are just beginning and their factory is not well known, so they have to accept any orders they get. In the future, they hope to receive orders directly from customers and to have a brand name. Cooperative worker Noi (28) says:

'Our goal is to live in better conditions. One day we would like to have our own brand and market. We would like to make a fully packaged product. We dream of creating our own brand because it is proof of the ability of our labour.'

'When we struggled at the Ministry of Labour we sold the clothes we had sewn and attached our brand label, 'Made in Unity', to them. We are skilful, so we want to have our own brand name. When we subcontract clothing production, each item requires 20–30 procedures before it's finished, but we get paid only 16 baht per item, which is very little money between 40 people. If we handled every stage of the production process, as we did with the clothes we sold during the struggle, our living would be much better.'

After two years of operation, the 20 remaining Solidarity Group members were able to pay back their bank loan. When they began the operation, the group had worked at the end of the subcontracting chain, producing finished export products. That experience made them realise that under the subcontracting system, they could never earn a decent wage even when they all received an equal share in the income. Therefore, the Solidarity Group is working on marketing and getting direct orders from fair trade groups. Oxfam Australia, the Clean Clothes Campaign, and local unions have all submitted occasional orders. But it is not enough. So the Solidarity Group is now contacting shops in Thailand to discuss producing and directly distributing their garments in the country. By continuing in this direction, the Solidarity Group can gradually escape from the 'race to the bottom' of the industry that inevitably takes place under the subcontracting system.

WORLD SOCIAL FORUM:

Thai Factory Makes Worker-friendly Capitalism

Marwaan Macan-Markar

BANGKOK, Jan 13 (IPS) – 'Dignity Returns' is a clothing label still on the fringe of Thailand's sprawling world of garment factories, where globally known brands like Nike and Levi's

dominate. But it represents hope – and more – for the Thais churning out T-shirts and headbands bearing the stamp of this new label.

It is a name that conveys the spirit of the 30 men and women who have banded together to produce this small yet symbolic line of clothing. It also relays how they feel – as workers with dignity – at their factory set amidst grey, dust-coated buildings in an industrial zone on the western fringes of Bangkok.

Bangkok Post, 4 November 2003

‘We realised the difficulties ahead, so we talked things through amongst ourselves about the loans, interest and all the costs involved in the details. We also made it clear that it was going to be tough at the start and we couldn't expect to earn as much as we used to,’ [one cooperative worker] said. ‘We wanted to make sure those who joined us were really committed and willing to work together.’ ‘Almost all of us face pressure from our families,’ said Manop. ‘Some parents have even come here to try to make their children leave for better paying jobs despite their children's tears.’

The majority of the Samanchan members, however, are still holding on. What holds them together, said Sunee, ‘It's the feeling of pride and dignity which this co-op has given us,’ she said.

‘We believe we have skills, ability and brains. So why can't we build our own business too? We want to be an example to other oppressed workers. We want to show that if we can do it, they can do it too.’

Samila Suttisiltum

Three women workers' stories

The belief that men in Thailand are the chief or only breadwinners in the family is an illusion. These testimonies from three Thai women workers clearly demonstrate that women in Thailand are playing an increasing role in the economic well-being of their families and their country.

At the bottom of the wage scale, their work is totally under-valued. Many Thai women are forced to shoulder far greater responsibility than their income permits. The exceedingly long hours they must work for the benefit of others exclude them from family life and deny them their right to education.

However, the stories of the three women below show how ‘cats can transform themselves into tigresses’. When forced to make choices, women can become like steel in their fight for dignity and respect.

Ampai Paoganha, 41

With four children aged 22, 21, 19 and 7, Ampai lives in a room four metres by six. In 1998, while pregnant with her last child, she walked out on her husband. *‘My husband is an alcoholic, addicted to gambling and aggressive with the family,’* she says.



Since that time she has been taking care of all four children alone, doing her best to give them all an as high an education as possible. The two oldest daughters are now at university, the third child, a son, is studying at the Naval Commercial College, and the youngest son has just started primary school.

Looking after four children alone is very hard work: *‘In the beginning I was so exhausted I had no energy even to cry’.*

After leaving rural life in 1998, Ampai joined her sister and brothers in a home-based business ‘packing clothes’. The business was not doing well, so in 2000 the whole family came to work as a packing team at the Bed & Bath Factory in Bangkok, just over a year before the factory closed down.

‘When the factory closed down I joined my workmates in protest at the Ministry of Labour. Two days before we ended the protest a group of us decided to start our own factory, because we didn’t want to have to work at any factory.

‘Today our factory is paying about 7,000 Baht a month - a living wage.’³

³ The minimum wage in Thailand is 3,700–4,800 baht.

'I am very happy with the working atmosphere here. The pressure is not high. My friends in other factories may earn 8,000–10,000 baht but they must work from early morning to 02.00 and sometimes all through the night. We work from 08.15 to 17.15. If we have to work more we work from 18.15 to 20.00 or 21.00, but never later than this. Sunday is a holiday and we do not work later than 17.00 on Saturdays.

'I don't have any interest in any man now. They are all the same: very dirty and irresponsible. The wife and children have to collect their clothes from all over the place and take care of them in everything. They are all like that.'

Kanjana Wongpan, 25

'At a very early age my parents went to work in the city and left all the children, including me, with my grandmother. After my grandpa died I moved to stay with my aunt who promised to send me to have high-school education, but after I finished primary school she didn't keep her promise. So I went to town to work as a house-maid for 1,750 baht [USD 46] a month.'



Kanjana is the third daughter of a farming family from Sakolnakorn Province, 500 km north-east of Bangkok. There were six children in the family, five girls and a boy. Three of the girls married and left Kanjana alone and entirely responsible for the two youngest, and also for an orphaned child of her aunt.

Kanjana's life has followed the same pattern as that of many girls from the poor families of the North-east region. At the age of 13, immediately after finishing Grade 6 at school, she started working as a domestic servant for a wealthy family in a provincial town. At 15 she had to move her employment, as a domestic, to a shop in the adjacent province 150 km from her home and village for a 50-baht greater salary. At 17 she went to Bangkok to work with her cousin and at 19 she entered a garment factory for the first time and learnt to stitch. She walked in and out of

two other factories until she came to her last – the Bed & Bath. When it closed in October 2002, she was 23.

Kanjana decided to join her young friends in starting the Solidarity Group Factory -- ‘Our dream factory.’ She is presently responsible for recording everyone’s working hours.

When asked about her future and plans for marriage this heavily burdened, beautiful young woman answered:

‘I cannot allow myself to marry anyone even though men come to flirt with me. How can I go out with them when they enter my home with whisky in their hands and drink right in front of my eyes? Besides, I have to take care of my family. I am afraid that if I marry I will not be able to give support to my family. I face the choice of being with my family or getting married. My family needs my support.’

Bussaba Meechai, 32

In the Meechai family five women of three generations look after each other: grandmother, aged 80, mother, 52, and three beautiful sisters – Sasiprapa (33), Bussaba (32), and Bubpa (30). This is a family completely reliant on the backbone of women.



‘My father passed away when my mother was pregnant with my younger sister. While growing we didn’t see much of Mum because, to support the family, she went to work in the restaurants in Bangkok, leaving the three of us with Grandma.

‘Mum would only come back home when one of us got sick.

‘Right after I finished Grade Six I went with my mother to Bangkok to work in private houses and restaurants. We did all kinds of work from domestic to construction jobs.’

Eventually all three sisters ended up being 'in and out of garment factories'. Only when all her daughters were at work in Bangkok was the mother able to return to her village, to look after the grandma, 400 km away in the North-east province of Burirum.

In 2001, Sasiprapa, the eldest sister, decided to take a risk and go to work in Taiwan. To do this she had to pay 190,000 baht [USD 5,000] to a recruitment agency. Despite doing her best in Taiwan for over three years she had poor luck and could not make any profit. She is now once again in and out of the Bangkok garment factories and still faces her debt with the recruitment agency.

Bussaba and Bubpa were both working at the Bed & Bath when the factory closed down. They participated with over 300 friends in a struggle for justice and their rights. Eventually they received reasonable compensation from the Thai government and, joining hands with their friends, managed to obtain a bank loan of nearly one million baht [USD 25,000] to start their own factory.

Bussaba and Bubpa are now together at the Solidarity Group Factory. Bussaba is the production manager. Both sisters have undertaken their own informal, long-distance education and both have managed to complete Grade 12.

Looking back on continuous heavy work since childhood, Bussaba said: *'I never remember having been a child. As far as I can remember I have always had to be responsible for myself.'*

Successes and lessons from the B & B struggle

- The Bed & Bath workers' struggle has brought about a change in Thai law Thailand, to double the emergency support fund to dismissed workers who have been working over six years from one month (minimum) wage (120-150 USD) to two months' wages.
- The Bed & Bath workers are showing workers' movements around the world that an alternative to sweatshop production is possible, and that a 'real workers' factory', run by democratic decision-making, offering equal pay, and with smiling faces, is possible.

- Most successful of all, they have set up a real workers' brand, 'Dignity Returns', with the slogan: *Looking for ethical products? Look for 'Dignity Returns'*.
- The workers of Bed & Bath, even though few in number, have shown the world that in the sector which relies on the greatest exploitation and pays the lowest wages but has created employment for millions of women around the world, there is still an alternative, and that it is the workers' courage that can create change and win back the human dignity and respect of workers and make their lives happier.

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