

## Implementation of Labour Laws in RMG Sector of Bangladesh: A Case Study

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**Abstract:** *The application of Labor Law provisions (Bangladesh Labor Act-2006 in RMG sector of Bangladesh shows a substantial lack of implementation of the provisions in the work place. The overall provisions regarding service rule and policy, maternity benefits, wage and overtime payment, compensation for injury by accident, provident fund, health and hygiene, safety and security, welfare and working hours, leaves and holidays are found on an average standard. The main lacking in this respect is maternity benefit with leave, provident fund facilities fire fighting machinery and training of the workers on safety provisions. The major complain is regarding welfare provisions. Working hours, leaves and holidays provisions are found more or less in conformance with the factory acts provisions. The main reasons that can be attributed to this are negligence, carelessness, lack of management authority and control over the persons responsible for this, fund shortage, etc. It is very clear that education, training, and awareness development is least emphasized in RMG sectors. This again can be linked with lack of responsibility in the RMG sectors. All these suggest scope and need for immediate improvement of the management system and gradual implementation of the provisions of the Act at the work place in the RMG sectors of Bangladesh. The consequences of these have been analyzed using both primary and secondary data collected from trustworthy sources.*

**Keywords:** Labour Laws; RMG Sector; Garments Industry; Bangladesh;

### Background

Garments Industry, a very important and significant sector in Bangladesh's economy, is at present in a vivacious situation. The government is providing different facilities for the growth of this sector. This sector is the major contributor of our export earnings. And it is also a major part of our nation's GDP. In terms of employment garments sector has become a leading contributor of employment. The first garment factory in Bangladesh was established in 1978 by some private entrepreneurs. Now there are around 4300 garments factories in Bangladesh and all of them are in the private sector. From the inception private entrepreneurs are controlling the overall sector with their commitment and hard work.

After the liberation, the government of Bangladesh through a presidential order (President Ordinance 27) nationalized many industries. Private sector didn't get many opportunities to flourish that period. But after few years situation went favorable for our private sector

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entrepreneurs. And they capitalized the benefits of the privatization and incentives. And garments sector entrepreneurs basically established the base at that period. Their vision, dedication, commitment and sincerity towards a new sector provided a solid foundation of this sector.

Since the early 1980s private entrepreneurs were getting the interest of this sector. Though the shortage raw materials and competent manpower considered the obstacles for smooth operation of this sector. But those were overlapped by cheap labor, government initiatives and support and quota facilities. A weak labor Act, lack of workers associations, poor monitoring by the government and buyers, absence of a proper compliance guidelines became the blessings for entrepreneurs. In spite of different problems garments entrepreneurs move forward with positive attitude. The number of garments factories has increased by 47.99% from 3480 in 2000-01 to 5150 in 2010-11. If we see the total export in percentage we will see that garments sector contributed 76.57% in total export in 200-2001 and in 2010-11 it independently contributed 78.15% of total export.

#### Membership and Employment

Year	Number of Garments Factories	Employment in Million Workers
1994-95	2182	1.2
1995-96	2353	1.29
1996-97	2503	1.3
1997-98	2726	1.5
1998-99	2963	1.5
1999-00	3200	1.6
2000-01	3480	1.8
2001-02	3618	1.8
2002-03	3760	2
2003-04	3957	2
2004-05	4107	2
2005-06	4220	2.2
2006-07	4490	2.4
2007-08	4743	2.8
2008-09	4925	3.5
2009-10	5063	3.6
2010-11	5150	3.6
2011-12	5400	4
2012-13	5876	4
2013-14	4222	4
2014-15	4296	4

Source : BGMEA.

As a consequence of increase in the production capacity, the export also raise correspondingly during the same period increased by 268.62% from US\$ 4859.83 million to US\$ 17914.46 million. The export of garments goods kept its pace and trying enters the new market with more success. However very recently there has been a little crisis in our export but the manufacturers are trying to overcome from that situation.

As per recent data the export earnings of garments products are now 81.71% of the country's export earnings, rising from about 65% in the financial year 1994-95.

#### Comparative Statement on Export of RMG and Total Export of Bangladesh

Year	Export of RMG	Total Export of Bangladesh	% of Rmg's To Total Export
	(In Million US\$)	(In Million US\$)	
1994-95	2228.35	3472.56	64.17
1995-96	2547.13	3882.42	65.61
1996-97	3001.25	4418.28	67.93
1997-98	3781.94	5161.2	73.28
1998-99	4019.98	5312.86	75.67
1999-00	4349.41	5752.2	75.61
2000-01	4859.83	6467.3	75.14
2001-02	4583.75	5986.09	76.57
2002-03	4912.09	6548.44	75.01
2003-04	5686.09	7602.99	74.79
2004-05	6417.67	8654.52	74.15
2005-06	7900.8	10526.16	75.06
2006-07	9211.23	12177.86	75.64
2007-08	10699.8	14110.8	75.83
2008-09	12347.77	15565.19	79.33
2009-10	12496.72	16204.65	77.12
2010-11	17914.46	22924.38	78.15
2011-12	19089.69	24287.66	78.6
2012-13	21515.73	27027.36	79.61
2013-14	24491.88	30186.62	81.13
2014-15	25491.4	31198.45	81.71
Data Source Export Promotion Bureau Compiled by BGMEA			

Diversified and quality products have found a huge market at abroad and especially in European market. Admiration for our garments products have increased remarkably in recent time across the world, and it happens just because of the professional outlook of

that industry related person. Tremendous demands for garments products have been noticed in the North America only because of quality products. But, durability of this success of garments products largely depends on the entrepreneurs' willingness to accord with compliance issues and workers safety and securities.

It is observed that from beginning this sector moved with inadequate policies and programs which have been recognized in different incidents. Once most of the garments factories were running without conforming to the application of existing factory laws. Absence of proper monitoring and lack of proper labor laws were responsible for the working condition of that time. As time passed this industry become matured enough to compete in the world stage with proper rules and regulations about workers safety and security. The Labor Act 2006 has the ability to improve overall working condition of garments workers. This Law, among other issues, deals in the workers' interests including the provisions regarding their safety and security, welfare, health and hygiene, working hour, leave and wages at the workplace.

The Labor Act 2006 and the subsequent rules of 2015 provides the provision of compulsory prior permission from the chief Inspector of Factories & Establishments regarding the implementation of organizations service rules and policies , it fixes the limit of the daily and weekly working hours of the workers, make provisions for the compulsory weekly holidays or compensatory holidays, festival leave, annual leave, casual and sick leave . But due to lack of implementation, rather it should be said that the absence or negligence of the law enforcing authority in this sector made these provisions of law ineffective. Without going into the in-depth inquiry any one can observe the frequent violation of Acts in our industrial sectors. Keeping this in mind this paper analyses the working conditions in light of the application of labor laws in private sector garments factories of Bangladesh ,especially in Dhaka division where the first garments factories were established.

## **Objectives of the study**

### **Major objective**

- The aim of the study is to explore the implementation of Labor Act in RMG sector of Bangladesh, particularly in Dhaka division.

### **Specific objectives**

- To study the basic practices and conditions of employment.
- To identify the working hour, overtime and leave of worker as per labor Act 2006.
- To examine the organizations wage practices.
- To identify the health and hygiene measures taken by organizations.
- To analyze the current practices of the safety measurement respective organizations.
- To assess the steps taken by the organization for the welfare of the workers.
- To examine the provisions about the compensation for injury by accident.
- To identify the provisions taken by the management for maternity benefit as per Labor Act 2006.

- To identify the situation of the introduction of provident fund in the organizations.
- To provide suggestions for improving the labor laws practices in the organizations.

### **Key Variables**

My research theme is Labor Law Implementation in RMG Sector of Bangladesh specifically in Dhaka division and our key variables are practices of service rule and policy, maternity benefits, wage and overtime, compensation for injury by accident, provident fund, health and hygiene, safety and security, welfare and working hours, leaves and holiday provision.

### **Scope of the Study**

The scope of the study covers the application of The Labor Act 2006 and the subsequent Rule concerning provisions of work facilities and work environment, safety and security, health and hygiene, welfare, working hours, leaves, wages, maternity benefits, provident fund at the work place in RMG sectors of Bangladesh.

### **Methodology of the Study**

This section presents an overview of the methods would be used in the study. Areas covered include the research design, population, sample and sampling techniques, data collection and analysis. Survey has been conducted from June 2015 to December 2015.

The study is involved in evaluating the implementation of labor law practice of some selected garments in Dhaka division. Consequently, the research is designed to achieve the objectives set out by the researcher.

This study has employed both qualitative and empirical approach because of mixed nature of the problem with a view to achieving the best outcome of the research. The qualitative methodology of research has been applied for subjective assessment based on secondary sources to investigate the loopholes in the current legal framework on the safety and security net of the garments workers in Bangladesh. While doing this part of the research, the existing literature on the labor laws have been explored and examined thoroughly. Through application of this approach, findings have been reinvigorated and compiled suggesting better security and safety net along with propositions for necessary amendments of the current labor law.

### **Sampling**

I had adopted the survey type of research in which a sample from the target population used for the study. The study was confined in Dhaka Division. Total number of Garments in Dhaka Division is 3620. Among these, I have randomly chosen 28 Garments which are mainly situated in Tongi, Gazipur and Narayanganj. The sample is 560 (28X20) workers. (20 people from each garments factory). List of those 28 garments given below:

Sl. No.	Area	Name of the Organization	No. of Employees		Sample Size
			Management Staff	Workers	
1	Dhaka City	Envoy Garments Ltd.	100	1150	20
2		Evince Garments Ltd	65	861	20
3		Dragon Group	60	2000	20
4		Givensee Group	200	6000	20
5		Ananta Garments Ltd	35	3000	20
6		Samar Fashion Ltd	14	900	20
7		Rose Intimates Ltd.	27	2000	20
8		MTM Garments Ltd	24	1000	20
9	Gazipur	Fountain Garments Manufacturing Ltd	250	2900	20
10		Unity Fabric Industries Ltd.	200	1200	20
11		Libas Textiles Ltd	200	3800	20
12		Fresh Knitwear Ltd.	100	2800	20
13		Square Fashions Ltd.	607	9500	20
14		Renaissance Apparels Ltd.	150	2500	20
15		West Industrial Park Ltd.	650	6300	20
16		Sadma Fashion Wear Ltd.	80	800	20
17		Dip Knitwear Ltd	90	960	20
18		TEX EUROP (BD) Ltd.	56	4850	20
19		Rose Sweater Ltd.	35	1300	20
20		Tex Earth Ltd.	21	1000	20
21		Anlima Textile	12	284	20
22		Madinaple Fashion Ltd	30	1500	20
23		Epyllion Style Ltd.	65	2500	20
24		Epyllion Knittex Ltd.	270	5000	20
25		Rose Sweaters Ltd.(Unit-2)	56	2000	20
26	Tongi	AB Mart Fashion Wear Ltd	47	650	20
27	Narayangonj	Asrotex Group	230	1316	20
28		Starlet Apparels Ltd.	65	500	20
<b>Total</b>					<b>560</b>

### Data Analysis

A structured 55 questionnaires in a 5 point scale ranging from strongly agree (5) to strongly disagree (1) was developed for respondents view regarding parameters relating to the selected provisions of the labor law.

Descriptive statistics and indexing ( $\log P01 = \sum \log [P1/P0 \times 100] / N$ ) have been used to identify the level of application of the provisions throughout the study.

A question scale is showing below:

Scale				
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
5	4	3	2	1

### **Source of Data**

Source of data is mainly face to face interview of the garments workers and various journals and BGMEA website. A secondary research has also been conducted in the study. Sources in secondary research include previous research reports, newspapers etc. eliminate

### **Data Collection Tools and Techniques**

This study has used both primary and secondary data collection techniques. The major research techniques employed are as follows:

- Conducting interviews direct and over phone with relevant owners, management and personnel of RMG industries.
- Discussion with 560 workers to know and analyze the attitude and beliefs of workers towards labor management relations and labor rights.

A structured questionnaire has to be developed and is used as the survey tool for the study. Most of the questionnaire was the closed-ended type.

### **Data Analysis**

As previously mentioned scope of this study covers the application of the Labor Act 2006 and the subsequent rules concerning provisions of work environment, safety and security, health and hygiene, welfare, working hours, leaves, wages, maternity benefits, provident fund at the workplace of RMG sectors in Bangladesh. The study is conducted among 28 garments specially localize in Dhaka division.

A structured 55 questionnaires in a 5 point scale ranging from strongly agree (5) to strongly disagree (1) was developed for respondents' view regarding parameters relating to the above mentioned provisions of the garments (Appendix-1). Descriptive statistics and indexing have been used to identify the level of application of the provisions throughout the study.

### **Findings from the Study**

Here collected data has been analyzed. Here I strictly follow the analysis plan laid out in chapter One. Each Question addressed individually.

### **Service Rule and Service Policy Provisions**

The Labor Act-2006 and the subsequent Rules has laid down detailed provisions regarding workers service rules, policy, identity card and service book. Section-5 of Bangladesh Labor Act-2006 explained the provision regarding appointment and identity card. This section provides that no employer shall employ any worker without giving such worker a letter of appointment and every such employed worker shall be provided with an identity card with photograph. Section-6 and 7 tells that every employer shall, at his own cost, provide a service book for every worker employed by him and the service book shall contain the personal and job related all necessary information of the worker.

**Table 1 : Response regarding existing practices of “Service Rule and Policy” in Garments Sector of Bangladesh**

Sl. No.	Parameters	Index
1.0	Organization maintained the service rule strictly	3.18
2.0	Letter of appointment is provided during time of joining	2.65
3.	A register book is maintained where your information are registered	2.34
4.0	Organization provident identity card as per Law	4
5.0	Procedure of punishment is followed as per Law	2.93
6.0	Provision period is maintained as per law	02

### Findings

The Labor Act-2006 has laid down various provisions regarding workers. The result shows that maximum garments maintained their organizational service rule and policy (3.18) and most of the factories do not provide the appointment letter to all of their workers at the time of joining (2.65). Most of the garments followed the procedures of punishments as per labor law (2.93) and contain register book (2.34) but not in a proper way. Provision period for workers is not followed by the employers in most of the garments (0.12).

### Maternity Benefits Provisions

Section-46 and 47 of Labor law Act-2006 and the subsequent Rules has laid down detailed provisions regarding maternity benefit and maternity leave. Section- 46 provides that every woman employed in an establishment shall be entitled to and her employer shall be liable for, the payment of maternity benefit in respect of the period of eight weeks preceding the expected day of her delivery and eight weeks immediately following the day of her delivery. By Section- 47, any pregnant woman entitled to maternity benefit under this Act may, on any day, give notice either orally or in writing to her employer that she expects to be confined within eight weeks next following.

**Table 2 : Response Regarding Maternity Benefits Provisions of Labor Laws in Garments Sector of Bangladesh**

Sl. No.	Parameters	Index
7.0	Worker get maternity leave in due time	3.18
8.0	Workers enjoy both leave and wage	2
9.0	Employer is sincere in paying maternity benefit to his employee	2.35
10	There is a provision for the extension of maternity leave	3.00

### Findings

Workers who were eligible to get the maternity benefits received the benefits in due time (3.18). It is found that workers get both leave and wages as maternity benefits but the number is not satisfactory (2.0). From this study we can see that women workers in most of factories get the extension of their maternity leave (3).



### Wage Provisions

Section-120 to 124 of Bangladesh Labor law Act-2006 and the subsequent Rules has laid down detailed provisions regarding wage and the extra payment for overtime. Section 121 and 122 provides that every employer shall be responsible for the payment to workers employed by him of all wages required to be paid under this act and every person responsible for the payment of wages under Section-121 shall fix period, to be called wage periods, in respect of which such wages shall payable and also provides that no wage period shall exceed one month. Section- 123 explained that the wages of every worker shall be paid before the expiry of the seventh day after the last day of the wage period in respect of which the wages are payable.

**The applications of the major provisions in studied Garments factories are discussed below (Table: 3).**

**Table 3 : Response Regarding Wage Provisions of Labor Laws in Garments Sector of Bangladesh**

Sl. No.	Parameters	Index
11	Organization provides the wages in due wage period	3.18
12	Extra payment for overtimes are provided here	2.00
13	Wage deducted as per sec125 of BLA2006	2.34

### Findings

The result shows that most of the workers have received their wage in due time (3.18). But most of the workers have no idea about existing law of payment of wages and also have no idea about the actual rate of overtime payment. Most of them get their overtime payment in due time but it is not equal to the provision of extra allowance for over time provided in Section-108.

### Compensation for Injury by Accident Provisions

Section-150 to 155 of Bangladesh Labor law Act-2006 and the subsequent Rules have laid down detailed provisions regarding compensation for injury by accident. Section-150 provides that if personal injury is caused to a worker by accident arising out of and in the course of his employment, his employer shall be liable to pay compensation. The employer shall not be liable to pay compensation.

**The applications of the major provisions in studied Garments factories are discussed below**

**Table 4 : Response Regarding Compensation for Injury by Accident of Labor Laws in RMG Sector of Bangladesh**

Sl. No.	Parameters	Index
14	There is a provision for compensation for injuries by accident.	3.2
15	Compensation paid at the rate prescribed in labor Law	3.2

### **Findings**

The result shows that most of garments under this study follow the provisions of compensation by accident and the workers are aware of the provisions for the compensation for injuries by accident (3.2).

### **Provident Fund Provisions**

Section-268 to 273 of Bangladesh Labor Act-2006 and the subsequent Rules has laid down detailed provisions regarding provident fund. Section-264 provides that an establishment in the private sector may constitute for the benefit of its worker a provident fund. The Sub Section-9 of this Section explained that every permanent worker shall, after the completion of his one year of service in the establishment constituting the provident fund, subscribe to the fund, every fund, every month, a sum, unless otherwise mutually agreed, not less than seven per cent and not more than eight per cent of his monthly basic wages and the employer shall contribute to it an equal amount.

**Table 5 : Response Regarding Provident Fund of Labor Laws in Garments Sector of Bangladesh**

<b>Sl. No.</b>	<b>Parameters</b>	<b>Index</b>
16	Provident fund is existing in this organization	3.18
17	Provident fund administered by the Board of trustees	3
18	The cost of maintenance of provident fund borne by the employer	3.18

### **Findings**

The result shows that most of the garments have provident fund (3.18) and Above the workers have well understanding of it (3). But the law says different things. It is mandatory for all garments. Big garments are aware of it. But small and mid-level garments do not have any provident fund provision.

### **Health and Hygiene Provision**

Section-51 in Labor Act-2006 provides that every establishment shall be kept clean and free from effluvia arising from any drain privy or other nuisance. Dirt and refuse shall be moved daily from the floors and benches of workrooms and from staircases and passages. The floor of every workroom shall be cleaned at least once in every week. All inside walls and partitions, all ceilings or tops of rooms, passages or staircases should be painted or varnished at least once in three year or cleaned and washed with proper color at least once in a fourteen month.

Section-52 has prescribed that every workroom in the garments must have adequate ventilation facilities so that there remain adequate circulations of fresh air in the room. The temperature in the workroom should be kept within the tolerable limit of the workers.

Section- 56 has set guidelines for restricting overcrowding in the workrooms and ensuring free movement of the workers at the workplace.

Section -57 provides that in every part of a garments or factory where workers are working or passing, there shall be provided and maintained sufficient and suitable lighting, natural or artificial, or both.

Section- 58 states that there should be sufficient and proper arrangement for wholesome drinking water, container legibly marked as “drinking water” and must be kept at place maintained twenty feet away from washing place, urinals and latrines.

Section- 59 spells out that there should be adequate number of specific type of latrines and urinals for the workers at the workplace. There should be separate latrines and urinals for male and female, as well as, there should be proper arrangements for keeping them in hygienic condition.

**Section- 60 prescribes that there should be adequate number of spittoons at convenient positions of the workplace and they should be maintained in hygienic condition.**

**Table 6 : Response Regarding Health and Hygiene of Labor Laws in Garments Sector of Bangladesh**

Sl. No.	Parameters	Index
19	The dirt & refuse moves daily from the floor, benches in the work room, stair cases passages daily.	2.006
20	The floors of the work room cleaned once in a week by washing, using disinfectants where necessary.	3.2
21	The inside walls, partitions, all ceilings, or tops of the rooms and walls, side & tops or passages and staircases painted, varnished kept clean once in one & a half year.	1.17
22	There are adequate provisions for circulation of fresh air in the room.	3.11
23	There is reasonable temperature in the workroom.	3.21
24	You can move freely in the workroom	3.22
25	Proper lighting (natural or artificial) in the workplace	2.65
26	Adequate measure for protection from glare & shadow of artificial lighting	3
27	Proper arrangement for pure drinking water in the workplace	3.15
28	The water container is marked "Drinking Water" legibly & kept 20 feet away from urinals & wash places.	3.22
29	Facility for keeping drinking water cool in summer	0.8
30	Sufficient number of separate latrines & urinals for male & female in workplace	2.98
31	The latrines & urinals are cleaned daily & kept in sanitary Condition in appropriate way.	3.1
32	Adequate number of separate washrooms for male & female in workplace	1.17
33	Spittoons cleaned daily & kept in sanitary condition	2.01

### **Findings**

But the result shows show that 'the dirt and refuse moved daily from the floors, benches in the workroom, staircases and passes daily is not maintained properly (2.06). The floors are regularly cleaned once in a week (3.2). However, the inside walls, partitions etc. are not kept cleaned in every garments (1.17). The results indicate that the fresh air circulation arrangement is good enough at the work place (3.11) in most of the garments. And the temperature is comfortable for the worker (3.21). The respondents feel that free movement in the work place is up to the legal standard.

Study found that lighting condition is at the average level (2.65). The measures for protection from glare and shadow of artificial lighting is somewhat above the average standard. The results show that the proper arrangement for drinking water is up to the legal standard (3.15). 'Drinking water' is marked (3.22) and a very poor condition of the facility for keeping drinking water cool in summer is observed by the workers of the study (0.8). The results also show that the number of latrines and urinals at the work place are sufficient (2.98) and the latrines and urinals are kept cleaned regularly in most of the garments (3.18). But separate washrooms for male and female workers are perceived to be inadequate (1.17).

Study identified a very poor placement of the spittoons at the proper places and their regular cleaning (2.01).

From the above discussions it is very clear that health and hygiene applications of the labor law act in the garments is on an average standard.

### **Safety and Security Provision**

Section-62 of Bangladesh Labor Act-2006 provides that every factory building should have adequate number of 'fire exit' and they must be marked legibly in red colored letters. There should be proper fire alarm system to make worker alert at the outbreak of fire in the factory. During working hours no factory room must not be fastened from outside in such way that can't be opened from inside. There should be adequate and effective firefighting equipment and the workers must be trained to use them.

Section-64 prescribes that only adult male workers with tight-fit outfits should be employed to work at moving type of machinery. In addition to this, Section-34 to 40 provides that normally no young person (aged between 14 and below 18 years) should be allowed to work at dangerous machinery. Only the young person can work at such machinery if they are properly trained to do so. They must carry out their assignments under supervision of well-trained and knowledgeable person. Before giving young person any such assignment he must be certified by the proper authority about his capability of performing such job.

The applications of the major provisions of safety and security in studied garments factories are discussed below (Table: 7).

**Table 7 : Response Regarding Safety and Security Provision of Labor Laws in Garments Sector of Bangladesh**

Sl. No.	Parameters	Index
34	Adequate number of fire exits in the workplace	3.3
35	Fire exits are marked FIRE in red letters	4
36	Adequate arrangements of fire alarming	3
37	Adequate numbers of firefighting equipment	3.17
38	Workers are trained to use the firefighting equipment	1.56
39	Only adult trained person work with machinery in motion.	3.2
40	Young person (over 14 but below 18 years) works in dangerous machinery.	3.18
41	Young people have certificate from proper authority regarding fitness.	2.93
42	The workers require to take excessive weight.	3.2

**Findings**

The results show an adequate number of fire exits at the work place (3.3). The fire exits are properly marked in red color (4.00). However, the respondents feel that there is an adequate arrangement of fire alarming in the garments (3.00) and the firefighting equipments are adequate in numbers (3.17) but the workers are poorly trained in handling firefighting equipments (1.56).

The study results also show that only the adult-trained person work with machinery in motion in garments (3.20). But sometimes the young persons are engaged in the dangerous machines (2.93). Moreover, the garments hardly provide certificates to young people regarding fitness for working in the garments. Law provides that no person in the garments should be allowed to lift, carry or move any load so heavy as to be likely to cause him injury. Most of the garments properly maintained this law. The results show that workers are not allowed to take excessive weight (3.2).

It is very clear that training and awareness development is least emphasized in garment sector in Bangladesh

**Welfare Provisions**

Section- 89 of Bangladesh Labor Law Act-2006 provides that in every part of the establishment where workers work there should be first-aid box. The box should contain first- aid kits and should be kept in such a manner that it becomes accessible to every worker during the working hours. It also lays down that for every 150 workers there should be at least one box. Where 500 or more workers work there should be a “dispensary room” with proper facilities and manpower.

Section- 92 of Bangladesh Labor Act 2006 places requirement that where 100 or more workers are ordinarily employed a canteen should be there with proper arrangements.

Section- 93 adds that in every establishment wherein more than 50 workers are ordinarily employed, adequate and suitable shelter or rest rooms, and suitable lunchroom with provision for drinking water where workers can eat meals brought by them, shall be provided and maintained for the use of the workers.

Section-94 provides that in every factory, wherein more than 40 women workers are ordinarily employed, there shall be provided and maintained a suitable room or rooms for the use of children under age of six years of such women.

The applications of the above provisions in studied garments sectors are discussed below (Table: 8).

**Table 8 : Response Regarding Welfare Provisions of Labor Laws in Garments Sector of Bangladesh**

Sl. No.	Parameters	Index
43	First aid boxes available in the easily accessible positions of the work	3.18
44	One first aid box is arranged for 150 workers.	3.2
45	The person responsible for first aid treatment is easily recognized	2.22
46	Safety record book is maintained here	2.65
47	Safety committee is existing in this factory	2.006
48	There is a childcare facility for the female workers (Applicable if there is more than 40 female workers)?	1.62

### **Findings**

The results show that first aid boxes are available at the easily accessible position of the work place (3.18). The policy of 'one first aid box for 150 workers is not maintained in every garment (3.2). There is a dispensary room in some of the garments but it is not properly maintained (2.22). In Section 90 and 90A provides in every establishment factory wherein more than 25 workers are employed, shall maintained compulsory, in the manner prescribed by rule, a safety record book and safety information board and where in any factory, 50 or more workers are employed, there shall be a Safety Committee formed and functioned in the manner prescribed by Rule. But results show that these provisions are not maintained in every garment properly (2.006). A very poor condition is found in the childcare facility for the female workers (1.62).

The application of welfare provisions gives an overall gloomy picture at the garment sector of Bangladesh. Most of the provisions are perceived by the respondents are found on an average.

### **Working Hours, Leaves and Holidays Provisions**

Section-101 to section118 of Labor Act -2006 and the subsequent Rules has laid down detailed provisions regarding working hours, leaves and holidays. Section-101 provides that working hours should be scheduled in such fashion that every worker get one hour interval after working six hours at a stretch. if he is allowed interval of half hour it should be provided after five hours working at a stretch . Section-103

provides that no adult worker shall be required or allowed to work in a factory for more than forty-eight hour in a week. For a day a worker can work up to 10 hours by Section -100 and by Section- 102 total hours of work of an adult worker shall not exceed sixty hours in any week and on the average fifty-six hours per week in any year.

Section-104 describes that where any worker who has to work on the scheduled holiday is entitled to compensatory holiday. That particular worker should be awarded compensatory of his lost holiday. This compensatory holiday must be awarded to the worker within two months it has been due to him.

Section-108 states that where a worker works in an establishment on any day or week for more than the hours fixed under this Act, he shall, in respect of overtime work, be entitled to allowance at the rate of twice his ordinary rate of basic wage and dearness allowance and ad-hoc or interim pay, if any.

Section- 117 suggest that in general workers who are working in a factory for the last 12 months are entitled to get annual leave with pay at the rate of one day leave for twenty –two working days. In case of child labor workers this rate will be revised as one day leave for fifteen working days.

Section -116 suggested that any worker be entitle to 14 days of sick leave on full pay.

**The applications of the above provisions in studied garments factories are discussed below (Table: 9).**

**Table 9 : Response Regarding Working Hours, Leaves and Holidays of Labor Laws in Garments Sector of Bangladesh**

Sl. No.	Parameters	Index
49	I enjoy weekly holiday	4
50	I enjoy compensatory holiday	2.98
51	I get extra pay for extra hour working	4
52	Is the extra pay equal to the double of your normal pay.	2.01
53	I get interval for rest or meal	4
54	I get annual leave with pay	2
55	I enjoy sick leave (14 days a year)	2.007

#### **Findings:**

The result shows that the workers of garments enjoy holiday properly (4.0), but they hardly enjoy compensatory holiday (2.98).

The result also shows the garments workers get extra pay for extra work but the extra pays are hardly equal to the double amount of normal pay for them. Workers get interval for rest or meal properly and in time (4.0). Only a least number of workers get annual leave with pay (2.00). The result shows that garments worker hardly enjoy the annual sick leave (2.007).

The working hours, leaves and holidays provisions indicate a totally different picture as noticed before. The overall rating in this area is satisfactory.

### **Conclusion**

The study looked into the overall conditions of the garments worker and overviewed the Bangladesh Labor Act, 2006. Workers were interviewed through a set of a structured questionnaire. A total of 560 workers were selected from 28 garments were interviewed. The workers were selected randomly of the selected garments.

The study of the application of the Labor Act 2006 in the garments sector of Bangladesh shows that there is a substantial lack of application of the laws in the work place in some of the garments. The problems are mainly related to the welfare, health and hygiene, and safety and security. The welfare provisions are mostly neglected in some of the factories. These include first aid and dispensary facilities, rest room space and childcare facilities for the female workers. It also observed that the maternity benefits are also inadequate somewhere. The overall health hygiene provisions are also found much below the average in some of the garments. The problems are mainly with air ventilation in the workplace and room temperature, spittoons and their overall cleanliness, drinking water arrangements, separate washroom facilities for male and female workers, cleaning washrooms, and the overall cleanliness of the factory premises. The safety and security provisions are also noted to be not high standard. Regarding working hours leaves and holiday's provisions are found more or less in conformance with the factory acts provision.

The main reasons that can be attributed to this are negligence, carelessness, lack of management authority and control over the persons responsible for this, fund shortage etc. It is clear that training and awareness development is least emphasized in RMG sectors. This again can be linked with lack of responsibility in the RMG sector of Bangladesh.

The study looked into the present working conditions and labor law implementation in the garments industries of Bangladesh. I believe in future a number of changes will be taken place due to the globalization of the economy, market diversification of the garment products, NGO initiatives, BGMEA initiatives and social labeling of imports in the north. All these changes may have affected the conditions of the garment workers.

Much of the working conditions would improve if some change and reformation could be done.. These change include: appointment letter must be made compulsory; weekly holiday, maternity leave with benefit to be provided for tow surviving children; workers need to give 60 days' notice to leave job; working hours for women will be from 6 am to 10 pm; provision for one day weekly leave; equal wage for both men and women for equal work; welfare provision should be maintained strictly; unions could not be affiliate with political parties. This provision would certainly help improve the working conditions of the RMG sectors if they are properly enforced and this will ensure the effective labor law implementation in the RMG sector of Bangladesh.



The international textile business is tremendously competitive. In the context of growing competition among RMG exporting countries and consumer preference for products that meet internationally recognized standards, it is essential for Bangladesh's RMG suppliers to improve compliance in their factories. RMG authorities in Bangladesh should implement effective policies on housekeeping, material storage and handling, work station design, fair wage, fair disciplinary action, and workplace violence. RMG is, however, the most flourishing sector in Bangladesh and it would be imperative that each and every issue related to improvement of productivity as well as quality is strictly followed to survive in the global market. Owners of RMG factories must emphasize on employment conditions, working conditions and occupational safety and health management to be more competitive in the international trade of textile and clothing business era. Moreover, regular practice of compliance codes of conduct can bring higher price of products, lower labor unrest, less worker turnover rate, highest worker morality, highest productivity and product quality, smooth industrial relation as well as global image and reputation. So, Bangladesh RMG firms need to deal with above mentioned compliance issues strictly in order to remain competitive in the global market. International pressure is growing against the government of Bangladesh, apparel brands and factory owners in Bangladesh. Bangladesh's garment sector may not be able to withstand another tragedy on the scale of Tazreen and Rana Plaza. The surest way to guarantee the success of the apparel industry is to avoid another disaster by promoting and protecting labor rights now, while the world's attention is on Bangladesh. The present opportunity to improve working conditions in Bangladesh cannot be squandered.

All these suggest scope and need for immediate improvement of the management system and gradual implementation of the provisions of the Act at the work place of the RMG sector of Bangladesh. Only a comprehensive policy for RMG industry can save this indigenous sector of Bangladesh.

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I (March. 2020), PP Implementation of Bangladesh Labor Law in Garments Industries: A Case Study on Bangladesh Perspective Md. Rafiqul Islam Manik 1, Sabbir Ahmed Abir 2, Naimul Hasan Shiam 3, Muhammad Tarique Bin Azad 4 1 Assistant Professor, Department of Apparel Merchandising & Management, BGMEA University of Fashion & Technology (BUFT), Bangladesh 2 Lecturer, Department of Apparel Merchandising & Management, BGMEA University of Fashion & Technology (BUFT), Bangladesh 3 B.Sc. in Knitwear Manufacturing & Technology BGMEA University of Fashion & Technology (BUFT). The RMG sector is engaged with the world economy through export, import and commodities marketing thus circulates the economy of Bangladesh. Working hours & labor in Bangladesh Labor Act 2006 , comparative study of legal analysis & its reality in RMG Sector - Read online for free. Labour Condition in the Apparel Industry of Bangladesh: Is Bangladesh. Labour Law 2006 Enough? School of Business, East Delta University. Kaniz Marium Akter, Subrata Banik.(2016). Factors Affecting the Quality of Working Life: An Enquiry into the RMG Industry of Bangladesh. Abdullah Al Mamun, (2016). Constraints for Bangladeshi RMG Sector for compliance. Vishal Sharma, (2015). "Imperfect work conditions in Bangladesh RMG sector". Mohammad Mainul Islam,(2016). Implementation of Labour Laws in RMG Sector of. Bangladesh: A Case Study. (I) Introduction Part (II) (a) briefly discusses the prevailing La One striking feature of Bangladesh's Labour Act enacted in 2006 is that it regards one below the age of fourteen as a child [7, s. 2 (LXIII)]. The law prohibits child labour even at places that may be categorized as non-hazardous with exceptions in cases of workers above the age of twelve. 66. Providing with rapid implementation, worker empowerment, and the long-term support necessary to advance sustainable change in an industry that is vital to the economic future of Bangladesh [48, 4] are the prime strategies of accomplishments it promises to follow. Case study on the governance of labour standards in Bangladesh's garment industry. 1. Introduction Global supply chains have linked developing countries to international markets, offering opportunities for income, employment and export-led development. Certain multinational businesses may also explicitly employ responsible business practices or possibly even sustainable business models when operating in developing countries or sourcing from the Global South, fostering an environmentally sound and socially fair production of goods and services. Bangladesh's ready-made garments (RMG) sector accounts for 80 percent of the country's export revenues. Bangladesh RMG sector at a glance. RMG Sector: Over 3,500 exporting factories Around 4.2 million workers 55%-60% women Export and Trade union presence 24.5 billion USD total RMG export earnings (2013-14) 80% of national export 3.5-4% factories with union presence. Source: ILO RMG Programme. These trainers are now actively promoting the implementation of appropriate OSH actions and programs in RMG workplaces. In addition, the capacity building may have an indirect impact on promoting access to unions and their services. Outreach training activities through the Bangladesh Institute of Labour Studies (BILS) involving NCCWE and IBC affiliated union targeting 2,355 workers at factory level. Case study 2: Favouring OSH policies.