

Local Worker Representation as a Catalyst for Effective Grievance Mechanisms: A collaborative case study of the Dindigul Agreement

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Abstract

Non-judicial grievance mechanisms are integral to corporate human rights due diligence, yet they often fail to fulfil their promise. Too frequently, grievance mechanisms do not effectively serve the workers and communities they are designed to protect, despite their potential to drive life-changing improvements. This article examines how integrating local worker representation can create effective grievance mechanisms, using the Dindigul Agreement to End Gender-Based Violence and Harassment as a case study. With a community-based trade union at its core, the Dindigul Agreement grievance mechanism functions as an equitable enforcement tool that strengthens company–community relations, promotes human rights, and provides a framework for preventing and remedying forced labour risks within supply chains. This article is meant to provide an instructive example of how meaningful stakeholder engagement can act as a catalyst for more effective grievance mechanisms. Furthermore, it can serve as inspiration for practitioners and scholars seeking to confront forced labour and other systemic labour rights abuses by prioritising local voices and lived realities in the implementation of due diligence obligations.

Keywords: due diligence, non-judicial grievance mechanisms, meaningful stakeholder engagement, remedy, unions

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Introduction

Non-judicial grievance mechanisms are an integral part of corporate human rights due diligence that feature in mandatory due diligence legislation, as well as in the United Nations *Guiding Principles on Business and Human Rights* (UNGPs) and the OECD *Guidelines for Multinational Enterprises on Responsible Business Conduct* (OECD Guidelines). Such mechanisms can be particularly important for forced labour cases, where the fear of retaliation, economic dependence, or lack of legal access can prevent victims from pursuing judicial remedies. Unfortunately, in many instances non-judicial grievance mechanisms fall short of their potential. They remain nebulous,¹ under-regulated by states,² under-developed by corporations,³ untransparent,⁴ and often fail to offer rights holders remediation.⁵ Scholarship often focuses on what grievance mechanisms *should* do, rather than what they are actually doing;⁶ their role and effectiveness in delivering remedy for workers and communities remain under-researched.⁷

In this article, we use the grievance mechanism of the Dindigul Agreement to End Gender-Based Violence and Harassment (Dindigul Agreement or Agreement) as a case study to argue that the integration of local worker representation can be one avenue to create more responsive and effective grievance mechanisms. The article draws its data and insights directly from the Tamil Nadu Textile and Common Labour Union (ITCU), the local trade union leading the on-the-ground implementation of the Agreement. The data provides unique and practitioner-driven insights into the implementation of a local, context-sensitive, worker-driven grievance mechanism that has rarely been featured in academic literature before.

¹ B Grama, ‘Company-Administered Grievance Processes for External Stakeholders: A Means for Effective Remedy, Community Relations, or Private Power?’, *Wisconsin International Law Journal*, vol. 39, no. 1, 2022, pp. 71–143.

² L J Laplante, ‘The Wild West of Company-Level Grievance Mechanisms: Drawing Normative Borders to Patrol the Privatization of Human Rights Remedies’, *Harvard International Law Journal*, vol. 64, no. 2, 2023, pp. 311–384.

³ KnowTheChain, *Apparel and Footwear Benchmark Report 2023*, Know the Chain, 2023.

⁴ J Harrison, M Wielga, and M Parejo, ‘In Search of Effective Corporate Grievance Mechanisms: Can Mandatory Due Diligence Laws Be a Progressive Force?’, *Journal of Human Rights Practice*, vol. 16, issue 3, 2024, pp. 819–835, <https://doi.org/10.1093/jhuman/huae011>.

⁵ J Harrison and M Wielga, ‘Grievance Mechanisms in Multi-Stakeholder Initiatives: Providing Effective Remedy for Human Rights Violations?’, *Business and Human Rights Journal*, vol. 8, issue 1, 2023, pp. 43–65, <https://doi.org/10.1017/bhj.2022.37>.

⁶ Grama.

⁷ Harrison, Wielga and Parejo. See also K Lukas *et al.*, *Corporate Accountability: The Role and Impact of Non-Judicial Grievance Mechanisms*, Edward Elgar Publishing, Cheltenham, 2016.

The data was collected using two methods: an extensive survey that TTCU participated in, and a discussion held by the authors of this article on the key concepts embodied in the Dindigul Agreement grievance mechanism. One of the authors is employed by TTCU and is thus directly involved in implementing the grievance mechanism. The intent is not to present an independent evaluation or performance review of the Agreement's grievance mechanism. Instead, we hope to contribute to the literature surrounding the interplay of worker representation, community organising, and effective remedy, as well as inspire practitioners and scholars to engage with local trade unions and community representatives as they research and implement non-judicial grievance mechanisms.

The article proceeds as follows. The next section provides an overview of literature regarding effective grievance mechanisms and the involvement of unions in their implementation, followed by an introduction to the Dindigul Agreement. The article then focuses on the case study to present and discuss different elements of the Dindigul Agreement's grievance mechanisms. Finally, it outlines TTCU's organising model to underscore the importance of freedom of association in the implementation of the grievance mechanism and provides a brief conclusion.

Effective Grievance Mechanisms: Finding a needle in a haystack?

Effective non-judicial grievance mechanisms can complement and even strengthen judicial remedies to form a more comprehensive and effective remedy ecosystem for workers and other rights holders in supply chains.⁸ This article focuses on non-state-based, non-judicial grievance mechanisms that are administered by a business enterprise alone or with stakeholders, an industry association or a multi-

⁸ United Nations Office of the High Commissioner for Human Rights (OHCHR), *Access to Remedy for Business and Human Rights: An Interpretive Guide*, OHCHR, 2024; Organisation for Economic Co-operation and Development (OECD), *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct*, OECD Publishing, 2023; K Buhmann, 'Confronting Challenges to Substantive Remedy for Victims: Opportunities for OECD National Contact Points under a Due Diligence Regime Involving Civil Liability', *Business and Human Rights Journal*, vol. 8, issue 3, 2023, pp. 403–426, <https://doi.org/10.1017/bhj.2023.9>; E Kocher and S Zajak, 'Die Selbstregulierung von Arbeits- und Sozialstandards in transnationalen Wertschöpfungsketten – Rechtsschutz in privaten Beschwerdeverfahren?', *Kritische Justiz*, vol. 50, issue 3, 2017, pp. 310–326, <https://doi.org/10.5771/0023-4834-2017-3-310>; U Gläßer *et al.*, *Außergerichtliche Beschwerdemechanismen entlang globaler Lieferketten: Empfehlungen für die Institutionalisierung, Implementierung und Verfahrensgestaltung – Forschungsbericht*, Europa Universität Viadrina Frankfurt (Oder), 2021; M Miller-Dawkins, K Macdonald, and S D Marshall, *Beyond Effectiveness Criteria: The Possibilities and Limits of Transnational Non-Judicial Redress Mechanisms*, Corporate Accountability Research, 2016.

stakeholder group as part of a wider due diligence process within the context of corporate supply chains.⁹

Grievance mechanisms are essential to human rights due diligence, as they are part of the obligations outlined, *inter alia*, in the UNGPs and the OECD Guidelines. They enable business enterprises to identify adverse human rights impacts that they have caused or contributed to, and engage with affected stakeholders to develop effective risk mitigation strategies.¹⁰ However, many non-judicial grievance mechanisms also remain nebulous, under-theorised and ineffective,¹¹ with private companies enjoying ‘full discretion in determining the designs, operations, and outcomes of these company-level remedies, often below the radar and with little transparency, Wild West style’.¹² A significant number of complaints filed with grievance mechanisms do not result in a substantive remedy that is satisfactory to the claimants or their communities.¹³ Given that workers’ trust in grievance mechanisms is likely influenced by the outcomes a mechanism can provide, this is an especially relevant observation that might explain the limited effectiveness of some mechanisms.¹⁴ The 2023 *Apparel & Footwear Benchmark Findings Report*

⁹ United Nations Office of the High Commissioner for Human Rights, *Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework*, OHCHR, 2011.

¹⁰ OHCHR, 2024; OECD, 2023; Lukas *et al.*; M Rogge, ‘Understanding Unilateral, Bilateral, and Multilateral Approaches to Meaningful Stakeholder Engagement in the Design and Implementation of Operational Grievance Mechanisms’, in K Buhmann *et al.* (eds), *The Routledge Handbook on Meaningful Stakeholder Engagement*, Routledge, 2024; B Choudhury (ed.), *The UN Guiding Principles on Business and Human Rights: A Commentary*, Edward Elgar Publishing, 2023.

¹¹ Grama; Rogge.

¹² Laplante, p. 317. See also R Maher, D Monciardini, and S Böhm, ‘Torn between Legal Claiming and Privatized Remedy: Rights Mobilization against Gold Mining in Chile’, *Business Ethics Quarterly*, vol. 31, issue 1, 2021, pp. 37–74, <https://doi.org/10.1017/beq.2019.49> and J Kaufman and K McDonnell, ‘Community-Driven Operational Grievance Mechanisms’, *Business and Human Rights Journal*, vol. 1, issue 1, 2016, pp. 127–132, <https://doi.org/10.1017/bhj.2015.17>.

¹³ Harrison and Wielga; M Wielga and J Harrison, ‘Assessing the Effectiveness of Non-State-Based Grievance Mechanisms in Providing Access to Remedy for Rightsholders: A Case Study of the Roundtable on Sustainable Palm Oil’, *Business and Human Rights Journal*, vol. 6, issue 1, 2021, pp. 67–92, <https://doi.org/10.1017/bhj.2020.33>. See also A Afrizal *et al.*, ‘Unequal Access to Justice: An Evaluation of RSPO’s Capacity to Resolve Palm Oil Conflicts in Indonesia’, *Agriculture and Human Values*, vol. 40, 2023, pp. 291–304, <https://doi.org/10.1007/s10460-022-10360-z>.

¹⁴ C Freeman and E de Haan, *Using Grievance Mechanisms: Accessibility, Predictability, Legitimacy and Workers’ Complaint Experiences in the Electronics Sector*, SOMO (Centre for Research on Multinational Corporations), Amsterdam, 2014; M Scheltema, ‘Assessing the Effectiveness of Remedy Outcomes of Non-Judicial Grievance Mechanisms’, *The Dovenschildt Quarterly*, 2013, pp. 190–197.

by KnowTheChain found that remedy was the lowest scoring theme across the benchmark, with a sector average score of only 7/100.¹⁵ Merely 22 per cent of companies disclosed remedial outcomes for supply chain workers, which were in most cases limited to only *one* example of an awarded remedy. Of the assessed companies, only one reported checking with workers whether they were satisfied with the remediation provided.¹⁶ These findings illustrate a pattern in companies' reporting and communication about grievance mechanisms: what they should do—provide remedy—is hardly referred to, and very little information, if any, is provided on how they are actually being implemented on the ground.¹⁷

One way to address this issue is to see the effectiveness of grievance mechanisms and effective remedy as an on-going agenda, rather than just a fixed normative standard derived from legislation and soft law. A key question to ask is how grievance mechanisms can move away from being 'concerned about the legitimization of privatized remedy, the wielding of corporate power, and the stifling of alternative forms of community mobilization'¹⁸ towards an approach that is community-centred, empowering, and protective of the human rights of workers and community members alike.

Grievance mechanisms can be 'as important for establishing a meaningful dialogue between companies and local communities as they are for addressing specific grievances'.¹⁹ However, only 8 per cent of analysed companies in the 2023 *Apparel & Footwear Benchmark Findings Report* mentioned that they had involved workers or worker unions in the design or performance of their grievance mechanism.²⁰ Unions play an important role in preventing labour law violations from occurring, issues from escalating, and in the event of any violations, they ensure that workers have access to remedies.²¹ Their role in grievance processes can be as advocates and representatives; if unions are located where the grievances have occurred, they

¹⁵ KnowTheChain. The KnowTheChain methodology is based on the UNGPs and covers policy commitments, due diligence, and remedy. The methodology uses the ILO core labour standards as a baseline. The methodology has been developed through consultation with a wide range of stakeholders and a review of other benchmarks, frameworks, and guidelines such as the OECD Due Diligence Guidance for Responsible Business Conduct.

¹⁶ KnowTheChain.

¹⁷ See also Grama.

¹⁸ Grama.

¹⁹ Choudhury.

²⁰ KnowTheChain.

²¹ A McQuade, *Grievance Mechanisms, Remedies and Trades Unions: A Discussion Document*, Ethical Trading Initiative, 2017, https://www.ethicaltrade.org/sites/default/files/shared_resources/grievance_mechanisms_remedies_and_trades_unions_eti_aidan_mcquade_dec_2017_final.pdf.

can offer invaluable insights both to the persons filing the grievances and those administering the process.²² Therefore, companies should always be required to provide unions an active and prominent role in the design and implementation of grievance mechanisms.²³ Regrettably, many companies still refuse to engage with worker representation.²⁴ This is unfortunate given that worker representation and collective bargaining significantly improve working conditions in the supply chain.²⁵

However, it is important to recognise that in many countries not all trade unions are capable of fulfilling this role. For example, in the state of Tamil Nadu in India, most mainstream trade unions are part of political parties, which can result in a balancing of workers' needs against party or electoral interests.²⁶ Given this context, we believe that grassroots trade unions, community organisations, and worker collectives, both registered and unregistered, can be legitimate representatives of workers' interests.

In the following section, we use a case study of the Dindigul Agreement to show how grievance mechanisms can become effective tools for local workers and their representatives to provide their community with individualised, adaptive pathways to remediation. We furthermore argue that the involvement of organised worker representation in the form of unions or local community organisations can ensure that these grievance mechanisms are utilised to the fullest to improve the situation for workers and rightsholders on the ground.

The Dindigul Agreement: An overview

The Dindigul Agreement was signed in April 2022 to end gender-based violence and harassment (GBVH) at Eastman Exports factories in Dindigul, Tamil Nadu. The Agreement was the result of the Justice for Jeyasre campaign. Jeyasre

²² *Ibid.*

²³ S Velluti, 'Labour Standards in Global Garment Supply Chains and the Proposed EU Corporate Sustainability Due Diligence Directive', *European Labour Law Journal*, vol. 15, issue 4, 2024, pp. 822–850, <https://doi.org/10.1177/20319525241239283>.

²⁴ See also S Marshall *et al.*, *Mandatory Human Rights Due Diligence: Risks and Opportunities for Workers and Unions*, RMIT University Business and Human Rights Centre, TraffLab ERC, and Labour, Equality and Human Rights (LEAH) Research Group, Monash Business School, 2023.

²⁵ S Kuruvilla and C Li, 'Freedom of Association and Collective Bargaining in Global Supply Chains: A Research Agenda', *Journal of Supply Chain Management*, vol. 57, issue 2, 2021, pp. 43–57, <https://doi.org/10.1111/jscm.12259>.

²⁶ K Kalpana, 'Defending Informal Workers' Welfare Rights: Trade Union Struggles in Tamil Nadu', *Global Labour Journal*, vol. 10, issue 3, 2019, pp. 209–228, <https://doi.org/10.15173/glj.v10i3.3706>.

Kathiravel, a 21-year-old Dalit garment worker at a local facility, was murdered by her supervisor in January 2021, which led to global outcries for better protection from GBVH across the region and global supply chains.²⁷ The Dindigul Agreement is the first enforceable brand agreement (EBA) in India and Asia with a specific focus on addressing gender and caste discrimination and violence and most closely resembles the Lesotho Agreement.²⁸ The Agreement fosters a cooperative remediation system involving workers, unions, and management through structured activities and pre-defined procedural guidelines. The close involvement of TTCU, a local community-based union, is a distinctive feature of the Agreement that differentiates it from the Lesotho Agreement (the first enforceable brand agreement to address gender-based violence in garment supply chains) and has been lauded as pioneering an entirely new approach to remediation.²⁹

One key element of the Dindigul Agreement is the establishment of the Shop Floor Monitor (SFM) system. SFMs are workers that have completed peer educator training and work on the shop floor of the factories.³⁰ They are tasked with talking to all the workers on their line to monitor for issues and support workers who raise grievances. SFMs are provided with additional protections against retaliation under the Agreement and receive special training. In addition to the SFMs, there are three more reporting channels for grievances: contacting TTCU, the Dindigul Agreement staff, or the Internal Complaints Committees required under India's *Prevention of Sexual Harassment (POSH) Act* (for cases involving GBVH only). After a complaint has been filed, there are several remediation channels depending on the severity of the reported issue. As a last resort, the Oversight Committee can trigger the enforcement of outcomes vis-à-vis the corporate partners of the Agreement.

The outcomes of the Dindigul Agreement grievance mechanism are impressive. An independent progress report by Cornell University found that *all* workers who were interviewed, including those who were not directly trained, were aware of

²⁷ Asia Floor Wage Alliance (AFWA), Tamil Nadu Textile and Common Labour Union (TTCU), and Global Labor Justice-International Labor Rights Forum (GLJ-ILRF), *Dindigul Agreement: Year 1 Progress Report*, 2023, https://laborrights.org/sites/default/files/publications/DINDIGUL%20AGREEMENT%20YEAR%201%20PROGRESS%20REPORT%202023_0.pdf.

²⁸ J Fudge and G LeBaron, 'Regulatory Design and Interactions in Worker-Driven Social Responsibility Initiatives: The Dindigul Agreement', *International Labour Review*, vol. 163, issue 4, 2024, pp. 575–598, <https://doi.org/10.1111/ilr.12440>.

²⁹ *Ibid.*

³⁰ AFWA, TTCU, and GLJ-ILRF.

the grievance mechanism and how to access it.³¹ Furthermore, ‘workers express no hesitation in raising their grievances and believe that their grievances will be handled confidentially and without negative consequences’.³² The mechanism is also perceived as ‘equitable, with no discrimination based on caste, migration status, or other factors’.³³ In 2022, 98 per cent of the grievances raised were resolved.³⁴ While most grievances were resolved within two weeks, 20 per cent of the cases were resolved within one day.³⁵

Learning from the Dindigul Agreement: Observations on effective grievance mechanisms

This article employs a qualitative case study approach to examine the role of freedom of association and meaningful stakeholder engagement in enhancing grievance mechanisms. The data was collected through document analysis and via an extensive survey answered by TTCU, which was drafted with the UNGP 31 effectiveness criteria for grievance mechanisms as a baseline.³⁶ The survey results served as the foundation for an in-depth discussion by the authors on key concepts of effective grievance mechanisms to determine patterns, insights, and learnings from the Dindigul grievance mechanism. One of the authors is employed by TTCU and is directly involved in implementing the grievance mechanism, which emphasises local perspectives and a participatory approach to research. However, it should be noted that some aspects of the case study therefore potentially convey a subjective interpretation of the Agreement’s implementation.

The following section highlights the general findings of our research. The ‘Local Voices’ sections showcase specific cases and/or direct quotes from TTCU representatives to provide examples of the local implementation of the grievance mechanism.

³¹ P Jerrentrup and S Kuruvilla, *Dindigul Agreement to Eliminate Gender-Based Violence and Harassment: Year 2 Progress Report*, Global Labor Institute, 2024, <https://asia.floorwage.org/wp-content/uploads/2024/09/Dindigul-Year-2-Final-9-4-24-1.pdf>.

³² *Ibid.*, p. 11.

³³ *Ibid.*, p. 12.

³⁴ AFWA, TTCU, and GLJ-ILRF.

³⁵ Jerrentrup and Kuruvilla.

³⁶ OHCHR, 2011.

Trust and Accountability

It can be difficult for workers to trust grievance mechanisms. Many perceive them as impersonal boxes on walls or forms that need to be filled in. They have little belief that a submitted complaint will be taken seriously.³⁷ One of the key learnings of implementing the Dindigul Agreement grievance mechanism is that workers need to be convinced that a person involved in the process cares about their overall well-being. Workers' trust in the grievance mechanism is cultivated by union representatives who understand that workplace issues cannot be separated from personal or community issues, something that has remained largely undiscussed in academia so far. Often, companies will ask claimants to categorise their claims to determine eligibility of a grievance; these categories cover types of harms that are linked exclusively to the workplace. However, such a categorisation can feel superficial to workers. TTCU, as the union placed at the centre of the worker communities and grievance mechanism, has ensured a home-community-workplace linkage strategy, which has resulted in an anonymous grievance mechanism that nonetheless feels personal and rights-based to claimants. All grievances can be raised to the SFMs or TTCU staff present at the factories, without an immediate categorisation or waiving of responsibilities if the claim does not directly concern a workplace issue.

Local Voices

In one village, TTCU supported a worker, a single mother who was facing challenges with her child's education. The school started at 8 AM, but the only public bus from the village to the school arrived at 8:30 AM. Since the child could not arrive at school on time, they faced regular punishment and were on the verge of dropping out of school. The mother's factory bus came at 7 AM and dropped her off at 7 PM, leaving her unable to address the situation on a daily basis. After being asked for support, TTCU negotiated with the school, ensuring the child could arrive late without facing shame or reprimand from the school management. This small but impactful solution demonstrated to other workers that TTCU genuinely understood their daily struggles. That one successful intervention inspired five other factory workers in the village to join the union and become active members.

TTCU's independence from political parties, as well as their secured funding by members, also allows the union to prioritise workers' needs and push back against violations without fear of losing funding or political support. This results in TTCU being able to truly ensure accountability under the Dindigul Agreement vis-à-vis the supplier and even the buyer companies. As Fudge and LeBaron note, 'A large part of the distinctiveness and strength of the Dindigul Agreement is the way that it layers different types and scales of governance in

³⁷ Miller-Dawkins, Macdonald and Marshall.

a complementary manner.³⁸ What ultimately helped build accountability is that the mechanism combines formal power (the EBA and sourcing relationships) with cultural power (public accountability and community awareness as part of grievance handling) and organisational power (union oversight). These multiple layers of accountability ensure that the grievance mechanism is not perceived as a ‘punishment mechanism’, but as a tool to create a culture where all grievances are taken seriously and where agreed-upon outcomes have a certain enforcement guarantee.

The Dindigul Agreement has also helped to change the power dynamics of decision-making processes in the factories by shifting them from a private, exclusionary approach to a public forum that allows for participation and transparency. Decisions affecting the factory or workers, including those originating in submitted grievances, are now discussed publicly, offering opportunities of engagement for all workers.

Local Voices

Let me tell you about the neem tree—it’s become a powerful symbol of accountability. After the Agreement was signed, senior management insisted that cases involving them—unlike those concerning low- or mid-level management—had to be discussed behind closed doors. But TTCU insisted that everyone comes together under the neem tree outside the factory building for discussions about on-going cases. This public space sends a message that justice should be equal and transparent. Now that senior management faces this public accountability, it has helped to drive significant change—they don’t want to be ‘under the neem tree’.

Awareness and Barriers of Access

Accessibility and trust are deeply intertwined. The first step, of course, must always be to create awareness of a mechanism’s existence; however, only if the mechanism is trusted to reduce and address actual barriers of access and fear of reprisals will this awareness lead to greater accessibility.³⁹ TTCU’s outreach activities under the Dindigul Agreement have therefore been rooted in personal connections and creating community understanding of the mechanism.

Some measures proved more successful than others in building trust and encouraging workers to use the grievance mechanism. Worker-to-worker communication played an important role: when workers with successfully resolved issues shared their experiences in the villages and with co-workers, others took this into consideration. For example, when a worker received help with a sexual harassment case, she quietly told three other workers, who then felt confident to

³⁸ Fudge and LeBaron.

³⁹ OHCHR, 2024.

come forward with their own issues at the workplace. Community-based outreach further strengthened trust, as holding meetings in workers' villages—not just factories—ensured they felt safe to approach TTCU to discuss everything, from workplace harassment to community and family issues. Similarly, home visits proved critical, especially for more marginalised workers. In the privacy of their homes, they could speak freely about sensitive issues. Home visits also ensured that women who could not attend public meetings could still access the mechanism, while family members learnt both about their rights more broadly and the mechanism specifically. TTCU's presence at factories during regular, predictable times meant that workers always knew where to find them, allowing for quick conversations during shift changes. These encounters not only provided simple, clear information about rights but also helped build recognition and familiarity. Finally, weekly union dialogues with factory management offered workers a consistent opportunity to attend, share experiences, and be part of creating solutions, while also allowing smaller issues to be resolved before they escalated.

By contrast, some approaches were less effective. Formal-only approaches, such as one-time training sessions without follow-up, failed to build trust. Presentations about workers' rights that relied on legalistic language did not connect with the realities of workers' daily lives and therefore did not resonate. Similarly, the work-home dynamic created challenges: treating workplace issues as separate from domestic or community issues felt artificial to workers, particularly when caste-based discrimination or gender-based violence affected them across both domains.

Local Voices

The key difference to other mechanisms is that we build awareness through relationships and practical problem-solving, not just information sharing. Workers need to see that we understand and can help with their real-life challenges before they trust us with more serious workplace issues. We had a case of a worker who lost money at the workplace that she had saved for her children's school fees. In a traditional grievance system, this might not even be considered a workplace issue. But let me break down how we handled it and why it mattered: first, she was too scared to make a formal complaint, thinking she would be blamed for carelessness. We helped her document exactly when and where she last had the money and worked with management to make an announcement that the CCTV footage will be checked, and within 30 minutes the money was found lying close to her production line. After this case was resolved, a few women workers from her area became more active in the union. They saw that we take every worker's problem seriously, no matter how small, stay with an issue until it is resolved and protect workers from potential blame or retaliation.

TTCU has also worked with the other stakeholders under the Agreement to ensure that the grievance mechanism addresses barriers of access. For example, through the SFMs, it is possible for non-literate workers to submit complaints. There is also support for workers who speak other languages, especially Odia and Hindi. Additionally, grievances can be submitted to TTCU outside of working hours.

The risk of retaliation is particularly heightened when grievances are filed against higher-ranking officials like human resources or production managers, given their significant power within the factory hierarchy. Therefore, a key strategy in preventing retaliation is maintaining worker anonymity whenever possible. Unless personal information is essential to address a specific case, worker identities are protected by TTCU. In official records shared with the other stakeholders of the Dindigul Agreement, worker names and identification numbers are withheld—this sensitive information is accessible only to TTCU, creating an additional layer of protection that a community-based union is uniquely positioned to provide.

Local Voices

A pivotal early test of the Agreement's ability to protect workers from retaliation came shortly after it was signed, when seven workers faced retaliation for attending a union meeting. On the next working day, management had arbitrarily transferred them from their original production lines and units—a classic form of workplace retaliation. We immediately engaged directly with senior management, resulting not only in the workers' reinstatement to their original positions but also in a joint statement between union and management. This statement, read to all factory workers and management, explicitly affirmed workers' Freedom of Association rights and declared a zero-tolerance policy for retaliation. The incident proved transformative. By addressing retaliation head-on and securing a public commitment from management, with a joint statement read in Tamil, Odia, and Hindi during work hours to all workers by a representative from the union and the management, TTCU established a powerful precedent. Since then, instances of retaliation have significantly decreased, particularly for workers raising issues through union channels. The success of this case demonstrated that with strong union protection, clear agreements in place, and robust confidentiality measures, workers can exercise their rights without fear of punishment. It also highlighted the importance of addressing retaliation attempts immediately and publicly to create lasting cultural change in workplace dynamics.

Once workers see complaints being addressed effectively and fairly, it creates a positive ripple effect throughout the workplace. The visible success stories help break down initial hesitation or scepticism about the grievance process, as workers can see tangible evidence of the mechanism delivering results. When workers share their experiences informally with colleagues, it creates organic awareness through peer networks, as workers often trust the experiences of their peers more than formal communication. The combination of visible and successful resolutions and peer validation creates a self-reinforcing cycle where increased trust leads to greater utilisation of the mechanism, which in turn leads to more positive resolutions and further strengthens accessibility and awareness.

Clarity on Procedures and Outcomes

The Dindigul Agreement Year 1 Report appendix details the formal grievance policies and processes of the mechanism, providing a template for handling

complaints based on severity.⁴⁰ However, TTCU realised that the issues raised through the mechanism are diverse and complex, requiring flexible application of these guidelines. The actual resolution process involves collaborative decision-making between the different stakeholders of the Agreement, who work together to determine appropriate responses based on each case's specific context.

There is also an adaptation to workers' preferences for verbal communication over written procedures. Rather than expecting workers to navigate written policies, the system operates primarily through trusted intermediaries who are trained to communicate clearly and consistently about the procedure and outcomes of the grievance mechanism. The SFMs serve as the first point of contact, explaining processes and potential remedies in workers' preferred language, whilst senior union leaders provide guidance on grievance procedures and potential outcomes. A dedicated documentation officer keeps detailed written records, which are reviewed by the Agreement's oversight committee. This dual approach—verbal accessibility for workers combined with rigorous documentation for oversight—creates a system that is worker-friendly, but nevertheless maintains standardised, and thus predictable, procedures. TTCU's structured weekly presence and dialogue with management allows for a framework for swift grievance resolution, ensuring that all complaints are addressed in a timely manner. Even in more complex cases involving GBVH that require longer investigation periods or involvement of the Agreement signatories, the system ensures immediate protective measures are implemented promptly. When serious complaints arise, support structures are activated, such as the transfer or suspension of alleged perpetrators.

Workers are informed about potential remedial outcomes of the mechanism through a system that prioritises verbal communication while maintaining robust documentation. The Dindigul Agreement categorises violations by severity, with categories 1–3 addressing sexual harassment under the POSH Act and Category 4 covering Freedom of Association issues. This structured approach helps workers understand the severity of different violations and the available remedial outcomes. Through regular training on the Dindigul Agreement and its remedial actions for different types of grievances, workers can understand what to expect while having consistent access to trusted representatives who can explain outcomes in accessible terms. While workers are encouraged to express their desired outcomes freely, TTCU also plays an important role in managing expectations and facilitating realistic solutions. The focus remains on finding constructive solutions that address workers' legitimate concerns while ensuring the mechanism's practical sustainability and support from the factory management.

⁴⁰ AFWA, TTCU, and GLJ-ILRF.

Regarding outcome enforcement, there are clear escalation pathways in the Agreement to handle potential resistance to implementation of agreed-upon outcomes, including the involvement of senior company management and the Agreement's Oversight Committee.⁴¹ As a final measure, though not yet required so far, the Agreement includes the ultimate deterrent—brands potentially reconsidering their sourcing relationships if supplier factories fail to implement agreed outcomes.⁴²

Addressing Power Imbalances

A key challenge for grievance mechanisms is the inherent power imbalances between (potential) claimants and those administering the grievance mechanism, as well as the power imbalances inherent to the claim (e.g., complaining about a supervisor's behaviour).⁴³

TTCU believes that many critical workplace issues, particularly those involving verbal harassment and favouritism, would likely never be addressed without the Dindigul Agreement, as traditional human resources departments often dismiss these as minor concerns despite their serious impact on workers' mental well-being.

Local Voices

TTCU confronted a subtle but pernicious form of gender-based harassment involving a manager, who had established a discriminatory system where workers who displayed submissive behaviour were rewarded with preferred job assignments. Workers who maintained professional boundaries and refused to engage in this inappropriate dynamic faced punishment through constant reassignment to different roles, creating instability and stress in their work lives. This case was especially important because it exemplifies a form of harassment that traditional grievance mechanisms often fail to capture or address. The behaviour wasn't overt sexual harassment or explicit abuse, but rather a sophisticated form of power manipulation that exploited gender dynamics. TTCU's intervention was to recognise and name this behaviour as a form of gender-based harassment, address the subtle power dynamics that often go unchallenged in factory settings, and establish that maintaining professional boundaries shouldn't result in workplace punishment.

In another case, a worker raised a grievance that a line leader was scolding workers for bringing up complaints. TTCU ensured this was handled constructively by the Human Resources manager without causing undue conflict. The line leader was given an oral warning and educated on

⁴¹ AFWA, TTCU, and GLJ-ILRF. See also Fudge and LeBaron.

⁴² AFWA, TTCU, and GLJ-ILRF.

⁴³ Gläßer *et al.* See also F Haines and K Macdonald, 'Nonjudicial Business Regulation and Community Access to Remedy', *Regulation & Governance*, vol. 14, issue 4, 2020, pp. 840–860, <https://doi.org/10.1111/rego.12279>.

workplace harassment policies, specifically emphasising the prohibition of verbal harassment and the importance of respectful communication. The involvement of TTCU, alongside the SFMs, provided workers a safe and accessible channel to voice their concerns independently of the line leader without fear of retaliation. This balanced the inherent power disparity between workers and their supervisor, allowing the grievance to be heard and addressed.

When workers are dissatisfied with either the procedure used to address their grievance or the outcome of a grievance handling process, they have access to several levels of appeal through the Dindigul Agreement's multi-tiered set-up. This results in workers not being dependent on one person or process to have their grievances addressed, thus reducing power imbalances or dependencies that might arise from TTCU's central role in implementing the grievance mechanism. The first step allows workers to bring their concerns back to the union-management dialogue, where the case can be reviewed and discussed with fresh perspectives. Workers can also approach Human Resources directly with their concerns, bypassing the union structure completely, or address their complaint to the Dindigul Agreement staff. Additionally, workers retain their full rights to pursue grievances through government-established processes and legal mechanisms. By providing multiple independent pathways for raising concerns, the system ensures that scepticism or concerns about any available channel, including TTCU, do not prevent workers from seeking support. This reduced workers' dependence on a single entity or person to have their grievances addressed in an equitable manner.

Access to Information

While workers technically have access to documentation and information about their grievances submitted at any time, the reality is that the mechanism under the Dindigul Agreement operates primarily through verbal communication and relationships. This reflects the cultural context and workers' comfort levels with documentation. Most workers prefer to receive updates through direct conversations with their SFMs or union leaders during factory visits. Formal documentation and paper-based systems are still relatively new concepts for many workers in Tamil Nadu, where most employees are first-generation industrial workers with limited prior exposure to formal grievance processes. Historically, workplace interactions and dispute resolution in the Tamil Nadu garment industry have been rooted in trust-based relationships rather than formalised systems (even employment contracts in many garment factories continue to be based on verbal agreement). Written records and technology-based grievance systems remain secondary to these personal interactions. Many workers, particularly those with limited literacy or digital access, find documentation unfamiliar or even intimidating. Instead, they rely on these informal yet structured networks of communication, where grievances are tracked and followed up on through in-person conversations during factory visits, tea breaks, or at union meetings.

This shows how grievance mechanisms need to adapt to local cultural contexts and worker preferences rather than imposing formalistic systems that might feel alien or intimidating to workers. However, this more informal system does carry the risk of over-reliance on individual SFMs or union staff, which in turn might result in data being lost or not communicated consistently. TTCU tries to maintain a balance between formal documentation for accountability and the verbal, relationship-based communication that workers trust and prefer. The role of the documentation officer is an important addition to the Agreement, ensuring that information is collected and stored centrally and can be used for independent assessment and the compilation of the annual progress reports. The documentation officer also assists workers in writing down a complaint when they are uncomfortable doing so themselves.⁴⁴

Local Voices

TTCU prioritises communication in workers' preferred languages and local dialects, making sure updates and information are easily understood. Sometimes, this means explaining things multiple times or in different ways to ensure clarity. We have learnt that using relatable examples and simple terms is more effective than formal language. We believe that the strength of our system lies in its informality and accessibility. Workers do not need to schedule formal meetings or file paperwork to get updates—they can simply speak to their SFMs during their regular workday or approach union leaders during their weekly factory visits. This constant availability of trusted points of contact helps workers feel supported throughout the grievance process.

Human Rights-compatible Outcomes and Empowerment

The Dindigul Agreement grievance mechanism has adopted the definition of GBVH from ILO Convention 190 and integrated the requirements of India's POSH Act to safeguard employees from harassment and violence and thus aligns with prevalent human rights standards in the area of GBVH.⁴⁵

The Agreement furthermore takes a comprehensive approach to the evaluation of grievance outcomes that goes beyond individual satisfaction to consider broader workplace and community impacts on human rights. While the claimant's satisfaction with the resolution is important, the evaluation process applies a wider lens that considers multiple dimensions: the immediate needs and safety of the affected worker, potential implications for the broader worker community, and the effectiveness of outcome enforcement. This evaluation approach ensures that resolutions not only address individual grievances but also contribute to creating safer, more respectful workplace environments overall.

⁴⁴ Jerrentrup and Kuruvilla.

⁴⁵ *Ibid.*

The potential of grievance mechanisms to advance human rights beyond an individual case has so far been rarely discussed in academia.⁴⁶ The above-mentioned home-community-workplace linkage strategy employed by TTCU has resulted in human rights violations being not just recognised and addressed in the workplace, but in the wider lives of the workers at the production sites. Whilst we do not believe that this should be a (mandatory) assessment criterion for effectiveness of a grievance mechanism, we nevertheless share this perspective. If grievance mechanisms can be ‘rights-advancing’ in addition to ‘right-compatible’, they could become powerful engines of social transformation.

Local Voices

One of the most powerful examples of the broader impact of the grievance mechanism is in addressing domestic, gender-based violence. This was evident when a worker faced violence at home from her husband. An SFM not only helped her navigate the legal system but demonstrated true solidarity by sharing her workload during her crisis. When her husband’s behaviour threatened the woman’s job security, the SFMs intervened with management on her behalf, helped file a police complaint, and ensured she and her children could live in their house without facing harassment.

In another case, when a worker revealed she was being drugged and repeatedly assaulted by her husband, the response also demonstrated how workplace protections can extend into domestic spaces. An SFM mobilised comprehensive support—providing shelter at the union office, arranging legal support, coordinating counselling services, and working with factory management to ensure safe transportation. This allowed the claimant to continue working, showing how workplace support systems can provide crucial assistance in personal crises.

The confidence gained through the grievance mechanism has also empowered women to challenge broader social discrimination. After years of being forced to sit on the factory bus floor because of her caste, a Dalit⁴⁷ worker successfully challenged this discrimination with union support, ensuring no other Dalit woman would face similar treatment on that route. In another case, a worker who had been barred from her family temple for ten years after marrying across caste lines used her knowledge and confidence gained as an SFM to successfully appeal this discrimination through legal channels.

Women who have gained confidence through the SFM system now also approach community leaders with the same assurance they show on the factory floor. This was powerfully demonstrated in one remote village facing severe water scarcity. Women workers, already managing factory work and household duties, used their organising skills to demand change from village authorities regarding their accessibility to water. When initial demands went unheard, they strategically threatened to escalate the issue to district level authorities. The water supply improved within

⁴⁶ For a discussion on how grievance mechanisms can lead to societal changes through the adoption of a continuous system of learning, see Gläßer *et al.*

⁴⁷ The lowest stratum of castes in the Indian subcontinent.

two days, transforming their daily lives and reinforcing their collective bargaining power.

Systemic Learning and Improvement

The union leaders at the factory maintain work diaries where they record feedback from workers who have used the grievance mechanism. This grassroots data collection happens naturally through their regular interactions with workers in villages and at the workplace. During weekly sessions at the union office, these leaders bring their diaries and share the feedback they have collected. Additional insights are also gathered during regular village meetings, where workers often feel more comfortable speaking openly about their experiences with the grievance process.

As part of its monitoring practices, TTCU systematically evaluates worker experiences with the grievance mechanism through regular check-ins. These assessments capture a range of indicators, including the extent to which workers felt comfortable filing complaints and whether they understood the procedural steps involved. Attention is also given to whether workers received timely updates on the progress of their cases, and whether confidentiality was perceived as adequately protected. Monitoring further addresses potential negative consequences, such as experiences of retaliation, alongside positive outcomes, such as levels of satisfaction with the resolution. Finally, TTCU assesses workers' willingness to use the mechanism again in the future and solicits suggestions for improvement. Together, these measures provide valuable feedback for ensuring that the mechanism remains both effective and trusted.

Local Voices

An example of how data and experiences inform improvements to the grievance mechanism comes from the case of migrant worker representation. Through regular monitoring and feedback, it was discovered that the SFMs were not effectively able to represent Jharkhandi Adivasi⁴⁸ workers, creating a gap in the grievance mechanism's accessibility. This insight led to a significant structural change: the implementation of a more inclusive selection process for SFMs ensuring representation from each migrant community.

Social Dialogue and Stakeholder Engagement

Local Voices

Social dialogue can be difficult, particularly when engaging with the local management of the supplier factories in the aftermath of sensitive and intense campaigns or serious human rights violations. The process of building trust between non-unionised workers and the union, and then

⁴⁸ Workers from an indigenous community from Jharkhand state.

the union and the factory management, is gradual but fundamental to success. Initially, workers were reluctant to voice their concerns in meetings with management, fearing potential retaliation. We began by organising small group discussions in their villages, creating safer spaces where they felt comfortable sharing their thoughts. We then took these concerns to the management without sharing the names and details of the workers. We solved many grievances in this manner. This approach steadily built their confidence and now many women who previously remained silent even in village level settings actively participate in factory negotiations ‘under the neem tree’, directly engaging with the management. One of the most fascinating aspects of this work is observing how our personal backgrounds and individual characters influence workplace dynamics. Our upbringing and deeply embedded patriarchal attitudes create patterns that resist quick change. Initially, male supervisors found it challenging to accept feedback from women workers or union representatives. However, through sustained dialogue and awareness sessions, we’ve witnessed significant attitude shifts, with some of these supervisors now actively seeking input from women workers on how to run their units. Some managers used to think Dalit women could not do any ‘intellectual’ work around planning production, but the dialogue process made them understand the depth of knowledge that Dalit women have about running the factory, and this has challenged supervisors’ casteist assumptions.

Clear communication with workers plays a vital role in all social dialogue processes, not just those relating to the grievance mechanism. Prioritising local dialect and simple, accessible language when engaging with workers ensures meaningful participation can occur as part of the daily exchange between local management, the unions, and the workers. Maintaining the delicate balance between worker solidarity and constructive management dialogue also requires careful calibration. TTCU has learnt to advocate firmly for important issues while always prioritising a respectful approach towards the factory leadership. This balanced strategy has enabled the union to achieve significant improvements in working conditions while preserving positive industrial relations with the local supplier.

Local Voices

Our experience has shown that social dialogue must primarily function as a local process rather than being solely top-down. The Dindigul Agreement exemplifies this approach, prioritising local engagement while limiting higher-level processes with brands, supplier owners, and international non-governmental organisations to quarterly reviews. This locally focused system proves both more effective and more economical than top-heavy alternatives. Community-based trade unions understand the daily experiences, cultural nuances, and specific challenges their members face. The workplace reflects our society’s complex social dynamics—caste, class, and gender hierarchies are all present and impact how people interact and how problems are addressed. Companies must be sensitive to these intersecting identities and power structures. For instance, in our experience, a woman worker from a marginalised caste faces different challenges than others in accessing a grievance mechanism, and these nuances must be understood for meaningful dialogue. She might hesitate to report harassment to a grievance committee member who belongs to a dominant caste, fearing her complaint won’t be taken seriously or might be dismissed. She might face additional intimidation if the perpetrator is from a dominant caste. Even within worker groups or in an

interaction with a Human Resources manager, these social dynamics can affect who speaks up in meetings, whose opinions are valued, and how problems are prioritised.

The Dindigul Agreement has created a meaningful bridge between workers and global buyer companies. First and foremost, workers now know which brands are sourcing from their factory, which is not very common in Tamil Nadu garment factories. This transparency is crucial because it fundamentally shifts power dynamics in the workplace. When workers know which brands they are producing for, and understand these brands' commitments to ethical sourcing, they have stronger leverage in workplace negotiations and greater confidence in asserting their labour and human rights. Through the grievance mechanism, workers know they have a channel to reach these global companies if serious issues arise. This access is not just theoretical—workers understand the practical steps they can take to escalate issues when necessary. The mechanism creates a clear line of communication that extends from the factory floor to global boardrooms, making workers feel less isolated and more connected to the broader supply chain.

Local Voices

Sustainable change comes from empowering local actors. When workers and local management develop their own solutions, they are more likely to be effective and lasting. For companies in the Global North, this means shifting from a controlling to a supporting role. Their resources and influence should strengthen local capacity rather than replace it. This might include providing training requested by local unions and suppliers, supporting documentation of local best practices, or helping create spaces for worker-management dialogue.

The TTCU Organising Model as a Catalyst for an Effective Grievance Mechanism

The positive track-record of the Dindigul Agreement grievance mechanism is not just the result of having formalised processes in place, and neither can the involvement of any union or community organisation ensure these successes will be automatically replicated in another setting. TTCU's model integrates grievance redressal into broader systems of worker organisation, trust-building, and collective advocacy, which in turn can result in a mechanism that develops organically to fulfil many criteria for grievance mechanisms found in due diligence legislation. Any union or organisation involved in a mechanism needs to face some scrutiny themselves, since they are not immune to reproducing the discrimination or dependencies prevalent in the supply chain and wider society. TTCU's background and standing needs to be considered when reflecting on the implementation of the grievance mechanism examined in this article.

As mentioned above, the recognition of the interconnections between the workers' domestic, workplace and social realities is crucial to the success of the

Dindigul Agreement grievance mechanism. Building legitimacy through a culture of community care and engagement has proven essential to build awareness of and reliance on the mechanism. Ultimately, this integration has led not just to workplace improvements, but to a wider societal change regarding discrimination and GBVH across Tamil Nadu. TTCU's decade-long presence in Dindigul has cultivated organic trust among workers, enabling the union to act as a credible and legitimate intermediary between workers and employers. TTCU's emphasis on participatory dialogue ensures that grievance resolution is not a top-down bureaucratic process but a collaborative and evolving practice. The mechanism is embedded in continuous learning, using each case as an opportunity to refine processes and build institutional capacity for addressing future challenges. Its funding through workers' membership fees creates a sense of ownership and accountability for workers, as well as an independence from external sources of funding. Additionally, since TTCU leadership comes directly from the garment worker community, they can ensure that they and their representatives share the lived experiences of the workers they represent. This proximity encourages workers to engage with the union and the mechanism. It also means grievances are addressed in ways that reflect workers' priorities and their realities, rather than being filtered through external intermediaries.

Unlike many mainstream unions, TTCU is explicitly committed to gender and caste equity within its internal structures, promoting Dalit women into leadership roles and enforcing a zero-tolerance approach to discrimination. This not only reflects internal accountability but also signals to workers, particularly those historically excluded from union spaces, that the grievance mechanism is designed to serve their needs fairly and transparently.

Conclusion

TTCU's organising model and their involvement in the implementation of the Dindigul Agreement grievance mechanism can be viewed as agenda-setting,⁴⁹ where the grievance mechanism represents an equitable enforcement tool that is backed by the local supplier company and achieves tangible and positive outcomes for workers and their wider community. The Agreement also showcases how grievance mechanisms can foster company-community relations, acting as an engagement tool, a means of conflict management, and part of company-community agreement-making⁵⁰ that can serve as an example of how to implement meaningful stakeholder engagement in the supply chain. Indeed, 'the Dindigul Agreement is [...] capable of meeting the labour rights requirements of the most

⁴⁹ Grama.

⁵⁰ Marshall *et al.*

robust MHRDD laws⁵¹ and thus provides an intriguing case study not just for scholarly debate, but also for corporate practice and advocates for more effective remedial justice in supply chains.

In and of itself, the involvement of worker representation does not resolve all challenges experienced in the process of designing and implementing grievance mechanisms, nor do we wish to present the Dindigul Agreement grievance mechanism as one without flaws. Our analysis is meant to highlight how grievance mechanisms operate in local realities and how our understanding of them can be deepened by carefully studying the cultural and local contexts they operate in, and most importantly, the outcomes they produce for workers.⁵²

Creating an environment where workers feel safe enough to use a mechanism, where local factory management sees value in supporting it, and everyone trusts that it will be fair and effective seems a dauntingly difficult task. No such mechanism can be created out of a vacuum and be perfect at inception. Implementing a grievance mechanism is an iterative process;⁵³ simply copying written policies or procedures cannot replicate an effective mechanism, even though such an action can indeed provide a mechanism with a strong basis. We argue that having a local community organisation or union involved at the heart of the mechanism can also provide a stable foundation from where the grievance mechanism can grow and evolve with the agenda of providing effective remedial outcomes and fostering company-community relationships.

One important contribution that companies can make to strengthen the impact of grievance mechanisms and their outcomes is to establish long-term sourcing relationships with local suppliers. Without them, suppliers have little incentive to make or maintain improvements in working conditions or maintain an effective grievance mechanism.

Creating effective grievance mechanisms can be challenging, but this should not lead to neglecting their potential both as a driver and a source of societal transformation and human rights activism. We hope that this article provides an instructive example of how stakeholder engagement can be a catalyst for effective grievance mechanisms and serve as inspiration for scholars and practitioners to prioritise local voices and realities.

⁵¹ Fudge and LeBaron.

⁵² See also Harrison and Wielga.

⁵³ See also Gläßer *et al.*

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