

21stSeptember, 2021

519-1/2, Elvitigala Mw
Colombo 5.

Mr. Nimal Siripala De Silva
Hon. Minister of Labour,
“Mehewara Piyasa”,
151, Kirula Road,
Colombo 05.

Dear Sir,

Calling for Urgent Government Action and the reinstatement of 16 Workers Unfairly dismissed for Union Membership

As you recall, the United Federation of Labour (UFL) constituent, the Commercial and Industrial Workers Union (CIWU) established a Union at the ATG Glove Knitting (PVT) LTD in Wathupitiwala FTZ, (ATG-Wathupitiwala) on the 20th August, 2021. Soon after ATG-Wathupitiwala was informed of the establishment of the Union, ATG-Wathupitiwala started dismissing 16 Union Members over a period of four days.

When you the Honorable Minister raised this matter at the NLAC meeting held on the 24th August, 2021, representatives of the Free Trade Zones And General Services Employees Union and Inter Company Employees Union brought to your attention similar incidents of Union busting and unfair labour practice which ATG has committed for several years. You undertook to resolve the matter through the Labour Department. It is one month as at today since the Union busting incident happened at ATG-Wathupitiwala. The Labour Department is yet to commence an unfair labour practice inquiry against ATG-Wathupitiwala.

The ATG-Wathupitiwala, is untouched or unwarned and continues its operations uninterrupted despite having committed an illegal act. In contrast, the 16 workers who were terminated for joining a Union is today without work in the middle of a pandemic and struggling to meet their day to day expenses including food and medicine.

You are no doubt aware that this is not the first instance of Union busting which has gone unchecked by the Labour Department. Factories inside the Free Trade Zones are well aware that the longer the labour litigation drags, the more likely the dismissed workers will come for a small settlement. Once the dismissed workers are settled after protracted litigation lasting for over several years, the Union will no longer be functional inside the Factory, as now new workers will not want to risk their employment by joining the Union. Although Industrial Disputes Act was amended in 1999 to enact laws against unfair labour practice, the implementation of the law has been slow and ineffective. Therefore although there's a law in place in paper the employers have been able to breakdown unions as the workers are without protections when they attempt to organize themselves and form unions.

Therefore, as Unions, we request you to intervene in this matter and ensure the Workers are reinstated. No Company can continue to function in the Free Trade Zones without the permission and good will of the Government of Sri Lanka. The Labour Laws of Sri Lanka today may not be strong enough to prevent Union busting but Hon. Minister's office being proactive pending law reform can guarantee protections for workers both in terms of their rights and jobs.

The Government has praised export sector workers as essential workers and acknowledged their contribution towards the economy which stands unparalleled, during the Covid 19 crisis. We believe protecting labour rights and protecting trade unions, which are essential to create a sustainable working environment, can be a show of good will by the government to reward the workers for the continued cooperation. In the absence of government interventions, the workers and workers' organizations are compelled to rely on international institutions and instruments. Therefore, we request from you to step in and address these issues of labour law violations as a matter of national interest to strengthen both workers' and trade unions' belief

in the ability of the government to protect workers' interests, specifically in this case, the right to organize.

The below signed Unions are requesting for the Government to intervene in this matter and question ATG-Wathupitiwala, its illegal conduct committed on 16 workers and take steps to ensure the reinstatement of these 16 workers. Your quick and effective action will determine whether workers in our Country will enjoy the right to join Unions in the near future.

Thank You.

On behalf of following Trade Unions

D W Subasinghe
General Secretary
Ceylon Federation of Trade Union

1. Channa Dissanayake – President, Ceylon Bank Employees Union
2. Anton Marcus - Joint-Secretary, FTZ & General Service Employees Union
3. Robert Francis – General Secretary, Ceylon Estate Staff Union
4. Sylvester Jayakody – General Secretary, Ceylon Mercantile, Industrial & General Workers Union
5. Leslie Devendra - General Secretary, Sri Lanka Nidahas Sevaka Sangamaya
6. Palitha Athukorale – President, National Union of Seafarers Sri Lanka
7. Wasantha Samarasinghe – President, Inter Company Employees Union
8. C T Atimorathanna – General Secretary, Union of Post & Telecommunication Officers
9. Lalitha Dedduwakumara- Chief Organizer, Textile Garment and Clothing Workers Union
10. Joseph Stalin - General Secretary, Ceylon Teachers Union
11. Udeni Dissanayake – General Secretary, National Trade Union Front
12. Sunil De Silva – Vice President, Jathika Sevaka Sangamaya

13. Jagath Gurusinghe – Joint Secretary, All Employees Union of Information & Telecommunication
14. Haripriya Hettiarachchi –President, Telecommunication Engineering Diplomates Association
15. Lal Bangamuwa – President, Independent Dock Workers Union
16. DWUR Divakara- President, Insurance Employees Union
17. TMR Rasideen - Ceylon Federation of Labour
18. Dharmasiri Lankapeli – General Secretary, Federation of Media Employee Trade Unions
19. KalpaMaduranga - General Secretary, Protect Union
20. ChamilaThushari - Secretary, Dabindu Collective Union
21. AshilaDandeniya – General Secretary, Stand-up Workers Union
22. Linus Jayatilake – President, United Federation of Labour