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**Nominated for the Public Eye Award 2006
in the category:**

S O C I A L R I G H T S

(Human and Labor Rights)

**Nominated by: Developmental Initiatives for
Social Causes (DISC) Bangalore, India**

GAP Inc.

Headquarters:	San Francisco, California, USA
Branch of trade:	Clothing, accessories and body care products; over 3,000 retail outlets worldwide
Turnover / profit 2004:	US\$ 16.3 billion / US\$ 1.2 billion
CEO:	Paul Presser
Owned by:	Publicly-traded corporation
Employees 2005:	over 150,000
WEF-Participant 2006:	yes

Summary

DISC and local unions call on the GAP concern to halt the sexual abuse of female workers at its suppliers located in Bangalore, India. The harassment ranges from indecent comments or bodily contact to requests for sex. With the publication of a study and other actions, DISC and the unions persuaded GAP to show willingness to talk, to introduce first steps to prevent assaults, and to accept an independent inspection of the implementation of its code of conduct.

Information on the case and characteristics of irresponsible corporate behavior

Bangalore is the capital of the state of Karnataka, and with roughly 1,000 clothing firms is a center for textile and clothing production. The primary buyer of clothes from Bangalore is the U.S. concern GAP.

According to DISC, working conditions in most of the factories are poor. The law states that workers must have access to canteens, rest areas, toilets and day nurseries; in reality these are seldom available. In many factories not even the minimum wage is paid. The management consists mainly of men, the workers are mostly women. Many of the workers come from far away and are hired at starvation wages, without the possibility to return home occasionally for family visits.

DISC carried out a study of sexual harassment in the clothing industry of Bangalore between January and June 2005. A total of 894 interviews with female workers in 215 factories were evaluated. Many workers had to tolerate indecent comments. Roughly two-thirds of the workers stated that there had been unwanted physical contact, some were said to have been shown indecent photos, and in some cases men had exposed themselves. About 40% of the workers were asked to engage in sex. The perpetrator of these actions was often the direct superior.

The deadline for the submission of the nominations was August 26th 2005. Later developments were considered in the summaries as far as known.

Consequences

Despite pressure from DISC as well as local NGOs and unions, GAP tolerated the harassment in its clothing factories. Women who dared to take a stand were harassed, threatened or punished, according to DISC. In this way the management ignored the complaints of one woman and did nothing to stop the harassment by a superior. Another woman was relieved of her position as tailor and demoted to an assistant after she complained.

One hundred thirty-one workers resigned in protest, under the assumption that they would quickly be able to find another job. Most of them were hired by other clothing factories and came to the realization that sexual harassment is considered “business as usual” there as well.

Current status and demands

After publication of the study, GAP gave in to the NGO’s demands, declaring itself ready:

- to discuss the subject with worker representatives
- to rigorously implement its code of conduct
- to permit independent investigations and monitoring of the implementation of the code
- to respect the right of the workers to organize and safeguard common interests

In a letter to each of its suppliers, GAP requested that preventative measures be taken against sexual harassment in the workplace. Furthermore, GAP supports union activities in many firms, and organizes classes for local management on the prevention of all forms of harassment in the workplace. The future will show if these measures have an effect and if GAP is truly ready to act against grievances, and to abide by its code of conduct and other assurances.

DISC will continue to exert pressure on GAP and other clothing companies, to ensure that they abide by labor laws and improve the working conditions at their suppliers.

Detailed nomination: www.publiceye.ch/nominierungen