

Why are RMG workers coming back from the villages?

Non-compliant factories should be held accountable

IN a shocking development amidst the countrywide lockdown, thousands of garment workers have returned to work in Dhaka, Gazipur, Narayanganj and other districts in the last few days as the factories they work in have reopened. Reportedly, 2,356 of the estimated 7,602 garment factories across the country resumed operations last Wednesday. According to the BGMEA vice-president, around two lakh workers may have returned to work from outside Dhaka by this time. The implications in terms of how this sudden influx of workers will spread the novel coronavirus are ominous.

Although the factories were instructed by the authorities to call only workers who are staying within the vicinity of the factories and the owners also assured the government that they would not call workers from outside Dhaka, it seems some workers from outside were called to join work by the factory management, according to news reports. Therefore, it is obvious that the message was not given clearly enough by the government.

What is important to ask here is: were the workers given any assurance that even if they did not return to work during the lockdown, they would still have their jobs and be given salaries? Unless they are assured of their job security and given due salaries to pull through during this period, how can we expect them to stay in the villages and go hungry with their families? Questions should also be asked about whether these workers actually got any support from the government's stimulus packages.

It is most unfortunate that many garment owners have disregarded the advice of the health experts and reopened their factories without formulating a safety guideline for the workers. Now that these factories have resumed operations, there is a risk of wider transmission of the virus unless proper safety and social distancing measures are ensured at workplaces and on their way to and from homes.

The factories who have called in workers from outside Dhaka violating the government instructions should be held to account, and action should also be taken against the factories that are not ensuring social distancing and health safety measures in line with the government directives. And if the government is really serious about enforcing the lockdown measures, it should make sure that no more garment workers leave their village homes to join work. That will only be possible if they are given financial assistance to survive during this period and also assured that they will not lose their jobs.

Stop the toxic ship from docking at our shores

It poses grave threat to workers and the environment

WE are alarmed to learn that a highly toxic ship named J Nat, once used for storing oil by offshore oil and gas companies, is headed towards Bangladesh from Indonesia carrying toxic waste and may reach our coast in a week's time. A local shipbreaking company is illegally importing the ship for scrapping purposes, potentially posing great risks to workers' health and polluting the environment.

With around 1,500 tonnes of mercury-contaminated waste, 60 tonnes of sludge oil, 1,000 tonnes of slop oil, and 500 tonnes of oily water on board, J Nat has toxins such as Polychlorinated Biphenyls, asbestos and other different heavy metals within its structures, making it a ticking time bomb. Samples of the sludge have revealed mercury levels of 395mg/kg, whereas the Hazardous Waste and Ship-breaking Waste Management Rules list mercury and mercury compounds as harmful if their concentration exceeds 50 mg/kg. Regular exposure to such toxins is a severe health hazard and can even lead to death.

The NGO Shipbreaking Platform issued a briefing paper stating that Indonesian authorities appear not to have informed Bangladesh about the presence of hazardous wastes and materials in the vessel, in violation of article VI of the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal. On the other hand, the Department of Environment, which issues clearance certificates for scrap vessels in Bangladesh, is not aware of J Nat's import. How is it possible that without any clearance, the vessel is destined for our coast?

Much has been reported in this daily about the plight of workers at the shipbreaking yards as well as the pollution of aquatic resources caused by toxic dumping. Only last month, two workers died and another required medical attention after being exposed to toxic gases. Studies have shown that the biodiversity of Sitakunda is poorer than that of the surrounding areas due to the mismanagement of toxic wastes. Total disregard for human and environment safety seems to be rampant in the field of shipbreaking and the workers do not enjoy any legal protection whatsoever.

Given the situation, the authorities must implement relevant laws to ensure workers' safety and impose proper precautionary measures. Our coastal belt governance demands to be strengthened. The government also needs to immediately investigate the matter and stop J Nat before it reaches our shores and return the vessel so it can follow the decontamination protocol. Bangladesh must be stringent about not allowing ships carrying such toxic waste to come to its shores in the future.

PHILIP GAIN

THE tea plantation workers (TPWs) in some 60 tea gardens in Sylhet stopped work for a day or two in the beginning of the countrywide lockdown. They ignored the owners' decision to not stop the operation of tea gardens. The planters afforded to be complacent, secure in the knowledge that the tea workers live and work in safe enclaves and there is no risk for them to contract the coronavirus.

The revolting workers did not agree with the owners. They questioned, if the garment workers could afford lockdown holidays, why wouldn't they be given a break as well? Bangladesh Cha Sramik Union (BCSU), the lone union of 130,000 TPWs, started writing to the owners and the government demanding that the tea gardens be brought under lockdown and the workers be given holidays with full pay.

It was at this time when the TPWs were getting confused and restless that the prime minister cleared things up at a video conference with the Deputy Commissioners (DCs) on March 31 that tea workers stay scattered when they pick leaves... and because they stay with nature, there is no chance of contraction so tea gardens can stay operational. If distance is maintained when the leaves are deposited, there should not be problems. And because no one has been infected, there is nothing to worry about. The prime minister said this in response to similar observations made by the DC of Sylhet. The observations of the DC and prime minister are similar to those of Bangladesh Tea Association (BTA) that represents the tea planters.

The tea workers and their union have respect for the prime minister. So from April 1, they went back to work and kept working six days a week ever since.

Now that the garment factories and government offices are reopening, it is unlikely that the planters will pay any heed to BCSU which filed its latest appeal to the owners on April 20 requesting shutdown of the tea gardens with pay.

The coronavirus pandemic has indeed caused unprecedented upheaval around the world including in Bangladesh. It is at this time that the TPWs, more than 90 percent of them non-Bengali, have succumbed to the wish of the planters. From 1939, when commercial tea plantation started in India, the overwhelming majority of TPWs have been non-locals. During the British time, these workers, known as *coolies*, had lived a life of slavery. Many had been trapped in the hands of coolie-catchers known as *arkattis*, *sirdar* and *Maistri* in India and *Kangany* in Sri Lanka.

The TPWs and their ancestors have gone through numerous upheavals and shocks during the two World Wars, numerous epidemics, and the independence war. They have always been the silent victims—because they are rootless and dependent on their employers. In independent Bangladesh, they are citizens of the country and free to live anywhere, but the conditions they are entrapped in keep them tied to the tea gardens where they have no land or houses of their own. As survivors living on the fringe, they always submit to the desires of the planters and the state.

Helpless tea workers, hapless trade union

The coronavirus epidemic shows that little has changed for tea workers over time. We no longer call them *coolie*, but they are not much better off than during the time of the British-India days. They are

New Normal? Better Normal!



GUY RYDER

pandemic without doing irreversible damage to the economy in the process.

With over three million confirmed cases and over 230,000 victims of the virus to date globally, and the expected loss of the equivalent of 305 million jobs worldwide by mid-year, the stakes have never been higher. Governments continue to "follow the science" in the search for the best solutions while foregoing the obvious benefits of much greater international cooperation in building the needed global response to the global challenge.

But with the war against Covid-19 still to be won, it has become commonplace that what awaits us after victory is a "new normal" in the way society is organised and the way we will work.

This is hardly reassuring. Because no one seems able to say what the new normal will be. Because the message is that it will be dictated by the constraints imposed by the pandemic rather than our choices and preferences. And because we've heard it before. The

not to enjoy what other citizens do. They must live in isolation, so they are safe! The planters can do what they want to do with them and the lawmakers and the state guarantee their interest. Is there any evidence to support such allegations? Yes, there are plenty.

The foremost among them is the discrimination in the Bangladesh Labour Act, 2006 with regard to their union. The labour law allows trade union only at the national level for a group of establishments. All tea gardens are considered a group of establishments, so the TPWs can form union only at the national level, and to form a union at least 20 percent of the total workers and 20 percent of the workers from each garden must register! The intricacies of BCSU under the strong influence of the planters and the government make formation of a second union in the tea industry almost impossible. And the consequences are understandably far-reaching.

One area of grave concern is non-payment of gratuity. Imagine a TPW working all their life in a tea garden who gets no gratuity at the end of their service. The planters allegedly blackmail the workers with regard to gratuity. Article 32 of Bangladesh Labour Law stipulates: "A worker occupying a residential accommodation provided by his employer, whose service has been ceased by any means, shall vacate such residential accommodation within a period of sixty days from the date of cessation of employment." The tea workers are tied to the tea gardens. Almost 100 percent of the non-Bengali TPWs have no land and property of their own inside or outside the tea gardens. Where shall they go upon retirement or at the end of service if they have to vacate their residence? Generally, a family member replaces the one who has retired. If one claims gratuity, it may land them in great trouble.

"The last agreement signed between

and even now.

The labour law and the Labour Rules 2015 provide quite a few other significant facilities to workers that the planters ignore every day. For example, toilets and washing facilities at workplace. In the sections or workplaces of tealeaf pickers where more than 90 percent of the workers are women, there is no toilet or washing facility. Drinking water is also reported to be in short supply. If the planters follow the labour rules (Article 79), they are to appoint one welfare officer in a tea garden employing 500 or more workers. If the number of workers exceeds 2,000, then for every two thousand and the fragmented numbers the planters are obliged to engage one additional welfare officer. The welfare officer has a long list of responsibilities to perform for the wellbeing of both planters and workers.

"We have not seen or heard of any such welfare officer appointed yet," said Rambhajan Kairi. "It is a farce." There



If we look into the violations of the labour law and the labour rules in the tea gardens, the list is quite stupefying.

PHOTO: PHILIP GAIN

The tea workers also do not have any casual leave, which is up to 10 days in other industries. When workers in other industries are entitled to a day's earned leave for working 18 days, the tea workers have to work 22 days for earning a day's leave of this kind.

If we look into the violations of the labour law and the labour rules in the tea gardens, the list is much longer. First, the TPWs are not given appointment letter. The labour law stipulates, "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." No worker in the tea garden has any letter of appointment from planters. "In tea gardens, planters consider Provident Fund papers as letter of appointment," says Tapan Datta, adviser to BCSU, "which can in no way be justified." There are widespread allegations that a worker can be kept as casual for years before she or he is made permanent. A casual worker does not get ration, treatment and holidays with pay.

the tea workers' union and the owners' association for 2018 and 2019 makes payment of gratuity obligatory according to the labour law," says Rambhajan Kairi, general secretary of BCSU. "But so far, no retiree or anyone who has lost their job has received gratuity."

Given the 150-year history of the tea gardens and tea workers, their demand that Article 32 of the labour law should not apply for the tea workers has a logic. Moreover, the tea workers demand that the government and the planters consider giving them ownership of the land and houses in their possession.

The tea workers are deprived of five percent of the profit of the companies that is guaranteed by the Labour Act, 2006 (article 234). This share of profit is supposed to be deposited to the workers' participatory fund and workers' welfare fund, which they shall be able to spend based on collective decision. The tea gardens had this provision even before the framing of the current labour act, but the TPWs have remained deprived of company's profit-sharing both in the past

are many other legal obligations of the planters towards their workers and their family members with special attention to children, which they ignore. Meanwhile, the Department of Inspection for Factories and Establishments (DIFE)—one of the key state agencies tasked to ensure implementation of labour law in the tea gardens—helplessly witnesses all these breaches of labour law and labour standard!

The power and influence of the tea planters became evident when the TPWs were forced to work against their will during the lockdown. The helpless TPWs have done a great favour to the planters. But what about the responsibility of the government? It is high time the government obliged the planters/owners to fully implement the labour law and the labour rules in the tea gardens so that the workers are no longer discriminated against and are not compelled to live a life of perpetual hardship.

Philip Gain is a researcher and director of Society for Environment and Human Development (SEHD). Email: philip.gain@gmail.com

mantra which provided the mood music of the crash of 2008-2009 was that once the vaccine to the virus of financial excess had been developed and applied, the global economy would be safer, fairer, more sustainable. But that didn't happen. The old normal was restored with a vengeance and those on the lower echelons of labour markets found themselves even further behind.

So May 1, the international day of labour, is the right occasion to look more

ignited warnings from our colleagues in the World Food Programme of the coming pandemic of hunger. It is the gaping holes in the social protection systems of even the richest countries that have left millions in situations of deprivation. It is the failure to guarantee workplace safety that condemns nearly three million to die each year, because of the work they do. And it is the unchecked dynamic of growing inequality that means that if, in medical terms, the virus does not discriminate between its

cataclysm the world faces today. But we always knew: we simply chose not to care. By and large, policy choices by commission or omission accentuated rather than alleviated the problem.

Fifty-two years ago, Martin Luther King, in a speech to striking sanitation workers on the eve of his assassination, reminded the world that there is dignity in all labour. Today, the virus has similarly highlighted the always essential and sometimes heroic role of the working heroes of this pandemic. People who are usually invisible, unconsidered, undervalued, even ignored. Health and care workers, cleaners, supermarket cashiers, transport staff—too often numbered among the ranks of the working poor and the insecure.

Today, the denial of dignity to these people, and to millions of others, stand as a symbol of past policy failures and our future responsibilities.

On May Day next year, we trust that the pressing emergency of Covid-19 will be behind us. But we will have before us the task of building a future of work which tackles the injustices that the pandemic has highlighted, together with the permanent and no longer postponable challenges of climate, digital and demographic transition.

This is what defines the better normal that has to be the lasting legacy of the global health emergency of 2020.

Guy Ryder is the Director-General of International Labour Organization (ILO).

So May 1, the international day of labour, is the right occasion to look more closely at this new normal, and start on the task of making it a better normal—not so much for those who already have much, but for those who so obviously have too little.

closely at this new normal, and start on the task of making it a better normal—not so much for those who already have much, but for those who so obviously have too little.

This pandemic has laid bare, in the cruelest way, the extraordinary precariousness and injustices of our world of work. It is the decimation of livelihoods in the informal economy—where six out of ten workers make a living—that has

victims in its social and economic impact, it discriminates brutally against the poorest and the powerless.

The only thing that should surprise us in all this is that we are surprised. Before the pandemic, the manifest deficits in decent work were mostly played out in individual episodes of quiet desperation. It has taken the calamity of Covid-19 to aggregate them into the collective social