Beyond the Accord

Disrupting the unequal power relationships between global brands, suppliers and workers is essential for an ethical, sustainable industry



years ago, one of the worst industrial disasters in history—the collapse of an eight storey SANCHITA BANERJEE commercial building in a

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sub-district of Dhaka-demonstrated to the world the heavy price of producing cheap clothing to fuel the "fast fashion" industry for consumers in the global North. After the Rana Plaza disaster in 2013, the international response concentrated on technocratic approaches to address the lack of worker safety measures by focusing on fire, electrical, and structural improvements to a portion of the country's registered factories. The Accord's tagline is: The Accord helps ready-made garment (RMG) factories in Bangladesh become safe—and stay safe—for millions of workers. According to the Accord's website, 93 percent of factories have completed the initial remediation process on safety issues that were identified during inspections. After spending USD 11 million per year on supporting engineers and monitoring staff, we must ask ourselves eight years later, are garment workers in Bangladesh safer now than they were before?

Complex global supply chains, of which Bangladesh and other garment exporting countries are an integral part, are characterised by hyper-flexibility, a lack of transparency, and unequal power dynamics, all of which are seen as essential features for these complex networks to function. These characteristics are not necessarily likely to promote—and in fact frequently

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undermine—respect for good labour rights. For decades, many global brands and buyers have been able to use their unequal distribution of bargaining power within these supply chains to require their suppliers to meet the competitive pressures within the industry by producing smaller batches of increasing varieties of products more rapidly and at decreasing prices. Researchers (Kabeer, N; Haq, L;

Sulaiman, M, 2019) have found that since 2013, there have been improvements in certain workers' outcome standards (mainly better health and safety conditions, relative job security and improved social benefits) and process rights (primarily representation in worker participation committees). This is significant because it is critical that workers feel that their physical place of work is safer than before, not likely to collapse or catch on fire; and if there are any signs to the contrary, they are being trained how best to handle it.

Despite these gains, however, due to the power dynamics between the various actors in the industry and the difficult nature of the work itself, garment workers (female garment workers in particular) continue to face sexual harm and suffering, gendered industrial discipline practices (including physical violence, verbal abuse, coercion, and threats), severe health consequences, barriers to freedom of association and collective bargaining, low wages, long working hours, and retaliation for reporting abuses.

Unfortunately since 2013, the focus has been on a very narrow definition of what constitutes safety for the millions of garment workers in the industry. Adhering to this limited notion has been dangerous because it has lulled us into complacency and absolved



PHOTO: MOHAMMAD PONIR HOSSAIN/REUTERS

Garment workers shout slogans while holding brooms during a protest demanding their due wages in Dhaka in September 2020.

global brands of real responsibility. This limited approach has served to reassure global retailers that they can continue "business as usual," now that buildings themselves are structurally sound, while continuing to pursue a sourcing strategy that contributes to overall declines in the mental and physical health of workers and leaves them insecure and without any social protections.

This lack of progress in many critical areas to improve labour rights created a situation that was ripe for suffering under an unanticipated and unprecedented global crisis. A newly released report by the Institute for Human Rights and Business (IHRB) and the Subir and Malini Chowdhury Center for Bangladesh Studies at the University of California, Berkeley (with the support of UNDP Bangladesh and the Government of Sweden), "The Weakest Link in the Global Supply Chain: How the Pandemic is Affecting Bangladesh's Garment Workers," captures the responses of global brands during Covid-19 and the subsequent effects on workers in the immediate aftermath. The report, drawn from in-depth interviews with international brands, Bangladeshi suppliers, representatives of international civil society, and Bangladeshi labour activists, seeks to understand the impacts of the pandemic on the industry and its workers, and it proposes changes to policies and practices that can lead to long-term improvements in the sector. This global pandemic has put a

glaring spotlight on the unequal power dynamics that were always present in the system. Because the larger structure of the global supply chain was intentionally left intact after 2013, many of the statistics that emerged at the onset of the pandemic, like 98 percent of buyers refused to contribute to the cost of paying the partial wages to furloughed workers or 72 percent of furloughed workers were sent home without pay were, unfortunately, not at all shocking (Anner, 2020).

already difficult conditions were made even more precarious for the millions who depend on these jobs for their livelihoods. Many Bangladeshi factories supplying to international brands consolidated their business and some went under. Bangladeshi workers suffered a 35 percent pay cut during the month of lockdown. Millions of garment workers found themselves out of work, furloughed without pay, and their savings depleted (for example, the report finds that 65 percent of female workers said they didn't save or used their savings to buy food)all of this occurred without a safety net to fall back on. Not surprisingly, workers have faced critical challenges to their mental health and overall emotional wellbeing during this time; 82 percent said they felt afraid that something awful might happen and 71 percent said they felt down, depressed, or hopeless. Kalpona Akter, founder of the Bangladesh Center for Workers' Solidarity, told the authors that Covid-19 only heightened what has already been in places for so many decades, "...all these years, business has only given us empty promises, nothing more than that. They're always [focused] on their profit sheet, their closing reports. When we needed them most, they just left us in a starving situation. They did not take on responsibility." Transnational labour organising groups were successful in making brands aware of the reputational risks they were exposed to and as a result of their activism, USD 20 billion dollars were paid to suppliers in Bangladesh. To make lasting changes for workers

During the Covid-19 pandemic,

in the industry, as the report notes, responsibility must be upheld at all the layers of the supply chain. For example, the government of Bangladesh must

enforce existing laws and standards, protect workers without formal contracts, enable them to form unions, establish grievance mechanisms, and provide a safety net. Global brands need to ensure that their actions do not squeeze their suppliers. They should oversee their factories so that international standards are met, avoid cancelling contracts, and pay for raw materials already acquired and work already undertaken. Local suppliers, who bear direct responsibility for the wellbeing of their workers, should provide for the necessary infrastructure to ensure safe working conditions and adhere to the disbursement wages and other benefits as required by local laws.

This limited definition of what constitutes safety for garment workers has resulted in narrow and incomplete interventions over the decades and particularly over the last eight years, which have not only been inadequate. but have also been harmful. We have accepted limited improvements as significant and overarching progress. Now, as Bangladesh's garment workers weather the aftermath of a global pandemic, this is the ideal time to work towards a more ethical and sustainable industry—one that works to disrupt the unequal power relationships between global brands, suppliers and workers. In order to make a real difference for workers working in garment factories around the world, they must experience "safety" in the fullest sense of the word—a definition, if fully understood, would be one that would encompass protections to their health, wellbeing, and livelihoods.

Sanchita Banerjee Saxena, PhD is Director, Subir and Chowdhury Center for Bangladesh Studies, University of California at Berkeley, and Editor of Labor, Global Supply Chains, and the Garment Industry in South Asia: Bangladesh After Rana Plaza (Routeledge, 2020).

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Why are Bangladeshi workers still dying preventable deaths?



workers and injured more than 2,500 others

the factory is openly burnt, causing severe damage to the environment. In October 2019, another young

worker named Masud Rana was crushed to death in the same paper mill by a malfunctioning machine which he was tasked with fixing. Locals at that time told press that the factory authorities had simply left his injured body lying on the floor without initiating what could have been a lifesaving trip the hospital. The factory manager later told

happened as he attempted to clean "while the machine's belt was still running". Was it Tipu's fault that he was either pressurised into cleaning the machine, or even if he did it on his own, that he was not given basic safety training to know when it would be dangerous to clean the machine? Is ensuring workplace safety the duty of a 16-year-old on a night shift struggling to make ends meet, or that of his wealthy employer who profits from his cheap



২তে ।নম্নালাখত শতে জনপ্রশাসন মন্ত্রণালয় কতৃক প্রণাত চাকারর আবেদনের মডেল ফরমে/।নধাারত ফরমে দরখাস্ত আব্বান করা যাচেছ।				
ক্রমিক	পদের নাম	পদের	বেতন স্কেল (জাতীয় বেতন স্কেল,	শিক্ষাগত যোগ্যতা
নং		সংখ্যা	২০১৫ অনুযায়ী)	
۵.	বাবুর্চি	২ (দুই)টি	৮২৫০-২০০১০/- (২০ নং গ্রেড)	৮ম শ্রেণি উত্তীর্ণ এবং শারীরিক যোগ্যতা থাকতে হবে।
૨.	পরিচ্ছন্নতাকর্মী	২ (দুই)টি	৮২৫০-২০০১০/- (২০ নং গ্রেড)	৮ম শ্রেণি উত্তীর্ণ এবং শারীরিক যোগ্যতা থাকতে হবে।

in our own backyard. The Rana Plaza collapse should have made us promise ourselves to never again allow any worker to die a preventable death as a result of a hazardous working conditions. Eight years later, this promise has been relatively well met in the case of RMG workers, largely as a result of the concerted efforts of the Bangladesh Accord. On the other hand, much less has happened to ensure the safety of workers in non-RMG and non-export oriented factories.

According to a survey of various national and local newspapers by the Safety and Rights Society (SRS), at least 2,677 workers have died due to lack of occupational health and safety measures between 2014 and 2019. On average, therefore, at least one worker died every single day in these six years. The annual figures were highest for the two most recent years: 2018 and 2019. In 2019, it found that these deaths occurred in five main sectors: the transport sector (37 percent), the construction sector (23 percent), the service sector (18 percent), the manufacturing sector (17 percent) and agriculture sector (five percent). Out of the 572 workers known to be killed in 2019, only two worked in garment factories. The abysmal state of occupational safety in non-RMG and non-export oriented factories can be understood through a few recent cases of occupational deaths.

On January 11, 2021, 15-year-old Mehedi Hasan went to a paper mill in Mymensingh for his nightshift but he never returned home. The next morning, his colleagues found his mutilated and bloodied body lying near the machine he was tasked with operating. He died after the machine malfunctioned and crushed him in the process. It was his third day of work. Mehedi had just completed his eighth grade with flying colours and was promoted to the ninth grade. He had joined the paper mill to work night shifts to be able to support his family and his own education, as he came from a single parent household, without a father. Locals told media that the factory was built illegally by occupying a canal, and that it was operating without obtaining proper permits from the authorities, primarily by employing child labourers like Mehedi. What is more is that wastepaper from

press that Masud Rana died in an "unfortunate accident" due to his own carelessness. No case is known to be filed.

Similarly after Mehedi's death, the factory authorities told *Jugantor* that Mehedi had "fallen asleep on the conveyor belt" during his shift and that's what caused his "accidental" death, as per CCTV footage. Local police agreed with the manager's conclusion and said it was "clearly an accident" but mentioned that legal action would be taken against the factory if any fault is found. However, chances are, Mehedi's death will be ruled an "unfortunate accident" just like Masud's before him, and the factory will continue operating on and polluting an occupied canal, while using unrepaired machinery and killing child workers in the process.

Mehedi and Masud's deaths exemplify a common industrial practice: the refusal by employers to accept that these deaths were a direct result of the breach of their legal duty to ensure safe working conditions. Hazardous labour conditions which eventually kill workers are reduced to unforeseeable accidents, beyond human control. This tactic therefore allows employers to ignore the fact that these workers' lives could have been prevented if they did not breach their duty of care in the first place. This tactic is often coupled with another industrial practice: the refusal to accept that employers have a legal obligation to pay compensation to the family members of a deceased worker for the harm caused by their failure to protect their worker. Instead, paltry sums of money are usually paid by the employer in the name of "financial assistance" and touted as acts of benevolence. For if employers are able to wash off any responsibility by categorising workers' deaths as accidents, any amount they pay naturally gets treated as an act of charity.

On February 15, 2021, 16-yearold Tipu Sultan went to his night shift at a well-known paper mill like any other night. However, unlike other nights, this time he returned home in a body bag—after being tangled and crushed to death in a faulty machine he had been tasked with cleaning. The factory manager told press that Tipu was "in charge" of the machine and the "accident"

and exploitable labour? The manager nevertheless proudly

told Press Narayanganj that they gave Tk 10,000 for funeral expenses to Tipu's family and will be giving "financial assistance" in the coming days in collaboration with the local authorities. The manager therefore ignored the fact that the factory is bound by law to pay compensation to Tipu's family for his loss of life, which is a matter of right and quite apart from any paltry "financial assistance". Then again, the ease with which this tactic can be applied is unsurprising when so many companies continue to kill and maim workers, including children, in their relentless pursuit for profit, without paying a dime for the working class blood that is spilt in the process.

Undoubtedly, there are countless other workers like Mehedi, Masud and Tipu whose tragic yet preventable deaths occur not in large scale industrial disasters, but one by one, employed by people who treat their lives as disposable. Their deaths are not reported in the press and therefore remain completely outside our knowledge, but the human cost remains to accumulate. Why should we have to rely on an NGO to scan newspapers to provide an estimate on the number of workers killed in industrial "accidents" in the first place? It should fall on the Ministry of Labour and Employment to introduce a national database on workplace deaths and injuries to ensure transparency and fill the gap in official data. The repository should list the total number of workplace injuries and deaths in any given year, alongside the total number of compensation claims filed in all Labour Courts.

Real change can only take place when the real problem is acknowledged: corporations choosing labour exploitation as a standard business model and being allowed to treat their workers like they are disposable. A national database that counts every time a worker is killed or maimed is a necessary starting point in forcing industrial employers to do better and ensure that preventable deaths are, in fact, prevented.

Taqbir Huda is a Research Specialist at Bangladesh Legal Aid and Services Trust (BLAST) and coordinates Justice for All Now (JANO), Bangladesh. Email: taqbirhuda@gmail.com

- প্রার্থীকে অবশ্যই বাংলাদেশের নাগরিক ও ঠাকুরগাঁও জেলার স্থায়ী বাসিন্দা হতে হবে। 21
- একজন প্রার্থী একটির বেশি আবেদন করতে পারবেন না। २।
- নির্ধারিত আবেদন ফরমটি ঠাকুরগাঁও জেলা পুলিশের ওয়েবসাইট (<u>www.thakurgaon.police.gov.bd</u>) এবং পুলিশ সুপারের কার্যালয়, ৩। ঠাকুরগাঁও এর নোটিশ বোর্ডে পাওয়া যাবে।
- নির্ধারিত আবেদন ফরমের নির্দেশনা অনুযায়ী প্রয়োজনীয় তথ্য প্রদান করতে হবে। 8
- নির্ধারিত আবেদন ফরমটি কম্পিউটার কম্পোজ বা স্বহস্তে পূরণ করে আবেদন ফরমের নির্ধারিত স্থানে তারিখসহ প্রার্থীকে স্বাক্ষর প্রদান করতে ¢ι হবে ৷
- বিবাহিত মহিলা প্রার্থীদের ক্ষেত্রে স্বামীর স্থায়ী ঠিকানা উল্লেখ করতে হবে। ৬।
- আবেদনপত্রের সাথে নিম্নবর্ণিত কাগজপত্র সংযুক্ত করতে হবেঃ ۹١
- প্রথম শ্রেণির গেজেটেড কর্মকর্তা কর্তৃক সত্যায়িত সদ্য তোলা ০৩ (তিন) কপি ৫×৫ সেঃ মিঃ আকারের ছবি। ক.
- খ. প্রার্থীকে ১-২২১১-০০০০-২০৩১-নম্বর কোডে ট্রেজারি চালানের মাধ্যমে ১০০/- (একশত) টাকা জমা দিয়ে চালানের মূল কপি আবেদনের সাথে দাখিল করতে হবে।
- নির্ভূল ঠিকানায় প্রবেশপত্র ইস্যুর স্বার্থে দরখাস্তের সাথে নিজের নাম ও ঠিকানা সম্বলিত ১৫/- (পনের) টাকার ডাকটিকিট লাগানো একটি গ. ১০.৫"×৪.৫" সাইজের ফেরৎ খাম প্রদান করতে হবে।
- লিখিত ও ব্যবহারিক পরীক্ষায় উত্তীর্ণ প্রার্থীদের মৌখিক পরীক্ষার সময় নিম্নবর্ণিত কাগজপত্রাদি মূলকপি উপস্থাপন করতে হবে। অন্যথায় প্রার্থীকে অযোগ্য হিসেবে বিবেচনা করা হবে।
- সিটি কর্পোরেশনের মেয়র/ওয়ার্ড কাউন্সিলর/পৌরসভার মেয়র/কাউন্সিলর/ইউনিয়ন পরিষদের চেয়ারম্যান কর্তৃক প্রদন্ত নাগরিকতু সনদপত্র। ক.
- শিক্ষাগত যোগ্যতার প্রমাণ স্বরূপ সকল মূল/সাময়িক সনদপত্র। খ.
- প্রথম শ্রেণির গেজেটেড কর্মকর্তা কর্তৃক প্রদন্ত চারিত্রিক সনদপত্র। গ.
- জাতীয় পরিচয়পত্র অথবা সিটি কর্পোরেশনের ওয়ার্ড কাউন্সিলর/পৌরসভার মেয়র/কাউন্সিলর/ইউনিয়ন পরিষদ চেয়ারম্যান কর্তৃক প্রদত্ত ঘ. জন্মনিবন্ধন সনদপত্র।
- মুক্তিযোদ্ধা/শহীদ মুক্তিযোদ্ধার পুত্র/কন্যা/নাতি/নাতনী হিসেবে চাকরি প্রার্থীকে মুক্তিযুদ্ধ বিষয়ক মন্ত্রণালয়ের মাননীয় মন্ত্রী/উপদেষ্টা কর্তৃক હ. স্বাক্ষরিত ও বাংলাদেশ মুক্তিযোদ্ধা সংসদের উপদেষ্টা মাননীয় প্রধানমন্ত্রী/প্রধান উপদেষ্টা কর্তৃক প্রতিস্বাক্ষরিত মূল সনদপত্র অথবা মুক্তিযুদ্ধ বিষয়ক মন্ত্রণালয়ের সচিব কর্তৃক স্বাক্ষরিত এবং মাননীয় মন্ত্রী/উপদেষ্টা কর্তৃক প্রতিস্বাক্ষরিত সাময়িক সনদপত্র মৌখিক পরীক্ষার সময় প্রদর্শন করতে হবে। এরপ সনদপত্র ব্যতীত অন্য কোন সনদপত্র মুক্তিযোদ্ধা সনদ হিসেবে গ্রহণযোগ্য হবে না। উল্লেখ যে, আবেদনকারী মুক্তিযোদ্ধা/শহীদ মুক্তিযোদ্ধার নাতি/নাতনী হলে আবেদনকারী যে মুক্তিযোদ্ধা/শহীদ মুক্তিযোদ্ধার নাতি/নাতনী এ মর্মে সংশ্লিষ্ট ইউনিয়ন পরিষদের চেয়ারম্যান/সিটি কর্পোরেশন এর ওয়ার্ড কাউন্সিলর ও পৌরসভা মেয়র/কাউন্সিলর কর্তৃক সনদপত্র/প্রত্যয়নপত্র দেখাতে হবে।
- শারীরিক প্রতিবন্ধী ও এতিমদের ক্ষেত্রে সংশ্লিষ্ট জেলা সমাজসেবা কার্যালয়ের উপপরিচালক কর্তৃক প্রদত্ত সনদপত্র। Б.
- ক্ষুদ্র নৃ-গোষ্ঠীদের ক্ষেত্রে সংশ্লিষ্ট জেলা প্রশাসক কর্তৃক প্রদত্ত সনদপত্র। ছ.
- ২ং পদের প্রার্থীর ক্ষেত্রে জাত-হরিজন প্রার্থীর ক্ষেত্রে সংশ্লিষ্ট পৌরসভার মেয়র/কাউন্সিলর/ইউনিয়ন পরিষদের চেয়ারম্যান কর্তৃক প্রদন্ত সনদপত্র। জ.
- আনসার ও ভিডিপি প্রার্থীদের ক্ষেত্রে সর্বশেষ নীতিমালা অনুযায়ী উপযুক্ত কর্তৃপক্ষ কর্তৃক প্রদন্ত সনদপত্র। ঝ.
- **প্রার্থীর বয়সসীমা ২৫/০৩/২০২০** তারিখে ১৮-৩০ বছরের মধ্যে হতে হবে। তবে মুক্তিযোদ্ধা/শহীদ মুক্তিযোদ্ধাদের পুত্র/কন্যাদের ক্ষেত্রে 2 বয়সসীমা ৩২ (বত্রিশ) বছর শিথিলযোগ্য। বয়সের ক্ষেত্রে কোন এফিডেভিট গ্রহণযোগ্য নয়।
- দরখাস্ত পুলিশ সুপার, ঠাকুরগাঁও-কে সম্বোধন করে লিখতে হবে। 201
- আগামী ২৪/০৫/২০২১ তারিখের মধ্যে আবেদনপত্র ডাকযোগে নিম্নস্বাক্ষরকারীর অফিসে পৌঁছাতে হবে। সরাসরি আবেদনপত্র গ্রহণযোগ্য নয়। 221
- অসম্পূর্ণ ও ক্রটিপূর্ণ ভুল তথ্য সম্বলিত ও বিলম্বে প্রাপ্ত দরখাস্ত সমূহ বাতিল বলে গণ্য হবে। ১২।
- সত্যায়নের ক্ষেত্রে অবশ্যই সত্যায়নকারী প্রথম শ্রেণির গেজেটেড কর্মকর্তা হতে হবে এবং কর্মকর্তার সুস্পষ্ট নাম ও পদবিসহ সীল থাকতে হবে। ১৩ ৷
- **\$**8 | চাকরিরত প্রার্থীদের অবশ্যই যথাযথ কর্তৃপক্ষের মাধ্যমে নির্ধারিত সময়ের মধ্যে আবেদনপত্র পৌঁছাতে হবে। আবেদনপত্রের অগ্রিম কপি গ্রহণযোগ্য বলে বিবেচিত হবে না।
- কোটা সম্পর্কিত প্রচলিত সরকারি নীতিমালা অনুসরণ করা হবে। 261
- আবেদনপত্র গ্রহণ ও বাতিল করার ক্ষেত্রে কোন কারণ দর্শানো ব্যতিরেকে কর্তৃপক্ষের সিদ্ধান্ত চূড়ান্ত বলে গণ্য হবে। ১৬।
- খামের উপরে মোটা অক্ষরে, পদের নাম, বিশেষ কোটা (যদি থাকে) ও বাম পার্শ্বে আবেদনকারীর পূর্ণ নাম ও ঠিকানা উল্লেখ করতে হবে। 29 ।
- নির্বাচনী পরীক্ষায় অংশগ্রহণের জন্য প্রার্থীদের কোন প্রকার টিএ/ডিএ প্রদান করা হবে না। 2p. I
- কর্তৃপক্ষ কোন কারণ দর্শানো ব্যতিরেকে এ নিয়োগ বিজ্ঞপ্তির কার্যক্রম স্থগিত, সময় পরিবর্তন ও বাতিল করার ক্ষমতা সংরক্ষণ করেন। 29 ।
- কোন তথ্য গোপন করে বা ভুল তথ্য প্রদান করে চাকরিতে নিয়োগপ্রাপ্ত হলে কর্তৃপক্ষ দায়ী হবে না। এক্ষেত্রে সংশ্লিষ্ট প্রার্থীর নিয়োগাদেশ २०। বাতিলসহ তার বিরুদ্ধে আইনানুগ ব্যবস্থা গ্রহণ করা হবে।



জিডি-৮১২