A

Thesis Paper

on

Labor Law Implementation of RMG Sector in Bangladesh A Case Study in Dhaka Division.

Submitted by:

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Program: RMBA (Major in HRM)

Semester: FALL 2021

Submitted to:

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Submitted for the partial fulfillment of the degree of

Regular Master of Business Administration



Sonargaon University (SU)

Dhaka- 1215

Date of Submission: January 13, 2022

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Supervised by:

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Lecturer

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Letter of Transmittal

January 13, 2022

Md. Rasel Hawlader
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Subject: Submission of Thesis Paper.

Dear Sir,

It is my great pleasure to submit the Thesis Paper on **Labor Law Implementation of RMG Sector in Bangladesh: A Case Study in Dhaka Division**. I expect this Paper has been prepared as partial requirement for the completion of the RMBA Program. I have tried my level best to organize this Paper as per your instruction to make the Paper worthwhile. I hope that your acceptance and appreciation would surely inspire me. For any future explanations about the Paper, I will be gladly available to clarify the ins and outs. I would like request you to accept this Paper.

Sincerely,

_____

Abu Sadat Muhammad Tanveer
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Supervisor's Certification

This is to certify that Abu Sadat Muhammad Tanveer, ID: RMBA2003021010, Major on Human Resource Management, Sonargaon University (SU). He has completed this thesis Paper on "Labor Law Implementation of RMG sector in Bangladesh: A Case Study in Dhaka Division" under my supervision which the fulfillment of partial requirement for is obtaining RMBA Program. He has completed the paper by himself.

Abu Sadat Muhammad Tanveer bears a strong moral character and a very pleasing responsibility. It has indeed been a great working with him. I wish his all the success in his every step of life.

……

Md. Rasel Hawlader
Lecturer
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Student's Declaration

I do here by solemnly declare that the work presented in the thesis Paper has been carried out by me and has not previously submitted to any other University/ College/ Organization for any Academic qualification/ Certificate/ Diploma or Degree.

The work I have presented does not breach any existing copyright and no portion of this Paper copied from any work done earlier for a degree or otherwise.

I further undertake to indemnity the Department against any loss damage arising from breach of the foregoing obligation**.**

Sincerely,

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Abu Sadat Muhammad Tanveer
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CHAPTER: 1

Introduction

1.1 Background

The Readymade Garments (RMG) industry of Bangladesh has emerged as a competent garments producer in global garments business in recent times. This industry has successfully transformed Bangladesh into an export-oriented economy. Garments exports from Bangladesh began in the late 1970s. As a result of the Multi Fiber Agreement (MFA) and the huge quota allocated to Bangladesh in Dhaka in the 1980s, a completely new industry developed. The textile and apparel sector relies heavily on imports for its production inputs. I have completed a survey on the labors of the mentioned 02 Garments of Bangladesh (a brief summary of the selected garments are given in chapter: 3).The main purpose of the survey was to investigate about the impact of labor law practices in Readymade Garments (RMG) sector in Bangladesh This study show the basic practices and conditions of employment, the working hour, overtime and leave of worker, working environment, profit participation fund, welfare of the workers, compensation for injury by accident, maternity benefit and leave, provident fund and gratuity and security systems of these two (02) garments. Poor relationship between workers and supervisors is the main source of conflict. This study also finds that there is growing demand for work life balance among the workers of RMG sector.

In British –India industrialization paved its way during last part of eighteenth century. Workers condition of work environment was worst. That time the few labor laws existed in the sub – continent was not enough to protect the rights of the working people. Most of the labor laws we inherited form British-India and Pakistani period. First labor law came in the subcontinent was Worker's Compensation Act 1923. Worker's got their trade union rights after long struggle under the trade union Act 1926. At the time of Pakistan period two separate laws was there. Trade Union Act and Industrial Dispute Settlement Act, these two laws merge into Industrial Relation Ordinance, 1969; Major Labor Laws enacted in the year 1965, such as a Factories Act, Shops and Establishment Act, Employment of Labor (SO) Act. Later on, so many amendments made on labor laws. Moreover separate rules were enacted for better implementation on labor laws. Bangladesh government set up a separate Inspection Authority to supervise and monitor the implementation of labor laws.

Labor relation is the field that emphasizes skill managers and union leaders can use to minimize costly forms of conflict and seek win-win solutions with labor force. The decision for management involves whether the organization will work with unions or develop non-union operations. The decision is influenced by outside forces such as competition, public opinions etc. while there are several advantages of unionism to both the members and the employers, negative consequences on profitability and productivity have also been found by researcher. The best labor relation strategy is dependent on the tradeoffs between the positive and negative consequences and external legal environment. The readymade garments (RMG) industry of Bangladesh has contributed extensively to the export oriented growth of the country. With the two million workforces it employs directly and another one million in linkage industries, it supports the livelihood of some 10 million Bangladeshis; law regarding labor is not implemented properly.

The trade union movement is relatively weak in RMG industry of Bangladesh. This is partly owing to the multiplicity of trade unions and partly owing to the considerable intimidation imposed in practice, especially workers' fear of losing their jobs should they show any sign of union activity. The right of freedom of association and to collective bargaining at the workplace is not respected in the garments sector. While trade unions exist, they are ineffective in the application of their objectives. The leaders of the trade unions are corrupted, making it is impossible for the trade union leaders to do some welfare for the general labor. This is due to the fact that almost all the CBA leaders have an open secret understanding with the owners of the establishments, which lead them to the uninterrupted corruption and irregularity. The CBA leaders seldom see the interests of the labor. The monthly subscriptions given by the labor are not used for their welfare. It is just used for the personal purpose of the leaders of trade unions.

The restricted laws regarding union association right of workers, lack of proper grievance procedure and communication mechanism in the factories, increasing prices of essential goods, salaries well below than living wage levels and limited trade union action are some of the main reasons behind the growing worker unrest which threatens the industry. Violent uprisings have been a common sight over the last few years and they have seemed to become a part of the industry. The RMG sector in Bangladesh has been facing intermittent serious violence recently. It is belief of many that who are at the heart of the boom of the RMG sector that they have not been touched by the benefits of this growth. So they turn to violence, which is just a mere means to vent frustration.

Labor laws were born to create equal opportunities for all workers and employers to secure decent safety and security and productive work in conditions of freedom, equity, security and human dignity. In theory, the labor laws envisage a set of rights but in practice they work as shield for workers. These laws are the reflections of fair sharing of rights, duties and obligations between employers and workers. These laws also focus on international labor standards ensuring decent work for all. The Bangladesh Labor Act (BLA), 2006 in the country seeks, *inter alia*, to protect and promote rights of the workers. Although legal provisions exist to uphold the fundamental principles and to protect rights at work, their implementation and enforcement remain a daunting challenge. This study explores whether and to what extent the security and safety net of workers are covered under the legal framework in Bangladesh specifically in the Bangladesh Labor Act, 2006 in conformity with international standard.1 It will also drill out the discrepancies and pitfalls of the law reflecting the availability of acceptable standards including security and safety net, rather than engaging to find out the outcome of how the trade-off between the conflicting interests of workers and employers. This sector has a greater potential than that of any other sector in terms of employment and foreign exchange earnings to reduce poverty and make a contribution to the national economy. Even though, security and safety standards of workers in this sector are not up to the mark.

1.2 Objectives of the Study

1.2.1 Major Objective:

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

1.2.2 Specific Objectives:

- ✓ To study the basic practices and conditions of employment.
- ✓ To understand the working hour, overtime and leave of worker as per labor law 2006.
- ✓ To understand the organizations wage practices.
- ✓ To identify the health and hygiene measures taken by organizations.
- ✓ To understand the current practice of the safety and security of the respective organizations.
- ✓ To understand the steps taken by the organization for the welfare of the workers.
- ✓ To know if there any provision about the compensation for injury by accident.

- ✓ To understand the provisions taken by the management for maternity benefit and leave as per labor law 2006.
- ✓ To understand the situation of the introduction of provident fund in the organizations.
- ✓ To provide suggestions about labor laws practices in the organizations.

1.3 Scope of the Study

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

Doing this research report on a well-known company like the mentioned Garments (Table: Brief summary of the selected garments) of Bangladesh will be a privilege for me. This may give me the scope to match my theoretical knowledge with the practical one.

1.4 Methodology of the Study

This section presents an overview of the methods to be used in the study. Areas covered include the research design, population, sample and sampling techniques, data collection and analysis.

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

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

These questionnaires are designed in such manner so that the garments workers can express their opinions without any prejudice and bias finding the obstacles as to safety net in consonance with ILO Conventions and standards. The findings of the mixed approach will be categorized systematically and the common findings will be offered as recommendation to amend the current labor law in the country.

1.4.1 Key Variables

Discussion with 40 workers to know and analyze the attitude and beliefs of workers towards labor management relations and labor rights. Our research theme is Labor Law Implementation in RMG Sector of Bangladesh and our key variables are practices of service rule and policy, maternity benefits, wage and overtime, compensation for injury by accident, provident fund, health and hygiene, safety and security, welfare and working hours, leaves and holiday provision.

1.4.2 Sampling:

The researcher has adopted the survey type of research in which a sample from the target population will be used for the study. In total, a sample of 55 elements has to be selected from a targeted population. Details of the sample are as follows:
The sample is 40 workers (20 from each garments factory).

The study has adopted a multistage stratified sampling method to select elements.

1.4.3 Source of Data:

Source of data is mainly face to face interview of the garments worker and various journals and BGMEA website. A secondary research also conducted in the study. Sources in secondary research include previous research reports, newspapers etc. Sourceing of Data is –
(i) Primary Data
(ii) Secondary Data.

1.4.4 Data Collection Tools and Techniques:

Primary and secondary research has to be conducted in the study. Before the actual data collection I have collected introductory letter from the Bangladesh Institute of Management (BIM) to the sampled institutions. The initial visit to the selected institutions are therefore be to introduce himself, familiarize himself with those institutions as well as seek their consent for the study. Thisstudy has used both primary and secondary data collection techniques. The

major research techniques employed are as follows:

- Conducting interviews direct and over phone with relevant owners, management and personnel of RMG industries.
- Discussion with 40 workers to know and analyze the attitude and beliefs of workers towards labor management relations and labor rights.

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

1.4.5 Study Area:



My study area is mainly Dhaka division. Most of the garments are in Dhaka divisionespecially in Narayangonj.

1.5 Limitations of the Study

(1) In the study area there are so many garments but my respondents were only from 02 garments. As the working condition and economic benefit of workers varies a large degree from garments to garments, most of the respondents became homogeneous in some extent. As a result the research lost some of its representativeness. For example, a significance portion of the respondents were from 'Virtual Garments which is the biggest garments in Bangladesh and it follows the labor laws and some labor beneficiary's activities.

(2) Because of my inability, I could not become enough intimate with the workers to extract out the actual answer. So the lack of validity is prevailed through this research. In spite of conducting pilot survey, there was some vagueness in my questionnaire that made some confusion while collecting data.

(3) Garments workers and garments management or representatives are always busy with their own tasks, so they had little opportunity for giving us such time in this regard.

(4) In some cases is seems to us that the female workers are not open mind to answer us about our question. It may be they are fear of management or perhaps they could not identify our good intention of the study.

(5) In some cases management did not co-operate us to get direct interview of the workers.

CHAPTER 2

Literature Review and Theoretical Orientation

2.1 Literature Review

The RMG industry is a low-technology and labor-intensive industry. Being labor-surplus economy Bangladesh always enjoy low wages. With regard to precise, Bangladesh can beat most of its competitors. Prices are related to the cost of production which in case of apparel marketing is greatly determined by the labor costs. The pressure of the unemployed labor force and the very low standard of living allow the garments wages in Bangladesh to be kept at a level that is one of the lowest among competing countries.

That Bangladesh has a tremendous labor advantage can be seen by looking at the comparative hourly wages. Three factors have been primarily responsible for the lower labor cost in the garment industry compared to most other industries in Bangladesh **(Mondal 2003).** First, the garment industry is characterized by a predominance of female workers who are prepared to accept lower wages than their male counterparts due to their opportunity cost of time. Second, the minimum wage fixed by the government has been lower for the garment industry compared to other industries. Third, garment entrepreneurs have succeeded in reducing labor costs by generally depriving workers of "decent" working conditions.

In July 2001, the government declared a minimum wage structure for the private sector workers fixing 1350 taka as the minimum monthly salary, but the employers rejected the proposal of the Government. A member of the federation moved to the High Court and the High Court declared the government order illegal on technical grounds. **(Elyus Rahman, 2006)**

Now the garment factory workers have been getting a paltry sixty US cents per day, whereas the factory owners are getting richer day by day. They are building ultra-modern houses in the smarter areas of the city and their children go to Europe and America for higher education. The garment workers have to work 10 to 12 hours a day, seven days a week, but are paid no overtime **(Elyus Rahman, 2006).** The garment workers demonstrated for an adjustment to the minimum wage, safe working condition, weekly holiday and an end to harassment. Very often, the workers were sacked without reasonable ground and notice or

compensation as per the provisions of labor law. For this very reason the spontaneous, unprecedented protest was observed.

Formulated its own code of conduct for the industry, in collaboration with the major trade unions, and has set up a compliance unit that monitors labor conditions in its members' factories **(UNIFEM 2008)**. In 2006, the Government passed a new labor code, after 12 years of deliberation and activism. It applies to all workers, and the new sections relevant to the garment industry include written contracts and identity cards, timely payment of wages, revised minimum wage, paid maternity.

According to **Amin (2009)**, Coordinator of the Bangladesh Garment Workers Unity Council (BGWUC), "The garment workers of Bangladesh may be the most deprived labor force in the world. Most are paid between US$14 and US$16 per month, the lowest salary in the world." He also added "Only a few factories here maintain international standards, and many of them do not implement any worker health and safety measures."

The Financial Express (2008), a daily English newspaper of Bangladesh, referred to a recent study conducted by a local think tank that has revealed that investors in the RMG sector have more than doubled their earnings in the past seven years. Despite this increase, however, it is a remorse that many owners are not paying their laborers regularly and all sorts of extraneous arguments are put forward for non-payment of their salaries.

New Age (2009), another prominent daily English newspaper, reported that the majority of garment factories do not yet comply with many wage and workplace standards specified in the tripartite agreement of 2006.

At the global level, campaigns have drawn attention to abuses of workers' rights in global supply chains and put pressure on international corporations to take greater responsibility for employees through corporate codes of conduct. Local employers in the Bangladesh garment industry must now demonstrate compliance with these codes to win orders from international buyers (UNIFEM 2008).

According to International Labor Organization (2010), buyers make sourcing decisions based on four factors: price, quality, how long it takes to get produce to the marketplace and social compliance, including compliance with labor standards. In order to export readymade garments, it is not only the quality parameters that are important towards acceptance of the

product as per the intended end use, but also the working environment, in which the garments are to be produced, is equally important so that sweatshop concept is totally taken care of and the code of conduct must be stretched towards achieving the objectives of social compliance issues **(Das 2008).**

Research showed that when companies that dealt with foreign buyers adhered to codes of conduct, conditions improved for the workers in the factories stated by (Mahmud) in one of her articles. In some large factories, health and safety standards improved and other benefits were introduced such as timely payment of salaries, proper overtime rates and maternity leave.

Haider (2007) in his study stated that the social dimensions of the RMG industry are getting more attention from consumers, social workers, welfare organizations and brand name international buyers. International buyers are very particular about compliance with codes of conduct. Currently, many international buyers demand compliance with their "code 74 Journal of Business and Technology (Dhaka) of conduct" before placing any garment import order. The factory working environment is not very satisfactory. So in order to sustain in the industry, Bangladesh needs to improve the factory working environment and various social issues related to the RMG industry. Informal recruitment, low literacy level, wage discrimination, irregular payment and short contracts of service are very common practices in the RMG factories in Bangladesh.

People's Daily Online China (2008) reported that the Bangladeshi caretaker government is to take stern action from August 1 against owners of garment factories who failed to implement compliance issues like providing minimum wage to workers.

German Embassy (2010) stated that PROGRESS, a joint project of the Bangladesh Ministry of Commerce and the German Federal Ministry, has consequently turned its full attention to the area of social compliance and assisting the government in the following areas: implementation of the new labor law, media campaigns, training and retraining measures for compliance inspectors, advisors, and the introduction of a new monitoring and evaluation system.

It is also a fact that RMG producers from Bangladesh have been rather late in waking up to these issues on which depend the sustainability of their export activities. But it is also not wholly true that they are quite stranger to the issue of awareness and there are many RMG

units which have taken comprehensive measures recognizing that this is indispensable for the secured growth of their exports **(Marsha Dickson, 2006).**

BGMEA/BKMEA has set up compliance monitoring cells to oversee maintenance of compliance standard by the factories. However, this needed to be strengthened and made more effective. In order to monitor and enforce compliance standard at factory level, an independent compliance monitoring agency could be considered. This agency could be responsible to a joint committee of government and BGMEA/BKMEA **(Islam & Hossain, 2015).**

Islam and Hossain (2015) also stated that besides, a common compliance standard need to be established which would take care of domestic legislation as well as buyers' requirement (code of conduct) which would be enforced through the monitoring agency. The government of Bangladesh could set up 'Compliance Up gradation Fund' in support of developing compliance standard where buyers also could contribute.

Lorenz Simon Noe (2009); US-Bangladesh Trade Relation and the RMG Sector:
The summery of this article is the USA is the second most important export destination for clothing made in Bangladesh. Despite its sustained growth, the RMG sector's capacity to take a bigger share of the U.S market is hindered by the high tariff rate levied on Bangladeshi apparel. This situation is due to a number of factors, which are reviewed in this paper.

As a committed developmental partner to Bangladesh, the USA has undertaken a number of legislative and other initiatives aiming to lift trade barriers. They provide insights into what US policy makers consider critical issues and this and this working paper offers an overview of current and past initiatives.

This paper also suggests a number of areas to be considered by the Government and the RMG industry of Bangladesh. These include lobbying, actively pursuing a US-Bangladesh bilateral agreement, improving the RMG,s social compliance record and investing in backward linkages.

Ameena Chowdhury and Hanna Denecke(2007); aComparative Analysis betweenthe Bangladesh Labor Law 2006 and 7 General Codes of Conduct:

This study is a comparative analysis of the Bangladesh Labor Law 2006 and seven internationally recognized codes of conduct (SA8000, SAI, ETI, FLA, FWF, BSCI, WRAP

and JO-IN). It reveals that the Bangladesh Labor Law 2006 significantly covers the majority of the requirements of the seven a solid platform for meeting internationally defined working codes of conduct. In addition, this paper highlights the significance of the legislation as it establishes standards.

ProkaushaliSangsad Limited (2007); Identification of Eco-Efficiency Measures for the Readymade Garment Factories in Bangladesh:

The main point of this, in recent years, there has been a growing awareness of the importance of compliance with environmental and social standards. Eco-efficiency is a strategy that ensures long-term sustainability for businesses by reducing costs, meeting stakeholder pressures, protecting the health and safety of employees and the environment. This study seeks to identify eco-efficiency measures for RMG factories in Bangladesh. It shows practical ways of reducing waste, pollution, energy and raw materials and helps the industry to decide which products and processes are most suitable for their application in both economic and environmental teams.

Rumana Liza Anam (2008); Inadequacies and Variations of Maternity Leave Policies Throuhout the World: Special Focus on Bangladesh:

Author said that, there has been a dramatic increase in the representation of women in the workplace in Bangladesh and throughout the world. However, women face major hurdles in most parts of the world in there advancement in organization as maternity leave and other benefits such as on site crèche or flextime are still not provided as per requirements. Thus women are falling behind in their careers throughout the world. There are also wide disparities in the benefits which women get legally in different parts of the world. This review paper seeks to collect the answer to many questions about maternity leave heretofore largely unaddressed.

The objective of this review paper is to serve as a compilation of knowledge about maternity leave and other benefits offered to mother to get better work life balance. Wide differences in maternity leave policies that exist between Bangladesh and the west will be pointed out. This paper particularly seeks to look into what existing research suggests about the following topics:

- Does getting maternity leave increase women's chances of getting back to work or they just take the leave and then stop working?

- Does good facilities encourage more women to work?
- Overall, do employers gain or lose as a result of allowing women time off from work?
- What schedule options can be offered to employees so that they are better able to balance work and family responsibilities?

All these suggest scope and need for immediate improvement of the management system and gradual implementation of the provisions of the Act at the work place of the public sector enterprises of Bangladesh. In reality the once thriving jute industry of Bangladesh is eclipsing and may ultimately collapse if the present alarming trend continues. This calls for policy intervention for this indigenous sector.

1. Salma ChaudhuriZohir&Pratima Paul-Majumder (1996); Garment Worker in Bangladesh, Economic, Social and Health condition:

This monograph was an outcome of the research undertaken by the Bangladesh Institute of Development Studies (BIDS) at the request of the Ministry of Planning, Government of Bangladesh in 1990. The study intendant to look into the socioeconomic conditions of the Bangladeshi garments, with particular emphasis on the following aspect:

(1) Economic conditions, such as wage, regularity in wage payment, recruitment procedures, nature of overtime work, regularity in overtime payment, provision of leave, and gender-differences in earnings.

(2) Social security.

(3) Work environment and health condition.

(4) Status of garment workers in the society at large.

The study also look into some of the characteristics of the firms in terms of their size, organization, location, and sub-contracting. This research crucially dependent on the cooperation of the owner of firms as well as the workers who shared their personal experience with the writers.

Siddiqi (2004) in his book 'The Readymade Garment Industry of Bangladesh' discusses the importance of RMG industry in the national economy and notes, the RMG industry has become so important that the future of the economy of Bangladesh is greatly dependent on this single sector. Any slowdown in this sector will slow down the economic progress of

Bangladesh. He analyses the strength and weakness of RMG industry of Bangladesh and suggests how to ensure its better future in the context of changing global apparel market. He explains why the problems caused by the phasing out of MFA will continue to be a matter of great concern. He argues that the industry would survive and be able to thrive in the post-MFA era if appropriate strategies on capacity building through backward and forward linkages, cost reduction, market diversification, product differentiation, infrastructural development, reduction of lead time etc. are implemented. To substantiate his position, he draws insights from the experience of many countries. However, issue of labor unrest in this sector has not been discussed.

2.2 Theoretical Framework

Bangladesh Labor law Act-2006 and the subsequent Rules has laid down derailed provisions regarding workers service rules, policy, identity card and service book, maternity benefits, wage and overtime, compensation for injury by accident, provident fund, health and hygiene, safety and security, welfare and working hours, leaves and holiday provision.

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

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

Section-120 to 124 has also laid down derailed provisions regarding wage and the extra payment for overtime. **Section 121 and 122** provides that every employer shall be responsible for the payment to workers employed by him of all wages required to be paid

under this act and every person responsible for the payment of wages under **Section-121** shall fix period, to be called wage periods, in respect of which such wages shall payable and also provides that no wage period shall exceed one month. **Section-123** explained that the wages of every worker shall be paid before the expiry of the seventh day after the last day of the wage period in respect of which the wages are payable.

Section-150provides that if personal injury is caused to a worker by accident arising out of and in the course of his employment, his employer shall be liable to pay compensation. The employer shall not be liable to pay compensation.

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

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

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

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

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

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

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

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

Section- 89 provides that in every part of the establishment where workers work there should be first-aid box. The box should contain first-aid kits and should be kept in such a manner that it becomes accessible to every worker during the working hours. It also lays down that for every 150 workers there should be at least one box. Where 500 or more workers work there should be a "dispensary room" with proper facilities and manpower.
Section- 92 in Bangladesh Labor Law-2006 places requirement that where 100 or more workers are ordinarily employed a canteen should be there with proper arrangements.

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

Section-101 to 118 of Labor Law Act -2006 and the subsequent Rules has laid down detailed provisions regarding working hours, leaves and holidays. **Section-101** provides that working hours should be scheduled in such fashion that every worker get one hour interval after working six hours at a stretch. If he is allowed interval of half hour it should be provided after five hours working at a stretch. **Section-103** provides that no adult worker shall be required or allowed to work in a factory for more than forty-eight hour in a week. For a day a worker can work up to 10 hours by **Section -100** and by **Section- 102** total hours of work of

an adult worker shall not exceed sixty hours in any week and on the average fifty-six hours per week in any year.

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

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

Section -116 suggested that any worker be entitle to 14 days of sick leave on full pay.
The Bangladesh garments manufactures and exporters association (BGMEA) is the trade body that represents the export oriented woven, knit and sweater garments manufacturers and export of the country. Readymade Garments (RMG) is the leading sector of Bangladesh in terms of employment, production and foreign earnings. RMG sector alone accounts for around 80% of the yearly foreign exchange earnings of the country. About 4 million people are employed in this sector. The importance of garments sector can be hardly be over emphasized. There has been a steady growth in the field of RMG during last two decades. The RMG industry enjoyed a meteoric rise from 30 enterprises in 1980 increased to about 4222 in 2013-14 fiscal years. For our research of "Labor Law Implementation in RMG Sector of Bangladesh" I have chosen 02 readymade garments localize in Dhaka Division to collect data for our research purpose.

The RMG industry involves various stakeholders covering from public, private and international organizations. Ministry of Labor and Employment and its sub-ordinate offices, Ministry of Home Affairs and various law enforcing agencies, political leaders of central and local government, local administration comprise the public side whereas factory owners, managers, officers, garments workers, BGMEA, workers' association, member of civil society organizations, NGO activists fall in private sector. In respect of production, export, earning foreign exchange, contribution to GDP, employment, investment and business mobilization, RMG sector of Bangladesh has been a flourishing industry. Its importance has crossed geographical boundary of the country. Garments business of many international

markets in Europe and North America depends on production of garments factories of Bangladesh. It involves stakeholders from various corners covering public, private and international organizations. Given the fabulous volume of trade of the industry, the increasing trends of declining the labor rights regarding wage, safety and security, welfare etc. in the RMG sector has been a matter of serious concern. Solving labor above problem in this sector is nearly impossible by a single agency like government or BGMEA or a civil society organization. If private sector (garments factory owners, managers, officers, work-force, labor leaders, BGMEA, civil society organizations) with their first-hand knowledge and experience cooperate with public agencies having power and authority, labor rights in the RMG sector is supposed to be solved by effective application of labor law in the RMG sector.

The objective of this section is to develop a framework for analysis. This section is divided into three parts. The first part deals with concept of existing labor law provisions, its Implementation in the RMG sector of Bangladesh. The second part of this chapter deals with analytical framework. The analytical framework comprises of a dependent variable and nine independent variables. RMG sector has been taken here as dependent variable while nine areas such as service rule and policy, maternity benefits, wage and overtime, compensation for injury by accident, provident fund, health and hygiene, safety and security, welfare and working hours, leaves and holiday provision.

The research design provides a framework to the researcher to navigate the journey in the field and finally execute the study. The nature of the problem to be studied and research questions to be answered which are the guiding pillars to decide what approach and strategy would be employed to pursue a research. According to Creswell (2003) research design fall into three categories:

a. Quantitative

b. Qualitative and

c. Mixed method.

My research plan is to analyze my research questions based on my survey data analysis using the mixed method. In the report body I also discuss in details the relevant factors of analysis and fix my critical alpha level. The researcher has adopted the survey type of research in which a sample from the target population will be used for the study. In total, a sample of 55 elementshas to be selected from a targeted population. Details of the sample are as follows: The sample is 40 workers (20 from each garments factory). The study has adopted a

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

As I am opting for a survey based research report, my plan is to analyze my survey data putting it in a graphical presentation of the same data value in pie charts, bar chart using Microsoft Excel 2007.

CHAPTER 3

Profile of the Organizations

The Bangladesh garments manufactures and exporters association (BGMEA) is the trade body that represents the export oriented woven, knit and sweater garments manufacturers and export of the country. Readymade Garments (RMG) is the leading sector of Bangladesh in terms of employment, production and foreign earnings. RMG sector alone accounts for around 80% of the yearly foreign exchange earnings of the country. About 4 million people are employed in this sector. The importance of garments sector can be hardly be over emphasized. There has been a steady growth in the field of RMG during last two decades. The RMG industry enjoyed a meteoric rise from 30 enterprises in 1980 increased to about 4222 in 2013-14 fiscal years. For our research of "Labor Law Implementation in RMG Sector of Bangladesh" we have chosen 02 readymade garments localize in Dhaka Division to collect data for our research purpose.

Brief organizational profile of those selected 02 garments as below:

Company A : Asrotex Group

Company B : Starlet Apparles Ltd

3.1 Company Profile of Asrotex Group

Asrotex Group

At **ASROTEX Group** we strive to go far beyond our customers' expectations, and pride ourselves on making high quality garments at the most competitive prices, allowing our valued customers to expand their growing business. We deliver on time and the satisfaction of our customers is the ultimate goal of our business. We offer knitted garments for all ages. Our full line of knit products includes; t-shirts, polo shirts, dresses, sweatshirts, hooded jackets, tank tops, camisoles, pants, shorts, jeggings, track suits, sleepwear, and much more.

We are one of the leading vertical-integrated knitwear manufacturer and exporters in Bangladesh. We are engaged in manufacturing quality knit fabrics and garments.
Our capacity is currently 6 million pieces garments per month. Our products are manufactured using top quality yarn that is procured from class one sources across the world.

3.1.1 Who We Are

ASROTEX Group was founded in 1995. We are a privately held family business. At Asrotex Group we specialize in manufacturing all knitted garments. We are one of the leading vertical-integrated knitwear manufacturers and exporters in Bangladesh. Our activity is highly motivated by our passion for fast fashion and our willingness to meet our clients' and partners' requirements each and every time. Our strengths are flexibility, diversity and innovation. Most importantly we recognize and give our full commitment to our customer's compliance.

We are one of the leading vertical-integrated knitwear manufacturer and exporters in Bangladesh. We are engaged in manufacturing quality knit fabrics and garments.
Our capacity is currently 6 million pieces garments per month. Our products are manufactured using top quality yarn that is procured from class one sources across the world.

Our Mission is to strengthen relationships around the world that will allow Asrotex Group to offer competitive advantages in the global market. At Asrotex Group our unmatched pursuit to execute products and services of the highest quality for our valued customers is our ultimate mission.

Our Vision is to be a leader in the global textile and apparel industry. We want to lead the way going into the near future by strengthening our business units, by our continuous investments, and through our devotion to the development of our most valuable resource: RELATIONSHIPS. We feel we are on the fore front of the apparel industry.

3.1.2 Membership & Certifications

We are a member of BGMEA, BKMEA, BTMEA, EPB & the Metropolitan Chamber of Commerce.

We are an approved supplier of BSCI, WRAP, OekoTex, SEDEX, ISO 9001-2008, GOTS, Disney (ELMAU) Wal-Mart, CT-PAT, and we are a proud member of the Accord & Alliance code of conduct.

3.1.3 Our Facilities

Knitting
Dyeing
Finishing
Sewing
Printing–AOP
Embroidery
Trims&Packaging
Washing

3.1.4 Our Production Line

We offer a full range of products in many categories to suit our customers requirements and the demands of the market place. Our complete production line covers basic, casual, work and high-performance active wear. We have in house designers who are able to produce fashion trends to meet the fast pace of the emerging markets.Trims&Packaging

3.1.5 Garments Manufacturing Division

The ASROTEX Group Garments division offers an exciting range of Men's, Ladies & Children's wear that are designed using our highest quality fabrics. We manufacture t-shirts, sweatshirts, polo shirts, fast fashion designs, athletic and sleepwear. We develop all up and coming new fabrics for the regions of the world. We work with all major retailers and importers in all continents. Our quality garments have earned us worldwide appreciation and praise.

- Men
- Women
- Children

3.1.6 Our Customers

For 20 years, Asrotex Group has been supplying the top retailers of the world with outstanding service and fine apparel for the retail market. With access to a global supply chain, we have the capacity to reach over 30,000 retail doors across the world.

3.1.7 Company Location

Dharmagonj, Enayetnagar, Fatullah, Narayangonj-1400

3.1.8 Corporate Office

Asrotex Group
House 85, Road 4, Block B
Banani, Dhaka 1213 Bangladesh

3.1.9 Organogram of Asrotex Group

Other Related Information

- **Capacity:** 1,20,000 sq. ft.
- **Number of line:** 39
- **Number of Machine:** 850
- **Major Buyers:** BRICE, KARIBAN, LECLERC, C & A, DEVRED, BIG W, STANLEY STELLA, , ALDI, LIDL, BEST & LESS
- **Production Capacity:** 10,00,000 pieces. (monthly)
- **Labor numbers:** 1316 Person
- **Management Staffs:** 230 Person
- **Financial Turnover :** 510 Million

3.2 Company Profile of Starlet Apparles Ltd.



Starlet Apparles Ltd.

STARLET APPARELS LTD. (SAL) has the in-housing Knitting, Sewing, Print & Dyeing (Agreement) in separated place a strong commitment to make the remarkable existence in this arena. As a company our first strategy is on time shipment with quality goods.

Devotion for the excellence" by uttering this phrase one of the finest light knitwear Manufacturing Company has started journey in the arena of Bangladesh name STARLET APPARLES LTD. from June 2007.

3.2.1 Vision & Mission

Presenting the world a finest fashion house by creating innovative product with the brand name as STARLET APPARELS LTD.

3.2.2 Certificates & Standard

SAL achieve Certificates of BSCI (SOCIAL AUDIT REPORT), OEKO-TEX® 100, ACCORD& SADEX. We have our in-house testing Lab BGMEA -Certified Physical/Color Fastness Testing Lab. We are determined to consistently improve our quality management systems by upgrading technology, capabilities and infrastructure. We continue to strive to provide superior products which are both eco-friendly and competitively priced to our customers.

3.2.3 Policies of Company

- To provide on time delivery goods, quality, product through appropriate system & educate resources.
- To establish quality management system ensuring that the offered service & Products meet the requirement in most effective & efficient way for the complete satisfaction of customers.
- To meet requirement and the expectation of internal & external customers Community country & society as a whole.

3.2.4 Knitting Division

The company has her own Knitting factory which is situated in separated place from the Garments Division. For the quality Fabric we always believe on quality knitting so we have the few modern & branded types of machinery as per our production capacity.

3.2.5 Dyeing Division

Regarding dyeing we been doing contract our total capacity to RUPASHI GROUP. The company has all sorts of modern equipment to make all type of Modern Fabrics. We used to use their full capacity of Vertical set up like we make total All Over Print (AOP) RUPASHI GROUP as well we use their Washing Plant to do all Wash Items (Hot Wash, Pigment Dye, Cool Dye, Dirty Wash, Stone Wash Etc.) as well we use their knitting plant even.

3.2.6 Print Division

The company has 2 Print Unit 1 named "CLASS ONE PRINT" which is situated in separated place from the Garments Division another in the Garments Floor. In our print we have the capacity of around 20,000 Pcs print in a day. We can do all type of garments print such as- Pigment, Rubber, Plastisol, Flock, Foyel, High-density, Discharge, Photo etc.

3.2.7 Garments Division

Cutting:

In consideration of productivity we have all sorts' modern equipment as per our capacity production.

Sewing:

When we started fifty in was 3 lines consisting 60 Machines. Now we have now 10 lines consisting 270 Machines. In consideration of productivity & quality production we have all sorts' modern & branded machineries as per our capacity.

3.2.8 Capacity

STARLETAPPARLESLTD.hasagreatdiagramaboutthehighvolumeofproductionrespecting goodquality& ontimedelivery.

3.2.9 Per day production Capacity Present

Basic–20,000Pcs.
Pique–14,000 Pcs,
Fancy–12,000 Pcs.

3.2.10 Other Related Information

- **Production Items:**T-Shirt, Polo Shirt, TankTop, Trousers, Baby Suits & All sorts of Knit Items
- **Exporting countries:** Netherlands, Germany, Poland
- **Major Buyers:**LPP (Poland), Zeeman (Netherlands), Ernstings Family (Germany)
- **Labor numbers:** 500 Person
- **Management Staffs:** 65 Person
- **Financial Turnover :** Yearly USD $7 Million /Annum

CHAPTER 4

Analysis & Findings

In this chapter those data are analyses and the results and compare with our study objectives which are collected from the selected garments of Bangladesh mainly localizes in Dhaka division. In this section the discussion will be limited to service rule and service policy, maternity benefits, wage and overtime payments, compensation for injury by accident, provident fund, health and hygiene, safety and security, welfare and working hours, leaves and holiday provided by the Bangladesh Labor Law Act 2006.

4.1 Service Rule and Service Policy Provisions

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

The applications of these provisions in studied garments factories are discussed below (Table: 1).

Table: 1

A) Response regarding existing practices of "Service Rule and Policy" in Garments Sector of Bangladesh

Sl. No.	Parameters	Index
1.0	Service rule or policy in your organization?	3.18
2.0	Received the letter of appointment when you join this organization?	4.00
3.0	Register book which contains information in organization?	1.62
4.0	Got identity card with along with picture?	4.00
5.0	Have a service book maintained by your management?	2.35
6.0	Have received payment for your un availed leave?	2.35

Findings:

The Labor Law Act-2006 has laid down various provisions regarding workers. Here we can see that service rule is sufficient almost every factory. The result shows that maximum garments have their organizational service rule and policy (3.18) and also every workers have received appointment letter during joining (4.00). Most of the garments provides service book (2.35) and contain register book (1.62) in proper way. Every worker have identity card along with their picture. This is very good rate (4.00). But payment during unavailable leave is average (2.35). This indicates that that the situation should be change and the government and garments authority should be more concern about it. There should be a proper service rule in every company and documents should be maintain in a proper way.

Graphical Presentation of the above finding

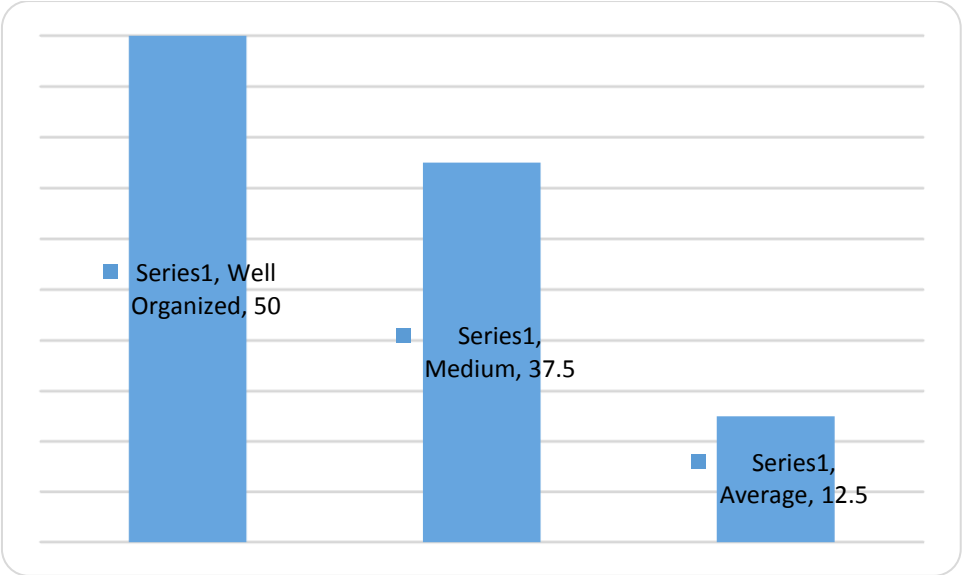


Figure 1: Labor Law Application Regarding Service Rule and Policy

50% workers respond that their garments are well organized, 37% believe garments policies are medium and 13% relythat garments policies are on an averagelyorganized.

4.2 Maternity Benefits Provisions

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

The applications of the above provisions in studied garments factories are discussed below (Table: 2).

Table: 2

B) Response Regarding Maternity Benefits Provisions of Labor Lawsin Garments Sector of Bangladesh

Sl. No.	Parameters	Index
7.0	Proper knowledge about the maternity benefits provision of your organization?	2.35
8.0	Have received the maternity benefits from organization?	1.62
9.0	Have received the maternity benefits only in Cash?	2.93
10.0	Have received the maternity benefits only by Leave?	2.35

Findings:

Most of the workers have idea about maternity benefit (2.35). Most of the worker get the benefits in cash (2.93). Most of companies are trying to avoid these facilities and they do not provide any benefit for it. From our study we see that most of the women worker only received the maternity leave (1.62). The overall situation is average and in some extent very alarming.

Graphical Presentation of the above finding:

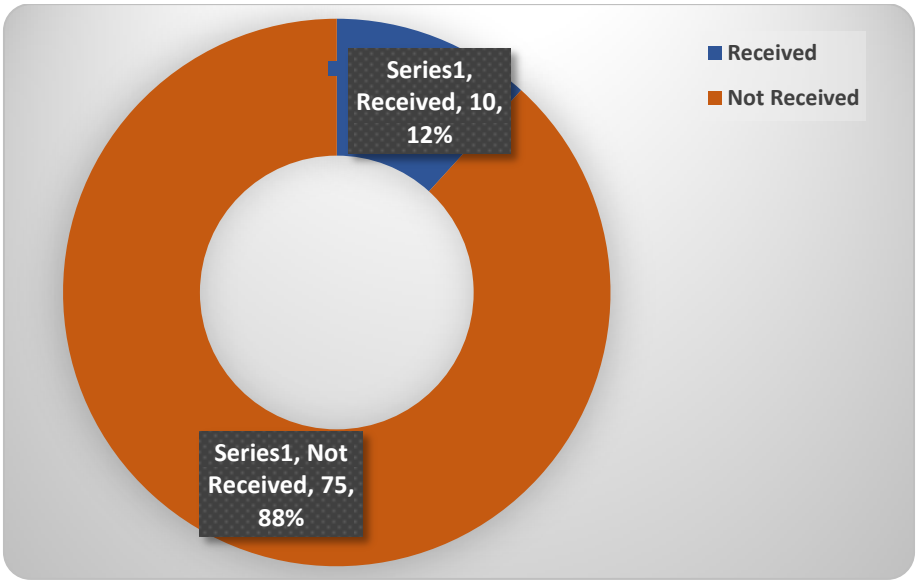


Figure 2: Received Maternity Benefit with Leave

The above figure shows that only 88% women workers received maternity benefit with leave from the employer, 12% women did not received any such of benefit.

4.3 Wage Provisions

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

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

Table: 3

C) Response Regarding Wage Provisions of Labor Laws in Garments Sector of Bangladesh

Sl. No.	Parameters	Index
11.0	Have received wages in due wage period	2.35
12.0	Received extra payment for overtime in due time?	3.18
13.0	Medium of wage Payment? – i) Cash ii) Bank	4.00

Findings:

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

Graphical Presentation of the above finding:

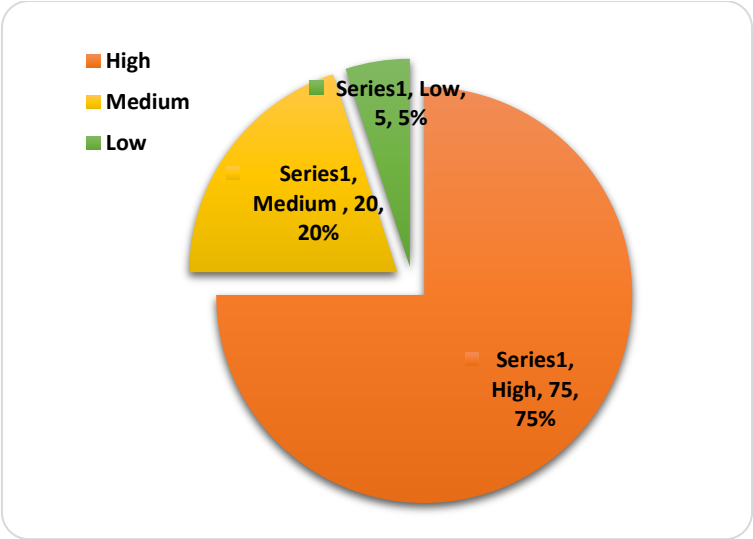


Figure 3: Satisfaction level of wage and overtime payment

The above graph represent that the satisfaction level of worker about wage and overtime payment is not very high. 75% employees are highly satisfied about their wage and overtime payment.

4.4 Compensation for Injury by Accident Provisions

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

The applications of the major provisions in studied garments factories are discussed below (Table: 4).

Table: 4

D) Response Regarding Compensation for Injury by Accident of Labor Laws in Garments Sector of Bangladesh

Sl. No.	Parameters	Index
14.0	Provision for compensation by accident?	4.00
15.0	Have received compensation for any kind of injury by accident?	2.93

Findings:

The result shows that most of garments under our study has the provision of compensation by accident (4.00) and the respondents says that most of them that facilities the compensation (2.93).

Graphical Presentation of the above finding:

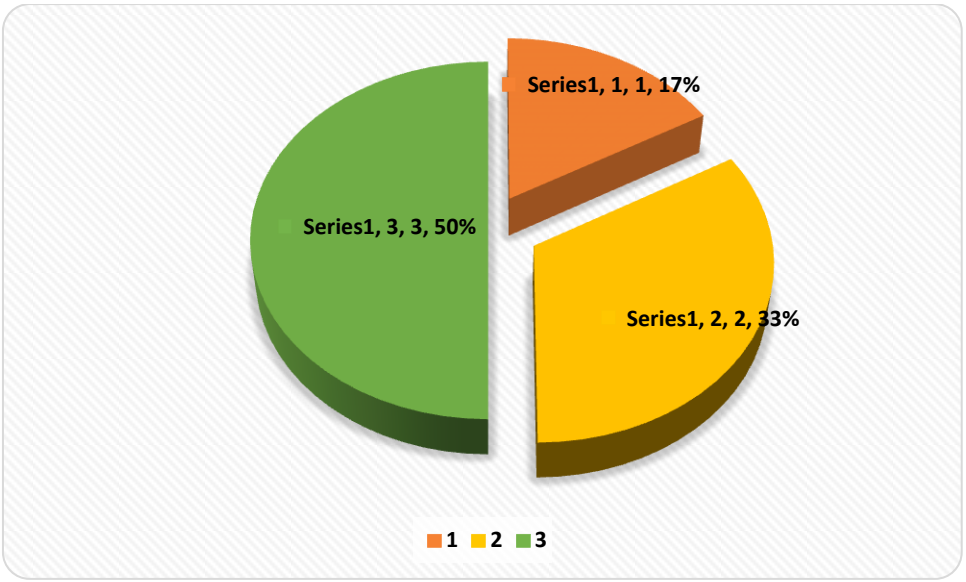


Figure: 4 Available compensations for Injury by Accident

The above graph shows that most of the garment workers are received the compensation for injury by accident.

4.5 Provident Fund Provisions

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

The applications of the above provisions in studied garments factories are discussed below (Table: 5).

Table: 5

E) Response Regarding Provident Fund of Labor Laws in Garments Sector of Bangladesh

Sl. No.	Parameters	Index
16.0	Have provident funds in your organization?	2.65
17.0	Have you demanded for provident funds in your organization?	-4.00
18.0	Have understanding on provident fund?	2.93

Findings:

The result shows that most of the garments have provident fund (2.65). Above the average number of worker have well understanding for it (2.93). But the law says different things. It is mandatory for all garments. Big garments are aware of it. But small and mid-level garments do not have any provident fund provision.

Graphical Presentation of the above finding:

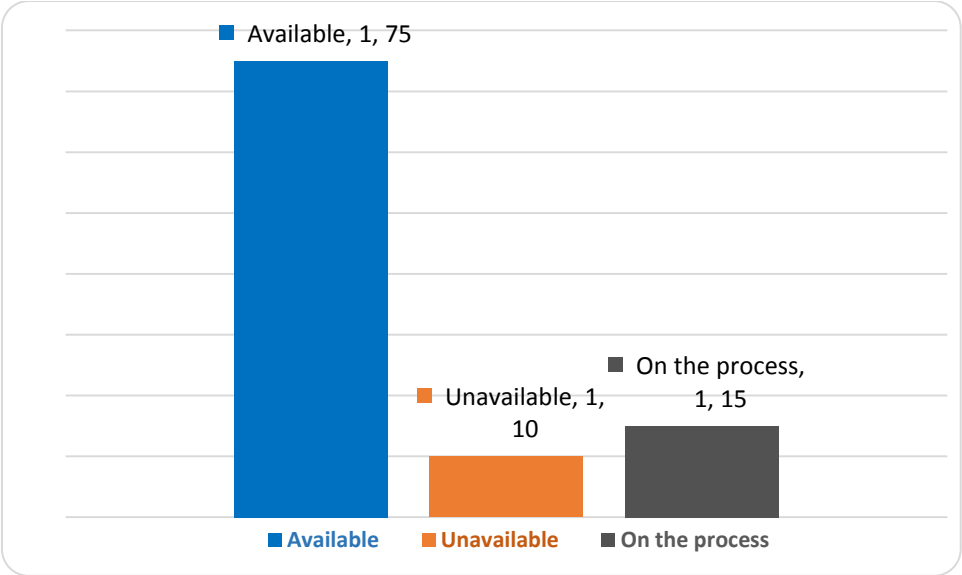


Figure 4: Provident Fund Facilities in RMG Sector

As a measure of the provident fund in RMG sector the above results says that about 75% garments workers have the idea about provident fund and about 15% worker express that their organization processing to introduce the provision in their organization.

4.6 Health and Hygiene Provision

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

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

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

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

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

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

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

The applications of the above major provisions in studied garments factories are discussed below (Table: 6).

Table: 6

F) Response Regarding Health and Hygiene of Labor Laws in Garments Sector of Bangladesh

Sl. No.	Parameters	Index
19.0	The dirt & refuge moves daily from the floor, benches in the work room, stair cases passages daily.	4.00
20.0	The floors of the work room cleaned once in a week by washing, using disinfectants where necessary.	4.00
21.0	The inside walls, partitions, all ceilings, or tops of the rooms and walls, side & tops or passages and staircases painted, varnished kept clean once in one & a half year.	4.00
22.0	There are adequate provision for circulation of fresh air in the room.	2.35
23.0	There are reasonable temperature in the workroom	4.00
24.0	You can move freely in the workroom	4.00
25.0	Proper lighting (natural or artificial) in the workplace	2.01
26.0	Adequate measure for protection from glare & shadow of artificial lighting	4.00
27.0	Proper arrangement for pure drinking water in the workplace	1.62
28.0	The water container is marked "Drinking Water" legibly & kept 20 feet away from urinals & wash places	2.35
29.0	Facility for keeping drinking water cool in summer	4.00
30.0	Sufficient number of separate latrines & urinals for male & female in workplace	2.65
31.0	The latrines & urinals are cleaned daily & kept in sanitary condition in appropriate way.	4.00
32.0	Adequate number of separate washrooms for male & female in workplace	4.00
33.0	Spittoons cleaned daily & kept in sanitary condition	4.00

Findings:

The response show that ‘the dirt and refuge moved daily from the floors, benches in the workroom, staircases and passes daily is maintained regularly (4.00). The floors are regularly cleaned once in a week (4.00). However, the inside walls, partitions etc. are also kept cleaned every garments (4.00). The results indicate that the fresh air circulation arrangement in enough at the work place (2.35) in most of the garments. And the temperature is comfortable for the worker (4.00). The respondents feel that free movement in the work place is up to the legal standard (4.00).

Study found that lighting condition is at the average level (2.01). The measures for protection from glare and shadow of artificial lighting is somewhat above the average standard (4.00). The results show that the proper arrangement for drinking water is up to the legal standard (2.35). 'Drinking water' is marked (2.35) and a well condition of the facility for keeping drinking water cool in summer is observed by the workers of the study (4.00). The results also show that the number of latrines and urinals at the work place are sufficient (2.65) and the latrines and urinals are kept cleaned regularly in most of the garments (4.00). But separate washrooms for male and female workers are perceived to be adequate (4.00).

Study identified a very sufficient placement of the spittoons at the proper places and their regular cleaning (4.00).

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

Graphical Presentation of the above finding:

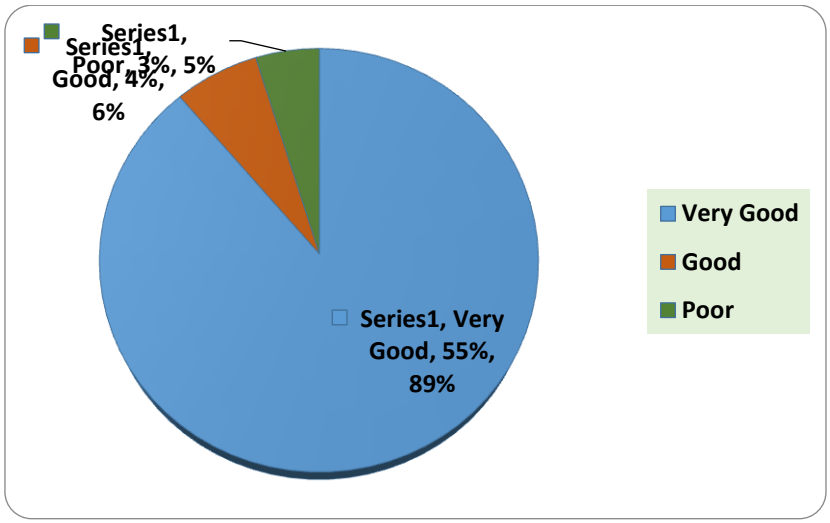


Figure 5: Health and Hygiene Application in RMG Sector.

As a measure of working environment in the RMG sector; 55% opinion with good while 3% suggest environment is very bad. When skill and experience labor move to another company in RMG they are familiar to any environment. Averagely, they are satisfied regarding working environment in RMG sector.

4.7 Safety and Security Provision

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

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

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

Table: 7

G) Response Regarding Safety and Security Provision of Labor Lawsin Garments Sector of Bangladesh

Sl. No.	Parameters	Index
34.0	Adequate number of fire exits in the workplace	4.00
35.0	Fire exits are marked FIRE in red letters.	4.00
36.0	Adequate arrangements of fire alarming	4.00
37.0	Adequate numbers of firefighting equipment	2.35
38.0	Workers are trained to use the firefighting equipment	4.00
39.0	Only adult trained person work with machinery in motion	2.35
40.0	Young person (over 14 but below 18 years) works in dangerous machinery.	-4.00
41.0	Young people have certificate from proper authority regarding fitness	1.62
42.0	The workers require to take excessive weight	1.62

Findings:

The results show an adequate number of fire exits at the work place (4.00). The fire exits are properly marked in red color (4.00). However, the respondents feel that there is a sufficient arrangement of fire alarming in the garments (4.00) and the firefightingequipment are adequate in numbers (2.35) and the workers are also trained in handling firefighting equipment (4.00).

The study results also show that only the adult-trained person work with machinery in motion in garments (2.35). But sometimes the young persons are engaged in the dangerous machines (4.00). Moreover, the garments hardly provide certificates to young people regarding fitness for working in the garments. Law provides that no person in the garments should be allowed to lift, carry or move any load so heavy as to be likely to cause him injury. Most of the garments properly maintained this law. The results show that workers are not allowed to take excessive weight (1.62).

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

Graphical Presentation of the above finding:

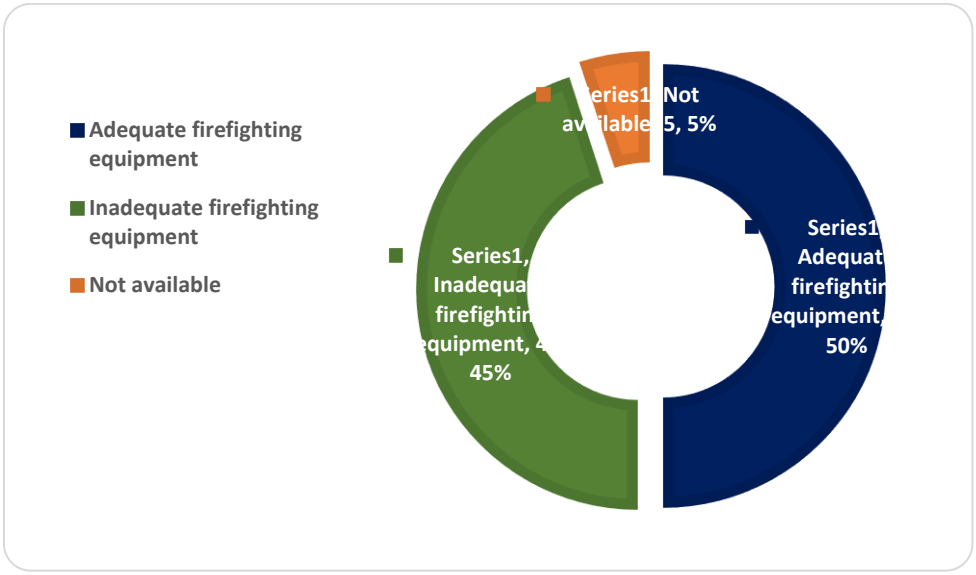


Figure 6: Application of Safety and Security Provision

The above graphical presentation shows that 50% maintained the safety and security provision and 45% has negligence about safety.

4.8 Welfare Provisions

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

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

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

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

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

Table: 8

H) Response Regarding Welfare Provisions of Labor Laws in Garments Sector of Bangladesh

Sl. No.	Parameters	Index
43.0	First aid boxes available in the easily accessible positions of the work place	4.00
44.0	One first aid box is arranged for 150 workers.	4.00
45.0	Know the person who is responsible for first aid treatment and have a dispensary room with properly equipped (Applicable if the number of workers 500).	3.10
46.0	Have any safety record book	2.65
47.0	Have any safety committee in my factory	2.35
48.0	There is a canteen in the workplace (Applicable if the number of worker are more than 100) and a rest room (Applicable if the number of workers are more than 50),Childcare facility for the female workers (Applicable if there is more than 40 female workers)	2.35

Findings:

The results show that first aid boxes are available at the easily accessible position of the work place (4.00). The policy of 'one first aid box for 150 workers is maintained in most of garments (4.00). There is a dispensary room in some of the garments and it is properly maintained (3.10). In **Section 90 and 90A** provides in every establishment factory wherein more than 25 workers are employed, shall maintained compulsory, in the manner prescribed by rule, a safety record book and safety information board and where in any factory, 50 or more workers are employed, there shall be a Safety Committee formed and functioned in the manner prescribed by Rule. And results show that these provisions are maintained in every garments properly (2.35).

The results show that the canteen facilities are not adequate for the workers (2.35).

The rest room in garments and also the childcare facility for the female workers is found to be bellow standard (2.35). Here average index is 3.08.

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

Graphical Presentation of the above finding:

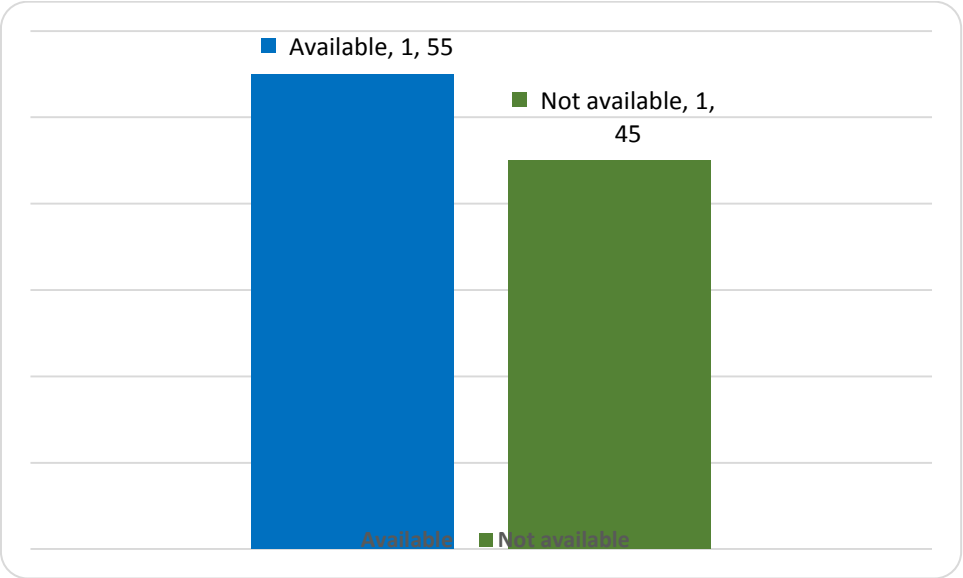


Figure 7: Availability of Welfare Provision

The above graphical presentation shows that Employer only 55% provide welfare provision for their workers in an adequate manner and around 45% not provide facility of welfare.

4.9 Working Hours, Leaves and Holidays Provisions

Section-101 to 118 of Labor Law Act -2006 and the subsequent Rules has laid down detailed provisions regarding working hours, leaves and holidays. **Section-101** provides that working hours should be scheduled in such fashion that every worker get one hour interval after working six hours at a stretch. If he is allowed interval of half hour it should be provided after five hours working at a stretch. **Section-103** provides that no adult worker shall be required or allowed to work in a factory for more than forty-eight hour in a week. For a day a worker can work up to 10 hours by **Section -100** and by **Section- 102** total hours of work of an adult worker shall not exceed sixty hours in any week and on the average fifty-six hours per week in any year.

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

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

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

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

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

Table: 9

I) Response Regarding Working Hours, Leaves and Holidays Labor Laws in Garments Sector of Bangladesh

Sl. No.	Parameters	Index
49.0	Enjoy weekly holiday	2.35
50.0	Enjoy compensatory holiday	1.17
51.0	Get extra pay for extra hour working	4.00
52.0	The extra pay equal to the double of your normal pay.	2.01
53.0	Get interval for rest or meal	4.00
54.0	Get annual leave with pay	1.62
55.0	Enjoy sick leave (14 days a year)	4.00

Findings:

The result shows that the workers of garments enjoy holiday properly (2.35), but they enjoy compensatory holiday (1.17).

The result also shows the garments workers get extra pay for extra work but the extra pays are hardly equal to the double amount of normal pay for them. Workers get interval for rest or meal properly and in time (4.0). Only a least number of workers get annual leave with pay (1.62). The result shows that garments worker certainly enjoy the annual sick leave (4.00).

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

Graphical Presentation of the above finding:

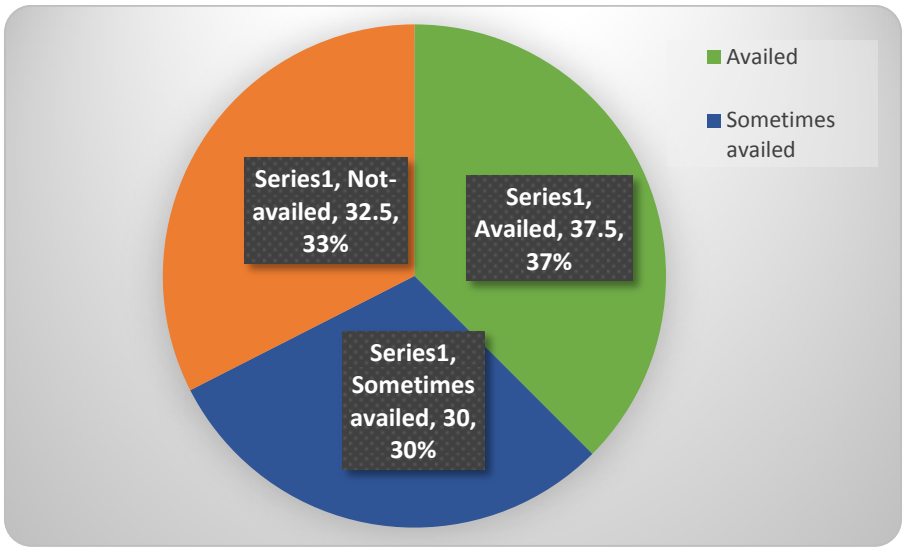


Figure 8: Meet Labor Law application regarding Working Hour, Leave and Holiday.

The above graphical presentation shows that around 37% availed the facilities, 30% can get the facilities sometimes and 33% not including the facilities above provision in an adequate manner of garments.

4.10 Testing of Hypotheses

The hypothesis in this study is that, there is an ineffective Implementation of Labor Law practices in the RMG sector of Bangladesh.

Ho:Labor Law practices in the RMG sector of Bangladesh are ineffectively implicated.

H1:Labor Law practices in the RMG sector of Bangladesh are effectively implicated.

Chi- square test:

We found scale score based on 40 populations. They have put value based on real condition of their own company. So, these populations scale value are as follows:

Test, whether the proper labor law is implicated or not.

Applying x^2 test:

So, $x^2 = \sum \frac{(O-E)2}{E} = 5.71$

For, v = (9-1) =8, $x^2_{0.05} = 15.5$

The calculated value of x^2 is less than the table value.

Since we know that, while applying the test, the null hypothesis is that the two attributes are independent. If the calculated value of x^2 is less than the table value at a specified level of significance, the null hypothesis holds true. If the calculated value ofx^2 is greater than the table value, the null hypothesis is rejected.

Here the calculated value ofx^2 at 5% level of significance is less than the table value. The null hypothesis is accepted. Hence, the labor law is ineffectively implicated in RMG sector of Bangladesh. The result show the picture of 02 selected sampled garments in Dhaka Division.

CHAPTER 5

Major Findings

5.1 Summary

The study of the Implementation of Labor Law in RGM sector of Bangladesh shows that in some cases the existing law is effectively implicated and in some of the cases there is a substantial lack of application of the laws in the work place.

Here we see that service rule is sufficient almost every factory. The result shows that maximum garments have their organizational service rule and policy and also every workers have received appointment letter during joining. Most of the garments provides service book and contain register book but not proper way. Every worker have identity card along with their picture. This is very good rate. But payment during unavailable leave is very poor.

Most of the workers have fairlyidea about maternity benefit and 88% women worker got maternity benefit in cash or in cheque. Usually most of companies are trying to avoid these facilities and they do not provide any benefit for it. From our study we see that most of the women worker received maternity benefit with leave from the employer.

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

The result shows that most of garments under our study have the provision of compensation by accident and the respondents say that most of them are received the compensation.

In case of provident fund provision the result shows that most of the garments have provident fund provision but on an average number of workers have well understanding for it. But the law says different things. It is mandatory for all garments. Big garments are aware of it. But small and mid-level garments do not have any provident fund provision.

From the response about health and hygiene provision the results provides that the dirt and refuge moved daily from the floors, benches in the workroom, staircases and passes daily is

maintained properly and the floors are regularly cleaned once in a week. However, the inside walls, partitions etc. are kept cleaned every garments. The results indicate that the fresh air circulation arrangement isnot good enough at the work place in most of the garments. And the temperature is comfortable for the worker. The respondents feel that free movement in the work place is up to the legal standard.

Study found that lighting condition is at the average level. The measures for protection from glare and shadow of artificial lighting is somewhat above the average standard. The results show that the proper arrangement for drinking water is up to the legal standard. 'Drinking water' is marked but a very poor condition of the facility for keeping drinking water cool in summer is observed by the workers of the study. The results also show that the number of latrines and urinals at the work place are not sufficient but the latrines and urinals are kept cleaned regularly in most of the garments. And separate washrooms for male and female workers are perceived to be adequate. Study identified a very well placement of the spittoons at the proper places and their regular cleaning.

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

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

The safety and security provisions are well implicated and the study results also show that only the adult-trained person work with machinery in motion in garments. But sometimes the young persons are engaged in the dangerous machines. Moreover, the garments hardly provide certificates to young people regarding fitness for working in the garments. Law provides that no person in the garments should be allowed to lift, carry or move any load so heavy as to be likely to cause him injury. Most of the garments arenot properly maintained this law. The results show that workers are not allowed to take excessive weigh.
It is very clear that training and awareness development is least emphasized in garments sector in Bangladesh.

In case of welfare provision, the results show that first aid boxes are available at the easily accessible position of the work place. The policy of 'one first aid box for 150 workers is

maintained. There is a dispensary room in some of the garments but its condition is on average. In **Section 90 and 90A** provides in every establishment factory wherein more than 25 workers are employed, shall maintained compulsory, in the manner prescribed by rule, a safety record book and safety information board and where in any factory, 50 or more workers are employed, there shall be a Safety Committee formed and functioned in the manner prescribed by Rule. But results show that these provisions are not fully maintained in garments properly. The results also show that the canteen facilities are not adequate for the worker. The rest room in garments and also the childcare facility for the female workers is found to be bellow standard. The application of welfare provisions gives an overall gloomy picture at the garment sector of Bangladesh. Most of the provisions are perceived by the respondents are found on an average.

The working hours, leaves and holidays provisions indicate a totally different picture as noticed before. The result about working hours, leave and holiday provision shows that the workers of garments enjoy holiday properly, but they hardly enjoy compensatory holiday. The result also shows the garments workers get extra pay for extra work but the extra pays are hardly equal to the double amount of normal pay for them. Workers get interval for rest or meal properly and in time. Only a least number of workers get annual leave with pay. The result shows that garments worker enjoy the annual sick leave.

Finally the overall response of the workers regarding the authority's proper maintenance of the application of law relating to garments at work place is found to be satisfactory standard in most of the cases. Hence it can be concluded that the management at the workplace properly maintain overall application of labor laws in the garments sector in Bangladesh.

CHAPTER 06

Recommendations & Conclusion

6.1 Recommendations

(A) It is recommended that a tripartite committee to should be exist in all garments factories with representation from workers, entrepreneurs and the government to formulate labor laws that may be suitably implementation of the laws.

(B) Now BGMEA concentrating for the well-being of the workers: health insurance for the workers, education for the workers, medical facilities, child care facilities and education for under age children. It can also arrange training of the workers which will increase the productivity of new workers.

(C) They should think about the education facilities for their workers offspring because they are also the future of our country. And it is the social responsibilities of the owners to educate people.

(D) The employers should provide nutritious tiffin during the tea break. It will increase the productivity of the workers. Here incentives from government on such initiative will encourage the factory owners.

(E) RMG factories should ensure proper production and official layout with perfect place materials, tools. Factory inspectors must have to be more active in these issues.

(F) To be competitive, industries should comply with international standard code, such as ISO or imported countries standard code.

(G) Factories should have effective fire distinguisher and separate and adequate space for entrance and exit of the workers. All factories must have to design an intense fire fighting drill program.

(H) RMG industries should ensure health, safety and standard work environment for the employees. In this case, organizations should provide proper ventilation, sufficient light and air.

(I) Garments factory owners are trying to use fire rated doors or fire resistance door in their factories. Here government and customs must have to take the initiative to speed up the import processes of those doors.

(J) Very Fewfactory owners didn't follow the building code properly and government should

keep eye on those establishments which they think create potential risk for the workers.

(K) A trained and knowledgeable group of factory inspectors have to be introduced.

Findings from my study generally suggest that the conditions of the garments workers are not as precarious as often portrayed in newspaper or any other articles or papers. Some of the labor markets characteristics were outcomes of current practices in product market and were possible appropriate measures need to be taken. In the case of work and social environment pertaining to the garments workers, a number of problem areas have been identified and recommendations have been suggested to solve these problems.

6.2 Conclusion

The study looked into the overall conditions of the garments worker and overviewed the Bangladesh Labor Law, 2006. Workers were interviewed through a set of a structured questionnaire. A total of 40 workers were selected from 02 garments were interviewed. The workers were selected randomly of the selected garments.

The study of the application of the Labor Law Act 2006 in the garments sector of Bangladesh shows that some provisions such as Health and Hygiene, Safety and Security are fairly apply in the work place in garments. But some provisions such as Service policy, Maternity benefit, Wage, Injury by accident, provident fund are not properly implement in the work place in garments.

The study looked into the present working conditions and labor law Implementation in the garments industries of Bangladesh. In future a number of changes have taken place. These includes among others, globalization of the economy, market diversification of the garments products, NGO initiatives, BGMEA initiatives and social labeling of imports in the north. All these changes may have affected the conditions of the garments workers.

Much of the working conditions would improve if the Labor Law reform was approved and enforced. The change include: appointment letter to be made compulsory, weekly holiday, maternity leave with benefit to be provided for two surviving children; workers need to give 60 days' notice to leave job; working hours for women will be from 6 am to 10 pm; provision for one day weekly leave; equal wage to be men and women for equal work; welfare provision should be maintained strictly: group of establishment at the same location could from one union; unions could not be affiliate with political parties; one trade unions to provide training on labor laws. This provision would certainly help improve the working conditions of the RMG sectors if they are properly enforced and this will ensures the effective labor law Implementation in the RMG sectors of Bangladesh.

The international textile business is tremendously competitive. In the context of growing competition among RMG exporting countries and consumer preference for products that meet internationally recognized standards, it is essential for Bangladesh's RMG suppliers to improve compliance in their factories. RMG authorities in Bangladesh should implement effective policies on housekeeping, Material storage and handling, work station design, fair wage, fair disciplinary action, and workplace violence. RMG is, however, the most

flourishing sector in Bangladesh and it would be imperative that each and every issue related to improvement of productivity as well as quality is strictly followed to survive in the global market.

Owners of RMG factories must emphasize on employment conditions, working conditions and occupational safety and health management to be more competitive in the international trade of textile and clothing business era. Moreover, regular practice of compliance codes of conduct can bring higher price of products, lower labor unrest, less worker turnover rate, highest worker morality, highest productivity and product quality, smooth industrial relation as well as global image and reputation. So, Bangladesh RMG firms need to deal with above mentioned compliance issues strictly in order to remain competitive in the global market.

International pressure is growing against the government of Bangladesh, apparel brands and factory owners in Bangladesh. Bangladesh's garments sector may not be able to withstand another tragedy on the scale of Tazreen and Rana Plaza. The surest way to guarantee the success of the apparel industry is to avoid another disaster by promoting and protecting labor rights now, while the world's attention is on Bangladesh. The present opportunity to improve working conditions in Bangladesh cannot be squandered.

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