



# Established by brands, promoted by the government: The rationale behind the Cambodian garment sector's exploitative wage systems

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## Abstract

As protest movements in recent years have seen Cambodia's garment, footwear and textile (GFT) workers emerge as frontline defenders of their rights, the Cambodian government has made pro-worker concessions to some extent — from an annually increasing monthly minimum wage to mandatory back payments of workers' bonuses. Despite these improvements, workers continue to suffer under multifaceted exploitation from a variety of stakeholders. Conversations with 27 garment workers as well as 24 other stakeholders — including trade unions, human rights lawyers and employers — revealed ongoing abuses of workers' rights, a result of capitalist ideologies deeply ingrained in trade philosophies of countries and corporations alike. Specific attention was brought to the GFT sector's minimum wage, which: (1) fails to provide adequate financial security despite its annual increase; (2) facilitates price-cutting practices of brands; and (3) serves as distraction from the productivity-based pay and its ability to improve workers' monthly income and uncover unfair and unethical brand practices. The main findings showed that workers' incomes were heavily influenced by common practices of financial exploitation by brands. As a result, unfair piece prices paid to factories create financial bottlenecks, which in turn translates into workers rarely having the opportunity to earn more than the minimum wage. This paper provides a recollection of the GFT sector's struggles and clarifies the disconnect between workers and other key stakeholders.

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## Introduction

Over the past decades, the Cambodian garment, footwear and textile (GFT) sector has received global

attention with regards to the general human rights situation (Morris, 2016; Sibbel, 2005), focusing on both the political landscape surrounding it as well as the treatment of GFT workers whose labor is crucial for Cambodia's economic growth (Cheang, 2019; Hor, 2016). Hitherto unchallenged human rights violations — ranging from the neglecting of pregnant workers

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to the intimidation and murder of union leaders (Li & Dickson, 2019; Serrano & Nuon, 2018) — found their turning point in 2013 after frustrations over the outcome of the general elections and historically low GFT wages ended in a violent, year-long protest in the country's capital of Phnom Penh. During and after this protest, the government faced pressures from national and international civil society organizations and foreign governments mindful of the generally deteriorating human rights situation in the country as well as brands sourcing from Cambodia. As a result, Cambodia's government took various steps towards reconciliation, including the formulation of a Law on Minimum Wages and the creation of a tripartite mechanism to annually discuss and increase the GFT sector's minimum wage (Royal Government of Cambodia, 2017; 2018). This was regarded essential for the achieving of a fairer income and thus the improvement of the livelihoods of GFT workers.

While the wage protests were the logical result of years of abuse, the main focus of the media, human rights reports and other literature was on neglectful factory employers and the many human rights duties the Cambodian government had failed to respect in the previous decade. A group of more than 30 international brands, mostly from Europe and the United States, reminded the Cambodian government of its duty to protect rather than attack protesters and to uphold the right to earn a minimum wage (Henke et al., 2014). Interestingly, the same brands largely had benefited for years from low labor costs in the country. For example, while Cambodia's total garment export earnings in 2019 amounted to \$11.76 billion, two of its Western clients, Adidas and H&M, reported profits of \$1.98 billion and \$1.8 billion respectively for the same year (Shahbandeh, 2020a, 2020b). Due to GFT workers continuously struggling to pay for basic needs, it appears that current annual minimum wage settings include financial performance and profitability of the sector only in theory, not in practice.

In order to enhance the general understanding of the relationship between GFT workers and brands sourcing from Cambodia, the objective of this research was (1) to explore the wage landscape within Cambodia's garment, footwear and textile sector; and (2) to understand how brands influence this landscape. During

the data collection, GFT worker interviewees spoke of the minimum wage and even more extensively of the significantly higher productivity-based pay, the latter of which both the Cambodian government and brands have largely remained silent about. The claim this paper will make is that brands in particular are playing a major role in the existence of a continuously low minimum wage while purposively conveying the public message that the minimum wage is important.

The contribution of this paper is the enriching of existing literature and research that tend to focus on the common minimum wage and thus neglect the existence of better wage options and thus profit-driven, oppressive brand agendas. By ignoring the productivity-based pay, current literature misses out on the opportunity to critically assess and question ongoing financial and ethical shortcomings of brands, which proves detrimental to the improvement of workers' rights. This paper is organized as follows: Section 2, after the introduction, consists of a literature review of brands, brand power as well as the economic and political landscape in Cambodia that pave the way for abuses and exploitation in the country's GFT sector. Section 3 provides details about the methodology and methods applied in the data collection, followed by a presentation of the results and a discussion in Section 4. The conclusion and recommendations are found in Section 5.

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## Literature Review

With regards to human rights in the GFT sector, common violations include the exposure of workers to late or incorrect payments, unjustified dismissal, poor ventilation systems and otherwise unsafe working conditions, dangerous daily work commuting and workplace sexual violence and harassment of female workers (Mom, 2018; National Social Security Fund, 2020; Parkinson, 2015; Solidarity Center, 2019). While it is essential to understand these challenges facing Cambodia's GFT workers, it is equally important to address the factors that directly and indirectly enable or maintain such abuses. Specifically, interviews with GFT workers and factory managers revealed how brand behavior undermined fair wages. Further conversations revealed how a weak rule of law in the presence of authoritarian neoliberal forces continuously facilitated

abuses in the sector. The literature review will be a reflection of these driving forces.

### *Brand Power in a Capitalist Market*

Many workers have experienced the negative implications of the current global fashion movement (Bick, Halsey, & Ekenga, 2018). ‘Fast’ and unsustainable fashion shaped by constantly changing consumer demands and expectations have largely allowed brands to outsource these pressures to labor-intense countries such as Cambodia. While many brands have been vocal about human rights in the past, the same brands simultaneously tend to trigger rights abuses (Giuliani, 2016; Hendriksz, 2017; Hokkanen, 2014) caused by the effects of a highly competitive market. As such, brands are able to influence both factories and the Cambodian government. Firstly, given the Cambodian GFT sector’s oversaturation of licensed and unlicensed factories, brands enjoy a crucial leverage in price negotiations with factories. Secondly, the high mobility of brands and their investments within and beyond the Southeast Asian region has meant for the government to be mindful of brands’ carefully calculated pricing and profit margins that fail to reflect regularly increasing labor costs in the sector, including the minimum wage. These ‘bidding wars’ have left the supply chain devastated and physically in danger (Kumar in Souvlis, 2020), which highlights the need for brand accountability and responsibility. For the future of human rights in the GFT sector, brands must take the lead in advancing wages based on worker productivity (IndustriALL, 2015). Lee, Seifert, and Cherrier (2017) argue that there is no actual evidence that increased ethical brand behavior could lead to workers being better off. This research, based on information provided by various interviewees, nonetheless supports the idea that an increasingly ethical and fair treatment of factories by brands will eventually result in better working conditions in Cambodia’s GFT sector.

### *Economic Development and Authoritarian Neoliberalism*

Developing nations in particular tend to struggle to accept that economic growth can go hand in hand with the respecting and promoting of human rights (Giuliani & Macchi, 2014; Petcharamesree, 2013; Richards,

Gelleny, & Sacko, 2001). Despite being one of the leading manufacturers of GFT products globally, a serious consideration of continuous corruption, a weak rule of law and other illicit activities that are omnipresent in Cambodia (Ford, Gillan, & Ward, 2020; Sperfeldt, 2016) will further cater to the understanding of human rights challenges facing the GFT sector. Despite the Cambodian government’s increased commitment towards improving the sector through the ratification of binding international human rights instruments and the passing of national labor laws, neoliberal forces continue to negatively influence labor rights (McCann, 2016; Salmivaara, 2017). However, Clua-Losada and Ribera-Almandoz (2017) found that specifically authoritarian neoliberalism was responsible for deepening labor relation conflicts while reducing the power of workers to influence their rights, leading to a rise in workers who no longer manage to live above the poverty line. The adverse impacts of neoliberalism mostly surround the exploitative nature of its policies, with authoritarianism further oppressing democratic control (Arnold, 2013; Salmivaara, 2017). This is key to this research because it adds understanding to the discussion surrounding workers’ needs and the environment in which brands operate that facilitates the abuse of such needs.

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## **Methodology**

Based on this research’s focus on the lived experiences of a variety of stakeholders in the Cambodian GFT sector, the data collection was planned and conducted accordingly. The most reasonable method was considered to be semi-structured interviews, allowing for respondents to be given open-end questions while assuring a certain level of researcher oversight and control.

### *Data Collection*

Data from a total of 51 individuals were collected in Phnom Penh and Kandal, Cambodia, between August and December 2019 and additionally through phone and email interviews from April to August 2020. 27 garment workers were interviewed through semi-structured interviews. Furthermore, semi-structured expert and key informant interviews were conducted with the following 24 individuals: (1) the Garment

Manufacturers Association in Cambodia (GMAC); (2) factory management/staff; (3) non-governmental organization workers; (4) trade union staff; (5) GFT workers' houseowners and landlords; (6) lawyers; and (7) a supplier. All 51 participants were selected purposively. Interview requests with government officials/staff were unfortunately but expectedly either ignored or declined. Necessary information, such as regulations, statements and 'instructions', could be obtained through documents. Therefore, government-related data were shifted from primary to secondary data collection. The secondary data collection also consisted of document analyses of civil society and media reports, books and academic research articles. Reports published by development organizations were able to provide additional labor rights progress information.

### *Sampling*

While all 27 garment workers were selected randomly, all expert and key informants were selected non-randomly from a list of potential interviews that had previously been created by the researcher. Due to the purposive and homogenous sampling based on the common characteristics of garment workers, there was no need to define an exact sample size prior to data collection. The researcher applied data saturation practice, hence the data collection ended upon having reached a point of saturation.

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## **Results and Discussion**

### *The Minimum Wage: Big Hope, Little Benefit*

Ever since the 2013–2014 protests, much attention by the Cambodian government, factories, brands as well as civil society has been paid to the minimum wage and its annual increase. The annual minimum-wage setting consultations between government, factories and unions representing workers is a process mediated by the International Labour Organization, and is often a welcomed opportunity for the government to reaffirm its human rights commitments to the sector itself, its citizens and sourcing countries. As such, the minimum wage is not only a human right but a tool shaping politics and reputation. The government's acknowledgement of the

economic importance of the GFT sector is reflected in the progresses of the minimum wage and respectively created and amended laws and regulations. The minimum-wage setting process includes the consideration of workers' social criteria, i.e. family situation, inflation rate and cost of living as well as economic criteria, i.e. productivity, competitiveness of the country, labor market situation and profitability of the sector (Ministry of Labour and Vocational Training and International Labour Organization, 2016). However, there are certain shortcomings with regards to this wage-setting process as it neglects various important challenges. Firstly, family household debt is a challenge facing one in seven Cambodians (Thomas, 2019), and it is thus a far more threatening financial burden than the cost of living.

*"...I am not satisfied with my work, but I have to work because my mother owes money to an organization for a house loan..."*

(Interview with a female GFT worker in Phnom Penh, August 2019)

Secondly, the wage-setting procedure does not include matters such as family structures. This is crucial because three in four interviewed garment workers hailed from rural areas with a farming background and large households. Hardly any of the GFT workers came from the city, where families tend to be significantly smaller. Thirdly, based on information provided by GFT workers and factories, brands refused to pay prices in accordance with increasing labor costs.

*"...the wages are increasing, but the prices of the brands are staying the same. They don't want to pay more. They even try to pay less and they place fewer orders, which we cannot survive on..."*

(Interview with a Social Compliance Manager in Phnom Penh, August 2019)

Almost all of the 27 workers who were interviewed stated that they received the legal monthly minimum wage (\$182). Only one participant was receiving a daily wage and two workers were placed on a productivity-based wage, which allowed them to be paid based on a pre-defined daily production target of  $n$  pieces of finished textiles or garments, and thus oftentimes resulted in a much higher income. While secondary findings address the insufficiency of the minimum wage to enable workers to live a decent life (Blomberg, 2018), key stakeholders have voiced their concern over an ever-increasing minimum wage. Based on the price competition between Cambodia and other GFT-producing countries, employers

are worried about losing their competitive financial edge while productivity levels and the piece rates paid by brands remain largely unchanged.

### *The Productivity-Based Pay and its Importance for Brand Responsibility*

Worker productivity according to a pre-set daily target forms the basis of the productivity-based pay. Factories' ability to remunerate workers through the common minimum wage or the productivity-based pay is almost entirely based on brands, their piece rates, order size, type of clothing and production deadline. Workers explained that receiving the productivity-based pay was far better because it provided the daily possibility of earning more money.

*"...I have to try my best to produce more units of clothing to earn more than just the minimum wage...."*

(Interview with a female GFT worker in Phnom Penh, August 2019)

As opposed to the minimum wage that is set through consultations between the government and factories and unions, one major disadvantage of the productivity-based pay is that it is indirectly determined by the brand and the conditions it places upon a producing factory. Specifically unfair deadlines imposed by 'fast fashion' brands while continuously undermining fair labor practices prove detrimental to worker wellbeing and sustainable productivity. One General Manager explained the unrealistic pressures that came with the need for high-quality productivity, which was unrealistic with fast fashion's pressures and short deadlines:

*"...we are not robots that you program. Human beings have good days, bad days, stomach ache days..."*

(Interview with a General Manager in Phnom Penh, August 2019)

In addition, the productivity-based pay ignores many factors critical for labor rights. Firstly, not every worker is eligible for the productivity-based pay and this highly depends on the working group itself. Secondly, because this wage system relies on productivity and individual efforts of workers, the productivity-based pay automatically puts people at a disadvantage, including lesser experienced, old, sick or pregnant employees and generally those who are currently or permanently incapable of high-production output. Thus, the productivity-based pay is highly discriminatory against

specific workers and groups and it is not universally applicable, unlike the minimum wage. Moreover, it is significantly more impacted by the hegemonic powers of brands, resulting in further employee exploitation. Nevertheless, it is the only wage that addresses the issue at hand: GFT workers would be fundamentally better off if brands exercised fair and ethical practices when placing their orders with factories.

While the minimum wage can be regarded as a safety net for situations in which workers produce less than the productivity count set by factories, it is important to look beyond that. Conversations with garment workers showed the benefits of productivity-based pay, but they also revealed a complex system of various factors that needed to be fulfilled for workers to be allowed to earn an income based on their output, which depended on brands and portrayed the power of brands in the Cambodian GFT sector.

### *The Future of GFT Workers' Rights in a Capitalism-Driven Hegemony*

In the two previous sub-sections, the advantages and shortcomings of the minimum wage and the productivity-based pay were assessed. While neither of these two income types currently guarantee a better livelihood of Cambodian GFT workers, the productivity-based pay is a key component in conversations about brands and their hegemonic power in the market (Ear, 2013). The less brands are willing to take financial responsibility, the more visible is the abuse of GFT workers in factories. In addition, the already intensely competitive market forces factories to survive through decreasing profit margins, caused by a rise in governmental laws as well as brands' contractual regulations with regards to social compliance, sustainability and the environment. As employers and brands play a major role in workers' income, it is important to look into price oppression and capitalist structures influencing the global value chain as well as threatening income and productivity levels in Cambodia's GFT sector. By realizing the dominance of brands and their ability to cut prices and impose financial reliance, liability and burden onto factories, such explains why employers cannot afford to pay the productivity-based pay. This emphasizes the effects of fast fashion demands, alongside fast order and small order sizes, which all directly and undeniably threaten



the achievement of a sustainable, fair living wage and the improvement of overall human rights records in the GFT sector.

In an ideal world, the Cambodian garment worker would receive a living wage. Based on the many laws, regulations and instructions which the Cambodian government has passed throughout the past years, there is sufficient evidence that there is a sincere commitment towards improving the work and lives of GFT workers. Nonetheless, achieving this goal will be challenging for the Cambodian government as long as brands continue to be guided by high profit margins, fast fashion and low labor costs in a highly-competitive market, enabling them to exercise power over factories. In the conversation about sustainable and ethical sourcing, consumer behavior and demands also matter, which emphasizes both consumer responsibility and consumer decision-making power.

*“...fashion has become some kind of ice cream: You buy something and then it just disappears. People are willing to pay \$5 for a coffee at Starbucks, but when they see a shirt that costs more than \$3, they think that’s expensive...”*

(Interview with a Managing Director/Supplier through Skype, August 2020)

Due to the increasing attention on ethical consumption (Jönsson, Wätthamar, & Mark-Herbert, 2013), consumers are able to play a fundamental role in guiding the production of human- and environmentally-friendly purchase decisions. Hence, ethical consumption must be a key argument for the human rights movement against predatory brands (Bick, Halsey, & Ekenga, 2018) in order to improve human rights in the sector.

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## Conclusion and Recommendation

This paper discussed the effects of the GFT sector’s complex payment schemes and how these affect workers. Focusing on how financial well-being is scrutinized by various hegemonic entities including brands, the paper showed that unethical labor practices and scrutiny are driven by capitalist and profit-oriented structures, leading to worker abuses in terms of income and livelihood. Ongoing struggles of GFT workers are proof that existing pro-human rights commitments made by the government are currently not able to fully address and reverse the

negative implications of brands’ hegemonic power in a highly competitive market.

The annual increase of the sector’s minimum wage was hailed as a milestone by many, despite the fact that it remains insufficient in providing workers with the ability to afford basic needs and provide a sense of financial security. The productivity-based pay is unregulated and not as universally applicable as the minimum wage is, thus it mostly depends on brands’ financial willingness to place large, ‘slow’ orders (Canadian Union of Public Employees, 2020) so that employers are able to pay higher piece rates to their employees. While none of the existing wages currently allow for a sustainably improved standing of GFT workers, the productivity-based pay is nonetheless an important evidence of brand failure to respect increasing minimum wages, rising living costs and other human rights-related needs that GFT workers are facing. Thus, this paper assumes that the existence of this pay has remained largely ‘hidden’ behind the minimum wage due to its critical nature.

If the Cambodian government desires to make sure its existing legislations and annual minimum wage consultations effectively tackle poverty and other shortcomings in the GFT sector, it must acknowledge and actively address the role of brands as enablers of human rights violations. Moreover, brands are encouraged to elevate their involvement from a bare financial minimum to a fairer remuneration guided by humaneness.

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## Conflict of Interest

There is no conflict of interest.

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