

**Women Workers in the Readymade Garment Industry of Bangladesh: A  
Study with Special Reference to Labour Act of 2006**

Thesis submitted to the Jawaharlal Nehru University  
for the award of the Degree of

**DOCTOR OF PHILOSOPHY**

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**NEW DELHI-110067**

**INDIA**

**2019**



15-07-2019

DECLARATION

I declared that the thesis entitled " **Women Worker in the Readymade Garment Industries of Bangladesh: a special study Labour Act of 2006**" submitted by me for the award of the Degree of **Doctor of Philosophy** of Jawahar Lal Nehru University is my own work. The thesis has not been submitted for any other degree of this University or any other University.

Shibin Xavier

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CERTIFICATE

We recommend that this thesis be placed before the examiners for evaluation.

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Prof. Sanjay K Bhardwaj

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(Supervisor)

## ACKNOWLEDGEMENT

**Amar shonar Bangla**

**Ami tomæ bhalobashi**

It is true, the country and its music is gold, may be more than gold for me. Let me take this moment to remember the women workers of Bangladesh who is struggling to survive in the garment industries with no choice left for their daily bread. And this is a small attempt from my part towards your struggle for a better life. I would like to thank all the Bangladeshi people especially Lubna Marium and Krishnopokko Music Band of Dhaka University.

Let me talk about the best part of my acknowledgement. At the time of supervisor allotment, my sir told to the board that, *let him work with me*. I respect that kindness he has shown for me right from the beginning and his support was there throughout the work whenever I needed. My guide was always there for me, at times with a scold or sometimes with a smile. Without him, Prof. Sanjay Bhardwaj sir, without you this work would not have been possible. You taught that if you work you would not be regretted at the end. This words would be very less for your support. Thank you so much sir.

The next person would be Sandeep bhaiya. He was my close friend in the last year and helped me a lot like a brother does and Prof. Rajesh Kharat for all the support.

It is the time to remember those people who helped me join school when we had no money. People like Suresh Appappy and Monichan Uncle are those who, at the beginning of every school year, came with new bags and books for me. I think your efforts have not been wasted. I thank Aniyanchayan and family and Vijayanchaayan and family for their valuable support. Though being a single child, I am blessed with a lot of friends who never let me feel the lack of siblings and I think the major portion of my acknowledgement should go to them. I would like to thank all the friends and teachers of Govt. HWUP School Kurichy and CMS higher secondary school Pallom, who stood with me during my school years and the support they gave. Also, the people and teachers of MD seminary Higher secondary school for the valuable support and guidance. It is with immense gratitude that I remember my friends and teachers of 2007-10 Batch of Political science department, Baselios College. They believed in the stammering kid and gave me immense

opportunities to prove myself. Identifying myself as an artist bolstered my confidence at those times and the contribution of the Dept. of political science and the opportunities it has given me was significance in it.

There are lot of people whom I should thank when I think of Mahathma Gandhi University. Jineesh George, our brother, comrade who passed away years ago in an accident. When I was boarding the train from Kottayam, all of a sudden he became dull and told me that "it hurts when you go". I miss you... Santhoshetan, who stood with me and introduced me to the world of folk songs. Justin Joseph who was always there as a buddy and friends like Kannan and Vysakh. He was the person asked me to start writing, Shabeer Ikka who was there as well and here in JNU as my roommate and a close friend throughout these seven years of my life.

I am not merely thanking these people, Sarpras and Sujith. They are not just friends, may be brothers form another mothers, who were there always with me in discussing arguing travelling and helping each other for everything. Both of them have helped me in technical and alignment work for thesis. Shakkoor Ahmed Wani and Chaphiak Lowang for their friendship and academic company which cheered me and help me entirely throughout the thesis. A number of names should be written with all the love and affection from this campus. Friends like 'Thankalectual' (My dear bangla lover Rahul Thankaraj ) Janani, Salini, Lenin, Ankush, Nirmalechi, Treesa, Ajay, Afsal, Tintu, Ujwal, Hoimonti, Neha, Arshi, Vanichechi, Rachel, Ashwahy and Sunaina. I am extending my grattitude towards my dearest friends and comrades like Amal, Nitheesh, Dipsita, Balu, Anjana and Krishnapriya. to the organization SFI. Friends from Dastak are there at the corner of my heart. Sivadasetan should be remembered for his timely interference and moral support. Friends like Honey (Honey), Abdulla, Thalaivi (Reenu ) and Asha is remembered for their discussions criticisms and nice hangouts and JNUFC our football club will remain as a sweet memory forever. I would like to express my sincere thanks Aravind Mohandas who helped in all my initiatives and in thesis work too. I would also take this opportunity to remember CRPF Head Constable Saju O P, who was martyred in the Maoist attack in Chattisgarh.

Delhi have given me a lot of opportunity and memories as an artist through plays, shows and people. I would like to express my gratitude to all those artists and friends whoever I met and worked with in the Capital city, Santhoshetan, Roopeshetan , Samettan, Satheesetan, Vinodetan and their families who were there for me whenever I needed a home. These people will forever be

loved in my life . Friends like Vibin CV was always there a phone call away, with a constant rhythmic support. He is not only a friend, but the rhythm of my songs too. Roney, who has been shouting my roll number in classes because of my stammering trouble, always played the role of a brother in my entire life. Sreeraj TR the known best half of me throughout the stages, shares an artistic vibe together. Without ego or petty complications between us. I thank him for giving such valuable seven years here in Delhi. Riju the last one to come to my life, but became one of the best, was there for everything whether it was laptop, money or mental support, and everything. I thank Kurathy folk group, Fishing Club Kurichy , Prinu and Suneesh.

And here comes the most special team of my *life*. *Naadinte Theeppaattukal*, my second home . Will always keep close The songs we made and sang, the art we produced and the protests. The way we walked together will remind me that I was not alone in all these seven years in a place which was far away from my home. I am going to miss you. And though I won't able to make art and spend time with you is really a sad fact, the name remains, *Naadinte theeppaattukal*, and it will always be.

Here comes the gratitude and love which cannot be expressed in words to this person, Nivea Thomas who has been patient to listen to all my concerns, queries and worries. The person who is my editor, friend, and my companion in life. Words are not sufficient to express what I have in my mind, so I won't trouble them no longer, Thanks! Hugs!

And now it's time for them. When I chose humanities for studies, when I started doing art when I started growing my hair whenever I did something the best people stood with me without asking a question, and that is my parents. I am not thanking them but just letting them know that I won't disappoint you. Thank you so much for making me the way I am now and letting me grow.

I dedicate this works to my family THOTTATHIL and the family members especially our family head Jose Paul Thottathil!

LET US HOPE FOR THE BETTERMENT OF THE WOMEN WORKERS IN THE GARMENT INDUSTRIES OF BANGLADESH!

## Table of Contents

<b>ACKNOWLEDGEMENT</b>	<b>I</b>
<b>List of Tables</b>	<b>XI</b>
<b>List of Figures</b>	<b>XII</b>
<b>List of Photos</b>	<b>XIII</b>
<b>Abbreviations</b>	<b>XIV</b>
<b>CHAPTER 1</b>	<b>1</b>
<b>1.1 Introduction</b>	<b>1</b>
<b>1.2. Gender, Industry and Labour: Theoretical Framework</b>	<b>4</b>
<b>1.3. Review of Literature</b>	<b>7</b>
<b>1.3.1 Religion and Role of Women Empowerment in a Muslim Dominant Bangladesh</b>	<b>7</b>
<b>1.3.2. Women and Labour Laws in Bangladesh</b>	<b>10</b>
<b>1.3.3 Readymade Garment Industry and Labour Force Participation of Women in Bangladesh</b>	<b>14</b>
<b>1.3.4. Gender Discrimination in Garment Industry</b>	<b>19</b>
<b>1.3.5 Labour Act of 2006: Implications on Women Workers</b>	<b>23</b>
<b>1.4 Definition, Rationale and Scope</b>	<b>25</b>
<b>1.5 Aims and Objectives</b>	<b>27</b>
<b>1.6 Research Questions</b>	<b>27</b>
<b>1.7 Hypotheses</b>	<b>28</b>
<b>1.8 Research Methods</b>	<b>28</b>
<b>1.9 Respondents</b>	<b>28</b>
<b>1.10 Demography of the Respondents</b>	<b>29</b>
<b>1.11 Ethics of the Study</b>	<b>29</b>

<b>1.12 Limitation of the Study</b>	<b>29</b>
<b>1.13 Scheme of Chapters</b>	<b>30</b>
<b>Chapter 2 Readymade Garment Industry in Bangladesh: Contribution to Socio-economic Development</b>	<b>33</b>
<b>2.1 Introduction</b>	<b>33</b>
<b>2.2 Readymade Garment Industry: History and Significance</b>	<b>35</b>
<b>2.3 The Tremendous Expansion of the Industry in Ten Years (1980-1990)</b>	<b>36</b>
<b>2.4 Different Narratives on the History and the Evolution of RMG</b>	<b>39</b>
<b>2.5 The Growth of Garment Industry: Pre MFA and Post MFA Period</b>	<b>40</b>
<b>2.5.1. Growth of the Apparel Sector: Analysing Membership and Employment</b>	<b>41</b>
<b>2.5.2. Unprecedented Growth of the Apparel Sector: Reasons and Facts</b>	<b>42</b>
<b>2.5.2.1. Restrictions on the Export to China</b>	<b>43</b>
<b>2.5.2.2. Depreciation of the Value of Bangladesh Currency and Western Interest</b>	<b>43</b>
<b>2.5.2.3. Integration to the Global Apparel Value Chain</b>	<b>44</b>
<b>2.6 Garment Industry: Path Breaking Moments</b>	<b>44</b>
<b>2.7. Socio Economic Situation in Bangladesh: An Overview</b>	<b>45</b>
<b>2.8. Economic Contributions of the Readymade Garment Industry</b>	<b>48</b>
<b>2.8.1. Garment Export and Contribution to GDP: Growth and Trends</b>	<b>49</b>
<b>2.8.2. Growth of Clothing Industry: An Analysis of GDP</b>	<b>50</b>
<b>2.8.3. The Role of Readymade Garment Industries of Bangladesh in Generating Export Income</b>	<b>52</b>
<b>2.8.4. Export Income Generator: Readymade Garment Industries</b>	<b>53</b>
<b>2.8.5. Role of Apparel Industry in Bangladesh's Foreign Trade Relations</b>	<b>54</b>
<b>2.9. The Current Scenario of the Readymade Garment Industry</b>	<b>61</b>
<b>2.10 Social Contributions of the RMG Sector in Bangladesh</b>	<b>61</b>



2.11 Conclusion	66
<b>Chapter 3. Working Conditions of Women Workers in the Readymade Garment Industry of Bangladesh</b>	<b>69</b>
3.1. Introduction	69
3.2. Analysis of Women Workers' Productivity: Inverse Proportion between Age and Experience	72
3.3. Issue of Workers Recruitment	75
3.4. Minimum wage in Bangladesh through the years	79
3.5 Working Hours and Payment Issues	82
3.5.1. Working Hours: ILO Standards	83
3.6. Gender Discrimination at Work Place	86
3.7 Hazardous Nature of the Readymade Garment Industries of Bangladesh	88
3.8. Household Infrastructure and Sanitation Facilities of Women Workers	94
3.9. Sexual Harassment at Work Place	94
3.9.1: Types of Sexual Harassment Prevailing in the Industry: Physical, Verbal and Mental Abuse	96
3.10 The Threat of Diseases in the Work Space	100
3.11. Defending the Contribution of the Garment Factories: The Perspective of the Employers	103
3.12. Garment Industry as the Primary Employer for Bangladeshi Women: Reason and Facts	104
3.13. Migrant Women Workers and Challenges in the Garment Industry of Bangladesh	106
3.14.1. Lack of Alternatives and Ongoing Exploitation	107
3.14.2. Failure of Government Mechanism to Reach the Vulnerable Industry Which Has an Extension in the Informal Sector	107

3.15. Analysis of the Condition of Women Workers in the Apparel Sector in the Light of Structural Violence Theory	110
<b>CHAPTER 4. Efficacy of State Labour Policies on Women Workers in Readymade garment Industries: A Critical Analysis of Bangladesh Labour Act of 2006</b>	<b>114</b>
4.1. Introduction	114
4.2. Conceptualizing Labour Welfare	115
4.3. Political and Historical Context of Bangladesh Labour Act of 2006	116
4.4. Transformation of an Agrarian Economy to Industrial Economy Signals the Requirement of a Proper Law	118
4.5. Bangladesh Labour Act of 2006	120
4.5.1. The Acts which are Codified in Relation to the Labour Act of 2006	121
4.6. Impacts of Labour Act on the Readymade Garment Industry: Provisions and Articles	122
4.6.1 Introduction of Labour Act.	122
4.6.2. Categorizing Workers in Terms of the Nature and Conditions of the Job	122
4.6.3. Wages	124
4.6.4. Working Hours	124
4.6.5. Safety Measures	125
4.6.6. Compensation for Injury by Accident	125
4.6.7. Maternity Benefits under the Provision of Labour Act of 2006	126
4.7. Drawbacks of the Labour Act 2006	126
4.7.1. Labour Law Fails to Assure the Promises	127
4.7.2 The Anti-Labour Attitude of the Government towards the Workers' Strikes and Protests	128
4.7.3. Industrial Calamities Due to the Poor Infrastructure and Facilities Proves the Visible Labour Law Violation.	128

4.7.3.1 Tazreen Accident	128
4.7.3.2. Rana plaza incident	129
4.8. Post Rana Plaza Legal Reforms	131
4.9. The Major Initiatives in Bangladesh Garment Industry Since 2013	132
4.9.1. National Tripartite Action Plan	133
4.9.2. The Role of Accord in Ensuring Safety to the Workers in Garment Sector	134
4.9.3. The Role of Alliance in Safeguarding the Workers in Bangladesh	134
4.10 The Main Concerns of the 2013 Amendment of Labour Act Provisions	135
4.10.1 Cleanliness	135
4.10.2 Ventilation and temperature	135
4.10.3 Dust and Fume	135
4.10.4 Disposal of waste	135
4.10.5 Problem related with the overcrowding	135
4.10.6 The insufficient lighting	135
4.10.7 Availability of drinking water	136
4.10.8 Latrines and urinals	136
4.10.9 Dustbin and spittoon	136
4.10.10 Fire and safety issues	136
4.11. Failure of Government Mechanism Even after the Amendment	136
4.12. The Bangladesh Labour Rules 2015 (Amendment of Labour Act of 2006): Major provisions for Labour Welfare	138
4.13. The Corruption in the Garment Industry and the Involvement of the Political Parties and Leaders	140
4.14. Recent Developments in Factory’s Social Compliance	140
4.15. Conclusion	142
CHAPTER 5. Women Workers’ Resistance and Demand to Improve Workplace Conditions	144
5.1 Brief History of the Protest Movements in the Garment Sectors of Bangladesh	144

<b>5.2 Transnational Garment Workers and Clean Cloth Campaigning: A Bangladeshi Perspective</b>	<b>145</b>
<b>5.3 Purdha System and Women Workers</b>	<b>146</b>
<b>5.4 The Women’s Resistance against Subjugation</b>	<b>147</b>
<b>5.5 Bangladesh Workers’ Protest for Increasing the Minimum Wage</b>	<b>149</b>
<b>5.6 Women Workers Who Protest Against the Exploitation</b>	<b>150</b>
<b>5.6.1 Nazma Akter: Child labourer to the Labour Leader</b>	<b>151</b>
<b>5.6.1.1 Activities in the Awaj Foundation</b>	<b>153</b>
<b>5.6.1.2 UP! : Community Based Training Programme Designed by Impact and C&amp;A Foundation</b>	<b>154</b>
<b>5.6.1.2.1 Finance</b>	<b>154</b>
<b>5.6.1.2.2. Leadership qualities</b>	<b>154</b>
<b>5.6.1.2.3 Health</b>	<b>154</b>
<b>5.6.2 Nomita Nath</b>	<b>156</b>
<b>5.6.2.1 BIGUF: An Organization for Women Worker's Upliftment</b>	<b>157</b>
<b>5.6.2.2 The main Activities of BIGUF</b>	<b>158</b>
<b>5.6.3. Kalpana Akter</b>	<b>159</b>
<b>5.6.3.1 Activities of Kalpana Akter and Bangladesh Centre for Workers’ Solidarity</b>	<b>161</b>
<b>5.6.3.1.1 Organizing workers</b>	<b>161</b>
<b>5.6.3.1.2 Union leaders were Attacked During Mobilization</b>	<b>161</b>
<b>5.6.3.1.3 Termination of Union Leaders and Members</b>	<b>161</b>
<b>5.7 Conclusion</b>	<b>164</b>
<b>CHAPTER 6. Conclusion</b>	<b>166</b>
<b>REFERENCES</b>	<b>177</b>
<b>APENDIX 1</b>	<b>195</b>

<b>APPENDIX II</b>	<b>196</b>
<b>APPENDIX III</b>	<b>215</b>
<b>APPENDIX IV</b>	<b>215</b>
<b>APPENDIX V</b>	<b>218</b>

## **List of Tables**

1. Growth of the apparel sector: analysing membership and employment	41
2. Garment industry: Path breaking moments.	45
3. Male Female Participation of RMG	46
4. Garment export and contribution to GDP: Growth and Trends.	49
5. GDP Growth rate	50
6. Value of Total Apparel sector: fiscal year basis	52
7. Bangladesh RMG export to the world: Countries	54
8. Comparative statement on export of RMG and total export of Bangladesh.	57
9. Trade balance of Bangladesh	60
10. Minimum wage in Bangladesh: Through years	79
11. Familiarity in using fire extinguisher	102
12. Programmes run by Awaj foundation	155

## **List of Figures**

1. Tremendous expansion of garment industry in 1980-1990	37
2. Women workers: age category - Graph	73
3. Women workers experience - Graph	74
4. Issued Appointment Letter - Diagram	76
5. Representation of intermittent wage - Diagram	81
6. Overtime Issues and payment	85
7. Building electricity ventilation and emergency exit- graph	92
8. Rate of physical abuse at work place - Diagram	97
9. Rate of verbal abuse at work place - Diagram	98
10. Rate of mental abuse at work place - Diagram	99
11. Types of diseases caused by the working condition	100

## **List of Photos**

<b>1. Bangladesh Garment Manufactures Exports Association (BGMEA), Dhaka.</b>	<b>39</b>
<b>2. Women workers of the garment industries of Bangladesh</b>	<b>72</b>
<b>3. The garment industry becomes comparatively spacious</b>	<b>93</b>
<b>4. Medical rooms in the garment industry, Dhaka</b>	<b>101</b>
<b>5. Fire Alarm in a garment factory, Dhaka</b>	<b>103</b>
<b>6. Nazma Akter in Awaj Foundation Office</b>	<b>152</b>
<b>7. Nazma Akter in Awaj Foundation Office</b>	<b>157</b>
<b>8. Kalpana Akter</b>	<b>160</b>



## **Abbreviations**

<b>ACCORD</b>	<b>Action for Community Organization and Rehabilitation Development</b>
<b>AL</b>	<b>Awami League.</b>
<b>ATC</b>	<b>Agreement on Textile and Clothing</b>
<b>BGMEA</b>	<b>Bangladesh Garment Manufacturers and Exporters Association</b>
<b>BIGUF</b>	<b>Bangladesh Independent Garment Union Federattion</b>
<b>BLA</b>	<b>Bangladesh Labour Act</b>
<b>BUET</b>	<b>Bangladesh University of Engineering and Technology</b>
<b>CCC</b>	<b>Clean Cloth Campaigning</b>
<b>FDI</b>	<b>Foreign Development Investment</b>
<b>GATT</b>	<b>Global Agreement on Tariff and Trade</b>
<b>GDP</b>	<b>Gross Domestic Product</b>
<b>IBRD</b>	<b>International Bank for Regional Development</b>
<b>ILO</b>	<b>International Labour Organization</b>
<b>INSTRAW</b>	<b>International Research and Training Institute for the Advancement of Women</b>
<b>IR</b>	<b>Industrial Relations.</b>
<b>MCP</b>	<b>Micro Credit Programmes</b>
<b>MFA</b>	<b>Multi Fibre Agreement</b>
<b>NGO</b>	<b>Non-Governmental Organizations.</b>

<b>NTAB</b>	<b>National Tripartiate Action Plan</b>
<b>RMG</b>	<b>Ready Made garment</b>
<b>SAARC</b>	<b>South Asian Association for Regional Corporation</b>
<b>UNO</b>	<b>United Nations Organizations</b>
<b>UPL</b>	<b>Unfair Labour Practices</b>
<b>USAID</b>	<b>United States Aid</b>
<b>WHO</b>	<b>World Health Organization</b>

# CHAPTER 1

## 1.1 Introduction

The current study attempts to scrutinize the condition of women workers of the readymade garment industry (RMG) in Bangladesh with special reference to the Labour Act of 2006. Readymade garment industry is a female intensive industry that flourished in Bangladesh since the 1970s. RMG is an export oriented multi-million-dollar industry with a considerable contribution to the economy of Bangladesh. The RMG industry provides largest employment opportunities for women. Nearly 85 percentage of workforce in RMG sector constitutes women. Therefore, arguably, besides greatly contributing to national income (GDP), the RMG sector has potential to strengthen women empowerment, socio economic development of women and gender equality. However, the condition of women in RMG sector reflects a paradoxical gender situation. The working conditions of women show that they are regarded as cheap labour. Employers believe that since women are docile it is easy to manage them. Women are working in an unsafe and unprotected condition. Although in a socio-cultural situation which does not allow women to access jobs outside the household, this industry provides jobs for women helping them to be economically self-reliant. Bangladesh has ratified a wide range of measures for protection of women's rights at international level, and the state also has enacted legislations such as Labour Act of 2006 to improve the situation of women. However, a huge gender gap<sup>1</sup> exists in RMG industry in terms of women's working conditions such as wage disparity, unpaid overtime, long working hours, absence of proper labour contract and work rules, sexual violence and abuse, lack of transport, housing and health facilities, inadequate basic amenities, trafficking in women and so on. Given the structural inequality, such conditions in the workplace leave lasting negative psychological, health, economic and socio-cultural impact on women. Hence, the study examines the problems of women workers in Bangladesh.

Government of Bangladesh has adopted and formulated seven industrial policies in order to cherish the industrial sector since its independence. Five sectors have been advantaged most due to the industrial developmental policies. Along with the garment industries publishing, printing,

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<sup>1</sup> The World Economic Forum has defined "the gender gap is the difference between women and men as reflected in social political intellectual cultural or economic attainments or attitude (World Economic Forum 2017)".

rerolling, mills and Bidi industries have also benefitted from these industrial policies. The major import substituting industries like silk and synthetic, rerolling, fertilizer, soap and detergent and pharmaceuticals have failed to mark growth in their business except the cement industry. But on the other hand, export-oriented industries like frozen food, leather and RMG reached a significant position. The RMG industry which started with 131 firms, has flourished in such a way that it has 5000 firms with 4 million workers gaining 80 percentages of the export income of the country<sup>2</sup>. Eighty percentage of the labour forces are women. Kabeer and Mahmud (2004), the scholars who draws attention to the labour issues of the women workers have pointed out that "the majority of these women are located in what is officially classified as the formal economy. However, the nature of their contracts and their terms and conditions are more typical of work in the informal economy". The garment industry gained enormous ground and underwent a tremendous change that made it irregular and vulnerable in nature. Subsequently, it hardly met the standards of ILO.

The market forces played a crucial role in this normal process at the national and international level when the restructuring process of the global apparel industry, gave birth to an export, oriented garment industry of Bangladesh. The formal and informal sector show parallels through subcontracting and such a situation can incorporate workers operating in informal conditions. The situation especially in developing countries is in continuum rather than a dichotomy that means even the formal sector as well shows the features of informal sector like no labour contract, less pay and sometimes no pay. But even then, the RMG sector holds the position of the largest exporter and the largest employer for women workers.

The Rana plaza incident of 2013 which killed hundreds of people in one day exposed the violation of rights which have been happening in the apparel industry. The facts came out through the media of labour exploitation, which was a kick in the teeth to the international community. International organizations have critically taken the issue into serious concern. Gender paradox in the entire labour market of Bangladesh was brought out for a serious discussion. Even though the country has signed almost all the treaties to make the country a labour friendly, they face failure even in the wage determination. The wage differences in the garment industry for male and female shows the lackadaisical attitude of the government in terms of gender problems in the labour sector.

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<sup>2</sup> There were only 3 main exporting industries existed during the end of 70s, before the Korea collaboration of the country's industry. The names of the industries were Riaz garments, Jewel Garments and Paris garments (Islam Ovi 2019).

Rather than just depending on the domestic income the countries have started increasing their export sector which eventually became an Asian phenomenon. The phenomena which occurred in the 1970s and 80s reveal certain pattern and regularities have been found in the composition of export manufactures in terms of gender. The availability of cheap labour lured the garment producers to establish their firms in the country. The fact attracted the investors that they could exploit the women workers and give very cheap wages have given job to a large number of women workers. The degree of exploitation occurs in the apparel industry is analysed in the literature review with a number of indicators like a) wage inequality in terms of gender b) health and occupational safety and c) occupational rigidities. The absence of organizations among the women workers in the informal economy boost up the level of exploitation.

The research considers the Labour Act of 2006, as the most important legal document which has come across in terms of addressing essential labour demands and regulating more than twenty-six other legal documents. The labour law commission formed in 1992, after detailed deliberations enacted the Bangladesh Labour Act of 2006 (BLA). The BLA could implement the minimum wage proposal in the labour sector of Bangladesh through the 2013 amendment. Bangladesh Labour Act of 2006 has faced 76 amendments in the later on years which show the insufficiency of the act and at the same time points the inclusiveness of the same act. The Act demands the maternity leave in the provision, and it prohibits the women working in the industries immediately after the delivery due to the health and mental concern. There is a positive change in the registration of the trade unions after the 2013 amendment of the Bangladesh Labour Act which widens the scope of the act in the stated problem of the industry that is the gender concerned inequalities and questions. The critical reading on the aspects of a legal framework will help the research to understand the inroad problem in the implementation and will give perspectives for formulating remedial measures for it.

Though the role of religion is controversial in the government affairs, constitutionally, the status of Islam as the guiding principles is unclear. Still claiming to be a democratic country, Bangladesh omitted the word secularism from fundamental principles and incorporated Almighty Allah which means absolute trust and faith. The preamble also had to face changes, the word 'Bismillahir Rahmani Rahim' which means in the name of God was incorporated in preamble. The feminists and the activists wanted secularism to take back to the constitution based on the belief that secularism is the key to women's equality. The women who hold this argument supports

National Awami league because they have introduced the constitution with secularism (Shahid 2013). The presence of Islam marriage act and other reflection of Sharia laws through the concept of Islam as the religion of the state, which is self-proclaimed in the constitution itself. The way the labour sector of Bangladesh conceptualizes the gender problems and digest them, shows the economic vulnerability of a country which continuously fails to solve the very concrete nature of labour problems. Poverty and lack of ample job opportunities make the labourers stick to the centre even at the peak of the exploitation.

## **1.2. Gender, Industry and Labour: Theoretical Framework**

The explicit discrimination on the monetary terms acts as the base of most of the gender discrimination in the industry. This portion of literature view named gender discrimination: a conceptual analysis looks at the wage discrimination happens in the industry. In 1875, Karl Marx set out his famous prescription talks that from each according to his abilities, to each according to his needs (Roberts 2004). Marx advocated for the equal treatment of workers in terms of wages regardless of their hard work or productivity. The discrimination in the labour market has been a challenge throughout the history. Discriminations in working places have been theoretically interpreted and substantiated based on the assumptions.

Gender inequalities have been discussed by various theories including the theory of statistical discrimination. The theory incorporates the characteristics of a group into individuals for the preference or the process of hiring new labourers. For instance, it is assumed that the selection process of candidates in response to the advertisement of a firm could be based on the criteria such as gender and education. It is clear that the recruitment is not on the basis of education if it was the parameter the most eligible person in terms of education would be appointed and men and women should get same pay based on their abilities and skill. However, if gender shows parallels with the productivity, the firm will apply this characteristic to determine the most productive workers. The gender inequalities are directly reflected at the selection processes in companies when the employer finds connections with gender and productivity. It seems the average productivity rate of female labourers is lower and the employer systematically prefer male over females assuming their education is equal, thus leading to lower wages for comparatively skilled labour (Keshner 1997).

There is another model which talks about the wage discrimination in terms of gender in industries known as taste for discrimination or simple prejudice which has three sources employer employee or customer. The tendency of prejudice has noted first by Gary Becker in 1957 (Spring 2010). He developed a theory of taste discrimination and a discrimination coefficient. He says that the employer with the taste of discrimination prefer the white men. To illustrate these points, it is assumed that female workers equal comparably skilled men which is an acknowledged fact among all the employers. A capitalist employer who wishes to make good profit prefers the women workers at a wage of  $W_f$ . Nevertheless an employer who is biased functions as if the actual cost of a women labour is  $W_f(1+d_i)$ , where  $d_i$  implies the discrimination coefficient for women. The discrimination coefficient indicates the lack of utility value that the employer receives from hiring a woman worker. The monetary measurement of this kind of association with women workers can be calculated as  $W_f d_i$  (Becker 1957) We see that the prejudice blinds the employer to the true monetary costs incurred in hiring female workers and he perceives the cost as being much higher (Keshner 1997).

In the employee discrimination the profitability of the firm does not get affected. The scholar Barry R. Chiswick in his work made an argument on employee discrimination that there is no advantage to pay more one type of worker since the VMP for each worker is equal, and he summarised that there are no market forces to diminish employee discrimination overtime (Chiswick 1986). The third kind of taste of discrimination comes from consumers from the firm who demand to buy goods or services from certain groups. When the consumer buys a product if they will feel that they are paying a higher price it will reduce their utility, so they will but from a firm which will not give them disutility. A criticism about customer discrimination is that it is hard to measure but it is everywhere in the society. The forms of taste of discrimination come under market power discrimination. The market power discrimination is shown either from demand side by monopolistic firms or by the supply side from the labour union. But it is clear that both the firms and the unions are not just waging taker but they possess some elements which can set the wage in the market equations.

But the major theory has used to read the women worker in the garment industry is the theory of structural violence by Johan Gultang in 1969. Johan has coined the term which set a new academic debate on the peace. He substantiates the dimensions of structural violence in his article named *violence peace and peace research* 1969. The term structural violence can be deep

and little more complicated than the previous definitions of violence. Johan defines "violence is present when human beings are being influenced so that their actual somatic and mental realizations are below their potential realizations, where somatic and mental realizations stands for the physical and mental rationality" (Gultang 1969: 168 ). This definition was not duplicating the existed definitions of violence but in fact rejecting the narrow definition of violence. For the old definitions the violence is more connected with the mental incapacity or physical depreciation to make someone's self away from the act. Killing could be an example for it. But for Johan school of thought claims that the violence is not only about excluding the brutal act bargaining with the peace. The garment industry is full with labour exploitation and rights violation. Broadly, the industry is pro violent due to the vulnerable labour sector and capitalist greed. The element of exploitation is common in the garment industry across the world, and they share similar labour problems which caused the growth of transnational labour linkage. But the study named the women worker in the garment industry of Bangladesh: a study with special reference to the labour act of 2006 tries to read the exploitations more than a narrow definition of violence does. But the study looks surface the labour condition in the industry with the help of Johan's (1969) view of violence. His idea of "Violence is here defined as the cause of the difference between the potential and the actual" (Galtung 1969: 168), which means what is real and what it could have been. He suggests the example of Tuberculosis man for a simple explanation. When a Tuberculosis man dies in the older days it is an actual death, but what if the same person dies in the modern era when all the technology avails and it can be considered as violence. To summarize what is violence is that when the potential is higher than the actual is clears what is violence that means when the violent can be avoidable and still happens in any form of harm can be connected with the concept of violence.

He says if a man beats his wife it is a personal act but when thousands of husbands beats their wives it is a public issue grabs social treatment. Many interpretation came after Goltang on his theory made it easier to understand the complexities of structural violence theory. They says that the life expectancy of certain disadvantage groups are longer than their actual life expectancy. Racism, Sexism and economic inequality contributing reasons to it.

The study tries to find the elements of structural violence in the working conditions of apparel sector. The dominating male norms in a Muslim majority country curtails the women right to access public space is a serious concern. The working condition of the female labour adversely affected by the phenomena. The patriarchal society causes high rate of gender discrimination in



the work place. Even though the women worker constitutes more than 80 percentage, most of position belongs to managerial works are taken by the male workers shows a disparity in the attitude of the factory management. The theory helps us to read the roots of modern inequality in the garment industry. The household of 80 percentage of the women workers getting low paid and unpaid where the management gives the top position and benefits to the male worker, creates long lasting economic disparities. The study tries to testify Gultang's argument on structural violence and analyse the working women's condition within the frame work of the government initiatives of the country.

The study named women workers in the garment industries of Bangladesh: A study with Special reference to labour act of 2006, is going to be read with the help of Structural violence theory of Johan Goltang. The theory came into existence in 1969.

### **1.3. Review of Literature**

Globalization brought out a multidimensional change in the international arena and pushed the movement of global capitalism has impact on Bangladesh. On the one hand, it is a blessing for the growth industry and on other hand it instigates the exploitation of the labour class of the country. The literature reviews here are the books, articles and definitions which have a direct or indirect relation with the research topic entitled gender and the in equal policies in the working conditions of the Readymade Garment industries of Bangladesh: a reading with Labour Act of 2006. The review of literature is thematically classified into five heads; gender discrimination: a conceptual analysis, gender and laws, labour sector of Bangladesh, in equal labour policies in the working condition of Bangladesh and Bangladesh labour Act of 2006: a critical evaluation.

#### **1.3.1 Religion and Role of Women Empowerment in a Muslim Dominant Bangladesh**

The empowerment is a thorny usage in the religious structure prevalent in the country. The ideological war between the modernists and the conservatives within the religion is o never ending phenomenon. The religion Islam is world's second largest religion, defined by a set of codes and practices. The Muslim women from the history have been discriminated subjugated and treated

inferiorly. The religion is a monolithic<sup>3</sup> one, and followed by the sacred text Quran was recorded from the revelation received by the prophet in 7th century. Islam is a world view that envelop political cultural and social elements. It could be a system of both individual faith and conduct, which is known 'din wa dawla'. The devotees of these systems are called as Muslims (Galloway 2014).

Habbaad and Esposito claim that the, Arab women are getting into public debates on the role of women in the religion. The modernists in the religion depends Quran, Shariya laws and sayings of the prophet to discuss the role of Muslim women in modern age (Mashhour 2005). However, the conservatives have used the same reference to subjugate the status of the women in the Muslim society. Fortunately, the role of the women improves to meet the political, economical and social needs all over the world.

Bangladesh has made notable strides towards filling the gender gaps. The country made policies and efforts to fill the gender gap in the girl children enrolment in the school. The efforts were noteworthy, the country has obtained the 64th rank in World Economic Forums Global Gap Index of in 2015 which was 100th in 2007. This is considered as the top most in South Asia and among the Muslim majority countries. which is the highest rank in South Asia and the highest in the Muslim majority nation. The recent women empowerment movement gives positive change in the girl's access to education. Even, the effects can be seen from within the religion structures. Since the beginning the Sufi tradition<sup>4</sup> has been accommodating comparatively better gender equality than the conservative background. In some Sufi shrines the women have the role of leaders in worship. As always, there are conflicts between religious conservatives and secular feminists. There are people from orthodox sections who considered women as their enemy in the power. When the secular feminists influenced by the western feminists' ideologies the government opposed and oppressed them during the Islamisation in 1980s. Globally, the rights of the women and the poor have been considered and recognized as the primary goal of the concerned people and institution gives a push to the entire women movements. As any other ideas from the west the

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<sup>3</sup> The religions like Judaism, Christianity and Islam are religions considered to be monolithic religion and they believes in a single god. Even though there is an intellectual dispute happens on the question of Muslim is a monolithic religion or not but they preach the oneness of God (Baaren 2018).

<sup>4</sup> Generally, the Sufism can be considered as sect of Muslim religion but which is not. Sufism is a dimension of Muslim religion which is even found in Shia and Sunni groups. The word Sufism is known as Tasawus in Muslim world (2009).

progressive ideas also had immense followers in developing countries. Besides, the women movement in Bangladesh could made a wind of change in the country. It made a change in the attitude of the religious people as well. There is a set within the structures of religion, tries to include the essence and opinion of the women movements to set an alternative discourse. One notable factor about the women's movement was that the women who were participating in the movement, from middle class and upper middle class. The movement asks upgrading the rights of women which is equal to the men have according to the Quran. Unlike the movements which work from the outside, these particular movements claim that the Quran explicitly talks about the equal rights of women. And they try to construct an *Islamic modernity* which looks towards Middle East countries. And they considered *veil* as the symbol of empowerment. The mark of veil has been criticized by other feminists with arguments saying that the veil is segregating women from public platform. But the religious discussion groups such as *Taleem* adds that the approach should be employed with correct a proper understanding to understand Quran. (Nathaniel Adams, December 2015)

The women empowerment is an obvious goal for any progressive nation and movement but an unwanted agenda to the orthodox group of people of Muslim religion in Bangladesh.

Apparently, there is a report came that 25000 madrassas have been sponsored by Saudi Arabia for an organization called Hefate-e-Islam, a deep rooted conservative religious extremist. They have done two sit-in protest in Dhaka by asking the government to take immediate legal steps against the online critics who criticized Prophet Mohammed in their writings. On the contrary, the organization asked for a thirteen-point demand which includes the most anti women goals but fighting for the women empowerment on the other hand. The demands included the abolishment of the National Women's Development Policy and measures to prevent the 'infiltration of alien culture,' and 'a ban on immodesty, lewdness, misconduct and free mixing of men and women in public in the name of freedom of expression' (Sabur 2013).

This was not unusual, in fact, there were incidents which says a Muslim leader has compared the unveiled women into tamarind<sup>5</sup> (which is a popular sour fruit), and most of the men have no control over an unveiled women as the sight of a tamarind will fill their mouth with saliva.

Though Islam, within its structures claims to be a women progressive force, in reality seems anti women. The research under its limitation tries to find how the religion see the working women in the country. How does the inequalities impact the women workers from the very beginning through the social and cultural framework is a question that needs to be addressed.

### **1.3.2. Women and Labour Laws in Bangladesh**

"Not all women are poor; And not all poor people; Are women, but all; Women suffer from Discrimination" (Kabeer 1996: 20). Naila kabeer, who has poetically mentioned about the situation of women in the undeveloped countries like the above mentioned clearly says that gender discrimination is everywhere in the country. Although the welfare states compete to assure the gender equality in their written document, it always fails to assure it in the practical life. The growing unrest in the labour sector of Bangladesh for the past several years point out the importance of studying the relevance of a gender-oriented aspects in the labour laws. The definitions of gender, given by various scholars and international organizations help us to understand the concept in different view point. Rota and Sperandini (2003) have explained gender as "culturally based expectations of the roles and behaviours of males and females. The term distinguishes the socially constructed from the biologically determined aspects of being male and female. Unlike the biology of sex, gender roles and behaviours can change historically, sometimes relatively quickly, even if aspects of these roles originated in the biological differences between the sexes".

Gender is a very wide sociological term which has to be defined. The definition given by World Health Organization (WHO) is that the Gender refers to the "economic, social and cultural attributes and opportunities associated with being male or female at a particular point in time" (World Health Organization, 2001).The definition of gender developed by the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW), "Gender refers to the array of socially constructed roles and relationships, personality traits,

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<sup>5</sup> Tamrind is common sour fruit which is even used in curry and it usually used to denote the process of seduction considering its ability to fill water in audience's mouth.

attitudes, behaviours, values, relative power and influence that society ascribes to the two sexes on a differential basis. Whereas biological sex is determined by genetic and anatomical characteristics, gender is an acquired identity that is learned, changes over time, and varies widely within and across cultures. Gender is relational and refers not simply to women or men but to the relationship between them" (Esplen, Jolly 2006).

In fact, the environment of a country highly influences the policy making process. The researchers like Kabeer and Hyder have noted this tendency of the country in her studies. They have commented on the women that they not only do their activities in agriculture and industry but also entirely packed with activities in the household like cooking, cleaning and washing, and they assume the full responsibility of caring children as well. There are more inclusive definitions by sociologists which accommodate a wider meaning. Gender refers to the "social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/ time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in a given context. In most societies there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities. Gender is part of the broader socio-cultural context. Other important criteria for socio-cultural analysis include class, race, poverty level, ethnic group and age" (Office of the special advisor on gender issues and advancement of women 2001 August).

Notably, the element of male domination is visible in the culture of Bangladesh society. Cultural hegemony, the Gramscian concept explains the practices of cultural symbols, values, norms, perceptions asserts or establishes the power relations within the cultural framework. Usually, the cultural sphere created by the dominant group in the society. Other theorist like Nicky Lisa Cole (2019) have commented on Gramsci's view that the cultural hegemony<sup>6</sup> works by framing a design which benefits for all the class but in facts it only gains advantages for the ruling class. The hegemony works through the social institutions which carries the common well-being

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<sup>6</sup> The theory of cultural hegemony is invented by Antonio Gramsci who was arrested by the Fascist government of Italy when he was the secretary general of Italian Communist Party. He died in the prison before he could shape the theory (1975).

and does not come across like in a military dictatorship. Traditionally, in Bangladesh the women's seclusion from the public sphere is directly linked to the honor of the family (Aminur 1994). Predominantly, the seclusion practices followed by the country to overrule the women is known as *purdha system*. Aminuir (1994), in his article sites that is dominated "by a *patrilineal* and *patrilocal* kinship system". In his point of view, the patriarchy is read as dominant relationship of men among the economic and social resources and also the domination on the women. The cultural practices of the country limit the labour laws and the legal practices into certain religious realms. The indirect influence of religion in the legal establishment and social institutions are problematic. As Gramsci said, the real face of the ruling class is hidden under the common good when they suggest a design which aims at the benefits of all classes at its surface. The Muslim religion principles always stands for goodness of the believers and followers but in fact it nullifies the legal frame works and the governmental policies when it comes to the deep level. The men in the Muslim religion holds a strong position in society when the religion itself has interference in the constitution and state affairs added fuel to the fire.

Tahrat Noushabha Shahid testifies the constitutional capabilities to address the women rights especially in regard to the Islam family laws within the country. She finds three controversial point in the constitution: 1) Preamble that invokes the name Allah 2) Islam as the state religion 3) Secularism is its one of the four principles (Shahida 2013). Despite, making Islam as the state religion, it has nowhere explicitly mentioned that the role Islam would determine the legal practices of the country. Nevertheless, it holds great symbolic value for both the women right activists and the religious rights. However, the constitution calls for equality of women though the Islam law does not in favour of this practically. The legal frame works looks at the gender inequalities in labour sector in two angles: the first is from the view point of constitution and the second is from the view point of labour laws (Asiatic Society of Bangladesh, 2004). Despite the fact that the preamble of Bangladesh Constitution explicitly states all these, the patriarchal structure of the society, through its rules, standards and processes, undermines it by the traditional jurisprudence it created. Gender socialization and the application of law are hindered by this status quo. The existing system of social hierarchy reflects gender difference, which convolutes the gender-neutral doctrine as it places men and women in two different classes that cannot be compared together (Huda 1998).

This preamble is common to most constitutions of the region. Despite this, we have seen that traditionally jurisprudence is created by patriarchal standards, rules and processes. Prevailing practices of social and religious conduct obstruct gender socialization and influence the application of law on society. Gender difference - which is sexual at its essence - complicates the gender-neutral doctrine because it reflects a system of social hierarchy which desperately places women in a class which cannot be compared to men (Huda 1998). The constitution of Bangladesh has given equal rights and opportunity to women. According to Article 15(d), under the heading of Fundamental Principles of State Policy, the rights and opportunities for women are the following (Asiatic Society of Bangladesh, 2004). —Article 27: "equality of all citizens before law and equal protection under law"(Constitution of Bangladesh 1972 ). Article 28(1): no discrimination on grounds only of religion, race, caste, sex or place of birth (Constitution of Bangladesh 1972). Article 28(2): equal opportunity for men and women in all spheres of state and public lives. Article 28(3): no discrimination on grounds only of religion, race, caste, sex or place of birth in providing access to any place of public entertainment or resort, of admission to any educational institution. Article 29(1): equal opportunity for all citizens in respect of employment or office in the service of the republic. Article 65(3): women are free to contest election from any constituency. Initially 15 seats had been reserved for women but later the number has been raised to 45. But when it comes to implementation level the legal set up has failed to ensure the equality. The question remains, as the fundamental law of a country fails to ensure the rights of a citizen and the discrimination still prevails.

Bangladesh is a country which has a background of a number of labour laws which fail to address the requirements of women worker. The Labour Act of 2006 in Bangladesh has trespassed the maximum factors for protecting the rights of women workers of Bangladesh. But the labour act fails to ensure the provisions which are mentioned in it. The above discussed literature clearly shows that the Bangladesh constitution and the legal document have accommodated gender as serious labour concern. The previous labour laws which had been introduced with high expectation failed to achieve the agendas which they carried out shows the ambiguous approach of the institutions on addressing an area like this. The contradiction of the legal practices of Bangladesh is the role of Sharia ideas in the mindset of the people of the country, which directs the major percentage of the population. The lack of effective policies and the enforcement of existing laws, and so on, impede the efforts for the proper implementation of women rights in Bangladesh.

Obsolete laws, ignorance of laws and their unenforceability also add to this problem. The policy makers are only partially aware about the implications of women's rights and it should be noted that Bangladesh Government did not properly implement the provisions related to the International Human Rights Bill though they framed few laws and policies in this regard.

According to the report by Pew Research Centre's writing on Beliefs about Sharia, rather than the set of principles and laws made by the men who belongs from patriarchal society for keeping their vested interests, sharia is the revealed word of God. The Universal nature of sharia remains unclear that the Muslims of Bangladesh have a tendency to believe that it has a homogenous way of understanding but an international discourse exists that sharia should accommodate interpretations. However, the regular devotees of the religion who pray several times a day claims that it has a oneness in the interpretation and justify the Islamic law of their country (Potter's weal 2013).

Their role is very critical on this issue as the family court possesses several jurisdictions over the family matters for Bangladesh such as the dissolution of marriage, restitution of conjugal rights, dower, maintenance, guardianship and custody of children. The role and interference of Sharia laws are problematic and controversial. Most of the time the sharia laws weaken the jurisdiction of the Family court which is working in hand in hand with Muslim Family Laws Ordinance and the Muslim Marriage and Divorce Act, 1939. The provision of Divorce comes under the Family court authority. The family court and the reflection of Sharia laws indirectly affect the concept of gender equality in the household practices especially when they take decisions on job, schooling etc. On a larger level, the money management and the decision taking authority lie on the male rather than the female workers, which reflects the patriarchal elements of society in Bangladesh.

### **1.3.3 Readymade Garment Industry and Labour Force Participation of Women in Bangladesh**

The economic active women are a significant point to be raised in a patriarchal religious dominant country like Bangladesh. The paradigm shift that has turned the agrarian life of the country into a pro industrial country made a change in the life of women workers too. According to the social practices like Purdha, women were closely associated with the private space rather than a public figure. Aminure (1994) says that the women usually experience poverty and other



distress in household than men do. The societal understanding of the role of women is to take care of the household and bringing up the children. When there is a boom happened in the apparel sector, the women got an opportunity to be self-sufficient and to help the family in the extreme poverty. Subsequently, the women workforce became the major workforce in the industry. Irregularity and vulnerability of the Labour sector of Bangladesh is reflected in readymade garment industries. Committee for Asian Women observes that the informal and formal sector of apparel industry has linked each other through the subcontract. The vulnerability and irregularities are the features of the informal sector but could be found even in the formal sector in the garment industry (CAW 2002).

"What was traditionally described as formal sector employment, characterized by written contracts, full-time work, permanent status and various forms of social benefits, accounts for an increasingly smaller share of total employment, while employment characterized by differing degrees of informality accounts for an increasing share" (Kabeer 2004 :146 ).

She also talks about a continuum rather than a dichotomy in terms of garment industry being formal or informal. The gender issues in the garment industries are not an isolated problem but a by-product of the vulnerable labour sector and a societal influence which normalized the biased approach of the legal system which has been exploiting the women labourers for years. When the research looks at the gender inequalities in the readymade garment industries, it also recognizes the a need for the better understanding of the approach of the legal system, which has to ensure the equality among the workers. There are other industries in Bangladesh, which have occupied the susceptibility. The working condition of the textile industry is deplorable. The garment sector of Bangladesh is highly informal and indicates prevalence of hundreds of labour problems. The child labour, trafficking in women and children, drug trafficking, terrorism through illegal migrant labours give factual evidences of the above-mentioned scenario. The children in the child labour industry are highly exploited by the employers (Berggren 2007).

The nature or the condition of the children workers in terms of wage, working hours, security of jobs, health and hygiene and security in the working place do not meet the minimum standard of the I.L.O. A large number of students are engaged in the worst forms of labour which is highly life threatening. The largest textile exporter in South Asia is also notorious for the child abuse and child labour exploitations. The various levels of child labour exploitation shocked the

international arena several times. Health issues, psychological exploitation and physical exploitation and the low wage issues are very common in the child labour practice of Bangladesh RMG industry. The exploitation which the children encounter is really pathetic, but they are not much aware about the rights of the children and their power to rise their voice against the exploitation, or in other words they would never get the opportunity to report it. It is a difficult task for the governmental institutions to find out the working children from the industry and the domestic working areas. As globalization integrates the international world into a global village, the multinational firms and corporations rely on a kind of sub contract or intermediaries to approach the company (Berggren 2007).

The research named the women workers in Bangladesh (2009) has mentioned about the rural migrants of the garment industries and their daily lives. The problems like housing and the transportation problems from the accommodation cite to the factory is taken as serious issues. Mostly the women workers from the industry are affected by these two serious issues. These phenomena can be considered as major hindrance which comes as hurdles in the working condition of the women, in relation to a continuous exploitation done by male dominant society (Werner 2009). The hindrance in organizing women workers showed the vulnerability of the labour sector of the country. Shalini Sinha, in her argument suggests that "one of the most powerful barriers to organizing is fear. Women have been brought up in fear of their men, their employers and their communities. They live in constant fear of losing their livelihoods, of starvation, of losing their children to illness and of being thrown out of their houses " (Sinha 2006: 11).The lack of official data of the number, living conditions and the working of the labourers in the apparel industry can be cited as the main reason for the existing vulnerability which threatens the labour laws of the country.

The most number of women workers participation in the RMG industries is a remarkable fact when the allegation of vulnerability of the same industry exists. Usually the female labour force participation is conceptualized by determinant factors of its supply side like under employment and social and attitudinal factors, female employment is expected to be linked to both push and pull factors. The trade liberalization policies restructured the market equations all over the world. Consequently, the rapid growth of the apparel industries in these countries has witnessed tremendous increase in the number of female workers. The readymade garment industries acted as the primary employer for women workers outside the agriculture sector (Labour market profile

2014). Kabir (2012) states in her studies that the decisions of women labour are not only her decision always, but the patriarchal elements of the society which can be seen in the family shown by the male members who could dictate or direct such decision, even the women are the only income source of the household. But the recent newspaper reports based on the survey conducted by Asian Centre for Development, said that the women workers of the garment industries can now take decision in 10 important issues, including their child's education, health, jobs and dress, family planning and employment. The garment industries play a pivotal role in above-mentioned development of women as a social and political being. The survey also found that 98 per cent of the RMG workers presently think that they are self-reliant while 93 per cent say they have important role in making family decisions. Subsequently, along with the continuous protests and labour unrests the role of trade unions has a gained a considerable progress. The statistics shows that the 15 percentage of the members of these trade unions are women workers from various sectors.

When Kabir and Sumaiyya (2014) researchers, analyze the studies of Islam and Zahid which happened in 2012, it was observed that 85 percentage of the production workers are female. Until the introduction of the apparel industry, there was not much opportunity for women to pursue a constant income for the daily life and it made noticeable changes in the income of household. The garment industries victimized the irregularities of the sensitive and powerful trade policies and it's after effects in the development countries. The question of gender in the labour sector demands critical evaluation and analysis. The end of the 20th century has witnessed a tremendous growth in the number of female workers where, the female workers were twice than the number of male workers. It is the apparel industry which contributed fairly to the large-scale employment of women in Bangladesh and made them a significant part of the nation building enterprise.

Certain indicators or agencies which work among the women in Bangladesh intend to develop the standard of life. Even after 48 years, half of country's population lives in below poverty line. The burden of poverty falls disproportionately falls upon the women. The government incorporated the poverty alleviation programmes at a broader level approach.

The approach stressed on supporting a number of government and non-government agencies with economic liberalization and macroeconomic stabilization. The Micro credit Programme (MCP) programme at the implementation was a great success (Ahmed 2004). The

programme Microcredit Programme was introduced by various financial institutions which are nationalised commercial and specialised banks, and semi-formal institutions that was around 700 NGO- MFIs with the objects not only to alleviate poverty but also to uplift the women and the entire community (Asian Development Bank, 2015). A report of Global Citizen (2014) a media, says Muhammad Yunus the social entrepreneur the eminent economist who has written the book *banker to the poor* started giving small loan to the poor women of Bangladesh. Since then many women have never touched money in their life. The women of the country have faced a transformation. Women started collecting and rearing cattle, poultry and minor stuffs for running small scale businesses in order to run their family and free their children from malnutrition in a country where 40 percent of the children are under malnutrition. The major impacts which the microcredit programmes are a) change in income b) change in households and assets c) change in standard of living. Critics of Microcredit system is many women overburdened with debts.

Though the garment industry contributes a lot to the self-sufficiency of the women in Bangladesh they have a lower rate of employment compared to men and a double rate of underemployment and unemployment in the context. Women getting a lower rate of wages can be seen as the unequal approach of the labour sector of the country. Though economic growth is not sufficient to reduce poverty, empirical evidence shows that productive employment plays a vital role in transmitting the benefits of economic growth into poverty reduction. Therefore, reducing the dependency ratio and harnessing the potential labour force can play an important role in women's employment. Since the discrepancies with regard to gender and skill reflect the heterogeneity of labour, it is evident that factors influencing demand for and supply of female labour is different from those pertinent for males. Therefore, specific attention should be given to gender differences. In developing economies, by contributing to household income, adding to the supply of labour for economic activities, women play an important role and above all it empowers them (Rahman *et al* 2010).

According to the World Bank Data of 2017 the female labour force participation experiences a constant growth. World Bank (2017) has revealed a data of the women workers participation in the workforce of Bangladesh, which shows 28 percentage in the year of 2006 reached 33 percentage in 2016. According to the World Bank data the female labour force participation rate is the percentage of the female population who are economically active from the age of 15. The lion share contributor in the RMG industry workforce is none other than female

work force. The women workers participation has seen a boom only after the garment industry have started to spread its roots. So, the growth in female workforce participation is directly linked with the apparel industry women work force.

Kabeer (2000) examined that the women worker choose the garment industry to work due to the economic development and economic self-sufficiency. They are getting much important role in the households which they never used to get especially in terms of economic decision. The works which have been studied in the area argues that the poor standard of life and poverty compel the people to take part in the labour force of the country. Bangladesh is a country which is infamous for the immense growth of child labour; in fact, it is a country which has one of the largest children populations among the other South Asian countries. In another way with the same logic, the fact that the state devices are not sufficient for providing the basic facilities of the citizen, has compelled the women to take active role in labour force especially in informal sectors. The argument that the garment industries of Bangladesh have maximum number of women workers seems a bit contrary when we critically look at the irregularities and the unsafe environment of the industry.

#### **1.3.4. Gender Discrimination in Garment Industry**

The social context of the working condition in the apparel industry itself requires a theoretical interpretation. The neoliberal policies in the globalized era have a direct impact on the gender inequalities in the labour market of the developing countries. The international trend in the labour market and the competition existing in the export-oriented markets decreased the wage rate of the developing South Asian countries like Bangladesh. Being a very patriarchal country, the wage rate of Bangladesh women worker will decrease to a very low level, and it leaves the labourers with no other options. Polachek, a great researcher theorizing his view point, "Individual choice is, of course, at the heart of neo-classical economics and is reflected in early work on gender and labour markets. One strand of work explained gender-differentiated labour market outcomes in terms of gender differential investments in human capital endowments, reflecting women's role in biological reproduction and weaker attachment to the labour market" (Polachek 1981). Naila Kabeer, the Bangladeshi feminist scholar analyses other scholars and the scholars like Becker, and

comes with another dimension of thought regarding the gender inequalities in the labour market as follows:

"the taste for discrimination on the part of individual employers but that such taste were viable only as long as markets were not competitive .A third set of explanations focused on statistical discrimination', suggesting that, given imperfect information, employers used aggregate group characteristics, such as group averages in education, to make judgments about the suitability of all members of that group for particular jobs. This meant individuals belonging to different social groups could be treated very differently even if they were identical in every other way" (Kabeer 2017: 10 ).

The context of Marxist analysis on global capitalism was in the early modern periods. Before the establishments of manufactures or firms of the modern industry, the European powers were engaged in expanding their market. Marx had a little change in his initial argument about the homogenous or the universal form of global capitalism but still he believed that there was an unlimited drive from the capitalist side, to seek an ever expanding market (Clarke 1994). Marx adds that the capitalist countries take out surpluses from the poor regions and dominate them and the transportation and general technology are the means to expand the capitalism swiftly and widely. The theory of international division of labour and global capitalism substantiate that the capitalist countries gain from the poor regions in terms of lower living standards and cheap labour costs. Because of the falling profit at home, the developing countries get suit to the modern industry. Marxist declares that the division of labour is an unequal exchange; the poor countries always get the least beneficiaries from the exchange and most probably they are treated as the servers of the raw materials. This research will try to affirm the connection between the apparel industry of Bangladesh and the theory of international division of labour and global capitalism.

The role of subcontract in the apparel industry evidently shows the implication of division of labour (Custers 2013). Though the readymade garment industry is enriched with the most number of female participation in the labour force, it is highly criticized because of the biased nature in the labour policies. Gender equality is a wider social concept, and has a larger meaning in a country like Bangladesh which could not meet the demands of the women workers. The term gender equality can be broadly seen as an environment in which the men and women have equal opportunities to get benefits from the society and to contribute for the development by realizing their human rights. Valuing both the gender according to their roles can be said gender equality. (ILO 2000). There are literatures which can be cited for the argument that the primary goals of the

organizations like ILO and the legal system of Bangladesh have been violated in the garment industries of Bangladesh.

It is noticeable that a number of women workers from the garment industries, who actively participate in the economic activities of their families, are persistently affected by the irregularities and informalities prevalent in the industries. The studies conducted in different years have various conclusions on the female workers and their labour situation. Studies have reported that the lion share of the female workers constitutes the unmarried or widows in regard to the migration from the rural areas to the urban labour sector for better employment opportunities. Many of the female workers are from the age category of 18 and 19, where it is 24 and 25 for male workers. The availability of toilets, rights for maternity leave, the place for their young children and so on are not met properly by the current situation of the country. And the contribution of Mahmood and Naila Kabeer helps us in making a picture of the working conditions and they pointed out the unconditional working hours, pending in payment, absence of written contracts and violations of health and safety standards. (Mahmud and Kabeer 2003). Ahmed and Maitra (2010) has come up with a study on the social compliances in the garment sector which looks at the poor working conditions of the country. The study points to the dimension of gender discrimination and how it is well rooted in the society. I.L.O and other credible international organizations have expressed their gender concerns and the significance of gender perspective recently. The discriminatory policies of the industries in terms of wage and the reports which open the irregularities and the industries substantiating the need of the stress are important matters of concern in this context. The participation of women workers in the production process can be seen in the roles of cutting master, ironer, sewing helper and so on in which gender discrimination is common. Like any other developing countries the women workers are treated as considerably low skilled, and far away from the managerial works which constitute the high paid works. (Ahmed and Maitra, 2010) There are certain indicators which should be analysed for understanding the unequal approaches existing in the industry. It can be classified into three a) wage inequality in terms of gender b) health and occupational safety and c) occupational rigidities.

a) Wage inequality in terms of gender: Like any other Asian countries women workers are paid a lesser amount than their male counterparts especially in garment sector. Paul and Majumder (2003) claims that female workers earns an amount between 58 and 85 percentage of male wages. Even there is inequality in wage among the workers who have undergone same

education and experience. Gender differences and inequality in labour is evident in the fact that, for being a male, workers received 41 percent and 24 percent higher pay respectively in garment industry and non-export industries (Paul, Majumder 2003).

b) Health and safety measures: A study conducted on the physical and mental health status of women garment workers, problems affecting labour productivity and competitiveness of the garment industry in the world market, and so on throws light on the fact that employers find women workers more vulnerable, passive and easily manageable than male workers for they accept without protest the flexible terms of employment and are less likely to be organized and prone to anti-management propagandall from outside. Therefore, employers prefer female workers to male workers in garment industry (Farhana, *et al* 2015).

c)Occupational rigidities: Analysis of the distribution of workers in the garment industry reveal that women are extremely underrepresented at managerial levels, and over-represented at the lower levels of employment. The occupational rigidities in the garment sector are conspicuous in the survey of 1997, which showed that 21.5 percent of male workers were employed as supervisors or masters, while less than 4 percent of female workers were in that category. The gender inequality is evident as more than 80 percent of female workers were employed as operators and helpers, compared to 55 percent of their male counterpart. Within this category, 35 percent of female workers were helpers compared to less than a quarter of male workers.

Lion share of the workers of the company are women and a large portion of these women workers are coming from rural background. Housing problems and transportation issues are those problems which affects them directly in their routine life. Sweeper, helper, supervisors and operators are considered as the main posts in a factory in which women are mostly seen in the role of helpers. The number of women workers as helpers in a factory is 28 where the sweeper is 2 operators is and the supervisor is (Absar 2002). The number of the women workers for different sects of posts reflects the approach of the factory towards the women workers. The women workers are only limited to particular posts, which is inferior to men in the factory that are highly unequal and biased in nature. A lot of women, who take part in the labour force of the garment industries of Bangladesh, come from the rural area to the urban cities for the



better living conditions, faces hindrance for their survival. Housing problem and the transportation eats their salary without keeping anything to save. Getting an accommodation for single women is not affordable, because of the economic aspects and social factors which will not easily support single women who stay alone in a society.

Though the latest minimum wage declaration makes noises in Bangladesh, it is an implementation of law which holds the provision that in every five year that the minimum wage has to be revised. The government authorities have officially declared the highest minimum wage the country have ever seen in December 2018 (Clean Cloths Campaign 2018). The new step taken by the authorities have claims to achieve a better labour policy thoroughly gone through a lot of criticisms. It seems like the government has ignored the majority of the demands that have been raised by the workers union for more than four million garment workers in the industry. Even after the minimum wage hike still the garment industry of the country is counted as lowest in terms of wage rate. The low wage rate in the industry was one of the influencing factors for the foreign investors in Bangladesh.

### **1.3.5 Labour Act of 2006: Implications on Women Workers**

The labour legislation in Bangladesh has mainly focused on the formal sector but cosmic number of people are engaged with the informal sector outside of the compass of the labour laws of the country. Approximately, the country had around thirty separate laws related to different labour issues. To make a single labour code and to simplify the labour code the government had formed a commission named Labour Law Commission. The labour law commission which was formed in 1992 consists of employers, workers, governmental representatives and experts. Government of Bangladesh have passed the Labour Act of 2006 on 11th October which repealed the existing 25 separate labour laws, based on the reports submitted on the report submitted by the labour law commission on March 31st 1994. The reports unveil that the industry fails to meet even the minimum standards and regularities of International Labour Organization and the labour acts of Bangladesh. Until 2013 the government has not passed any rules or laws regarding with it, and it hampered the law in its implementation level. The amendment of the Labour Act of 2006, which took place in 2013, was a by-product of the protest and strikes that followed the Rana Plaza incident. The mass unrest after the incident shows the insufficiency of the labour laws of

Bangladesh. The amendment made several changes in the current paradigm. The Rana Plaza incident in 2013 released pictures of serious labour rights violations. The minimum wage of the labourers has increased from 3000 bdk to 5000 bdk, by the amendment of the Bangladesh Labour Act 2006, which has taken place in 2013. Consequently, 76 articles were amended (out of 354 articles of BLA 2006) under the amendment proposal and 7 new articles were included which meant to improve the condition of the labour sector are mainly : 1) Employment through Outsourcing Company: (2) Bar in engaging temporary worker in permanent work: (3) Gratuity to Workers: (4) Formation of Trade Unions:. (5) Participation Committee (6) Welfare Board and Welfare Fund: (7) Workers' Safety: (8) Safety Committees) (9) Group insurance (10) Health Centre.

The registration of the trade union was at the mercy of the Department of Labour even after the amendment taken place. Dramatic growth in the number of registered trade union in the clothing industry could be seen after the amendment in 2013 of Labour Act of 2006. In the same year 96 new unions only from RMG sector were registered in Department of Labour of Bangladesh (ILO 2014).

BLA prohibits women from working in the establishments immediately after the delivery. The BLA (2006) clearly mentions about the maternity benefits in chapter 4 clause 46 as follows: the pregnant women workers have the right to get the payment of maternity benefit in a period of eight weeks before the expected day of delivery and an eight weeks payment after the expected delivery date The Labour Act of Bangladesh 2006, can be regarded as a medium to assess the labour situation in Bangladesh. Bangladesh apparel industry has witnessed historical changes in 1990's; in fact, the labour act is a result of a group of critics and stems from various labour unrests. In general, the pre-labour act period (The labour Act of Bangladesh 2006, can be considered as the strongest labour act have been introduced ever. So that the research calls the period before 2006 as pre act period) also has an inevitable role in reading the working conditions of the garment industry with the Labour Act of 2006.

Being the largest employer of the women workers, will not save the apparel industry from the criticism for their worst working condition. The lack of education among the workers, makes it difficult for the government for the effective implementation of training programmes and

workshops of labourers. SAARC, USAID<sup>7</sup> UNO, make strong interventions for improving the labour conditions by facilitating training programme. But the general hypothesis that the garment industry is one of the safest and economically beneficial employment sectors for the women- can encourage the exploitation to a deeper level. So, the research will precisely focus on the violation of labour acts of the country and the ILO standards and attempt to suggest remedial measures to reduce the gender disparities in the labour sector. There is a gap in the literature on RGM in relation to Labour Act of 2006. This study will contribute the implications of Labour Act 2006 for Women which is overlooked in many researches. The object of labour laws is no doubt to maintain industrial peace and to meet surge of problems in the firms and to safe guard the rights of the workmen. But the state is not successful in protecting the legal rights of the workingmen because of the loopholes and various defects in the labour laws. The question points at the Bangladesh labour code along with its amendment are sufficient to meet the demands of the labour of Bangladesh.

#### **1.4 Definition, Rationale and Scope**

Definition: The international labour market faces a lot of changes with the interference of the globalization and international division of labour and global capitalism. Being an economically vulnerable country, the changing dimension in the international arena highly affects the developing countries especially the South Asian countries which are actively participating in the trade relations. Bangladesh a developing country, from South Asian region has a role in the export market due to the rapid growth of the apparel industry to the level of an industry which contributes the 80 percentages of the national income. The introduction of Multi Fibre Agreement (MFA) in the neoliberal policy phase, in the apparel industry acted as an advantage for the growth of the industry, which reflected in the less competence from the other firms. The immense growth of the apparel industry has a direct connection with the international division of labour and global capitalism. The division of labour can be defined as cooperating the individuals who are doing different tasks of work. The nature of the works could connect a number of firms across the countries, also opened up the option of the booming of informal industry in Bangladesh. The

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<sup>7</sup> United States Agency for International Development which is USAID working from Washington DC, is founded by John F Kennedy, in 1961 helps the poor countries shows concerns in their developmental projects by giving financial aids (USAID Official Website).

growth of the informal industry has enriched the productivity of the apparel industry but been curse with the peccadilloes in the industry. The anomalies which take place in terms of gender is highly noted; but the governmental institutions literary fail to resolve the problems, such as wage discriminations, absence of basic facilities, misbehaviour of factory owners and superiors, like using the slangs, physical abuse etc. There are a number of acts/laws which have been introduced in the country but could not effectively make any improvement in its course. The labour act 2006 can be considered as the most impacted act in the country which regularized a number of acts of the other acts and legal documents of the country. The research sincerely analyses the gender in the working conditions of the apparel industries of Bangladesh and critically approaches the problem with the Labour Act of 2006 and how far the governmental machinery effectively has interfered to resolve the problem.

Rationale: The lack of basic facilities like bathroom and other sanitation exhibits the vulnerable nature in every sector. The fifteen percentages of the members under the trade unions are women, but the 80 percentages of the women workers in the country belong to the apparel industry. The comparison of textile industry to the other industries tells us that the apparel industry is considered as the safest industry in the country for the women. Contradictory to the generally accepted fact, apparel industry has witnessed a lot of unequal actions in terms of gender on the demands of facilities, wages, and physical exploitation. They brought up issues which have been critically evaluated by the developed countries and the international organizations in the recent days. The government has brought out several legal measures with the intention of decreasing such exploitations, but now the problem is reliant on to find out the issues which are happening in the informal economy of the country. They are not realized by the government with its legal structures. The research topic is relevant owing to the barbarous rights violations in the most prominent industry of the country ill-famed in recent epoch in consequences of the Rana Plaza incident which intimidated the international arena. The rationale behind the selection of the Labour Act of 2006 for the reading is that the labour act regulates more than 26 other legal documents or acts, which maintains the code of function.

Scope: The research would theoretically analyse the issue of gender inequality in the readymade garment industries of Bangladesh and looks at the facts both in the formal and informal sectors of the textile industry. The research will extensively deal with the concept of gender inequality and a critical reading of the working conditions of the apparel industries. The research

would conclude by suggesting the remedial measure to ensure the equality in the readymade garment industries of Bangladesh.

### **1.5 Aims and Objectives**

- To read the labour problems in the light of the theory of International Division of Labour and Global Capitalism to understand the role of international actors in the changing trade equations.
- To analyse the gender situation in the labour sector of Bangladesh and scientifically analyse the apparel industries of Bangladesh, as a case study.
- To read the labour sector of Bangladesh by studying the gender disparities in the readymade garment industries by using the labour act of Bangladesh 2006 as a tool in it.
- To suggest more convenient labour code to the informal garment sector of the country, in order to regulate and function more firmly.

### **1.6 Research Questions**

- i. What are the reasons behind the unequal gender policies in the readymade garment industry?
- ii. What contributes to the higher rates of participation of women in the garment industries of Bangladesh?
- iii. What are the state devices to check the gender inequalities in the readymade garment sectors?
- iv. How does the labour act of 2006 impact upon on the working conditions of readymade garment industries of Bangladesh?
- v. What are the success and failures of the labour act of 2006 of Bangladesh in its implementation level especially in the garment sectors of Bangladesh?
- vi. Are Bangladesh labour acts well founded to address the gender issues?

## **1.7 Hypotheses**

1. In the female insensitive readymade garment industry in Bangladesh, women workers face adverse working conditions and violence and abuse, harassment, sexual harassment, trafficking, poverty, wage disparity, longer hours of work and so on because of the socio-cultural factors that privilege men.
2. Despite the state policies and the Labour Act of 2006 with provisions for women, the industry remains highly gendered and exploitation of female labour and gender inequality continues due to illiteracy and poor standard of life among women workers.

## **1.8 Research Methods**

Qualitative and quantitative methods have been proposed to be used in this study. It attempts to rely on inductive method in particular, which will analyse the current situation of labour rights of Bangladesh. For a clear and well written research, primary and secondary data will be under scrutiny. The primary sources include government documents, I.L.O convention reports, reports by U.N.O and UNICEF, and the surveys, and reports made by the ministry of labour in Bangladesh. The secondary sources include various books, articles published in journals and newspapers. In order to enrich the research, the materials from internet also will be used. Historical analysis will be included as a method of research, for a proper analysis of the origin and growth of garment industry. Field visit and study will be conducted and interviews will be taken. Working conditions of the garment industry have to be studied in detail by preparing a questionnaire and collecting interviews. The study selects sampling method as well to read the environment and analyse the data.

## **1.9 Respondents**

The women worker in the garment industries comes under the case study. Apparently the study reads the condition of the women worker with the Labour Act of 2006, it may requires the legal aspects to connect with. The study may consult legal experts, academicians, NGOs and

government officials. Though the women workers are going to be the primary respondents, the above-mentioned respondents should also be consulted.

### **1.10 Demography of the Respondents**

The women workers from Dhaka were chosen for the study and the data had been collected based on them. Being the capital city, the women workers of Dhaka has diversity rather than any other place. Due to the limited days of field work, it was decided to concentrate on Dhaka and collect the data. Unlike any other cities in Bangladesh, Dhaka is hub of migrant workers especially the people coming from the rural areas of the country for the garment industry. All the women whom I met with are presently residing in Dhaka and are working in the garment industries of Bangladesh.

### **1.11 Ethics of the Study**

The study follows certain ethics once it deals with the respondents in the interview and case study. The women workers may suffer once the research reveals the identity of the person. The labour situation of Bangladesh is not so healthy for a woman worker in terms of selection of work, if they lose their job in the garment industry. Because of the above-mentioned situation, the research does not reveal the identity of the respondents unless and until they give the permission.

### **1.12 Limitation of the Study**

The study is mainly looking at the condition of the women workers in the garment sector which mainly comes under the government statistics. But it seems like there are other factories which follow an order based system. Generally, knight wear industry comes under this category. The knight wear garment factories are considering as seasonal because of the nature of the product. It emerges in a certain time period and goes in certain time frame. The newspaper reports may talk about the factories which clearly practice rights violations but is nowhere found in the country, as they disappear in a certain time frame. A knight wear company which violates almost all the

labour rights was reported to be located in the capital city of the country, but the researcher could only find a building when he went there.

The next limitation was gaining access to every garment factory. Due to the international campaign and the recent reports that came after the Rana plaza, the garment factories do not encourage in entering the factory. A Japanese team had visited the factory and violated some so called private rules of company. In consequence, they denied the permission to visit and study the company directly and viewed all the foreigners from a suspected eye. This certainly added fuel to the fire. BGMEA is one of the authorities to give the permission which they are reluctant to give. But there are a few factories in which the visit was possible because of the high recommendation and contacts. Translating the interviews and Bangla literature made a hard way for the research. The help of the translator was crucial during the time of interviews. The findings of the study are mainly based on the field trip in the capital city, Dhaka. Accessibility, the fashion updates, location of the governmental offices determined the selection of the region which fits to the field trip time period. Precisely, the study does not generalize the situation existing in the entire country but tries to understand the present status of the women workers from a labour perspective by analysing the responses of a number of women workers who work in Dhaka. The research depends on the data from the secondary materials for reading the informal sector. Unfortunately, the accessibility to the informal garment industry was not welcoming by the factory management.

### **1.13 Scheme of Chapters**

The first chapter titled **Introduction: Research Context and Theoretical Framework** discusses the theoretical framework of analysing the link between gender, Industry and labour for examining the condition of workers readymade garment industry in Bangladesh. The chapter discusses the research questions and objectives and proposing valuable hypothesis to testify. The limitations faced by the researcher are also mentioned in the chapter. The political and social context of Dhaka capital city of Bangladesh definitely have influenced the work which mentions in the chapter as the limitations of the study. The chapter gives assurance to the respondents that the study will keep the ethics by not revealing their identity.

The second chapter titled **Readymade Garment Industry in Bangladesh: Contribution to Socio-Economic Development** deals with the emergence of readymade garment industry and



its contribution to socio-economic development of Bangladesh since the 1970s. It also touches upon the factors which led to women's access to the RMG sector as dominant labour force. It discusses the contribution of women towards national economy, the potential of RMG sector for strengthening women's empowerment, socio-economic development and gender equality.

More than an economic source the apparel sector helped the women workers to come out from the kitchen and holds the public spaces too. Obviously the Bangladeshi society follows Sharia laws because of the dominant Muslim religion. Agriculture was the most accessible option of the women in Bangladesh before the growth of the apparel sector. However, the dramatic entry of the apparel sector gave a new ray of hope in their life. The women started becoming economically dependent attracted more women to the garment factories. The chapter critically looks at the contribution of the garment industries and clearly analyzes the economic growth. The tables and facts proves that the garment sector was medicine to the wound the country had in the liberation war. When the multi-fibre agreement negatively affected the production of every other countries, Bangladesh gained all the advantages. The chapter also discusses the reasons and facts behind the mushroom growth of the garment industry by analyzing its GDP, Foreign trade relations and the contribution in the National Income.

The third chapter titled **Working Conditions of the Women Workers in the Readymade Garment Industry**, examines the working condition of women in the RMG sector such as wage disparity, unpaid overtime, long working hours, absence of proper labour contract and work rules, sexual violence and abuse, lack of transport, housing and health facilities, inadequate basic amenities, trafficking in women and so on. The chapter has been written on the basis of primary data which have been collected from the field trip to Dhaka in July 2018. In fact the data shows the current situation of the garment industry after the introduction of first codifies act of the country. The main issues of the working conditions has been asked on the wage, working hours, harassments, fire extinguisher, diseases etc. Owing to the language barriers, the researcher faced difficulties in interviewing the women workers but the presence of a translator helped to grasp the content. The theory of structural violence was employed to examine the conditions of the women worker in the sector. The chapter deals with the working condition of the country a not the household. In order to check the social compliances of the women worker in the working conditions the factory visit in the capital city of Dhaka also have been done. Precisely, the chapter looks at the basic needs of a women worker which has been criticised throughout the decade.

The fourth chapter titled **Efficacy of State Labour Policies on Women Workers in Readymade Garment Industries: A Critical Analysis of Bangladesh Labour Act of 2006** discusses the effect of implementation of state labour policies for women and protection of women in workplace and enhances their labour force participation. The chapter examines the impact of the origin and impact of Bangladesh labour act of 2006 and other legal documents which relates with the garment industries which includes specific policies and guidelines implemented for prevention and redress of sexual harassment in workplaces.

Considering the fact that the Labour Act of 2006 is the first codified act of the country, certainly, its implementation has to be verified. Apparently, the basic needs which are examined in Chapter 3 are testified in Chapter 4 with the help of Labour law. With the lack of properly functioning government mechanism the labour laws strains to implement its provisions is a well - known fact. The legal experts of the country comments on the functions of the garment sector and the role of labour laws. The country had amended the labour laws in 2013, 2015 and 2018.

The fifth chapter titled, **Women Workers' Resistance and Demand to Improve Workplace Conditions** depicts the resistance from women workers against adverse working conditions demanding to improve their unprotected and unsafe condition of work and ensure a secure workplace environment, and protection of their rights. The chapter discusses how transnational migration contributed to the women workers of the garment industries of Bangladesh in framing a movement to assure the labour rights. Bangladesh also became a part of the world wide campaigning happens in the apparel industries.

The final chapter forms the **Conclusion**, which concludes the findings of the study and substantiate the core arguments. The study gives suggestions and recommendations to the government to take proper measures to maintain a labour friendly working condition.

## Chapter 2

# Readymade Garment Industry in Bangladesh: Contribution to Socio-economic Development

### 2.1 Introduction

Since the Industrial revolution, tailoring had been perceived in a very narrow sense in which tailor was merely a person who makes clothes for the customers. However, with the introduction of machines, the garment area could widen its horizons and gain a foothold in the international market. The intervention of sewing machine<sup>8</sup> and band knife have led to the birth of an international garment sector. In fact, the emergence of the international garment sector could be connected with the birth of sewing machine and band knife in the 1850s. The expansion of respective kingdoms and collecting wealth from international business through new trade routes ended up with finding new countries and people. For the British colonial rule, Indian Subcontinent was a flourished land to satisfy their capitalist greed. The region due to certain evil practices like *untouchability*<sup>9</sup> gave endless number of labourers who were literally slaves. The statistical data says that coolies, bricklayers, carpenters and black smiths had been getting a cheap wage which was equal to nothing. Historical memoirs and Divekar (1989 1) narrate that the labourers used to get 11 paise, or 33 paise in accordance with the nature of the jobs. Then the region was separated into three heads- North India, Middle India and South India. The highest labour cost was prevailing in Middle India which was .66 paise in 1876. Considering the history of cheap labour cost in Indian Subcontinent which includes the present Bangladesh, the foreign investors took the advantages of the already imposed image due to the colonization. The paradigm shift in the international garment industry and the availability of the cheap labour cost fetched the country more attention internationally. The chapter discusses the growth and origin of the garment industry in a critical and analytical way in comparison to the other South Asian countries (Divekar 1989).

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<sup>8</sup> The intervention of sewing machine made historical changes in the industrial revolution. G.L Dulany considered as the inventor of this form of sewing machine, who has devoted almost fifteen years for the invention (Scientific American 1872)

<sup>9</sup> The untouchability is a practice in which the higher caste Hindus finds disability in touching the untouchable caste. Dalits, Harijan, Schedules caste considered to be the untouchable castes in the pre independent India (Britanicca.com)

The garment industry of Bangladesh occupies a unique position among the other South Asian industries. The Multi Fibre Agreement (MFA) of GATT helped the garment industry of the country to gain notable growth even though the industry was in a vulnerable condition. The industry could follow the trade equations in this regard. While the trade restrictions had severely impacted upon the other industries in the international race, it was a boon to the Bangladesh industry (Islam Kazi et al 2015). Among the export industries the apparel industry is considered as the oldest, which is governed by an international regulations known as Multi-Fibre Arrangement which is a set of quotas (Hossain Naomi 2011). The I.L.O in a discussion titled *Promoting fair globalization and clothing in a post MFA environment*, shortly says how MFA came into action. Textiles and clothing forms the single significant manufacturing sector that had not fallen under the regulations of the General Agreement on Tariffs and Trade (GATT). Rather it underwent extensive use of quotas by the significant countries which focused on importing. The quota system began with the Long-Term Arrangement Regarding International Trade in Cotton Textiles and Substitutes (LTA) under the auspices of the GATT in 1962. The LTA started accommodating materials other than cotton in 1974, and came to be recognised as the Multi-fibre Arrangement (MFA) (ILO 2005)

With reference to the objective of the MFA, Article 1.2 asserts that the primary aim must focus on broadening the frame of trade, overcoming the hurdles to such trade and the progressive liberalization of world trade in textiles products, meanwhile making sure of the orderly and equitable progress of this trade and negating the troublesome effects on individual markets and on individual lines of production to both importing and exporting countries. The MFA and its services acted as a blessing to the apparel industry of Bangladesh, as it propelled the mushroom growth of the garment firms and turned the industry into the chief support of the economy of the country (WTO 2005).

The garment sector helps the poor women in the income generation, and it could contribute to the economic and social condition of the women. The number of manufacturing units underwent an immense growth from its beginning over the past twenty-five years. The MFA and the trade equation then contributed to the mushroom growth of the number of firms calculated from 180 to more than 4000 in a quarter century. (Islam Kazi et al 2015).

## 2.2 Readymade Garment Industry: History and Significance

The ethnic root of apparel industry of the country can be traced to the artisan tradition of East Bengal culture from the history. The East Bengal was enriched with the manual resource of the artisan groups who were generally seen in very small and rare groups. The artisan groups working as the cottage industries produced most of the textile products from the prehistoric period until the eighteenth century and had proven the self-sufficiency of the East Bengal. From the earlier period the people from East Bengal were famous to produce *silk fabrics*, *jamadan*<sup>10</sup> and *Muslin* (Datta, 2018). But they started facing strong competition with the invention of mechanized products in the industrial revolution from the English Midlands. The British imperialists forced the artisans to stop production. The reports say that they had even adopted harsh methods of controlling people like cutting their hands so that they would never weave or spin.

The history of Bangladesh garment industry dates back to 1970s. Bangladesh, which initially focused on tea and jute as its export-oriented sectors shifted its attention to the textile industry in 1970s. Precisely, in 1974, an indigenous enterprise, namely Desh Ltd sent a team of 130 workers for an eight month training program to a South Korean Company named, Daewoo Corporation (Mottaleb 2009). This international training carved the Bangladeshi people and taught them how to produce and run garment productions. They helped the people to develop skills to operate the sewing machine, interfere in global marketing and the industrial management effectively. Within a short time span, the trainees who were capable of approaching the textile industry scientifically left Desh Ltd. and started separate garment firms in Bangladesh, propelling the rise of apparel sector in the country. The presence of yarn and jute industries in the national trade level was always a challenge to the garment industry of Bangladesh. But scrutinizing the period after that, it is evident that the apparel industry had made an agile growth at the national and the international level. At the end of 1973-74, the industry was next only to jute industry in terms of employment, the value of fixed assets and industrial value. It is the sole domestic producer of yarn and the second largest producer of cloth of the country. As cotton textile and yarn are mass consumption items, the economics of this industry has obvious implication for the welfare of the average man. Furthermore, it is relatively more labour-intensive than many other industries in

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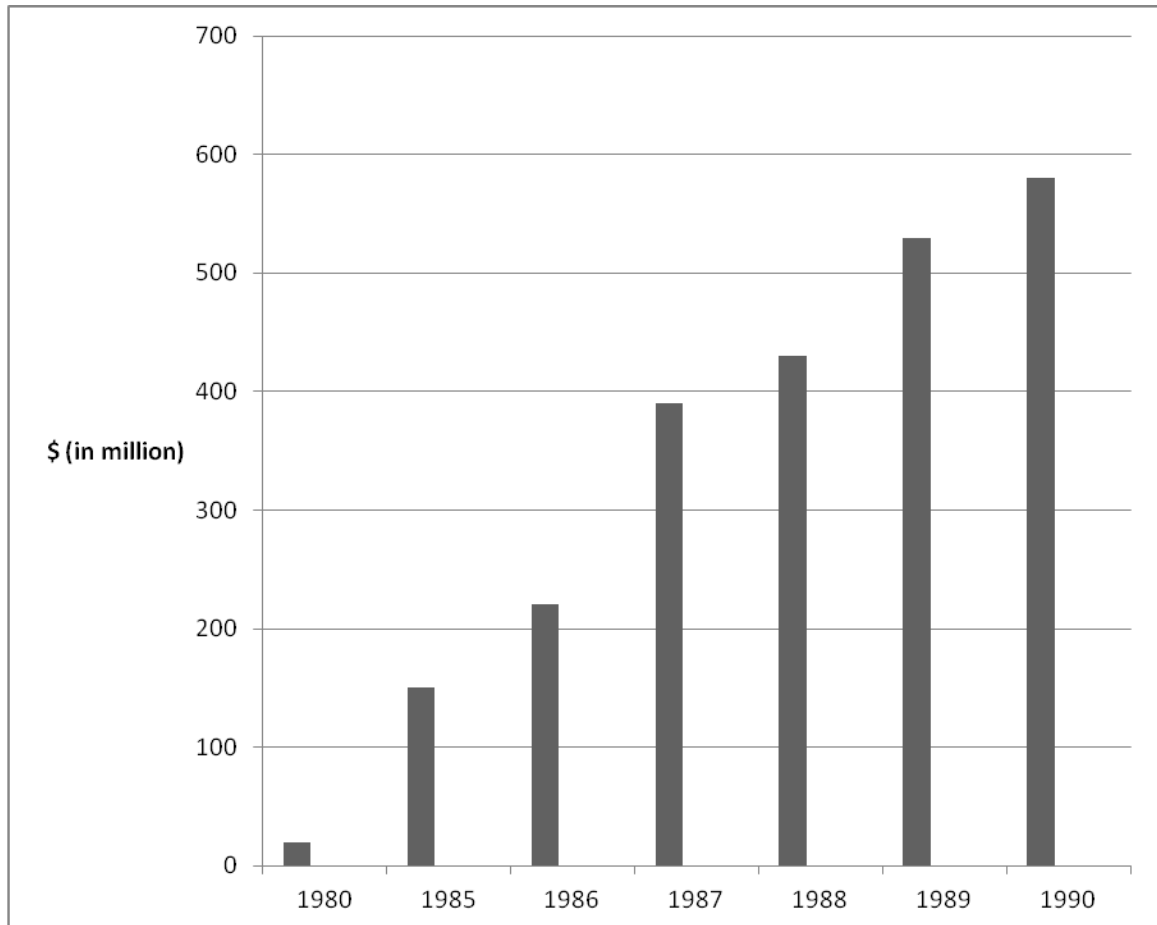
<sup>10</sup> Jamdani, comes from the Persian word Jamedan which means wardrobe. However, in Bengal it used for denoting saree, which is the main cloth for Bengali women. The production of Jamdani traced back into the Mughal period (Hossaib, Sajibb, Tanvir 2017)

Bangladesh (Choudhary 1977). Subsequently, 131 firms with 4 billion workers contributed 3.9 percentage of the exporting income of the country in 1983. By 2007-08, there were 4740 firms with 2.5 billion workers gaining 75.8 percentage of the export income of the country. Since the labour has an integral role in securing the economy of Bangladesh, the government has to ensure the rightful work conditions for the labourers and guarantee an effective enforcement of their rights. However, the labour issues have not been considered properly and the violation of their rights have been neglected for a long time (Chaudhary 1977)

### **2.3 The Tremendous Expansion of the Industry in Ten Years (1980-1990)**

The expansion of the industry in the ten years of time period was unbelievable to the international arena. When it had started, the status of the industry was very normal but in the following years it was maintaining a sustainable growth. In 1990 the industry reached a standard status. The graph shows the stunning growth of industry within those ten years of time. The Bangladesh garment industry has two main sections: The first one comprises the T-shirts, sweaters and knitted garments and the second section comprises the woven garments which include shirts and trousers and so on. (Ahmed, Nathan 2014)

**Figure 1. Expansion of the Industry in Ten Years (1980-1990)**



**Source: GATT, International Trade, 1990-91, in Jackson (1991).**

The peculiarities of the garment industry in these ten years are worth interrogation. The Bangladesh's clothing industries' association with the South Korean company called Daewoo industries helped the workers to learn the techniques. But in 1980, the 'Young one cooperation' limited from South Korea started a collaboration with a Bangladeshi firm called 'Trexim ltd', have opened a new path in the history. Following the breakthrough, the apparel industry had witnessed a tremendous growth in the number of firms. Till then there were only 47 garment production units, however, in 1984-85 it has been increased to 550 garment manufacturing units. As a result, more entrepreneurs came forward courageously to start-up firms in apparel industry, which raised the number more than 1000 by the end of 80s (Rana 2016).

The Bangladesh garment industry now ranks as one of the largest industries in the world, which has a tremendous role in the exporting and foreign earnings of the country. Another notable aspect is that the industry is well known for its ample potentiality to give job opportunities to the female workers. The export industry started three decades ago, at the time of the restriction which the country had been imposed on the basis of the M.F.A. agreement. The South Korean company, Daewoo Corporation took the initiative to build a team collaborated with the Desh Ltd. in 1979 for building an export quality industry in the following days. Easterly (2002, 147–48) comments: “This explosion of garment companies started by ex-Desh workers brought Bangladesh its \$2 billion in garment sales”. In the late 1990s it exceeded \$10 billion.

The fiscal years of 1980s showed a gradual but a sustainable growth in terms of the number of factories, workers, and export value. According to the report of Bangladesh Export Promotion Bureau (2005), BGMEA (2008) the situation of the garment industries shows that there were only around 134 factories with .4 million workers and .3 billion U.S \$ export value initially which changed into 4740 factories with 2.5 million workers and 10.47 export value later. The studies say that there were 1500, factories and 75000 workers in 1992, and most of the workers were female (ILO 2004). Different scholars hold different opinions on the elements of development which helped the country to grow its factories, and there are researchers who have shown special interest to study on the technical aspects too.





**Bangladesh Garment Manufacturers Exports Association (BGMEA), Dhaka.**

However, the arguments of the scholars like Easterly and Rhee resonates with the studies which were undertaken previously. In line with Easterly (2002) and Rhee (1990) majority of the existing studies agree that the foreign countries helped the industry technically and structurally which resulted in the proper expansion of the trade (Mottaleb, Sonobe 2009).

#### **2.4 Different Narratives on the History and the Evolution of RMG**

Bangladesh liberation war left the country with deep scars on its political, economic and social lives (Chaudhary Basheer 2002). In fact, the garment industry was born with the country to a great extent. A fresh born country has a lot of liabilities to fulfil in order to keep the promises to the people. But there are a number of versions of the origin of the industry, which have to be discussed.

Fouzia Erfan Ahmed narrates the transition of the small-scale production firms since they associated with the Korean companies. When the Korean company recognized the immense potentiality of the Bangladesh's small-scale garment production firms, they started giving financial aids and various incentives. The Korean company has given cash incentives, bonded warehouses and free import of advance machineries. Even though they had many other clients Bangladesh

used to get all the advantages from these companies which helped the country to be good at the race (Mottaleb Sonob 2011).

By the steady and rapid growth, the country was recognized by the name of the apparel industry in the international trade arena, and brought under the system of M.F.A. There was a crystal support of the M.F.A system itself to the Bangladesh garment industry at that point of time and protected the industry from the foreign competition. Moreover, the support of M.F.A to Bangladesh was more than the support they extended to India and Sri Lanka. (Mottaleb Sonobe 2011).

The international community decided to abolish M.F.A by the mid of 1990s, and the process of abolition was a long but continuous one, and took comparably long time to come to practical terms and completed in 2005. This was a vital opportunity for Bangladeshi goods because the phase out of the quota permits the international buyer to import as much clothes, they want according to their choice and favour (Mottaleb, Sonobe 2011 20). The period from 1983 to 2008, has shown favourable trend for the apparel industries of Bangladesh, the contribution rate of the industry in the national exporting and facilitating a high national income was appreciable. The garment industry of Bangladesh had undergone large number of difficulties and different stages and has made historical changes in the international clothing industry. (Munim, et al 2010).

## **2.5 The Growth of Garment Industry: Pre MFA and Post MFA Period**

The growth of garment industry since its origin was almost an unexpected unbelievable fact. But when the MFA<sup>11</sup> system came into existence, the country and the international community expected a fall in the business which could affect countries economy. But like the introduction of MFA, the withdrawal also contributed positively to the apparel industry of Bangladesh. Since the time period of the historical agreement of MFA lies in between the 40 years of long run of apparel industry, the growth of garment industry of Bangladesh can be divided into two phases: Pre MFA and Post MFA.

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<sup>11</sup> MFA was a set of restrictions incorporated to the T&C (textile and clothing) products when they extended woven fabrics into the same. The agreement was introduced in 1973 at first because the studies says that it had removed three times. The Multi Fibre Agreement is administered by GATT (Goto 1989).

### 2.5.1. Growth of the Apparel Sector: Analysing Membership and Employment

The clothing industry of Bangladesh achieved a critical an inevitable growth since the beginning itself. The BGMEA has proper statistics of the number of the factories and the labourers recruited per year. According to the official website of BGMEA, there are 4560 registered garment factories which are working along with them presently. Table 1 offers an overview of the data from 1984-85 to 2018. “

**Table 1. Growth of the Apparel Sector: Membership and Employment**

Year	Number of Garment factories	Employment in million workers
1984-85	384	0.12
1985-86	594	0.20
1986-87	629	0.28
1987-88	685	0.31
1988-89	729	0.32
1989-90	759	0.34
1990-91	834	0.40
1991-92	1163	0.58
1992-93	1537	0.80
1993-94	1839	0.83
1994-95	2182	1.20
1995-96	2353	1.29
1996-97	2503	1.30
1997-98	2726	1.50

1998-99	2963	1.50
1999-2000	3200	1.60
2000-01	3480	1.80
2001-02	3618	1.80
2002-03	3760	2.00
2003-04	3957	2.00
2004-05	4107	2.00
2005-06	4220	2.20
2006-07	4490	2.40
2007-08	4743	2.80
2008-09	4925	3.50
2009-10	5063	3.60
2010-11	5150	3.60
2011-12	5400	4.00
2012-13	5876	4.00
2013-14	4222	4.00
2014-15	4296	4.00
2015-16	4328	4.00
2016-17	4482	4.00
2017-18	4560	4.00

**Source; BGMEA Official Website 2019**

### **2.5.2. Unprecedented Growth of the Apparel Sector: Reasons and Facts**

The rapid growth of garment industry was an unexpected phenomenon for the international market and the competitors. As we mentioned earlier the MFA period was a boon to the garment

industry. Instead of a gradual growth, the industry witnessed a mushroom growth in the number of firms, and increased the contribution to the national economy. The reasons behind the tremendous growth of the clothing industries have to come out of the shades of the mystery. The research critically looks at the facts and the reasons behind the immense growth of the readymade garment industry of Bangladesh.

#### **2.5.2.1. Restrictions on the Export to China**

European Union and the United States of America, the giant garment markets have come up with the restrictions on the exports of China after the removal of MFA on 1 January 2005. These provisions of restriction started from July 2005 till the end of 2008. The statistics reveals that these safeguard measures have adversely affected China's export income and the exports from the China to the EU in all textile and clothing categories dropped by 8 percentage during the first seven months of 2006.

On the other hand the condition of China had benefited the other Asian countries to hold their position in the International Apparel sector. But expected tension was right, Bangladesh apparel sector faced a tough situation in the initial face that the exports to the European Union, the main foreign customer witnessed a slight fall as the export of 3.9 billion fell into 3.7 billion. But Saddia Rahman a scholar with a deep knowledge on the apparel sector argues that the country with a strong competitive spirit rebounded with a 38% growth during January July of 2006. The situation under analysis gives a picture that there are other countries like Vietnam, Sri Lanka, Philippines, India, and Cambodia which have also benefitted from these situations. But indeed, Bangladesh got comparatively a better chance to maximize its production to the foreign countries and international investors (Saddia Rahman 2015).

#### **2.5.2.2. Depreciation of the Value of Bangladesh Currency and Western Interest**

The depreciation of the value of Bangladesh currency due to the inflation from 2004-2007 also encouraged the western interest for the Bangladeshi goods especially the Indian and the Chinas' currency were keeping a high profile (ISAS working paper 2008). Depreciation of Taka and MFA phase out was the prime combination of the growth of the Bangladesh production but the depreciation was not a sustainable way to the then future and hence it did not last longer.

### **2.5.2.3. Integration to the Global Apparel Value Chain**

The healthy relation which the Bangladesh industry had with international buyers and suppliers from the very beginning helped the industry to attain this growth in a comparative short period of time. The good quality and sustainability of the product were the reasons for the relation.

Indeed, even after the MFA phase out when market condition was in a dilemma, garment factories of Bangladesh had been receiving orders from the old big buyers because of the good industrial relations they had. In some cases, the buyers could see the apparel industry of Bangladesh as an alternative for the big buyers.

An online publication *Stitch Diary* has come up with its recent findings that by the end of 2021, Bangladesh will get the middle-income status if the apparel industry could continue the pace which they have now.

## **2.6 Garment Industry: Path Breaking Moments**

The famous Dhaka Muslin has given a historical reputation to Bangladesh textile production. The Bengal fabrics were traded to the Roman Empire and Chinese empires and it was even found in Ancient Egyptian tombs. The facts show that the Bengal fabrics were effectively taking part in the international trade movement. Weaving sector was considered to be a prominent employment sector in Ancient times. There were a lot of men and women who were occupied with weaving especially in Rural areas. The Bangladesh clothing industry is famous for its quality; in fact it could connect with the ancestral factors and it seems they have transformed into the modern knitwear making (Yunus 2010).

The apparel industry has gone through certain significant points in its successful journey which has to be stressed for the better understanding of the industry. The research intends to look at the milestones of the garment industry which are cited below. In order to avoid the repetition, the years in which the apparel sector became a prominent industry are only going to be considered in the session. From 1995 to 2013, five phases have been selected.

**Table 2. Garment Industry of Bangladesh: Milestones**

<b>Milestone</b>	<b>Year</b>
1995	Realistic solution of child labour with ILO&UNICEF
2005	Phase out of MFA quota
2009	Successfully face global recession
2010	Ranked as the second largest exporting country
2013	Ensuring workplace safety
2015	Amendment of Labour act of 2006
2018	Last amendment of Labour act of 2006

**Source: BGMEA B2B Web portal 2018**

## **2.7. Socio Economic Situation in Bangladesh: An Overview**

Bangladesh is a country which has 164,669,751 as the population who lives in a society which is predominantly considered as an agrarian society by nature. Poverty has a profound impact on the country. Urbanization is a phenomenon that is prevalent in the country in the most vulnerable condition by those who are- economically insecure, least explored- lives in the rural areas. But facts show that with the unscientific rapid growth of migration which make congested migration, always ends up with the birth of slums and contrarily the urban slums are worse than the rural areas (Multiple Indication Cluster Survey, 2009).

A study undertaken by Md. Salim Uddin and Mohammed Abu Jahed has looked at how the garment sector's contribution has the lead hand in the socio economic development of Bangladesh (2007) and they have a clear view that the garment sector of Bangladesh is leading the economy of the country since the early 1990s, but the extreme growth and visible picture have occurred in the later years. Munir Quddus and Salim (2008) have focused their efforts to study the elements of exports that the apparel industry attained in the two decades that the 1990s and 2000s, which had optimistically driven the country into a phenomenal growth. Scholars like Dr. Grage Jaweski (2005) and Alex Relay have critically looked at the facts of trade practices and their

competitiveness with other markets in the international garment market. On the basis of the facts and studies which have been analysed, the contributions of garment industry are noteworthy. Hereby, the study looks at the socio-economic contribution of the garment industry of Bangladesh, in the development of the country (S Verma 2002).

The research points out the participation of the women labour in order to narrate the social contribution of the garment industry in Bangladesh, and the way they helped the women to be self-sufficient and economically independent. The research articulates that the women and the labour force participation can be a continuation of the structural violence which is existing in almost all the developing countries due the patriarchal norms and conditions. It stressed at the point whether the women workers' participation is an empowerment or exploitation, which has also been raised by Naila Kabeer (Habib 2014). Structural violence still exists in both the society and in the garment sector, which impede the social and economic empowerment of women. Hence it has to be studied by employing an approach in which the reasons of the violation should be exposed as the failure of the state mechanism to give assurance to the labour force in terms for the options for labour opportunity. The economic contribution -and the social contribution by connecting labour force participation and income generation are revealed by the following figure. The labour force participation of women was clearly noted and a comparative approach in regard to the male worker would help us understand the situation deeply.

**Table 3. Male Female Participation in Garment Industries of Bangladesh**

<b>Year</b>	<b>Male</b>	<b>Female</b>	<b>Female percentage of total</b>	<b>Total</b>
1991-1992	8730	494700	85	582000
1992-1993	120600	683400	85	804000
1993-1994	124050	702950	85	827000
1994-1995	120000	1080000	90	1200000



1995-1996	129000	1165042	90	1244042
1996-1997	139756	1257808	90	1397564
1997-1998	150000	1350000	90	1500000
1998-1999	160000	1350000	90	1500000
1999-2000	160000	1440000	90	1600000
2000-2001	360000	1440000	80	1800000
2001-2002	360000	1440000	80	1800000

**Source: BGMEA<sup>12</sup> cited in khundker, 2002: 67**

The above mentioned table shows that the participation of women worker keeps the average of 80 percentage from the beginning of the industry. The 90s witnessed a tremendous growth in the percentage of women workers and it could be due to the hike in the incentive of the industry and the intense mobility of the people from the rural areas of the country to the urban areas. Though the women worker's participation is high in the industries, they work in the low-level positions. However, being in a under developed country like Bangladesh, the women workers manage to contribute to the daily bread as well as the national income of the country.

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<sup>12</sup> BGMEA, Bangladesh Garment Manufacturers and Exporters Association is the largest trade association in the country representing readymade garment industries. They deal the woven garment knitwear and sweaters (Official website of BGMEA)

## **2.8. Economic Contributions of the Readymade Garment Industry**

In the field of Industrialization, the role of textile industry is important. Economic history of Britain reveals that the cotton mills of Lancashire in Britain ushered in the first industrial revolution of the world (Rahman, Siddique 2015). Considering the labour sector's contribution to the national income, the development Bangladesh has a fragile economic situation. The apparel industry has a crucial role to play in such a vulnerable labour condition, where they are giving an opportunity to the poor to attain better standard of living than the country has without it. But, studies have been reporting the exploitation, corruption and the human rights violation in the industry from the beginning. But the economic contribution which the industry gives is considerable, and without this industry- the question arises- what else?

Though there are other permanent industries in Bangladesh like beedi, dry fish, fishing and construction, apparel industry holds a unique position. The economic contributions of garment industry could be seen in the role of the largest employer of the country, national income generator and contribution in GDP. Studies could not find any proper garment factories or sectors in the regions of India and Pakistan in British colonial period. The first garment manufacturing firm has started in Bangladesh in 1960 in Dhaka. Bangladesh needs not to look back after starting; the industry has been having a permanent say in the country's economy. The economic contribution of Bangladesh garment industry is the evaluation of the country's economy in fact. Till the year of 1976 garment industry could only contribute to 0.001 percentage of the total export earnings. But from then the industry was the main competitor in the race. The trend and growth of the garment sector of the country is shown in the following table.

### 2.8.1. Garment Export and Contribution to GDP: Growth and Trends

**Table 4. Growth of Garment Export and Contribution to GDP**

Year	Garment export	Total export	Share to total export in %	Share to GDP in %
1984-1985	116	934	12.42	-
1989-1990	624	1924	32.43	-
1994-1995	2228	3473	64.15	5.87
1999-2000	4349	5752	75.61	9.23
2004-2005	6418	8655	74.15	10.63
2005-2006	7901	10526	75.06	12.64

**Source: Bangladesh Economic Review 2007.**

The decades of 80s and 90s are considered to be notable in the history of apparel sector in Bangladesh. The apparel sector just started contributing to the GDP in a proper way after 90s only. The garment export has started at 116 in 80s but reached 7901 with the end of MFA period. By that time the contribution of the particular sector in GDP has grown into 12.64 percentage of the total GDP of the country from zero percentage. The Bangladesh economic review of 2007 says that the clothing industry has become the major exporter which can generate more than 75 percentage of the export income of the country.

The table shows the growth and development of readymade made garment industries from 1984-85 to 2005-06 and examines the contribution of the industry in GDP of the country. The year 1984- 1985 is considered as the initial stage of the growth of the industry. The initial stage was not

smooth for Bangladesh, as it faced challenges like the scarcity of research, scientific training, lack of machinery and coordination and governmental system to support it. In this year the garment industry of Bangladesh has 116 manufacturing units with a total export of 934, 12.42 as the share in total GDP which has grown into 624 units with 1924 as the total export and 32.42% share to total export in the year of 1994-1995. Subsequently, garment industries of Bangladesh has started its competition with other countries in terms of its quality. The year 1999-2000 has seen a significant growth by almost tripling the number of manufacturing units into 2228, 3473 as the total export, doubled its share to total export into 64.15 and started contributing to its GDP. 5.87 percentages was its first contribution to its GDP. The year 2004-05 was also a growing year for the industry as it had developed into 6418, 8655, 74.15, 10.63 respectively – the number of manufacturing unit, total export, share to total export share to total export and share to GDP. According to the Bangladesh economic review, in the year 2005-06 the number of manufacturing units was increased into 7901, thereby increasing the total export into 10526, and percentage in total export was 75.06. Moreover, the industry has developed into a stage where it could contribute around 12.64 percentage into the GDP rate.

### **2.8.2. Growth of Clothing Industry: An Analysis of GDP**

GDP of a country means the income which they get from the internal resources within the country. The official statistics of BGMEA reveals that the apparel sector gains proper growth on a yearly basis. The statistics after the MFA period has been shown below. When the country and the international market have expected a fall in the business the industry, it not only survived but also attained tremendous growth in terms of GDP.

**Table 5. Annual GDP and Growth Rate**

<b>Year</b>	<b>Annual GDP in million</b>	<b>GDP Growth</b>
2006	75770 \$	6.9
2007	85604	6.5
2008	97062	5.5
2009	108896	5.3
2010	122039	6.0

2011	131079	6.5
2012	141705	6.3
2013	161297	6.0
2014	184013	6.3
2015	208322	6.8
2016	235623	7.2
2017	249724	7.3

**Source: BGMEA official website 2019.**

The table never shows a growth rate below 5 percentage. The highest growth rate was 7.86 in 2018 fiscal year whereas the lowest was 5.3 in 2012. The year of 2012 was a tragic year for the garment industry. Tazreen fire accident happened in this year which was followed by a series of protests. But it seems when the social compliance rate becomes high the growth rate also naturally becomes high.

The absolute growth happening in every year in the garment sector has been clearly observed, analyzed and followed by the global apparel sector. In 2018 the Export Promotion Bureau stated that the garment sector of Bangladesh gained more than 20 percentage growth in the 2018 fiscal year.

A recent finding of an online magazine *Stitch Diary* (2018), claims that the country set the target to achieve middle income country status by 2021, with the major role acts by the apparel sector. The reports claim that the garment industry has a target of \$50 billion by 2021. The export sector contribution clearly says the country is perfectly chasing the goal. The Export Promotion Bureau reveals that the overall export of country's garment sector has made 5.81 percentage in its export. And the EPB reported around 8 percentage growth in the export sector in 2017 18 fiscal year, which was 1.51percentage higher than the above-mentioned set target.

### 2.8.3. The Role of Readymade Garment Industries of Bangladesh in Generating Export Income

Exports are the goods and services produced in one country and purchased by citizens of another country. The export income has its own significance in making the country's economy stable. The readymade garment industry of Bangladesh is the largest contributor in the export income of the country. Usually, the export income is calculated in terms of US dollars. Being an export-oriented nation, Bangladesh largely depends upon the garment industry. According to the Asian development Bank reports, Bangladesh garment industry is the second largest exporter to the European Union.

**Table 6. Readymade Garment Industry's Export Income from Woven and Knit Wears - Value of Total Apparel Export**

<b>Year</b>	<b>Woven</b> Fiscal Year Basis (In MN US\$)	<b>Knit</b> Fiscal Year Basis (In MN US\$)	<b>Total</b> Fiscal Year Basis (In MN US\$)
1992-93	1240.48	204.54	1445.02
1993-94	1291.65	264.14	1555.79
1994-95	1835.09	393.26	2228.35
1995-96	1948.81	598.32	2547.13
1996-97	2237.95	763.30	3001.25
1997-98	2844.43	937.51	3781.94
1998-99	2984.96	1035.02	4019.98
1999-2000	3081.19	1268.22	4349.41
2000-01	3364.32	1495.51	4859.83
2001-02	3124.82	1458.93	4583.75
2002-03	3258.27	1653.82	4912.09
2003-04	3538.07	2148.02	5686.09
2004-05	3598.20	2819.47	6417.67
2005-06	4083.82	3816.98	7900.80
2006-07	4657.63	4553.60	9211.23
2007-08	5167.28	5532.52	10699.80

2008-09	5918.51	6429.26	12347.77
2009-10	6013.43	6483.29	12496.72
2010-11	8432.40	9482.06	17913.46
2011-12	9603.34	9486.39	19089.73
2012-13	11039.85	10475.88	21515.73
2013-14	12442.07	12049.81	24491.88
2014-15	13064.61	124426.79	25491.40
2015-16	14738.74	13355.42	28094.16
2016-17	14392.59	13757.25	28149.84
2017-18	15426.25	15188.51	30614.76

**Source Export Promote Bureau compiled by BGMEA 2019**

The readymade garment industries are considered very vital in the 1990s because of its ability of generating foreign income for the country. The above mentioned time period was highly favourable for the industry. The table which is cited below proved the importance of the apparel industries in a particular time period. There is a visible bias towards the clothing industry in regard to the exports of Bangladesh. The position of apparel industry has changed from the initial stages after a few years.

#### **2.8.4. Export Income Generator: Readymade Garment Industries**

The Fiscal year<sup>13</sup> 2017 has witnessed the worst growth in the export income in comparison to the last 15 years. The disappointment of the country is healed with new shocking performance of the RMG industry. The export income of the garment sector was updated with 8.76 percentage growth, reported. Home textiles, Pharmaceuticals and agricultural products also made significant growth in the export. Considering the fact that the apparel industry is the main contributor of the export income, the agricultural products acquired the position of the most growing product in the export graph. Although the year 2017 was not fruitful, the industry made a strong come back in 2018. Officials are of the view that the foreign retailers were under stress about placing their order in Bangladesh due to the safety measures. Despite all the failures they had previously encountered, the industry made serious efforts to rectify the problems that have resulted in considerable

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<sup>13</sup> Fiscal year can begin any month but it is beginning and ending for a countries accounting period for 12 months. They use calendar year for it (CIA Word Fact book 2018).

progress. The officials claim for the better safety measures and are being followed in the industry which made the foreign retailers to change their mind set to select the product of their free will. The statistical data of export promotion Bureau says that the financial year of 2010-11 have seen the highest growth from 15 percentage in the year of 2009-10 to 43 percentage. Unfortunately, the previous year has also been noted in the history of RMG as the worst case. Consistently, the garment industry was following a growth despite the condition of the last year. Seemingly, new strategies have been adopted for the development of the industry, but yet they are left with a criticism that the present growth of the industry is not up to the potential of the industry.

### **2.8.5. Role of Apparel Industry in Bangladesh's Foreign Trade Relations**

The readymade garment industry of Bangladesh has an export-oriented trade relation especially with North America and Europe, America is one of the monsters in importing garment from the third world countries. The table shown below, points out the details of the foreign countries and the nature of the importing garments from the apparel industries of Bangladesh.

**Table7. Bangladesh RMG Export to the World**

<b>EU Countries</b>	<b>2015-2016 Woven</b>	<b>2016-2017 Woven</b>	<b>2017-18 Woven</b>	<b>2015-2016 Knit</b>	<b>2016-2017 Knit</b>	<b>2017-2018 Knit</b>
<b>Australia</b>	22.51	24.81	6.52	28.07	27.88	21.20
<b>Belgium</b>	398.63	364.82	319.79	436.70	388.34	385.78
<b>Bulgaria</b>	0.10	0.43	.058	1.21	1.50	2.66
<b>Denmark</b>	223.58	229.67	229.09	419.08	442.17	438.86
<b>Finland</b>	6.51	4.95	6.96	22.87	24.21	22.96
<b>France</b>	701.63	714.34	780.40	1012.68	1050.30	1071.53
<b>Germany</b>	2013.14	2320.25	2362.94	2639.99	2814.77	3216.58
<b>Greece</b>	5.96	7.89	20.39	20.71	23.49	29.95
<b>Italy</b>	478.59	477.97	506.21	799.48	870.61	947.83
<b>Ireland</b>	78.66	73.03	76.58	123.09	84.19	93.29



<b>Netherlands</b>	313.42	381.81	414.76	346.13	432.53	520.62
<b>Portugal</b>	14.92	22.35	23.69	37.99	45.26	45.14
<b>Romania</b>	3.99	3.94	5.13	6.53	9.90	14.32
<b>Spain</b>	831.64	828.09	1056.83	1032.40	1050.65	1220.95
<b>Sweden</b>	159.04	183.42	194.71	278.17	309.30	338.38
<b>UK</b>	1839.69	1637.55	1826.62	1684.09	1668.95	1897.63
<b>Cyprus</b>	0.52	0.26	0.30	1.35	1.39	1.07
<b>Czech Republic</b>	347.30	264.24	397.98	67.07	83.23	94.31
<b>Estonia</b>	0.00	0.17	0.06	1.03	1.33	1.20
<b>Hungary</b>	0.36	0.52	0.59	3.50	2.21	2.14
<b>Latvia</b>	0.50	0.10	0.04	2.33	1.11	0.71
<b>Lithuania</b>	0.14	0.54	0.43	1.02	1.59	3.35
<b>Malta</b>	2.66	1.26	2.95	5.06	2.38	3.21
<b>Poland</b>	239.17	260.02	328.67	377.10	460.07	536.19
<b>Slovakia</b>	32.91	33.02	37.62	41.75	45.25	46.53
<b>Slovenia</b>	11.42	15.47	14.43	23.18	41.21	43.09
<b>Croatia</b>	4.96	6.02	5.36	8.82	9.76	9.92
<b>Sub Total EU</b>	7731.96	7857.02	8619.61	9421.40	9893.58	11009.41
<b>EU %of the World</b>	52.46	54.59	55.88	70.54	71.92	72.49
<b>Growth %</b>	18.60	1.62	9.71	6.49	5.01	11.28
<b>USA</b>	4228.62	3101.94	3977.70	1396.30	1302.06	1374.37
<b>%USA</b>	28.69	27.11	25.79	10.45	9.46	9.05
<b>Growth %</b>	6.49	-7.73	1.94	6.01	-6.75	5.55
<b>Canada</b>	575.71	541.49	542.13	422.73	404.81	411.02
<b>%of Canada</b>	3.91	3.76	3.58	3.17	2.94	2.71
<b>Growth %</b>	5.64	-5.94	1.97	10.15	-4.24	1.53

<b>Non traditional markets</b>						
<b>Australia</b>	229.31	210.47	242.85	406.97	371.55	391.16
<b>Brazil</b>	58.39	48.38	80.64	601.81	51.43	77.74
<b>Chile</b>	19.81	25.68	34.28	26.08	33.19	44.67
<b>China</b>	197.78	221.77	233.89	143.44	169.82	157.75
<b>India</b>	102.17	92.36	207.62	34.25	37.45	71.06
<b>Japan</b>	391.43	345.43	401.94	383.04	399.04	444.80
<b>Korea Rep</b>	110.16	86.70	93.84	76.00	78.13	98.13
<b>Mexico</b>	63.63	55.38	68.61	85.19	69.46	79.74
<b>Russia</b>	109.96	172.03	167.24	139.20	207.38	260.68
<b>South Africa</b>	36.69	29.13	32.58	30.18	28.86	40.68
<b>Turkey</b>	342.85	289.05	174.27	117.45	92.32	85.89
<b>Other Countries</b>	540.30	515.76	539.04	611.37	618.16	641.41
<b>Sub Total(Non Traditional)</b>	2202.46	2092.14	2276.81	2114.99	2156.79	2393.71
<b>% of non traditional</b>	14.94	14.54	14.76	15.84	15.68	15.76
<b>% growth of non traditional</b>	8.53	-5.01	8.83	12.58	1.98	10.98
<b>Grand Total</b>	14738.744	14392.59	15426.25	13355.424	13757.25	15188.51
<b>% Growth</b>	12.81	-2.35	7.18	7.47	3.01	10.40

Source: EPB compiled by RDTI cell, BGMEA 2019

There have been a lot of studies which deal with the critical role of the textile industry in the income generation of Bangladesh. As A.S.M.Shahidul Haque mentioned in his studies, that textile sector's contribution to the GDP forms five percentage and this alone constitutes 75% of the national export earnings (\$ 4860.12 million) of Bangladesh. It gives employment for 1.6 million people. Bangladesh is the world's second biggest exporter of clothing after China. Readymade garments make up to 80 percent of the country's \$24 billion in annual exports and 15 percent share of GDP (Islam *et al* 2013). The total export income from the different exports of the country keeps a less contribution than the garment sector's contribution. The following chart shows the comparison between the contributions of readymade garment industry and the other exporting sectors in Bangladesh.

**Table 8. Comparative statement on export of RMG and total export of Bangladesh.**

<b>YEAR</b>	<b>EXPORT OF RMG (IN MILLION US\$)</b>	<b>TOTAL EXPORT OF BANGLADESH (IN MILLION US\$)</b>	<b>% OF RMG'S TO TOTAL EXPORT</b>
1989-90	624.16	1923.70	32.45
1990-91	866.82	1717.55	50.47
1991-92	1182.57	1993.90	59.31
1992-93	1445.02	2382.89	60.64
1993-94	1555.79	2533.90	61.40
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	5161.20	73.28
1998-99	4019.98	5312.86	75.67

1999-00	4349.41	5752.20	75.61
2000-01	4859.83	6467.30	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	7900.80	10526.16	75.06
2006-07	9211.23	12177.86	75.64
2007-08	10699.80	14110.80	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	78.60
2012-13	21515.73	27018.26	79.63
2013-14	24491.88	30186.62	81.13
2014-15	25491.40	31208.94	81.68
2015-16	28094.16	34257.18	82.01
2016-17	28149.84	34655.90	81.23
2017-18	30614.76	36668.17	83.49

**Source:** Export Promotion Bureau<sup>14</sup> Compiled by BGMEA 2018.

<sup>14</sup> It is a National Export Promotion Agency which is located within the Ministry of Trade and Commerce. It came into power by an Ordinance of President in 1977, as a semi-autonomous body (Government Document 2009).

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This above-mentioned table shows the role of Readymade Garment industries in the Bangladesh income generation. The contribution of the garment industry in 1990 was more than six hundred million U.S dollar, and it constituted 32 percentage of the total export of the country. But after ten years, ie in 2000, the percentage of the garment industry in the export income of the country can be calculated as more than 75 percentage. It has shown a tremendous growth in the income of the garment industry, which indicates that the earning of the sector has increased for more than six-fold in ten years. Due to the MFA and other obligations, the growth rate of the sector was slightly affected and a slight deduction in the growth rate was visible. The year of 2010 which indicates the next ten years was a mixture of the deduction in the growth, but the previous year shows the growth in the heights. If we are looking at the export income of the sector 12496, it means that even after the big international intervention in the apparel business it could reached a double fold growth in the earning, and constituting more than 75 percentage of total export income. In the recent year, 2013, the income of the industry was 21515.73 that constituted 79.3 percentage of Bangladesh's total export. Thus the year of 2013 was a fruitful period in terms of the income generated in the country's total export.

According to the BGMEA (2011) reports and studies, the industry had less than 4 percentage share in 1978 improved into 75 percentage of the total export in 2011 (BGMEA, 2011). Many components have taken role in raising Bangladesh apparel industry to the present height and MFA (Multi Fibre Agreement) was one among that. The industry started facing hindrance after the immediate years of withdrawal of MFA because the country was privileged due to the quotas. The United States and European Union have imposed certain quotas in order to protect their domestic market shows the business insecurity was prevailing in the international apparel market. But the United States and European Union have a given a provision for the underdeveloped countries like Cambodia and Bangladesh under Generalized System of Preference (GSP). GSP is a system of giving duty free access to the Least Development Countries (LDC). The imposition of MFA had restricted the competitors from production because of the tariff issues, favoured the least developing countries. Producers like China India faced partial restriction on their production restructured the international market of apparel. Apart from the advantages they got from MFA and trade rules the garment sector was cherished by the availability of cheap labour and the government support.

According to the studies, the main export destinations of Bangladesh textile industry are France, Germany, Italy, Denmark and Netherlands which are of two categories: knitted garments and woven garments. The above-mentioned diagram has clearly stated that the garment industry has the leading role in the income generation of Bangladesh. The woven and the knit wears together make the double share of the other industries of the country.

**Table 9. Trade balance of Bangladesh**

<b>Fiscal year</b>	2004	2005	2006	2007	2008	2009	2010	2011	2012
Export (USdollar)	7521	8573	10412	12053	14151	15581	16233	22592	23992
Import (USdollar)	9840	11870	13301	15511	19481	20291	21388	30366	31987
Trade balance	2319	-3297	-2889	-3458	-5330	-4710	-5155	-7744	-7995
<b>Trade status</b>	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit	Deficit

**Source: Bangladesh Bank Data, compiled and analysed by Habib Rahman and Ahmed Siddiqui 2015**

The industry has a wide range market with a number of products. The following are the main products of the garment industry of Bangladesh. Bangladesh earns quite a lot from the knitted wear. The main exporting products, according to the BGMEA statistics from the knitted wears are given below.

- “T -shirts, singlets & other vests, knitted or crocheted, of cotton.
- Jerseys, pullovers, cardigans, waist-coats & similar articles, knitted or crocheted, of textile materials

- Jerseys, pullovers, cardigans, waist-coats & similar articles, knitted or crocheted, of cotton. :
- . Men's or boys' shirts, knitted or crocheted, of cotton.
- T -shirts, singlets & other vests, knitted or crocheted, of textile material other than cotton.
- Women's or girls' briefs & panties, knitted or crocheted, of cotton.
- Women's or girls' blouses, shirts & shirt-blouses, knitted or crocheted, of cotton.
- Women's or girls' trousers, bib & brace overalls, breeches & shorts, knitted or crocheted, of cotton.
- Men's or boys' trousers, bib & brace overalls, breeches & shorts, knitted or crocheted, of cotton.” (\* President BGMEA 2018)

## **2.9. The Current Scenario of the Readymade Garment Industry**

Compared to other industries, the garment industries of Bangladesh still hold the major contributor of the GDP. More than 4300 factories are under BGMEA. BGMEA is closely associated with ACCORD and ALLIANCE. Considering the 80% contribution of the industry to the national income, the government gives duty free facilities and bonded ware house facilities to the factories that comes under BGMEA. BGMEA claims that the social compliance of garment factories is intrinsically linked to the improving financial stability.

## **2.10 Social Contributions of the RMG Sector in Bangladesh**

The garment industries of Bangladesh have played a significant role in uplifting a large cohort of the poor and women in the country. Studies says that the country was very poor after its independence in 1971. Due to the discriminative policies, by the then government West Pakistan, there were no major industries developed in the country (BGMEA web portal). The women workers of the industry constitute 3.2 million from the total number of 4 million total workforce. Statistics says that the women workers work for 11. 12 hours on an average per day which is against the international labour standards (Rahman Siddique 2015). The case of the women workers of the garment sector is a unique case in the world labour history. The female workers’

participation has to be dealt with more importance and concern. The life as a labour changed the normal life of the women workers. They could avoid the possibility of the early marriage to an extent. The concept self-sufficient women have given more power to the women at home and public sphere (World Bank IBRD 2017). Since the 1980s, RMG sector constituted the first if its kind to facilitate employment opportunities to women on an extensive scale in Bangladesh, where women were confined to their homes traditionally (International growth centre 2014). The young female workers living within commuting distance to their company, when compared to their brothers and other girls from villages who are located far away from the factory, Mobarak and Heath observed a consistent impact of proximity to garment factories on the delay of marriage and childbirth age. These impacts were more significant for girls aged between 12 and 18, when early marriage tends to have disruptive effects on the scope of a girl's education and career.

The women community of majority of the under developed and developing countries have suffered from structural violence and Bangladesh is not an isolated region in this regard. Women workers of Bangladesh have been suffered by the structural violence like any other third world countries. Theory of Structural violence introduced by Johan Galtung resonates with the current study. Galtung (1969), observes that entities such as ranks, actors, and agents are involved in this structure and there is uniform distribution of resources. The theory of structural violence can substantiate the inhuman working environment of the extremely poor workers of RMG sector. The theory demonstrates the nature of exploitation of the workers by the authorities and the underlying reasons behind their status in the societal structure and how they are intrinsically linked to their poverty. The authors says that the individuals are not entirely free within the structure where they belong to, and the total equation creates their identities. In Bangladesh the structural violence in regard to the *purdha system* could be very dangerous. *Purdha* is a system, which is widely used for representing the religious practices of Muslims in South Asia. *Purdha* system secludes women from certain religious practices and rituals. Women and their purity are a projection of the family honour in South Asia. The purity of Muslim women has been maintained by practicing *purdha system* which is not entertaining women's interaction with non-kin men. It can be widely recognised as a set of norms and customs that forbid women from interacting in the public spaces. The women worker from the garment industries faced problems in going to the work places initially due to the *purdha* which cut the social agency of the women (Adams 2015).



Morum Khatun (2016) points out the national labour force statistics which shows that male and female participation increases and Female LFPR (labour force participation rate) has increased during 1991 and 2001 period. Naila Kabeer says that the women worker is highly influenced by several factors like underemployment and patriarchy. And she adds that the women come from a society which practices patri-local marriage principles, patri-lineal principles of decent and inheritance and female seclusion faces strong hindrances while they choose to work (Naila Kabeer 2004). Naila Kabeer highlights the role of such social factors in the female labour market especially in relation to the interference of the religious elements to create the social hierarchy and the status of women. The women worker used to do the unpaid work or the less paid work became a labour with the arrival of the garment industry into the public domain.

The industry could take women from these environments and it is regarded as a paradigm shift in the history of the country. Studies of Rahman and Siddique (2015) clearly points that the total work force of the industry is more than 4 million in which the women constitute around 3.2 million which shows the growth of the female workforce and the changing attitude of the women towards job. The industry has been showing considerable attention to the women workers for the past few decades. With the availability of the workers, the activities of the industry also got expanded. The activities such as packaging materials, accessories, yarns and supplying fabrics became prominent works in the factories which is worth regular earning. Subsequently, the general apathy towards the women working in the factories turned into a support which was a drastic change.

The country is infamous for its availability of cheap labour, and in the case of female labour it is notorious. The society considered the women workers as an inferior work to the men labour. The women workers struggling to maintain a living wage between the inferior status and the prevailing cheap labour is a hard task. However, as a notified fact the Garments industry has flourished here because of female cheap labour even though they contribute the majority of the work force. Though Bangladeshi female are traditionally expert and creative in sewing, it maintained the status of a poor country. Due to their creativity and hard work, they become a role model in the garments industry and the main exporting items in Bangladesh are garments products. The sector has reached a non-comparable position. No sectors can bring as much foreign currency (24 billion in 2013-14, which is the 81% of total national export) that Bangladesh earn from this sector (Rahman, Siddique 2015).

Even though the labour force participation is high compared to the male participation in the apparel industry, the official statistics of Bangladesh failed to enumerate the clear picture of the economic activities of the women is contradictory. The scholars like Mahmud have come up with criticism and conducted with the same definition which used by the Bangladesh labour force survey. But according to the study conducted by Bangladesh Labour Force Survey of 2010, the labour force participation of female was 36 percentages only, where the above-mentioned scholars reported a rate of 67 (Dialogues at the economic and social council, UNO 2010).

The middle-class women of the country got jobs by the government polices like Integrated Rural Developmental Programme. On the other hand, the poor women workers who were struggling for daily bread attracted by the programme initiated by the government called food for work programme, and came out from their households. This movement of the government help the women to know more about the apparel sector once they came out. (Feldman 2001). This ongoing work situation helped the women to come out from their houses on one hand and in other hand women were attracted to see the growth of the garment industry and seek low paid job. The women worker who are employed in the apparel industries come from the poor background which is a global trend. Kibria (1998). (Jamaly and 18 Wickramanayake, 1996). These groups of women actually join the garment sector because of various “pull” and “push” factors (Absar, 2001: 7). This study gives us the evidence for the women who were contributing to country’s economy from the initial stage. The number of poor women joining from the impoverished North Western districts is much lower than the number of poor women from country’s other parts. Unlike the other industries the women workers of the clothing industry are not homogeneous and the workers are from unskilled, single women, illiterate young and poor, and creates a vulnerable group (IBRD World Bank). The apparel industry of Bangladesh acts as the main employer of the country, which gives ample opportunity to the women to come out from their home and contribute to the income generation. This aspect increases its credibility in public. It is a globally acknowledged fact that the women empowerment is considered to be a major concern in this century. Comparing to the previous years the women with their interference in public domain have changed a lot. However, comparing to the developed countries, the status of women is still unsatisfactory. Bangladesh is a developing country with a key role in the global competitive Ready-Made Garment (RMG) industry where women form the majority (Shamsuddin, Fahmida 2017).

The studies of International Growth Centre indicate that the social movement of the women workers which is influenced by certain other factors like the distance between the factory and their living place becomes a determining factor in their marriage decision and time of child's birth. Generally, these factors affect young women who are 18 or less than 18 years old. (Philipo Sebastio International growth centre 2019).

The hindrance faced by the apparel sector also should be discussed in the session. Sebastio (2019) points that when the women workers can get a job in the garment industry the family will choose them to work. Being a country with patriarchal elements ruling the family, the men who head the family have to allow considering the financial return, the women to work in clothing factories. However, the women do not get much opportunities to access education, still they can earn by themselves and stand self-sufficient. Rather than holding a biased perspective Sebastio analyzes and substantiate that the possibility to postpone the marriage and child birth when they are enrolled into the garment industry (Sebastio 2019).

The empowered women who comes out of the household by breaking all the chains and barriers they used to be in, face sudden stop when they enter into the garment factory. There the female worker has to face discrimination even at a time when the whole world talks about equality in work space. Sebastio (2019) analyses the data that were collected from the factories and points to the fact that among the production line, workers 4 out of 5 are female workers and any top-class workers were hardly found. Only one supervisor among 20 is a woman which shows the patriarchal tendencies of the industry. A critical examination of the gender biased phenomena of the factories proves that if the workers were promoted on the basis of the merit the women workers would have been in 95 percentage instead of 20 percentage at present.

## 2.11 Conclusion

Consultancy firm McKinsey and Company has stated that Bangladesh could double its garments exports in the next 10 years (Islam, Khan, and Islam 2013). If we delve into the above mentioned two literature pieces, it becomes clear that the textile industry is not only valid to the Bangladesh economy but it's a growing industry in the international field. The studies done by the other scholars clearly explain the importance of the textile industry, but somewhere it failed to identify the essential reason for the rapid growth or the problems of the particular industry. However the current research attempts to do a serious inspection of the international arena and the policies taken by other countries in the context of the declining growth rate or the importance of the industry.

The Bangladesh Garment industry is one of the industries which keep the lowest wage level. Even by South Asian Standards, it remains very low with average hourly wage in Bangladesh being 42 percentages, 50 percentages and 33 percentages at those in India, Nepal and Sri Lanka. In accordance with the U.S apparel labour charge per hour of U.S. \$ 16, the labour in textile industry in Bangladesh will get US \$16. The availability of the cheap labour compelled the western countries to select Bangladesh and other under develop countries for importing. The history is repeating actually, because exploitation in the textile industry has reached its peak in the present scenario.

The excessive demand of the goods on some particular industries happened because of the changing international equation. There was a crucial "international relocation of garment production" happened. The existed trend of the 1950s biased to the Europe and the United states, but it tend to be favor to the Middle East and to the countries of the Far East. The studies have found that there are thousands of labourers from Europe who lost their jobs, especially in France. Then the second phase of relocation happened to the Middle East in fact (Custers 2013). Morocco, Tunisia and Turkey are the main warriors in this field. The western powers encouraged the industries which followed the low wage level. Then the trend was towards the 'tiger countries' which constitute the newly industrialized countries of East Asia. Hongkong, Singapore, Taiwan and North Korea are the Tiger countries. They started an export-oriented trade relation focused on the garment industries and textiles. The increased wage cost of these industries made them lose the orders, and subsequently the order went to the industries of South Asian countries. The

miraculous growth of the Bangladesh garment industry is highly determined by the relocation of the garment industries in the international world order. (Custers 2013). The western preferences are always directed towards the low labour cost. Tunisia and Morocco got paid only one tenth of what they had paid in France. After the relocation, the situation was also very supportive for the growth of the Bangladesh goods.

Even though the economic and social contribution is high in the garment industries, the working conditions of the women are not in a healthy situation. The working women face problems in terms of wages, working hours, hazardous nature of labour, gender discrimination at the work place, and sexual harassment. The question of women empowerment in the garment industries still stands as a concern- whether the women worker is getting empowered or exploited by the capitalist countries and the domestic labour scenario.

The transformation of the agrarian economy into an industrial economy was a paradigm shift in the country. The role of garment industry was significant in the shift of the economy. The mushroom growth of the apparel sector have gained advantages of the international market change and the trade regulations like MFA. The international apparel market expects a drastic change in the next few years due to changing trade interests of China. Chinese economy is been considered as the fastest growing economy in the world. Reports says that the country made plans to be a high tech power house, which turns the economic interests into business like new energy vehicle, aviation, information technology and robotics (Uddin 2018). Analyzing the fact reaches a hypothesis that there is a competition take place in the future for the first place in the apparel export. Consultancy firm McKinsey and Company has stated Bangladesh could double its garments exports in the next 10 years (Islam, Khan, and Islam 2013). Since, Bangladesh clothing sector holds the second largest exporting country position, the next giant in the world apparel sector though the countries like Vietnam, Cambodia and India are on the race (Dhaka Tribune Uddin 2018).

However, the apparel sector of Bangladesh has been enjoying the changes in the international apparel sector. There was a crucial “International relocation of garment production” happened. The existed trend of the 1950s biased to the Europe and the United states, but it tend to be favour to the Middle East and to the countries of the Far East. The studies have found that there is thousands of labourers from the Europe lost their jobs, especially in France. Then the second

phase of relocation happened to the Middle East in fact (Custers 2013). Morocco, Tunisia and Turkey are the main warriors in this field. The western powers encouraged the industries that followed the low wage level. Then the trend was towards the 'tiger countries', which were the newly industrialized countries of East Asia. Hongkong, Singapore, Taiwan and North Korea are the Tiger countries. They had started an export oriented trade relation focused on the garment industries and textiles. The increased wage cost of these industries made them lose the orders, and subsequently the order went to the industries of South Asian countries. The miraculous growth of the Bangladesh garment industry is highly determined by the relocation of the garment industries in the international world order (Custers 2013). The western preferences always lay on the low labour cost. Tunisia and Morocco paid only the one tenth of they paid in France. After the relocation the situation also were very supportive for the growth of the Bangladesh goods. The growth graph cited here is till the time period of the commencement of the research, and it will help to understand the evolution and growth of the sector in the country (Custers 2013).

As earlier, the interests of the western countries follows a similar pattern in which the low wage costs is a fact. The increasing order for Chinese apparel sector depends on the low wage rate that prevails there. The highest possibility of next option for the buyers who gets clothes from China would be Bangladesh. But Bangladesh also follows very cheap labour cost which is in fact the lowest in South Asia. But Uddin (2018), has written in Dhaka Tribune that the customers will be not only looking at the cheap wage but also at the Digitisation and automatization too, and China would be taking advantage out of it. However, if the cheap labour is still the main attraction of the foreign buyers the clothing industry of Bangladesh has a scope. Bangladesh Garment industry is one of the industries which keep the lowest wage level. Even by South Asian Standards, it remains very low with average hourly wage in Bangladesh being 42 percentages, 50 percentages and 33 percentages at those in India, Nepal and Sri Lanka. In accordance with the U.S apparel labour charge per hour of U.S. \$ 16, the labour in textile industry in Bangladesh will get US \$16. The availability of the cheap labour compelled the western countries to select Bangladesh and other under developed countries for importing. Like previously discussed the women worker contributes the eighty percentage of the labour force of the apparel industry. The working condition of women faces problems in terms of wages, working hours, hazardous nature of labour, and gender discrimination at the work place, sexual harassment. The question of women empowerment in the garment industries still stands as a concern- whether the women worker is getting exploited

by the capitalist countries and the domestic labour set up or empowered by the prevailing job opportunities. Apparently, the Daily star came up with a report that a number of Chinese factory owners wanted to shift their factory into Bangladesh in a bilateral venture. The high cost of production in the World's second largest economy may not be affordable for the entrepreneurs. The report says the existing US- China trade war may favour Bangladesh.

## Chapter 3

### Working Conditions of Women Workers in the Readymade Garment Industry of Bangladesh

#### 3.1. Introduction

Studies which have been undertaken on the women workers of the garment industries found that the workers comes from poor families, are single in marital status almost illiterate from rural origin. The previous literature points to the fact that garment workers, specifically women garment workers, usually are young,<sup>15</sup> unmarried, illiterate or less literate, and belong to poor families and rural areas (Majumder, Begum 2000). The field trip study also points to this fact. Both the field trip and the secondary materials have indicated that most of the women working labourers have not had a prior wage labour experience. However, some characteristics of female workers have changed over time. Hence the research is mainly located in the regions of Dhaka, the differences in the characteristics are observed among the female workers who are employed inside and outside of the Dhaka Export Processing Zone (DEPZ) (Majumdar, Begum 2000)

Unlike any other industry, the apparel industry is dominated by the women workers. Although eighty percentage of the women workers' participation in the total labour force participation gives an ethical strength to them, they face several issues in the work place. At a peripheral level, these issues may not demand serious attention, however, viewed from a core level, these issues have to be dealt with utmost importance. The current chapter intends to discuss these issues in a nuanced manner. The incentive structure also led to a dramatic expansion of the export oriented RMG sector from around 50 factories employing a few thousand workers in the early 1980s to over 3,000 factories employing around 1.8 million workers by the year 2000 (Commonwealth Secretariat 2004). Due to the vastness of the garment industry, about 0.2 million people are employed in other industries linked to garment manufacturing. There are more people who can connect with the industry through subcontracting and mark their presence in the apparel sector.

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<sup>15</sup> At the time of field trip, the young workers were shy to interact with a stranger foreigner. Hence, I have taken help from different women translators for collecting materials. But after a point they seems to be really energetic and expressive in their ideas.



Though the garment industry is the prime earner with 4.2 million workers of which 90 percentage are women who come from rural areas for a better lifestyle. But the condition of the industry is hardly up to the basic labour standards. Article 14<sup>16</sup> of the Bangladesh constitution clearly says that “It should be a fundamental responsibility of the state to emancipate the toiling masses – the peasants and workers – and backward section of the people from all forms of exploitation (Constitution Bangladesh)”. But even more than 40 years after independence, the labour force and the working condition are far away from its constitutional promise. Even though the country has adequate labour resources, it has failed to facilitate the basic requirements to the labour force. The poor mechanism and poverty due to the low-income generation constitute the reason to a great extent. The working lives of these female workers are substantially disturbed by the unfavourable working conditions that lead to job dissatisfaction, job insecurity, and low productivity of the workers (Islam et al 2018).

The international labour organization has published a report on the laws that provides a global review in relation to the working conditions. The three chapters critically look at the global environment. The reduction of working hours was a consistent demand in the history<sup>17</sup> of labour; but it was common to employ several labourers in 14-15 hours of work at the time of industrialization. On the other hand, during the World War, working hours were reduced to 10 hours and with the continuous labour unrest, the duration was reduced to 8 hours after the World War (ILO working conditions 2011)

I.L.O has shown a greater concern towards the core labour policies. The first chapter titled 'The working conditions laws report 2012 global review' comprises the working hours and the annual leaves to direct the worker and educate them about the rights. Furthermore, International Labour Organization was created in the Preamble to Part XIII (“Labour”) of the Treaty of Versailles in 1919 and the treaties under which it was established specifically cited “the regulation of the hours of work, including the establishment of a maximum working day and week” among measures to improve working conditions for workers (International Labour Organization 2013).

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<sup>16</sup> Article 14 is mention in Part 2nd Fundamental Principle of State Policy of the constitution of Bangladesh and it is named as the emancipation of peasants and workers.

<sup>17</sup> Studies says, the shorter working hours were the common demand than to raise wages before the 2nd World War in America. "Eight hours for work, Eight Hours for rest and Eight hours for what we will" was their main slogan in the protests released immediately after the American civil war (Whaples 1990).

The neoliberal policies which are only observed in the Western countries, now plagued to the developing countries (Vogel and Vogel 2010). The free trade zones are considered as the founders of the neoliberal policies. In fact, there was an excessive growth of free trade zones in the beginning of the 21st century, but they were employing more than 40 million people from around 3000 zones located in 116 different countries (Vogel and Vogel 2010). The free trade zones work through the free trade agreement. WTO, the international organization, promotes trade relations in the World by dealing with trade rules between nations (World Trade Organization, Home page, 2014). These countries took different and independent step towards trade relations after the Great Depression; some of the countries laid down Tariff and other Non-Tariff barriers, and henceforth, the system became very complex. GATT, IBRD came into existence as an answer to such situation. But the organization for trade relation named ITO (International Trade Organization) was a failure. But the WTO replaced it from 1995 (Robbani 2000). It is clear that the multinational companies have never taken any responsibility to facilitate the industry with proper working conditions.



**Women workers of the garment industries of Bangladesh<sup>18</sup>**

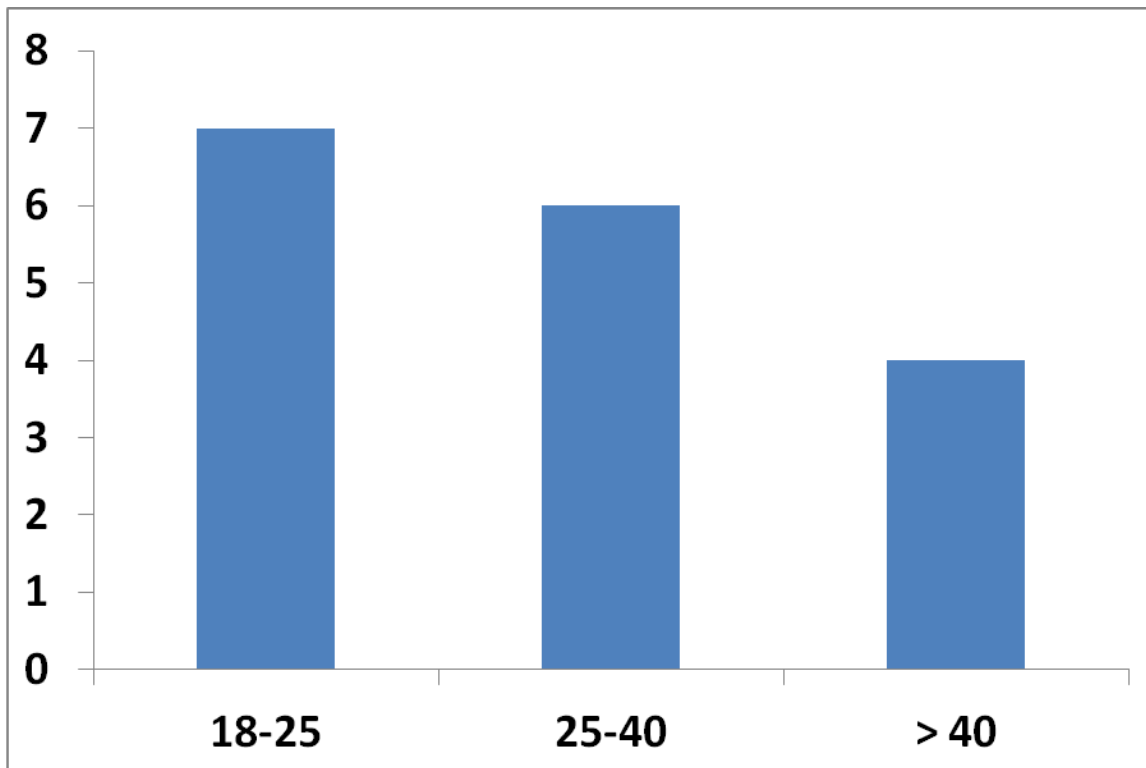
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<sup>18</sup> The photo has been taken by the researcher on the time of field trip at the Garment industries of Dhaka, July 2018.

### 3.2. Analysis of Women Workers' Productivity: Inverse Proportion between Age and Experience

The women workers of 42 years from *eid* garments of Dhaka says that the factory owners need young women for the work because they expect them to have more production capacity. Comparatively, the elder women workers have less physical fitness and too many family needs. The young women workers who have no families will have more concentration in the work and are satisfied with the given salaries. Most of the respondents met during the field work were young people. Most of the elder women workers have faced bad experiences and high level of exploitation than the young workers. Several youngsters revealed that the factory was like their family and they had phone numbers of co-workers too. The women workers in accordance with the age category is given below.

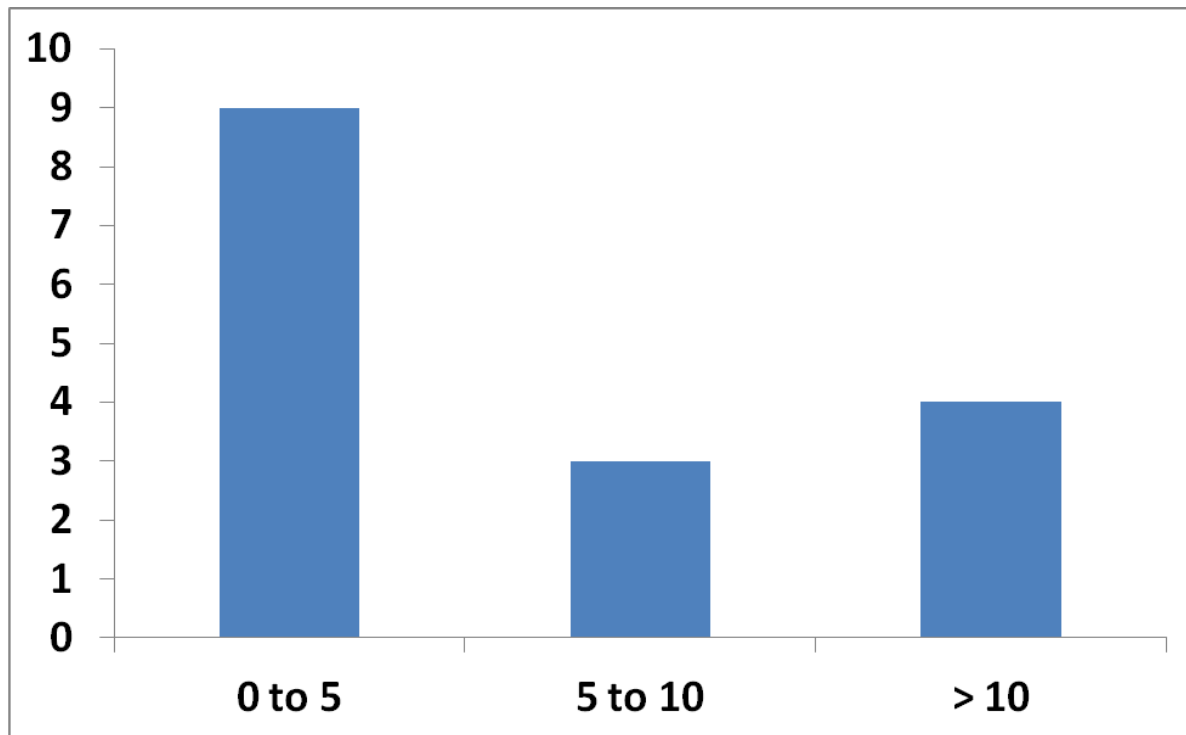
**Figure 2. Women Workers : Age Category.**



The women workers are usually young and less educated, mostly migrated from the rural areas of Bangladesh (Morshed 2007). The age category of the workers indicates that a good number of them are young. Many of the workers are doing this job for the first time in their life because they don't have another option to work. The factory owners said that they need comparatively young workers so that the production capacity would be high.

It points to the fact that the experienced women workers in the industry are very less. The field work data also substantiate this point.

**Figure 3. The graph on the women workers experience**



The above given chart says that most of the women workers have an experience of below five years. It means that they are comparatively new to the industry. It shows the acceptance of the

garment industry among the public or female work force. Most of the women workers select the garment sector as the only option to earn in their life. And it means that the youngsters are coming to the industry in more in number. Out of the 16 respondents, the workers who have an experience of less than five years count the most. The second category is the least among these which comprises only 3 women workers. The workers who have an experience of more than ten years have a few numbers which means that they are working even after getting aged because they don't have any other option. A women worker replied that her son was doing a post-graduation degree that is the reason why she had come for work even at this age. And another respondent added that they were used to a certain life style which they have got from the income of the garment industry. Suddenly, if they stop working, once they are getting older, they will be in big debt.

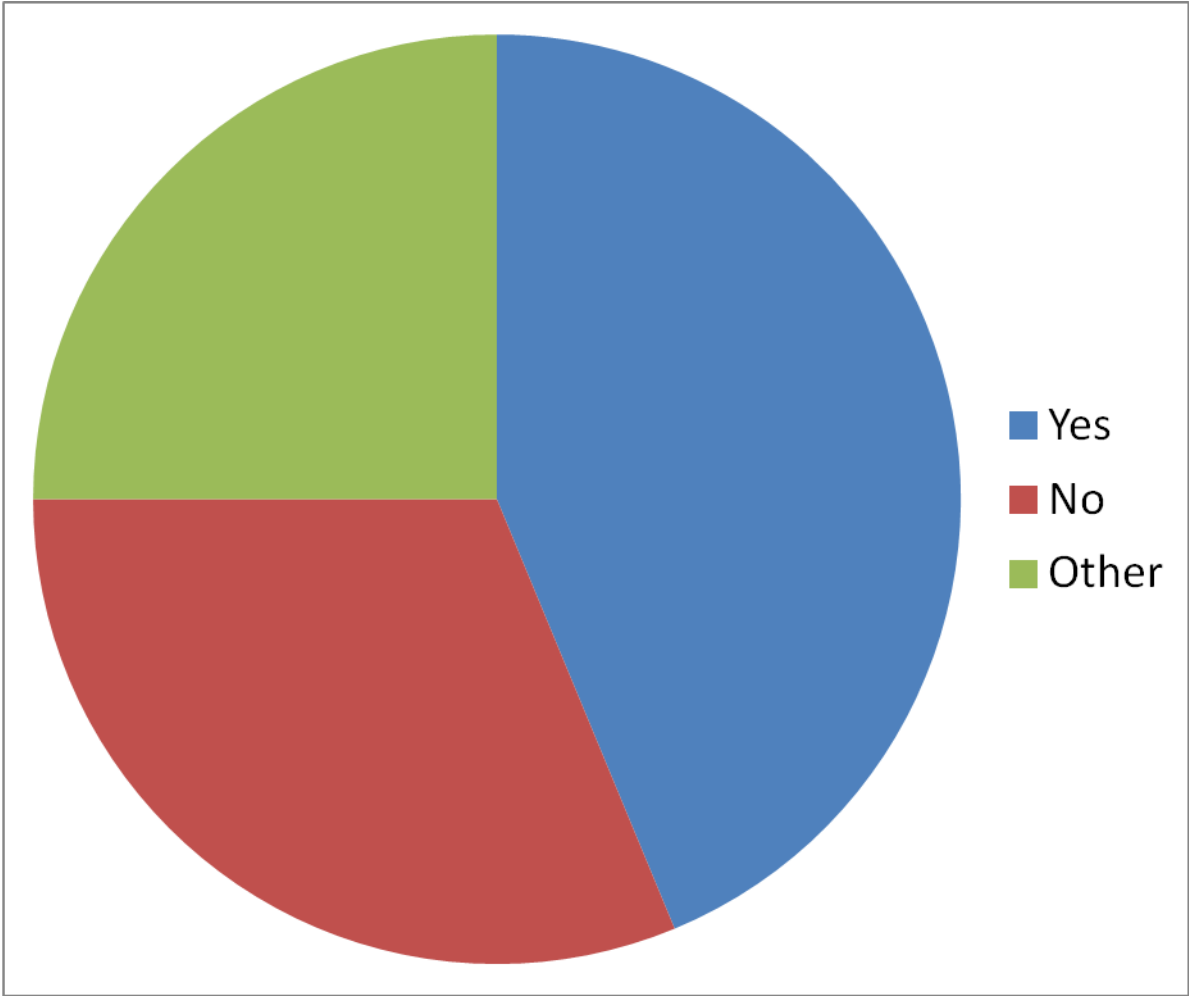
Apparently, Bangladesh apparel industry has cherished its market due to the foreign interest on their products for their quality and cheap labour situation. The recent Rana Plaza incident occurred in the first place due to carelessness and irresponsibility of the multinational giants of the markets. Newspapers published reports that addressed the same issue and the authorities were not ready to take responsibility of men from the poor working conditions and pay compensation to the victims. The failure of the legal enforcement, led by the government of Bangladesh, and the exploitation in labour markets were created by both multinational companies and the internal labour condition. But the working conditions of the apparel industry, simply reflects the level of exploitation existing in the industry. Working conditions have several aspects like space, safety, wage, facilities and so on. Generally, the labour set up of Bangladesh is under the basic standards of ILO, and that means Bangladesh is a country which has poor working conditions. The chapter discusses the working conditions of the women workers of the garment industries of Bangladesh.

### **3.3. Issue of Workers Recruitment**

The appointment letter is a basic right of a worker who is employed to any factory. The nature of an industry is reflected from its basic procedures. The irregularity or vulnerability starts when a women worker is being appointed in the industry. However, the Bangladesh garment factories prove again that they are running against the laws of the country. Less than half of the respondents possessed an appointment letter whereas almost 35 percentage of the respondents did

not have the appointment letter. A job without proper appointment letter clearly shows the irregularity in the industry. The absence of appointment letter gives less security for the worker legally. And few respondents said that the management had asked them to give signature on white paper as their appointment and they don't have much clue about what had been written on that white paper.

**Figure 4. Issued Appointment Letter**



**3.4 Violation of International Labour Standards: Women Workers’ Struggle for Sufficient Wage**

Apparently, the mystery behind the huge number of women workers’ participation and the rapid growth of the Bangladesh apparel industry points at a number of factors. Wage is one among

the few factors. Generally, a factory owner of the country makes huge amount of production with the cheap labour and the products are sold to a third-party buyer. In the next step, the third-party buyer gets the products at a cheaper price. And finally, the multinational buyer does the same with the third-party buyer. In fact, the owner is the most profitable person in this cycle (Adnan 2017).

Wage is the basic right of a worker for leading a healthy living condition. Women workers in the industry consider the garment sector as the only means for their daily bread. But their wages were not regular. Sometimes they were paid after the first week of the month. The women who are dependent on the garment industry for their basic needs from food to shelter struggle to maintain monthly expenses which affects their credibility in the family. As we have already discussed, the monetary factors are the primary elements when there is a question arises from the family regarding 'women choose to work'. Meeting the monthly expenses plays a vital role in the fact that the women enjoy decision making power in the household. On an effect, when there is a situation in which their money is no use for giving house rent, paying electricity bills, funding the children's education, the credibility of the woman worker is under pressure. In the garment industry, men and women hold different jobs and consequently are exposed to different types of hazards. Majority of the women work in the low-paid and less-skilled jobs, wherein the work hazards are comparatively higher (Begum, Ali, Hussain, Sahid 2010). Majumdar (2000) notes that the women from the garment industries get higher rate than the previous jobs, whereas at the same time, women from export-oriented garment industries get much lesser wage than the non-export-oriented industries.

After a series of protests, the minimum wage for unskilled workers was first introduced in 1994 and was fixed at Tk 930 (\$23.25 at that time) per month. Twelve years have passed with the minimum wage of 1994, when the clothing factories of the country was gaining a strong foothold in the international market. But after a long negligence, the government took a step in 2006, responding to a large episode of labour unrest, which often halted production in many apparel factories; the government Minimum Wage Board increased the entry level wage to Tk 1,662 (around \$24.80), as against Tk 930 in 1994 (Ahmed, Nathan 2014). The new wage also increased the upper grade workers which was noteworthy. The cost of living was becoming high as the years passed. In 2010, workers again started an agitation for higher pay, following which the Minimum Wage Board again increased the minimum wage of RMG workers, this time to Tk 3,000 (\$43.40

at the then prevailing exchange rate) at the entry level, coming into effect from November 2010. But, while increasing the base or entry-level wage, the wage structure was changed to reduce the gap between workers working at different levels. This reduction of the gap between junior and senior workers, and between low-skilled and skilled workers, in turn led to another round of industrial unrest (Ahmed, Nathan 2014). Basically, the fact that the workers of the clothing sector of the country working in a condition which is lower than the International Labour Standards. The fact that the cost of living cannot be maintained by the under pay they are getting from the factories opened up protest, strikes and other forms of dissent.

Even the new minimum wage rate policy (3000 Taka for the garment workers) got implemented Bangladesh, the largest exporter in apparel sector still continues the position of having the lowest wage rate when compared to other countries. The powerful Bangladesh Garment Manufacturers and Exporters Association (BGMEA) and even some of the government officials have said that international solidarity in support of the workers' demand for 5,000 Taka was just a ploy by wealthy nations like the United States and the United Kingdom to steal garment jobs from Bangladesh and return them to their countries (Newspaper report 2010). The low-cost wages is one of the attracting factors behind the increased demand of the garment industry. The government has increased the minimum wages of the garment sector thrice during the last 18 years. Irony lies in the fact that since now Bangladesh does not have a minimum wage act, but it has minimum wage board. The board has come after the minimum wage policy which is initiated by the Labour Act of 2006, which is succeeded by the Labour Amendment Act.

The recent unfortunate incidents such as fire accidents (2012), and building collapse (2013) compel the government to take necessary steps to increase the minimum wages. Even though the wage rate is not sufficient to lead a better life the workers had to stick on to the factories with no other option. The factsheet of the Clean Cloth campaigning which was released on February 2017 revealed a few statistics which says that “the first minimum wage was set in 1983, at BDT 627. In the following two decades, the minimum wage was only adjusted in 1994, to BDT 940. Between 2001 and 2011, the purchasing power of garment workers actually decreased due to inflation, which was more than seven percent on average. The minimum wage in 2006 was BDT 1,662 which shows an increase of 265 percent compared to 1983, but far below the living wage standard and



even below the national poverty line (as calculated by the World Bank), which was set at BDT 1,730 per month” (Factsheet, Clean Cloth Campaigning, 2017: 2) The recent minimum wage update was globally criticized and formulated a notion that the garment industry is running on very cheap labour cost. Statistics reveals that Bangladesh minimum wages are way beyond the *global minimum wages*<sup>19</sup>.

### 3.4. Minimum wage in Bangladesh through the years

**Table 10. Minimum wage in Bangladesh through the years**

Year	Minimum Wage in Taka
1983	627
1994	940
2006	1662
2010	3000
2013	5300
2018	8000

**Source: Facts sheet Clean cloth campaigning 2017 and Government sources Bangladesh.**

The struggle which the Bangladesh labour industry have seen over the minimum wage issue is seen by the above-mentioned table. The cheap labour is one of the attractions of the apparel industry and have been observed by the multinational companies systematically and encouraged by the domestic labour set up. But the workers form the industry is left out with not much option; in fact there is no other industry which accommodates women as the lion share of the total workforce. The executive director of Awaj foundation Nazma ATkther gives testimony that the women workers have to go through hectic work schedule to meet giant demands. The workers have to do overtime work occasionally but no additional payment for extra time. Even the law enforcement of the country does not take proper care on this situation in which the workers are not

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<sup>19</sup> The world economic forum finds that the highest minimum wage exists in Australia. Luxemburg, France, Netherlands and Germany are the other four in the top five. The countries around the world considered the low paid workers and their condition into serious concern especially after the financial crisis. The crisis have intensifies the financial inequalities (Charlton, World Economic Forum 2018).

able to go to drink or use toilets during the intervals. The workers coming from the poor household already have malnutrition problems and could be in more danger.

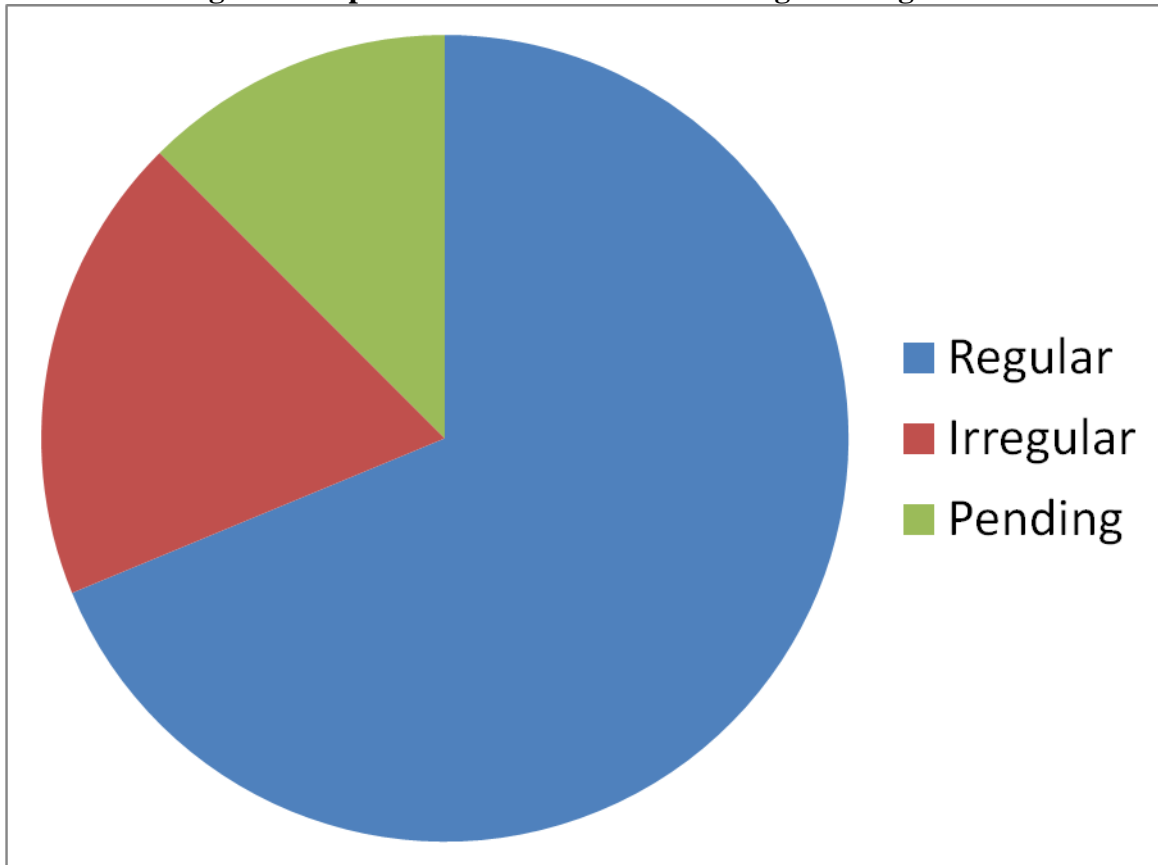
Due to the international attention which the Rana Plaza received, a number of scholars, activists and organizations are interested in a sensitive area which gives continuous updates on the apparel industry. A research analyst named Roxana Dobra criticizes (2017) the prevailing wages in the garment industry which is below the National poverty line of BDT - 6338<sup>20</sup> and they get 5300 which is not a living wage. But the recent workers protests demand 15000 BDT for better living environment, where the minimum wage body should work in coordination with BGMEA in that matter. Reports says that around 34 union leaders were arrested in the protests that were concerned with the minimum wage. But it seems like government has rejected the idea of wage increment in the ongoing five-year plan till 2018.

According to the legal documents on Bangladesh labour laws, the women workers deserve a better wage for gaining a better standard of life. The life of a woman worker is miserable when it comes to the matter of food, cloth, house rent, electricity bill, water, transport and the education of children. Nazma Akter, an activist states that most of the multinational apparel producers have factories in Bangladesh but all of them have an interest to get the production on a maximum cheap labour. But the below cited diagram reflects the recent statistics of the garment industries. Comparatively, the salary is received by the workers on time than the previous times even though it is not meeting the International Labour Standards.

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<sup>20</sup> According to the ADB's findings the population living under the below poverty line is 24.3 percentage in 2016. ADB argues that there is a notable reduction could be seen; the population living under the poverty line was 31.5 percentage in 2010 (Basic statistics of Asian Development Bank 2019 ).

**Figure 5. Representation of intermittent wage : a diagram**



Apart from two respondents, all others agreed with the fact that they are getting salary on a regular basis. The current situation of the industry has improved from the earlier stage. But still there are complaints on irregular payment. And there are reports which prove that the factory owners hold the first two months' salary as a security and gives the rest to the workers. The Eid allowances are the only allowances they are getting presently. Islam being the prominent religion in the country, the industry gives the allowances and holidays on Eid. Generally, in the earlier times the concept of overtime was insignificant and to work for uncountable hours was the part of regular time schedule. A number of factories give 42 Tk per hour in Bangladesh. There are factories that pay double the amount of the normal wage. The protests for minimum wage still

happen from the women workers' organizations. Apparently, there are factories which do not give first two months of salary so that if they stop working in between the factory manage to get the two months of salary of the workers.

### **3.5 Working Hours and Payment Issues**

The garment industry was infamous for the low wages in the past. But now the working hours in the country should also be taken into serious consideration. There are frequent reports concerning the unlimited working hours of the industry.

A cite from Bangladesh RMG Bangladesh has come across with its report that, "It seems that in the Bangladesh garment industry today, the only way to make a profit or a decent livelihood is to work more and more hours. Average work hours in apparel factories currently stand at 66-70 hours per week. However, during peak production periods, times when buyers increase their purchase orders due to seasonal demands in their countries, working hours can increase to 80-90 hours weekly" (RMG Bangladesh). The excessive working hours in a country like Bangladesh create massive troubles among the labourers when we connect it with the present working conditions.

Ha Meem, a sportswear company locked the labourers in the factory for a nineteen-hour shift, where a fire accident has happened two weeks prior to the incident. The gatekeeper locks the main gate of the factory and wanders, a dozen of workers had been put in this condition, they replied to the reporters (BBC news 2013<http://www.bbc.com/news/business-24195441>).

The unusual working hours was scheduled for a special order 15000, the press added. The irregular working hours are not uncommon in the apparel industry.

The C&A foundation, BRAC University, MFO and Fashion Revolution have proposed a new study named *Garment Workers Diaries: A study of Garment workers' lives and wages in Bangladesh, Cambodia and India*. The study reveals the endeavors taken by the women workers to live and still face failures when they go home. Fatema, a woman worker has admitted that she does overtime more than legal working hours. She had to do more than 56 hours each week at a wage which is slightly higher than minimum wage per hour that is 25 Taka. Legally, a worker can

do 60 hours of work in a week but in Fatima's case she meets this duration in the half of the week. The over time working hours are considered to be a basic rights violation of a worker. In under developed countries the workers accept the overtime pay but it will harm their health condition to a great extent. Fatema said that the overtime reaches its peak when the company gets hectic order, and it was at peak in mid-November during Week 15 when she worked a total of 98 hours (C&A Foundation Garment Workers Diaries 2018).

The recent reports on the basis of the studies have been undertaken by Ruchira Naved and Sakita Akhter and their write up was named “Empowering Bangladesh Female Garment Workers”. It reveals that many of the women workers who were interviewed by them had to go with the overtime to meet their daily hourly quota of 100 shirts. And the brutal fact about their working condition is that the nature of this overtime work was in accordance with their nature of jobs, which means they have to stand or sit if they are machine operators and quality operators respectively (Naved, Akhter 2018). The authors describe the women workers’ job as an endless one due to their household jobs such as cooking, cleaning and washing after their work shifts in the factory. The women workers have a time schedule with varying treatment depending upon the nature of the company. There are people who work for more than three-four hours overtime on a regular basis. Even when the factory pays for the overtime, still it's a labour rights violation according to the treaties which Bangladesh have signed.

### **3.5.1. Working Hours: ILO Standards**

- “The very first ILO convention in 1919<sup>21</sup> has adopted the limits of working hours with an adequate rest period of time. Hours of Work (Industry) Convention, 1919 (No. 1) - [ratifications ]
  - Hours of Work (Commerce and Offices) Convention, 1930 (No. 30) - [ratifications ]
- The above two conventions set the general standard at 48 regular hours of work per week, with a maximum of eight hours per day.

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<sup>21</sup> The first convention known as the Hours of work (Industry) convention and it adopted at Washington, in 1919 November 18. The convention limiting the working hours into 8 hours in a day and 48 hours in a week (Official Website ILO)

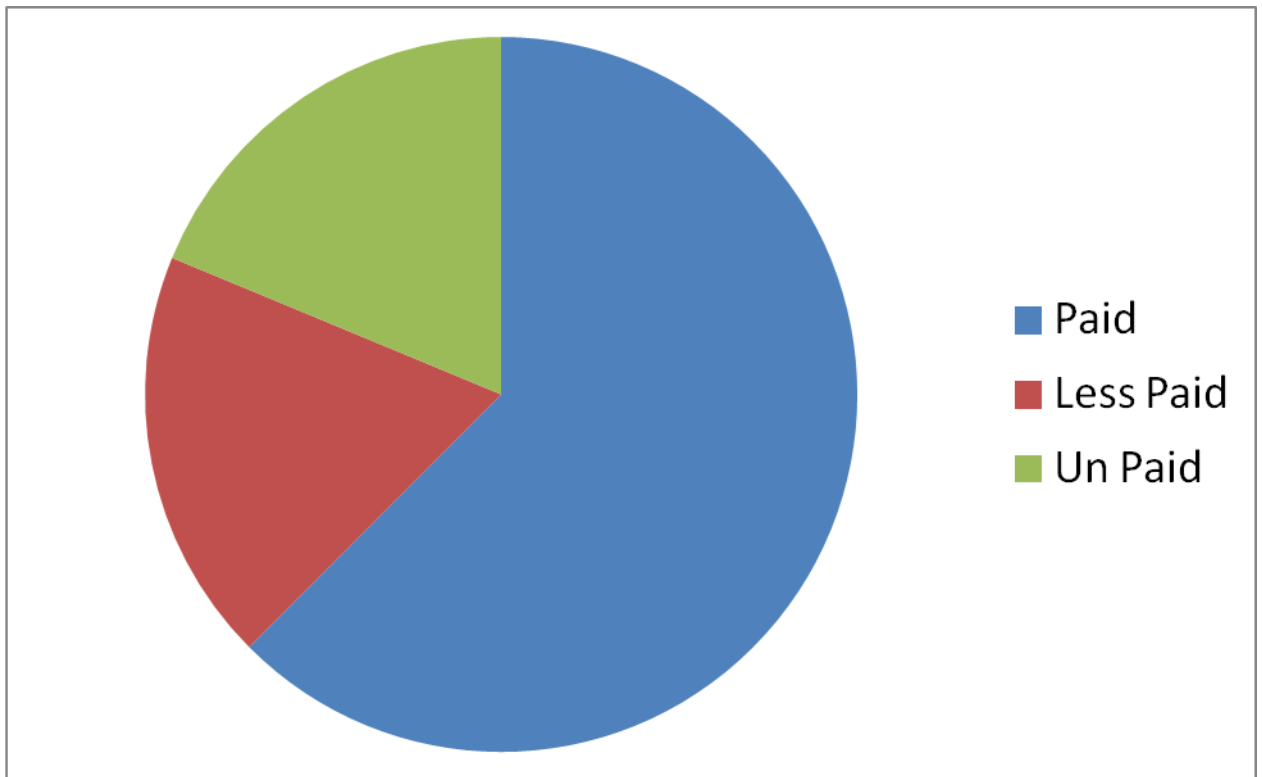
- Forty-Hour Wee Convention, 1935 (No. 47) - [ratifications ]
- Reduction of Hours of Work Recommendation, 1962 (No. 116).  
The above two instruments set out the principle of the 40-hour workweek.
- Weekly Rest (Industry) Convention, 1921 (No. 14) - [ratifications ]
- Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) - [ratifications ]  
The above two conventions set the general standard that workers shall enjoy a rest period of at least 24 consecutive hours every seven days.
- Holidays with Pay Convention (Revised), 1970 (No. 132) - [ratifications ]  
Every person to whom the convention applies shall enjoy at least three working weeks of annual paid holiday for one year of service.
- Night Work Convention, 1990 (No. 171)\_\_\_ - [ratifications ]  
Requires ratifying states to take measures required by the nature of night work for the protection of night workers. Night work is defined as work performed during a period of not less than seven consecutive hours, including the interval from midnight to 5 a.m. Also requires alternatives to night work to be offered to women for specified periods during and after pregnancy.
- Part-Time Work Convention, 1994 (No. 175) - [ratifications ]  
Requires ratifying states to ensure that part-time workers receive the same protection, basic wage and social security, as well as employment conditions equivalent to those accorded to comparable full-time workers.”

(ILO 1996)

The irregular working hours reflect the total irregularity in the life of the workers where they highly depend upon the scheduled water system, toilet facilities in home and so on. The normal working hours of the women workers does not follow any uniformity in terms of working hours. The deficiency in the legal systems of the labour sector adds fuel to it. The women workers revealed that the *factory owners force them to do two to three hours extra when there is excessive demand for the good, but when they make good profit out of the overtime. it becomes a regular practice.* There are factories which pays for the overtime workers separately and also there are factories which add some extra money to the monthly salary. This creates a huge loss for the women workers

once we calculate it in terms of the wage per working hour basis. Subsequently, when the overall improvement happened in the industry the overtime issues also decreased. In fact a few women workers replied that they are getting 42 Tk per hour for the overtime.

**Figure 6: Overtime issues and payment**



The overtime was considered as a very normal feature which was associated with their regular job. At the time of interview, there were women workers who have said that they used to work for 2 to 5 hours extra almost on a regular basis to have their job. And there were situations in which they would get the normal salary even after the hectic overtime. Now a days, most of the women workers are paid for the overtime they do. A few respondents were happy that they were getting overtime payment so that they could manage the expense of the household. A number of respondents were saying they were getting 42 Tk per hour and they were happy about it. There are factories which pay less amount than the amount specified by the labour rules. The laws claim that overtime needed double payment of the normal working hour wage. There are certain factories

which do not pay for the overtime at all. They considered it as the part of regular job which was a proper violation of the labour laws of the country.

### **3.6. Gender Discrimination at Work Place**

The gender discrimination at the work place is a common problem in Bangladesh apparel industry. The fact that the hectic jobs are assigned to the women workers reflects the attitude of the factory owners towards the women workers. The female labourers are assigned to do the jobs like assistants, finishing helper and operator. Notably, the nature of the work does not require any personal creativity in fulfilling it (Begum, Hossain, Shahid 2010). In fact, the women of Bangladesh became more productive after its independence in 1971. After the effective functioning of garment industries and its grass root reaching, the women workers' contribution grew higher. However, the industry still has discrimination on the basis of gender which is deep rooted and visible in a filthy manner.

In the context of the country, the underemployment has been found rooted among the women worker. Carr (2004) draws insights from the scholar Rahman and suggests that male "underemployment rates are 12 per cent in 1995–96 compared to 71 per cent for female, and male unemployment-equivalent rates of 8 per cent compared to 31 per cent for female (Carr , 2004 , 147)". There are huge number of women who have not properly used their skills and at the same time thousands of people were just doing unpaid work like household activities and agriculture in the surroundings (Carr 2004).

While cultural norms,<sup>22</sup> gender discrimination shown by the authorities and the activities of the trade union points to the exclusion of women from the broader realms of the labour market. It was asserted in the past by a policy environment that defended the authorities from the repercussions of such biased attitudes. Isolated from the global market forces by policies that boosted and defended the domestic labour sector, the conflicts within national labour markets were

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<sup>22</sup> The descriptive norms are shortly called as norms defined as how people are thinking behaving and controlling other people behavior (Frese 2015)



also brought under control, leading to the privileged access of men workers to better paid formal jobs. The presence of female workers in paid work was very minimal and restricted to marginal informal sector which did not turn up in the national statistics (Carr 2004).

There are studies that mention that the sex segregation on work was found to be common. Confirming to this theory, the scholar Shahiql Islam (2016) mentions in his studies about Sima, a woman worker in the industry and her experience on the gender segregation related to the work distribution. The study says that “*Sima, age 29, married: I joined this garment industry twenty-eight months ago along with other five girls and two boys in the same day. All of us were unskilled and this was our first-time job experience. We joined as helpers and after five months all of us become sewing operators. But after one-year among the males, one becomes supervisor, another boy becomes line chief, but we are still working as sewing operators. Although we all work in the same section (i.e. sewing), as the boys hold superior position in this section so their status, remuneration and freedom is more than us. I think because of our gender identities this discrimination took place, although we belong to same skill and experience*”.

It is clear that the representation of women workers in the top-level works is less<sup>23</sup>. Men occupying all the top-level posts in the garment sector creates an unnecessary gender biased hierarchy. The labour code of Bangladesh legally denies the discrimination on the basis of sex. Men in the industry occupy the top position from one to ten including that of managing director, director, general manager, assistant general manager, merchandiser manager, merchandiser, chief account officer, account officer, commercial officer, assistant commercial officer- there is a complete absence of women workers as these positions are filled with the male counterparts. Women workers are missing in the top rank or less in number, and on the other hand there are reports of women workers who hold some mid-level positions in the work place like cutting master, line chief and so on.

The pictures of the garment industry are filled with the women engaged in the sewing section. A woman worker Moni, 29 replied to that question that *the authority of the garment thinks that women are better at sewing than men as sewing activities are associated with femininity in our culture. Moreover, they think of other job e.g. (iron and cutting sections) more physical labour*

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<sup>23</sup> The field trip data of mine as well proves that among the respondents the majority belongs to lower class work only two three does the supervisors jobs but on the same time reports proves that the boys who were even less experienced get promotion than the women (Field trip Dhaka 2018).

*is required since women are not perfect for those activities. On the other hand, in the management (i.e. manager, supervisor, line chief etc.) educational qualification is needed, but most of the women who work with us are either illiterate or have at best primary education, and hence they are not qualified. Moreover, our cultural practice is in such a way that men are better at management than women, and men should have the control and domination over women and it should not be other way around.*

It is clear from the above mentioned statement that the cultural practice and societal outlook also affect the gender wise discrimination at the work place. At least before two three years the gender difference in the garment sector was predominant in the country. A woman worker from Dhaka says that *even when women are the majority of work force still the power lies in the hands of the men in the factory. There are certain men workers who act like the body guard of the management and assumes to have an authority over the other workers especially women workers. They are the people who do spy work for the management to find out whether we are the part of the union or any NGO and these are the same people who treat us coercive when some protest happened. They are the mastans<sup>24</sup> of the owner. Sometimes they do not do that much job and still manage to get money more than us.* However, it is clear that there is gender discrimination prevailing in the industry. Though, there is a general improvement in the industry, the research found evidence that there is heavy workload for the women workers whereas men workers are getting less work. In the managers' perspective the women workers are unskilled labourers but do eighty percentage of the work.

### **3.7 Hazardous Nature of the Readymade Garment Industries of Bangladesh**

The letter which is sent by the 'clean cloth campaigning<sup>25</sup>' to the ambassador of the alliance of Bangladesh workers safety certainly pointed out the negligence of the concerned authority on safety and security of the labourers. The letter critically looks at the fact that 62 percentage of the factories do not have viable fire exits (Alliance for Bangladesh workers safety 2016)

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<sup>24</sup> The word mastan denotes the goons of the factory management who physically handle the workers when there is a need.

<sup>25</sup> The official website of Clean Cloths Campaigning says that the organization is a global alliance which works for the improvement of garment and sportswear sectors (Clean Cloths Campaigning 2018).

A series of fire accidents have been occurring in the Bangladesh garment industry. The unsafe working conditions of garment industry kill people, the reports say. The below mentioned is a list of few fire accidents which came across the media.

- “January 2005 – A fire at a garment factory outside the capital Dhaka killed 22 people and injured more than 50.
- April 2005 – At least 64 people were killed and about 100 injured when a garment factory building collapsed in Dhaka.
- February 2006 – Twenty-one workers were killed and dozens injured when the Spectrum garment factory building collapsed in Dhaka.
- February 2006 – A fire ripped through a textile factory<sup>26</sup> in the port city of Chittagong, killing 65 workers and injuring dozens.
- February 2010 - A fire at a garment factory in a Dhaka suburb killed 21 workers and injured about 50.
- December 2010 – A fire at the Sportswear factory supplying global retailers killed at least 26 people and injured about 100 just outside Dhaka
- November 2012 - A fire at the Tazreen Fashions factory in Dhaka supplying global brands killed 112 workers and injured more than 150
- April 2013 - At least 1,136 people were killed and hundreds injured when an eight-storey building housing five garment factories supplying global brands collapsed on the outskirts of Dhaka.
- January 2015 – A fire at a plastics factory on the outskirts Dhaka killed 13 people and injured dozens.
- August 2016 - More than 100 people fell ill in Bangladesh after inhaling gas that leaked from a fertilizer factory in Chittagong.”

*Source: (The Star online 2016).*

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<sup>26</sup> The incident happened on February 23, 2006 in the port city of Dhaka. The reports say that 54 workers killed in the accidents because the main gate was locked. The security used to lock the door to prevent theft during the night shift were more than 600 women labour working (Skeers 2006 ).

The online newspaper called *The Star Online* has reported these major accidents took place in the garment industry and points out that the accidents were prevalent post the Labour Act of 2006. The accidents took place after Rana Plaza proves that although the precautions were taken by the industry, they had failed to safeguard the workers.

The fact that only women workers face comparatively risks and suffer from physical injuries in the workplace points to the amount of the discrimination they face even from the ground level. Most of the women workers are assigned in the stitching departments and there is a possibility of finger cut injuries and other blunt injuries due to the use of old machineries. In addition to that the workplace is usually congested suffocating and the worker who is stuck between the machines and the co-workers and this increases the possibilities of accidents (Mahmud 2017). The insufficiency of fire exits, narrow fire gates and inadequate and locked gates also create the hazardous work situation in the garment industry.

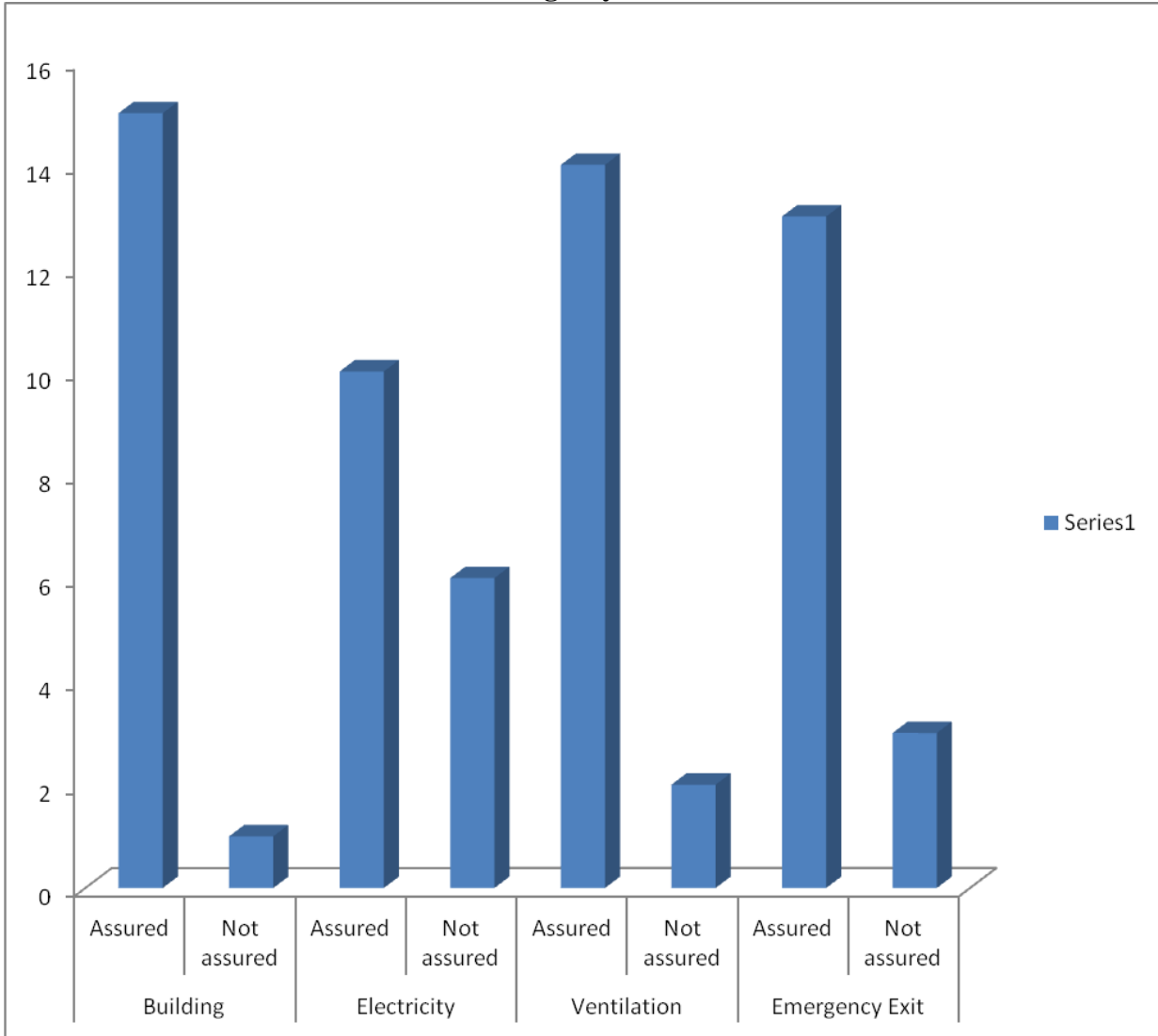
The workers safety is directly linked with the governments department which gives the sanction for the factory to run. The role of governmental impotency was crucial in most of the industrial accidents, such as Rana plaza accident and Tazreen fashion incident. The local municipal authority of Savar upzilla, has given permission to Rana Plaza factory owners to build a five-storey building on one basement in 2005. At the time of accident, Rana plaza was a nine-storey building with more than 5000 workers and around 300 shops and a bank (Ansary, Barua 2015).

The studies which have been undertaken on the deadly accidents happened in the garment industry came up with shocking results. The article named “The deadly Incidents in Bangladeshi Apparel Industry” illustrates the cause and its effects of these incidents (Hassan Muhammad Islam 2017). It states that 94.2 percentage of accidents happened due to the fire accidents and 3 percentage happened due to the building collapse which was constructed without meeting the legal standards and the rest 3 percentage pertains to various other reasons. Bangladesh Labour Act is clear about the need of a fire exit and fire regulatory system in each garment factory shop which is being visibly violated and ignores the possibility that the fiber and yarn easily catch fire. The article adds that the fire accidents are very common in the garment industry and happens due to electric wire short circuit, due to manual activities and boiler blast. But from the studies it may be

observed that the number of death causes with the building collapse more than number of death causes in one fire accident.

Studies have been done on the health hazards faced by women workers in the apparel industry and suggest the idea that there is a possibility of physical health perils because of the poor sitting arrangements, problem with dust and chemical management etc. (Khan 2015). Apparently, the massive campaigning happened in the garment industry on the basis of the infrastructure facilities and basic safety. The infrastructure facilities of the factories are one of the basic necessities in the industry. After the Rana Plaza incident, the government took comparatively better precautions to prevent another incident. The government came up with different mechanisms to inspect the building, electricity, ventilation and emergency exits in the factory. The better wiring system and electricity is necessary for the industry. Otherwise the work load of the worker goes up. The proper ventilation facility helps the worker to have good environment in the factory and it avoids suffocation and other diseases. All the recent reports about the industrial calamities have proved that the role of emergency exits is inevitable in the factories. Almost all the respondents were positive about the building facilities. All of the respondents have replied positively to the building safety. It is a positive change which could be found in the field trip. After the Rana Plaza incident, the building safety was a serious concern for the international community. According to the water body protected rule there cannot be any building near a water body. But in case of Rana Plaza the building itself was built on the water body. The visible violation of the law was vigorously been criticized. A number of the factories are working towards the social compliance for the betterment of the working condition. The following chart prepared on the basis of the responses have been collected from the field regarding the basic facilities like building, electricity and fire.

**Figure 7. A graph on worker’s knowledge about building, electricity, ventilation and emergency exit**



The contributions of Accord and Alliance are notable in the upgraded building facilities of the factories. Owing to the pressure given by the industrial calamities in the recent years, factories started worrying about their business future especially when the foreign investors push for the better safety measures in their factories. Nahidul Nayun Hassan<sup>27</sup> is of the view that the Accord inspects the factory’s working condition and gives safety and clearance certificate which helps the women workers to afford a better working condition. *The representative from Awaj foundation also goes with the inspection when the Accord conducts it. Accord has around 2000 factories that*

<sup>27</sup> Nahidul Nayan Hassan is one of the male executive member in Awaj Foundation, and he was one of the founding members of the Organization (Personal Interview Field Trip Dhaka 2018).

*come under the working premises and it could make better results than Alliance, I could say,* Nayun added.

The electricity facility is available in every factory. The means of electricity is occasionally generator. The short circuit and spark are the underlying factors behind big accidents. Safe wiring is crucial to make sure that the workers are being properly prepared for work. Studies says that fire accidents are more in number than building collapse. Tazreen factory incident was a major fire accident in garment factories' history. One respondent said that there is no proper care to handle the fire problem. In every other factory there are fire extinguishers and workers even know how to operate it. Sometimes fire drill happens in the factory. The emergency exits are also there in 15 factories; but one has responded that there was no proper emergency exit.



**The garment industry becomes comparatively spacious**

The alarm given by certain industrial calamities brought up further positive changes in the infrastructure facilities of the garment factories. The export-oriented factories have seen lot of changes due to the international pressure especially in Dhaka, but still there are evidences pointing towards the worse factory condition on the other side of the country.

### **3.8. Household Infrastructure and Sanitation Facilities of Women Workers**

Hundreds of people have migrated to the urban areas of the country after 1988's flood in the rural area. The uncontrollable internal migration instigated number of troubles in the urban areas. Subsequently, a large number of migrant women have got into the garment industry. They have been suffering due to the high cost of living and the low wage rate. A challenge faced by the women workers of Bangladesh is to find out proper accommodation. Absar (2002) notes that, even though they have money, it is difficult to find out an appropriate place for a single woman in Dhaka and other urban areas. According to the studies conducted in the first decade of the twenty first century the single woman who has a proper accommodation constitutes only 1.5 percentage, whereas women who stay with their families constitute around 73.4 percentages (Absar 2002). Women face extreme difficulty to meet the expense of house rent which costs around sixty percentages of their salary. But the study which was conducted in 2015 by - - - notes that the sanitary facilities have improved in the recent years with an improvement in the country wide. It seems that eighty percentage of the workers get toilet facilities in the industry but the problem lies in sharing a toilet with too many people. Maximum ten people should have a toilet but the overcrowded toilets which exist in the apparel industry are unhygienic. The changes in the situation from 2002 to 2015 are a hopeful improvement and shows the government mechanisms are working consistently in the labour sector. Apart from sanitation facilities, women workers face the problems of electricity, gas facilities, and water supply and so on. It seems like the workers were unhappy with the insufficient water and electricity facilities that they are getting presently.

### **3.9. Sexual Harassment at Work Place**

Human rights commission and social activists thoroughly criticized the sexual harassments occurring in the garment sector. The study titled *harassment of women worker in Bangladesh* clearly mentions that the women workers of apparel industry are facing severe sexual harassment, physical violence and verbal abuse from the managers. Sexual harassment is not only a physical encounter but also constitutes the mental stress as an aftermath. The sexual harassment can be considered through physical assaults, unwelcome touching and grabbing, suggestive comment and language, insulting on a person's gender. But it is unfortunate to see that the female workers do not report these kinds of experiences due to their shyness or discomfort to disclose it (Begum,



Hossain, Shahid 2010). The women worker is shy or scared to disclose these kinds of complaints. If they report to the appropriate channel, they might even lose their jobs, In addition to this, a large number of women workers were beaten up by the superior officers and by the co-workers. Considering the time which the workers invest in the factory, the work place could be considered as their second home. The bad behaviour of co-workers affects the women workers in a severe manner.

The article titled *Whoever Raises their Head Suffers the Most* mentions in their report that the working conditions are poor and not even meet the Basic labour standards of ILO. The reports mention one of the women workers who was not ready to mention her name, which is very common in the garment sector because of the fear concerned with losing their job. She says "the factory working condition was very poor. Whenever someone missed the [production] target, the bosses started shouting at them. Sometime they also beat the workers. One of the supervisors once kicked me on the back just because I was talking to a fellow worker. We were not allowed to spend sufficient time in the toilet. If someone stays a long time in the toilet they use foul language like, 'Did you go to toilet to make love? (Human Rights Watch 2015)".

Aruna Kasyap (2017), who works as the senior council of the women rights commission Bangladesh, has written on the vulgar attitude of the supervisor and factory owners. The blog says that the managers use comments like "*Whore.... Do you think this is a brothel? You must meet the production demand here. If you want to continue to work here, listen to us*". The blog says that there are reports that one manager asks many garment workers to sleep with him in a hotel and the workers who were sick and tired of his sexual frustration, came forward and gave complaint to other managers which resulted in a tragedy. The managers put the people who protested against this sexual assault in large target production and even for long working hours by labeling them as the 'unproductive workers'.

Recently, by the intervention of Government and non-governmental organizations, the sexual harassment cases have been reduced to smaller in number. More than half of the field respondents have said that they had no experience with the sexual assault. The availability of legal support and assistance contributed to the same.

### **3.9.1: Types of Sexual Harassment Prevailing in the Industry: Physical, Verbal and Mental Abuse**

The garment industry management never check or take actions on the grounds of physical assault and verbal abuse. It has become an unwritten custom in the garment industries and remains as a privilege for the male superior workers to assault them physically. Reports says that the factory managers or the local criminals known as *mastan* threaten the women workers on the behalf of the factory management. The commonality which the victims share is that somewhere they must have raised their voices against the company or the management. The goons were not even excluding pregnant women from the list. Cases have been reported that pregnant women have been treated brutally and attacked by criminals with an iron rode. The case of men workers is also not so different from the women workers, the union leader called Munir Monizuman Sikder, (Human Rights Watch 2015) who is associated with the National Garment Workers Federation (NGWF), was beaten up by the mastan. He describes the incident as follows:

*"They were trying to force me to tell the names of all the other persons in the union and in other factories, and also how many workers were organizers and members of the federation. Those thugs said that factory owners have a lot of money. They said they were ordered to beat me so badly that I would be covered with soil [euphemism for dead and buried]. They hit me with field hockey sticks, fractured my right leg, and beat me on the arms, shoulders, and back. Really my entire body was covered with injuries. One thug yelled at me that if he heard me speak the name of the NGWF in the future, he would cut out my tongue"*

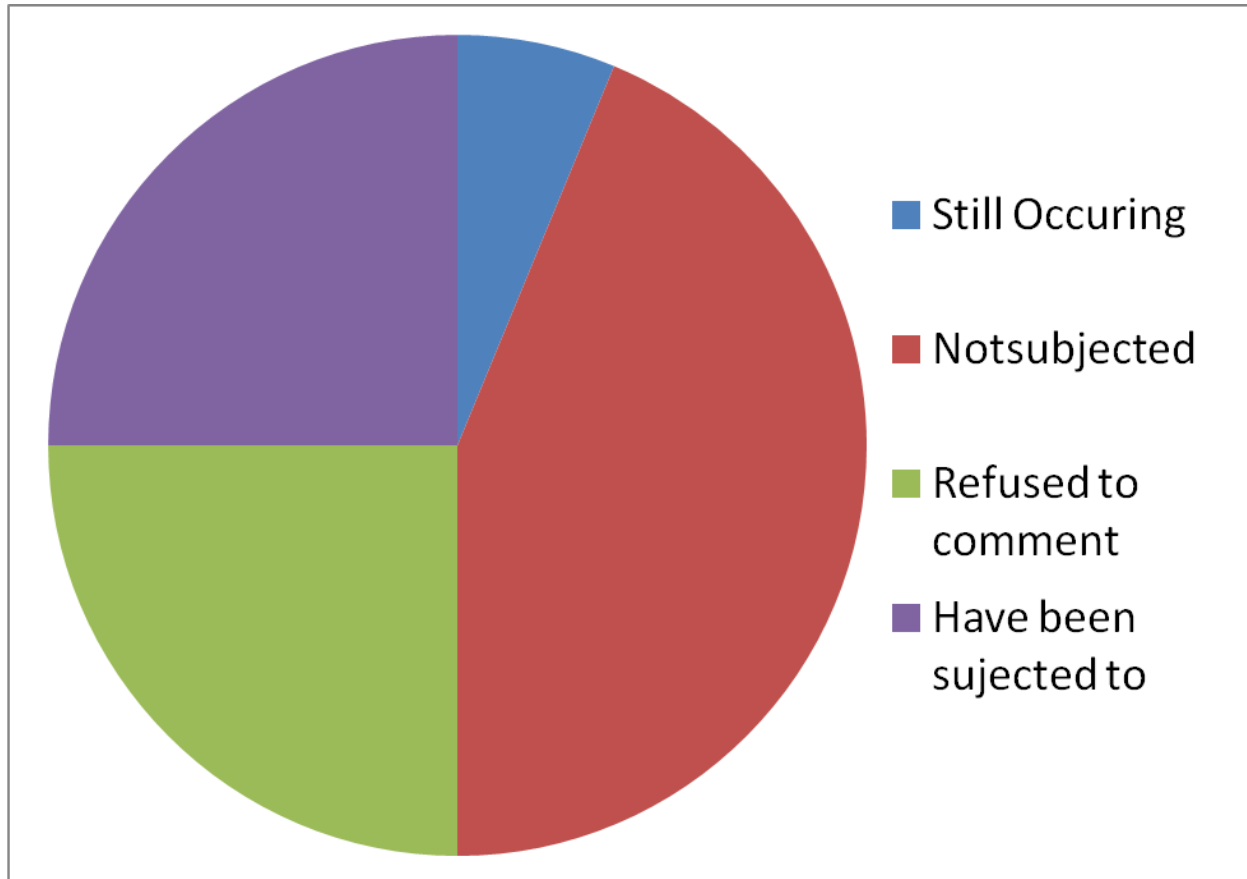
Another set of study points out that the production manager and Assistant production managers abuse the workers very common. It seems like the supervisors abuse the workers to speed the workers up. The abusive terms like mother fuckers and sister fuckers would be used in front of everyone to humiliate the workers in public.

Rimi, a sewing operator has mentioned similar experience in the study that the supervisors used to call workers as daughter of a bitch or daughter of a pig whenever there was a heavy work load.

The safe study survey which made significant discussions and debate in regard to the violence on women workers have described the response of the women workers as “The females (managers) try to appreciate problems (faced by the workers) and consequently they achieve lower

level of production. They tend to sympathize (with the workers) a bit. ... But the men are different. They behave like animals.” Selina, Sewing Operator (Workplace study). It seems like in the international garment sector especially in developing and under developed countries a clear gender biased labour hierarchy exists.

**Figure 8. Rate of Physical Abuse at Work Place**

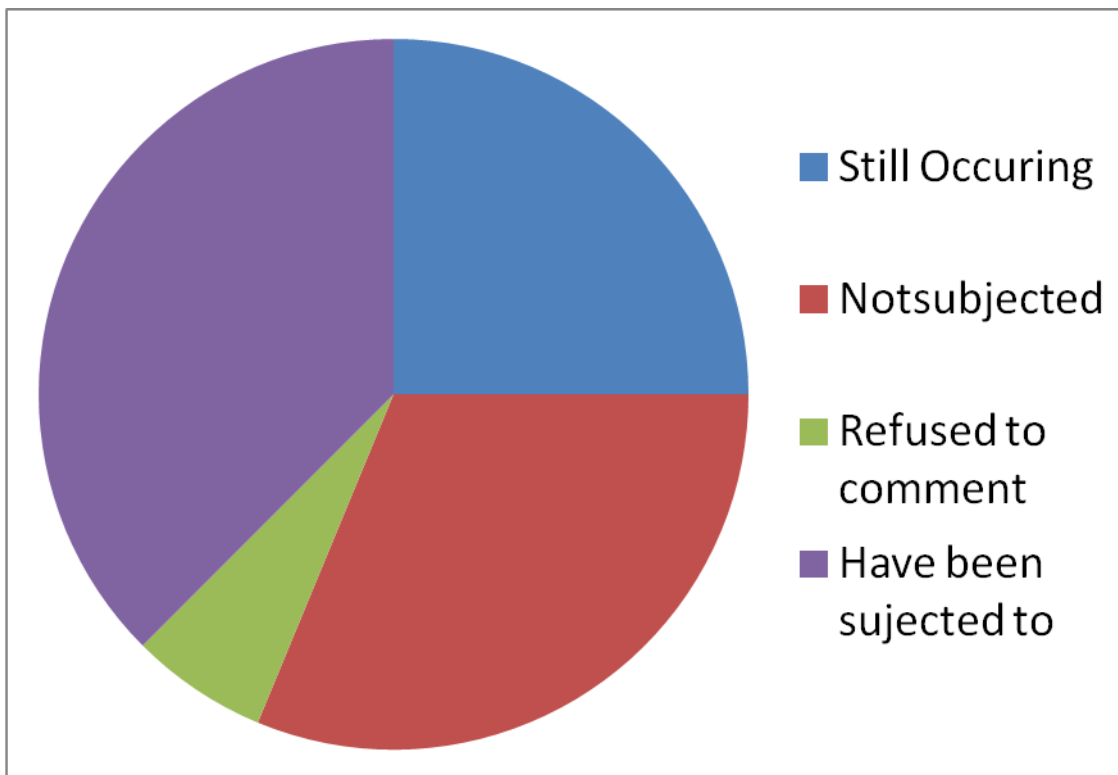


The physical abuse is not rare in the industry. The pie diagram is made on the information based on the data collected. The women workers are not comfortable with this question. But still some of them have said that they still face physical abuses in the working places. The physical abuses could be unacceptable touches and unnecessary compulsion to physical relationship and so on. The majority of them have not been subjected to any physical abuse in the industry. A good number of people were not ready to answer these kinds of questions, rather, they were insisting on moving to the question. The situation in the industry is becoming better now, but in fact a large number of people have faced physical abuse such as beating, manhandling etc. in their career. But

previously it was unquestionable and the weak labour laws could not take up any such things. The time frame of the research is post 2006 in Bangladesh so that the labour laws and its effect could be studied. Because of the Rana Plaza incident and several improvements, the situation has undergone tremendous changes. But still the research has to look into the time frame for the improvement happened in the area.

It seems like almost all the respondents who have more than ten years of work experience have faced physical abuse form the factory management. In fact, there are certain workers who mostly create violent atmosphere in the factory rather than working for the factory. They have been considered as the *mastan* of the management.

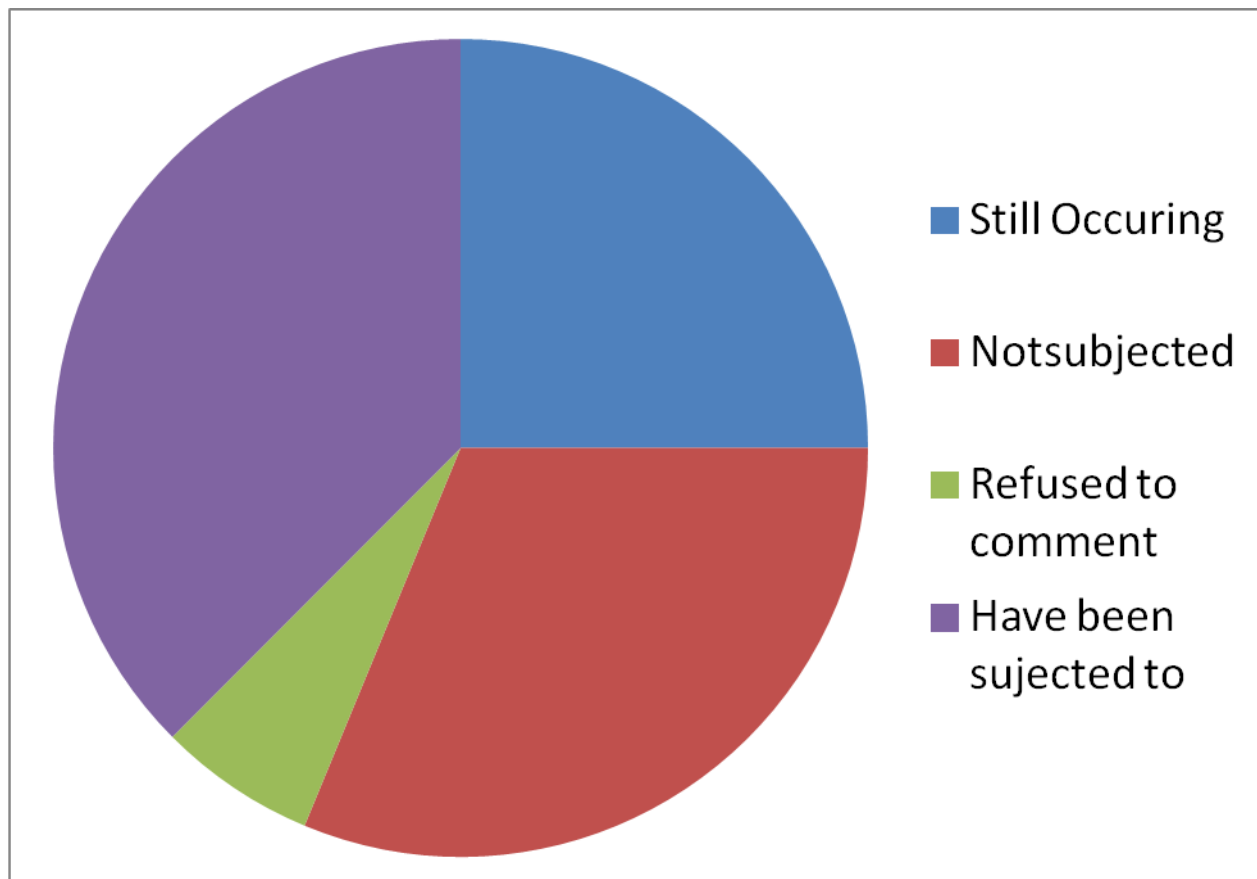
**Figure 9. Rate of Verbal Abuse at Working Place**



The supervisors scold people with slurs in a humiliating manner. It was very common in the industry. With the recent developments, number of such things have reduced. But even at present, the women workers face such bad experiences in the industry. The managers call them as *slut, bitches, bakchoth and machoth* and so on. Once a big order comes to the factory, the

supervisors make them work in a rigorous manner. They also blame them unnecessarily that are not doing any proper work. If they are going to the washroom even for a minute, they would question them morally by asking *are you making love with someone in the washroom?* Women workers stated in the interview that they feel very bad when they hear such abusive remarks in front of the public and fall into depression. Verbal abuses with a sexual content have been enjoyed by the male workers inside the factory. But it appears that the female supervisors usually do not pass such sexual remarks.

**Figure 10. Rate of Mental Abuse at Work Place**



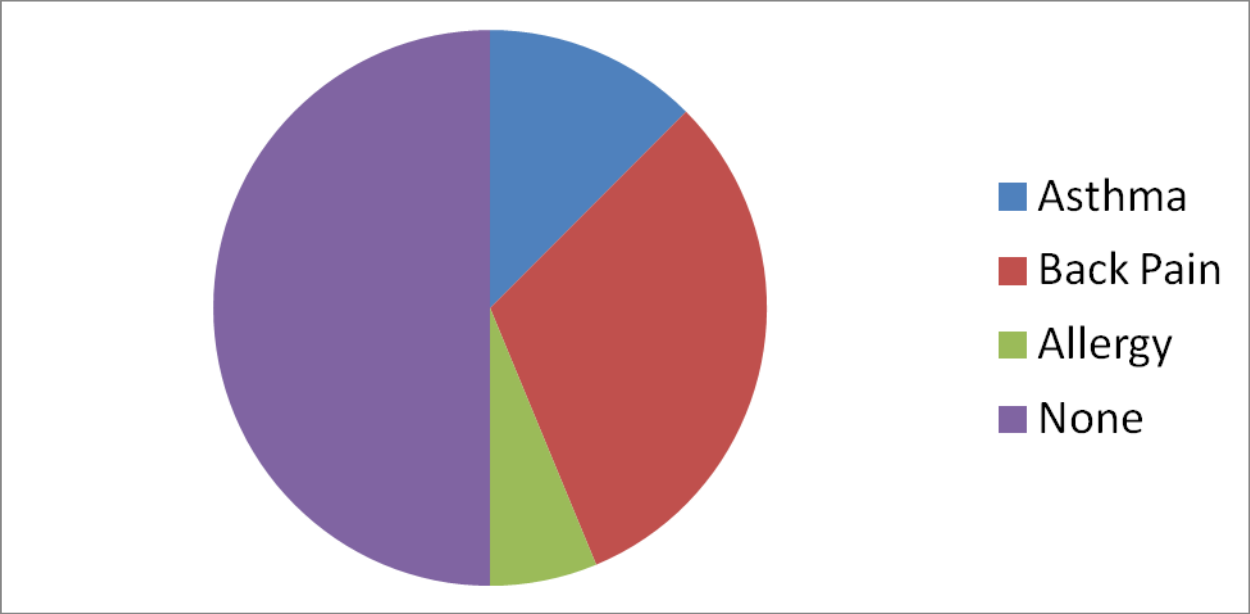
The word mental abuse indicates the mental pressure they are giving to the women workers in the work place. The managers make allegation that the workers are working against the factories, and reporting against the factory management. They always try to create job insecurity among the workers so that they can easily control them. The workers were manipulated in bitching against co-workers and it may affect the unity of the workers; and it helps the factory to impose their ideas.

The women workers who complained against the factory had to face a lot of mental torture after that. The women workers unnecessarily had to face bad words, heavy work load, leave issues and so on. The women workers who belong to a young age category will always suffer by this kind of approaches of the factory management because they might be living alone or living with neighbours' family. When the campaigning against the vulnerable conditions of garment workers happened, the management used several traps to suppress the protest. The mental torturing and abuse were main among them.

### 3.10 The Threat of Diseases in the Work Space

Gradually, the women workers have to face a number of diseases contracted after the employment. The research had a view on those kinds of diseases in the apparel industry.

**Figure 11. Types of Diseases Caused by the Working Conditions**



The women workers face significant health problems within the working conditions. Respondents were telling that they have severe back pain after they joined the garment factories. It is because of the hectic work schedule they follow. The seating facilities may not be good for the women workers especially for the sewing operators. Sewing operators are the basic workers

of the industry who suffer maximum. Two respondents say that they have asthma after joining the factories. Dust of the cotton may cause breathing problems. Allergy is another issue in the garment sector. And there are good number of people who are come under the no disease category as well.



**Medical rooms in the garment industry, Dhaka<sup>28</sup>**

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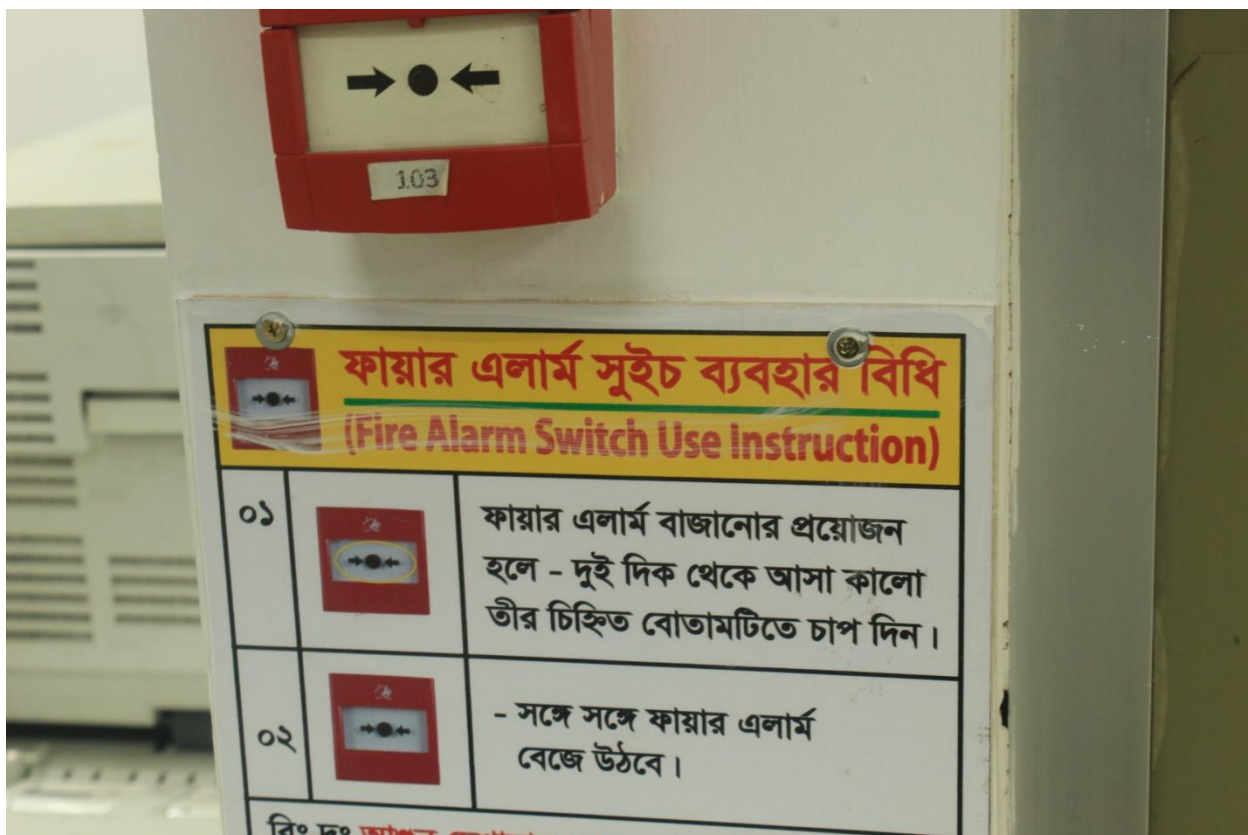
<sup>28</sup> Photo has been taken by the researcher during the medical center visit of a factory during the field trip Dhaka July 2018.

**Table 10. Familiarity in Using Fire Extinguisher**

Familiar	13	Not Familiar - 3
Throughout Factory	9	NIL
Different Source	4	NIL
Conscious Omission by Factory	1	NIL

The above mentioned table shows the fire and safety measures of the garment factory. The fire accidents are very common than the building collapses. The absence of fire extinguisher and its usages have been reported as a severe problem in the factories. The factory management gives training to how to use the fire extinguisher. There are a number of people who got the training from outside the factory such as NGOs and other organizations. And at the same time there are people who do not get the opportunity to get the training.





Fire Alarm in a garment factory, Dhaka <sup>29</sup>

### 3.11. Defending the Contribution of the Garment Factories: The Perspective of the Employers

The clothing factory owners are the rich men of the country who hold better position in the country considering their contribution in maintaining country's economy. Factory owners have been practising the cultural stereotype; women have succumbed to this stereotype by paying and accepting cheaper, docile and flexible work force respectively. Therefore, many have argued that this exploitation has given scope for women emancipation. We on the other hand reach a conclusion by reinstating the fact that rather than challenging women subordination in the society, this particular 'over-rated' employment of women in garment factories has only encouraged the reproduction of the former evil- women subordination, and mainly, 'underemployment of women'.

This subordination and voluntarily accepting low working provisions point towards the obvious reason as to why employers choose women labour- making huge profits. Outsourcing

<sup>29</sup> The photo has been taken during the field trip to Dhaka July 2018.

production is another way by which these companies are able to step away from their basic responsibilities as well as by playing producers against each other in order to achieve their primary goal of getting the best and the most profitable deal. The deregulated nature of the global economy makes worker's legal protection very thin and their right to organise and bargain collectively is constantly restricted (Schultze, Fashion Revolution, 2018).

### **3.12. Garment Industry as the Primary Employer for Bangladeshi Women: Reason and Facts**

Maslow's hierarchy of needs gives us a model of basic biological and physiological motivations important in the daily life of humans. The hierarchy includes food, water and sleep and also other necessities like shelter and clothing. The importance to cloth can be traced back to the time of Adam and Eve when they savoured the forbidden fruit and lost the sense of innocence and covered themselves up with fig leaves. If it was important to Eve back then, then one should think about its significant in the present world. Self-actualization mechanism places clothing as a primary need to be fulfilled. In today's modern life, clothing is also directly linked to individuality and personal style.

Having talked about how dependent we are on the necessity of clothing, we often tend to forget the origin of this necessity- How, where and who makes it? This chapter, henceforth, focuses on the working labour and why women are seen as the preferred workforce in these garment industries.

Historically, the garment industry has been one of the female-dominated industries in the world. Statistics have shown that, 70% of women in China work in the garment industries, while in Bangladesh the rate is up till 85% and in Cambodia has it the highest at 90%. Not only are women placed here by cultural stereotypes but are also self-voluntarily employed here. Their primary actualization is aimed at development linked with their working conditions, with a decent pay and basic work security. In a world where we live, women are still looked up to, to provide for children and their education ( at least, in rural areas) and in such cases it is only fair that women succumb to such cultural stereotypes and spend hours toiling in garment industries in a hope to move out of poverty and to grow as an individual (Hanshi Arnold 2010)

Having discussed the wages and working conditions of women workers in garment industries, one is repeatedly reminded of how gruesome can it get when it comes to working excessive amount of overtime with such low quality gratification of basic needs. . In Bangladesh the minimum wage for garment workers is 5,300 Taka (£45/€62) per month which is far from the 8,900 Taka (£75/€104) that are needed to cover a worker's basic needs, and even further away from a living wage. The research could discover overtime in many cases in which labourers used to do 60 to 140 hours and being underpaid in the end. The problems like health and safety, violence, breaks are not addressed properly in the factory (Fashion Revolution 2019).

Many have argued this exploitation can be a road to female empowerment. Women emancipation and growing gender equality are two main positive outcomes of such exploitation. Liberal writers such as Leslie T. Chang, argue that international garment market has a positive character globally, which is why they could accommodate huge number of women from the poor background who were left out with no other option. Most of these women were earning for the first time in their life (Fashion Revolution 2019) Social economist, Naila Kabeer argues on the same line when emphasizing on how work in the garment industry has broken boundaries for women in Bangladesh to gain recognition for various financial systems back at home (Gendernet 2011)

With the passage in time, scepticism has taken birth while dealing with the transformative potential that garment work has for women in the Global South. To begin with, it is important to analyse the way in which women have been integrated to the industry. In a neoliberal deregulated global economy, where the developing countries are all racing towards producing for multinational brands by offering the lowest cost, fastest and most flexible production, women have been seen as the target employees. Garment Industry being a labour-intensive industry, flexible and cheap-labour productions are the main footsteps to make high profit.

According to the ethics of the research, which was already mentioned in Chapter no: 1, the name shall be avoided from the response so that their job would be safe. There are incidents happened during the interviews in the factories. It is very hard to convince the people to talk in the factory premises. I have faced difficulties in entering the factories, once the people are ready to talk it simply means that the response would be influential and manipulated. Twenty respondents

are mentioned below. The same questions have been asked to every woman worker with the help of a translator.

### **3.13. Migrant Women Workers and Challenges in the Garment Industry of Bangladesh**

As is the custom of urbanization as a movement from the rural to the urban, statistics shows how most of the garment factory works are migrants. Initially migrants used to flock from the rural to the urban sectors; today these migrants go beyond the borders to earn a living.

As far as employment in the developed countries is concerned, most of the workers employed are immigrant women from Asia and Latin America. Predominantly, the working labour is more from Latin America than from Asia, in the case of Los Angeles, USA. On the other hand, Chinese immigrant women are substantially employed in the garment factories in Toronto, Canada. When we talk about immigrants, China as a developing country largely employs its women labour as immigrants from the rural areas of the country.

If one looks into the matter of migration and the migrant working labour, one would point out to the political aspects of migration which, in the first place, was attributed to the working labour system rooted by the apartheid government.

“Migrant labour provided abundant cheap African labour for white-owned mines and farms (and later factories) and, at the same time, enforced racial segregation of land. Male migrants employed by white-owned businesses were prohibited from living permanently in cities and towns designated for whites only. Hundreds of thousands of African men lived in crowded single-sex hostels near their jobs and were not allowed to bring their wives and children, Women, too, became migrant workers, chiefly doing domestic work for white families.” Reads the online article by MSU on “Migrant Labour: Summary” South Africa: Overcoming Apartheid Building Democracy

Given the fact that migration is still a prominent factor in the concept of employment, this economic structure still prevails with the existent townships and urban areas that feed on one single idea of segregation and widening the gap between the rich and the poor.

### **3.14. Reasons for the Failure of Providing Healthy Working Conditions to the Women Workers**

#### **3.14.1. Lack of Alternatives and Ongoing Exploitation**

Scholars are of the view that the women workers of Bangladesh who mainly go through the exploitation from the garment industry possess less opportunities for work. The women workers are comparatively less educated and inefficient at skilled labour which makes the exploitation very common in the apparel industry. Historically, the role of garment industry in generating the national income and giving job opportunity to the women is significant. But the recent situation gives an update that 80 percentage of the garment industry labour force are women workers only. Though the exploitations are predominant in the industry, women workers are left with no other proper option. The illiteracy and extreme poverty are the main reasons which stop the women to take a decision against it. But the activists like Nazma Akther, Kalpana Akther etc take initiative to give English education, communication skills and job-related training to the women workers.

#### **3.14.2. Failure of Government Mechanism to Reach the Vulnerable Industry Which Has an Extension in the Informal Sector**

Being a poor country, the Bangladesh has limitation in the labour law enforcement. The garment industry of the country has its formal and informal production setup to reach the multinational buyer. The formal industry is accountable to the government through various organizations where the informal sector has been working more vulnerable. It is necessary to study both formal and informal garment sector to know the way exploitation functions.

It is very simple to understand the connection of the formal garment sector with the informal garment sector. The large size of the order or the scarcity of time for the order gives the birth to the subcontracts to the small-scale informal sector. And the move helps the formal sector financially because the subcontracts taken by the informal sector would be at a comparative lower price. The role of the middleman is vital in the process of subcontracting. The IFC international studies conducted on 2012 reported the opinions of the middleman in the business of the subcontracting.

Middleman number 1:

“As a middleman, I work for various garment firms. This is our family business...The big garment factories make the order through us. They do some of the work; people in the informal sector do other work, generally different to what the big factories do. The big factories generally provide the materials” (ICF International 2012).

Middleman number 2:

“I work on contract; any kind of work I can do distributing work to different informal factories.”  
(Self-employed middleman).

But the garment workers are not blindly doing the job. They are also aware about the situation regarding their works. The following statement by a garment worker proves the argument.

Garment worker:

Many formal garment factories can't do all [[the] work, so middlemen are used to find smaller firms to help out with some of the orders. (ICF International 2012).

The Formal Readymade garment industries of Bangladesh, usually gives subcontracts to the informal stream particularly when they have bunch of orders. The formal sectors usually give orders to small scale factories, vendors, middleman, subcontractors and many more without official written contracts. Most probably the informal sector doesn't do the entire work of a cloth but they do tag work of the shirts and works such as labelling, affixing stickers, embroidery and button stitching. The usual pattern of the work seems that the formal sector gives the piece of garment and the informal sector will do a particular work which may come under a category of the specialized job. Perhaps, the attracting feature of the informal garment industries is that it acts as a sub division of the production units of the formal sector in an efficient manner.

Again, I have to quote the statement of an informal firm owner, stating the efficient role of the middleman in the business, which is referred in a study done by ICF international on the child labour in the garment industries.

“A large formal sector garment factory got this order for ladies' twill wears from a foreign buyer. We get this contract from the factory through a middleman. The formal garment factory did the cutting and sewing part of the production and sent it to an informal garment factory for washing. After washing, all the items were sent to us for crinkling. The products will then be passed on to another factory for steam ironing and packaging. Finally, the finished products will be sent back

to the formal garment factory for shipment. All of these activities are handled by a middleman (ICF International 2012) ".

(Owner of an informal garment factory).

The nature of the contracts is very informal in nature. The studies imply that the middle man has a good and trustworthy relationship with the informal garment sector, it will always be a long relation. The written documents on the contracts are very nominal in these kinds of informal deals. We can have an expert opinion from the formal sector on the very informal nature of the subcontracts.

“The contract is made completely through verbal arrangements, which both parties abide by. In fact, the middlemen play the key role in the subcontracting. They collect the materials from the big factories and send back the finished goods to the big factory after the tasks have been done in the informal garment factory.”

(IFC international 2012).

The middleman is the connector or the bridge maker in the subcontracts; actually he is performing a very skilled labour because the distribution raises the following questions- “who has to do what? Where? When?” In the real sense, almost none of the home based or small scale production firms from the informal sector are giving out finished products but middle man is the person who collects and combines all these small scale production and makes it reachable to the so called formal sector.

The production process in several firms does not have continuity too. They mainly depend on the climate and the seasonal products; sweater is an example for that. And considering the firms which produce the knit wear, it is observed that they are active during the *Eid* and *puja* (Eid and Puja are the principal religious festivals of the Muslim and Hindu communities respectively). The busy schedules of most of the informal sector fall in the periods of the main festivals in Bangladesh (that is, the period between October and January of every year). So, considering the above-mentioned situation, the governmental mechanism should approach the sector in this particular period or otherwise one cannot even find the Skelton of the informal or the illegal factories. Unfortunately, it happened to the IFC international team. Here, I am quoting an expert from a formal sector who quoted by the research team of the IFC international team. “...*withdrawal or reduction of orders by many foreign buyers reduces the workload of the garments factories in the*

*formal sector, which consequently scales back activities of the informal production units,*” by this statement we can easily understand the relation between the informal sector with the formal sector.

As discussed earlier, the readymade garment industries of Bangladesh are export oriented. The informal sector is working hand in hand with the formal sector. Although it is very clear, it has to be mentioned again that the formal garment sector exports the products for which they are committed to the informal garment sector. In other words, the informal sector cannot export products. The export-oriented trade relations need the license which is given by the BGMEA (Bangladesh Garment Manufactures and Export Association). The child labour in the garment sector of Bangladesh is a valid issue but the reality is something different that according to the official status, the child labour in the formal sector does not exist. However, it may be observed in the informal sector of the apparel industries.

### **3.15. Analysis of the Condition of Women Workers in the Apparel Sector in the Light of Structural Violence Theory**

The condition of the women workers of the apparel sector of the country proves to be the best example for structural violence. The field trip data intended to look into the core problems of the women worker. The theory of structural violence claims that peace is the absence of violence. There was a strong debate regarding defining the term violence. The theory proposes that the "violence is present when human beings are being influenced so that their actual somatic and mental realizations are below their potential realizations (Gultang 168, 1969)". Postulating the concept of violence in a general sense points that violence can be seen as deprivation of health, harming people (to an extent of killing), then the peace is simply negating against it. However, the theory found the general claim is inadequate to define the violence and peace. The author and the followers found the existing definitions should be extended logically. The extended definitions say that the violence is the cause of the difference between potential and actual. The terminologies like actual and potential should be properly understood to gain the deeper knowledge on structural violence. The violence quoting the extended definition can be explained through definitions. The case of the people who died by Tuberculosis in old centuries could not be a violent act, but if it is happening in an advanced time period like today it is clearly a violent act. Because, in old age it was unavoidable due to limits of medicines but today the presence of violence is seen, at a time



when the medical facilities have grown and it was avoidable. By the term *actual* it means what is really happening but *potential* means what could be done considering the facilities and situation to prevent such violent act (Gultang 1969). As previously mentioned, the violence is the difference between the actual and potential. The data from the respondents clearly shows that the women workers undergo certain exploitations both directly and indirectly. The indirect exploitations connect to the structural violence which happens due to Racism, Caste, and Patriarchy. Theoretically, the discrimination prevailing in the apparel sector prove the male dominance in the Bangladesh society. The focal problems rely not only on cheap labour cost but also strongly in the gendered wage as well. Predominantly, the managerial works in the factories are possessed by the men workers whereas women workers can be seen only at the bottom level work. Respondents say that these are the decisions which come from the management which does not follow much regulations. The gender discrimination and disparities in the working conditions are avoidable in the present scenario but the fact that it is still existing can be regarded as a proper violence. The garment sectors in the underdeveloped countries face multidimensional inequalities and oppression which create the women workers vulnerable. Tagger (2016) says that the women in the clothing industry are the ideal examples of the victims of structural violence. Contextually, the women are forced to do their work at a low wage rate and in an inferior treatment at the work place. However, the global apparel market has become highly dependent on the women workers who work at a lower wage for a better profit (Tagger 2016). The government institutions fail to eradicate violence from the factories which makes the government the culprit in the court. However, the decrease in the violence rate because of the increasing potential realizations is notable. If the government looks forward to the development of the women workers they have to look at the other factors like their individual development, personality development and economic sufficiency and so on.

The world development report on gender equality and development<sup>30</sup> by World Bank (2012) says that once discrimination against female workers and managers is eliminated the productivity per worker would increase by 25-40 percent, depending on the degree of work included. Also, this would eliminate the social barriers of women encounter in entering different occupation or sectors

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<sup>30</sup> The report focuses on the gender equality and development. They uses economic theories to analyses the disparities where women face from men in terms of education, health and other economic opportunities (World Development Report 2012 )

of employment. For instance, in the United States, about 40 percent of the convergence in wages between the south and the northeast during 1960 and 1980 and 15–20 percent of total wage growth resulted from declining labour market segregation by gender and race (World Bank 2012). These gains can bring wider benefits. To the extent that increased access to economic opportunities leads to greater control by women over household income and other resources, can strengthen women's agency and benefit others in the household (World Bank 2012). Eighty percentage of the field trip respondents do lower grade works in the industry which shows the level of disparity in terms of gender.

The theory says that the violence can be measured as the cause of the difference between the potential and actual. The situation of the women worker falls under the avoidable violence category. The avoidable violence is when the actual is lower than potential, which means if the violence happens in society, under the capacities or the abilities of the agencies and mechanism, it is avoidable. Bangladesh is a country which has an accommodative labour law at least after the Labour Act of 2006. Moreover, the introduction of the Labour laws increased the potential of the legal system. In fact, the industrial calamities proves the theory that the violence rate is high in the apparel sector. The incompetent working environment and the corrupted government system have to be answerable for the largest industrial calamities which the countries have ever seen. The, worst condition of the women workers prevails in a time where the International Labour Standards have reached such an environment which is transparent and labour friendly. Nonetheless, the uncertainty prevailing in the job security and life security, are visible violence. The theory of structural violence mentions that "a life expectancy of thirty years only, during the neolithic period, was not an expression of violence, but the same life-expectancy today (whether due to wars, or social injustice, or both) would be seen as violence according to our definition (Galtung 1969: 169)". The *world life expectancy* has published the findings of WHO , which says the life expectancy rate of the male is 71.1 and the female is 72.7 on an average 72.7 (WHO 2018). The industry has lost more than 1100 workers in the Rana Plaza incident only. Reports say that most of them were women workers, when they had a 73.1 life expectancy (Countryreconomy.com 2013). Even now the condition of the factories outside Dhaka are not in a good condition. The bad infrastructure facilities in the country threatens the life of the people at a time when it holds the 97th rank in the life expectancy chart (WHO 2018). The theory scrutinizes the condition that the potential level of realization is that which is possible with a given level of insight and resources.

If insight and/or resources monopolized by a group or class or are used for other purposes, then the actual level falls below the potential level, and violence is present in the system (Galtung 1969 : 168, )". The Bangladesh apparel sector is notorious for its unholy alliance with the members of parliament, political leaders and the people who have a nexus with the government. In the case of Rana Plaza the culprit Rana was a political leader, and he got maximum benefits of being influential. Gultang (1969), mentions that the group which has the resources in hands can be seen in the suspicious market equations of the apparel sector, who corrupts the system and weakens the potential realization. The government has to be precise about controlling corruption, clearing the external interference and influence to make a labour friendly environment in the apparel sector of the country.

## CHAPTER 4

### **Efficacy of State Labour Policies on Women Workers in Readymade garment Industries: A Critical Analysis of Bangladesh Labour Act of 2006**

#### **4.1. Introduction**

The fact that a country has to wait to for more than thirty years to create a codified labour law reflects the incapability and vulnerability of its government mechanism. Like all the modern progressive countries Bangladesh has also signed the international labour conventions and treaties, and tried to implement them. However, the unfortunate industrial calamities like Tazreen, and Rana plaza compel the country to scrutinize the labour laws of the country. It is observed that the role of labour and industrial laws is essential for the growth of an economy. Globalised era witnesses the requirement of a proportional growth of industrial sector and the development of a country. Local investment policy, foreign direct investment policy, and labour management are considered as the major aspects which influence the relations in the industrial sector. Apart from all these aspects, the proper management of labour by addressing the labour issues and framing the legal frame work for the regulation of the labour force create a healthy relationship in the industry. Bangladesh has an export-oriented industry which is specifically the garment sector and 80 percentage of the labour constitutes women (Yunus and Yamagata 2012). It is an irony that the people's republic of Bangladesh had no proper legal framework or regularity after the independence till the labour act of 2006. In fact, the Labour act of 2006 not only codified the other relevant legal frame works, but also broke the legal barriers and negligence that the labour authorities used to have. Discussing a legal document without evaluating at the implementation level is not worthy. The chapter discusses the legal framework of the country from the origin of the law until the present and criticize its failure. Though it fails to bring the expected change, it addresses a number of labour problems that had not been properly recognized by the concerned authorities. Categorisation of labour posts proves to be perfect example in this regard.

The chapter discusses the main provisions of the Act, which includes the amendment Of 2013,<sup>31</sup> 2015<sup>32</sup>, 2018<sup>33</sup>. Apparently, each amendment was instigated by certain incidents in the industry like accidents, protests and labour rights violations. Despite the failures of the Act, the amendment emphasized on the provisions which failed to reach the labour at the implementation level, however it turned out to be a blessing in disguise. The chapter also criticizes the Act at two levels: firstly as a legal document and secondly as a failure at the implementing level. Unlike the other laws of the country, the Act does not exist just as a legal document also comes from an industrial equation which is connected with the international labour scenario. There we can call it as the labour law of the land. For understanding the labour laws of the country, one has to have an awareness of the political social and economic situation. The relentless effort of the country to gain a better law for the land is visible in all the other amendments of Labour Act of 2006.

## **4.2. Conceptualizing Labour Welfare**

The theories on labour welfare explains the need and significance of the proper legal labour framework. The theory and perception of

“Labour welfare” is dynamic, resilient and changes only with times, regions, country, industry, social values, the extent of industrialization, the wide-ranging socio-economic development of population and political ideologies established at meticulous moments. Labour welfare is an inclusive terminology in which a person gets diverse of benefits within the limits of a labour from the employer. Labour welfare is a continuous process in which the employer is responsible for maintaining the health, safety, general wellbeing and skills and efficiency of a worker (Bhatnagar 1985: 39)."

The term employer does not mean merely an individual but it can be extended to a government, non-government organizations and management (Heathfied 2016). The chapter looks at the way the government of Bangladesh plays the role of an employer in terms of assuring the facilities for the wellbeing of the labour.

Committee on Labour Welfare (1969) defined (R.K Malaviya) the phrase “labour welfare” as “Such facilities and amenities as adequate canteens, rest and recreation

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<sup>31</sup> The labour act of 2006 amended first at 2013 July 22nd, it is Act no 30 of 2013.

<sup>32</sup> The amendment act of 2006 introduced at 2015, and it is the act no 291 (Ministry of Labour and Employment).

<sup>33</sup> In the amendment 2 new sections and 4 subsections and 8 clause have been added (Bhuyain 2019)

facilities, sanitary and medical facilities arrangements for travel to and from and for accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities including social security measures as contribute to conditions under which workers are employed (Bhatnagar 1989: 39)”.

The great scholars like Karl Marx, have delivered key insights on the theory of exploitation of labour. The theories of exploitation have been raised by a number of other thinkers as well. Generally, the theory of exploitation talks about exploitation as unethically taking advantage of another person as he or she belongs to inferior position, providing the exploiter the authority to exploit. (Karl Marx)

The police theory is based on the assumption that industries are inherently greedy and take advantage of employees. Thus, it is necessary to establish minimum standards for the welfare of workers. Under these conditions, the government has to step in and oversee that labour welfare is enacted by the industry. This type of government interference is for both the government and labour. The stages of implementing police theory are: enactments, supervision, and punishment. Unfortunately, the functionality of police theory is dependent upon fear rather than mutual understanding. Industries always find loopholes to avoid compliance.

The concept of labour welfare has a direct relationship with the labour laws. It is evident and clear that the absence of proper legal frame work of labour rights creates problems between the employee and the employer. The Bangladesh Labour Act of 2006 was more than a labour law but a law which codified a few other laws and legally framed the regularities in the country to an extent. Or in other words the significance of the Labour Act of 2006 surfaces when it is regarded as the first proper legal framework since the independence of Bangladesh.

### **4.3. Political and Historical Context of Bangladesh Labour Act of 2006**

Moreover, the Labour Act of 2006 is an act which is the only legal initiative on labour issues after the independence of Bangladesh. The underlying reason behind why Bangladesh could not address the labour rights properly is none other than the political unrest and the instability that occurred in the country. Bangladesh had two histories to share with: firstly, the country was in British India until 1947 and later became a province of Pakistan after the partition (Abdulla Al Faruque 2009).

On a critical perspective Bangladesh had to admit the incapable labour policies to regulate its industrial policies. The root of Bangladesh industrial regulations is derived from the Trade Union Act of 1926 introduced by the British rulers. To define the law regarding the trade union and accommodate the provision for its registration was the main objective of the Trade Union Act of 1926. But the fact that the law has not mentioned the legality of strikes is contradictory. After the partition, Pakistan has followed the colonial legacy in terms of labour laws. However the country has witnessed the major developments in the industrial relations in 1965 with the East Pakistan Trade Union Act of 1965, enacted to repealing the Trade Unions Act 1926 (Alfaruque 2009).

The article titled “Maternity Benefits under the Bangladesh Labour Law 2006: An Analysis” with focus on the RMG industry mentions that the labour system which prevailed in the country since 2006 act was enacted almost one century ago during the British period in 1881. The Factories Act (1881), Workmen’s Compensation Act (1923), Trade Unions Act (1926), Trade Disputes Act (1929), Payment of Wages Act (1936), Maternity Benefits Act (1939), and the Employment of Children Act (1938) were the other acts which address the other labour concerns (Faisalhguy.worldpress.com 2017). The above-mentioned article which was published on the website, faisalhguy.worldpress.com finds that the laws during this time period were kept in force and were modified and amended effectively in the form of administrative rules by Pakistan Government. (Faisalhguy.worldpress.com 2017).

It should be critically noted that there was an absence of prominent laws until the enactment of Labour Act of 2006, after the Laws order. The Laws order clearly mentions that any rule, regulation, act or law by law, which had immediately come into force before 26<sup>th</sup> March 1972 have an effect on any part of the territories of Peoples Republic of Bangladesh. According to the Bangladesh Order 1972, "all existing laws shall, until repealed or altered or amended by competent Legislature or other competent authority, in their application to Bangladesh, be subject to the adaptation directed in this order (The Bangladesh Documents 1971: 3)".

In the given political situation after the liberation war, Bangladesh also tried to improve its labour situation which is evident from the growth of the labour framework and the birth of the Labour Act of 2006. After the independence, the newly formed government has adopted the labour laws which were prevailing in the British rule, and introduced a new labour policy to get a control

on the trade union activities which clearly projects the authoritarian attitude of the military rule. Al Faruque (2009) in his study, criticizes that the government prohibited the right to conduct strikes and collective bargaining in the nationalized industries, by the Presidential order no. 55 on May 1972. (Al Faruque 2009) He adds that the rights which IRO had been given in 1969 was withdrawn in 1973. After that the country had witnessed a tough time because of the Emergency Power Ordinance, 1974<sup>34</sup> which suspended the democratic rights including the prohibition of trade union activities and strikes.

Al Faruque (2009) discusses the measures taken by the Bangladesh government during the post-Independence era. Through the Industrial Relations (Regulation) Ordinance (IR(R)O), 1975, The military regime of 1975 restricted the right to collective bargaining and striking. The Industrial Relations (Amendment) Ordinance (IR(A)O), 1977, made a significant change in the freedom of association. The introduction of the Labour Policy of 1980 was another improvement in this regard and it considerably restored the right to freedom of association. However, the imposition of Martial Law in 1982 led to the deterioration of the scenario once again, as the Industrial Relations (Regulation) Ordinance 1982 was introduced by the military regime, which led to the government suspension of strikes, trade union activities, and the right to freedom of association. There was some improvement in the situation when the military regime fell in 1990 and the democratic government restored full trade union activities in 1991.

#### **4.4. Transformation of an Agrarian Economy to Industrial Economy Signals the Requirement of a Proper Law**

Legal frame work of Bangladesh were not efficiently equipped to address the industrial needs and problems of the garment industrial sector. However, the birth of the Labour Act of 2006 of Bangladesh is contextually connected to the structural transformation of an agrarian economy to an industrial economy (Vos 2018). People's Republic of Bangladesh has been transforming significantly, not just in the political aspects but in all other fields as well. The agrarian based economy of the country has been transforming gradually into an industrial economy. In 1980, agriculture accounted for 56 per cent of the GDP, manufacturing sector 13 per cent and services

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<sup>34</sup> The first emergency in Bangladesh has announced in 1974 all the democratic rights has been suspended during this time period (Government document of Bangladesh 1974).



31 per cent respectively. By 2008, agriculture had declined, falling to 16.23 per cent of GDP, while industry and services had risen to a little over 17.77 per cent and 52 per cent respectively (Al Faruque 2009).

Post-independence, the contribution of other sectors such as manufacturing and the service, increased hugely while agriculture went into a decline. In the period of 2005–2006, the service sector contributed to 52% of the GDP. As noted by Hossain (2006) the economy of Bangladesh has improved greatly in contrast to the phase of stagnancy in from the 1950s through the 1970s. He argues that the foreign flow of capital in the form of foreign investment, foreign aids and loans, wages and workers' remittance, has led to structural changes in the non-farm and service sector. As a result of these changes in the sectors, the labour relations and work patterns were also transformed. The structural changes in the labour market have likewise also been responsible for the structural changes in the economy since the 1980s. For obvious reasons, the manufacturing and service sectors have grown in urban areas, and facilitated the immediate movement of labour from rural areas to the urban areas. Among all the fields, the garment sector, bidi industry, and service sector have seen the most vigorous labour mobility. Subsequently, pollution and environmental issues caused a slowdown in labour migration.

The larger share of the agriculture sector in the economic development of the country was reduced with the shift occurred and it was transformed into an industrial outburst. The phenomena directly affected the rate of employment and GDP (Vos 2018). However, scholars like Hossain (2007) are of the view that the structural changes in the Bangladesh economy reflect in different ways like labour mobility from the rural to the urban areas, between the farm and non-farm activities within the rural areas, between the formal and informal activities within the urban areas and from both the rural and urban areas to overseas destinations for employment and migration (Hossain 2008). The increasing number of women participating in the labour has resulted in a significant change directly proportionate to the growth of industry or the service sector. The economy of the country has seen the difference in these sectors in terms of the contribution. Bangladesh Bureau of Statistics has come up with a study which shows the clear picture of the economic situation in the first decade of the twenty first century. The GDP share and GDP growth rate of agriculture being lower than industry, shows the gradual transformation of an agrarian economy into an industrial economy. The export rate of the country is slowly increasing because of the industrial expansion, and readymade garment industry is considered as the largest exporter

of Bangladesh in which the lion share of the export is contributed by the apparel industry (Hossain 2018).

Moreover, the arrival of new technologies in the agriculture is one of the major factors which instigates the transformation process in the general context. Akio Hosono, a scholar in JICA institute of research analyses in his article named 'Industrial Strategy and Economic Transformation' that in Bangladesh, the rural development and mobilization of female workers into the garment industry have played a crucial role in this drastic change. Since, the structural changes influence the production relations in the country, it necessitates the possibility of a proper labour law which can regulate the labour problems both in agriculture and the industry.

#### **4.5. Bangladesh Labour Act of 2006**

The state of Bangladesh and labour laws have a lot of common laws which are shared with India and Pakistan and explained in the history, under the British colonial rule. Since the independence of Bangladesh, Bangladesh has no proper legal frame work in regard to the industrial relation, until the enactment of the Labour Act of 2006. The Act of 2006, is a major and comprehensive enactment concerning the industrial relations and partially addressed the issue concerned with the registration of trade union (Al Faruque 2009). The labour act works like a frame work and codifies the existing labour laws of the country which in turn regulate and control the overlapping inconsistencies. Even though it could bring significant changes in the labour sector regulation, it was a failure in terms of implementing its goals due to the institutional incapacity. The Bangladesh act of 2006 is a labour law introduced on 11<sup>th</sup> October 2006, repealing 25 labour laws after a series of negotiations (Bangladesh Labour Act 2006). The law addressed certain important items like retirement benefit, death benefits, appointment letter, and enhancement of compensations for both death and permanent disability, introduction of provident fund for workers, punishment for sexual harassment and so on. The Bangladesh Employers Federation was deeply involved in the formulation of the labour act. After the enactment of the law, the Bangladesh Employers Federation came up with an opinion that an English version of the act was needed for the people who do not speak Bangla language, especially the foreign investors who are the importers of garment products.

The Bangladesh labour act is a reviewed act of the then existed twenty-five acts. The acts which were thoroughly analysed or revised under a particular committee and carefully framed in order to address the drawbacks off the labour law of Bangladesh that time are given below.

#### **4.5.1. The Acts which are Codified in Relation to the Labour Act of 2006**

- Dock Workers' Act 1980
- Industrial Relations Ordinance 1969.
- Companies Profits Act 1968.
- Factories Act 1965.
- Employment of Labour Act 1965.
- Shops and Establishments Act 1965.
- Apprenticeships Ordinance 1962.
- Road Transport Workers Ordinance 1961.
- Minimum Wages Ordinance 1961.
- Coal Mines Ordinance 1960.
- The Plantation Employees Provident Fund Ordinance 1954.
- Employment Act 1951
- Maternity Benefit Act 1950.
- The Mines Maternity Benefit Act 1941.
- Maternity Benefit Act 1939.
- Employer's Liability Act 1938.
- Employment of Children Act 1938.
- Payment of Wages Act 1936.
- The Workmen's Protection Act 1934.
- Dock Labourers Act 1934.
- Children Act 1933.
- Workmen's Compensation Act 1923.
- Bangladesh Labour Act 2013 (amendment).
- Labour Welfare Foundation Act 2006.

*Source: Bangladesh labour law 2013*

#### **4.6. Impacts of Labour Act on the Readymade Garment Industry: Provisions and Articles**

The Labour Act of 2006, has certain impacts on the readymade garment industries. The acts mainly addressed working conditions, employment, occupational safety and welfare and industrial relations. In addition, the act has a proper say on worker's service rules, policy, identity card and service book. Even the first decade of twenty first century has witnessed the dispute and political unrest in the labour of Bangladesh. The research examines the legal value of Bangladesh Labour Act of 2006 and its capacity to address the labour concerns as a written document and the draw backs at the implementation level.

##### **4.6.1 Introduction of Labour Act.**

The introduction of labour act brought about a clarity in the then going situation of Bangladesh. The petitions like writ petition 1256 of 2006, pointed out the weakness of the labour laws. The writ challenging the memo issued by the labour ministry in regard to the overtime is calculated on the basis of the basic wages not on the basis of ordinary wages (BLAST 2006). This calculation is a violation of Factory Act of 1965. The petitioners are the BLAST (Bangladesh Legal Aid and Service Trust) along with the Bangladesh Federation for Workers Solidarity, who say that the factory act has a provision of overtime allowances. The above mentioned is just an example about the condition which was existing before the introduction of the BLA 2006. The act drew a clear picture of the scenario right from the safety measures to the labour disputes with the employer in the provisions.

##### **4.6.2. Categorizing Workers in Terms of the Nature and Conditions of the Job**

The acts define and categorize the workers as follows:

"The workers employed in any establishment shall be classified in any of the following classes according to the nature and condition of work; namely (a) apprentice, (b) badli, (c) casual, (d) temporary, 23 (e) probationer, and (f) permanent. (2) A worker shall be called an apprentice if he is employed in an establishment as a learner, and is paid an allowance during the period of his training. (3) A worker shall be called a badli if he is employed in an establishment in the post of a permanent worker or of a probationer during

the period who is temporarily absent. (4) A worker shall be called a casual worker if his employment in an establishment is of casual nature. (5) A worker shall be called a temporary worker if he is employed in an establishment for work which is essentially of temporary nature, and is likely to be finished within a limited period. (6) A worker shall be called a probationer if he is provisionally employed in an establishment to fill a permanent vacancy in a post and has not completed the period of his probation in the establishment. (7) A worker shall be called a permanent worker if he is employed in an establishment on a permanent basis or if he has satisfactorily completed the period of his probation in the establishment” (Bangladesh Labour Act of 2006, 25)

There was no proper regulation for the workers in the apparel industry from the very beginning and was addressed by the Act in the following way. No employer shall give job to any worker without issuing an appointment letter. The industry was infamous for its irregularities. The act precisely says that the worker should have an identity card with the photograph and a service book for the workers at the employer's cost for the purpose of identity and the official records. The law adds that the service book shall be kept with the employer and the employer should appoint a worker before having all the requirements for the worker. The register book is the next compulsive requirement that stands for rectifying the irregularities of the workers' condition. The register book contains the following details of the worker,"

- a) The name and date of birth of each worker in the establishment;
- (b) The date of appointment;
- (c) The nature of his or her work;
- (d) The duration of work
- (e) The intervals for rest and meals to which he is entitled;
- (f) The days of rest to which he is entitled; 25
- (g) The group, if any, in which he is included;
- (h) Where his group works on shifts, the relay to which he is allotted; and
- (i) such other particulars as may be prescribed by rules” (Bangladesh Labour Act of 2006,

: 27)

### **4.6.3. Wages**

The Labour Act of 2006 makes a clarification on the wages which was not specified clearly in the existed labour definition. Chapter 10, section 120 of the new labour law deals with the wages. It includes"

- any bonus or other additional remuneration payable under the terms of employment;
- any remuneration payable in respect of overtime work, holiday or leave;
- any remuneration payable under any award or settlement between the parties or under order of any Court;
- any sum payable under this Act or any agreement by reason of termination of employment whether by way of retrenchment, discharge, removal, resignation, retirement, dismissal or otherwise; and
- any sum payable due to lay-off or suspension.”

**Source:**( Bangladesh Act of 2006: 60)

The term gratuity became prominent again in the Bangladesh labour context. The previous law neglected the provision of gratuity but the Labour Act of 2006 rectified it through section 2 [10] where it is defined as the amount of the wages of at least 30 days payable to a worker who worked in a factory not less than 6 months at the expiry of his employment. The provident fund was also included in the wages and has to be given within thirty-one days (Labour act of 2006). The new labour act provides legal back up for annual paid leave. Section 117 of the Act allows a worker to take subsequent days of leave on a calculated rate, if he completes one year of service continuously, on certain grounds (Bangladesh Labour Act 2006).

### **4.6.4. Working Hours**

In fact, the garment industry is infamous for the long working hours which does not meet the labour standards of the country. Apparently, section 100 of the Labour Act talks about an 8-hour working hour schedule for an adult worker. If the worker does an overtime the worker is legally able to get an overtime payment which is double the amount of his or her normal wage and that is properly maintained by an overtime register. The weekly hours for a worker are 48 hours

and it can be extended to 60 hours but within the section 108<sup>35</sup> of overtime. The deduction of one hour from the daily working hours can be considered as the achievement of the labour law. A provision of interval system is also included in the new labour law which is one-hour rest or meal for 6 hours work and half an hour rest or meal for 5 hours of work. The new labour act provides a holiday for a week, mandatory for a worker. The law gives provision for festival holidays too. Every worker should get at least eleven days as festival holidays but the employer should fix the day from which the leaves has to be sanctioned (Bangladesh Labour Act of 2006).

#### **4.6.5. Safety Measures**

The law suggests that if a plant or machinery is danger to human life he may write a letter to the employer mentioning the dangerous situation and ask them to rectify it within a specific date. The act provides space for protection of eyes and mentions the need of staircase and accessories like cranes for the betterment of the labour situation. The article 62 which is the largest article under the chapter safety measures<sup>36</sup>. Bangladesh Labour Act clearly mentions that every establishment shall be provided with at least one alternative connecting stairway with each floor and such means of escape in case of fire and fire fighting apparatus, as prescribed by the rules (Mahfuz 2017). Among all the other elements, the act itself has given major priority to the fire safety. The number of fire accidents in the country is comparatively high. The field trip data says that the factory owners also are of the view that the fire accidents could be controlled if there is a proper precaution.

The building and machinery safety also come under this same chapter. The fencing machineries and electric machineries have been given proper care and priority in the list. Even though the other points are not related with the garment industries, the dangers can come out of high pressure, fumes and overweight as mentioned by the law.

#### **4.6.6. Compensation for Injury by Accident**

Section-150 to 155 of Bangladesh Labour law Act-2006 have laid down detailed provisions regarding compensation for injury by accident. Section 150 gives provision to a 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. (Bangladesh Labour Act 2006).

#### **4.6.7. Maternity Benefits under the Provision of Labour Act of 2006**

The latter half of twentieth century has witnessed a tremendous growth in terms of the number of women workers in the garment sector of Bangladesh. With the available status of Bangladesh Bureau of statistics, among 49.5 million of civilian workforce, about 38% are female (Bangladesh Bureau of Statistics, 2006). With women working, maternity leave is of course an issue.

(1) The provisions of maternity benefit can be considered as one of the legal achievements of Bangladesh labour set up. According to the act “No employer shall knowingly employ a woman in his establishment during the eight weeks immediately following the day of her delivery.

(2) No woman shall work in any establishment during the eight weeks immediately following the day of her delivery.

(3) No employer shall employ any woman for doing any work which is of an arduous nature or which involves long hours of standing or which is likely to adversely affect her health"(The Maternity Benefit Act ILO 1961:4)

Prior to the compilation of the labour laws through the Bangladesh Labour Act 2006, there existed three unique acts for the regulation of maternity benefits for female workers for specific time period prior and post child birth and for the allotment of the specific benefits to them. These included The Maternity Benefits Act 1939 (which was most widely used in manufacturing, service and other organizations), The Mines Maternity Benefit Act 1941, and The Maternity Benefits (Tea Estate) Act 1950. These three distinct acts have been incorporated into the new laws in the act (Faisalhguy 2013).

#### **4.7. Drawbacks of the Labour Act 2006**

Bangladesh Labour Act of 2006 has promised a drastic change in the labour sector but could not carry forward the hope of the country, which had received a warm welcome as the prominent step towards the justice. But unfortunately, the factory conditions have not improved and the worker still continues to earn a low living wage. Moreover, the law was a failure in critic,



the key factors of the failure were in regard to its enforcement level. When a written document goes to the application level, the sole responsibility is with the government mechanisms to ensure that the law is being obeyed. The government has assigned the Bangladesh labour and employment ministry to monitor the new law. But the inadequate mechanism of the ministry severely endangered the law enforcement. The ministry had only twenty inspectors to monitor more than 20000 factories docks and other business across the country.

#### **4.7.1. Labour Law Fails to Assure the Promises**

Barrister Jyothirmayi Barua who initiated to launch a case on Tazreen accident gives a clear idea about the Labour Act of 2006 and its significance. In an interview with the researcher, he appreciated the introduction of the Labour Act of 2006 as a codified act which was essential in the respective time frame. But at the same time, he cites certain short coming of the law. He points outs that the law is not enough sufficient to satisfy the needs of both the workers and the factory management. He criticizes the Labour Act because it could not meet the insurance facilities of the workers. He added that the government was not successful in the case of compensation issue. A bunch of legal experts with a set of concerned people who combined both activists and experts have been asking the government to resolve the compensation issue. Apparently, when a worker dies in the factory, he or she will get only one lakh Bangladeshi Taka and in case of any serious injury inside the factory, the worker will get only one lakh twenty-five thousand Taka which is not sufficient according to the estimation. There are no other laws which treat the workers in this regard among the Asian countries. Surprisingly, the compensation they are giving is not even equal to one-month salary of the general manager of Denim fashion of Dhaka. He says the North Bangladesh is poorer compared to the South Bangladesh. The high amount of migration from North Bangladesh to South Bangladesh increases the number of people in the factory. The availability of cheap labour gives the factory owners to gain courage to do higher level of exploitation. Being the first codified law, the Labour Act of 2006 was running slow. The industrial calamities happened after the implementation of Bangladesh Labour act of 2006 itself proves the failures of the act. The incidents show how corrupted and irregular the government mechanism is.

#### **4.7.2 The Anti-Labour Attitude of the Government towards the Workers' Strikes and Protests**

The labour act itself defined strikes in the following words: "Strike' means cessation of work by a body of persons employed in any establishment acting in combination or a concerted refusal, or refusal under a common understanding of any number of persons who are or have been so employed to continue to work or to accept employment"(Bangladesh labour act2006:17). But the recent reports says that more than 7500 people have lost their job due to the conduct of protests against the low pay. The protest which happened in the mid-January, reportedly a massive one agitated against the low pay. The workers who were part of the protests had police cases for looting vandalism. The union claims that 29 cases have been charged on 551 people and many more may lose their jobs. The protestors say that the management influence the government to take action and around 50 people were arrested and the court had denied bail for eleven people. The incidents happened 13 years after the Labour Act was introduced. It is an irony that the government itself destroys the provisions of the act.

#### **4.7.3. Industrial Calamities Due to the Poor Infrastructure and Facilities Proves the Visible Labour Law Violation.**

**4.7.3.1 Tazreen Accident:** Tazreen accident was an eye opener to the unruly rights violation which had been happening in industry for a long time. The Tazreen garment factory was established with 1500 labourers on 2010 and it produces clothes for American Italian Britain and Spanish buyers. A big fire broke out happened in a factory named Tajreen, at Savar, Dhakka on November 24, in which 112 people were dead and 300 injured. The rescue service took 11 hours for bringing it under control. The danger behind the clothing industry is the highly inflammable nature of the cloths. BGMEA came with the treatment expenditure of 1 Lakh Taka for the identified workers (Uddin 2010). The main cause of the accident is the absence of an emergency exit. The responses of the government or the BGMEA were not satisfactory after the accident (The Daily Star, 2013, November 25). Scholars like Muhammed Faisol Choudhary and Tansim Rezona Taneem(2016) says in their article titled *Industrial Accidents in Bangladesh Apparel Manufacturing Sector: An Analysis of the Two Most Deadliest Accidents In History* that the fire

accident happened when the nine storey factory was filled with the labourers at the time of work. When we analyse the situation, it seems like all the people in the building could die without a chance to escape. The eyewitness and the fire department officers said that when the accidents happened, the fibre and yarn which can easily catch fire was kept on the ground floor, but it was supposed to be kept in a room which had a fire proof wall. The fire started from the ground floor; workers started escaping from the interior staircase which was not practically easy. (Choudhary Taneem 2016) Later on, the officials found out that the factory lacked a fire exit system which was completely against the provisions of the Labour Act of 2006. The officers clearly asserted that most of the workers died because of the suffocation resulted from the smoke from the first second and the ground floor and at the same time the lack of proper exit system prevented them from a smooth way out. The reports say that the factory was running without a license from the fire service authority (Bustillo et al, 2012).

Choyudhary and Taneem (2016) adds that the Occupational Health Safety and Environment foundation came up with an independent investigation which says that the absence of fire exits or any proper stairways for exit rather than the main gate through the ground floor which was not even big to accommodate all the workers, inadequate fire extinguishers and fire defence materials, locked collapsible gates on different floors stopping workers from evacuating when the fire alarm went off, the factory owner's negligence with regard to following the building code (constructing a nine-storey building when there was permission to build only three floors), raw materials storage on the ground floor in close proximity to high voltage electricity transformers, the expired fire safety certificate, and the lack of fire safety training (only 40 of the 1,500 workers had attended basic fire safety instruction)- all these were responsible for the fatal incident (The guardian 2013).

**4.7.3.2. Rana plaza incident:** The readymade garment industry of Bangladesh victimizes a number of workers and incidents in its course on a regular basis because of the vulnerable nature of the industry. The Rana plaza incident of 2013 is one of the most shocking among it. There are countless complaints on the industry especially about working conditions and the kaccha nature of the buildings. The Rana Plaza incident was a building collapse, in which more than 1,120 workers died, and hundreds got injured. It is an eight-storey building with several small-scale garment

producing units (Global Development, 2013). The day of the incident is considered a black day in the history of the readymade garment industry. Most of the dead were young women, and it proves Naila Kabeer's viewpoint on the increased active participation of the women in the industry; Kabeer says that the garment industry is known for its comparative comfort ability for women.

The shop owners of the Rana Plaza complex opened the shops the day after the incident, even when the government had declared warnings for avoiding more danger again (Counter punch, 2013 Carasik). The possibility of the danger was very visible; there were cracks, and clear damages existed in the buildings, and respecting the words of the experts and the media the workers refused to enter. The shop owners made them believe their own version of the story that if the shop closes, it will affect the firm owners and they would not be able to pay the salary of the month. The workers, who didn't have an alternative income for their daily bread, had to enter in the firms and forced to believe that it is safe to work (Counter punch 2013). The building collapse caused unrest among the labourers all over the world. It was widely reported in the media and circulated on social networks. Bangladesh has seen a series of labour and mass protests following the accidents. Even though the workers from the Rana Plaza did not belong to any of the trade unions or political parties, all the streets were still filled with people in solidarity with the workers who were suffering in the dark shades of the garment industry. But after the incident the workers who tried to organize trade union activities were harassed by the owners of the shops and middlemen.

Various articles and newspaper reports on Rana Plaza incident reveal shocking insights. The entire Bangladesh witnessed mass protests and riots due to the labour unrest in the country. Labour rights and improvement of working conditions were some of the demands raised by the labourers. The testimonies of the victims enable a deeper understanding of the context. Most of the victims were severely injured. Some of them were trapped in the building for long hours; others broke their bones and muscles; some of them lost their limbs and some of them had severe injuries. Their dreams and hopes were shattered by the accident. Their lives solely depended on the garment industry that they underwent deep financial crisis after the accident. The traumatic incident left indelible marks on their psyche too (Gomes 2013).

The minimum wage has always come into the discussion, and the government instantly formed a wage board to fix the minimum wage under the leadership of the labour ministry of Bangladesh. The analysis of academicians reveals that the government of Bangladesh goes through

pressure from the people and the media, forcing them to take some initiative to improve the working condition of the garment industries of the country. This pressure was one of the reasons to compel the Jute and Textile minister Mr. Abdul Lattef Siddiqui to declare the surety in improving the working condition of the industry. The workers, who have been demanding for the improvement in wage, are sewing the cloths which makes the country able to earn foreign currency, says Kalpana Akter, executive director, Bangladesh Centre for Worker Solidarity. The opinion heard from the corners of the governmental bodies like the above mentioned assumes that there is initiative by the government now, a starting of a positive change. The country has taken several steps after the collapse of the building like compensation and fund for the funeral (Ministry of Labour and Employment, Official Document 2014).

#### **4.8. Post Rana Plaza Legal Reforms**

The labour reforms of the country went through a proper review because of the consistent pressure, the government faced in the post Rana plaza labour unrest and labour demands. On an immediate base, the government has brought some significant changes in the labour laws to satisfy the labour protesters. The reforms which come at this juncture had been called as the 2013 Amendment on labour act. When we look at the change happened in the industry in terms of working conditions, formation of unions, post Rana Plaza, the protests stand as a major turning point in the garment history. Unlike the other industrial calamities, Rana Plaza brought several improvements to the sector which gained international attention and support. In other words, the government of Bangladesh had a lot to do with the international obligation in the trade scenario. Due to the pressure from inside and outside the country the government had to adopt the maximum mechanism to avoid a shocking disaster like Rana Plaza in the future. Scholars like Nutsen, Remick and Brown (2016) mentions in their studies that the Retailers at the top of global supply chains played a major role in establishing company led initiatives including business collaborations (the Alliance) and a major multi stakeholder initiative (the Accord). The United States (US) revoked special trade access for Bangladeshi exports provided under the Generalized Systems of Preferences (GSP) while the European Union (EU) chose an engagement strategy, preserving Bangladeshi duty-free access to EU markets. The Bangladeshi government, faced with a very real threat of declining orders by reputation-sensitive international buyers, moved to adopt

new legislation to improve building safety and also agreed to some improved protections of labour rights.

The government has started with the safety of the facilities provided in the companies at that time. The safety concerns include the factory construction, fire rescue options and better and safe electricity wiring conditions.

An eminent scholar Mahfuz, has pointed out in his article about the new provisions in the Labour Act 2006 and Amendment of 2013 that occupational health and safety has been discussed a lot more than any other element. In the Bangladesh Labour Law, health and hygiene related provisions are mentioned at section 51 to 60 and safety of workers related provisions are mentioned at section 61 to 78 (Mahfuz 2017).

#### **4.9. The Major Initiatives in Bangladesh Garment Industry Since 2013**

The government of Bangladesh recognised the failure of the labour act which was reflected in the new initiative that had been adopted. Accord, Alliance and New Tripartite Action Plan were the major steps from the government's side. Bangladesh government embraced National Tripartite Action Plan by taking the assistance of ILO for building and fire safety (NTAB) in conducting building assessment (structural integrity, fire and electrical safety) with a target of covering 1500 factories. Bangladesh government had made amendments in the country's Labour Law of 2006 in 2015 (Mausumi 2016).

International buyers introduced two major moves namely 'Accord' and 'Alliance' in 2013. Above 200 retailers of European, American & Asian buyers signed Accord on Fire and Building Safety in May 2013. The primary agenda of the initiatives is to make the garment industry in Bangladesh secure and sustainable where "no worker needs to fear fires, building collapses, or other accidents that could be prevented with reasonable health and safety measures" (The Bangladesh Accord on Fire and Building Safety (ACCORD 2016). On the other hand, to upgrade workers safety, major North American buyers united and signed '*The Alliance for Bangladesh Worker Safety*'. Both Accord and Alliance follow a five-year plan to implement their target" (Mausumi 2016). These three initiatives by the government have brought significant changes in the labour scenario. The first one among these three is National Tripartite Action Plan initiated by the government of Bangladesh.

#### **4.9.1. National Tripartite Action Plan**

Following the fire of November 24, 2012 at Tazreen Fashions Limited the Tripartite Partners (GOB, employers, workers) adopted a National Tripartite Plan of Action on Fire Safety on March 24, 2013. After, Rana Plaza collapse on April 24, 2013 the structural integrity of RMG factories was included in the Action Plan and was approved on July 25, 2013. In the Action Plan, some activities related to administrative reform, modernization of existing laws, training and awareness raising initiatives were identified. Commitments were also made in the international forum to improve the working building and fire safety in the RMG sector of the country. The ILO has come forward with technical assistance for implementation of the action plan under a TA project .The identified activities are being implemented jointly by the Ministry of Labour and Employment, Ministry of Commerce, and Fire Service and Civil Defence. On this action plan 30 teams of BUET under national initiative, European buyers under Accord as well as North American European buyers under Alliance assessed RMG factory buildings on structural Integrity, fire and Electrical Safety. By now BUET has completed preliminary assessments of 620 factories on structural, fire and electrical safety, ACCORD has completed 1103 and ALLIANCE has completed 584. According to the recommendation of Review Panel, formulated by the Government, 32 factories have been closed for safety reasons and 21 have been partially closed. Assessment report has been sent to concerned factory authorities and to the District offices of Inspection for Factories and Establishment. Implementation of Detailed Engineering Assessment is kept under close monitoring and supervision. All the factories have started remediation, according to the recommendation of assessing authorities. In this regard DIFE has started to monitor those remedial measures taken by factory owners. Two taskforces have been already formed to oversee the remedial measures of RMG building including BUET and Fire Service & Civil Defence in the taskforce. The taskforces are working to implement the remedial measures taken by the factory owner (European Commission 2015).

The post Rana Plaza labour situation was under the high pressure both from inside and outside country. The European people who consume the Bangladesh goods from the European brands, went on a protest. The protest says unless and until they interfere in the case properly, the

consumers do not buy their products. This situation leads to the formation of Accord and Alliance for the development of the labour situation of the garment sector.

#### **4.9.2. The Role of Accord in Ensuring Safety to the Workers in Garment Sector**

The industrial calamities instigated severe checking in the safety measures of factory. Safety measures are the basic requirements of the working condition. The international campaigns exposed the poor situation of the garment sectors. Official web site says that the Accord is an independent, legally binding agreement between brands and trade unions designed to work towards a safe and healthy Bangladeshi Ready-Made Garment Industry. Our purpose is to enable a working environment in which no worker needs to fear fires, building collapses, or other accidents that could be prevented with reasonable health and safety measures (Official website accord). The main activities of accord are - inspections, remediation's, safety compliances and safety committees. Factories are inspected against the Accord Building Standards, which are largely based on the Bangladesh National Building Code and the product of discussions facilitated by the ILO between the Accord, the National Tripartite Plan of Action, and the Alliance for Bangladesh Worker Safety (Alliance).The Accord does not conduct the inspection directly, but by multinational engineering firms assigned by Accord.

#### **4.9.3. The Role of Alliance in Safeguarding the Workers in Bangladesh**

The Alliance for Bangladesh Worker Safety (Alliance) is a legally binding, five-year initiative to enhance safety in Bangladeshi ready-made garment (RMG) industry. The Alliance had been established in 2013 through the Bipartisan Policy Centre with discussions convened and chaired by former U.S. Senate Majority Leader George Mitchell (D-ME) and former U.S. Senator Olympia Snowe (R-ME), both of whom had an earlier experience of forging consensus-oriented solutions. The joint initiative involved apparel industry companies and stakeholders including: the U.S. and Bangladeshi governments, policymakers, NGOs, members of civil society, and organized labour.

The Alliance puts forth ample opportunities for apparel, retail and branded company members to join hands and suggest feasible alternatives that will be transparent, output-oriented, tested and verified. In total, the Alliance members constitute the majority of North American



imports of RMG from Bangladesh. It asserts that the members and their factories are held accountable to function in a secure workplace and assure building and fire safety.

#### **4.10 The Main Concerns of the 2013 Amendment of Labour Act Provisions**

**4.10.1 Cleanliness:** According to section 51, every industry should maintain a clean environment that is devoid of effluvia emerging from any drain, privy or other nuisance. The drainage system and floors should be maintained well regularly, the factory walls should be maintained through painting or varnishing once in every three years and thoroughly cleaned at least once in every fourteenth months, finally the respective dates of the activities are to be recorded in a register.

**4.10.2 Ventilation and temperature:** Section 52 of the amendment suggests that, the proper ventilation system is mandatory in every working room in the garment industry.

**4.10.3 Dust and Fume:** Section 53 says that the women workers have health problem due to the dust and pollution from the production wing.

**4.10.4 Disposal of waste<sup>37</sup>:** The labour amendment of 2013 says if the waste of the product is not disposing properly, it causes diseases and health effect on the workers. The section 54 deals with the abovementioned thing.

**4.10.5 Problem related with the overcrowding:** Section 56 strictly talks about that a worker should get not less than 9.5 cubic meter in order to maintain the healthy environment in the work place. The sufficient space can avoid problems and injuries causes due to the overcrowding and congestion.

**4.10.6 The insufficient lighting:** As per section 57 of the Act, in every part of an establishment where workers are working or passing, there shall be provided and maintained sufficient and suitable lighting, natural or artificial, or both and all glazed windows and skylights used for the lighting of the work-room shall be kept clean on both the outer and inner surfaces and free from obstruction as far as possible.

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<sup>37</sup> Statistics says that the major cities of Bangladesh produces 8000 tons solid waste each day. Among Chittagong, Khulna, Rajshahi, Barisal and Sylhet, the capital city produces 70 percentage of the waste (Abedin, Jahiruddin 2015).

**4.10.7 Availability of drinking water:** The section 58 strictly stresses upon the fact that clean water should be available for every worker in every establishment in an accessible place.

**4.10.8 Latrines and urinals:** Section 59 says every garment establishment should have the urinal and latrine facilities separate for male and female with proper lighting and other sanitation facilities.

**4.10.9 Dustbin and spittoon:** section 60 talks about the need of dust bin and spittoon in the garment establishment.

**4.10.10 Fire and safety issues:** Section 62 of the act states that, every establishment shall be provided with at least one alternative connection stairway with each floor and such means of escape in case of fire and for carrying fire-fighting apparatus. In every establishment the doors affording exit from any room shall not be locked or fastened so that they can be easily and immediately be opened from inside while work is being carried on in the room. In every establishment, every window or other exit affording means of escape in case of fire shall be distinctively marked in red Bangla letters of adequate and clearly understandable size. A free passage-way giving access to each means of escape in case of fire shall be maintained for the use of all workers in every room of the establishment (The Bangladesh Amendment Labour Act 2013).

#### **4.11. Failure of Government Mechanism Even after the Amendment**

The 2013 amendment of Labour Act of 2006 mainly looks at the provisions which have large loop holes in the existing laws. In fact the approach of the system to leave the provision of union untouched will back fire the workers in a severe manner. It seems like the country has less interests to meet the international labour standards even after the Rana Plaza incident. There are facts which are not addressed by the government such as the case of inspectors. The international trade union confederation estimated that the recruitment of more than 80 inspectors in the garment industry was nothing for an industry which contributes the 80 percentage of the national income. In 2012 Bangladesh Government, European Union and International Labour Organization found this problem and filed a memorandum to recruit 200 inspectors.

The Labour Act of 2006 was not fully capable to address the issues of trade unions but the provisions recommended for a workers participatory committee where workers were able to raise their demand. As a matter of fact, it was an initiative to comply the Industrial Relations Rule 1977 with the requirements mentioned in Bangladesh Labour Act of 2006. In Section 205 of Bangladesh Labour Act 2006 includes a provision for Participation Committees which states that 'The Employer in a factory in which fifty or more workers are normally employed shall constitute in the prescribed manner a Participation Committee (BLA 2006). A site called '*local resource network*' (2013) said that the expected result was nothing but the committee acted like a rubber stamp because the employer or the factory owner who is against workers associations representing the workers' rights is like a staged drama. However, it is said that the factory owner nominates the name of the worker who can go to the committee. The duration of the committee could be two years. But reports say that the committee was not effective in giving improvements to the industry.

Human Rights Watch has come up with the reports titled *whoever Raises the Head Suffers the Most* (2015) gives us significant observations on the interventions of company and the government on workers' demands. The study says that the garment industry was cursed with the poor and abusive working conditions with huge number of workers especially women. The vulnerable working condition of the government mechanism to regulate the industry simplifies the factory to break the law. The government is a failure in three ways. Firstly the government cannot give better infrastructure facilities which meet the International Labour Standard as given by the ILO. Secondly, the government cannot control the factory owners who violate the law. Thirdly, the government and the company owners cannot give the compensation or the demands which the victims are asking for on the time. The study says that the Department of Labour (DOL) associated with the Ministry of Labour and employment have the power to enforce the law which is not done by them. The DOL can make the investigation on its own. But ironically, there are no provisions found in DOL procedures in the Labour Act of the country. That means the power of the DOL is limited to the Labour Court only. Bangladesh has seven Labour and one Appellate court but critics like Alenzo Suzon of solidarity centre says that these courts are very slow and ineffective (Human Rights Watch 2014). The study reveals that some officers from DOL are also corrupt. When the workers approach them for the registration of the union the staff takes a biased decision which is in favour of the factory owners who have high political connections. In fact the corruption starts

from the time of registration. There are other reports which talk about the bribe issues in relation to the union registration and activities.

The workers have filed a case against the factory management when the management dismissed 121 workers without proper clarity. The DOL inspector asked the workers during the time of investigation why they wanted to form a union. The study interviewed a worker and the worker recollects his memory and says:

"Why do you want to form a union in the factory?' I replied it is because we are deprived of many rights in the factory. I told him that I wanted to establish a union because we are not getting paid our wages on time and we don't get the correct overtime payment, and the management doesn't give us the various types of leave [guaranteed] in the labour law. He replied to me that if I really wanted to form a union then 'I will slap you!' I was shocked by that. I said that there are many problems in this factory. He told me that he didn't know about any problems in the factory, and said that he already talked to management and other workers and they said that there are no problems here' (\*President of BGMEA at the time of Interview, 2018)"

The former President of BGMEA responded to the Rana plaza incident which shows the attitude of the responsible persons to accommodate the failure of its functioning. He said that it is an isolated accident and it will not affect the global market. The response says as if the accident was a natural one sounds so irresponsible.

#### **4.12. The Bangladesh Labour Rules 2015 (Amendment of Labour Act of 2006): Major provisions for Labour Welfare**

Evidently, the government of Bangladesh have tried to incorporate the provisions which they could not achieve with the last amendment. The amendment known as Bangladesh Labour Rules 2015, was officially published in 2015 on September 15. The amendment insists on the introduction of identity card with photograph and the provision of appointment letter. The law put, the making cost of the identity card of every worker on the shoulders of the factory owner. But in case the worker loses the card the worker has to pay 50 Tk on their own (Bangladesh Labour Rules 2015).

The labour rule reminds the need of a service book with 16 pages and a hard cover on it. The section 29 of the rules discover a possibility of an exploitation from the factory management, on the complaint of the misconduct of the worker. When there was a ban on the trade union

activities, a number of workers who had been accused for conducting protests and strikes were on the hit list of the factory. The Labour Rules (2015), adds the provision of an investigation committee which can investigate the case and submit a report within 60 days. The legal provisions clearly say that the once a dispute is settled, the worker should not get affected by this in future. However, the garment industry continued such illegal activities, the reports say. The mass job fire, cases of workers and other punishments authenticate the argument.

The Labour Rules have given a vigorous attention to the appointment of a child or adolescent into the factory. The section 34 of the rules points that the age certificate should be presented to the management. The child labour prevailed in the industry got exposed during the Rana Plaza incident and Clean Cloth campaigning. The national and international level campaigning against the child labour were reflected in the provisions of the law. Chapter three unveils the rules pertaining to the appointment of adolescent, the appointment of such category in dangerous machineries and working conditions. The rules of 2015 prohibits such interventions of adolescent people in the hazardous labour conditions. The hazardous work rate was very high in the country, especially the child labour that was predominantly engaged in the dangerous labour was nothing new in the country. But the young workers constitute a good number of workers due to country's age composition and the working category ratio effect.

The Bangladesh rules have given more priority to the pregnant women than any other legal initiative of the country. Chapter four discusses the pregnancy welfare benefits where the pregnant women should be treated with respect and concern. When the a) of section 37 of the Rules 2015 talks about how a pregnant women should be treated proves the effort of the country to make a better law in the land and to break the inferior treatment that has been giving to the women by the patriarchal society.

The 53rd section of the Rules of 2015 talks about the security of the building and other structure. Seemingly, country take initiatives to prevent the building collapse and other industrial calamities. The need of the fire extinguisher and water supply comes in the 54th section of the Labour rules 2015 (Bangladesh Labour Rules 2015). The amendment could bring out significant developments in the garment sector. However the rules can't claim that it was fully success in its goals.

#### **4.13. The Corruption in the Garment Industry and the Involvement of the Political Parties and Leaders**

The interference of political leaders in the government affairs are common in any South Asian country. Being the largest exporter of the country, the apparel sector also had to face many challenges on its way. Many parliamentarians have been accused for their ownership for garment factories. Reports says more than 30 MPs have garment factories (Charmers 2013). Mohammed Sohail Rana, the owner of Rana Plaza factory is a local leader of Awami League the most powerful political party in the country. The anti-corruption agency has filed construction violation charges against all 18 people who were involved in killing hundreds of workers in 2013 Rana Plaza incident where most of the workers were women (Avins 2014). Reuters have come up with a study named *A Special Report: How Textile Kings Weave a Hold on Bangladesh*, that criticizes the sources and unholy alliance of a factory owner Muhhamed Fazil Azim, with the government. The people who can influence the government can take the advantages of industrial policies and support cover up visible rights violations and crimes in an obvious manner. Azim is the managing director of The Azim group of garment factories which is a giant in BGMEA. The report says that the mushroom growth of his number of factories from a single factory is suspicious. This former parliamentarian having an ostentatious house with a swimming pool in the capital city of Dhaka arises questions. Rana the factory owner made false promises to the BGMEA and other factor owners that the building is in a better condition. The building started trembling, made noises and collapsed in the next day after his announcement. However, the question became prominent that how did Rana manage to get certificate for the building when it is a clear violation of Construction Act.

#### **4.14. Recent Developments in Factory's Social Compliance**

The developments that happen in the garment sector is a positive improvement to a certain extent. The recent development happened in consequence of the overall change in the industrial relations. The buying houses, who gets the order from the international buyers, gives it to factories. The problem lies in the subcontracting of these factories to small scale factories without informing

the buying house or the original buyers. Usually, the buying houses set a parameter to the factories, for giving the orders. The criterion<sup>38</sup> is given below.

#### Step 1

1. Latest company profile
2. Valid BSCI audit report.
3. Accord inspection reports (Structural, Fire, Electrical)
4. Filled up Producers Details (attached here)
5. Oeko tax certificate.

#### Step 2

We need scan copies of following licenses/ permits.

1. Building approval plan
2. Environment clearance certificate (If it is applicable)
3. Trade license
4. Factory license
5. Fire license
6. Permission for / wavers certificate from BEREC
7. Certificate by the Ministry of Power for the electric substation.
8. Boiler license
9. Boiler operator competency certificate
10. Latest drinking water test report
11. Group insurance

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<sup>38</sup> The data which have been used here for the criterion is collected from a factory, which is located in Dhaka, Bangladesh itself at the part of field trip (2018).

## 12. Waste water test report.

The Bangladesh labour set up has improved to a certain extent. The combination of several factors has brought this change in the field. On the one hand, the pressure they are getting from the women workers through their protest and on the other hand the competition happens between the factories for getting the order from outside. The international pressure and regulations compel the factories to meet the parameters that are fixed by the international buyers. The buying houses find the appropriate factories to work with.

### 4.15. Conclusion

Comparably the working condition in the garment industries is improving. But as a codified law the Bangladesh Labour Act of 2006 is far away from its goal. Being an internationally recognized industry, the apparel industries of the country have lot more to go to achieve the international labour standards. The factory owners are not happy with the trade union formation and its activities. \*The general manager of a factory has claimed during the field work that the factory is giving everything they wanted so they don't need to form the union. For them the union is making unnecessary problems in the industry. And the management was proudly saying that they did not have a union here. He was replying to the concern of international labour standards and the working condition of women workers. He was saying that, "we don't have to follow the international standards, we have our own standards".

\*Barrister Jyothirmoi Barua<sup>39</sup> finds that the period from 2010 to 2013 is very important in regard to the improvement in labour set up. When the Tazreen incident happened, the concerned people had to file petition against the owner of the factory where the government became silent. Instead of waiting for people to file the case, the government had to take against the factory owner for the intentional killing. He adds that the Tazreen fire incident has not been resolved yet. He says that the original number of deaths were more than government statistics. According to the government reports, only 112 people had been found dead but there were relatives of more people came to enquire about their family members; but the government has not addressed the issue

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<sup>39</sup> Barrister Jyotirmoi Barua is an advocate from Supreme court of Bangladesh, who appeared for Tazrin fire accident of 2012 (Daily star 2012).



properly. In fact, the case is still not settled yet. The missing person's relatives came with their ID cards but they did not even get the dead bodies of the missing persons. The labour law fails to make the government or BGMEA to give the proper compensation at time. It is true that many of the elected representatives of Bangladesh have a number of garment factories in the country. Once an issue happens the government's connection and concern is visible in hijacking the issue. The compensation and insurance policies of the women workers are not implemented, one of the founding members of Awaj foundation had opined at the time of interview.

The structural violence theory says that when the actual realization is above the potential realization, the violence exists. The research tends to believe that the labour laws of the country are highly influenced by the religion, norms of the society and so on. Precisely, the government mechanism to implement the labour laws are corrupted and influenced by patriarchal interests and gender discriminations. The chapter discussed the legal provision to assure better working conditions for the women workers. Although the labour laws received a warm welcome in the country, the labour rights violations continued to exist. The apparel sector involves both structural and personal violence. The personal violence can be seen as harmful and wrong but the portrayal of the act of structural violence is apparent. Galtung says that personal violence is fluctuated whereas the structural violence is stagnant. When the garment sector undergoes structural violence, it is always hard to reach the culprit due to its indirect and non-objective nature. When the theory talks about the early death in the Neolithic age when the life expectancy is just thirty, the violence is not present. However, when there are enough international agencies and defensive mechanism in the country to prevent labour rights violation, the existence of violence indicates the failure of the preventive mechanism. If we consider the low wage rate as an example, though Bangladesh is a poor country, the apparel sector has the potential to give the sufficient wages to the women workers. Still Bangladesh is considered to be one of the lowest-wage countries and the garment industry proves to be the living example. But practicing a low wage is both a direct and indirect means of violation. An incompetent labour set up weakens the potential capacity of the country. When the rate of the potential realization is much lower than the actual realization, the rate of violence can be seen very much present. Most of the times the labour laws of the land had to tie their hands as the uncontrollable rate of structural violence did not leave concrete evidences. Rather than finding the causes and solution, the society may accept the fact that structural violence exists and becomes a constant phenomenon (Galtung 1969).

## CHAPTER 5

### Women Workers' Resistance and Demand to Improve Workplace Conditions

#### 5.1 Brief History of the Protest Movements in the Garment Sectors of Bangladesh

The labour rights' perspective of the garment sectors across the world, have undergone a revolutionary change by the end of 20th century. The garment sectors and sweatshops had always been a working woman's paradise. The ample opportunities which were given by the sweatshops and garment sector is noteworthy in making the women workers of the third world country self-sufficient. Women workers' protest movement of Bangladesh cannot stand as an isolated one in the global scenario. In 1995, when an eighteen-year-old woman worker of South American sweatshirt factory came up with her testimony against the factory managements, it shocked the country. The founding convention of UNITE (the Union of Needle trades Industrial and Textile Employees) have witnessed her historical speech, in which she said "we need your help . . . We want to have rights where we aren't abused anymore and aren't threatened with job loss for being in the union. We want to be able to work in the day so we can go to school at night. We want the bosses to stop treating pregnant women badly (Brooks 2002, 91-111)". The world apparel sector always have a room for the debate of unionizing the factories. Despite the boundaries, the garment management in every country denies it. Almost all the industries have the pro labour attitude in the document. The unhappiness of the management behind the union formation, is directly related to the cost of production when the labourers ask for better wages and working conditions. When they planned to form the union, the management appointed security guard with arms who does a complete body check for women workers and ask for identity card. Viera (Brook 2002) says that the management's brutal intervention can be visible in the limitation in a number of bathroom visits and a control on pregnancy among the women workers. Brook (2002) adds that there was massive firing and lock out of 1000s of people for forming a union.

The campaigning started after Judith Viera and another woman worker Claudia Molinea, framed the birth of treaty between the National Labour Committee and the Gap, a US based retailer. The agreement came on December 15 1995, known as the Brooklyn agreement which could make a strong impact upon the third world south American countries and became a transnational Women Workers' labour unity later onwards. Lisa lowe, an eminent feminist scholar

contributes (1996) to transnational women labour activism that the women are working against the transnational patriarchy and trying to build a strong labour class within the global capitalist structure.

## **5.2 Transnational Garment Workers and Clean Cloth Campaigning: A Bangladeshi Perspective**

The movements across the globe boosted the confidence of the workers and propelled Bangladeshi women workers' movement. The story of Bangladesh was not different from any other country in terms of labour problems and protests. The country has witnessed a number of protests from 2005 onwards. The building collapses like Rana Plaza. Since 1970s, and the subsequent participation of young women in the economic development was notable especially in the industry. The presence of women in the export-oriented industry is higher than any other areas and the women workers of Bangladesh are intrinsically linked to the global economy (Dannecker 1999). Naila Kabeer 1991, states that the reason why women were not actively participating is due to the purdha system of Islam; author criticizes that the system determines permissible modes of behaviour to the women.

Subsequently the economic transformation in Bangladesh gave ample opportunities to women and instigated a movement of women workers from the village to town for better living. It had however resulted in the birth of new insecurities and modes of control over women by these new employment opportunities. But the happiness was no longer sustained; the industry itself was filled with the exploitation. Women workers faced both mental and physical harassment in the work place from the superior officers. The export sector of the garment sector was connected with the global market through the international division of labour. The international buyers gave contracts to the subcontractors for a lesser price. They gave the contract to the informal garment sectors with less legal setup in which the exploitation happened without any fear. In fact, the women workers face two sides' exploitations- one is inside the working place and the second is the garment sector itself is in the hands of capitalist exploitation. Generally, Bangladesh garment industries are infamous for low wages, leased facilities, lack of proper safety measures, and job insecurity. The minimum wage was one of the strong issues of the garment industries where Bangladesh had seen a number of protests and strike. The role of trade unions was critically

undertaken by several scholars in their studies. The participation of the women workers gained attention from the international arena in all the protests activities. The study considers protest for better working conditions of the garment firms can be the protests of the women worker also. The research tries to analyse the reason and result of the protests which took place in the country through the analysis of existing literature and the media reports. Reports say that the participation of women also was very high in the recent protests on Rana Plaza building collapse.

### **5.3 Purdha System and Women Workers**

The women workers in Bangladesh have been suffering not only from the garment factory management but also from the written and unwritten social norms and customs. The status of women, in the countries which are founded in the Muslim laws are different in different countries. The countries like Saudi Arabia, Afghanistan, and Pakistan follow different set up in regard to the duties of women. The religious outlook on the women of Bangladesh could be justified by the Islamic law but the scholars who were interested in the topic were digging on the women workers and Muslim Fundamentalism. Encyclopedia Britanica says that the term fundamentalism is originated to denote the orthodox section in Christianity in the 19th century.

Owing to the low literacy rates, women in Bangladesh hardly had any access to credit and rights to inheritance as prescribed by the law. The social custom in the country does not allow women to buy or sell goods in the village markets which were known as *hats* and *bazaars*. Most of the women who belonged to the rural areas were compelled to sell their goods through a male wholesaler. The women sometimes access the market through their husbands or sons.

The inferior status of the women is evident from the high women trafficking rate to India, Pakistan and other Middle East countries. The women of Bangladesh keeps an inferior status in the society, which makes them far away from opportunities (BIPSS 2011). An estimated 1.8 million women are employed in the garment industry, but are paid half of what male workers earn for the same work. They are forced to work longer hours and working conditions are typically very bad.

Tazeen Mahnud Murshid (1997) states that the women in Bangladesh were considered as inferior by the gender role drawn by the socially and culturally determined concepts which stop the women from becoming self-sufficient. The influence of religion on women of Bangladesh is

reflected in the practice of purdha. It is the system which curtails the mobility of women and put them away from the educational and employment sector. The societal norms consider that the women are the people who are supposed to be merely the wives and mothers, and just participate in the household activities. The work of women is generally under rated even in the work field. Earlier the body of woman was connected to the honour of the family in South Asia. This is one of the reasons why women are being kept away from the social participation. Adams (2015) says that usage of purdha was to limit women's activity with non- kin men in ancient times. The practice of purdha system is not a core religious practice and it is more associated with the conservative interpretation of Islam on the honor of women and her family. Directly or indirectly, *purdha* restricts women from accessing the public spaces through a set of unwritten laws or norms. Nathaniel Adams in his article on religion and women's empowerment states that "purdha takes two main forms: physical confinement of women in the home and veiling of women in public (Adams 2015)". The criticism has been raised by the women rights activities that the male domination uses purdha as an agency to limit womens social agency.

The experts like \*Samina Luthfa (2018) says that "the purdha has also become part of their fashion at present. We cannot find many women who is without purdha these days, where it was like hard to find women in purdha in 1980s ".

#### **5.4 The Women's Resistance against Subjugation**

The Bangladesh women's resistance movement largely exposed how religion has been manipulated by the male domination as the advocates of women empowerment and the economic emancipation. However, the women's resistance movement was generally weak due to its mobility in the urban area. Gradually, the movement got strengthened due to the wider participation by the entry of educated women in the industry. Self-sufficiency of the women workers made the movement a meaningful one. The movement was not fully succeeded in 1980s in relation to assuring equality to the women. The women were asking for the implementation of UN resolution 180 of 1976, but was not approved by the government citing the reason that it is not in accordance with the *shariah* laws.

Within the prevailing situations, the women worker in the garment industries manage to conducts protests regarding the improvement of the firms. Though the constitution gives the

provision for the registration of the union, the factory management objects any kind of workers unions in the shades of government. But the workers cannot shut down and stop working in the garment firms considering the fact that the garment sector of the country is the only industry which gives this much of ample opportunities to them. It accommodates these women workers and in most of the cases they are the only hope of the Bangladesh's households. Apparently, there are women leaders who come from the garment industry of Bangladesh, who work in the industry itself, with another style of approach that focuses on upliftment methods which simultaneously goes along with their day to day work schedule so that they don't lose the job. Women leaders like Kalpana Akter and others focus on the work place safety, proper wage facilities and skills development scheme. This chapter mainly discusses on the activities of these above-mentioned women workers and their initiations such as labour development associations cordially working with the international organizations.

Rana Plaza incident is the biggest industrial disaster happened in the country and it is considered as the second largest in the world as China had seen the most unfortunate industrial incident. The country has already dealt with a shocking incident just five months before the Rana Plaza- the Tazreen incident where we lost more than hundred lives, and the government did not take necessary steps to avoid another one. The government, factory owners, supervisors and the management have to be far ahead if they are into maintaining a proper safe working condition for the workers. However, the continuous industrial calamities alarmed the garment workers and the apparel industry. The post Rana Plaza garment sector have seen tremendous effort and initiatives have been taken by the workers, Bangladesh civil society and foreign buyers because of the pressure they got internationally. The workers started facing too much of pressure from the management due to the demands for the improvement after Rana Plaza incident. The workers face repression from the government and the management at the same time. With the strong demand for the work place safety, the government brought changes in the labour laws including easing the procedure for the union registration. The workers who were organizing the co-workers for the rights have been tortured in different ways. The female workers were welcomed with abuses and physical threat whereas the men workers who were the organizers were beaten up by the people who were send by the management and thugs. One of the women leaders who were organizing the people against exploitation was beaten up by the thugs and goons even by the metal rode. According to her own words "I was beaten with metal curtain rods in February when I was

pregnant. I was called to the chairman's room, and taken to the 3rd floor management room which is used by the management and directors and there I was beaten by the local goons... There were other women who were called at other times, and they were beaten the same way as well. They wanted to force me to sign on a blank piece of paper, and when I refused, that was when they started beating me. They were threatening me saying 'You need to stop doing the union activities in the factory, why did you try and form the union. You need to sign this paper.'" (Human Rights Watch 2015). The women workers even in this situation organized labourers for the rights' awareness. The organizers threatened them on the grounds of the job security, lives and police cases. The prominent question that the organizers faces from the co-workers is that "you were trying to form the union and now you are out, and you are asking us to form the union?"

The realizations points to the fact that if the workers of the Rana plaza and the Tazreen factories had more awareness on their rights, the injuries and deaths could have prevented to an extent. In most of the cases, the workers themselves have pointed out that the safety rules are getting violated but the factory management did not report it properly and neglected the concerns of the labourers. In these cases, the workers even had the problems of communicating with the superior officers about the concerns. It calls for the possibility of an orientation for the workers.

### **5.5 Bangladesh Workers' Protest for Increasing the Minimum Wage**

The work schedule in the garment industries is atomized and hectic. The industry runs with strict rules which create a certain condition in which the workers cannot organize and unite. Still sometime the women workers carry out the dissent of them in certain issues like delay in pay and express their protest by stopping the sewing machines at the work time.

The garment workers of Bangladesh made a series of protests in 2010, for increasing the minimum wage from 1662.50 Tk<sup>40</sup> to 5000 Tk. Garment industry is the backbone of Bangladesh economy and had more than 4000 firms were working for the western brands like Walmart and Zara but in a minimal wage in return. The year 2010 has seen a miserable condition of garment workers: hundreds of garment factory fire deaths and the employers consistently worked from 10 to 12 hours and getting a cheap wage which is one of the cheapest wage rate in South Asia. The

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<sup>40</sup> Taka is the Bangladeshi currency.

garment workers have conducted a number of protests and strikes to get the government's attention in order to formulate a national minimum wage board in October 2009. The workers demand was for a government body consisting of representatives of factory owners, workers and government officials to review minimum wage (Kim 2012). Kim in his studies says that the garment workers argued for increasing the minimum wage from 1662 Taka to 5000 Taka (\$71) per month. As a result Prime Minister Sheikh Hasseena had to face an argument from four companies to form a minimum wage board committee in 2010. These companies were H&M, Gap Inc, Walmart, IKEA, Carefour Groups, B&C collection, Nike, Levis Strauss and many more. Under high pressure from international trade unions, foreign companies and media the prime minister eventually decided to create a minimum wage committee.

The committee which conducted their first meeting without the companies' representative made fuss among the workers and they collectively built pressure on the firm owners to participate in the next meeting. The second meeting of the minimum wage committee sat in April with the company representatives and decide to increase the minimum wage to 1875 Tk, which means only 200 Tk had been increased. A series of meetings that continued till May made the minimum wage into 2000 Tk. Reports say that the workers were in a violent mode and they threatened nationwide protests to force the factory owners to increase the minimum wage to 5000 Taka. The leading groups include Bangladesh centre for workers solidarity, the garment and industrial workers federation, and garment sramik trade union Kendra (Kim 2012). Kim adds (2012) that the garment workers made 72 protests during this time period, and the workers have used strategies such as road blocking, rally and mass protests for expressing their dissatisfaction on the government. News reports says that the protesters even blocked the main highways of Dhaka. The recent minimum wage was declared in 2018 December which is the highest monthly wage the workers of the country ever had. According to the new declaration the workers will get 90 USD that means 8000 Tk per month. But the workers' union and the other progressive associations were not happy with the declaration. Despite all the protests, the union and the workers had conducted was completely ignored by the government authorities (Kim 2012).

## **5.6 Women Workers Who Protest Against the Exploitation**

The role of women workers in all the protests movements were distinguished because of the changes they have brought into the industry. Among the women leaders Nazma Aktar is one



of the prominent ones. Nazma Akter has started Awaj foundation in 2003 to uplift the miserable condition of the women worker in the garment industry. The Rana Plaza incident, Tazreej fire accidents and many other accidents have paved the way for a series of protests in the country. The role of trade unions after such incidents became very active. But women workers who do the protest were of the opinion that the trade unions work especially in the transport banking and public sector and have a male dominant space. Unlike any other union activities, the Awaj foundation is there to work for the women workers such as educate the women garment workers, providing counselling and running cafeterias for their tea break and intervals. Nazma Aktar is a former child labourer of the garment industry itself which helps her to frame the activities properly.

The case study is a different research method which employs a close-up study approach on the subject discussed in the research. Field trip feedbacks point out the conventional religious set up of the society which prohibits the public sphere intervention of women workers on the one hand and the society's claim to be a modern state which follows Muslim religious laws frame the women subordination on the other. The leaders came from the women workers of the apparel sector and broke the chains of patriarchy which have to be studied undoubtedly. The chapter discusses the role of women leaders who are working for the upliftment of the condition of the readymade garment industries of Bangladesh. The research follows an ethical case study. The approaches take both primary and secondary materials.

### **5.6.1 Nazma Akter: Child labourer to the Labour Leader**

Nazma Akter, one of the strongest women leader who works for the betterment for the women workers across the world. Nazma started her social life as a child labour in the apparel sector made her seen a precautious working condition of the industry. Now, she leads two main organizations namely Sommilito Garments Shomik Federation and Awaj Foundation. Both the organizations has a different orientation in dealing the women workers issues. The Shommik federation has grown into a significant growth under her guidance as the president. As the name suggests Awaj foundation loudly speaks for the women workers and their issues related with occupational safety, health and hygienic and labour laws of the country in Dhaka and Chittagong.



**Nazma Akter in Awaj Foundation Office**

A women worker from the Awaj foundation says that "Nazma apa is our confidence, and from nothing she brought us here, gathered and has shown the exploitation and how to respond to it legally. She learned English to talk labour rights loudly. She considered us her family and worked for implementing good medical centre, setting up of cafes for gathering and discussions facilities for using computers and learning English (Women worker in Awaj foundation office 2018). The SGSF affiliated with IndusryALL international trade union and promulgate he solidarity with the transnational women workers unity. The formation of her own union is after she has given a try

with another unions throughout 90s. Currently, the Union has more than 70000 members. Since her presence in minimum wage board, strengthen their say in labour rights.

#### **5.6.1.1 Activities in the Awaj Foundation**

Nazma started her career at the age of 11 with cutting the thread in a narrow garment firm. The experience in the garment sector helped her to frame the activities of Awaj in a useful way. Nazma organized people in the question of long working hours, poor working conditions and the low paid wages. Subsequently an NGO taught them to learn English and train them in the leadership qualities. In the long run Nazma found that if the factory closed down, the ultimate troubles would happen to the workers only. The way they have adopted was not to work extremely against the factories but to improve the working conditions with the cooperation of the garment firms and its owners. In her view point, the well-being of millions of women workers and the development of our country is dependent upon the health of the garment sector.

Since 2015, Awaj, Impaact and C&A foundation have been working on partnership terms to strengthen the ability of women by training them. Programme called UP! stems from this above-mentioned partnership and which trains more than 10000 women workers in order to develop their skills in health, finance, leadership, negotiation and collective bargaining. UP! Training is done by the volunteers to the Awaj trainers in the evenings and weekends in the 11 cafes run by the Awaj foundation across the city of Dhaka (C&A Foundation 2017). Nazma says that the Europeans heard a lot of depressing news on Bangladesh quite often and she added that she was looking forward for a positive view where our workers can negotiate with the customers. Studies says that the UP! Programme trains the workers especially women to gain the negotiation skills so that they can form the trade unions and have a control over their future. The organization called Impaact joined the hands with Awaj foundation to design and deliver the training programme. The UP! Uses the methodology of training the trainer. Without Awaj foundation and Nazma UP! could not have been a success. This programme is one of the strongest protest weapons of Awaj to spread awareness to maximum people.

### **5.6.1.2 UP! : Community Based Training Programme Designed by Impaact and C&A Foundation**

Even though the garment industries of Bangladesh are the second largest in the world, the industry could not give a better standard of life to its workers that is around 4.5 million in which 80 percentage is women. The organization like C&A foundation and Impaact found out and giving remedies to the problem. UP! is a community-based training program, that helps the women to develop their essential life skills. UP! is not asking for the wage rise directly but it gives an awareness to the women workers to build the new environment for better employment. UP! helps the worker to have a better awareness of finance, health, leadership skills and communication abilities. So that, they can talk about their requirement rather than being in high distress. The training programme is divided into three heads: **finance, leadership and health.**

**5.6.1.2.1 Finance:** The theme finance dealt with the question- how to have control over the household finance by promoting the savings by understanding the income and expenditure? The majority of the working women of the garment sector have a say in the daily bread in Bangladesh families as the bread to the education of the kids mainly depend upon this income. So, the question regarding how to manage the households finance and get savings points the finger to the UP! programme.

**5.6.1.2.2. Leadership qualities:** The second chapter touched upon leadership qualities in which the programme was looking at the work place issue solving skills and to improve the communications skills to negotiate with the factory officers. The negotiating skills are necessary in garment factory because the garment industries of Bangladesh have an atmosphere in which less security of work prevails.

**5.6.1.2.3 Health:** the unhygienic atmosphere of the garment firms creates health issues among workers. There are a lot of firms without even washroom facilities. The programme helps the women workers to find out the consequences that can occur in their later life because of the hectic and unhygienic work schedule in the garment units. Healthy eating, common diseases and ways to get better treatment were the modules in the training programme.

Approximately 70 percentage women workers out of 2000 total participants had joined the course. The programme has two semesters more to run and around 6000 garment workers to graduate as expected. According to the data of UP programme, more than 90 workers have opened

their own bank accounts. Shockingly, they have started saving an average of 400 Taka in a week. Reports says one couple even could manage to pay back around 40000 Taka loan. Many people claim that they can maintain a better relationship with their managers after attending the programme. (10 March 2015 Rosey Hurst)

**Table 11. Programmes Run by Awaj Foundation**

<b>Projects</b>	<b>Name of Donor</b>	<b>Duration</b>
Strengthening civil society and public institutions to address gender-based violence	Manusher jonno Foundation	<b>July 2017- July 2021</b>
Sustainable and reasonable actions for making industries care (SRAMIC)	Action aid	<b>October 2016- October 2019</b>
Educate workers about freedom of Association	Friederic Ebert Stitfung (FES)	<b>October 2013 current</b>
Violence against women- this project concentrates on dialogue between factory managers, especially mid-level managers and workers on issues of violence (physical, sexual, vocal and mental). The outcome of the project will be the formation of an Anti -Harassment committee operating inside the fair wear foundation member factories.	Fair wear Foundation& UN trust fund	<b>March 2012 current</b>
Fair Wear Foundation Social Audit Programme	Fair Wear foundation	<b>2010 current</b>

Enhancing workers' rights and responsibilities through Empowerment- training workshops delivered inside Awaj centers.	Manusher Jonno foundation	<b>May 2011</b> <b>May 2017</b>
Empowering women RMG workers project- training using innovative methods such as increasing labour law awareness through games (e.g.Ludo)	Action aid Bangladesh	<b>May 2011</b> <b>September 2013</b>
Empowering female garment workers	GIZ, PSES	<b>September 2017- current</b>
Occupational health and safety and general health awareness training for garment workers.	KiK textiles Germany.	<b>March2008- current</b>
Health care and day care for RMG workers and their children	KiK textiles, Germany	<b>March 2008 - current</b>
Assist men and women to migrate abroad to work in garment factories through different man power agencies. Activities include rights aware training, documentation preparation, networking with GO and NGOs, campaigning and so on.	Funded by Awaj foundation	<b>2010- current</b>
Legal aid and mediation support to garment workers, particularly women who face workplace disputes and family law issues (domestic violence)	Funded by Awaj foundation	<b>2007 current</b>

**Source:** Awaj Foundation, Amplifying workers voice in Bangladesh (2018).

### 5.6.2 Nomita Nath

Nomitha Nath, a courageous women working leader and the president of Bangladesh independent garment union federation (BIGUF) is the leading garment union which unionizes

several garment factories. Nomita started working in the garment factories at the age of 12. The worst working condition of the garment factories compel her to form a union with the co-workers at Eastern Fashion Ltd., with BIGUF's assistance. She has participated in BIGUF'S training programme and she gives training to the workers of her union now. Nomita trains the workers, worker leaders and organizers in organizing methods, labour rights, labour laws gender inclusion and equality and in fire and safety.



**Picture: Nomitha Nath during work time.**

### **5.6.2.1 BIGUF: An Organization for Women Worker's Upliftment**

Bangladesh independent Garment Union Federation is the largest federation in the garment industry with 1,10,000 members. According to its constitution, BIGUF is an independent organization without political biasness. Unlike other trade unions, BIGUF was formed by a bunch of women workers in 1996 and strongly believes on the leadership of women workers since the majority of workers in the industry constitute women. The constitution of BIGUF makes sure that

the twenty executive committee out of 25 including the president and the general secretary to be female. The activities of BIGUF was significant at the time of Rana Plaza building collapse. More than hundred people have filed case against the factory owners by BIGUFs support. Statistics in the recent years says that in the last five years BIGUS has assisted the highest number of cases 1265, in the formal courts and 837 were settled.

### **5.6.2.2 The main Activities of BIGUF**

- Organizing workers in the garment sectors

After the killing of 1100 people in the Rana plaza incident, more than 130 unions have filled for official recognition to the government with the assistance of BIGUF. The unfriendly atmosphere for a union especially in garment sector doubles the significance of the union and they win in unionizing maximum firms (Solidarity center2014). Issues like physical attacks and abuse in the garment factories prompted the workers to organize themselves. Recently two unions have approached the BIGUF in this regard. Solidarity centre (2018) reports that the BIGUF has helped 36 unions to organize for their rights. Asadussman azad(Asad), a life time organizer of BIGUF was alleged for government opposing violence and caught up with a case of burning a public bus which could be a punishable act for a life time prison or death penalty which got proper legal care and support from the organization. BIGUF stood with Asad, even when court had denied his bail a couple of times.

- Works to improve occupational health and safety issues.

The health of the women worker is a serious concern of the organization, and hence they conduct regular medical camps and give necessary medicines to the workers.

- Conducts leadership development programme.

The bi-annual convention can be regarded as an example for such leadership training programmes. Around 280 women workers actively took part in the bi-annual convention of BIGUF which happened in Chittagong and the national garment federation also was a part of it (solidarity centre 2012).



- BIGUF looks into the individual and collective violation in the garment industries on the grounds of finance, infrastructure and gender related issues.

Kona, textile workers faced harassment from the factory superiors when she helped one of her co-workers to gain a better life condition. The intervention of BIGUF was to set up a resolution with the company owners so that Kona and her husband could come back to work from hiding due to the scared of their threatening. Kona the general secretary of Masco industries Ltd union took a part in the bi annual convention of BIGUF in Chittagong.

- BIGUF does campaigning on the issues at the factory and on the same time make recommendation to the government to develop the conditions in the workplace.

### **5.6.3. Kalpana Akter**

Kalpan Akter is a former child labourer of Bangladesh garment sector. She has started mobilizing her fellow workers against rights violation. Management of the firm has thrown out Kalpana from her job so that they could treat the labour on their will. Unlike the other workers she has decided to struggle against the exploitation. However, the result was the Bangladesh centre for worker's solidarity. Bangladesh centre for worker solidarity mainly works for the fair wages, safety environment in the factory and right to form the labour union. (Human Rights Watch 2016).

BCWS now has a say on the labour issues with the timely interventions they have kept in many cases and made several enemies. The government and the factory owners have targeted the BCWS and Kalpana and charged against them, forcibly asking for the de-registration of the union. The pressure mechanism of the internal organizations and the support they are getting from the organizations like Human Rights Watch, the stage is less critical though the danger persists. In 2012, Aminul Islam, a colleague of Kalpana had been brutally attacked and killed. As there was no claimant, Aminul Islam got buried as an unknown body. By the time the buried body was identified, the official formalities were done. The case of Aminul Islam was a shocking one and the killer got a verdict of death penalty (bdnews24.com) Kalpana has engaged in the cases like building collapses, fire accidents, physical abuses from the factory owner; she continues her

struggles for the rights of the garment workers particularly the women workers of the garment sector.



**Picture: Kalpana Akter**

Human Rights Watch's *Alison des forges* award celebrates the valour of individuals who put their lives on the line to protect the dignity and rights of others (Human Rights Watch 2016). She has been travelling in several campuses in America regarding the campaigning of Rana Plaza building collapses. However, in New Jersey while campaigning Kalpana and her colleagues were arrested. Instead of a proper intervention from the Bangladesh government, they have used the situation to campaign against Kalpana that she is funded by the foreign countries to spread lies against the leading industry of the country. The government of Americans charged them with a case of trespassing by citing a lack of a letter which they claimed to have submitted to the factory management. But as the executive director of Bangladesh Centre for Worker solidarity, she stood for the respect of the co-workers particularly women.

### **5.6.3.1 Activities of Kalpana Akter and Bangladesh Centre for Workers' Solidarity**

#### **5.6.3.1.1 Organizing workers**

Kalpana has been fired on the charge of organizing the workers and co-workers against the factory at the age of 16. The bitter experiences at the work place made her think about the labour rights and fight for the betterments.

#### **5.6.3.1.2 Union leaders were Attacked During Mobilization**

Women workers in the garment industries working in a miserable condition and abusive working environment became common in Bangladesh. There are reports which state that pregnant women had been forced to resign from the work place which is against the maternity benefits of labour laws. The worker's words are as follows:

"I was forced to leave when I was seven months pregnant, and then stayed at home for one-and-a-half years. After that I came back to the factory. I know that it was illegal but because I was pregnant, there was nothing I could do about it. I didn't argue with the managers because everyone forced me to leave and no one gets any [maternity] benefits. It was really tough for my family as I was the main earner (Human Right Watch 2015)".

The testimony shows the attitude of the management towards the union leaders or workers who organize workers for their rights. According to section 50 of the labour law, women workers should get maternity benefits in Bangladesh, but on the other side, women workers from other factories say that the pregnant women are getting heavy loads of work.

#### **5.6.3.1.3 Termination of Union Leaders and Members**

The union members and leaders were finally terminated if they were not obeying the unwritten laws of the management of the factory. Factory management threatens the workers and workers fear that the managers includes their names in the secret black list and pass to the other factories. Incidents like Mirpur is an example for that. In July 2013 and March 2014 the workers tried to mobilize co-workers in the sub contract factory. But unfortunately, on both occasions the organizers of the particular programme were dismissed. The workers have given interview to Human Rights Watch as the following:

"When they heard about me, the owner of the factory called me into his office. He tried to bribe me with a promotion, saying I should stop setting up the union. But we wanted it to establish our rights, and get our wages and bonuses on time, so I refused. Since I was the leader, they then put a lot of pressure on me. They threatened to take my life. They then sacked me and 48 senior workers and even filed a case against me for organizing a strike (Human Rights Watch 2015)".

- The recent protest by the women workers in Dhaka.

Bangladesh witnessed a massive protest in the month of January with approximately 50000 women garment workers' rally behind the call. As a result of police intervention, a striking garment worker had been killed and more than fifty people were injured. The police had to use rubber bullet, tear gas and water canon to suppress the protestors. The wage hike was the main goal of the protest. All the main newspapers came up with the news. The protestors have blocked the major highway in Savar. Hundreds of women workers walked out from the companies demanding the higher wage for their work. The women workers were from the companies who were making clothes for H&M, Walmart, Tesco and Aldi and they made sure that more than 4500 factories were affected by the protests. The aggression of the protesters were connected with the election result of Shaik Hasseena which was full of malpractices, violence and vote rigging (Observation Research Foundation 2019)

The reason behind the recent protests are not just workers' protests but it includes a gender point of view as well. Women workers, when they hold an upper hand than the male co-workers in terms of number, the exploitation continue as a custom. According the survey conducted by Japan external trade organization from 2017 to 2018 March, Bangladesh holds a lower level wage rate. The women workers who cannot meet their basic needs went out for protesting. The new wage structure extends the wage into a level in which an entry level operator gets 8000Tk, but the current wage structure gives only 5300 Tk (P.K Balachandran, Feb 2019). The new wage structure provides 4100Tk as his/her basic salary, 2050 Tk as house rent 600 Tk medical allowances 350 transport expense and 900 Tk as food allowances. The minimum wage board have been told from the government to set the new minimum wage in every five years. A definite improvement can be observed in the minimum wage hike. The new wage structure has increased more than 51 percentage than the last minimum wage structure that came in December 2019. Minimum wage

Board 2014 has declared 3000 Tk as the minimum wage which was not sufficient to lead a standard life. The government has found out that the 2010 minimum wage board was not working properly. But the trade union leaders and workers representatives wanted the minimum wage to be 8000Tk (Clean Cloth Campaigning 2013). The Clean Cloths Campaigning mentions that the Asia Floor Wage conducted survey which found that the 2010 minimum wage of Bangladesh is the 11 percentage of the amount to run a basic life.

The Japan External Trade Survey reports reveals that the average monthly salary of the Bangladesh garment workers is US\$101, where Myanmar holds US\$135, Cambodia US\$170 and in Vietnam US\$234 China US \$ 518. The survey clearly tells that the women workers in Bangladesh garment sector holds the lowest. Considering any other facts, the garment industry of Bangladesh has been treated as a gem in the eyes of the foreign buyers due to the low labour cost. Unlike the older days, as an outcome of the works of the all progressive forces which contributed from both within and outside the industry, the labours raised their voices against the exploitations. A strong criticism has been raised on one nature of the garment industries that the industry spends only its 12 percentage for paying the wages. Tariq Adnan (2017), cited that if a five member Bangladeshi family has to get sufficient nutrition, they have to spend US\$450, but now an average family spends only US\$168 on food now. The minimum wage of Bangladesh always runs one lap back. When the workers of the industry argued for 5000 Tk in 2010, the Board has given them 3000Tk. But in 2013 the Board has raised the wage into 5200Tk when the workers representatives wanted it to be 8000, and when the workers wanted it as 18000Tk the Board has raised it into 8000 Tk. Nahidul Hasan Nayan, an active leader from Awaj Foundation was telling in the interview that *we have to be very loud about the rights and keep on raising the voice about the needs so that the government officials who keeps the reality far away from the workers' rights can heard.*

## 5.7 Conclusion

The women workers associations and civil society have done a thorough campaigning at both national and international level. The campaigning came up with the failures of the Labour Act of 2006, at its implementation level. The failures of the responsibilities of the government have been exposed in front of the world through the campaigning. The role of women workers in such campaigns is notable. The women leaders like Nazma Akther and Nomitha Nath travelled around the world in order to run the campaigning. However, there is another fact which came to a significance notice that the opinion about the women leaders are that they travel to foreign countries and enjoy their lives. When the international buyers have been asking for the better working conditions and the facilities for the garment workers and the complete abolition of child labour from the industry, the women workers lead the campaigning. By the pressure from inside and outside the countries, the government had to take necessary actions on the issues. Now the industry is in a better position if we look back to the pre-Rana Plaza era. The government has amended the Labour Act of 2006 in 2013 and made a lot of changes in the scenario, which is in consequence of the pressure of the women workers too. Moreover, after the endless efforts of the workers especially women workers, the next amendment has been introduced in the name of Bangladesh Labour Rules Act of 2015. But the women workers organizations are asking for the international labour standards and better labour code for the entire work force of the country. Contrary, to this argument, the improvement happens with every amendment. The office holder of Awaj foundation said that the workers are losing their provisions one by one after every amendment. They are in a worry that changes are supposed to happen in the labour code in 2018 and they will cut their privilege more.

The role of the women workers' associations had been vital in the betterment of the workers' rights. But it is a fact that the garment workers are far away from the international labour standards, which widens the scope of the women workers association. Unfortunately, it is hard to make them aware about the ILO conventions and labour standards. The women workers compare their present life style with the current life changes, even though half of the respondents have no proper appointment letter system in their job. Factory owners or buying house owners have a very different opinion about the women leaders that they are enjoying their life abroad and they are selling the idea of *poor women worker* in order to establish themselves. However, the garment industries of Bangladesh have seen a constant improvement in the status of women. The

international buyers and other charity foundations have been giving money for running the developmental programmes where the women workers can improve their skills in work, leadership qualities and labour rights awareness.

Unlike the other forms of protests, the workers associations work for the upliftment in a different manner. They are considering the fact that the garment industry is the only option for the women to work in Bangladesh. Due to this situation, the women workers association are not in favour of shutting up the factory. The organizations frame the women workers to improve their skills and qualities both in personal and factory life. The major unions and other women leaders believe that all the strikes and protests happen when the factory functions in an improper environment. The women leaders continuously stress upon the point that the well-being of the worker in a better working conditions are their goals but they had to close the factories sometimes as part of the agitation. The women leaders clearly believe that the women workers should get better working conditions and standard of life when the basic facility of the worker to work in a factory is protected. The union, leaders and the groups which work for the development of the women workers say they will make sure of the job security when they protests for their rights. The women workers have gained confidence through the women leaders and self-help groups. The status of working women at least in their household became prominent. The improvement of the living conditions of the women workers from the household to the factory is indeed a significant achievement.

## CHAPTER 6

### Conclusion

The research found that the women workers went through adverse conditions and labour exploitations because of the socio-cultural factors that privilege men. The illiteracy among women workers and poor standard of life add fuel to the fire. In a Globalised era where the capitalist countries can access the port of any country, Bangladesh is not an exception. For Bangladesh, being an underdeveloped country, the export business is the best option to make profit. However, the export nature of apparel industry imposed a number of baggage to the garment sector. Being the major workforce which produce the majority of its national income, it is unfortunate that the women workers are not able buy a product like branded shirt or trousers. The study argued that the condition of the women workers in Bangladesh has improved considerably, but has to go further to reach the international standards.

The research entitled “The Women Workers in the Garment Industries of Bangladesh: A Study with Special Reference to Labour Act of 2006” brought out certain findings which are mentioned in detail below. The findings on the working conditions of the women workers are discussed first.

#### **Findings on the Women Workers of the Readymade Garment Industries**

Though the woman worker leads perilous lifestyle, there has been a comparative improvement in their living conditions. There has hardly been any progress earlier. As the hypothesis mentions the incredibly precarious situations which are intrinsically linked to a patriarchal male dominant society which always privileges men. The research that has been analysing the conditions of the infrastructure facilities, different modes of harassments and abuse, problems related with wage and working hours, is concluded in the following manner.

#### Cheap Labour Makes Women Workers Vulnerable

Since the pre independent period the country that covered almost the Indian sub-continent used to have very cheap labour. Rather than calling it cheap labour it was slavery. The unequal labour policies are observed in the wage criteria. The women labour is treated as a cheap labour in all the developing countries, especially in South Asia. The labour movement in the country was struggling to fix an average minimum wage even in 2010. The minimum wage board formed in 2010 shows



the irony behind the mask of the labour concern. Since then they don't have a proper mechanism for minimum wage mechanism. Apparently, the minimum wage update points out how developed the country is from the workers' perspective as they shout slogans vigorously against the garment manufacturers. From 5300Tk the Minimum Wage has been raised to 8000 Tk, and the authority claims it to be an achievement. The authority has ignored the long-term demand of the workers union to increase the minimum wage into 16000Tk for a better and comfortable living, when the *cost of living* is increasing day by day in the country. The garment workers of Bangladesh earn an income of 7418 Tk per month which means US\$87 which is less than 2016 World Bank Poverty line of the country. The Global Living Wage Coalition estimates that there should be a minimum earning of 13620 Tk to lead a normal life with food, housing and other essential needs. In this context, the demand of the workers to hike the minimum wage is appropriate, but the authority could oppress problems prevailing in the industry due to its female labour participation. The women workers say that they have to do overtime with this less amount and if they are not meeting the target there would be verbal and physical abuse. The women workers have not even seen an appointment letter in their lives. The senior women workers who used to work in their adulthood had faced sexual harassment, physical abuse and job threatening which is clearly labour rights violation. The woman worker does not even get the right to take a decision in the household even when she is the single earning member of the house. Even with this new minimum wage of 8000Tk, the woman worker who runs the household cannot meet the essentials. The fact that the women workers are treated as subordinates to the men in the garment industry, and they only do the bottom level jobs in the factory has to be looked at from gender perspective.

#### The Decreasing Rate of Physical and Social Exploitation in the Garment Sector

There is a considerable growth in the reduction of criminal rates which used to happen in the industry. The international campaigning, intervention of NGO in labour rights awareness, increasing role of trade unions, foreign aid for social change have played a crucial role in the improvement. The direct sexual exploitation can't be seen from the respondents' feedback. But the reports of verbal exploitation and social exploitation popes that the apparel industry is not free from labour exploitation. The role of Non-governmental organizations are crucial at this juncture. Even after the introduction of Act of 2006, all kinds of exploitation were predominant in the

industry. But after 2010 Tazreen incident, the RMG industries came out for wide criticism. Moreover, the media attention drawn by the industry turned out to be positive.

Since, the introduction of the labour act of 2006, the industry witnessed a positive change. The gender has become a prominent agenda in the ongoing decade internationally. International organizations invested funds on the gender development programmes in the third world countries widely. The research has noted certain response from the young workers that they have not even heard news about sexual harassment in their factories. The field trip data supplement the argument that out of 16 main respondents, no one has faced sexual harassment. However, at the same time the research got evidence from the people who work outside Dhaka that they used to face sexual harassment and physical violence. Seemingly, the women workers who are new to the industry face less experiences in terms of harassments and violence, but the workers who have experience more than ten years had definitely been into the situation. Considering this as base, there is a year wise graph which shows the improvement in gender safety in the garment sector. The labour law of 2006 addressed numerous demands, helped the government to take up policies for the betterment of the women workers. However, the noted improvement happened only when the industrial calamities occurred. Apparently, the apparel sector was exposed after the incident, which led to a decisive change in the condition of women workers due to the wide campaigning about the lame environment existed in the factories. The years after 2013 have witnessed the interference of both national and international agencies in the lives of the workers which resulted in a comparatively better condition. The study contemplates to analyse the condition of the workers in the light of the labour act of 2006 and concludes with an argument that any sorts of harassments have been reduced throughout the year and the graph shows a positive growth. The response is determined by certain facts that the women worker is comparatively new to the industry, considerable growth is seen in the number of trade unions, and rights awareness programmes are initiated from different NGOs.

#### Notable Improvement in the Infrastructure Facilities

The apparel industry of the country shows a gradual improvement in the infrastructure facilities. The study figures that there is an involvement of certain incidents in building a better infrastructure in the country. Especially, the growth can be seen after the Rana Plaza incident of 2013, due to the nation-wide protest which was followed by the international progressive communities. All the

respondents throughout the field visit say that they have a good building which is spacious and clean. But there were symptoms of bad ventilation systems during the interviews. But 90 percentage of the people agreed on the facilities like sanitation, ventilation and a clean environment. The factories conduct fire drill to demonstrate how to deal with the fire accidents. There were respondents who said that, they have fire drills every month. It indicates that the management is cautious about the unexpected life threatening incidents like fire accidents. The role of Accord and Alliance in achieving the present condition of infrastructure facilities are significant. Bangladesh has the highest number of green factories which constitute 67 according to 2018 statistics and 300 other factories are in the process to get the LEED certificate. The birth of private agencies which do sample inspections as the government agencies, is a new phenomenon in the apparel sector, but which fasten the growth of better infrastructure facilities. The improvement in the infrastructure drags the factories into a necessary competition to get the orders from the international buyers especially when they evaluate the facilities in the working condition after the international campaigning. The agencies help the companies to attain a certain standard which is put forth by the government. Prior to the governmental inspection, the agencies conduct an investigation, grades the evaluation and demands the company to have proper facilities in the required areas.

### Structural Violence and the Woman Worker

Even though the rate of violence in the factories shows a decreased rate, it does not mean that no violence is happening in the industry. According to the structural violence theory the rate of violence happen in the present society in a more structured context. Many women face problems concerning the timing of the factory, salary management and decision making powers. A woman worker\* was completely unhappy when she said about the new male worker who was her counterpart who joined the industry a year ago. She said that he got promoted while she was in the same position for the last three years. The gender disparity ends up in an unequal distribution of wealth and creates a gender biased society. Lion share of the managerial posts in the factories are meant to male workers when the women worker constitutes 80 percentage of the workforce, is a contradictory fact. During the field trip it was evident that when the question of decision making was being raised, many women workers answered in a diplomatic way, that they were having the sole authority over their salary. But the answers to the questions concerning their freedom of

dressing, entertainment and decision in children's education was substantial to prove the male supremacy in their families. The way the women workers have been conditioned in their *male dominant family* rooted by the principles of Islam religion and *sharia* laws pull them back though they are self-sufficient independent women in terms of their economic status. The condition of women workers in the garment industries can be considered as the perfect example of structural violence.

### **Labour Act of 2006 and the Women Workers of RMG**

The study tends to believe that the labour act of 2006 is not fully successful in achieving its objectives. The amendments of 2013, 2015, 2018 were introduced to give more attention to the provisions which the law failed to acquire. It shows the restricted understanding of the government on the inhuman working conditions of the women workers. However, the effort of the government shows the new legal initiatives and provisions being stressed in the laws too. It is evident that to effectively ensure the welfare of the workers the government should implement the provisions among the workers. Unlike the developed countries the developing and underdeveloped countries fail to implement the laws to the masses due to the poor government mechanisms and corrupted government agencies. The Labour law fails in certain things but the legal frame of the country shows a growth in the graph. Unlike criticising it to the peak, the view should be considerate of the absence of the proper data on the workers who do subcontracting, and the improvement which happened in the activities of trade union should be notable.

### The Role of Labour Act as a Document on Paper is Successful but Has Faced a lot of Failures in the Implementation

Lethargically, the Labour Act of 2006 of Bangladesh, was a proper initiative to regulate the labour laws. Historically, the country shares certain common interest with India and Pakistan due to its shared past. But the Act 2006, has given a new dimension to the labour sector. It could address the basic question regarding the labour. The law was a success from categorizing the worker to giving maternity leave to the women worker. However, the act introduced in 2006, could not stop the industrial calamities witnessed by the sector. The industrial calamities shocked the entire country and exposed the failure of the act in its implementation. Tazreen fire accident and Rana Plaza building collapse have given international attention to the garment industries. Undoubtedly, there are interference from the political parties and leaders for their vested interests. When Prime

Minister Sheikh Hasina, assured her responsibilities in giving the better working conditions for the garment industries in future, her government was hastening the repression against the garment workers. When the workers from Ashulia protested, the BGMEA fired more than 3000 workers instead of helping the workers to get their jobs. Moreover, the government supported the factory management and arrested 14 local leaders. Like, any other Government in the third world countries, the agencies of the countries are corrupted which is why the major legal concerns do not reach the appropriate level. Many political leaders owning the garment factories in the country may pollute the regularities. The law gives provision for fair factory inspection which is not successful, studies say. A women worker opined during the field trip that she has not experienced a formal inspection in her two years of experience. The walls of the garment factories can say a number of corrupted stories of factory owners who have grown in the shadows of the government itself. A parliamentarian then, Mohammed Fazil Azim who is the Managing Director of the Azim group cherished, by gaining the advantage from governmental policies. It has always been suspicious that how did he grow immensely from one to many factories with more than 2600 thousand employers with \$200 million turnover per year. Many parliamentarians were accused for having garment industries on their broker's name, and were not taken in serious consideration. Scrutinizing the criticism on the labour act of 2006 always ends up with the unholy alliance of the government with the nexus of factory owners.

#### Improvement in the Condition of Trade Unions

Bangladesh had a bad history of prohibition of trade union registration and activities through the constitution which is a black mark from the labour rights' perspective of the country. Until the labour act of 2006, there was no proper role of trade unions in the country. However, after the introduction of new laws, there are a number of trade unions now registered and working for the labour rights. Since, the trade unions have a role after restoring the full-fledged activities of trade unions, the situation started changing. But still the sector will take time to find a base. Hundreds of cases have been reported on the discrimination which have not been given proper legal considerations. The human rights associations and self-help groups are collectively working with the trade unions. The groups runs certain agencies to strengthen the women workers to launch petitions in the case of exploitations. More than 700 trade unions were officially registered up to June 2007, which is even after the introduction of labour act of 2006, in garment industries

(Faruque 2009). The 2013 amendment of BLA 2006 gives the right to any citizen who can file a petition against the factory management on the grounds of any anti-union activities under the Unfair Labour Practices (ULPs). From 2013 to 2016, 93 complaints have reached the authorised body - Department of Labour under the UPL, in which criminal cases were also involved. Around 80 cases were settled according to the 2017 statistics of ILO and 13 under process (ILO 2017). At present though the government favours the protests and strikes, but the workers on the road being beaten up by the police forces creates dilemma. The present workers' strike has been brutally, handled exposes the anti-labour approach of the government and the complete failure of ULP benefits of the government.

#### The Statistics from the Informal Garment Sector is not Precise and Official

Although the research mainly opted the formal data for analyzing the working environment in Dhaka, the insufficient and inaccurate data base of the informal clothing work and business affect the general policy level implementation. The incomplete understanding of the government gives an adverse effect when they launch a policy to help the worker is a fact. Statistics says that the number of garment industries are more than 5000 formal industries. But the firms associated with their homely premises follow the subcontracting orders openly violate the labour rights. When the foreign investors give bulk orders to the companies, they may subcontract it which paves for the emergence of the informal industries. Studies say that there are even seasonal factories which comes up during the winters. The local sweatshirt shops are an example for it. To access those informal factories were difficult. Being a foreigner, the factory management had a suspicious eye on the researcher. To visit the informal garment industry and analyse the situation was the only way to read it. But as already pointed out. it was not easy to make a visit to an informal garment industry. The lack of government statistics on the informal sector defeats the governmental intervention to develop the labour rights awareness. The seasonal factories disappear immediately after the order. A young woman worker who is a migrant\* said that *there is no sign of labour regularities such as appointment letter, wage on time, trade union intervention etc. There were even incidents of physical violence and verbal abuse if the worker does not meet target.* But, the primary investigation proves that the company is no more. Based on the response of a women worker the researcher went to see the building where it was mentioned by the worker. Later, it was clear that the company was a seasonal outlet which got dispersed immediately after they produced

the target. It was the company which had the most vulnerable labour situation according to the trip response. And there was a confusion in regard to the name of the factory as well. One worker who worked there last time mentioned a name which was not known for the previous worker and apparently she was also talking about the same company, but in a different season.

## **Suggestions and Recommendations**

### Online Compliant System

The online compliant system is a good option for the woman worker because they can hide the identity or even if they reveal the identity the compliant would directly reach the officials. Due to the time consuming nature of the complaint system, the woman worker may not go for legal help in most of the times. There were many cases reported that the worker lost their job because they talked against the management. The job insecurity threatens the women workers to maintain silence at the peak of exploitation. While a number of countries have launched online compliant system in many other industries, the world's second apparel sector limping is unfortunate.

### Strict Appointment Letter

Absence of appointment letter in the factories are considered as visible rights' violation. An appointment letter is a direct assurance for the worker. It is the responsibility of the factory to maintain a decorum with the worker, by giving an appointment letter with the stamp of the factories. It is unfortunate that not even one respondent has seen an appointment letter before. But the factory management pretend that they have given the letter. The appointment letter maintains a legal sanctity and assured job. The fear of job loss creates all the problems.

### Compulsory Inspection by Government Officials

Vulnerability may give birth to uncertainty. A proper inspection is required in the industry as it is populated congested and vulnerable. Officials have to complete regular inspection per the law, but in fact most of the factories are polluted with irregular inspection. The involvement of political influence can be attributed to the absence of legal inspection. Considering the nature of the factory the inspection is mandatory for the smooth functioning. The inspection from government may increase better working conditions which result in better production. A proper inspection followed by a fair report can contribute to the policy making on the industry.

### Proper Regulation for Working Hours and Pay

The unfair working hours have to be regulated through appropriate government interference. Apparently, the women workers doing overtime work is normal in the industry. The workers get additional pay at the time of overtime but it seems that the women workers do not get proper sleep and rest due to the hectic work schedule. The fact that the women workers have to cook from a common kitchen in most of the cases reduces the possibility of her sleep, and it will adversely affect the health conditions of a woman worker.

### Improvement in Workers' Facilities: Living Conditions

Transport: Women worker uses public transport or by walk to reach the factory from home. Within the limited amount of salary, the transportation creates an additional expense. The workers get easily tired by the hectic walk from home and it may affect their productivity. The factory owners have to make an arrangement for the women workers' transportation.

Housing: The housing facilities of the women workers keep a low profile even in Dhaka. The workers live in an area which is similar to slums. It shows the apathy of the system towards the workers. The worker says there are electricity, water facilities and a common kitchen. The workers have to wait for their turn to cook in the kitchen. The world's second largest apparel sector has to be treated in a more decent way.

Health and sanitation: The health and sanitation facilities of the factories are improved but even now they don't have a sanitary napkin vending machine. Considering the fact that the 80 percentage of the total workers are women workers points out that the need of sanitary napkins is primary.

### Provision for Legal Fight

The most important reason for the ongoing exploitation in the apparel sector is the legal ignorance. The women workers do not get proper legal advices most of the times. But the condition is getting better now a days and it is visible in the increased number of registered cases. Like the self-help groups, the government also take better initiative to make legal awareness. An understanding of legal provisions may give better confidence to the women workers.

### Facilities for Educating the Women Workers



Rather than self-help groups or non-governmental associations taking care of educating the women worker, the government has to educate them through policies and other facilities. For certain women workers the facilities provided by the trade unions and self-help groups are not accessible due to the social background they come from. If it is a government initiative it would be more authentic.

#### A place for Breastfeeding

An industry with 80 percentage of the women workers should have proper place for breast feeding. A few factories which has the place for feeding, but it is not proper. The feeding space is covered by a saree (piece of cloth), nothing else. It is clear that the feeding room is not in the priority list of the factory. The factory does not want any other burden to be taken. But for the worker who has a child with three years or less has to feed it properly. Proper arrangement for the women worker has to be arranged by the factory management.

#### Medical Room should be Modified

Rules talking for the better medicinal facilities in every factory are mandatory. But the field trip responses show it is not followed by every factory. The medical rooms should have the availability of the doctors because the field trip data says that there are women workers who suffer from asthma, back pain and small injuries in the workplace which need medical attention.

#### Gaining Confidence through Art and Culture

During the field trip the women workers were singing after working time. The researcher personally sang with them and they expressed more and cooperated after the song session. It means that the art and cultural performance may help the women workers to open up and gain confidence.

#### Regulation and Restrictions for Seasonal Outlets

Many field trip respondents say that the seasonal outlets are the hub of exploitation. Generally, these kinds of outlets do not follow the proper rules initiated by government. The rate of exploitation happening in these outlets are high due to the subcontracting. The international buyers place their order to a buying house and they give that order to factories. If the factories are overloaded with the work, they give the work to the local people. Hence, the local producers have to meet the order, they get a temporary set up and work. When the researcher started searching for

a seasonal outlet because of the range of problems happening there including physical violence, he could not find any as it disappeared after it was met the requirements of the companies. There is no proper information about the outlet too.

#### Counselling System should be Lounged for the Mental Health of the Workers

The women workers in the factories face a lot of mental pressure due to hectic work schedule, financial instability and family responsibilities. There were feedbacks during the field trip which were indicative of the fact that women face mental illness like depression due to their temperament in the work place. Initiatives for good doctors in the medical rooms or health centre exists but the researcher could not find any proper psychiatrists in the factories.

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## APENDIX 1

### Multi Fiber Agreement

Up to the end of the Uruguay Round, textile and clothing quotas were negotiated bilaterally and governed by the rules of the Multifibre Arrangement (MFA). This provided for the application of selective quantitative restrictions when surges in imports of particular products caused, or threatened to cause, serious damage to the industry of the importing country. The Multifibre Arrangement was a major departure from the basic GATT rules and particularly the principle of non-discrimination. On 1 January 1995 it was replaced by the WTO Agreement on Textiles and Clothing which sets out a transitional process for the ultimate removal of these quota. The MFA stepped quota phase -out scheduled for 1995, 1998, 2002 and 2005.

### Quotas in four phases

Stage	Date of implementation	Percentage of products to be integrated with GATT rules.	Increase in post MFA quota growth
1	1 January 1995- 31 Dec 1997	16% minimum using 1990 importing base	16 % (i.e from 5 % to 5.8 percentage)
2	1 January 1998- 31 Dec 2001	17 % minimum	25% (i.e from 5.8 % to 7.2 percentage)
3	1 January 2002- 31 Dec 2004	18 % minimum	27% (i.e from 7.2 % to 9.21)
4	1 January 2005- Full integration into GATT(Final elimination of quotas termination of ATC)	49% minimum	n/a full intesgration

## APPENDIX II

### Details report on the respondents during e field trip - July 2018, Dhaka.

According to the ethics of the research, which was already mention in Chapter no :1, the name shall be avoided from the response so that their job would be safe. There are incidents happened during the interviews in the factories. It is very hard to convince the people to talk in the factory premises. I have faced difficulties in entering the factories, once the people are ready to talk it is simply means that the response would be influential and manipulated. 20 respondent are mention below. The same questions have asked to every women worker with the help of a translator.

#### QUESTIONNAIRE:

Name:

Age:

Education:

Religion:

Hometown :

Factory:

For how many years have you been working?:

What was the job undertaken before you joined the garment sector? :

#### **Working Condition:**

1. Mention the working hours/ shift.

.....

2. What kind of work do you do in the workplace?

.....

3. Do you get paid on monthly basis or daily basis? Mention the amount in the respective option.

Monthly:

Daily:

4. How do the managers behave?

.....

5. Do you face any kind of abuse from the authorities? If so, put the tick mark against the respective option.

.....

Physical:

Verbal:

Mental:

6. What kind of safety measures are available in your work place? Put a tick mark against the respective option.

Building safety:

Electricity:

Fire:

Ventillation:

7. Is there any kind of sexual violence at your workplace?

.....

8. Do you need to work over time? If so, how often?

.....  
9. Do you get any kind of allowances at your workplace? If so, mention them.

.....  
10. Mention the holidays given by your company in a year?

.....  
11. Can you avail maternity leave in your company? If so, mention the duration.

.....  
12. Number of doors, exit in the factory

.....  
13. Did you get any appointment letter when joining the factories.

.....  
14. Any diseases after joining the factory

**Personal Details**

1. How many members are there in your family? Mention them.

.....  
.....  
2. Where is your locality?

.....  
.....  
3. Which means of transport do you choose for work?



4. Are water facilities available? Mention them.

.....  
.....

5. Is electricity available?

.....  
.....

6. Is telephone facility available?

.....  
.....

7. Who is the decision maker at home?

.....  
.....

- **women worker 1**

36 years

SSC

Muslim

Faridpur

EID garments

Question 1: 8 hours

Question 2: Quality check

Question 3: 6000

Question 4: Satisfactory

Question 5: Physical abuse

Question 6: Building safety is there. Generator. Fire training. but no verification less ventilation.

Question 7: No sexual abuse

Question 8: Sometime but extra payment.

Question 9: No

Question10: Monthly 4 holy day and Friday is the regular holy day.

Question11: 4 months , 8 weeks before and 8 weeks after.

Question 12: White paper with sign no appointment letter

**Personal details.**

Question 13: 3 members

Question 14: Bananni

Question 15 : 30 minutes walk

Question 16: water electricity telephone

Question 17: Husband is the decision maker.

• **Women worker 2**

23 years  
 SSC education  
 Netrakona  
 Kanees garments  
 Mohatkhal  
 4 years.

Question 1:	8 hours
Question 2:	Quality checking
Question 3:	Monthly 7264
Question 4:	Good
Question 5:	No abuse
Question 6:	safety is good with an a/c
Question 7:	No
Question 8:	Overtime monthly 15 days extra paid 42/hour
Question 9:	No
Question 10:	Friday
Question 11:	4 months 8 weeks before and 8 week after
Question 12:	No need of appointment letter , white paper is fine

**Personal Details**

Question 13:	Husband
Question 14:	Niketan
Question 15:	10 minutes from the home.
Question 16:	Good facilities
Question 17:	Mutual decision.

• **Women worker 3**

Fourty years  
 No education  
 Muslim  
 Gain bandha  
 SKR  
 Nabis 20  
 4 years

Question 1:	8 hours sometime 10 to 12 hours sometime 15 to 20
Question 2:	Helper
Question 3:	4000 no grade
Question 4:	No
Question 5:	physical mental verbal
Question 6:	Good safety measures
Question 7:	No, but tries to harass
Question 8:	Overtime 2 to 3 hours for 15 to 20 days in a month
Question 9:	No
Question 10:	Friday
Question 11:	.No, New garments so they don't follow the instructions.
Question 12:	No appointment letter.

**Personal details**

Question 13:	4 members
Question 14:	Nakhal pura
Question 15:	Ten minute by walk
Question 16:	OK
Question 17:	She is the decision maker

• **Women Worker 4**

Fourty Years

Muslim

Hometown

Eid garments

28 years

Question 1:	8 hour
Question 2:	Finishing
Question 3:	6300
Question 4:	Is good
Question 5:	Mental physical verbal
Question 6:	Good bad in older time
Question 7:	Was there
Question 8:	Overtime was there
Question 9:	No
Question 10:	Friday and Eid holyday
Question 11:	4 months.

Personal Details.

**In Nishat's book there is one more interview that is interview no: 4 in fact this is 5.**

- **Women Worker 5.**

60 years old

Muslim

Jessoire Jhinaidha

Armema fashions

Question 1: 10 to 11 hours

Question 2: Sewing now when started it was packaging 1990

- Question 3: 7150 as she is sick now her payment is lower than other operator
- Question 4: Managers behavior was not good
- Question 5: verbal and physical abusing galies are mentioned there. 2010
- Question 6: Fire training monthly two times infrastructure facilities are ok
- Question 7: ya before 2010 but not now
- Question 8: Overtime 2 to 3 hours but paid.
- Question 9: no allowance
- Question 10: Friday and eid holydays
- Question 11: Before Rana Plaza incident there were no maternity leave usually the pregnant women used to get sacked from the firm. but now it is 4 months leave and money.

### **Personal details**

- Question 12: With her brother
- Question 13: Dolakhinpora
- Question 14: Walks 10 to 15 minutes
- Question 15: ok
- Question 16: ok
- Question 6: ok but not before 2007 nothing was properly available from the above mentioned.
- Question 7: decision maker
- They don't know the government happens or not.

- **Women worker 6.**

45 years

no education Muslim

Shariatapur

Kaniz fashion 1981

Question 1: generally 8 to 5

Question 2: sewing 4th grade

Question 3: 7731 per month

Question 4: satisfied from 19814.

Question 5: ok

Question 6: everything is ok

Question 7: ok

Question 8: yes but paid 42 taka per hour

Question 9: no allowances

Question 10: Friday

Question 11: 4 months . before 2010 it was not there.

**Personal details.**

Question 12: 6 members

Question 13: Uttar bodda

Question 14: . walks and bus

Question 15: .no supply tube well

Question 16: ok  
Question 17: .ok  
Question 18 : has the right to speak in the family

- **Women worker 7.**

40 years

SSC

Muslim

Mahakhali

MWE

has been working for 15 years

1st job

Question 1: 8-10 hours

Question 2: quality inspector

Question 3: 8420

Question 4.: managers behavior was not ok

Question 5. old time-physical abusement through some clothes

Question 6. ok

ok

ok

ceiling was coming down in 2012

Question 7: sexually abused

Question 8: overtime - not much recognized early

double amount now

Question 9: eid bonus

Question 10: Fridays and Govt. holidays and 14 days is medical leave\

1 day in a week is an optional leave

Question 11: 4 months.

Personal Details



Question 12: 4 people  
 Question 13: . Shahinbag  
 Came here for work  
 Question 14: walks 15-20 minutes  
 Question 15: facilities are there  
 Question 16: recharge electricity  
 Question 17 : major decision maker

there was no appointment letter  
 severe backpain

**Women Worker 8:**

37 years  
 8 grade  
 muslim  
 Mahakhali, Rasulbag  
 Crystal Apparance

12-13 years  
 1st job

Question 1: 8 hours  
 Question 2: Machine operator  
 Question 3: 7800  
 Question 4: bad behavior  
 Question 5: beaten up  
 gives gali like prostitute, slut (2006-2010)  
 Question 6: safety measures are good. inspection happens  
 Question 7: sexual abuse was here.  
 faces unnecessary body touch.  
 Question 8: double pay for over time  
 Question 9: eid bonus  
 Question 10: Friday and other holidays

Question 11: 4 months. earlier it was not recognized.

**Personal Details:**

Question 12: 4 members  
Question 13: . Rongpur, came here for work  
Question 14: Walks or bus  
Question 15: . Facilities are there  
Question 16: Husband.

**Woman worker 9:**

30 Years

Class 8

Muslim

Mahakhali Dokhkhinbag

Crystal Apparance

8-10 Years

1st job

Question 1: 8 hours

Question 2: Operator

Question 3: 7900

Question 4: No bad behavior

Question 5: No

Question 6: Safety check up by NGOs and Army people

Question 7: no sexual abuse

Question 8: Rate is the same

Question 9: Eid bonus

Question 10: Friday and other governmental holydays

Question 11: 4 months

personal details have to be filled , and special mentioning about the appointment letter.

**Personal Details.**

Question 12: 4 members  
Question 13: North Bangladesh  
Question 14: 15 minutes walk  
Question 15: Facilities  
Question 16: Husband

**Women**

**worker**

**10**

20 years

JSC

Muslim

Nakhalbara

SF Denim

1 year

first job

Question 1: 8 hours  
Question 2: Helper  
Question 3: 5500  
Question 4: no bad behavior  
Question 5: NO  
Question 6: Safety measures  
Question 7: No  
Question 8: Double  
Question 9: Eid bonus  
Question 10: Friday and governmental holyday  
Question 11: 4 months.

**Personal Details**

Question 12 : 4

Question 13: Neighbour family  
Question 14 : Rangpur  
Question 15 : Walks  
Question 16 : Facilities  
Question 17 : Decision maker

- **Women worker 11**

20 years  
4 grade of education  
Muslim  
Tejgaon CMP  
Kaniz  
5 years

Question 1: 8 to 10  
Question 2: Machine Operator  
Question 3: 6831  
Question 4: allowance  
Question 5: Bad behavior son of a bitch, slut, why aren't you working?  
Question 6: Safety is there.  
Question 7: No  
Question 8: Double payment for overtime.  
Question 9: eid bonus  
Question 10: Friday and governmental holyday  
Question 11: maternity leave 4 months .

**Personal details**

Question 12:.2  
Question 13: Sherpur  
Question 14: walk  
Question 15 : ok

Question 16 : she is the decision maker.

**Woman Worker 12**

30 Years

Class 3

Purnima Garments

Question 1: 8 am to 8 pm

Question 2: cutting the thread

Question 3: 1663 to 2500 (2007-2008)

Question 4: good

Question 5: abuse

Question 6: ok

**Woman Worker 12**

18 years

Class 2

Muslim

Narayangonj

Crystal Apparance

Question 1: 8 hours

Question 2: Machine Operator

Question 3: 6600

Question 4 : But salary withholds for 2 months

Question 5 : managers behavior is so bad

Question 6: physically abused

intentionally touches to the younger girls

Motherchod, bainchod, khanki Magi

- Question 7: ok  
ok  
ok
- Question 8: yes
- Question 9: overtime - no payment
- Question 10: eid bonus
- Question 11: Friday
- Question 12: 4 months

Personal Details

- Question 13: 5
- Question 14: Shahinbag
- Question 15: walk
- Question 16: ok  
ok  
ok
- Question 17: lives with sister. not the decision maker.

**Woman Worker 13:**

20 years.  
Muslim  
No education  
Crystal Apparance  
2 years

No job before

- Question 1: 8 hours  
Question 2: Machine Operator  
Question 3: 6600  
Question 4 : But salary withholds for 2 months  
Question 5 : managers behavior is so bad  
Question 6: physically abused  
intentionally touches to the younger girls  
Motherchod, bainchod, khanki Magi  
Question 7: ok  
ok  
ok  
Question 8: yes  
Question 9: overtime - no payment  
Question 10: eid bonus  
Question 11: Friday

Personal details:

- Question 12 : lives alone  
Question 13: Shattala  
Question 14: walking distance: 20 minutes  
Question 15 : everything is available. ok  
ok  
ok  
Question 16 : she is the decision maker.

**Woman Worker 14:**

45 Years  
No education

Muslim

Faridpur

Eid Garments

she has been working in the garment sector since 1992. No job before.

Question 1: 8 hours.

Question 2: Folding and Finishing.

Question 3: 6500 tk (150 tk less than other garments)

Question 4: good

Question 5: no

Question 6: yes

Question 7: no

Question 8: not now

Question 9: no allowance

Question 10: Friday and governmental holidays

Question 11: 4 months

Personal details:

**Woman Worker 15:**

18 years.

no education

muslim

Netrokona

Crystal Apparel

Question 1: 8 hours.

Question 2: Folding and Finishing.

Question 3: 6500 tk (150 tk less than other garments)

Question 4: good

Question 5: no

Question 6: yes

Question 7: no



Question 8: not now  
Question 9: no allowance  
Question 10: Friday and governmental holidays  
Question 11: 4 months

from question no 1 to 11 the same details like women worker 11 and 12, so tactically make it

Personal details are in the book .

## **APENDIX III**

### **Photos**

Photos have been attached on the women worker and the working condition of the women worker are from the field trip of the Author .The field trip date is on July 2018, Dhaka .

## **APPENDIX IV**

### **Bangladesh Labour 2006**

#### Article 2: Subsection - 65.

‘worker’ means any person including an apprentice employed in any establishment or industry, either directly or through a contractor, to do any skilled, unskilled, manual, technical, trade promotional or clerical work for hire or reward, whether the terms of employment be expressed or implied, but does not include a person employed mainly in a managerial or administrative capacity.

#### Article 22

Discharge from service : (i) A worker may be discharged from service for reasons of physical or mental incapacity or continued ill-health certified by a registered medical practitioner. (2) If a worker who has completed not less than one year of continuous service is so discharged, he shall be paid by the employer compensation at the rate.

#### Article 29

Payment of provident Fund : No worker, who is a member of any provident Fund, shall be deprived due to retrenchment, dismissal, removal, discharge or termination of service of the benefit of the provident Fund including the employer’s contribution thereto, if he is entitled to it under the rules of that Fund.

#### Article 45

Employment of women worker prohibited during certain period : (1) No employer shall knowingly employ a woman in his establishment during the eight weeks immediately following the day of her delivery. (2) No woman shall work in any establishment during the eight weeks immediately following the day of her delivery. (3) No employer shall employ any woman for doing any work which is of an arduous nature or which involves long hours of standing or which is likely to adversely affect her health; if he has reason to believe or if she has informed him that she is likely to be delivered of a child within ten weeks; she has to the knowledge of the employer been delivered of a child within the preceding ten weeks: Provided that in case of tea plantation worker, a woman worker can undertake light work if and for so long as the medical practitioner of the concerned tea estate certifies that she is physically fit to do so ; and, for the days that she does such work, she shall be paid at the prevailing rate of pay for such work, and such pay shall be paid to her in addition to the maternity benefit which she may be entitled to receive under existing this Act.

## **APPENDIX V**

### **Bangladesh labour Act 2006 Amendment 2013.**

#### Replacing Article 19 of Act no 42, 2006 by Article 10.

Compensation due to Death.- If a worker dies while in service after a continuous service of not less than two years, his nominee or in the absence of any nominee, his dependent shall be paid a by the employer a compensation at the rate of thirty days' wages for a normal death and of forty five days for an accidental death while working in the establishment or on duty for every completed year of service or for any part thereof in excess of six months, or gratuity whichever is higher, and the amount will be in addition to any other benefit to which the deceased worker would have been entitled to had he retired from the service.

#### Article 11 Amendment to section 23 of Act no 42: Bangladesh Labour Act of 2006

In Section 23 of the said Act- (a) Sub-Section (3) shall be replaced by the following Sub-Section (3), e.g.:- “(3) A worker who is dismissed under sub-section (2)(a) shall, if his continuous service is not less than one year, be paid by the employer compensation at the rate of 15 days wages for every completed year of service: Provided that if a worker is dismissed for a misconduct under sub-section (4)(b) and (g), no compensation is applicable. However, in such a case, the worker concerned shall be entitled to receive other dues for which he is legally entitled;”. (b) In Sub-Section (4)- (i) Mentioned in Clause (b), after the word “theft,” and comma, “grabbing” and a comma shall be inserted; (ii) Clause (g) shall be replaced by a new Clause (g) as follows, e.g.:- “(g) Disorderly behavior in the establishment, fighting, setting fire or vandalism;”.