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Framework for Industrial Safety in Bangladesh: Institutional Issues

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1. Background

Industrial safety in Bangladesh is still in its nascent stage of development. Its overall framework and institutional preparedness, particularly related to Occupational Safety and Health (OSH), process, production and materials, workplace and building safety and environmental concerns, remain outside the core activities in most industrial sectors. In this case, Readymade Garments sector (RMG) set a good example by upgrading its standards and practices over the last seven years. Against this backdrop, a comprehensive framework of industrial safety covering all safety-related issues needs to be developed, which will be applied across all sectors, economic activities, and commercial establishments. This brief presents a framework of industrial safety for Bangladesh, particularly highlighting its institutional aspects. This framework could also assist the management of OSH at the time of emergencies such as COVID-19 and possible rights, duties and responsibilities of employers and workers in addressing those emergencies.

2. Framework for the Industrial Safety in Bangladesh

2.1 Benchmark Condition for the Industrial Safety

The industrial safety centralizes responsibilities for all safety-related issues, including inspections, complaints resolution, occupational safety and health and so on, which is grounded on principles of proper institutional setup and good governance. The strategy of factory inspections highlights upgrading the country's labour inspection system and implementation mechanism to internationally accepted standards and making the activities consistent with other national laws and rules. A credible and accountable industrial safety governance structure, by building on proven systems and practices, will require a number of institutions and capacities. A sound governance structure may include -

- (a) Sound business processes, policies and procedures to ensure a systematic approach for continuous monitoring of factory safety;

- (b) An integrated system that coordinates tasks of different regulatory authorities, but assigns responsibility for industrial safety to one agency;
- (c) A compliance protocol, enforced collectively through collaboration between multi-government departments and private industry;
- (d) Transparency of information and publicly available data on licensing and workplace safety status in factories and establishments;
- (e) Processes to ensure effective inspections and validation of licenses and permits before enterprises are allowed to operate;
- (f) Independent quality assurance mechanisms for monitoring the activities of private initiatives for safety monitoring; and
- (g) Long-term government commitment of financial and human resources for taking full ownership of safety monitoring of all industrial sectors.

2.2 Addressing Industrial Safety

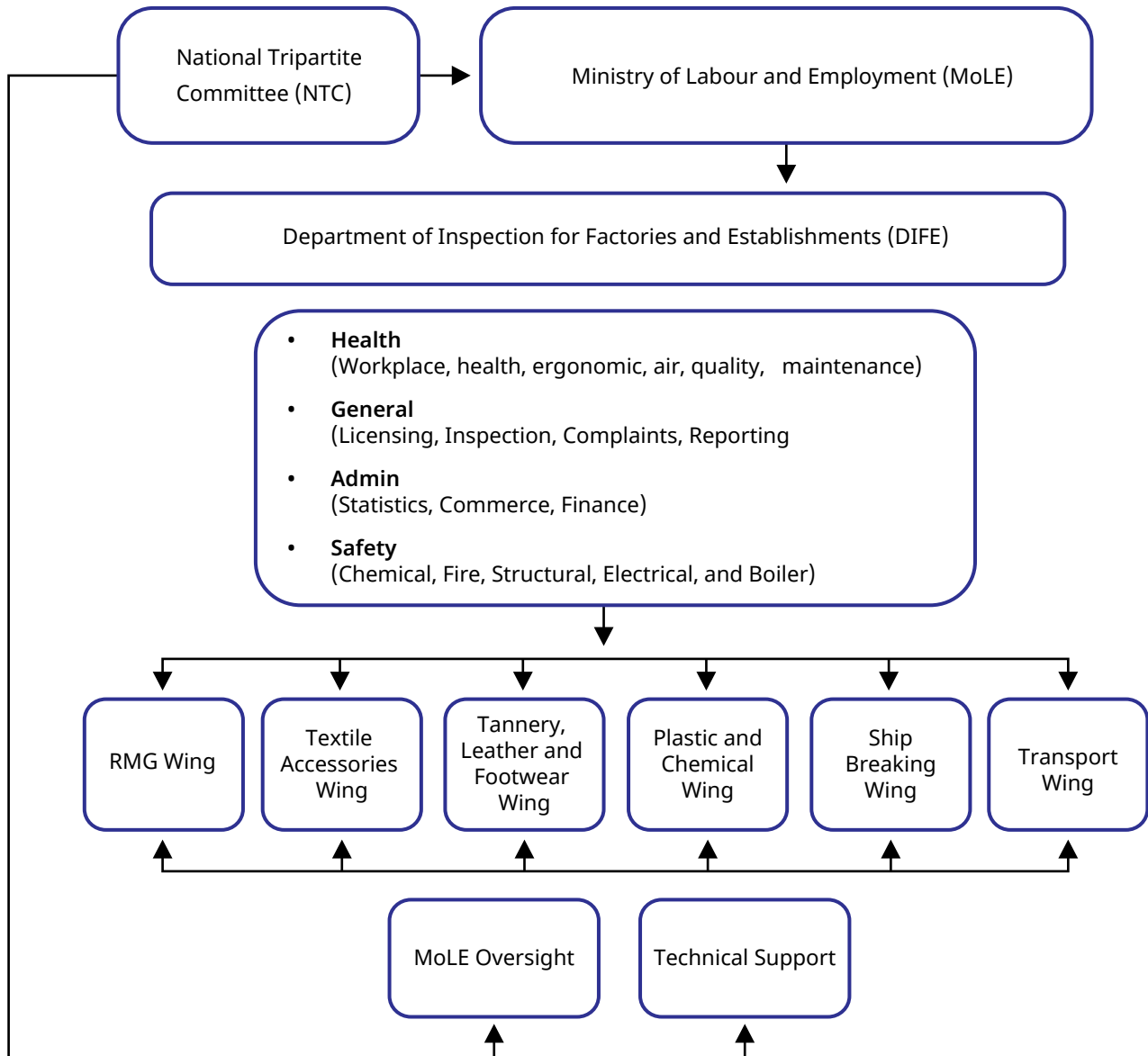
In Bangladesh, the Ministry of Labour and Employment (MoLE) is in the lead role in monitoring and enforcement of industrial safety related issues in all industrial sectors. Therefore, a broader expansion plan of the Department of Inspection for Factories and Establishments (DIFE) to cover all geographical areas and industrial sectors is needed.

In a proposed framework of industrial safety, a number of wings could be responsible for monitoring different sectors and economic activities and establishments. Selection of sectors and setting up related wings will depend on their importance in the economy in terms of production, export and employment as well as on their level of risks for workers. Some of the priority sectors/activities for monitoring and inspection could be –

- (a) RMG;
- (b) Textiles;
- (c) Accessories;
- (d) Plastics and other chemicals;
- (e) Tannery, leather and leather goods;
- (f) Construction;
- (g) Transport;
- (h) Ship-breaking sectors/activities.

The envisaged future framework of industrial safety is presented below (see in figure 1).

Figure 1. Proposed Framework for Industrial Safety



Source: Prepared by the authors

2.3 Monitoring and Enforcement through DIFE

The success of the DIFE will depend on the establishment of a credible inspection, monitoring and enforcement mechanism, which is transparent, accountable and effective. Ensuring proper monitoring and enforcement by DIFE would require reorganizing the existing organogram and scope of work and composition of the human resources of the DIFE, particularly its Safety Unit. As part of this process, an initial assessment will be required as to how many staff members in different positions are currently available and how many will be recruited for different sectoral wings of the unit.

The Safety Unit could be led by an Additional Inspector General (AIG). Each of the wings of the unit would be under the direct authority of a Joint Inspector General (JIG), who would be supported by two Deputy Inspector Generals (DIGs). The DIGs of each wing would coordinate two important activities – (a) to be in charge of inspections, monitoring and enforcement, and (b) to be in charge of operations of research and policy.

The National Tripartite Committee (NTC), which is in charge of overall coordination of safety-related activities in the RMG sector, needs to expand its operation, covering other sectors. The NTC is chaired by the Secretary, Ministry of Labour and Employment. Taking that as precedence, it could form separate sub-committees for different wings of the Safety Unit to supervise the activities of different sectors. Each of the sub-committees would be formed by members of different public agencies, including Bangladesh Fire Service and Civil Defence (FSCD), Rajdhani Unnayan Katripakha (RAJUK), the Department of Environment (DoE), and other offices. These committees could review the activities of each wing, particularly level of efficiency, transparency, accountability, and ability to enforce compliance-related rules, regulations, and codes.

The DIFE and other related agencies need to develop safety-related guidelines for different sectors based on national rules and regulations such as Bangladesh Labour Act 2018, Bangladesh Labour Rules 2015, revised Bangladesh National Building Code (BNBC), Bangladesh Fire service and Civil Defence Act, the Boiler Act 2020, the National Occupational Safety and Health Act, and the Bangladesh Standards and Testing Institute Act.

Each wing, under the direction of the DIFE Safety Unit, would use the existing tools such as the protocol for factory inspection, guidelines for fire, electrical and structural safety of buildings, standard operating procedures for follow up monitoring, enforcement of recommendations, and the escalation protocol. Besides, each wing may consider developing additional tools for industry-specific requirements. The proposed expansion of the Safety Unit needs to have adequate human resources in order to implement its activities efficiently and transparently.

3. Case Study: Workplace Safety in the RMG Sector

The workplace safety initiatives undertaken in the RMG sector since 2013 can be considered as a good case for developing the framework of industrial safety for Bangladesh. The NTPA was the primary document endorsed by tripartite constituents to make further improvements on industrial safety. The Sustainability Compact, signed between the government of Bangladesh, the European Union (EU), the United States of America (USA), Canada and the International Labour Organization (ILO), represented international interest in monitoring progress of the NTPA. Safety-related measures have been undertaken through the amendment of laws and rules, ensuring proper monitoring of safety-related compliances during 2013–2018. At present, remediation related activities are being undertaken by different public and private entities, including the Remediation Coordination Cell (RCC) under the DIFE and the private sector RMG Sustainability Council (RSC) under the joint initiative of Bangladesh Garment Manufacturers and Exporters Association (BGMEA), Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA), brand and labour representatives.

3.1 Remediation Coordination Cell (RCC)

The RCC was established in 2017 under the DIFE to monitor factory remediation for structural, fire, and electrical safety of a targeted 1549 exporting garment factories. Due to closures and transfers, a total of 645 active factories are currently being monitored for remediation by the RCC. A Core Body was established to meet regularly to ensure smooth operations and coordination among and between regulatory departments involved with the RCC. However, the Core Body is not functioning as envisioned.

The RCC has developed processes for reviewing the issues and progress of remediation related activities. To improve efficiencies, the the RCC has been reorganizing its activities by undertaking some measures including

- (a) Restructuring of RCC's design and report review team; and
- (b) Organizing seminar/workshops to encourage factory management and listed consulting firms to complete the remediation works.

3.2 RMG Sustainability Council (RSC)

The RSC initiated its activities in May 2020 with an aim to monitor safety in the garment industry. According to the ILO convention on labour inspection (CO81), 'labour inspection shall be placed under the supervision and control of a central authority'. Therefore, a clear line needs to be drawn, and proper provisions need to be included such that the sole monitoring and regulatory authority rests with the DIFE, while RSC has more of a facilitating role rather than acting as a national monitoring system.

4. Conclusion

Recent developments for safety and labour relations in the RMG sector provide a good template that can be scaled up to create a solid industrial safety framework to be applied across all sectors. This requires further institutional capacity building and a governance structure that can effectively monitor and enforce agreed safety standards across all sectors of industry. This would provide a sustainable approach to achieving safe and efficient workspaces, that would also bring great benefit to the wider economy.

Contact details:

International Labour Organization

Country Office for Bangladesh
Block-F, Plot 17/B&C
Sher-E-Bangla Nagar Administrative Zone, Agargaon, Dhaka
Bangladesh

T: +88 09 678 777 457
E: dhaka@ilo.org

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