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Research Monograph

On

**“A Study to Explore the Labour Rights for Women in Readymade Garment
Sector of Bangladesh”**

**This Research Submitted for the Partial Fulfillment of the award of the degree in LL.B
(Hon’s) Department of Law, Sonargaon University (SU), Dhaka.**

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Dedication

*This Research is dedicated to my
Father & Mother*

Letter Of Transmittal

To

Naimul Razzaque

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Subject: Submission of research paper on **“A Study to Explore the Labour Rights for Women in Readymade Garment Sector of Bangladesh”**

Dear Sir,

It is a great pleasure for me to submit the thesis on **“A Study to Explore the Labour Rights for Women in Readymade Garment Sector of Bangladesh”** While I doing this thesis, I have tried my level best to make this project paper to the latest standard. I think that thesis paper will fulfill your requirement and pleased you. I, therefore, hope that you would be kind enough to go through this thesis paper for evaluation.

I am always be ready for clearance of any part of my thesis.

Thanking you

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CERTIFICATION

This is to certify that the thesis on “**A Study to Explore the Labour Rights for Women in Readymade Garment Sector of Bangladesh**” is done by Md. Samim in partial fulfillment of the requirements for the degree of LL.B. (Honours) from Sonargaon University, Dhaka. The thesis has been carried out under my guidance and is a record of the bonafide work carried out successfully.

.....
Naimul Razzaque

Lecturer

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DECLARATION

I do hereby that this Research Monograph on the **A Study to Explore the Labour Rights for Women in Readymade Garment Sector of Bangladesh** have been done by me and this Research is free from all plagiarism and without help of other. I further declare that this monograph is prepared with my own effort and it was not and never submit to any institute for any academic reason.

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ABSTRACT

The garment industry in Bangladesh is the number one business in the country, accounting for 80% of the country's exports. Bangladesh has a population of 168.1 million, which includes a large and inexpensive labor force of about 90 million. This study is conducted based on some workers from different garments of Bangladesh with the current scenario of garments. Specific violations documented here include workers' rights violations such as physical abuse as well as verbal abuse which is sometimes of a sexual nature, forced overtime, denial of paid maternity leave, failure to pay wages and bonuses on time or in full, pressures on workers not to use the toilet, and provision of dirty drinking water and also delay in the law enforcement the above that has been violated. The factories were in bad shape for the workers. Giant factories were often unsafe and there was a general lack of permits, laws and supervision.

In this research overall current scenario of garments of Bangladeshi and workers' rights with relating laws. The study also shows the ways to develop the situation.

ACRONYMS

GDP	Gross Domestic Products
ACD	Asian Center for Development
RMG	Readymade Garment
BGMEA	Bangladesh Garment Manufacturers and Exporters Association
UDHR	Universal Declaration of Human Rights
ILO	International Labour Organizations
WHO	World Health Organization
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
DOL	Department of Labor
MOLE	Ministry of Labor and Employment

Chapter I

GENERAL INTRODUCTION

1.1 INTRODUCTION

Bangladesh is among the 5 quickest growing economies in the world with a median rate of growth of seven.39% (2015-2019) in its Gross Domestic Product (GDP) (Ministry of Finance, 2020)

¹ According to World Bank, 2020 and Export Promotion Bureau, 2020, its value is almost USD 317 billion and it's the forty first largest economy of the globe Asian nation is additionally the world's second largest bourgeois of attire merchandise with an export worth of USD thirty-four billion in 2019. the most important producing sector of Asian nation when Rana Plaza accident in 2013, the ready-made clothes (RMG) sector has more responsible an enormous reorganization method and enforced several changes in their health and safety measures. With the intervention from the Accord and Alliance, producers in Asian nation had to create investments to adjust to (i) the building codes, and (ii) the employees and geographic point safety measures. additionally, the world has been harassed from its international partners to implement changes in its labor standards. moreover, the trade has revised the wages of its employees doubly between 2013 and 2020. These earnings within the sector is Tk. 8,000 per month, whereas it had been Tk. 5,300 in 2013. Despite a five hundredth increase within the earnings over vi years, clothes employees and unions still categorical their demand to revise wages within the sector. These changes have helped several companies to enhance their overall plant compliance records. Currently Bangladesh's RMG trade has a hundred and twenty inexperienced buildings and quite five hundred factories square measure within the pipeline to become inexperienced standing plant (BGMEA, 2020). On the opposite hand, variety of comparatively smaller companies had to pack up their operations, hence, presently their square measure regarding three,856 factories square measure operative (Centre for Policy Dialogue, 2018) within the same year, there have been four,560 members within the BGMEA, which suggests nearly V-J Day of the factories were either closed or united with others to adjust to the rules. The expansion of employment and variety of companies within the RMG sectors in

¹ 'World Report 2013: Rights Trends In World Report 2013: Bangladesh' (Human Rights Watch, 2022) <<https://www.hrw.org/world-report/2013/country-chapters/bangladesh>> accessed 6 February 2022.

Asian nation in line with BGMEA knowledge. It suggests that when the Rana Plaza accident, the world went through a structural modification and plenty of factories had to pack up their operations. Employment, however, failed to modification, which means a form of reorganization of the trade. Against this scenery, this analysis is initiated to check the changes within the employee rights, facility and property development of garment employees in our country.

Bangladesh, which has a population of 128.1 million people, has a large and cheap labor force of around 60 million people, with 40 million agricultural jobs (which are growing at a rate of one percent per year) and 20 million non-agricultural jobs (growing at six percent a year). Non-agricultural jobs primarily include industrial jobs. All employers are required to follow the labor laws of the government, which specify employment conditions, working hours, wage levels, leave policies, health and sanitary conditions, and compensation for injured workers. The Bangladesh Constitution guarantees freedom of association and the right to join unions. The right to form a union is also guaranteed, subject to government approval. Unions, however, are not yet permitted to form in export processing zones. Unionization affects approximately 3.5 percent of Bangladesh's labor force. Labor unions remain most powerful in the jute, textile, and transportation industries. Despite the theoretical bans mentioned above, there is growing concern that labor unionism may be growing in the export processing zones. Labor laws in Bangladesh are very specific, but they are out of date. The Bangladesh government has not made sufficient progress in protecting basic worker rights in Bangladesh, including the critical rights of free expression and association, or in strengthening overall access to the rule of law for workers and civil society activists. Unionization affects approximately 3.5 percent of Bangladesh's labor force. Labor unions remain most powerful in the jute, textile, and transportation industries. Despite the theoretical bans mentioned above, there is growing concern that labor unionism may be growing in the export processing zones. Labor laws in Bangladesh are very specific, but they are out of date. The Bangladesh government has not made sufficient progress in protecting basic worker rights in Bangladesh, including the critical rights of free expression and association, or in strengthening overall access to the rule of law for workers and civil society activists.

1.2 Statement of the problem

During the last three decades, this industry has rapidly grown due to policy support from the government, the availability of cheap labour, quota facility, cash incentives against export, and entrepreneurial skills such as dynamism of private sector entrepreneurs, among others. However, over the years the industry faced serious problems including legitimacy threats in connection with labour rights and factory working conditions, health and safety issues. Over and above, recently the industry is fraught with many disadvantages due to covid-19. However, it appears that it is trying to ride out the crises with a strong commitment and dynamic approach. This short op-ed article provides an overview of how this industry, overcame some of the major obstacles including the covid-19 and what would be its next export destinations and why.

1.3 Research Question

What is the role of the garment industry in the economy of Bangladesh?

Are workers getting their rights properly from the garments?

How was the situation of garment workers during the covid time? Is the garments environment safe for labourers?

What is the lacking of existing labour law?

1.4 Research Objectives

The purpose of the research paper is to show the whole scenario of the Bangladesh garment workers and existing problems with effective solutions.

1.5 Literature Review

After searching on google scholar, Hein Online the author found the following articles related to the research topic. By making the research paper unique, short reviews on these topics are mentioned here

The writer Arushi Pattar mainly focus on a labourer's life in the garments factories and discuss about some portion of garments senior in Bangladesh such as worker wages, health issue and women's worker harassment issue.²

In my paper, I discussed the whole scenario or present situation of garment workers and their rights and what is the present condition of labour in garments factories. And I discussed what was the problem between labour and factories and provable solution of both side and what was the lacking of garments factories and give some solution about the matter.

Author Shakil Ahmad indicates his paper on the current health and safety situations of Bangladeshi garments workers. The study also shows the ways to develop the situation. In recent years, the Bangladeshi garment industry has rapidly become one of the largest textiles manufacturers in the world. The author explores his paper workers everywhere need a safe environment to work in, and to be paid enough to stay healthy and provide for their families. The fundamental safety philosophy ensures that an item of equipment can be operated, or an operation performed, safely with risks that area as low as practicable.

The Author Nilima Mausumi, on his paper analyses three major initiatives implemented in Bangladesh garment industry since 2013. As a result of these initiatives, the status of labour rights and safety at work has been improved significantly. However, his paper locates some shortcomings towards a safe and sustainable garment industry in Bangladesh³. I have presented in my paper through interpretation analysis without shortcoming method.

Writers Mohammad Shahidul Islam and Md. Abdur Rakib show on his paper employment condition working hours, maternity benefit sufficient wages, paid leave is at a satisfactory level but improvements are sometimes needed concerning trade unions, profit, participation and health issues. In Bangladesh, the labour law ensures the rights of labourers. He explores his paper on the labour law practices in the readymade garment sector of Bangladesh.⁴ I presented my paper the

² intpolicydigest.org/the-platform/the-inhumanity-of-bangladeshi-garment-factories/

³ 'Recent Developments In 'Labor Rights' And 'Safety At Workplace' Of Bangladesh RMG Industries' (Textile News, Apparel News, RMG News, Fashion Trends, 2022) <<https://www.textiletoday.com.bd/recent-developments-labor-rights-safety-workplace-bangladesh-rmg-industries/>> accessed 6 June 2022.

⁴ <https://www.researchgate.net/publication/335626485_Labour_Laws_in_the_Garment_Sector_of_Bangladesh_a_Workers'_View> accessed 6 April 2022.

giant factories were often unsafe, and a general lack of permits, laws and oversight prevailed and what is the present condition in workers and the garments sector and the condition of the covid situation of the garments workers' life and their rights. And also explore my paper what was the actual relation between factories and labours and what was the lacking or gap of the labour laws and what would be the probable solution above this matter which I presented in my paper also.

1.6 Research methodology

This paper is sorted according to quality criteria. This paper is based on primary and secondary information and some interviews conducted in Bangladesh from 1 May to 17 May 2022. Author interviewed workers in different Garments about Garment conditions and workers' rights. All worker interviews were conducted in person, with some follow-up interviews conducted by telephone.

According to the fieldwork and internet, the required data is compiled to prepare this research monograph. The research work is done with primary and secondary data. The required information is compiled from filed work information and newspapers, books, editions, articles, magazines and magazines, blogs, websites, judgments, international conferences, and proclaim principles etc.

1.7 Scope of the Research

There is a lot of scope in doing this research. This paper will be edited in the context of the garments scenario of Bangladesh and the use of degrading laws in Bangladesh. This paper tries to focus on whether these rules reduce the basic rights of garments workers with related garments problems. This manuscript is trying to find out how these laws are applied and how important the right of garments workers is protected problem solution of garments factories. And also application of garments and worker's conditions during the covid-19.

1.8 Limitation of the Study

This analysis is an empirical study and to gather the empirical information, a survey and questionnaire method is used. In this regard, the researchers have to be compelled to face some unavoidable issues. The workers of the study aren't co-operative all the time. A number of them

denied outlaying their time in giving interviews. It's our realization that a number of the workers are concealment their issues by feeling insecure to sustain the workplace. Additionally, to it, the garments authorities generally were unwilling to interview and to relinquish permission concerning the doorway of the researchers to their premise. In some cases, it's found that the workers are giving positive answers to nearly every question however when they're interviewed, they then share their experiences that are negative. That means, in some cases, the result's not as per the expectations. In some cases, we've got determined that the workers are in a hurry that they're giving answers by not understanding the queries really. As they're substantially ignorant concerning their rights, they are doing not have any plan concerning rights and privileges really

1.9 Outline of the chapter

1. Chapter I: Introduction

2. Chapter II: Garments Industry in Bangladesh

3. Chapter III: Garments Labors' Rights in Bangladesh

4. Chapter IV: Garments Workers' Situation in Covid Pandemic

5. Chapter V: International Convention and Bangladesh constitution relating to workers

6. Chapter VI: Conclusion

Chapter II

Garments Industry in Bangladesh

2.1 Definition

Bangladesh is a densely populated country where the majority of people work. Most labor organizations, companies, and garments have their own rules and regulations, but they all have to follow the minimum statutory standards and must make rules in accordance with them. Bangladesh employment law, also known as federal labor law, is governed by the Labour Act of 2006 and the Labour Rules of 2015. “Worker” is mentioned at section 2(65) of the Act is as follows: worker’ means any person including an apprentice employed in any establishment or industry, either directly or through a contractor, to do any skilled, unskilled, manual, technical, trade promotional or clerical work for hire or reward, whether the terms of employment be expressed or implied, but does not include a person employed mainly in a managerial or administrative capacity;⁵ In the Labour Act of 2006, a worker is defined as any person, including an apprentice, who is employed in any establishment or industry, directly or through a contractor, to perform any skilled, unqualified, manual, technical, commercially promotional, or clerical hire or reward work, regardless of the terms of employment. The 2006 Labour Act specifies working hours on a daily and weekly basis, as well as overtime hours and their payment. The daily working hours shall be 8 hours with an interval in accordance with Section 108. The weekly working hours shall then be 48 hours per week, up to 10 hours per day, and 60 hours per week, with an average of 56 hours per week. There has a limitation for Women Workers that no shift from 10.00 pm to 06.00 am without the woman worker’s consent. It is to be mentioned that double employment is not allowed for any worker.

⁵ 'Definition Of Worker In Bangladesh Labour Law | Bdlplaw.Com' (bdlplaw.com, 2022)

<<https://bdlplaw.com/definition-of-worker-in-bangladesh-labour-law.html>> accessed 6 June 2022

2.2 Development of Garments Industry in Bangladesh

In the field of industry, role of textile business is found terribly outstanding in each developed and developing countries. Economic history of England reveals that within the eighteenth Century the cotton mills of Lancashire in Great Britain ushered in the initial industrial revolution of the world. Moreover, throughout the last two hundred years or a lot of several countries of the world have used textile Associate in Nursing article of clothing business as an engine for growth and a basis for attaining economic development Currently fashion industry is found to own contend such a vital role within the method of industry and economic growth. This business is in truth making an attempt to place the wheel of her declining economic back to the track by giving essential life blood thereto. The growth of garment business in People's Republic of Bangladesh is a relatively recent one within the British amount there was no fashion industry during this a part of the Indo-Pak-Sub-Continent. In 1960 the initial fashion industry in People's Republic of Bangladesh (Then East Pakistan) was established at capital of Bangladesh and until 1971 the range rose to provide. However, these clothes were of various sort supposed to serve home market solely. From 1976 and 1977 some entrepreneurs came forward to setup 100 percent export familiarized garment business and then, People's Republic of Bangladesh did not want to look back for its development.

2.3 Contribution of Garments worker of garments Industry to Bangladesh Economy

RMG sector, the center of our economy, plays a key role within the development of our country. clothes trade occupies a novel position in the Bangladesh economy. It's the most important mercantilism trade in Bangladesh, that practiced fantastic growth throughout last two decades. The trade plays a key role in employment generation and within the provision of financial gain to the poor. Nearly two million employees are directly, and quite 10 million inhabitants also are indirectly related to the trade. The sector has additionally competed a major role within the socio-economic development of the country. This sector is one in every of the largest contributors to our gross domestic product (GDP). However, the recent figures for this contribution are extremely surprising. RMG sector's contribution to our value has been declining for the last consecutive 5 years.

According to Bangladesh Garment Manufacturers and Exporters Association (BGMEA), the RMG sector's contribution to GDP was 11.17% in the fiscal year of 2017-18. But not long before in the fiscal year of 2013-14, the sector contributed 14.17% IN GDP which indicates a decrease by 3%.

In FY2018, Bangladesh's total GDP was TK22,504,793 million where RMG sector's contribution was TK2,513,471 million. Although the overall GDP has increased by 7.86% where the service sector contributed the highest to GDP which was 52.11%. RMG sector's sector contribution isn't increasing comparing to the last few years ⁶

According to business specialists, lack of distributed merchandise and sluggish non-public investments area unit the foundation causes of this negative trend within the attire sector. Export earnings from the textile sector is especially addicted to four to 5 basic merchandise like T-shirts, sweaters and alternative knit merchandise. With the pace of your time and within the initial stage of the economic revolution, each industrial sector of the planet area unit change and manufacturing kinds of sophisticated merchandise. However, the RMG sector of our country remains operating in an old school means and also the unhappy news is that nobody isn't paying enough attention to resolution this drawback.

The downward figure of value contribution is terrible news for our economy as a result of this sector contributes eighty-three of overall export earnings for East Pakistan. within the previous couple of years, new and innovative investments didn't surface abundant in attire sector because the industrialists had to pay loads of cash to enhance safety and environmental standards prescribed by the accord and alliance. On the opposite hand, international brands and consumers cutting costs endlessly inflicting a forceful decrease within the ratio.

To solve this drawback, specialist's area unit powerfully suggesting to specialize in producing added merchandise and new foreign investments. East Pakistan won't be able to keep long as a robust challenger within the international market attributable to its low-priced labor advantage. Makers have to be compelled to invest additional in analysis and development and on making technical textiles. The govt. ought to step up to unravel some burning problems like port congestion, infrastructure improvement, etc. to scale back the time interval. Overall, we want to focus additional on quality instead of amount. If any reasonably tragedy takes place within the

⁶ (RMG sector's contribution to GDP downs by 3%, 2022)

textile sector, the entire economy of our country would be affected. So, for the larger purpose of saving our country, we must always step up to unravel all the challenges that the RMG sector is facing presently.

According to business specialists, “lack of distributed merchandise and sluggish non-public investments area unit the foundation causes of this negative trend within the attire sector. Export earnings from the textile sector is especially addicted to four to 5 basic merchandise like T-shirts, sweaters and alternative knit products”.

Chapter III

Garments Labors' Rights in Bangladesh

3.1 Labor Rights and Relations in Bangladesh's RMG Industry

Bangladesh contains a troubled history of labor relations. within the Nineteen Seventies, the jute trade contends an analogous role because the RMG trade will these days, accounting for nearly 90 % of all exports and driving gross domestic product growth. Whereas a mix of things contributed to the jute industry's decline, RMG mill house owners and BGMEA officers can usually cite one reason: labor unions. Decades agony, labor unions in jute factories were extremely politicized and controlled or influenced by political forces; plant-level unions competed ferociously and would bring production to a halt for reasons unrelated to operating conditions or labor rights. RMG mill house owners and a few establishments concern that the past can repeat itself within the RMG trade. Some house owners in Dacca claim staff don't would like unions as a result of operating conditions area unit therefore smart. Others house owners concern they're going to lose management of their factories if staff unionize all-time low line is that freedom of association and dialogue aren't well understood and unions area unit usually abused. there's cause for hope. The RMG trade has created progress within the past on moving to eliminate the employment of kid labor, permitting staff to require lavatory breaks, and keeping gates unlatched. However, workers' rights to associate, organize, and interact in dialogue are mostly neglected for the last twenty-five years, and therefore the current state of bewilderment and mistrust regarding the right roles and responsibilities of unions would require tremendous and sustained efforts to beat. whereas some tiny steps are taken, abundant remains be done.

3.2 Work Place Environment In Garment Industry

At present industry is that the biggest a part of our economy. The big portion of foreign currency comes by garment merchandise then it's important for increasing the whole financial gain value} and conjointly per capita income. the foremost necessary a part of an industry is that the staff. This chapter presents the work place setting of industry and therefore the opportunities and issues of garment staff. To conduct this study information was collected from eight in-depth interviews

among the four chosen living place of garment staff. The study was analyzed in qualitative means and tried to immingle with secondary supplies of knowledge of information and to create up theoretical knowledge through the secondary source of information. Descriptive approach was applied to debate the study findings and embellished here following the check list during this chapter. Maintaining the analysis ethics, obscurity and confidentiality, at the time of information assortment age, race, income, legal status, sex, and faith were thought-about. it absolutely was given the respondent's name as sort of a, B, C, D, E, F, G & H.

3.3 By foot is the only way

Transportation is outlined as associate device wont to move an item from one location to a different. Common varieties of transportation embody buses, planes, trains, cars, and different machine devices like bikes or motorcycles. Transportation plays a significant role in developing the economy of any country. In our study we discover that the majority of the staff add the closest fashion business. However, in our general condition most of the garment staff use in clothes that square measure to date from their living places. All the respondents privy United States that they're going to their geographical point or the garment industries on foot. within the terribly morning they begin their journey to travel to the clothes and once finishing the operating hours they are available back home on foot within the late evening. during this regard respondent 'C' said-

“In the early morning I awaken and so prepare my breakfast and lunch. each morning I begin my journey to the garment on foot. I'm going there with a flock. I'm going to my operating place by any varieties of vehicles in rare. No vehicles square measure for United States from the business and no fare is given from the clothes. Therefore, we have a tendency to go everyday on foot for saving cash as a result of we have a tendency to earn a touch.”

We see that ninety fifth respondents head to work place on foot. However, in their distress or unhealthiness they're going to figure place or return from the clothes by victimization rickshaws or different vehicles. This was happened seldom. However, our respondent D is exception from others as a result of he sometimes goes to figure by victimization vehicles. He said-

“I head to Mirpur for my duty from my living place (Azimpur). That’s why I’m going to bus stand on foot and so I’m going to my garment to figure by bus. and each day I’m to keep up this routine for going and returning.”

In our society the garment staff square measure in the main poor and that they don't have enough cash to steer an opulent life. They're troubled to fulfill the essential wants and that they don't properly maintain the daily expenses as well as luxurious life. They continuously attempt to save even little penny. That’s why they are doing not use vehicles for work if they are doing not fall in any sort of issues. they typically head to the work or return from the work on foot.

3.4 Work place environment is not so healthy

The work is that the physical location wherever somebody works. Such an area will vary from a home-office to an oversized edifice or manufactory. The workplacee setting of garment industries in our country isn't relatively higher than the developed countries. This is often the most burning issue within the garment sector. clothes square measure the most pillar of foreign currency and our economy. However, it's injured within the issue of labor place setting smart workplacee setting is extremely a lot of necessary for increasing the assembly. However, in our country most of the garment factories have did not make sure the smartworkplacee setting of the staff within the study most of the respondents have aforementioned that the workplace setting of their clothes isn't relatively smart. However, they au courant that there have the shortage of enough house for well operating, the mechanical system isn't most developed, no specific areas for uptake or praying etc. Most of them have aforementioned that the realm of their operating isn't clean and it doesn't clean all the time. A pell-mell state of affairs is shown perpetually encompassing their operating space. in step with respondent 'B'-

“Sometimes it's clean and typically it's raveled. typically, the cleaner cleans it however once he/she doesn't come back a pell-mell state of affairs is shown within the floor of the garment.”

About the work place setting of the garment respondent 'H' said-

“The work place setting in our garment is relatively smart. The owner perpetually tries to stay it clean. Some folks square measure appointed to wash it. However, as we have a tendency to along add a tiny low area, the work space remains untidy.”

It conjointly finds during this study that there have many garment factories which offer the fashionable facilities for the staff. Some factories have the facilities of AC and these square measure perpetually neat and clean. Our respondent 'D' said-

“I add a building that has eight floors and wherever I work have the facilities of AC. the space is often neat and clean. There have the opportunities of giant light-weight and air.”

In the append, we can we will| square measure able to cite that in step with our most of the respondents the work place setting of the garment factories are comparative smart however not higher than the factories of the opposite countries. However, there have many clothes which offer the simplest facilities and make sure the higher workplace setting for the staff.

3.5 Paucity of social security services

Social security can also discuss with the action programs of state supposed to market the welfare of the population through help measures guaranteeing access to decent resources for food and shelter and to market health and well-being for the population at massive and probably vulnerable segments like youngsters, the aged, the sick and therefore the jobless. Services providing Social Security area unit typically known as social services. Social Security may be a conception enshrined in Article twenty-two of the Universal Declaration of Human Rights, that states:

“Everyone, as a member of society, has the proper to Social Security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of every State, of the economic, social and cultural rights indispensable for his dignity and therefore the free development of his temperament.”

But most of the industries don't give enough security to the garment staff. they are doing not give further facilities to the staff. On the opposite hand most of the staff don't seem to be acutely aware regarding the Social Security.

One of the Respondent's 'C' statements:

"I don't grasp clearly regarding the Social Security. However, I do know that totally different varieties of facilities give to the govt staff and when the retirement they get cash typically, we have a tendency to don't get our correct regular payment including further facilities."

Another Respondent 'F' same,

"Sometimes the clothes authority provides drugs if anybody becomes sick. However, they don't give any allowance or cash to the staff."

3.6 Other facilities are provided occasionally

Other facilities ask the facilities provided by the clothes authority to the staff except monthly regular payment. It's necessary for making staff job satisfaction. the clothes staff get some facilities except monthly regular payment. However, get in very little quantity and not paid all-times rather area unit paid sometimes. The respondent 'G' said-

" We don't get mentionable alternative facilities except our salaries. If we tend to do over time, then we tend to live through time regular payment. They furnish 2 Eid bonuses in a very year however no bonus on puja occasion. they need some conditions to administer the Eid bonus. Thus some staff fail to urge bonus."

Although the respondent aforementioned that they are doing not get mentionable facilities, some facilities area unit provided to the staff. Respondent 'C' said-

"We get some additional facilities together with yearly 2 bonuses, six-month maternity leave, free treatment for the wounded staff, in some unspecified time in the future leave in hebdomadally and smart food is equipped in any big day. Generally, the clothes authority feed North American nation sweetmeats in any business connected success."

Actually, the clothes authority provides some varied facilities to the staff. However, it varies from clothes to clothes. Some clothes offer additional and a few offer less all of them attempt to produce staff job satisfaction. thanks to their limitations they cannot offer additional facilities because of the staff demand.

3.7 Violence is common in the workplace

Violence is common for creatures. It destroys the rights of the folks. Violence exists in every place. it's additionally seen in geographical points like the clothes sector. Workplace violence is common in East Pakistan. In clothes it the foremost common each male and feminine employees face violence in work place. Geographical point violence destroys the great operating mood of the employee's feminine employee is a lot of vulnerable. Respondent 'B' said-

“Earlier I worked on a garment, An employee continuously disturbed Pine Tree State. He checked out Pine Tree State with an unhealthy eye. He additionally offered Pine Tree State love by another employee. thus I even have left that garment.”

The male employees also are victims of violence. However, it's totally different from the feminine employees. Respondent 'C' said-

“I am operating this garment for 3 years. The staff reprimanded Pine Tree State for the mistake generally, and they cuffed Pine Tree State. Rebuking is common in clothes. The authority didn't pay heed to our objections.”

The employees need to face totally different varieties of violence in geographical points. Each colleague and also the higher staffs are concerned about harassment. The respondent 'E' aforementioned regarding the prevailing harassment at his whims workplace add the cutting section. repeatedly I saw the employees are to be abused for mistakes. the lady's employees are disturbed by the male employees and male staff. somebody quit the job to urge unharness from harassment.

From the top of the statements of the respondents, we are able to see that numerous varieties of violence exist in clothes. Rebuking, and slapping are quite common in clothes. Generally, the feminine employees are sexually pestered by each employee and colleague.

3.8 Needed action for developing workplace environment

The surroundings of clothes aren't appropriate enough to figure well for the employees. In most of clothes is multi storied building that haven't enough windows for passing air and light-weight that makes unhealthy surroundings. Somewhere haven't enough light-weight for operating that's why employees suffer completely different issues and faces accidents. Moreover, most of the clothes keep dirty by tiny piece of bobbins, cloths, tapes etc. These dirty surroundings create issues to the employees after they work. although there have swiper and cleaner to scrub the flour of operating house however generally they keep upset and so the flour becomes dirty and creates complexness in operating. during this regard a respondent 'E' same,

“Sometimes swiper doesn't come back and so the flour becomes dirty that makes issues in our operating and walking. Commonly the swiper swipe and clean the flour, wherever we have a tendency to work 2/3 times during a day. it's not enough to stay clean the operating area or place. If he swipes the area once one hour, can it'll keep clean all the time which will appropriate for our operating and walking. There's another downside in our garment which is there haven't enough light-weight and air passing ventilators and system. If the homeowners take steps to pass enough air and light-weight within the operating rooms, I believe it helps USA to figure during a comfy surroundings. On the opposite hand there are several fans however not enough to allow comfort USA within the time of labor.”

Most of the employees are feminine in clothes trade and invariably they face differing types of harassment like physical, mental and molestation these creates issues in their operating. The feminine employees are troubled by their male colleagues, officers guilty, managers, owners etc. It ought to be chastened for the betterment of operating places' surroundings.

A safe and secure operating surrounding are the elementary right of the employees (UDHR, 1948). From the international human rights instruments to our domestic laws worker's rights are protected however in our country because of lack of the social control mechanisms and disposition of some individuals these issues stay unsolved. Garment makers continued to create garment factories while not correct infrastructure. Since it's one among the most important industries in East

Pakistan, additional individuals may be utilized during this sector which can scale back the state level moreover because the personal income. Penalization for those that are liable for accidents and answerableness of the owner ought to be ensured. Otherwise within the close to future we'll be questioned for these styles of gross human rights violations and will lose our foreign patrons. At a similar time, correct implementation of general and international standards ought to be created mandatory; otherwise, death traps for employees can still be designed. Inspection, news and compliance of existing national and international laws and standards should be implemented properly to reduce more incidents because of lack of activity safety provisions.

Chapter IV

Garments Workers' Situation in Covid Pandemic

The impact of the COVID-19 pandemic in Bangladesh has brought into each the placing power differential between Euro-American retailers and national suppliers and therefore the damaging effects of this spatiality. The Covid pandemic is deeply moving Bangladesh's economy alongside its labour market. The closing, or delay, of economic activities is impacting the financial gain and livelihoods of the operating individuals. Bangladesh's largest export earning sector—ready-made clothes (RMG)—is of no exception.

4.1 The Pandemic Effect

Bangladesh's garment crisis has exposed the fragility of the Bangladeshi rag trade, together with its "labour-management" practices and therefore the frequent blurring of lines between the trade associated an authoritarian state. Primark, that denote in operating profits of 1.07 billion bucks last year, off all its orders with its suppliers, together with orders from Bangladesh and "orders already in production in factories" several patrons refused to buy merchandise that had been shipped, lying in ports, or already in stores and slashed costs by up to fifty per cent. As of writing, around 3.8 billion dollars' value of export orders has been either suspended or off, moving or so 2.2 million employees in one,150 factories. The cascade of off, deferred, and discounted orders forced many Bangladeshi factories to attenuate production or shut down. Most did this short, while not informing employees or paying outstanding wages.

4.2 Dying of Hunger versus Dying of the Virus

Over 1,000,000 garment employees are retrenched since the pandemic began. As factories cut prices by trimming the number of employees on the line, people who were "lucky" enough to stay utilized currently face a good more deterioration in operating conditions. In the late Gregorian calendar month, garment employees WHO had left Dacca throughout the national internment hurried back after they were up on that manufactory production was to resume several had not

been paid in many months and feared that if they didn't seem for work on time, manufactory authorities would have associate excuse to fireplace them while not payment. The Asian Nation Garment makers and Employers Association (BGMEA), the powerful industrial lobby, refused to require responsibility for the "confusion" and goddam government miscommunications.

4.3 Garment workers' monthly income decreased during the pandemic

The average monthly financial gain (including overtime) of garment staff shriveled throughout the Covid pandemic. this is often compared to the common workers' financial gain (including overtime) before the pandemic (BDT ten,313). the common financial gain born to its lowest level within the month of April (BDT five,425). The survey information more reveals that the common financial gain step by step began to increase from could and had virtually came to the pre-Covid levels in October. Workers' financial gain from overtime had conjointly reduced throughout the pandemic, notably throughout April and should. regarding solely three-dimensional of respondents rumored that that they had financial gain from overtime in March and solely eighteen in April. The bulk of the participants in AN FGD claimed that they need performed over time however didn't receive full payment for overtime throughout the Covid amount.

4.4 A mixed impact on the operating hours, rest, and night duty

The Covid pandemic has directly influenced the operating hours, overtime hours, rest breaks, and night duty of RMG staff. This impact, however, varies relating to the categories of staff involved. For current laboures, overtime hours are the world most affected:38.3% of those respondents claimed that daily overtime hours are reduced, at a median decrease of 2.6 hours per day. this will be calculated that the common missing overtime for every employee is 39.63 hours per month. For the common overtime days per month, 32.5% have indicated that they knowledgeable about a discount. They rumored that currently have the possibility for overtime work for under 10 days each month, compared to twenty-six days each month pre-Covid. In distinction, a tiny low portion of current staff rumored a rise in daily overtime hours and days by five-hitter and four-dimensional severally. These staff explicit that they work a further 3 hours of overtime together with two.47 hours of the daily average. They work these extra hours for regarding four days, on average, each

month. The frequency of night duty has shriveled for a few staff (16%), whereas there's a non-statistical relevant increase in night duty rumored by respondents. The daily regular operating hours (8 hours per day) and rest periods are the smallest amount stricken by Covid; ninety-nine and ninety fifth of the respondents, severally, explicit that the conditions have remained identical because the pre-Covid periods.

4.5 Factory closure had an immediate impact

In the wake of Covid, the immediate impact on RMG staff came from the closure of factories. it absolutely was the primary fast response of factories to the irruption of the pandemic. the majority of respondents (99%) explicit that their factories remained closed because of government-declared holidays seventeen throughout the initial days of the Covid-19 irruption. whereas industrial plant closures ranged from four days to a hundred twenty-five days, on average, factories were closed for forty.8 days. solely four out of five hundred respondents have claimed that their factories weren't closed throughout the pandemic. it's vital to say that some factories in Gazipur space continued their production despite the govt. declared holidays/shutdown. Moreover, some factories engaged staff throughout the closure for manufacturing personal protecting instrumentality.

4.6 Manifold difficulties for those who had to travel due to shut down

Incidences of effort the place of residence weren't common. throughout the industrial plant closure, most staff didn't leave their place of residence. a tiny low proportion (8.6%) of respondents went back to their native villages once factories were declared closed. What's noteworthy, however, is that {several} of them had to travel several times. On average, every of them had to travel there and back doubly. moreover, those journeys were typically troublesome and came with respectable risk. that they had to face several troubles throughout their travels since there was a shortage of transportation and folks were crammed in buses or ferries exposing them to the danger of infection. They typically had to steer a protracted method and even faced police harassment on the streets. Moreover, the travel came with extra monetary burdens. On average, the value to the staff for the travel between their native village and their daily residence amounted to BDT 3,685.

4.7 Few workers had to change factories

There are a unit instances, although smallest, of staff ever-changing factories throughout Covid; four per cent of staff modified employment throughout the pandemic. many reasons forced them to hunt for a brand new leader, together with wages still due, retrenchment, and manufacturing plant closure.

4.8 April 2020 and June 2020 sees the highest losses of working days

The Covid pandemic caused closures of factories and staff losing operating days. Loss of operating days was most severe in April 2020 followed by the Gregorian calendar month 2020. In April 2020, staff couldn't work on the average for twenty-six days, and in the Gregorian calendar month, for twenty-one days. This bit by bit began to point out improvement beginning in the Gregorian calendar month.

4.9 Retrenchment incidences differed based on factory type

Along with the industrial plant closure, retrenchment was another immediate impact on RMG staff. Four in every 10 respondents have claimed that their factories entrenched staff throughout the Covid amount. the speed of retrenchment was slightly higher in knit factories and relatively low in composite factories

4.10 Diverse factors considered for retrenchment

While retrenching the staff, respondents perceived that employers thought about many factors together with gender, the age of the staff, and therefore the length of service (see Chart two.4). Nineteen per cent of respondents declared that ladies Janus faced additional discrimination once employers retrenched staff from the manufactory. A few respondents (4%), however, declared the alternative trend: male staff were retrenched over the ladies. regarding the ages of these retrenched, around 2 hundredth of the respondents claimed that over 30-years-old staff disproportionately lost their job compared to younger workers. There in each respondent noted that employers thought-

about the length of service of the staff once deciding that staff to retrench from the manufactory. Workers having a brief service length were retrenched additional typically. Out of the seventy-eight respondents World Health Organization reportable service length as a deciding issue for retrenchment, fifty-five of them (71%) reportable that employers retrenched staff whose service length was but five years at the next rate. Since staff with short service length (below a year) don't seem to be eligible for receiving gratuity/service advantages, employers most popular to retrench them. A couple of labors (around 5%) claimed that pregnant staff were conjointly retrenched at the next rate.

4.11 Reasons for retrenchment are diverse

Workers have shared many reasons for his or her retrenchment and job loss that were principally connected (57%) to the Covid-related cargo cancellations, cancellations of labor orders, and closure of the works (or a region of the factory) because of a fall within the work order. However, seven-membered lost their job attributable to being committed the workers' movements throughout the Covid period.

4.12 The retrench process was mostly informal

Most the employers adopted informal procedures to retrench the staff. the bulk of the staff averaged 1-3 years of service within the industrial plant wherever they were retrenched, whereas 9/11 of staff had been operating for over 5. However, employers haven't followed the formal procedure for retrenchment for many of them. They neither served a previous notice nor had they knowing the employee in writing regarding their retrenchment. solely 17 November of respondents received written info regarding their retrenchment, and 16 PF received previous notice or info. Moreover, the notice amount was even shorter than 5 days for over simple fraction of these World Health Organization received it.

4.13 Not all retrenched workers received due wage

Most of the retrenched staff expressed that they received their wage and overtime allowance. However, on 14 July of retrenched staff indicated that they didn't receive their due wage/overtime allowance when being retrenched. The case of Razia Khatun is proof during this regard. once they did, the bulk (57%) had to attend for quite fifteen days to receive the dues. Some staff (8.1%) even had to attend for quite sixty days to induce the dues.

Razia Khatun neither received due wages nor retrenchment profit that workers worked within the garment sector for quite ten years. Throughout the last nine years, she served within the same works, wherever she last control the position of senior operator. throughout the Covid pandemic her works was closed for thirty-nine days. Her works opened once more from five might 2020 that is once she conjointly re-joined. However, on the 2d of Gregorian calendar month once she went for work, her supervisor verbally well-read her that she had been retrenched. The supervisor aforesaid, "Now the works is passing dangerous times, you recognize that there's no new order during this time, thus we've no possibility aside from retrenchment of staff currently you'll be able to go. We'll decision you later to produce you along with your due wages and benefits". At that time, she went many times to the works for her due wages and retrenchment advantages, however they did offer her her wages for the month of might nor the other profit," claimed Najma Moslem. currently she is defrayal her days making ready paper luggage for street vendors. Najma said, "Now I earn three,500 to 4000 Bangladeshi monetary unit per month, whereas after I worked within the works, I attained around eleven,000 Bangladeshi monetary unit per month on the average."

Chapter V

International Convention and Bangladesh constitution relating to workers

5.1 International convention relating to garments workers

Workers' right to prepare is well established underneath international human rights law, and expressly bonded within the ICCPR and therefore the ICESCR similarly as 2 of the core ILO conventions, ILO Convention eighty-seven regarding Freedom of Association and Protection of the correct to Organize and ILO Convention ninety-eight regarding the correct to Organize and negotiation that Asian country has sanctioned.

These conventions, and their authoritative interpretations by the United Nations Human Rights Committee, United Nations Committee on Economic, Social and Cultural Rights and therefore the ILO Committee on Freedom of Association (CFA), that examines complaints from workers' and employers' organizations against ILO members, impose AN obligation on the Asian country government to confirm that employers don't thwart workers' right to union formation and participation.

The ICCPR provides that "everyone shall have the correct to freedom of association with others, together with the correct to create and be part of labor unions for the protection of his interests and therefore the ICESCR acknowledges "he right of everybody to create trade unions and be part of the trade union of his selection.

As a celebration to the ICCPR, Asian country is needed to "take the mandatory steps to adopt such legislative or alternative measures as is also necessary to relinquish result to" the correct to create and be part of trade unions and to confirm that any individual whose right to prepare is profaned "shall have a good remedy."

Under ILO Convention eighty-seven, "Workers while not distinction any, shall have the correct to determine and to affix organizations of their own selecting while not previous authorization". And "to elect their representatives fully freedom. Authorities ought to refrain from any interference that

will limit this right or impede its enjoyment. States square measure absolve to visit legal formalities for establishing unions, however they can't abuse this freedom by prescribing formalities that impair basic labor rights guarantees.

The right to prepare includes the correct to official recognition through registration, and therefore the conditions of registration cannot represent a style of previous authorization before establishing a union. The law ought to clearly specify the conditions for union registration and therefore the grounds on that the registrar might refuse or cancel the registration. Government procedures that end in undue delays to registration square measure an infringement of workers' right to prepare If the law needs a minimum variety of founder members to determine a union, states aren't allowed to line the quantity thus high that it effectively renders it not possible to line up a union. The Committee has repeatedly found that "a minimum membership demand of thirty per cent of the employees involved to determine a corporation is just too high.

The ILO Committee of Freedom of Association has repeatedly underscored the importance of adequate penalties and mechanisms to confirm compliance with laws against union interference. The committee has noted:

The existence of legislative provisions prohibiting acts of interference on a part of the authorities, or by organizations of employees and employers in every other's affairs, is deficient if they're not in the middle of economical procedures to confirm their implementation in practice Legislation should establish sufficiently monitory sanctions against acts of interference by employers against employees and workers' organizations to confirm the sensible application of Article a pair of of Convention No. 98

The Universal Declaration on Human Rights (UDHR) of 1948 guarantees some of the labour rights such as right to reasonable limitation of working hours (article 24), right to equal payment for equal work, just and favorable remuneration (articles 23(2)&(3))⁷. Several countries have enacted their labour laws in the light of these legal provisions.

Forced labour is globally prohibited by the Forced Labour Convention, 1930. The Constitution of Bangladesh under article 34 also prohibits forced labour "All forms of forced labour are prohibited

⁷ (Nations, 2022)

and any contravention of this provision shall be an offence punishable in accordance with law".⁸ Moreover, migrant worker's rights have been protected by the International Convention on the Rights of all Migrant Workers and Members of their Families, 1990. Bangladesh has endorsed the principles laid down in the 1990 Convention by enacting the Overseas Employment and Migrants Act, 2013.⁹ Our Constitution ensures in article 15(c) that everyone has the right to reasonable rest and leisure.¹⁰ The Constitution also protects workers from all kinds of exploitation under article 14.¹¹ Labour rights have largely been protected in Bangladesh by the Labour Act of 2006. Section 100 and 108 fix daily working hour of labour that it should not exceed 8 hours and 10 hours including overtime respectively. Child labour has been prohibited under section 34 of the Labour Act.¹² It has ensured maternity welfare facilities for lady employees in chapter six. Maternity facilities area unit restriction on employment of a pregnant lady throughout the eight weeks instantly following the day of her delivery, payment of maternity profit, payment of maternity profit just in case of the death of a girl and restriction on termination throughout maternity. Chapter twelve additionally ensures the compensation for injury caused by any accident. There are a unit different chapters within the on top of mentioned Act that deals with welfare measures, provision with relevancy health, hygiene and safety, wages and payment, organization, their participation in companies' profits, provident funds, etc.

⁸ (The Constitution of the People's Republic of Bangladesh | 34. Prohibition of forced labour, 2022)

⁹ "Whoever Raises Their Head Suffers The Most" (Human Rights Watch, 2022) <<https://www.hrw.org/report/2015/04/22/whoever-raises-their-head-suffers-most/workers-rights-bangladeshs-garment>> accessed 6 March 2022.

¹⁰ (The Constitution of the People's Republic of Bangladesh | 15. Provision of basic necessities, 2022)

¹¹ (The Constitution of the People's Republic of Bangladesh | 15. Provision of basic necessities, 2022)

¹² 2022. [online] Available at: <<https://www.hrw.org/report/2015/04/22/whoever-raises-their-head-suffehttps://www.hrw.org/report/2015/04/22/whoever-raises-their-head-suffers-most/workers-rights-bangladeshs-garment>> [Accessed 6 March 2022].

Chapter VI

Conclusion

6.1 Findings

This survey it's established that the garment staff aren't obtaining rights and privileges as per the law. In most of the cases the staff have given negative answer and a few of the cases they were silent. Moreover, in a number of the cases they need answered absolutely wherever is has been found that they are doing not apprehend the laws or have a bit plan.

6.1.1 Intervention parturient Disputes

When there are unit disputes between employees and employers or violations of the Labor Act the law specifies that the case ought to be handled during a labor court. This contains a decide, a representative of the leader, and a representative of the employees. However, the labor courts have a name for being slow and ineffective. in step with 2013 human rights report on Bangladesh, the U.S. State Department noted that “Resources at the MOLE [Ministry of Labor and Employment] were inadequate to examine and repair issues effectively. Penalties for violating the law weren't decent to discourage violations. body and judicial appeals were subjected to protracted delays.

6.1.2 Failure of state Interventions

The Bangladesh Department of Labor (DOL), inside the Ministry of Labor and Employment is accountable for handling trade unions, however it's hampered by a scarcity of political can, capacity, and social control power. The DOL registers unions and might investigate unfair labor practices like the harassment of union officers and members. However, there are not any provisions or procedures within the law that need the DOL to research allegations of unfair labor practices, deed follow-up on complaints entirely inside the discretion of the DOL. what is more, the DOL doesn't have the authority to enforce selections like reinstatement of de jure fired workers. For such violations, its powers area unit restricted to filing complaints with a labor court. Labor activists in Bangladesh go more, and accuse the DOL of bias in favor of the industrial plant

homeowners, United Nations agency typically even have sturdy political connections, and say that some worker's area unit corrupt.

6.1.3 Labor rights violations in the factories:

Without effective social control of the Labor Law, Bangladeshi employees still face dire conditions. This analysis includes interviews with over different garment employees, has labour discrimination and paltry wages that don't cowl basic expenses. Their opinion regarding true is proof of a failure to implement violations in Bangladesh's garment factories that is belied to be the reflection of alternative workers' opinions. employees delineated a series of problems, together with unsafe factories, unpaid overtime, and lack of advantages, gender existing labour legislation and conjointly to make sure an honest life for a lot of employees and their families.

6.1.4 A failure of enforcement:

While the passage of the People's Republic of Bangladesh Labor Law marked a vital step toward justice for garment employees, industrial plant conditions haven't improved and employees still earn well below a remuneration. The failure of the law to originate lasting modifications within the lives of employees is thanks to the lack of social control of its key provisions. From the analysis work, one factor evident is that the dearth of watching and correct execution of the law is to blame for this exacter bated scenario. The People's Republic of Bangladesh Ministry of Labor and Employment has primary responsibility for watching social control of the Labor Law. However, resources allotted to the Ministry square measure deplorably insufficient: last there have been solely twenty inspectors to blame for watching the conditions of over twenty,000 factories, and different connected businesses across the People's Republic of Bangladesh. There square measure different voluntary associations that are started by the factories themselves that purport to play a vital role in imposing labour standards within the garment sector.

6.1.5 Grueling hours and unpaid leave:

In spite of legislation limiting operating time to no over eight hours per day and forty-eight hours in an exceedingly week, excessive operating hours' square measure still the norm instead of the exception. Nearly half the employees interviewed as a part of the study worked between thirteen

and sixteen hours every day; sixty-seven explicit that they frequently worked over eight hours a day. Additionally, seventy-eight of employees were placed on the night shift, now and then remaining at the industrial plant till 3 am and returning at 7 am that very same morning for one more day of labour. Bangladeshi law conjointly stipulates that employees should receive ten days of paid vacation and an extra eleven days of leave for the Eid competition. However, out of the one,203 Workers interviewed over 0.5 responded that they're granted ten days or less of the total 21 days of annual leave. solely Sept. 11 received their full allotment of paid vacation together with a break day for Eid. though employees square measured entitled to 14 days' paid leave, several of them explained that their employers pressure them into operating through illness.

- **kid care center:** Some manufacturing plant has kid care center however it's used solely just in case of examination.
- **Maternity Benefit:** Most of the staff don't apprehend the particular provision of such leave and therefore the homeowner's area unit provides maternity profit as per their own rule.
- **competition leave:** a number of worker's criticism that they're providing competition leaves and Government holidays however they need to figure to some various day for this.
- **criticism Cell:** although the homeowners have mentioned that they need criticism cell just in case of harassment, whereas most of the staff were silent and that they some were completely unaware concerning this matter.
- **Trade Union for Women Workers** If any women workers' area unit involved labor union then she is also laid-off. this can be one in all the explanations for not connection the labor union. The threat isn't solely of being laid-off however even being crushed up, in remission and have criminal cases filed

6.2.1 Recommendation

Based on the research findings, the requirements garments worker right, law amendment to be maintained, and the followings are recommendations:

6.2.1 Government of Bangladesh

6.2.1.2 Legal Reform

- **Ratify United Nations Agency Conventions No. 102 and 121.**
- **Pursuant to approval, establish the EII theme in situ of the insurance system whereas protective workers' rights to sue employers in cases of negligence.**
- **Amend the Fifth Schedule to the BLA, therefore the existing statutorily capped payment amounts, that are very inadequate and impulsive, are treated because the minimum quantity of compensation is collectable within the event of death or permanent bad condition.**
- **Introduce a provision in Chapter XII of the BLA that obliges Labour Courts to follow basic principles of damages assessment in misconduct law factorization within the age and loss of earnings of the employee, range of dependents etc. once adjudicating compensation cases beneath the BLA**
- **Amend Section 2(3) of the BLA (definition of dependents) to introduce a factual take a look at dependency, instead of the shortlist of dependents that presently excludes close relatives World Health Organization might be passionate about the deceased worker's earnings.**
- **Revise the labour law to confirm it's in line with international labour standards. The law and 2013 amendments let down of International Labour Organization labour standards legal by Bangladesh, together with Convention No. eighty-seven on freedom of association and Convention No. ninety-eight on the proper to prepare and discount together.**
- **Carry out effective and impartial investigations into all workers' allegations of practice, together with beatings, threats, and different abuses, and prosecute those accountable.**

6.2.1.3 Ministry of Labour and Employment

- **Introduce a national repository on work deaths and injuries to confirm transparency and fill the gap in official knowledge. The repository ought to list the overall variety of work injuries and deaths in any given year aboard the overall variety of compensation claims filed altogether by Labour Courts. It ought to additionally contain info concerning**

payments made up of the Central Fund, insurance theme and therefore the Labour Welfare Foundation Fund.

6.2.1.4 Lawyers and legal aid organizations

- **The plaint ought to be written to incorporate the statutorily prescribed quantity of compensation and therefore the extra heads of recovery permissible, like proceedings prices, excess for the delay in payment and medical bills, to maximize the compensation award.**
- **A criminal case beneath Section 293 must always be filed against the defendant's leader if they fail to go with the Labour judicial writ of compensation, to compel speedy payment to the claimant(s).**

6.2.2 To the Bangladesh Garment Manufacturers and Exporters Association

- **Support the institution of freelance trade unions in members' factories and discourage the fitting of alleged "yellow unions."**
- **Work with the govt to confirm that anti-union behavior is eradicated.**
- **Work with the International Labour Organization to coach manufactory homeowners within the advantages of getting freelance trade unions and improved labor relations.**

6.2.3 To international apparel brands

- **Encourage Bangladeshi factories to guard employee rights.**
- **Improve manufactory inspections and publish findings to confirm factories accommodates brands' codes of conduct and also the East Pakistan Labor Law.**
- **Immediately be a part of the East Pakistan fireplace and Safety Accord, a de jure binding agreement that seeks to involve manufactory staff in making certain the security of factories.**

A manufactory leader ought to be at risk of pay compensation the staff for death and injury or disability caused unintentionally arising out of and within the course of employment. leader should contemplate the contraction of activity diseases peculiar to the character of the work done as Associate in Nursing injury like accident. a lot of exactly, a clothes manufactory leader should have:

- **an inventory of injuries that's thought-about to lead to permanent partial disability. an inventory of persons thought-about as staff. an inventory of activity diseases, and includes an inventory of employments for the aim of such diseases.**
- **means that of conniving compensation collectible for disability or death.**
- **Government Organizations, NGO and native stakeholders ought to add collaboration to enhance conditions by:**
- **endeavor analysis to get an improved understanding of the activity health and safety state of affairs in East Pakistan, together with the numbers and circumstances of deaths and injuries and therefore the necessary changes in work practices**
- **Assessing the activities of the body of Factories and institutions and alternative restrictive bodies with the aim of getting enhancements in however they seek compliance with, and social control of, the law.**
- **6.Length of operating hours & night work for young persons and ladies, and prohibition of employment for in operation dangerous machines**
- **7.Prohibition of employment of girls and youngsters close to cotton openers**

6.3 Conclusion

So from my point of view, the laws are quite ok to protect the labor rights but mechanisms are very poor to protect labor rights. To protect the labor rights the government should interpret the laws to the general workers, monitor the activities of labor union, and monitor the private industries' policy and so on .The labour laws of our country make sure the right of the labourers and also the garment sector ought to implement the labour laws for the welfare of the employees. In most of the cases the utilization conditions – maternity profit, operating hours, paid leave and comfortable wage- area unit at a satisfactory level, however enhancements area unit generally required regarding trade unions, profit participation and health problems regarding labour rights

and also the operating surroundings, most of the factories of the garment sector in Asian nation have improved considerably. From the international human rights instruments to our domestic laws worker's rights area unit protected however in our country thanks to lack of the social control mechanisms and disposition of some folks these issues stay unresolved The constitution of Asian nation acknowledges productivity as basic want for development and covers right to figure and affordable wages, health care and, illness and bad condition. once the recent incidents of Rana Plaza, the mandatory steps taken by government and BGMEA showed some progress in taking safety measures in factories. the govt and also the homeowners of clothes factories ought to be additional involved concerning industrial safety connected rules and laws which is able to minimize their expenses yet because the severe losses thanks to accidents. Inspection, coverage and compliance of existing national and international laws and standards should be enforced properly to reduce more incidents thanks to lack of activity safety provisions.

The various employee safety programs initiated within the wake of Tazreen and Rana Plaza have the potential to significantly improve the protection of Bangladesh's garment factories within the short term. However, these gains could also be lost while not sturdy employee oversight within the type of freelance unions. Some progress has been created recently by Bangladesh's fledgling unions, however rather more remains to be done. the largest obstacles to the longer term development of unions area unit this anti-union mind-set of plant homeowners and a worry and lack of awareness among plant employees. These barriers can take a while to beat. Progress is clearly doable, though, with sustained and real efforts by the governments of the us, Bangladesh, and different countries, yet as attire brands and retailers. International pressure is growing against the govt of Asian nation, attire brands and plant homeowners in Asian nation. Bangladesh's garment sector might not be ready to stand up to another tragedy on the dimensions of Tazreen and Rana Plaza. The surest thanks to guarantee the success of the fashion business is to avoid another disaster by promoting and protective labor rights currently, whereas the world's attention is on Asian nation. the current chance to boost operating conditions in Asian nation cannot be wasted.

Therefore, it's evident that, worker's rights are well protected the domestic legal order of our country . However, question could also be asked on then why our employees aren't obtaining protection of those rights. The merely answer is that the downside lies within the implementation

and social control of laws. We have a tendency to hope that the correct implementation of labour laws would safeguard the life and dignity of our employees from any longer exploitation and deprivation.

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