

WE NEED A BETTER BANGLADESH

VIOLETIONS OF WORKERS'
RIGHTS IN THE READY-
MADE GARMENT,
SHIPBREAKING AND
LEATHER SECTORS

CLIMATE-FRIENDLY JOBS
WAGES
RIGHTS
SOCIAL PROTECTION
EQUALITY
INCLUSION

A New Social Contract



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Introduction

Labour rights are deteriorating in Bangladesh, despite government promises to commit to an International Labour Organization (ILO) road map for reform. While the last two years of the COVID-19 pandemic have been a period of crisis for workers, the pattern of abuse for workers' rights has been entrenched for years.

- **Bangladesh has been rated 5 – no guarantee of rights – for the past eight years.** It is one of the ten worst countries in the world for working people in 2021, according to the **ITUC Global Rights Index**.
- **Thirty-five thousand Bangladeshis die at work every year,** and eight million are injured.
- **Sexual violence is rife,** millions of workplaces are barely monitored by government labour inspectors, **and people are trapped in jobs with poverty wages.**

Repressive laws, obstacles to union formation, and brutal repression of strikes make Bangladesh one of the worst countries in the world for working people.

Workers attempting to form and join trade unions are regularly met with employer threats, physical violence and mass dismissals. Even where workers succeed in forming a union, registration can be arbitrarily denied by the authorities.

Between 2010 and 2021, more than 1,100 union registration applications were lodged with the authorities. The Department of Labour rejected 46% of them – an extraordinarily high rejection rate,

denying workers a voice and the right to form and join a union.

In 2018, the International Trade Union Confederation (ITUC) filed an International Labour Organization (ILO) Article 26 complaint against the government of Bangladesh calling for a commission of inquiry to investigate working conditions.

In response, the government of Bangladesh, in consultation with trade unions and employers, committed to adopting a time-bound road map towards addressing anti-union discrimination, unfair labour practices, violence against workers, and the need for better wages and social protection.

As the government of Bangladesh prepares to update the ILO Governing Body on the progress of reform, anti-union discrimination, wage discrimination and unsafe working conditions continue to be reported in three of the country's largest employment sectors – the ready-made garment, shipbreaking and leather (tannery) sectors.



Workers pulling the heavy parts of a ship at Keraniganj, Dhaka, Bangladesh.

The government of Bangladesh must immediately set up a transparent and effective monitoring mechanism for the implementation of the ILO road map and meaningfully consult with tripartite constituents on all the action points.

Good faith social dialogue must be the basis for upholding workers' rights and negotiating settlements to grievances.

Since the Rana Plaza tragedy of 2013, the government of Bangladesh has failed to implement commitments it has made to respect international labour standards and improve the working and living conditions of workers in Bangladesh. The government must take this seriously and must fully, completely and in a timely manner implement the ILO road map and the EU national action plan. Thirty-five thousand Bangladeshis die at work every year, and eight million are injured. Sexual violence is rife, millions of workplaces are barely monitored by government labour inspectors, and people are trapped in jobs with poverty wages. Interviews with workers in October and November 2021 from the ready-made garment, shipbreaking, and leather sectors show the systematic violation of rights exposing:

- unfair labour practices,
- anti-union discrimination,
- unsafe workplaces,
- violence against workers and
- non-payment of wages and benefits.

Workers do not have a safe complaints mechanism, and calling for grievances to be resolved often results in verbal and physical abuse from the employer and dismissal.

With a three-year wait for court justice, and half of unions blocked, time's up for the government of Bangladesh. Workers want a better Bangladesh, fair pay, to be safe at work, and a voice.



Credit: Maruf Hossain Rafi / Nurphoto via AFP

Garments workers of K Text Industrial Company Limited held a protest rally against worker harassment in their factory in Dhaka, Bangladesh.

Sharan Burrow
General Secretary
International Trade Union Confederation

The ITUC is calling on the government of Bangladesh to:

- 1. Improve job security:** Many workers lost their jobs during the pandemic or were moved from permanent contracts to short-term insecure contracts. Workers are dismissed for voicing their opinions and for joining the trade union and fired if they fall sick or get into an accident.
- 2. Uphold the right to freedom of association and collective bargaining:** Good faith bargaining, registration of trade unions without previous authorisation and genuine trade union representation are a critical part of a modern industrial relations system. These are lacking in Bangladesh.
- 3. Introduce a national minimum wage:** An evidence-based minimum wage should cover all sectors.
- 4. Make workplaces safe:** The number of workplace accidents continues to increase. Too little is being done to ensure employers are compliant with existing labour laws or government properly inspects workplaces.
- 5. Eliminate harassment, discrimination and abuse against women workers:** Women workers are critical for the economic development of Bangladesh. Failure to protect women at work will reduce female participation in the workforce and leave the Sustainable Development Goal (SDG) 5 and SDG 8 unobtainable.

1 Violations of workers' rights in the ready-made garment (RMG) sector

*Names of workers have been changed for their safety and protection.

The ready-made garment sector in Bangladesh is the highest export earning sector of the country, and it is the second-largest exporter of ready-made garments in the world after China. Despite significant growth of the industry and its being placed as a central actor in export earnings and employment, Bangladeshi garment workers work in unsafe conditions, and their rights are violated.

Violations of rights identified during interviews with workers include:

- violence and harassment,
- wages and benefits discrimination,
- unpaid overtime,
- denial of freedom of association,
- insecure work and
- exclusion of workers in export processing zones (EPZs) from the new labour law.

Key facts:

- There are five million workers in the ready-made garment sector.
- Sixty-one percent are female and 39% are male.
- Bangladesh has some of lowest wages among garment producer countries, despite increases to the minimum wage introduced in 2013 and 2018.

Case 1

Violence and harassment

Sector: Ready-made garment

Name: Biplob Hossain *

Age: 40

Four days after obtaining our union registration, eleven union members were blindfolded and kidnapped. I was one of them. The kidnappers told us to leave the area and made us sign a judicial stamped paper. We agreed, fearing for our lives, and asked them for four days to get our things together. Four of us were tied up and tortured for an entire night. We asked them why they were torturing us. They replied that the management of the factory had paid them to kidnap and torture us so that we would leave the area.

Back at work, our colleagues thought it was suspicious that eleven union members were all

absent at once. They called a strike and stopped working. Gradually, workers from neighbouring factories joined the strike. They demanded the union members be returned safely.

Later that day, we were dropped off about 100 yards away from the factory.



Case 2

Wages and benefits discrimination

Sector: Ready-made garment

Name: Shampa Begum *

Age: 27



In my pay slip, my monthly salary is recorded as 9,300 taka (US\$119). In reality, I receive 8,400 taka (US\$99) a month. The overtime rate is 80 taka (US\$0.50) per hour, and I work two hours extra every day. I am supposed to receive 1,200 taka

(US\$14) per month, but I barely received 10,000 taka (US\$11).

I always have to finish my target of 80-100 pieces in one hour, even if I have to work overtime. We are not allowed to leave the factory floor unless the entire line has completed 1,000 pieces – even if I have finished my own daily target. If there are any rejected pieces, I have to stay till late at night and repair them before leaving.

When I joined the factory, they promised to provide maternity benefits. However, when I asked for paid maternity leave during my pregnancy, I was threatened with being dismissed from work. When my maternity leave was denied, I informed the HR officer, but they told me that this factory does not provide any maternity benefits. We also don't have childcare facilities. During buyer audits, management shows a well-decorated room for childcare. But that was fake. There is no facility for childcare for the children of workers.

Case 3

Unpaid overtime

Sector: Ready-made garment

Name: Bilkis Begum *

Age: 28

Seven hundred to eight hundred people work in this factory, and we make garments for big buyers. We work for more than eight hours a day regularly. Our shifts are supposed to go from 8 a.m. to 5 p.m.. However, our shifts often extend till midnight. Two hours is the maximum overtime that they calculate, even if our overtime period is much more than that. The official rule is that each worker can do maximum overtime of two hours.

Generally, it is considered as overtime if we work after 5 p.m. We often have an immense amount of workload where the targets are 300 to 500 pieces per hour. If we fail to reach the target, then workers from the entire line must stay back. When there is extra workload, we often stay back for a few

hours after the end of our shifts to reach the given target, but that is not considered overtime. Despite increased workload and overtime, no one can voice their opinions on these issues.

When buyers come to visit the factory, union members are not allowed to speak about the discrimination we face. As management know, I am vocal regarding these issues. They do not let me be present during buyer visits and inspections.



Case 4

Excluded from the labour law – no right to protest

Sector: Ready-made garment

Name: Fazila Khatun *

Age: 24



The production manager sexually harasses young female workers, but to avoid further difficulty at work, we don't complain. Even if we drop written complaints in the complaints box, no actions are taken. If we try to complain and share our problems verbally, we are forced to leave our job.

I always have a fear of losing my job. If I go to the union office, they will immediately fire me. I have to keep working, even after facing so many challenges, because I have to provide for my family. I want to keep working here because other jobs will not give me a good salary.

We cannot protest within the EPZ because they shut the gates and spray hot water at us to disperse the crowd. Police vans always keep guard within the EPZ, and everyone is afraid of protesting or raising their voices.

Case 5

Denial of freedom of association

Sector: Ready-made garment

Name: Anisa Begum *

Age: 30



In 2017, the factory union was established, and I became an executive member. After we formed the union, management fired the union leaders or forced them to resign and declared a ban on trade union activities in the factory premises.

If anyone gets involved with the trade union, they are given the work of two people. They do not even

allow us to go to the washroom or take breaks for meals. They tell us that whoever is involved with the union will be laid off one by one. They claim that workers who are involved with the union are bad people and they verbally abuse us.

In June 2021, I was off work with COVID-19. When I finally went back to work, the manager called me to his office at the end of my shift. He asked me to take off my mask, and after recognising me, he started verbally abusing me. He said that the female workers are evil because they always work for unions. The next day he told me that I had been suspended and handed me a letter they forced me to sign.

During the pandemic, people who were absent for ten to fifteen days did not get fired from their job. I was suspended because I am part of the union. If I go back there, I will be abused and tortured. The factory does not pay us the minimum wage, and they do not even give us any maternity benefits or a service benefit to those who have been working there for more than fourteen years.

Case 6

Insecure work

Sector: Ready-made garment

Name: Mihir Halder *

Age: 40

Around 3,000 workers used to work in our factory in the export processing zone (EPZ), but the factory is currently closed. During the COVID-19 pandemic, the factory owner suddenly laid off all the workers in the factory. Our job is not even secure in the EPZ.

At first, the EPZ authority told us we would be paid up to six months' salary as compensation. Late on, the EPZ authority changed their minds and said they could not pay such a large amount of

compensation on behalf of the factory owner. In the end, the EPZ authority paid four months' basic salary. Despite the law, we did not get full payment of due salaries and benefits.



Workers' rights in the export processing zone

Comparing the Export Processing (EPZ) Zone Act with the Bangladesh Labour Law is similar to having two contradicting laws in one country regarding an issue. The labour law of Bangladesh considers various factors, such as conditions of employment and service, maternity benefit, health and hygiene, safety, welfare measures, working hours and leave, wage and payment, freedom of association, and participation in a trade union.

The EPZ Act includes the aspects above but conveniently deviates from the labour law regarding the right to trade unions and labour inspection. The EPZ Act states the workers can only be a part of workers' welfare association (WWA), where the workers may not be given the full scope of collective bargaining. It is strictly prohibited for the workers to organise any protest within the EPZ, and any protests are often met with violent retaliation from the EPZ authorities.

2 Violations of workers' rights in the shipbreaking sector

Shipbreaking is a dirty and dangerous occupation. Almost all vessels contain hazardous substances, such as asbestos; oil sludge; paints containing lead; other heavy metals like cadmium and arsenic; poisonous biocides; and even radioactive substances. On average, one worker dies and one worker is injured in the yards every week, according to the organisation End-of-Life Ships. Most of the workers come from the northern part of Bangladesh, where job opportunities are severely limited.

In February 2018, through a specific gazette on the shipbreaking sector, the government made it mandatory for shipbreaking yards to pay their workers the minimum wage of 16,000 taka (US\$190), including a four-grade payment system for semi-skilled and skilled workers. According to the government announcement, workers are entitled to a five-percent annual increment. Despite the government mandating the new wage scale, it has not been implemented.

The High Court in Bangladesh passed an order stating that shipbreaking companies cannot make the workers work at night; however, shipbreaking yards still force workers to do night shifts. Working during the night shift has become an open secret in the industry.

Yard owners have never given the opportunity to workers or their representatives to engage in social dialogue. Repression against union activists includes physical assaults, abduction and filing criminal cases against them.

Once, a single shipbreaking yard could have one union. But now that the labour law has been amended, all the yards in one geographic location must go under a single union. The procedure for a union registration only takes place in Dhaka; there are no facilities or scope for this in Chittagong. It has become difficult for the workers and leaders to go to Dhaka to obtain a new union registration.

In the shipbreaking industry, there is no formal contract between employer and employee. For that reason, workers are unable to enforce their rights with their employers. In the absence of an appointment letter or service book, it is also difficult to provide evidence of employment when workers apply for union registration.

Violations of rights identified during interviews with workers include:

- anti-union discrimination,
- unsafe working conditions,
- unpaid overtime and
- denial of minimum wage.

Key facts:

- With an area of more than 14 kilometres from Faujdharhat to Kumira at Sitakundo, Chittagong, Bangladesh, is the country's shipbreaking zone consisting of more than 150 shipbreaking yards along the coast, where 50-60 shipbreaking yards are always in operation.
- Thirty thousand workers and employees work in the shipbuilding yards. Two hundred fifty thousand people are directly and indirectly dependent on this trade for livelihood.
- The age range of the workers is between 18 to 22 years old, and only 1.13% of workers are between 46-60 years old. According to data, more than 10% of the workforce is under 13, and 46% of the workers are illiterate, while 43.03% were able to attend primary school.
- In 2021, 16 ship-breakers (workers) died on the job, and more than 30 workers sustained critical injuries. As many as 66 ship-breakers lost their lives on the job in the last three and a half years, and 50 workers died between 2016 and 2018.

Case 1

Unsafe working conditions

Sector: Shipbreaking

Name: Prottoy Mojumder *

Age: 30



I have been working in the shipbreaking yard since I was 10 years old. I usually work the night shift from 8 p.m. to 8 a.m. There is no light, and the risks of accidents are more significant in the dark. The company does not take any initiative to provide better lighting for the night shift workers.

None of the workers, including me, have any overtime in this industry. We don't get breaks because we must always complete our targets

before the shift ends. In the middle of the night we are given a cup of tea and a piece of cake. But that is the only benefit we get.

I often feel like a slave. I don't have any document of appointment, nor do I have an ID card. We are not even allowed to keep cell phones at work. I do not know any other work, so I do not have any other options.

I risk my life every day.

We often face force to carry out hazardous tasks at night. When we pull structural pieces of the ship to the shore with the help of metal wires, the rule is that we must stand at least 100 yards away. The metal wires are often used to pull 500 tonnes even though the weight limit that the wire can pull is only 300 tonnes. In that case, the metal wire often breaks. When that happens, people too close to the wire will get injured. We only get personal protective equipment (PPE) when an auditor comes to inspect the yard and the rest of the workers without PPE are kept out of the auditor's sight.

These shipbreaking yards are like death traps.

Case 2

Unsafe working conditions

Sector: Shipbreaking

Name: Zulfikar Rahman *

Age: 27



At work I was assigned the task of carrying large sheets of steel. Usually, around eight workers take each of the steel sheets, but management only appointed four of us to complete the task. Three of

the other workers working with me were all new in the job, and we were struggling to carry the steel sheet. At one point, three of my co-workers could not bear the weight anymore and let go of the steel sheet. It slipped from my grip, falling on my leg, and three toes were severely injured. There were no doctors on site that day, so they told me that it was not a severe injury and helped bandage my foot. But within a week the pain was still getting worse.

A local man collected some money from friends and took me to the hospital, where I stayed 48 days. The doctors had to conduct an operation on my foot and amputated three of my toes. Later, as the infection had spread, the doctors amputated the remaining two toes and eventually my entire foot up till the ankle. I stayed in the hospital and had to beg for money to buy medicines. Now I beg on the street to survive.

Case 3

Denial of minimum wage

Sector: Shipbreaking

Name: Robiul Haque *

Age: 37

In this yard, management often fails to pay our wages on time. For example, we are supposed to receive our wages on the fifth day of every month. But often, we do not get our payments until the 10th or 15th day of the month. Initially, when I joined, my monthly salary was 6,000 taka (US\$71). Now I work 12 hours a day, and my monthly salary is 9,000 taka (US\$107). In the yard, they also maintain a false register book consisting of all the workers' wages, and this book is presented to inspectors and auditors to convince them that the wage rates comply with the labour law.

We are paid much less than what is written in the false register book. Management tells us that our

salary is 16,000 taka (US\$190) monthly if an auditor or inspector asks.

We are physically and mentally abused, but if anyone tries to speak about the labour law or even environmental laws, they are dismissed from their job.



Case 4

Unpaid overtime

Sector: Shipbreaking

Name: Shamim Ahmed *

Age: 27

I live with my mother and sister, but they do not know that I work in the shipyard, and they think I work in an ordinary office.

My hourly wage is 350 taka (US\$4.15), but the monthly salary only accounts for eight hours per day. I earn 10,500 taka (US\$124) monthly. However, I have to work 12 hours a day, but I do not get paid for the extra hours. Even though there are annual increments in salary worth 500 taka (US\$6) or 1,000 taka (US\$12), our monthly salary should be a minimum of 16,000 taka (US\$190) according to the law for new workers. More experienced workers like me are supposed to earn more.

We are in constant fear of losing our jobs. Higher paid workers get sacked first. In this industry, the workers are not given any prior notice before being dismissed. After a day's work, the employer can ask us not to come to work from the next day. We cannot fight or protest against them because they retaliate with violence, intimidation or dismissals.



3 Violations of workers' rights in the leather sector

The leather (tannery) industry in Bangladesh is one of the oldest manufacturing sectors. Workers at tanneries face severe health hazards by handling toxic chemicals and heavy machineries. Tanneries produce approximately a hundred metric tonnes of solid waste, consisting of salts, bones, leather shavings, and trimmings.

Incentivised by the government of Bangladesh, factories shifted to a new industrial park. Now workers must commute longer distances to keep their job and face increased costs for housing, transportation and food.

Many workers are still employed on a daily basis, with no benefits or allowances for their higher expenses. Most work without formal employment agreements, factory identity cards or provisions for leaves of absence. Women receive no maternity leave. Many workers lack personal protective equipment and operate tools and machinery without adequate safety measures.

While the relocation to the new industrial park improved the environmental impact of the sector, it created a chaotic situation regarding the availability of skilled workers and additional costs for reinstallation of factory machinery. Employers (factory owners) took this situation as an opportunity to retrench old workers and recruit new workers on a daily basis with lower wages and brought in sub-contractors to run the factory to avoid legal obligations of employment and incentives. Many long-standing permanent workers lost their jobs and were re-hired on daily contracts. One hundred thirty-five factories are in operation, and half of these are run by sub-contractors. Seventy percent of workers are employed daily with lower wages, while only 30% of workers remained in permanent in jobs.

Violations of rights identified during interviews with workers include:

- denial of minimum wage,
- insecure work,
- lack of compensation for workplace injuries,
- unsafe working conditions and
- anti-union discrimination and repression.

Key facts:

- Bangladesh leather exports account for ten percent of world demand.
- As a source of national export earnings for Bangladesh, leather is second only to ready-made garments.
- Ten percent of the workforce are women.
- Only permanent workers receive maternity benefits.
- Seventy percent of workers are employed daily without permanent contracts.

Case 1

Denial of minimum wage

Sector: Leather

Name: Prottasha Begum *

Age: 33

After moving to the new industrial park, the business has expanded, but the employer does not pay our salaries on time. Overtime pay is not given to permanent workers.

We used to get paid 2,000 taka (US\$24) monthly, but now for the same job, I get 1,200 taka (US\$14) per month.

Maternity leave is an offer to the permanent female workers, but in practice, whenever a female worker gets pregnant, she is fired.



Case 2

Unfair dismissal

Sector: Leather

Name: Swapan Mohammed *

Age: 40



I lost my job after working in the factory for twenty years.

I was absent for five days, and when I went back to the factory on the sixth day, I was informed that I had lost my job. My co-workers started a protest and stopped their work. Due to the protest, more than 25 of my co-workers were laid off without any reason.

I was an elected workers' representative of the factory, and I was punished for my union activities. The employer does not care about the law or rules and regulations. According to the owner, he only sacks workers who have been here for a long time and whose salaries have increased. The owner also does not like it when we go to the union office.

The police say that our protests were illegal, but the employer laying us off unfairly was not unlawful.

Case 3

Insecure work

Sector: Leather

Name: Zaman Hossain *

Age: 49

Factories that have a trade union have working shifts of eight hours. However, factories without trade unions have shifts up to 12 hours, and they do not pay for overtime. The employers often lay off workers who are interested in joining trade unions. Now many factories are outsourcing the work from third-party sub-contractors, where the workers are employed under the sub-contractors.

Seventy percent of the workers in this sector are not employed permanently, and they are often deprived of all sorts of benefits. The temporarily employed workers do not get leave on the weekly and government holidays due to their association

with the trade unions. Moreover, the wages of these temporarily employed workers are not fixed, and it can vary across factories.

The workers laid off during the pandemic got their jobs back, but they are no longer permanently employed.



Case 4

Unsafe working conditions

Sector: Leather

Name: Shopnil Chowdhury *

Age: 30



There are no safety training programs in this factory. Once I had an accident at work while loading wet leather into a vehicle and acid spilt over me. My skin was burned all over my lower body. I had to have a skin graft and was in hospital for a month. A co-worker was injured when acid got into his eyes, and seven days later, he died.

Even though a factory inspector comes to monitor the situation in the factory, the inspector does not talk to us workers. I have never seen the factory inspector.

Now I am considered a temporarily employed worker and my basic salary is 7,500 taka (US\$88) depending on how many days I can work. Since my accident, I have to buy my medicine, which costs around 1,000 taka (US\$12) every month. I also have to provide for my family, including my wife and son, who live in our village home.

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