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# Workers' Safety in Bangladeshi Readymade Garments Industry

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## Workers' Safety in Bangladeshi Readymade Garments Industry

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Since 1970's Bangladesh is playing a very important role in the world of readymade garments products and become the 2<sup>nd</sup> highest provider of readymade garments products in Europe and United States. Almost 5 million workers work in this huge industry. But in recent few years this industry is facing threat by inadequate safety issue, bad working environment and demolishing workers' rights.

The purpose of the thesis is to find out the reasons behind the unsafe Bangladesh RMG sector, the way we can change the situation and the role for different authorities; for example, role of government, role of different stockholders and role of buyers. Also some suggestion has made for the different authorities that can help to improve the situation

The theoretical part of the study focuses on relevant areas of work safety, work environment and workers' right based on both national and international legislation.

A survey has been conducted by means of a questionnaire. All the questions were designed to get the garments workers' knowledge about safety issues, working environment and their rights. Workers were chosen by the volunteers, they interviewed the every individual workers and described the questionnaire to them and collected responses immediately. All the data was gathered by e-mail from Bangladesh. Finally, the result was shown and analyzed through a table.

The result of the resurch reveled that still a lot of garments factories are not following the standard safety procedure and workers are not aware off the safety instruction. Workers are also not satisfied with their work load, salary, medical and other facilities provided by the factories.

Key words: Work safety, Working environment, workers' right, Compensation and Re-mediation.

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LIST OF ABBREVIATIONS USED

BEPZ	- Bangladesh Exports Processing Zone
BGD	- Bangladesh
BGMEA	- Bangladesh Garment Manufacturers and Exporters Association
BIDS	- Bangladesh Institute of Development Studies
BKMEA	- Bangladesh Knitwear Manufacturers and Exporters Association
BSC	- Bangladesh Shipping Corporation
BLA	- Bangladesh Labor Act
CPD	- Center for Policy Dialogue
EC	- European Community
EPB	- Export Promotion Bureau
EPZ	- Export Processing Zone
FBCCI	- Federation of Bangladesh Chambers of Commerce and Industry
FDI	- Foreign Direct Investment
FY	- Fiscal Year
GDP	- Gross Domestic Product
ILO	- International Labor Organization
IMF	- International Monetary Fund
ISD	- International Subscriber Dialing
MFA	- Multi-Fiber Arrangement
MOU	- Memorandum of Understanding
NGO	- Non-Government Organization
RMG	- Ready Made Garment
SAPTA	- South Asian Preferential Trade Agreement
TK	- Bangladeshi currency
UNDP	- United Nations Development Program
WTO	- World Trade Organization

## 1. Introduction:

In Late 1970 the readymade garment industry of Bangladesh started its journey and within a very short period of time it started playing a very important role in the Bangladesh's economy. It helps to increase export earnings, create massive employment field, improvement poverty and create employment for woman. The main export areas of Bangladeshi RMG products are in European Union and the United States of America. Bangladeshi garments exports have grown at an impressive rate in recent years. Bangladesh earned \$10.7 billion US dollar only in 2007-08 and \$15.56 billion US dollar in 2009. This earnings was over 76% of Bangladesh's total export, 10% of the GDP, and 40% of manufacturing sector's. A dramatic growth in exports and remittance inflow has been occurred which has helped the economy to expand at a steady rate. (BGMEA Upbeat on Export Growth. 2010. Bizbangladesh,5th October. Accessed 10th April, 2014.)

Fiscal Year	Total Export	Total Import	Foreign Earnings
2007-2008	\$14.11b	\$25.205b	\$8.9b
2008-2009	\$15.56b	\$22.00b+	\$9.68b
2009-2010	\$16.7b	~\$24b	\$10.87b
2010-2011	\$22.93b	\$32b	\$11.65b
2011-2012	\$24.30b	\$35.92b	\$12.85b

Table: 1 Export Growth

In the beginning of financial year July 1, 2013 the first seven months exports totaled \$17.44 billion, which is 15% more from the same period a year ago. The export growth of Bangladesh rose 7.8% in January, 2014 from a year earlier to \$2.75 billion, boosted by clothing sales. (BGMEA Upbeat on Export Growth. 2010. Bizbangladesh,5th October. Accessed 10th April, 2014.)

The future development of Bangladeshi RMG sectors not only depends on cheap labor and government's simplistic and liberal policy but also depends on worker's safety issues, healthy working environment with the code of conduct. In RMG sector of Bangladesh, needs to be improving the working environment of factory or work place and various social issues related to the industry. After some big tragedies, International buyers now days are certain about workers' safety with code of conduct and their rights before placing any order. In Bangladeshi RMG sector poor storage system, lack of team-based work, rented factory premises, narrow staircases, unhealthy environment, common wash room for male and female, insufficient light

and air, insufficient supply of pure drinking water etc. are very common. Here in my thesis I am going to discuss workers safety in RMG factories in Bangladesh. In my thesis I am going to discuss workers safety in RMG sector and how it can be improved to secure workers life. (BGMEA Upbeat on Export Growth. 2010. Bizbangladesh, 5th October. Accessed 10th April, 2014.)

## **1.1 Background of Thesis:**

In Bangladesh the garment export industry is a major employer, with above 5 million workers more than 80% of whom are women, mostly from poor and rural backgrounds. They make clothing for export, mostly to the U.S. and European brands and retailers who have grouped to the country to take advantage of rock-bottom wages. (Statistical Year Book of Bangladesh, 2008 edition). The garment workers of Bangladesh are the lowest-paid in the world, with an industry minimum wage is about \$38 a month, because of inflation it cannot be upraised by \$6. (Fauzia Ahmed. The Rise of the Bangladesh Garment Industry: Globalization, Women Workers, and Voice. 2010.)

Apart from long hours and very poor wages, workers often work in factories with chronic safety problems. Safety record of Bangladesh garments industry is one of the worst in the world. Between the year 2006 and 2009 414 garments workers were killed in 213 factories, based on the record of Bangladesh Fire Department. Moreover, in 2010 79 workers lost their lives in 21 accidents. All those accidents and tragedies show the lackings of our RMG industry. sub-standard buildings, poor emergency procedures, inadequate and blocked fire exits and overcrowded workplaces are become the death trap for million of workers. (Bangladesh Fire Department report. 2011.)

The latest tragedies at Tazreen Fashion and Rana Plaza, in which at least 1239 workers died during making clothes for exporting. The fact is that most of 5000 garments factories are not up to fire and building safety code and they are kind of death traps for the workers. Any time more workers can be died, actually since Tazreen Fashion incidence 16 workers were died and 691workers were injured except Rana Plaza. (Clean Clothes Campaign - Hazardous workplaces: Making the Bangladesh Garment industry safe, 2012)

This study aims to give an outline of what action needs to be taken by the different authorities involved in order to improve the safety of garment factories in Bangladesh. What actions are taken so far to prevent future tragedies and compensate the victims of previous incidents. The study also make some suggestion for the retailers and for different authorities to prevent the death of RMG workers.



## 1.2. Research's point of views-

The study deals with the following point of views-

- What is the position of Bangladesh within the international garments industries?
- What is the present situation of RMS workers' safety in Bangladesh?
- What are the main reasons of poor workers' safety?
- Action has been taken so far to improve safety in Bangladesh
- What can be the role and responsibility of different authorities to prevent future accidents?
- Compensation and re-mediation
- How to make sure the safety of RMG worker?
- Workers knowledge about their right and safety issue.

## 1.3 Research Methods

This content discusses about the present social, mental and economic status of the garments workers of Bangladesh. For this study secondary data is used with specific references from internet, various publications and magazines, newspapers and the government agencies. However, very few primary data have been used in this study. 100 garment workers have taken from five different sized factories from Savar and Tejgaon areas of Dhaka. A questionnaire has been made with 10 questions for collecting primary data focusing on major research questions particularly their working environment and security, income, job security, work load, medical facilities etc.

Maximum questions are designed to get information about garments worker's right and their knowledge of work safety. Questionnaire was made in Bangla and as easy as possible, so that the workers can answer easily. Most of the interviewees are female and their age limit were between 18-35 years. Almost 90 percent of the workers are from helper to operators. Rests of them were supervisors, technicians, etc. Most of the garments workers education level is basic. The level between primary to secondary level, where some of workers are only able to write their names. Most of the workers are living in the slums and others are in the match sift houses.

### **1.3.1 Interview-**

The data collection is included questionnaire survey and some general discussion. The questionnaire was structured to get most of the information and opinion. Our target was to depend on garments workers opinion, we just choose workers as our interview sample. In this case we did not take any opinion from the factory's management bodies.

### **1.3.2 Sampling-**

Questionnaire survey was conducted on 100 male and female garments workers from Saver and Tejgaon area in Dhaka . Two big factories and rests of three were small and medium sized factories. Twenty workers from each factory were choosen and interviewed for the study.

## **1.4 Procedures of Collecting Data-**

The workers were interviewed outside the factory during their break time and at time time they finished their work. Two data collectors were involved to collect data and they were trained for data collection procedures, ethical issues of research method and also for the reliability of the research procedure.

## **1.5 Analysis Procedure-**

Analysis procedure is divided into three different steps. In the first step the data was stored in the computer. In the second step the analyzing procedure was done based quantitative resurch method. At the last step result was shown in a form of table.

## **1.6 Structure of the study**

The study has been structured as follows-

In the beginning of the study shows why the RMG industry in Bangladesh is so unsafe and what is required to improve work safety and environment and the action need to prevent future accidents. This section also shows background of Bangladeshi RMG sector, action taken so far to inprove the standered of the industry, the roles and responsibilities of different authorities to prevent future tragedies on Bangladesh.

In the middle of the study discuss provision of compensation to affected families. This section aims to provide an overview of national and international standards in case of compensation and re-midiation. It also shows different schemes already taken by different authorities and comparison of those with different other international schemes. It also provides suggestions for other remedial actions.

And at the end it looks at the workers knowledge about their working environment, safety, health consciousness and their rights as a worker throughout the survey conducted for this thesis and analyses the result as well.

Finally, recommendations are given in the guideline of workers' safety and emphasize implementation of labor rights in RMG industry in Bangladesh.

### **1.7 Delimitation:**

In the list of good achievements Bangladesh has earned some bad records as well. It is popularly believed that improper design, high population load and mismanagement in the factories are major contributors of different incidence.

The study will not only the safety issues and not even talks about the garments industries but also it will describe the workers' right and after incident situation in Bangladeshi Ready Made Garment (RMG) sector. In this study lack of proper knowledge of collecting data, insufficient man power and time became an obstacle of collecting primary data. Using more secondary data might reduce the authenticity of the report. The study also does not compare the safety and human rights slandered of Bangladesh garments industries to other garments export oriented countries because of lack of information.

## **2. Bangladesh and its Garments and knitwear Industry**

In this chapter, we focus on Bangladesh, its international business cooperation and the business environment. Then we illustrate deeply about Bangladesh RMG sector, its workers safety and actions need to be taken to reduce future incidents.

### **2.1. Bangladesh at a glance:**

Bangladesh is a low-lying country with a total area of 55598 square miles. It stretches attitudinally between 20034' and 26038' north and longitudinally between 88001' and 92041' east. It is mostly surrounded by India territory exports for a small strip in the south east of Myanmar. On the south of Bangladesh, Bay of Bengal lies. Maximum area is relatively flat lying in

the deltaic plain of the Padma-Padma-Brahmaputra-Meghna river system. The solitary important uplands are in the northeast and southeast of the country with average elevation of 244 m and 610 m respectively. Bangladesh is a country with a connection of rivers and canals forming the country with a linkage of rivers and canals creating a network of inter connecting channels. (History of Bangladesh. 2013. Wikipedia. Accessed May 2014)

The economy of Bangladesh is mostly dependent agriculture. Agriculture is the source for nearly 46% of the and offers employment to more than 61% of the workforce. (FAOSTAT. bonikbarta.com. Archived from the original on 7 September 2013. Retrieved 7 September 2013.) Jute and rice are the main cash crops. Other crops are tea, sugarcane, oilseeds, fruits, vegetables, spices, wheat, potatoes, tobacco and cotton. The major industry in Bangladesh is jute processing following cotton, steel, ship building, garments and pharmaceuticals. As an earning nation, Bangladesh places special priority on economics and social development. In order to accelerate the development process the government has recently decentralized the administration and undertaken massive development programs. (History of Bangladesh. 2013. Wikipedia. Accessed May 2014)

Bangladesh is a developing nation and a rapidly growing market-based economy. It is one of the world's leading exporters of textiles and garments, as well as fish, seafood and jute, and has globally competitive emerging industries in shipbuilding, life sciences and technology. The country also has a strong social enterprise sector and is the birthplace of micro finance. Its per capita income as of 2013 is US\$1,044 compared to the world average of \$8,985. (History of Bangladesh. 2013. Wikipedia. Accessed May 2014)

Bangladesh has seen a dramatic increase in foreign direct investment. In order to enhance economic growth, the government set up several export processing zones to attract foreign investment. These are managed by the Bangladesh Export Processing Zone Authority. Goldman Sachs recognized the Bangladeshi economy as one of the Next Eleven. Citigroup identified Bangladesh as a 3G country with significant potential to generate global growth. (History of Bangladesh. 2013. Wikipedia. Accessed May 2014)

The insufficient power supply constitutes an obstacle to growth. According to the World Bank, "among Bangladesh's most significant obstacles to growth are poor governance and weak public institutions. In April 2010, Standard & Poor's awarded Bangladesh a BB- for a long term in credit rating which is below India and well over Pakistan and Sri Lanka. (History of Bangladesh. 2013. Wikipedia. Accessed May 2014)

## 2.2. Garments Industries in Bangladesh

Bangladesh is a developing country. Most of the people are involved in agricultural sector. But on the other hand, per capita land is getting very limited now a days. Most of our farmers are the marginal farmers and they are only able to survive by doing farming. Rest of rural workforces are engaged as a day labors, some people are engaged in others small scale industries like handicrafts which are not yet able to support huge number of unemployed persons. Since late 1970's the successful export oriented Bangladeshi readymade garments industry is experiencing a huge growth. The first shipment of shirt from Bangladesh was made by state trading agency, the Trading Corporation of Bangladesh (TCB) in the mid -1970s (Rashid, 2006), under the country trade administration and the destination was some East European countries. Export of Bangladeshi RMG sector increased from 40 thousand US dollar in 1978-79 to 6.4 billion US dollar in 2004-05. In the year 2009 the industry was able to provide job to 2.8 million workers, where most of them were woman drawn from rural areas(BGMEA 2009). Over the period of 1980-87 the growth rate of RMG export industry of Bangladesh(81.3%) was reach in the top comparing with Indonesia (31.2%), Mauritius (23.8%) & Dominican Republic (21.1%). (www.bgmea.com)

## 2.3 The Development of the Garment Industry in Bangladesh-

The garment industry is the key export-earning sector and striking power in the field of industrialization for Bangladesh. This huge sector employed over 5 million unemployed , where most of them are uneducated rural women (Rashid, 2006). At present, the Bangladesh garment industry is the largest industrial sector of the country.

The readymade garment sector (RMG), started in Bangladesh in the late 1970s and became complete within a short period of time. Bangladesh had a history of textile manufacturing, but during the time of British colonial period the industry suffered a brutal domination to facilitate the flourishing of British textile industries in Manchester. Bangladeshi textile products Muslin and Jamdani cloth once was used for luxurious garments in Europe and other countries. The reputation of muslin textile of Dhaka was worldwide. But the handloom industry of muslin textiles was completely destroyed by British colonial cruelty (Sikder, 2002). However, the garments industries in Bangladesh did not develop from the remnants of the textile industry.

“The dismantling of nationalized industries from the 1970s added to the gradual removal of barriers and limits to private investment, and created the opportunity for entrepreneurship.

Manufacturers could make direct contact with their leading buyers. Many developed advanced market strategies and made a successful transition to high-value apparel products, such as dresses and suits. Numerous entrepreneurs initially started their careers and peaked at 11% in 2009 (Uddin and Jahed, 2007: EPB, 2008)”.

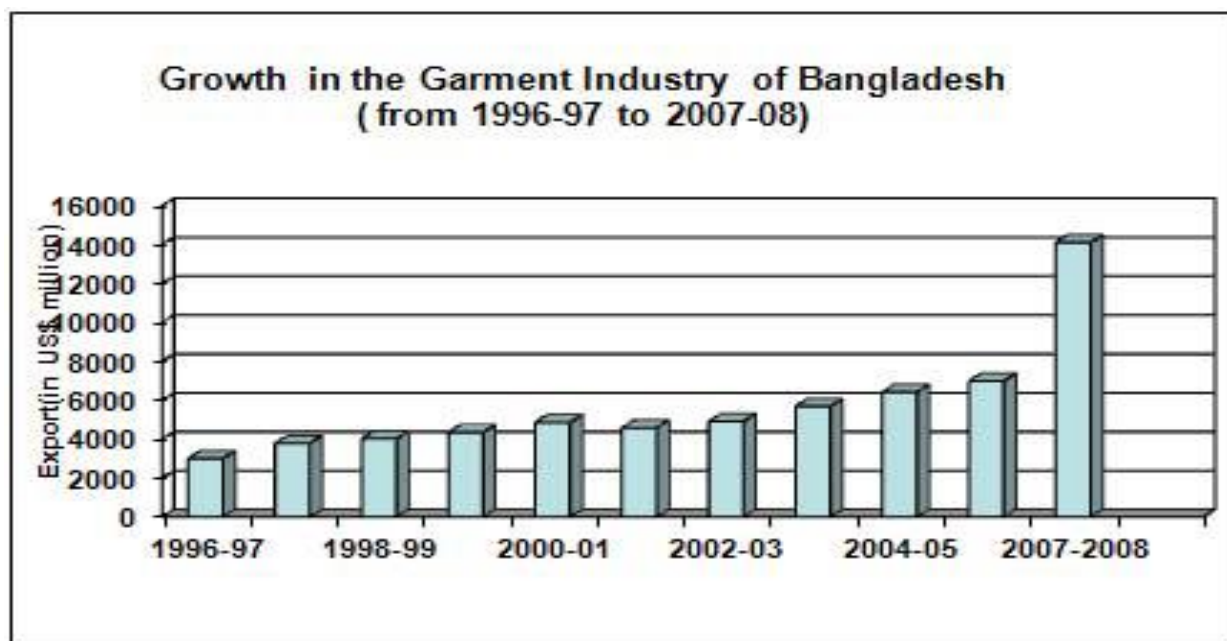


Figure 1

Source: Export promotion Bureau (Go Bangladesh 2007-2008)

“Although the MFA create new protectionism in major Organization for Economic Co-operation and Development (OECD) markets, its effect was positive on the textile and garments industries in developing countries. For example, in Bangladesh, the MFA encouraged industrial relocation from more advanced economies. Some observers say that Bangladesh as a garments exporter was formed by the MFA regime (Mayumi, 2004)”.

One other factor which helped the RMG industry in Bangladesh to grow was political instability and civil war in Sri Lanka, one of Bangladesh’s main competitors. Buyers preferred the comparative stability of Bangladesh. In spite of low wages, political stability and the Bangladesh RMG sector did not grow as quickly as might have been expected. The major obstacles were infrastructure and port facilities.

### **3. Prevention of future accidents**

In this section the study focused on the need to prevent future tragedies. The right of a safe work place is universal and should be provided to all workers. It is important to take some positive action before hand to prevent future incidence rather than waiting for the it to happen again. For making this plan to be done, requires a systematic, long term approach focused on the root causes of factory collapses, fires and stampedes. This work must be a priority for all brands and retailers and employers, regardless of whether or not an incident has taken place in their supply chain or factory. It must also include action from both the government and trade unions, which have responsibilities for safeguarding their citizens and members from future tragedy.

#### **3.1 Why is the Bangladesh Garment Industry so unsafe?**

The ready-made garment sector (RMG) in Bangladesh has become the main pillar of the Bangladesh economy and it is producing around 80% of the country's exports. Bangladesh is the second largest garment exporter in the world and exported over US\$17billion in the year 2011. (BGMEA RMG Export Statistics, 2012). In recent years this industry is booming day by day and the number of factories involved in garment production line up increasing in same way. Bangladesh now has almost five thousand garments factories including big factories, who work directly with the clients and on the other hand small factories largely operating as sub-contractors to bigger clients. Now over five million workers are working in the garments industries of Bangladesh. widespread poverty and lack of alternative jobs force them to work under the lowest salary, even without the most basic standards of health and safety. (Clean Clothes Campaign - Hazardous workplaces: Making the Bangladesh Garment industry safe, 2012)

The rapid growth of the garments industry led the factories owners to use other purpose buildings as factories, sometimes even without the required permits. Some owners add extra floors to increase the workforce and machinery to levels beyond the safe capacity of the building. Most of the big factories run throughout day and night to fullfil their target production amount. Because of rapid booming most of the time establishment of garments factories or conversion of other purpose buildings into garments factories often done as quickly and as cheaply as possible, causes widespread safety problems, for example; faulty electrical circuits, unstable buildings, inadequate escape routes and unsafe equipment. Also the corrupted government system and the carelessness of the factories owners push the workers to work in under a very unsafe condition.

### 3.2 Action taken so far to improve workers safety

Recent couple of tragedies influence buyers to create force to the Bangladesh RMG industry and the Bangladesh government to take necessary steps to improve the safety of garment factories. Buyers demand to develop a program, which include inspections to check the building safety of garment factories and establishment of a multi-stakeholder oversight committee. This committee should be organized by representatives of employers, government, trade unions and fire and safety experts. The responsibilities of the committee should be investigate and monitor building safety issues. After the Spectrum tragedy some actions were taken to step up of buyer requested audits concentrated on building safety and setting up of a government task force to look into other safety issues.

Some labor groups disagreed with this response was not systematic enough, because of the limited capacity for doing a proper sudden visit and lacking of effective follow up. Those groups said there are so many actions need to be taken before making government task force to improve the situation. Most of them are already inside Bangladesh law, but they have very little implementation or enforcement. Those action are limited inside larger factories owned by BGMEA/BKMEA members, but in practice these lagre factories owners would simply sub contract orders to smaller factories which are outside the reach of the task force and BGMEA inspections. In 2006 and 2010 same kind of steps were taken by the Multi-Fiber Arrangement Forum Bangladesh (MFA Forum), which brought together with government representatives, industry representatives, buyers and different trade unions, organized meeting to come up with a strong structural plan to improve building safety, but ultimately failed to reach agreement or to carry out any practical work in this area. (Clean Clothes Campaign - Hazardous workplaces: Making the Bangladesh Garment industry safe, 2012)

On 15th March 2012 a Memorandum of Understanding (MOU) was signed between PVH Corp. a US company owning several brands including Tommy Hilfiger and Calvin Klein, and Bangladeshi and international labor rights groups and trade unions including both the Clean Clothes Campaign and the International Textile Garment and Leather Workers Federation. The MOU plans a program of work which allows for independent building inspections, worker rights training, public disclosure and a long-overdue review of safety standards. It is transparent as well as practical and supported by all key labor stakeholders in Bangladesh and internationally. (Clean Clothes Campaign - Hazardous workplaces: Making the Bangladesh Garment industry safe, 2012)



### 3.3 The role and responsibility of different authorities

#### 3.3.1 Bangladesh government

“According to 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”. In case of Bangladesh, it has instructions and regulations for building safety, but they are not sufficient to provide real protection to workers. On the other hand the government's ability to enforce these limited regulations is not sufficient and organized. “According to a report by the Bangladesh Occupational Safety, Health and Environment Foundation (OSHE) in 2008 there were only eighty persons involved in inspection activities for the whole country”. They worked for four major cities and under them they had over 24,299 registered factories, approximately three million shops and establishments and two major ports. Among those persons, only twenty were 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 work places has also dramatically increased during this period”. (ILO Report of the Committee of Experts on the Application of Conventions and Recommendations, 2011)

Bangladesh's failure to implement a strong and reliable inspection to insure labour safety has regularly been criticized by the ILO Committee of Experts. In the 2011 Report of the Committee of Experts to the ILO Congress, 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. The committee also indicate about the practice of providing significant advance notice of inspections to factories and reliability of the inspectorate for providing authentic report. (ILO Report of the Committee of Experts on the Application of Conventions and Recommendations, 2011)

#### **Recommendations for government action:**

- Arrange a complete building review and standards of fire safety and regulations for RMG enterprises.
- Get a quick review, arranged by a multi-stakeholder committee of all multi-story buildings presently connecting garment production facilities to confirm those buildings' safety.

- Guarantee that factory inspection team has well equipped with all required resources to continue daily inspections. Ensure that the factory inspectorate is equipped with the necessary resources to conduct regular inspections for the devotion to workplace safety and labor legislation, which also includes the National Building Code and Factory Act of Bangladesh.
- Prepare a list of all factories which can not meet the safety standards and necessary actions like cancelling export license, BGMEA membership of all factories.
- Confirm workers' respects which is internationally recognized for freedom of association and collective bargaining and ensure that all unlawful or unreasonable barriers to the registration of factory-level unions.
- Form a well trained investigation team to conduct inquiries for accidents. The government should also impose all applicable criminal charges against those employers in case of carelessness  
(Clean Clothes Campaign, 2012, 5)

### 3.3.2 Brands and retailers

“Under the UN Guiding Principles, a clear responsibility for respecting human rights is placed on businesses of any size and operating in any jurisdiction. Their responsibility is to avoid infringing on the human rights of others and to address adverse human rights impacts with which they are involved. The principles place an obligation on business to carry out proper due-diligence processes to identify, prevent, mitigate and account for how they address their impacts on human rights”. (ILO Report of the Committee of Experts on the Application of Conventions and Recommendations 2011, p 501 - 505). Brands and retailers themselves aren't directly responsible for the safety of the buildings where production is taking place, but the decisions and policies taken by brands and retailers affects the safety issues. Seeking low cost, unstable and short term purchasing practices of brands, unstable relationships, constant price cutting and short lead times also push to a situation where workers lives are being placed at risk. Those practices contribute to a lack of investment in the safety conditions within factories and attempts to produce more than the capacity of the factory allows for. (Clean Clothes Campaign - Hazardous workplaces: Making the Bangladesh Garment industry safe, 2012, 6)

### **Recommendations for brands and retailers:**

- confirm a complete and severe assessment of standards for building and fire safety. Also ensure the standards of regulations for RMG sectors including compliance benchmarks.
  - All building and safety inspections of all suppliers in the RMG sector and re-mediation of any issues should be transparent specially those are uncovered in the process.
  - Purchasing practices and pricing should be ensured for factory renovations and investments for worker safety.
  - Workers should be informed about their rights in collaboration with trade unions.
  - Health and safety committees at each supplier has to be independently elected and also functions properly.
  - Confirm that workers are given enough information about and access to credible grievance mechanisms to report information about health and safety hazards.
  - Guarantee respect for workers' internationally recognized rights of freedom of association and collective bargaining.
  - In order to achieve the above mentioned recommendation, work with labor rights organizations and unions.
- (Clean Clothes Campaign, 2012, 7)

### **3.3.3 Bangladesh Garment Manufacturers and Exporters Association /Bangladesh Knitwear Manufacturers and Exporters Association**

In recent few years fire and building safety tragedies in Bangladesh garments industry is the indicators of a systematic failure of the industry according to national and international standards. The Bangladesh Garment Manufacturers and Exporters Association (BGMEA) and the Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA) are the representative bodies of the Bangladesh garment industry. They are powerful and influential organizations, with the possibilities, who can make a real change to the way the industry works. It is their duty and responsibility to ensure that their members are fully informed in regard to safety

standards and to play an important role enforcing the implementation of these standards by its members. (Clean Clothes Campaign, 2012)

### **Recommendations for BGMEA/BKMEA:**

- BGMEA/BKMEA members should be properly informed in the course of safety standards.
- Cooperate with the government to provide full and comprehensive inspections of member factories
- Support the government to revoke the export license and BGMEA membership of each factory that do not meet the standards until compliance is demonstrated. Initiate respect for freedom of association among its membership.

(Clean Clothes Campaign, 2012)

### **3.3.4 Factory owners**

Factory owners are responsible for their negligence in regard to provide sufficient safety standards in the workplaces they own and run. Maintaining a some how safety procedure just to meet the safety satandards and providing compensation to workers once when incident happen is not sufficient. Each and every factory owners have responsibilities to ensure safety of their employees by taking necessary steps. All factory buildings, including extensions to the factory, must need to follow legal standards and electrical equipment should be properly maintained. At the same time owners must ensure that managers, supervisors and workers are properly trained in fire and safety procedures of new and buildings. Every buildings must have sufficient exit routes for the number of workers employed in the factory and these must be remain unblocked at all times.

Factory gates need to be unlocked during workers are in the building. It is also very important for all factory owners to start taking positive attitude concerning to their employees safety issues. It is the responsibility of the factory owners to follow and recognize role of trade unions and workplace safety committees to ensure the safety standards of workplace.

### **Recommendations for factory owners:**

- Proper maintenance is a must in all buildings including extensions to the factory, also must meet legal standards.
- Evaluate the safety situation of all workplaces with neutral inspections and confirm that safety issues should be sort out and immediately solved with effectiveness. If it is required the factory should be closed during maintenance, but that time workers should have the job safety and no suffer of any loss of pay.
- Management should have a strategy maintain an emergency team and to give proper training to managers, supervisors and workers in fire and safety procedure. They should practice fire drill twice in a year and the emergency team should ensure the safely exit of all workers during the fire drill and in case of any real situation.
- When the bulding is constructed or when any building is taken to place any garment any factory, the factory owner must consider the exit routes for emergency situation with high importance. The staircases should be wide and specious enough so that workers can get out quickly with safety. When the there is emergency situation and workers are inside the building the main gates should be kept open.
- According to Bangladeshi law every garments factory should have a standard health and safety committee. Every committte should be contained workers and managers, with workers representing no less than 50% of the members, and trade union will make the selection of workers. During election it should be confirmed that there is no trade unin among workers.
- Workers should have the right to get proper positive attitudes in their workplace including suitable workplace and identify the role that unions. In addition workplace safety committees can play in upholding safety standards for workers. Never the less the owners should have some conern about their workers' children safety and security so that the workers can work peacefully.

(Clean Clothes Campaign, 2012, 10)

### **4. Compensation and Re-mediation**

To protect the Bangladesh garments industry it is very importatnt and urgent to prevent future tragedies. It is also very important to take some action about those who already the vic-

tim of previous incidents. we have to ensure that those workers and their families already affected by a factory disaster are properly compensated. Actions to compensate affected workers can be payment of salaries, redundancy to workers rendered temporarily or permanently unemployed as a result of the accident. Owners also need to concern about payment of immediate medical needs of affected workers and the payment of compensation for both loss and suffering and loss of income to ensure families of those workers killed and of injured workers.

#### **4.1 Responsibility for providing compensation**

“The third pillar of the UN Framework is the need for greater access by victims to effective remedy. This recognizes the fact that, even if all efforts have been taken to prevent human rights abuses, things do go wrong. The duty of governments in this regard is to ensure those affected within their jurisdiction have access to effective remedy”. (ILO 2010, Employment Injury Benefits. ILO Moscow, p 5). Although there is a legal process for claiming compensation in Bangladesh, but most of the time this has proved inadequate to meet the actual needs of those affected and is often bypassed. Most of the cases workers and families affected by the garment fires and building collapses have never get any compensation or have get compensation at a level or in such a way that fails to provide genuine remedy to the victims.

Employers often avoid the legal process altogether, even rarely illegal issues are caught by the courts and most of the time goes unchallenged by workers who are not aware of their legal rights. Even where workers are aware of legal processes very few of them have fund to fight against their employers by maintaining the same quality and standard of legal issues. Many injured workers unable to afford life in the city without employment, they are forced by luck to return to their villages and as a result most of the time legal processes never go farther. legal processes are often very costly and may take meny years to reach a settlement. Most are unable to wait years for legal processes to conclude and produce required results. (Clean Clothes Campaign, 2012)

“Even where the courts find employers liable the emphasis on individual employers within the Bangladesh legal system means that an employer can simply state they do not have the financial resources to provide the ordered level of compensation”. (Bangladesh Labor Act, 2006) Within the UN Framework the remedy pillar states that: “where business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes.” But brands and retailers sourcing from

Bangladesh have so far failed to take proper steps to ensure that supplier factories meet appropriate standards of building safety. (Clean Clothes Campaign. 2012)

Further, if we think about garment supply chains a significant percentage of products made by garments workers including affected workers goes to the brands and retailers meaning they are the main beneficiaries of the work carried out by employees. Brands and retailers therefore have a moral responsibility for ensuring compensation is paid, including contributing to funds where employer and government action cannot or does not meet international standards.

## **4.2 Established standards for compensation**

This section aims to provide an overview of international standards and national legislation that provides for compensation to be paid and the responsibilities of different stakeholders in this regard.

### **4.2.1 International Standards**

“According to the International Labour Organisation (ILO) compensation for accidents at work is the oldest and most widespread form of social protection. Although such schemes differ considerably from place to place, best practice is seen to be in the form of social protection schemes, funded through the pooling of financial contributions made by employers or other parties. The ILO had adopted two conventions that cover the provision of Employment Injury Schemes: C102 and C121. C102 deals more broadly with social security payments, which include sickness, unemployment, maternity, medical and family benefits as well as medical compensation payments. C121 provides more detailed principles for the payment of compensation for damages sustained during employment”. (ILO, 2010. Employment Injury Benefits. ILO Moscow, p 5)

C121 also sets minimum standards of payments at 60% of wages in the case of temporary or permanent incapacity for work and 50% of wages in case of death (next of kin to be beneficiary). In general compensation payments are made on the basis of the injury received and are not tied to the need to prove or admit liability of any party. (ILO, 2010. Employment Injury Benefits. ILO Moscow, p 5)

The ILO conventions don't specify how and by whom compensation should be provided, but recommends the establishment of a nationally Employment Injury Board that all employers pay into. Such schemes work as insurance policies for all employers against paying out compensation for workplace injury. They also mean that workers' aren't reliant on the ability of one specific employer to pay. (ILO, 2010. Employment Injury Benefits. ILO Moscow, p 5)

### **The main principles include the following:**

- Workers nevertheless are covered on the basis of length of service. Every kind of workers including migrant workers, are entitled to the same level of compensation.
- A periodic payment should be given in case of incapacity for work and in case of death. Compensation should be in the form of periodic payment throughout a period of incapacity for work and in case of death. Poor amount of payments should only be given in certain circumstances (e.g. partial injury).
- A flexible periodic payments should be provided and can be increased or decreased based on external factors (e.g. increase in cost of living, partial recovery of affected employee).
- Work related illness and accidents during travel to from work should be considered in Employment Injury Schemes.

(Clean Clothes Campaign. 2012, 13)

#### **4.2.2 Bangladesh national legislation**

“Bangladesh has not ratified either convention 102 or 121 and national legislation in Bangladesh as regards to employment injury benefits falls short of the international standards as defined by the relevant ILO conventions. Specifically the Bangladesh government doesn't provide a national compensation or injury scheme and doesn't have provisions or a system for administering periodic payments to beneficiaries of compensation payments”. (Clean Clothes Campaign 2012- 2011. Hazardousworkplaces.pdf. p - 12)

“Liability for Employment Injury Compensation lies squarely with the employer involved and it is the responsibility of the employer to administer the payments, sometimes with the oversight of the labor court. The definition of “employer” under the legislation is quite broad and



can include not just the direct employer but also companies (principal employer) that have contracted the work to another party (the contractor) who directly employs the worker, provided that the work is part of the normal business of the principal employer and the accident occurs on premises usually used by the principal employer. The circumstances under which compensation should be provided are laid out under the Bangladesh Labor Act 2006 (BLA). The procedures differ depending on whether the case involves a death, permanent or temporary injury". (Clean Clothes Campaign 2012- 2011. Hazardousworkplaces.pdf. p - 12)

"In the case of death an employer must deposit 100,000TK compensation to the Court, which will then decide on distribution of compensation to beneficiaries. The employer might directly compensate the family of a worker who died as a result of a workplace accident, but only when the worker, during his or her employment, has nominated any of his successor for compensation. In cases of non-fatal accidents compensation is decided on the basis of the seriousness of injury, categorized as total disablement, permanent total disablement, permanent partial disablement or temporary partial disablement. Workers who suffer a permanent total or partial disability should be provided with a lump sum payment, those who suffer a temporary total or partial disability are provided with periodic payments based on salary for the period of their disability. Those workers entitled to claim a lump sum are expected to have attempted to negotiate this with their employer prior to taking their claim to court". (Bangladesh Labor Act, 2006)

#### **4.2.3 BGMEA insurance scheme**

BGMEA and BKMEA have made it mandatory group insurance scheme for their members. Every members have to pay into a group insurance which provides compensation to the families of workers in case of death. Companies have to deposit a yearly insurance premium amount to BGMEA/BKMEA, after that they pay the amount to the insurance company on behalf of the member companies. When any claim arises due to the death of a worker, the insurance company pay the claimed money to BGMEA/BKMEA. BGMEA/BKMEA, thereafter, pay the said money (100.000 Taka) to the dead worker's nominees directly. Unless the workers are covered with insurance, BGMEA/BKMEA would not grant export permission to that company.

### 4.3 Comparison of compensation schemes

The Spectrum tragedy in 2005 the Clean Clothes Campaign (CCC) have been working with trade unions in Bangladesh to establish models of compensation. They had made a expectation that the donation of funds would come from the governments, the industry and the buyers involved. There is a list of comparison of different models that have been instigated following campaigns on Spectrum (2005), Garib and Garib (2010), that's It Sportswear (2010) and Eurotex/Continental (2011). In all cases there were a strong demand that victims received satisfactory medical care and immediate relief. They also demand a lump sum payment for immediate pain and suffering and after that the long term medical and financial support to the victims and their families. .(Clean Clothes Campaign - Hazardous workplaces: Making the Bangladesh Garment industry safe, 2012)

- I Provision for immediate medical and financial needs
- II Addressing redundancy and re-employment of survivors
- III Establishment of compensation funds
- IV Compensation payments to families of deceased workers
- V Compensation for injured workers

### 4.4 Other actions for remedy

#### 4.4.1 Transparent investigations and improvements to factories

The accidents and serious injuries in all of the cases could have been avoided if proper safety checks had been ensured. Consequently, in every case trade unions have asked complete and clear investigations into the causes of the accidents and, where the factory remains open, instant checking and improvements to be done. The case of Garib and Garib is concrete example of the necessity of such actions. In February 2010 a worker and fire fighter were killed because of fire. Few weeks after the February fire a third fire broke out, although luckily in this incidents nobody was seriously injured.

#### 4.4.2 Accountability and prosecutions

Actions for negligence by factory owners to be taken by the government. Such prosecutions could act as a warning for other factory owners to take more preventative actions.

### **4.4.3 Ensuring ongoing employment for survivors**

The worst case scenario for the accident survivors is they find themselves as unemployed. That is why it is important that brands continue to put orders into the factory and work. For this reason it is vital that brands continue to put orders into the factory and work carefully and a close supervision on safety conditions at the factory by trade unions.

### **4.4.4 Support for trade union organizing**

Lastly, in most of the cases the presence of a trade union may help to avoid the accident. In field, workers had been raising concerns about cracks in the wall for weeks prior to the collapse. The workers who raised their voices should not be frightened and give their works back. The existence of trade union may have provided a channel for these concerns to have been raised collectively and pressure for initial actions to be taken. An important role can be played by trade union which ensures the supply of proper safety equipment, and safety issues will be continuously monitored.

## **5. Survey result analysis:**

The survey was conducted to get the picture of the garments worker's safety knowledge, their job satisfaction and rights. In recent years several accidents were take place in different factories, where almost 1500 workers were died. Rana plaza tragedy was one of the worst of them; it took 1290 worker's life. The whole country was shocked by the tragedy and it catches very high national and international attention. Everybody demand a safe work place for the workers.

In Bangladesh most of the garments workers are illiterate and they are not concern about their safety issue and rights. After Rana plaza incidence everybody demand to increase workers knowledge about their rights and safety issues. The survey tries to find out the present situation of the workers.

For the survey 100 workers has been chosen from 5 different sized garments factories, 20 workers from each factories. Two factories were very big and other three were small and medium sized factories out of those five factories. A very easy and simple questioner has made with 10 questions. The questions have been designed in a way so that the works can answer by only saying YES or NO. Simple quantitative method has used to sort out the result. The sur-

vey does not provide a very authentic result, but it is able to provide a picture of the RMG workers present status.

Table 2: Workers satisfaction survey report

Area of satisfaction	Positive(Number of worker)	Negative(Number of worker)
Work load	5	95
Salary	22	78
Safety training	40	60
Fire drill	40	60
Medical facilities	24	76
Sick leave payments	15	85
Job security	40	60

Source: survey conducted for the thesis

The survey is showing that 95 workers out of 100 workers were not satisfied with their work load. Almost all the workers work more than 10 hours every day with very little payment. To bare their livelihood they need to work even overtime. The workers were not satisfied with their salary also. After working whole day they are able to earn not more than 2 euro per day. 22 workers out of 40 from two big factories were satisfied with their salary. They were supervisor and had a good salary. Even in those big factories regular workers had a very lower salary scale. But the bigger companies provide better safety, work environment, medical facilities and job securities. Workers from the big companies have 15 days sick leave in a year and 7 days casual leave.

Other 3 companies were small and medium sized company and most of the time work as subcontractor of the big companies. Most of the workers from those companies were not satisfied with their salary, job security, working environment and so on. Small companies are not providing sick leave facilities properly as well.

## Conclusion

It can not be ignored that the Banadeshi garment is having both serious and widespread problems in safety area. Immediate and coordinated initiatives have been taken place more of the

5 million Bangladeshi employed to make our clothes will continue to needlessly risk their lives.

Never the less there are so many things that need to be done. Blaming each other in all meetings will not give any solution. Here we have tried to give an idea where improvements are required, the roles of all garments owners to make their work places safer.

Not only the garments owners but also brands and retailers should also have some responsibility; they just cant ignore as they are not directly own the factories or producing goods. They also should and can do something to prvent more deaths to take place. It is good that, recently many brands and retailers recognize the right to have a safe workplace for workers which is also included in their code of conduct, they always look to others for action, and maintain communication of the government and industry as an excuse for failing to engage with issue properly. In the survey which is conducted for the thesis purpose shows that after all these several big accidents the overall situations do not develop that much. Although different actions have been planned but very fews are implemented. This situation can not be left without any affect, we cannot wait for mre workers to die before we act.

The Building and Fire safety MoU that has been signed by PVH Corp. and Tchibo, it is the duty of brands and retailers to follow this with respect. This agreement has been prepared upon the principles of transparency, credibility, stakeholder involvement and workers participation. All brands and retailers sourcing from Bangladesh from gurments industry should follow the principle of the current MoU for gurments workers' right and safety in workplace as soon as possible. Siging on to the MoU is the first step which is already in place.

In recent years many things have been achieved to establish a model fro provision of compensation to affected workers when tragedies surely happen. It is very imporatant to ensure justice for worlers and their families who have lost their lives, livelihoods and health, which is the result of negligence on the part of owners and buyers. This activities must be continued forward and should not be stopped by individual brands who prefer to offer charity over respect for the rights of these workers. That is why, all Bangladeshi brands and retailers must adopt a standered role model in all safety areas and agree to concession exact amounts and implementation with those groups rerepresenting workers and their families.

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**Table 1.** Bangladesh total export growth from 2007 - 2012

Fiscal Year	Total Export	Total Import	Foreign Earnings
2007-2008	\$14.11b	\$25.205b	\$8.9b
2008-2009	\$15.56b	\$22.00b+	\$9.68b
2009-2010	\$16.7b	~\$24b	\$10.87b
2010-2011	\$22.93b	\$32b	\$11.65b
2011-2012	\$24.30b	\$35.92b	\$12.85b

Source: [www.Bizbangladesh.com](http://www.Bizbangladesh.com)

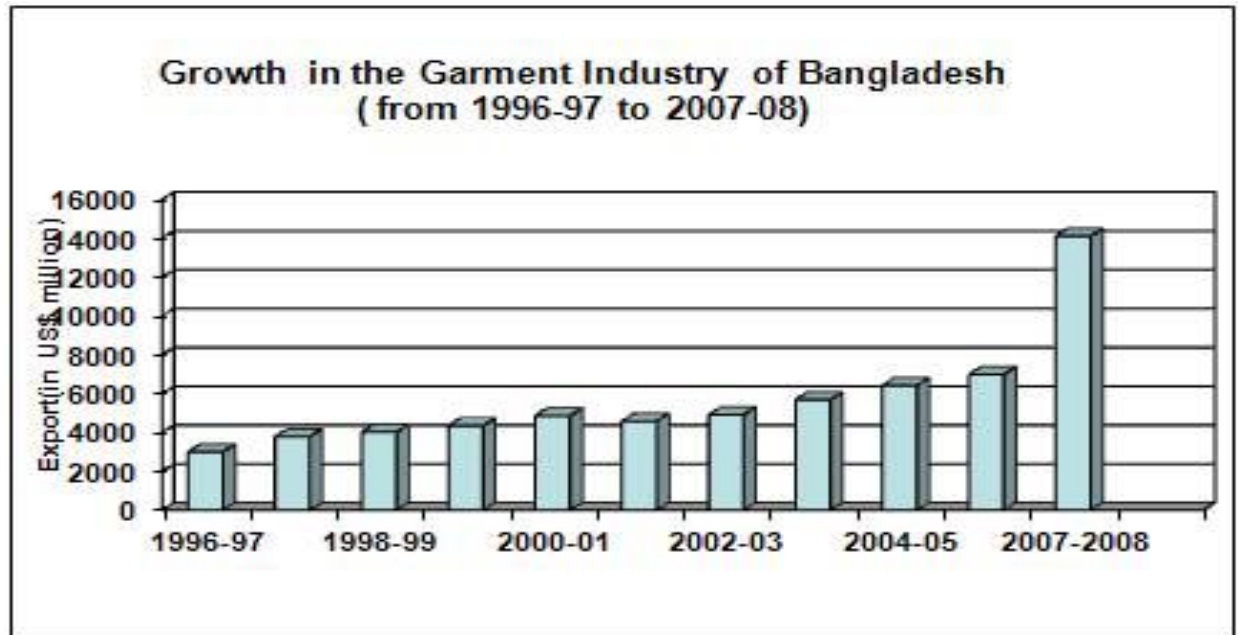
**Table 2.** Workers satisfaction survey report

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Job security	40	60

Source: survey conducted for the thesis



**Figure 1.** Growth in garments industry of Bangladesh



Source: Export promotion Bureau (Go Bangladesh 2007-2008)

## Appendix1

### Questionnaire

Name:

Sex:

Age:

1. How many hours you work every day?
2. Do you work overtime?
3. How much you get salary every month?
4. Do you get any bonus?
5. Do you have any job security?
6. Do you get any medical facilities in your work place?
7. Do you have any idea about work safety?
8. Does your company give any safety instruction?
9. Does your company give any emergency safety training?
10. Does your company give any support if any accident happens?



