

Govt. Bangla college , Dhaka



Department of Marketing

Term Paper

On

Industrial Safety and Security of RMG Sector of
Bangladesh.

Submitted To:

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Letter of Transmittal

To

Rowank Jahan

Associate Professor

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Subject: Submission of the Term Paper.

Dear Sir,

Here I present my Term Paper titled “**Industrial Safety and Security of RMG Sector of Bangladesh**” with due gratitude and appreciation. As per partial fulfillment of the requirements for the BBA (Hon's) 4th year, I have completed the Term paper.

The term paper program has given me the opportunity to learn about different aspects of a reputed organization. Before facing the real business world, I have gathered a pre idea about the organization culture.

To prepare this report both the primary and secondary data have been used. A survey was conducted for getting real information from the customers who have already taken. However; I have gathered all the facts that I could within this short period & have tried my best to present them clearly and logically. Despite of limitations, I sincerely hope that my report will meet the requirements that you set for me.

For further query please do contact with me.

Yours faithfully

.....

Sharmin Akter Mimi Shimu

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Student Declaration

I do hereby declare that this report titled “**Industrial Safety and Security of RMG Sector of Bangladesh**” has been written by me during year of 2023 under the valuable guidance Rownak Jahan, Associate Professor, Department of Marketing, Govt. Bangla College, Dhaka in fulfillment of the requirements for the award of BBA .I am also declaring that I have not submitted this report for any degree, diploma and title recognition before.

.....

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Certificate of Supervisor

This is to certify that the dissertation or research monograph on "**Industrial Safety and Security of RMG Sector of Bangladesh**" is done by **Sharmin Akter Mimi Shimu** Class Roll: 15073, Reg. No: 19623000072, in partial fulfillment of the requirement for the BBA (Hon's) 4th Year from Govt. Bangla College.

The dissertation has been carried out under my guidance and is a record of the bourine work carried out successfully.

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ROWNAK JAHAN

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Abstract

The Garment and textile sector in Bangladesh is essentially the lifeline for both urban and rural poor in terms that it is the only major labor intensive sector with huge employment generating potential. Half of the Bangladesh population is still dependent on agriculture, facing the worst poverty situations. There is a fast growing service sector and it contributes about 50percent of GDP, but its contribution in employment is only 34.6 percent. Despite the phenomenal success of the RMG sector, poor working conditions in the factories and the lack of social compliance are other serious concerns. Recent massacre of Rana plaza and Tazreen Fashions reflects the untold story of Safety and Workplace Conditions in the garment and textile sector in Bangladesh. It has been the subject of much concern lately caused by several recent deadly disasters claiming hundreds of human lives and resulted in much debate, both in the country itself and internationally among stakeholders such as buying houses, producers, employers' associations, trade unions, governments, and NGO's. The research aim to figure out the unresolved issues regarding Health and safety status of the garments workers, states the necessity of Health & Safety policies in work place and attempts to provide a useful guideline for building proper Health & Safety plan for present garments manufactures & exporters.

Acronym:

BGMEA	Bangladesh Garments Manufacturers and Exporters Association
BILS	Bangladesh Institute of Labor Studies
OSH	Occupational Safety and Hazard
GDP	Gross Domestic Production
FDI	Foreign Direct Investment
LU	Labor Union
MFA	Multi- Fiber Arrangement
RMG	Readymade Garments
EPZ	Export Processing Zone

Chapter 1

1.1: Introduction

Bangladesh as an emerging tiger has largest democracy with the continuous economic growth 6%- 7.5%. Resilient high growth economy leads to new businesses, everyday in every possible sector. Taking Purchasing Power Parity (PPP) into account Bangladesh is the 44th largest economy in the world. JP Morgan has included Bangladesh among their shortlists of “transitional states likely to succeed”. Bangladesh is also listed in the N-11 (next 11) by the Goldman Sachs Group, Inc. RMG, the mainstay of Bangladesh economy, accounts for 78% of country’s export economy. Bangladesh became the 2nd largest apparel exporting country in the world. During the fiscal year 2010-2011 RMG export totaled USD17.91 billion, a 43% increase over previous year. Recently WTO has ranked Bangladesh as the 4th largest exporter of readymade garments“ in the world. Textiles and Readymade Garments“ sector contributes 13% of GDP and employs more than 3.6 million people, including 80% of them is women. The industry has created a platform for 2.8 million women to engage in new productive role in the society and empowering them, RMG is playing a significant role to alleviate poverty through skills development and employment generation. Around 20 million people are directly and indirectly depending on this sector for their immediate livelihoods. It has brought benefit and blessings for millions of people in the country.



Figure 1, RMG factory in Bangladesh (Mudditt, 2010)

Along with bringing recognition and positive appraisal for the nation, textile and RMG industry also hold the record of experiencing some worst industrial accidents in the country. Since 1990, 22 factory fires took the lives of nearly 300 garment workers and injured more than 2,500 (World Bank statistics, June 2000). Recent tragedies

include a fire in a garment factory near Dhaka in January 2011, which killed at least 22 workers. Last May 2010, seven people died in a stampede following a false fire alarm. In November 2000, at least 48 workers died and more than 150 were injured when they were trapped behind a locked fire exit of a burning factory. The worst industrial accident in Bangladesh's history happened in the early hours of April 2011. This year when a nine-storey factory collapsed and ended the lives of 149 garment workers, who were performing nightshift duties at a factory of Spectrum Sweater Industries Ltd. in Palashbari, located some 30 km off the city of Dhaka. Fire incidents have killed more than 350 workers since 1990. A factory collapse killed 60 workers in 2005 here unaccounted for other non-fatal injuries-falls, machinery related, struck by/against, cutting & piercing, etc. Sudden collapse of 7 storied garments factory "Rana plaza" in Savar on April 24 this year, is the worst incident in the world history which took lives of approximately 1200 workers and left more than 200 people still traumatized. The of hazards in the Garments Industry of Bangladesh includes crowded conditions, exposed operating machines, electrical connections are crude and unsafe, a few or no fire extinguishers inaccessible or malfunctioning, no fire practice is ever performed, managers and workers are not trained to understand health and safety issues, stairs and floors used as storage; gates remain closed even in emergency; factory not designed as commercial facility, narrow aisles for firefighters to enter and rescue (Musarrat, 2001). Taking advantage of poor surveillance of concerned authority's rules, laws and codes are often violated in construction sector of our country and factory buildings are no exception.

Since May 2006, the Bangladesh RMG Industry has been beset with very serious labor unrest, resulting in large-scale damage to garments factories by the workers and at times threatening the very existence of this industry.

The major disputes concern wages, working hours, appointment procedures, forced labor, child labor, health and safety, security, gender discrimination and sexual harassment, and trade unionism. Non-compliance of workplace health, safety and security regulations lead to hazardous work environments in which many workers become sick or injured, or lose their lives through accidents, fires and stampedes (Delap E., 2001). Overall, according to a monitoring report by the Fair Labor Association (2005, cited in Bansari, 2010) entitled Workplace Code of Conduct Violations in Clothing Factories, Bangladesh performs poorly compared with other Asian countries in the areas of awareness of labor standard codes, forced labor, and harassment, although violations of working hour standards are slightly lower than the

other Asian countries except China. However, labor standards in the RMG sector in Bangladesh are generally considered to be poor, they are lower than in comparable. As a result, the RMG industries in Bangladesh have been facing considerable pressure from international buyers for compliance with their Codes of Conduct.

The ILO Declaration on Fundamental Principles and Rights at Work (1998) contains minimum labor standards (ILO, 2006). The ILO governing body has developed eight core conventions, covering four fundamental principles and rights: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labor; the effective abolition of child labor; and the elimination of discrimination in respect of employment and occupation (ILO, 2000). As a signatory to the ILO conventions Bangladesh has ratified the ILO core conventions, but a survey undertaken by Bansari in 2007 found that implementation is poor, and that compliance with international labor standards has declined in several areas, especially union rights, anti-discrimination provisions, and other labor standards related to wages and hours.

In the conditions as abovementioned, this paper is proposed to appraise the design of garments factories from a safety point of view. The paper would focus on literatures, interviews and case study on previous incidence to find out the health and safety issues of the garments workers in a RMG factory. The study would propose suggestion to alleviate the chances of casualty in RMG factories.

1.2: Objectives

The Broad Objective of the report is to provide an idea about the existing health and safety condition in the Garments of Bangladesh.

The Specific Objectives of the report is to apprehend the following:

- Analyze the present Health & Safety situation in workplace of Garments industry of Bangladesh
- Present necessity of Health & Safety policies in work place & invented implementation in developed countries
- Present guidelines for building proper Health & Safety plan for present garments manufactures & exporters.

1.3: Justification

This report will be very productive and helpful for any ready garments manufacturer for ensuring proper Health & Safe environment within his/her organization by establishing a proper Health & Safety plan. Not only that this report will provide formal guidelines lines for building the HS Policy, but on the other hand it will help the manufactures to understand the necessity of the policy because example of developed countries & few goods manufactures are mentioned here. From the case study of past unexpected incidents the garments manufactures can discover that what kind of loss in the previous various garments organizations occurred because of lack of Health & Safety policy.

1.4: Limitations of the study

- Because of limitation of time and resource, this report is prepared mostly based on the collected secondary data from various electronic journals of home.
- More recent news & reasons can be presented if data are collected after building a primary questionnaire for conducting a survey among a good number of garments workers of Bangladesh who are now working in very unhealthy & risky environment.
- One of the major limitations for preparing a report was confidentiality. Collecting information was particularly difficult because most information was garments oriented and thus could not be quoted in the report.
- Taking pictures within most areas of the premises was not allowed due to the risk of them being part of each garment's secrets. The confidentiality constraints limited a great portion of the researcher's ability to collect and analyze data.
- For time constraint, identifying the sources for collecting information since the process involved a lot of personnel. The researcher was also unable to interview many important personnel due to their unavailability.
- Again, the garments were visited on March 7, 2023. If any changes have been brought in the production process of the factory after this date, it is not incorporated here.

- Research findings will be more accurate if the number of sample was higher. The limited access and due to technical limitations the research was only confined within two garments factory.

1.5: Methodology

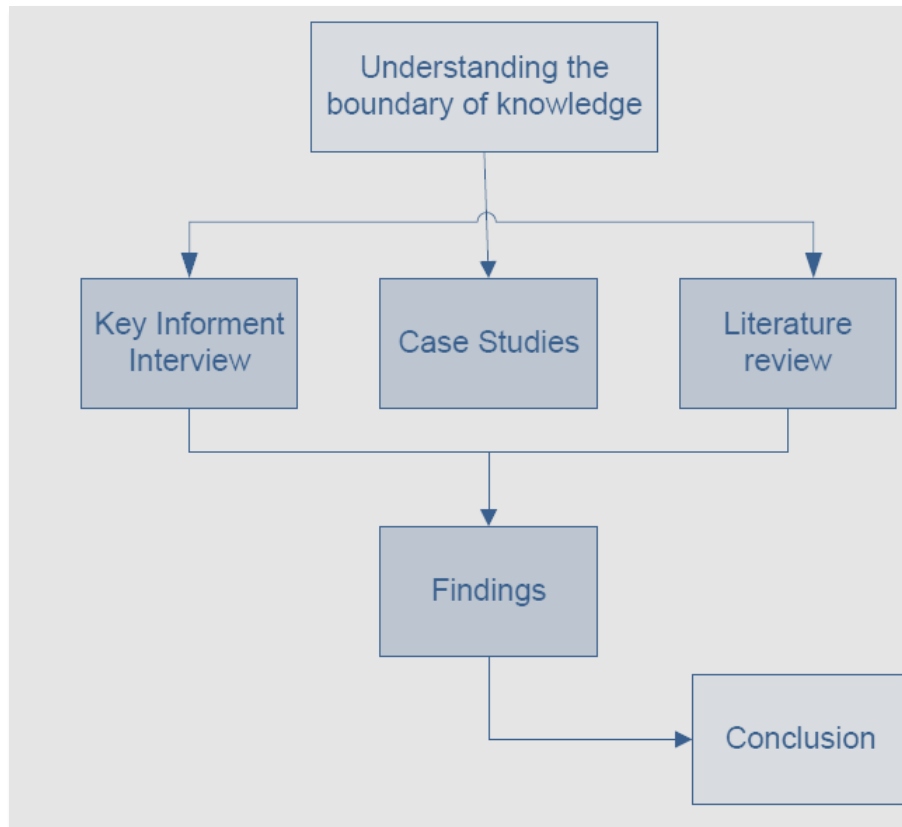


Figure 2: Methodology

The methodology diagram for the study is given above. As it can be seen in the illustration, the part (understanding the boundary of knowledge) consists of KII (Key Informant Interview), case studies and literature review. Chapter 2 and 3 is composed of this part of the work. Aim of this portion is to understand the existing boundary of knowledge from primary and secondary sources. The findings from this portion will be analyzed and compiled in chapter 3 and 4.

This research seeks to evaluate and study the current status and examine working conditions in the Bangladesh ready-made garment sector. The samples of the study are New Delta Garments and Falcon Garments. The report has been compiled through both primary and secondary research. As the primary source of the report, the researcher conducted various exclusive interviews and Focused Group Discussion (FGD) among the garments worker. A semi structured questionnaire was used to conduct the interviews. Secondary data was collected various studies made available

through library work and via searching through journals available in the Internet. The collected data has been interpreted to complete the report. The researcher has undertaken an extensive literature survey in order to review the historical perspective of the garments industry, working conditions and environment, labor standards and labor rights issues, as well as this lack of Social compliance.

1.6: Research Question

The focus of the Research is – “Price of blood and sweat: Garments workers safety in Bangladesh”. This study aims to answer the following questions:

- What is the present condition of Garments workers in terms of Occupational Safety?
- What is the importance for workplace safety in case of a Garments Industry?

Chapter2

2.0 Literature Review

Many researchers have investigated working conditions in the Bangladesh garments industry. For ensuring the understanding the existing boundary of knowledge, high emphasis has been given in literature review. A lot of literature on garments industry is available, but most of them focus on labor rights, gender issues etc. which are not relevant to this paper. Less literature with relevance to health, safety and accident issues are found.

The occupational health and safety service in Bangladesh is still in the developmental stage. Here the occupational health & safety refers mainly to needs of workers of industries or some manufacturing processes but does not completely cover all occupations of the country. The main laws related to occupational health & safety in this country is the Factory Act 1965 and the Factory Rule of 1979. There are a number of other laws and regulations that are also have some provisions related to occupational health and safety. These laws have provisions on occupational hygiene, occupational diseases, industrial accidents, protection of women and young persons in dangerous occupations and also cover conditions of work, working hours, welfare

facilities, holidays, leave etc. But most of the laws are lacking in standard values and not specific rather general in nature.

For certain work environment factors, manufacturing process, machineries and toxic substances, certain levels or concentrations of substances in the air have been recommended by various international organization and agencies, which are considered to be safe, are implemented in the respective countries. In USA Occupational Safety and Health Administration (OSHA) are referred for the permissible levels or various standards limits for working environment. In Bangladesh no such organization or agencies have been developed which could be a referral center for different standard or occupational permissible limits. As such the prevalent rules and regulations in Bangladesh are insufficient or inadequate in terms of standards and permissible limits. Moreover, the enforcement department, the department of inspection, which is poor in quantity as well quality, could not effectively enforce to improve the occupational safety and health in Bangladesh.

In Bangladesh, as in most countries in the west the responsibility for health and safety at work is placed on the employer, although the government has some kind of occupational health care services and safety standards. Occupational health services are provided as benefits by employers and generally are separate from other community health services. In the developing countries, many of which are undergoing rapid industrialization, the importance of occupational health is increasingly realized. It is of concern that in Bangladesh like other developing countries pre-existing malnutrition and a high incidence of infectious disease, however, frequently compound the problems of exposure to occupational hazards.

The labor laws in Bangladesh have been framed which requires employers to undertake corrective measures on occupational safety and health. Lack of awareness, training, non-compliances of the OSH standards by the employers, the negative involvement of the workers could not achieve the goal of providing safety and health to the workers as intended by the laws.

In Bangladesh, as in other developing nations the major considerations in industries are higher production and greater economic returns. The main economics centered on the employer's benefit. Little importance is focused on the social costs in terms of impacts on workers, society, and the environment. The impacts are compounded by inappropriate value of life considerations, pain and suffering, opportunity costs and questions of equity. The estimates of direct economic costs and benefits are usually made keeping aside the ethical liabilities to the society as a whole. Entrepreneurs

often consider the regulatory compliances and related administrative costs deterrent to productivity. As such occupational health & safety considerations remains ignored. Working conditions in the RMG sector are below standard and do not meet the ILO standards. Standards and rights are commonly ignored in the RMG factories in Bangladesh: poor practices include the absence of trade unions, informal recruitment, and irregular payment, sudden termination, wage discrimination, excessive work, and abusing child. Moreover workers suffer various kinds of diseases due to the unhygienic environment and a number of workers are killed in workplace accidents, fires and panic stampedes. Recent incidents of Rana Plaza (April, 2013), Fire in Tazreen Fashions and Hameem Group are the lessons for garments factory. Absence of an appropriate mechanism to ensure the enforceability of the available laws for protecting workers' rights and maintaining workplace safety continues to be a concern in the RMG sector. As the sector is an important foreign exchange earning component, some changes are required.

In Bangladesh Occupational Health and Safety generally refers mainly to needs of workers of industries or some manufacturing process but does not completely cover all recognized occupations of the country.

In the Fifth Five Year Plan (1997-2002) for the labor and manpower sector the objectives relatable to OSH are:

- a. "To ensure fair wages, welfare and social protection of workers under the structural adjustment programs adopted by the government."
- b. "To initiate steps to protect children from economic exploitation."

To achieve the objectives of the Fifth Five Year Plan (1997-2002) for the labor and manpower sector the strategies relatable to OSH that were to be pursued are:

- a. "Review of existing labor related laws, rules, regulations and directives and adoption of necessary modifications."
- b. "Stress on gradual elimination of child labor and protection of children from economic exploitation and hazardous work."

In the Fifth Five Year Plan (1997-2002) for the health population and family welfare sector some scope for further development in the sector against the background that 'with increased urbanization and industrialization, the number of burn and trauma cases due to traffic and industrial accidents, unsafe use of chemicals, fire, etc., has been increasing every year'.

ILO Convention regarding Occupational Safety and Health:

Until now 31 ILO conventions have been ratified by Bangladesh. The ILO convention C 155 and C161 are concerned with the Occupational Safety and Health and the Occupational Health Services respectively. The aim of the policy of the convention C155 is to prevent occupational accidents and injury to health and illnesses by identification and minimizing the causes of hazards in the working environment. The aim of the convention C161 is to establish and maintain a safe and healthy working environment which will facilitate optimal physical and mental health in relation to work. Although these convention are not yet ratified in Bangladesh but many of the recommendations of these conventions have been practiced to some extent through the implementations of existing various laws and regulations. In the Factory Act 1965 and Factory Rules 1979 and in some other laws and regulations there are various chapters that are relatable to OSH. But by the existing laws and regulations qualitative inspections regarding safety and health in the working is possible but could not be monitored in terms of quantitative standard values and permissible limits.

Bangladeshi exporters have been under continuous pressure to comply with international standards. Ensuring Social compliance is very important in the garments industries to both maintain quality of products as well as meeting the expectations of the export market. However, Bangladeshi exporters have been under continuous pressure to comply with international standards. Therefore, an effective initiative by the Government in this regard can provide a basis for regard can provide a basis for negotiating with buyers for a unique set of Codes of Conduct, based on national laws and core standards. At the same time, significant reform of the relevant agencies along with sufficient strength and skills to perform their duties and responsibilities is a prerequisite to monitor Social compliance.

Working conditions in the RMG sector frequently violate international standards, and Codes of Conduct (Qudus and Uddin S., 1993; Dasgupta S., 2002). Work areas are often overcrowded with limited workspaces, causing occupational hazards such as musculoskeletal disorders and contagious diseases. Injuries, fatalities, disablement and death from fire and building collapses are frequent in the RMG sector (Majumder P, 1998). The absence of standards monitoring system and ineffective building codes, poor enforcement and outdated laws, and a lack of awareness of rights among workers.

Recruitment policies are highly informal compared to western standards and there are no written formal contracts and appointment letters. They are therefore vulnerable to

losing their jobs at any time. However, fear of losing their jobs and lack of alternative job opportunities compel workers to continue in unsatisfactory employment (Bansari, 2010).

Kumar (2006) focuses; Garments workers are concerned with long working hours or double consecutive shifts, personally unsafe work environment, poor working conditions, wage and gender discrimination. Indeed, employers treat the RMG workers as slaves, exploiting workers to increase their profit margins and keep their industry competitive in the face of increasing international competition (Kumar A., 2006).

Continuous work schedule, wage penalties, physical and verbal abuse are common. Women workers face physical abuse and sexual harassment inside as well as outside the factories, but management does not ensure the security of women workers. Alam (2004) suggested regulatory measures and its strict implementation and monitoring by the government agency that could overcome work place in security problem of garments workers in Bangladesh.



Figure 3: Hameem Group's Factory in blaze, 14 December 2010

(Bilaj, 2010)

Fires have been a persistent problem in the country's readymade garment (RMG) industry for over a decade. Bangladesh has over 4,500 RMG factories, which employ more than four million workers and account for US\$19 billion in exports. The country's comparative advantage is low costs - the minimum wage for workers is a

mere Tk 3000 (S37) per month. As keeping costs low has been one of the keys to the sector's success in Bangladesh, there are strong disincentives to make necessary investments in worker safety. While improvements have been made over the years, the safety record of the Bangladesh RMG industry remains poor' There is some disagreement about the number of worker deaths in the industry. According to the Bangladesh Institute of Labor Studies (BILS), 413 workers died in major fire. However, according to Bangladesh Fire Department, 414 garment workers were killed in 213 factory fires between 2006 and 2009 alone. A further 79 workers lost their lives in 2010 in 21 separate recorded incidents.iii The high death toll from these incidents reflects not only substandard buildings but poor emergency procedures, inadequate and blocked fire exits and overcrowded workplaces. In Bangladesh, most of the accidents in readymade garments industry have occurred from fire and its subsequent impact on human mind (panic, stampede etc.). Other incidences like collapse of buildings (readymade garments industry) have also claimed high toll on human lives and property. The substandard equipments fail to control proper electrical flow, causing over heat, spark or fire. (Akther, Salahuddin, Iqbal, Malek, & Jahan, 2010) further added causes such as unplanned work environment, disorganized workers, electric short circuit, faulty electrical wiring, smoking materials, boiler explosion, kitchen stove and carelessness, fire from existing structure, poor building design etc. as contributing sources for fire breakout in a garments factory.

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
	32	05	N.A	12	05	09	10	13	N.A	N.A
Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
	60	N.A	N.A	N.A	23	23	62	N.A	43	02
Year	2010	2011								
	50									

Figure 4: Deaths in fire accidents in garments industries in Dhaka (Fire Service and Civil Defense, 2011)

It is also found that cause of death is usually not the fire directly. Most of workers have died due to stampede, locked exit route, inadequate number of stairs, deliberately blocked pathways, smoke and suffocation.

Labor unrest is common in the RMG sector. In most cases, employers do not draw attention to workers' rights and ignore standards and discarding fair practices.



Figure 5: Garments Worker protest in the street of Gazipur, in demand of fair wage

Formation of a trade union is often thwarted by severe repression, dismissal, arrest, assault by hooligans hired by employers, and other practices which are in violation of the international standards and Codes of Conduct (ILO, 2003).

Morshed advocates the key role of Cambodian unions in the clothing sector and as mediator's between workers and factory owners to settle disputes and discuss wages (Morshed, 2007). To avoid unrest in the RMG sector, Khan (2006) argued for strengthening Social compliance issues and standards to improve wages, working hours, overtime, job security, the right to form trade unions, social security and also occupational health and safety.

Bangladesh is considered to have the child problem especially in the RMG sector. In most cases, children often commence work at a very young age; as a result, they are suffering serious injuries and sometimes death in the workplace (Rahman, Khanam, and Nur 1999).

The working environment in Bangladesh RMG sector is below standards. Most factories do not have adequate ventilation and exhaust fans that leave the garments workers exposed to toxic substances and dust. Raw materials contain dust and fiber particles that hang in the air. Dye, a toxic substance emitted from colored cloth, spreads in the workroom. As a result, many workers suffer from various diseases such as constant fatigue, headaches, anemia, fever, chest, stomach, eye and ear pain, cough and cold, diarrhea, dysentery, urinary tract infection and reproductive health problems due to overwork, uncongenial working conditions, and wide-ranging labor law violations (Paul-Majumder, 1996).

Health and Safety regulations, as prescribed in Factory Rules 1979 (Absar S.S., 2001; Begum A., 1995) are routinely ignored by management and are hardly enforced by government.

Chapter 3

3.0 Research Findings

1. Labor rights violations in the factories

Without effective enforcement of the Labor Law, Bangladeshi workers continue to face dire conditions. This research includes interviews with over 20 garment workers, has revealed a rough pattern of labor law violations in Bangladesh's garment factories which is belied to be the reflection of other workers opinion. Workers described a series of issues, including unsafe factories, unpaid overtime, and lack of benefit, gender discrimination and paltry wages that do not cover basic expenses. Their opinion about the situation is evidence of a failure to implement existing labor legislation and also to ensure a decent life for millions of workers and their families.

2. Ignored Safety issues:

Bangladeshi labor law states that employers must ensure that basic standards for health and safety in the workplace are complied with. Due to negligence of the safety measures and compliance by the owners, the both factories were unfit and improper workplace. Despite this law, health and safety violations are rife in Bangladesh's garment factories. Over 70% of workers said that their workplace lacked safe drinking water, even though many factories are poorly ventilated and often reach blistering temperatures. An even higher percentage of workers (87%) reported that the factory where they worked did not have a functioning fire escape. The factory building did not have a proper fire exit and the staircase was narrower than is required.

The fire exits were locked and if the fire breaks out in any case, the workers would be trapped inside the factory building. It is clearly written in the safety rules and compliance that they have to have a proper staircase of a certain width and that the exits should not be locked. They did not have a fire hose, which can at least prevent horrifying accidents like in Tazreen Fashion and Hameem Group. There were no trained workers who can help the unfortunate to escape off.

Moreover, only 23% of those interviewed said they had access to toilet facilities

3. Grueling hours and unpaid leave

In spite of legislation limiting working time to no more than eight hours per day and 48 hours in a week, excessive working hours are still the norm rather than the exception. Nearly half of the workers interviewed as part of the study worked between 13 and 16 hours a day; 67% stated that they regularly worked more than eight hours a day. In addition, 78% of workers were put on the night shift, at times remaining at the factory until 3am and returning at 7am that same morning for another day of work. Bangladeshi law also stipulates that workers must receive 10 days of paid holiday plus a further 11 days leave for the Eid festival. However, out of the 1,203

Workers interviewed more than half responded that they are granted 10 days or less of the total 21 days of annual leave. Only 9% received their full allotment of paid holiday including time off for Eid. Although workers are entitled to 14 days' paid sick leave, many of them explained that their employers pressure them into working through illness. No worker reported ever receiving paid sick leave. For the female workers there is no option of maternal leave.

4. A failure of enforcement

While the passage of the Bangladesh Labor Law marked an important step towards justice for garment workers, factory conditions have not improved and workers continue to earn well below a living wage. The failure of the law to bring about lasting change in the lives of workers is due to lack of enforcement of its key provisions. From the research work, one thing evident is that the lack of monitoring and proper execution of the law is responsible for this exacerbated situation. The Bangladesh Ministry of Labor and Employment has primary responsibility for monitoring enforcement of the Labor Law. However, resources allocated to the Ministry are woefully insufficient: last there were only 20 inspectors responsible for monitoring the conditions of more than 20,000 factories, and other related businesses across Bangladesh. There are other voluntary associations that have been set up by the factories themselves that purport to play an important role in enforcing labor standards in the garment sector. The Bangladesh Garment Manufacturers and Exporters Association and the Bangladesh Knitwear Manufacturers and Exporters Association were both established by the garment industry to monitor and report on the implementation of the Labor Law in factories. Such compliance associations

operate outside any enforceable legal framework, and have proven unwilling to pursue any cases of non-compliance in their member factories. Many multinational companies are supplied by Bangladeshi factories, including British retailers Tesco, Asda and Primark. These companies wield enormous influence over their foreign suppliers, and the pressure placed on these suppliers leads to lower wages and deteriorating conditions for workers.

Within the UN Guiding Principles it is the role of national governments to “Protect” their citizens from human rights impacts of business operations. This should include actions to prevent and investigate abuses as well as measures to punish and redress. Where abuses are taking place as a result of business practices governments carry responsibility if they fail to take appropriate steps to prevent abuses occurring.

Although Bangladesh does have regulations in regard to building safety they are not sufficient to provide real protection to workers. Furthermore the government's ability to enforce even these limited regulations is woeful. According to a report by the Bangladesh Occupational Safety, Health and Environment Foundation (OSHE) in 2008 there were only eighty personnel involved in inspection activities for the entire country – divided among four major cities – with jurisdiction over 24,299 registered factories, roughly three million shops and establishments, and two major ports. Of these personnel, only twenty were solely responsible for occupational health and safety issues.

According to a report to the ILO in 2011 the number of inspectors had increased to 93, although the number of new workplaces has also dramatically increased during this period.

Bangladesh's failure to implement a robust and credible labor inspectorate has regularly been criticized by the ILO Committee of Experts. In the 2011 Report of the Committee of Experts to the ILO Congress it criticized the failure of the Bangladesh government to increase investment in its labor inspectorate, to recruit more labor inspectors or to properly train those already working. It also raised concerns in regard to the practice of providing significant advance notice of inspections and the authority and credibility of the inspectorate.

Chapter 4:

Recommendations



Figure 2: Standard Workplace for workers in a Vietnam Garments, (Coldwell Banker, Vietnam, 2011)

Based on the research findings, the requirements of safety and health for the garments worker to be maintained, and followings are recommendations:

- Maintenance of standards of cleanliness.
- Adequate lighting, ventilation & temperature.
- Control of elements hazardous to health like dusts, gases, fumes, etc. associated with particular operations.
- Requirement of certificate of fitness for young persons from certifying surgeons.
- Requirement of periodical medical examination for persons engaged in hazardous operations.
- Requirement for making available adequate first-aid facilities.
- Requirement of a dispensary manned by a medical practitioner for units employing 500 or more workers.
- Length of working hours & night work for young persons and women, and prohibition of employment for operating dangerous machines
- Prohibition of employment of women and children near cotton openers

- Requirement of precaution against fire and explosions.
- Requirement of fencing and guarding of machinery, casing of new machinery
- Requirement for work on or near machinery in motion, striking gear and devices for cutting off power, self-acting machine
- Requirement for cranes and other lifting machinery, hoist and lift, revolving machinery, pressure plant
- Requirement of safety measures for buildings.
- Requirement of precautions against dangerous fumes.
- Maximum weight to be lifted carried or moved by adult men, women and young persons.
- Requirement for floors, stairs and means of access; pits, sumps, opening in floors, etc.
- Requirement for protection of eyes
- Requirement for explosive or inflammable dust, gas, etc.
- Reporting of accidents and occupational diseases.
- Sanitary conveniences- requirement of latrine, urinals, spittoons, drinking water
- Requirement of canteen, eating place, washing facilities, rest room, child room
- Requirement for appointment of welfare officer for units employing 500 or more workers.

A factory employer should be liable to pay compensation the workers for death and injury or disablement caused by accident arising out of and in the course of employment. Employer must consider the contraction of occupational diseases peculiar to the nature of the work done as an injury like accident.

More Precisely, A garments factory employer must have –

- A list of injuries that is considered to result in permanent partial disablement.
- A list of persons considered as workers.
- A list of occupational diseases, and includes a list of employments for the purpose of such diseases.
- Means of calculating compensation payable for disablement or death.

Government Organizations, NGO and Local stakeholders should work in collaboration to improve conditions by:

- undertaking research to obtain a better understanding of the occupational health and safety situation in Bangladesh, including the numbers and circumstances of deaths and injuries and the necessary changes in workplace practices
- promoting the reform of health and safety legislation in Bangladesh so that it offers appropriate protection to workers;
- Assessing the activities of the Inspectorate of Factories and Establishments and other regulatory bodies with the aim of seeking improvements in how they seek compliance with, and enforcement of, the law.
- providing information and guidance to employers so that they understand their health and safety obligations and the steps they need to take to fulfill them;
- offering health and safety management training to the garments employers;
- assisting trade unions in raising health and safety concerns with employers and enforcement bodies;
- filing strategic public interest litigation in the High Court of Bangladesh with the aim of ensuring that state bodies comply with their constitutional and legal requirements to provide workers with safe and healthy conditions at work;

Time has come to consider the Occupational Health in its true spirit in a holistic way. The policy makers, legislators, employers, and all other members of the society require understanding the relationship of true social development with economic development through a system of good practices of occupational safety and health in work places so that the fruit of industrial development actuates the social goals. There should be awareness about consequences of not addressing and non-implementations of occupational safety and health standards.

Conclusion:

A safe and secure working environment is the fundamental right of the workers (UDHR, 1948). From the international human rights instruments to our domestic laws worker's rights are protected but in our country due to lack of the enforcement mechanisms and unwillingness of some people these problems remain unsolved. The study revealed some of the aspects of existing situation of occupational safety and health in Bangladesh. The constitution of Bangladesh recognizes productivity as basic

need for development and covers right to work and reasonable wages, Medicare and, disease and disablement. This constitutional policy direction did not turned into a formal national occupational health and safety policy. Lack of work environment standard and exposure limits for different hazards are the major deficiencies of the legislation. Labor unions are allowed in almost all occupations except in export processing zones. The trade unions mainly focus on issues of workers right, although OSH issues are also considered but obtaining secondary importance. The OSH activity of the employers is not sufficient. The NGO activities on OSH are limited, few conducts awareness, training and research activities regarding OSH issues. Training and education facilities on OSH are inadequate and limited mainly in governmental undertakings. National Statistics concerning. Garment manufacturers continuing to build garments factories without proper infrastructure and safety facilities cannot be justified. Since it is one of the biggest industries in Bangladesh, more people can be employed in this sector which may reduce the unemployment level as well as the poverty level. . However different Five Year Plan documents provided governments policy directions regarding the importance of OSH. The legislations related to Occupational Safety & Health particularly the Factories Act 1965 and Factories Rules of 1979 are old for date and is inadequate in terms of perspective, provision, specificity and coverage to cope with newer production technology and materials involved in the production process. Deterrent punishment for those who violates the existing labor laws in Bangladesh and accountability of the owner should be ensured. Otherwise in the near future we will be questioned for these types of gross human rights violations and may lose our foreign buyers. At the same time proper implementation of general and international standards should be made mandatory; otherwise, death traps for helpless, unfortunate workers will continue to be built. After the recent incidents of Rana Plaza, the necessary steps taken by government and BGMEA showed some progress in taking safety measures in factories. The government and the owners of garments factories should be more concerned about industrial safety related rules and regulations which will minimize their expenses as well as the severe losses due to accidents. Inspection, reporting and compliance of existing national and international laws and standards must be enforced properly to minimize further incidents due to lack of occupational safety provisions.

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Annexure 1: Interview Questionnaire

1. What is the overall work place condition?
2. Is it properly ventilated and well spacious?
3. Are you suffering from any kind of Disease due to the work?
4. What is the condition of Female workers in the factory?
5. Are they harassed by the co workers or the supervisors?
6. Is there toilet facility for male and female workers?
7. Do you have to work more than 8 hours a day?
8. Are you paid fairly in proportion to your work?
9. What is the condition of Fire Exit?
10. Does the fire exit always remain locked?
11. Are the workers trained if any kind of Fire breaks out?
12. Is their safe drinking water and canteen arrangement for the workers?
13. Is there any doctor for any kind of sudden physical illness?
14. Is there any kind of First Aid provided in case of sudden accident?
15. Is there any dispensary for the workers?
16. What is the condition of child labor in the garments?
17. Is there maternal leave for the female workers?
18. How many days is the vacation during Eid or any religious festival?
19. Is there any formal body (labor union) to represent the labor in any kind of negotiations in the factory?
20. Is there any kind of Welfare officers for the workers?

Why the working environment in Bangladesh so unsafe for workers? (Source: Clean Clothes Campaign, Nov 2012)

The ready-made garment sector (RMG) in Bangladesh has become the backbone of the Bangladesh economy, producing around 80% of the country's exports. It is now the second largest garment exporter in the world, exporting over US\$17billion worth of clothing in 2011.^{iv} In recent years the industry has boomed and the number of factories engaged in garment production has increased rapidly. Bangladesh is now estimate to have between four and five thousand garment factories, ranging from large first tier suppliers to small factories largely operating as subcontractors to bigger clients.

The industry is characterized by low cost, fast production relying on cheap labor and production costs to compete with its competitors. Over three million workers, the majority of whom are young women, are employed in the Bangladesh garment industry and remain the lowest paid garment workers in the world. The lack of alternative employment options combined with widespread poverty mean these women are forced to accept jobs that are poorly paid and carried out in workplaces that fail to adhere to the most basic standards of health and safety. The rapid expansion of the industry has led to the conversion of many buildings, built for other purposes, into factories, often without the required permits. Others have had extra floors added or have increased the workforce and machinery to levels beyond the safe capacity of the building. Many factories run throughout the day and night in order to meet production targets. The establishment of factories, or the conversions of other buildings into garment factories, has often been done as quickly and as cheaply as possible, resulting in widespread safety problems including faulty electrical circuits, unstable buildings, inadequate escape routes and unsafe equipment. In April 2005, 64 garment workers were killed and 80 were injured when the Spectrum factory, producing clothing for Inditex and KarstadtQuelle, among others, collapsed. The incident shone a spotlight on the poor safety record of industry that employs over 3 million workers often in buildings that are not fit for purpose. Although the tragedies brought world attention to the safety problems in the garment industry it appears to have done little to encourage either factory owners or the government to take the systematic action required to improve the safety of Bangladesh garment workers. Every year more workers lose their lives or their health as a result.

Case Studies:

A: Fire in Garment Factory

51 workers including 10 children were killed and over 100 injured when a fire broke out in a garments factory. The factory is situated 40 km Northwest of the capital city of Bangladesh. The factory is housed in a 4-storied rented house. The only staircase is narrow and the ground floor exit remains closed by a collapsible gate as a regular procedure for security reason. The building was not designed for a factory. All the working sections are situated in the 4 floors are stuffy with packed production

materials. About 800 workers are working in a congested environment. The floor space for the workers is very little. The passages are almost obstructed due to scattered materials. The passages are not marked for evacuation in emergencies. The ventilation is inadequate, only natural ventilation through windows and ceiling fan exits. Though the illumination in the factory is adequate but the electrical panels and fitting did not follow the standard procedure. There were overhung light points and in the calendaring room, which is situated in the 2nd floor, the electrical wiring and the stream flowing pipes are passed side by side. The factory is situated 3 km away from the nearest fire service station.

The vast majority of the workers are young women, were being working overtime. The women regularly worked from 8 AM to 8 PM or sometimes later up-to 2 AM. Often they are required to do work 7 days a week. Some women reported being forced to work over 360 days a year. It is typical for sewing operators to be paid about 1200 Taka per month, no matter how many overtime hours they work. The workers have no trade union and they do not have any opportunity to undertake training for occupational health and safety including fire hazard.

On the day of the incident, the fire broke out at 7.30 pm in the finishing section on the second floor of the building due to an alleged electric short circuit. The light immediately went off. It was pitch dark inside and outside of the factory. The fire spread quickly with bellowing smoke. About 650 workers were on the second and third floor of the factory at the time of the incident. The thick smoke engulfed the inmates inside the building. In the darkness suffocated with smoke the women screamed and ran for the exit and crowded into the stairs desperately pushing and shoving but at the bottom the exit was locked. All the workers were locked in with panic they clawed at the door and tried to break through the locked gate but they could not get out. As the heat, intensity raised some of the women jumped from the 4th floor only and impaled on the spike of metal fence surrounding the factory. Twenty minutes later, the fire fighter with the help of local people broke open the collapsible gate. They recovered 51 dead bodies of which most of them were teenaged girls. Most of the victims died due to stampede and suffocation while some others died while jumping from the building. Four of the victims were roasted. Hundreds were injured and taken to local ill equipped and unprepared hospital to tackle such a disaster. Though most of the workers managed to get out of the building, some 250 workers were trapped inside the burning factory when fire fighters were frantically fighting to put out them.

B. False Alarm

During October 2001, a false fire alarm in a garment factory complex triggered a stampede causing crushing to death of 23 workers and 50 more were injured. The complex is situated in the northern part of the Dhaka city. The building houses four separate garment factories, employing 2500 workers are mostly women. A short circuit triggered the alarm. Hearing the fire alarm all the workers rushed to the gates and forced themselves to get out of the factory but the final exit with collapsible gates were locked. The workers started screaming for help but there was no body to help. Due to heavy pressure, some of the workers fall down, could not protect themselves from crushing, and died. The guard who were responsible for the security was found absent during the accident. The lucky workers, who were saved, later described that electric wiring of the factory where the electric spark initiated was faulty. Many repaired and faulty wiring were hanging in different places. The workers reported about this faulty electric wiring to the authority but no action was taken.

The factory building is 8 storied and originally built as a residential house. In which 4 separate garment factories were in operation. The gates at the entrance to each of the eight floors had been kept locked, while workers worked inside the factories. The factory was overcrowded. There was inadequate space for the easy movement of the workers. The passages were obstructed by different packages. The exit ways were not marked and there was no emergency exit. The workers and the supervisor had no training on health and safety hazard. Safety drill was never organized for the workers. The workers did not know how to protect themselves during emergency.

C: Best Practice Industry

A knitting factory situated in the industrial area of Tongi. It is a private enterprise and running with good profit and earning substantial amount of foreign exchange. The owners of the factory are well informed regarding their industry and having a good technical knowledge. Occupational safety rules are usually practiced in the factory. Most of the managers and supervisors have training on safety. The workers in this factory are aware about the hazards and safeties and are provided with appropriate protective devices. Sometimes the fire and evacuation drills are organized. The factory consists of knitting and dyeing section. The dyeing section is situated in the ground floor while knitting section is on the first floor.

Knitting Section: In this section there are circular and flat knitting machines. The machines are fitted with machine guard. There is noise during operation of the machines, but the nature of the machines are such that no sound proof device could be applied. But to protect the workers from noise, the workers use personal protective devices. Overhead vacuum exhausts remove dusts, which are produced during operation of the machines. The chains and belts of the knitting machine are guarded by metallic net and covering.

Dyeing Section: In this section the chemicals are the main raw materials. Most of the chemicals are used without manual handling. In the platform of the dyeing winch, railing and fences are provided to prevent accidental fall of the worker. Where manual handling of chemicals are essential the workers are using personal protective devices like gloves, apron, safety goggles etc. On site, washing and bathing facilities are available to washout the chemicals spillage. For the drying of the fabric a gas, heated chamber dryer is used. In this area, the high temperature is controlled by mechanical cross ventilation system. The chemical containers are adequately labeled. The housekeeping practices in all the sections are regular. In the dyeing section all the floors are mostly dry and clean and specious. The knitting section also has a working environment with proper lighting and ventilation. The passageways are all clearly marked for emergency evacuation. Electric wiring and fittings are of concealed type and switch box and panel boards are appropriately covered. The aisle and passage are clear of obstacles and stumbling hazard. There is sufficient number of first aid boxes placed in the approachable areas. Sufficient numbers of fire extinguisher are mounted in different places with instruction and date of expiry.

The turnover rate of the workers is low. The factory is running with no loss. The targeted productions are mostly achieved. The factory products are easily exported to European countries because the buyers require good OSH practices in the factories to comply their countries regulations.