



National Profile on Occupational Safety and Health in Bangladesh 2019

Department of Inspection for Factories and Establishments
Ministry of Labour and Employment





NATIONAL PROFILE ON OCCUPATIONAL SAFETY AND HEALTH IN BANGLADESH 2019

Endorsed by
National Industrial Health and Safety Council
on
22 September 2019

SEPTEMBER 2019

National Profile on Occupational Safety and Health in Bangladesh 2019

Published by:

Department of Inspection for Factories and Establishments

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Supported by:

International Labour Organization(ILO)

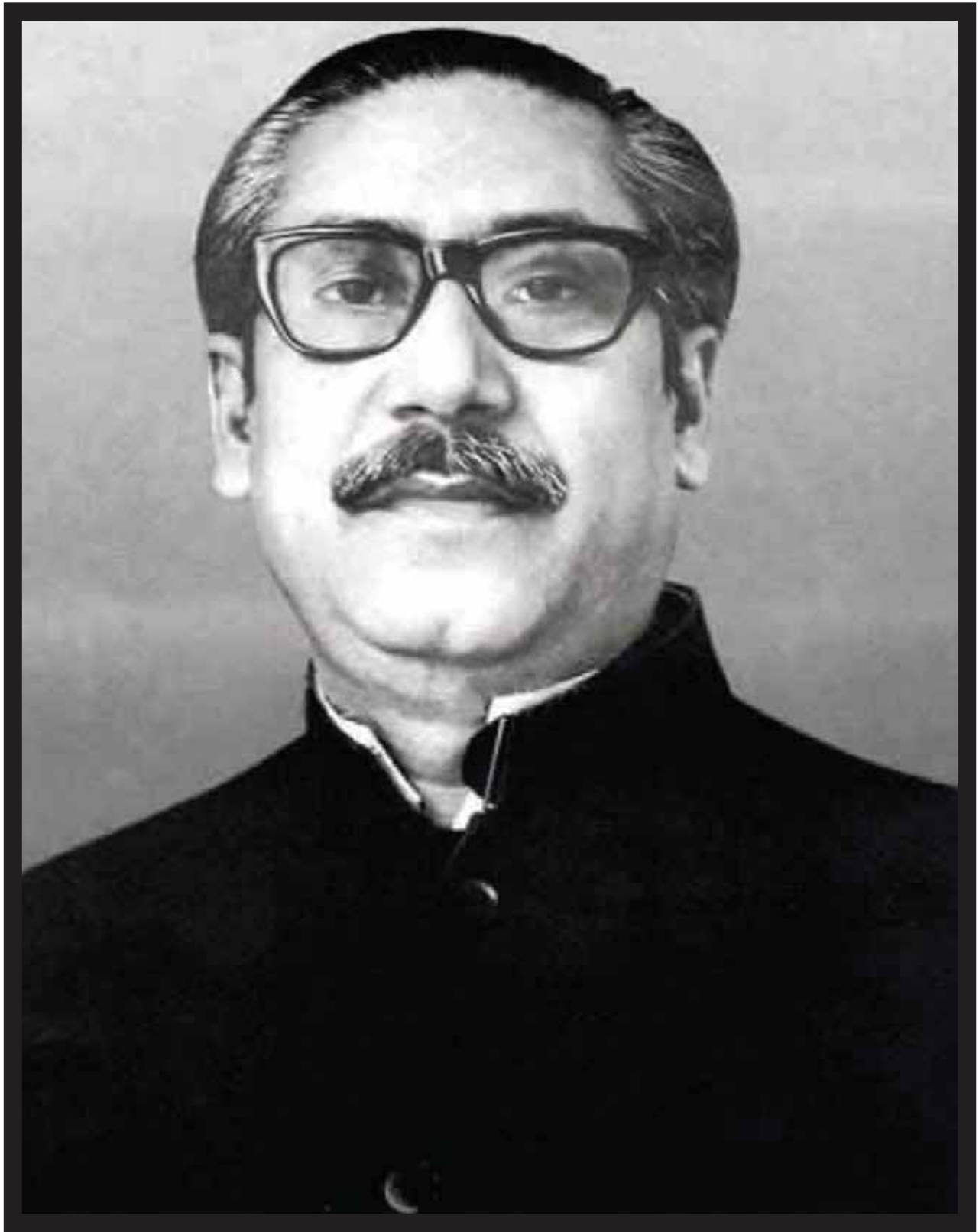
Publication date:

1 July, 2021

Design & Printed by:



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Father of the Nation Bangabandhu Sheikh Mujibur Rahman



President of the People's Republic of Bangladesh



Prime Minister of the People's Republic of Bangladesh



State Minister
Minister of Labour and Employment
Government of the
People's Republic of Bangladesh

Message

The field of Occupational Safety and Health (OSH) has become a topic of great importance across the globe over the last few decades. It is my great pleasure that the National Occupational Safety and Health (OSH) Profile has been finalized by the government of Bangladesh. With relevant data and suggestions, this National Occupational Safety and Health profile for Bangladesh presents vivid picture of the country's Occupational Safety and Health practices.

The objective of the National OSH Profile is to provide information to employers, workers, national and international stakeholders on Occupational Safety and Health-related laws and regulatory frameworks in Bangladesh. Information on occupational accidents, compensation for occupational accidents, safety committees, safety equipment, day care at workplaces, maternity benefits for workers, as well as training and research on OSH are also included in the profile.

Our government is striving to establish decent workplaces in Bangladesh through implementation of the safety and health-related provisions of the Bangladesh Labour Law, 2006 and Bangladesh Labour Rules, 2015. I do believe that the OSH Profile will help the Ministry of Labour of Employment as well as other related national and international authorities and bodies to mitigate the gaps in establishing a safe working environment. I extend my deep appreciation to the International Labour Organization (ILO) for its sincere efforts in supporting the government to produce and publish a resourceful OSH Profile. I commend the valuable contributions and inputs of the distinguished members involved in finalizing this profile.

Finally, I offer my thanks to the Department of Inspection for Factories and Establishments (DIFE) for its relentless endeavor to establish decent and safe workplaces across Bangladesh.

Begum Monnujan Sufian, MP



Secretary
Ministry Of Labour and Employment
Government Of the
People's Republic of Bangladesh

Message

With a view to ensuring decent working conditions in all workplaces, the Department of Inspection for Factories and Establishments (DIFE) under the Ministry of Labour and Employment is going to publish the National Occupational Safety and Health (OSH) Profile in Bangladesh.

The national OSH Profile represents the current national status on occupational safety and health (OSH) of Bangladesh. It identifies, amongst other matters, relevant legislations, resources and infrastructure, and the present national situation regarding occupational accidents and diseases. The National OSH Profile 2019 summarizes OSH-related laws, policies and provisions with the aim to understand OSH compliance mechanism in Bangladesh well. The profile discussed the OSH-related national authorities and bodies, OSH provisions for social security and insurance, training and research on OSH, data collection, promotional activities, and so on.

The OSH Profile is the vital rudimentary step in the process of building an effective national OSH programme. The profile is expected to act as a basis to analyze the current OSH situation in the country and develop a national plan of action for OSH in the coming years, thereby facilitating Bangladesh's commitment to achieve the SDG goal of ensuring decent work by 2030. Through its regular updating, the OSH Profile will act as a tool for evaluating progress from time to time.

I would like to offer my gratitude to the International Labour Organization (ILO) for providing technical support to develop and publish the OSH Profile. I extend heartiest congratulations to DIFE officials for their tremendous effort in preparing this resourceful OSH Profile. This publication will be useful to all stakeholders of the labour sector in Bangladesh.

K. M. Abdus Salam



Inspector General
(Additional Secretary)
Department of Inspection
for Factories and Establishments,
Government of the
People's Republic of Bangladesh

Message

I am very pleased to release the National Occupational Safety and Health (OSH) Profile for Bangladesh. The OSH Profile for Bangladesh presents a big picture of the country's Occupational Safety and Health (OSH) practices and provides data on OSH.

The OSH Profile for Bangladesh, 2019 presented detailed information on the country's OSH-related laws and regulatory frameworks and relevant data including inspections, complaints, safety committees, occupational accidents and compensation for accidents.

This profile will help the Ministry of Labour and Employment as well as other policymakers, planners, executives of the government, national and international development partners to work for ensuring safe workplaces across Bangladesh.

The Department of Inspection for Factories and Establishments (DIFE) is pleased to work closely with the International Labour Organization (ILO) to develop the OSH Profile.

I would like to extend my sincere appreciation to all concerned for their valuable contribution in preparing the OSH Profile for Bangladesh, 2019.

Md. Nasir Uddin Ahmed



ILO Message for Bangladesh's National OSH Profile

The national Occupational Safety and Health (OSH) Profile (2019) summarizes the existing policies, laws, institutions and OSH situation in Bangladesh. It is a testament to the government's commitment to improving working conditions for all its citizens, in line with international OSH standards.

The OSH Profile has been drafted by the Department of Inspection for Factories and Establishments (DIFE), in cooperation with the Ministry of Labour and Employment (MoLE), the ILO, social partners and other relevant stakeholders. It was vetted in a tripartite context by representatives from the government, employers' and workers' organizations.

The purpose of the OSH Profile is to serve as a baseline for further development of policy, planning and directions to broaden OSH across the country. This important document will inform the strategic and technical design of a National Plan of Action on OSH, that will assist in setting national priorities in the field of occupational safety and health..

To ensure effective monitoring of OSH in workplaces, the ILO's Improving Working Conditions in the Ready-made Garment Sector Programme, funded by Canada, Netherlands and the United Kingdom, has been working closely with the government, employers' and workers' organizations in Bangladesh since 2013. The programme has assisted in the development of policy frameworks, and tools and guidelines for strengthening the national labour inspection system. The result of these concerted efforts is reflected in the National OSH Profile which captures DIFE's increased capacity and resources to promote OSH and protect people in workplaces.

We believe that this progress must be strengthened and sustained. The ILO stands ready to continue its collaboration with a broad coalition of social and development partners to establish a preventative OSH culture in Bangladesh; one in which the right to a safe and healthy working environment is steadfastly respected and upheld.



Tuomo Poutiainen
Country Director
ILO Country Office for Bangladesh

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ABBREVIATIONS AND ACRONYMS

Accord	The Accord on Fire and Building Safety in Bangladesh
Alliance	The Alliance for Bangladesh Worker Safety
BCSIR	Bangladesh Council of Scientific and Industrial Research
BEPZA	Bangladesh Export Processing Zone Authority
BILS	Bangladesh Institute of Labor Studies
BGMEA	Bangladesh Garments Manufactures and Exporters Association
BIM	Bangladesh Institute of Management
BLA	Bangladesh Labor Act
BLF	Bangladesh Labor Welfare Foundation
BLR	Bangladesh Labour Rule
BNBC	Bangladesh National Building Code
BOI	Board of Investment
BSBA	Bangladesh Ship Breakers Association
BSTI	Bangladesh Standards and Testing Institution
BUHS	Bangladesh University of Health Sciences
Compact	EU Sustainability Compact for Bangladesh
DIFE	Department of Inspection for Factories and Establishment
DOL	Department of Labor
DPHE	Department of Public Health Engineering
DRTMC	Disaster Research Training and Management Centre
DWRN	Domestic Worker's Rights Network

DWEA	Danish Working Environment Authority
EPB	Export Promotion Bureau
EPZ	Export Processing Zone
FSCD	Fire Services and Civil Defense
GIZ	Deutsche Gesellschaft für International Zusammenarbeit
GoB	Government of Bangladesh
GBV	Gender Based Violence
ILO	International Labour Organization
IRI	Industrial Relations Institute
JIDPUS	Japan Institute of Disaster Prevention and Urban Safety
LIMA	Labour Inspection Management Application
LWC	Labour Welfare Centre
MoLE	Ministry of Labour and Employment
NAP	National Action Plan
NIPSOM	National Institute of Preventive and Social Medicine
OAIDRS	Occupational Accidents, Injuries & Diseases Reporting System
OEH	Occupational and Environmental Health
OSHE	Occupational Health and Safety and Environment
PPE	Personal Protective Equipment
SBSRB	Ship Building and Ship Recycling Board
SBSRR	Ship Building and Ship Recycling Rules
SCF	Social Compliance Forum
SNF	Sramik Nirapotta Forum (Worker's Safety Forum)
US-GSP	United States Generalizes System of Preference
USDOL	United States Department of Labor
UTI	Urinary Tract Infection
f.o.b	Free on board

NATIONAL OCCUPATIONAL SAFETY AND HEALTH PROFILE 2019

BANGLADESH

1 INTRODUCTION

Bangladesh has achieved remarkable economic development and progress, with an average GDP growth rate of 6.5 per cent over the past decade. As the second largest apparel exporter in the world, the country's ready-made garment industry contributes 82% to the total export. Bangladesh is one of the members of the Developing 8 and considered as the Next Eleven (N-11); the 11 countries that have the potential of becoming the biggest economies of the 21st century. Steady growth of the industrial economy, along with newly buoyant remittance inflow, has further contributed to increasing foreign exchange reserves.

The Government of Bangladesh has been continuously putting efforts into the alleviation of poverty through economic development, yet the country faces ongoing challenges including overpopulation, economic disparities, natural calamities and limited natural resources¹. Inadequate working conditions and labour rights pose serious threats to workers' safety and health, further hindering the country's growth prospects.

In 2018, Bangladesh fulfilled all three eligibility criteria for graduation from the UN's Least Developed Countries (LDC) list for the first time and is on track for graduation in 2024.²

To achieve its growth aspiration of becoming an upper-middle income country, the government needs to ensure continuity of sound macroeconomic management, implement structural reforms, expand investments in human capital, increase female labor force participation, and raise productivity through increased global integration. Improving infrastructure as well as the business climate would allow new productive sectors to develop and generate quality self and wage employment.

Table 1 shows the key indicators for Bangladesh.

¹ <https://www.bd.undp.org/content/bangladesh/en/home/countryinfo.html>

² <https://www.worldbank.org/en/country/bangladesh/overview>

Table 1: Key Indicators for Bangladesh

Demographic data1	
Total population, 2018	163.7 million
Male-Female ratio, 2017	100.2:100
Population Growth Rate (Percentage), 2017	1.37 %
Population Density, 2017	1103 person/km ²
Population 15 –59 years	62.7%
Total fertility Rate (Live births per 15-49 years old woman), 2017	2.05
Crude Birth Rate (per 1000), 2017	18.5
Crude Death Rate (per 1000), 2017	5.1
Infant Mortality Rate (per 1000 live births), 2017	24
Life Expectancy at Birth, 2017	72 years (2017) Male: 70.6 years Female: 73.5 years
Economic data2	
Gross Domestic Product (GDP) at Constant Price (In Cr. TK)	1105514
GDP growth rate at Constant Price	8.13 %
Per capita GDP	1827 USD
Poverty rate (people living below national poverty line)	21.8 %
Extreme poverty (people living below extreme poverty line - \$1.90 per day)	11.3%
Per capita National income, 2018-2019(Prov.)	1909 USD
Per capita income in terms of Purchasing Power Parity	3790 USD
Inflation rate (July,2018-March,2019)	5.44%
Remittance (November,2019) ⁴	1555.22 million USD
Foreign exchange reserve (30.04.2019)	32,123 million USD
Exports f.o.b (July,2018-February,2019)	27,144 million USD
Imports f.o.b (July,2018-February,2019)	37,839 million USD
Labour Market indicators3	
Total working age population (15-64 years)	109.054 million (67.6%) Male: 54.080 Million (66.8%) Female: 54.974 Million (68.4%)
Labour Force	63.504 Million (58.2%) Male: 43.528 Million (80.5%) Female: 19.976 Million (36.3%)

Outside the Labour Force	45.549 Millions (41.8%) Male: 10.551Millions (19.5%) Female: 34.998Millions (63.7%)
Labour Force Participation Rate	58.2% Male: 80.5% Female: 36.3%
Employment Status	Total Employment:60.828 Million Male: 42.182 Millions Female: 18.646 Millions
Employment by main sector of GDP	Agriculture: 40.6% Industry: 20.4% Service: 39%
Employed Labor Force above 15 Years by Sector	Agriculture, forestry and fishery: 40.62 Mining & quarrying: 0.20 Manufacturing: 14.43 Power, gas & water: 0.20 Construction: 5.58 Trade, hotel & restaurant: 14.34 Transport, maintenance & Communication: 10.50 Finance, business & services:1.97 Commodities & personal services: 6.08 Public administration and defense: 6.08
Unemployment Status	Total : 26.77 million (4.2%) Male: 13.47 million Female:13.30 million

2 BACKGROUND

A number of legislations pertaining to labour affairs, prior to the independence of Bangladesh in 1971, remained in force under the Adaptation of Bangladesh Law Order.³ Subsequently along with modifications and additions in response to the changing work circumstances, they were codified into one compilation of labour laws, namely the Bangladesh Labour Act (BLA), 2006⁴. In regards to Occupational Safety and Health, the BLA (2006) includes dozens of provisions on health and hygiene from section 51 to 60, and the safety of workers from section 61 to 78⁵.

After the tragic 2013 collapse of the Rana Plaza complex, which claimed 1,134 lives, OSH-related issues came to the surface, leading the Government of Bangladesh to pass the Bangladesh Labour Act (Amendment), 2013. The amended provisions include: adding a new section regarding dangerous work for children (section 39); emergency exits (section 62); access to gangways, stairs etc. for workers (section 72); mandatory use of personal safety equipment (section 78a); notification of competent authority in case of incident (section 80); establishment of a health centre in companies employing more than 5000 workers (section 89); and a new section on the formation of a safety committee (section 90a).⁶

Soon after, the Bangladesh Labour Rules (BLR) 2015 was adopted to enforce the provisions of the BLA (2006 and Amendment 2013). In 2018, further amendments were made to the BLA (Amendment 2013), though there was no substantial change regarding occupational safety and health. Through the Bangladesh Labour Act (Amendment), 2018, the labour inspectorate was upgraded to department from directorate level and known as Department of Inspection for Factories and Establishment (DIFE).⁷

³ The Bangladesh (Adaptation of Existing Laws) Order (President's Order No. 48), 22nd May, 1972

⁴ <http://www.iosrjournals.org/iosr-jbm/papers/Vol18-issue9/Version-1/D1809012129.pdf>

⁵ The Bangladesh Labour Act, 2006

⁶ The Bangladesh Labour Act (Amendment), 2013

⁷ The Bangladesh Labour Act (Amendment), 2018

Recognizing the necessity and significance of an OSH policy to ensure safety and health at workplaces and thereby increase productivity, the government adopted the National OSH Policy in 2013. The Policy confers the responsibility of producing a National OSH Profile by the government. It is in this regard, the Department of Factories and Establishment (DIFE) under the auspices of the Ministry of Labour and Employment made a humble effort to produce the first National OSH Profile in 2016 and then update that in 2019.

The National OSH Profile 2019 makes an attempt to summarize all the OSH related policies and laws in the country for the purpose of better understanding of OSH compliance mechanism in the country. The Profile is expected to act as basis to analyze current OSH status in the country and develop a national plan of action for better management of OSH in the coming years.

3 OSH LAWS AND REGULATORY FRAMEWORKS

3.1 Constitution of Bangladesh

The Constitution of Bangladesh, as the highest law of the country has enunciated

- (i) socialism and freedom from exploitation (Article 10),
- (ii) (ii) emancipation of peasants and workers (Article 14),
- (iii) (iii) public health and morality (Article 18),
- (iv) (iv) equality of opportunity (Article 19) and
- (v) (v) work as a right and duty and a matter of honour (Article 20), as Fundamental principle of State policy. The State policy clearly mentions that everyone shall be paid for his work based on the principle “from each according to his abilities, to each according to his work”

Moreover, Freedom of Association (Article 38), Freedom of Profession or Occupation (Article 40) and Prohibition of Forced Labour (Article 34) are guaranteed under the constitution⁸

3.2 OSH Policy-2013

In the context of global, ethical and legal obligations to ensure a safe and healthy working environment for all, the National Policy on Occupational Health and Safety was formulated and adopted on 5th November 2013, with the understanding that the implementation of such a National Policy would firstly ensure the safety of workers and secondly, help increase industrial productivity. The Policy applies to all workplaces in Bangladesh, including formal and informal sectors of industries, factories, enterprises, business and commercial entities and farms.

The ultimate goal of the Policy is the nationwide understanding and acceptance of OSH for all women and men who are working in both the formal and informal sectors in Bangladesh. A robust national OSH framework will significantly help reduce the number of deaths, injuries and occupation-related diseases, thereby fulfilling the constitutional and legal obligations of the state.

⁸ The Constitution of the People's Republic of Bangladesh (www.parliament.gov.bd)

3.3 Bangladesh Labour Act-2006

The Bangladesh Labour Act (2006) is the key labour legislation that sets Occupational Safety and Health standards, and compensation for injury and accidents in the workplace. In 2013, significant amendments were made to the BLA (2006), regarding occupational safety and health, primarily in response to the Rana Plaza collapse. The Bangladesh Labour Rules (2015) set implementation procedures to corresponding sections of BLA (2006).

3.4 Other Policies and Laws

A number of laws have several OSH-related provisions, including the Fire Prevention and Extinguishing Act (2003), the Bangladesh National Building Code (2006), the Labour Welfare Foundation Act (2006) and the Ship Breaking and Ship Recycling Rules (2011).

The National Labor Policy 2013⁹ urges the government to bring necessary amendments in the laws to ensure safe, healthy and women-friendly workplaces and maternity protection (Art. 19). One of the main objectives of the Industrial Policy is to ensure the implementation of international standards on environment, health, safety and standard working environment within the industrialization process (Art. 2.15).

A number of other labour policies, including the National Child Labour Elimination Policy, (2010) and the Domestic Workers Welfare Policy (2015), also provide guidelines on OSH for respective sectors.

3.5 Summary of OSH Provisions

OSH related policies and laws can be summarized under the following categories:

3.5.1 Occupational Accidents, Hazards and Diseases

The key provision on occupational accidents, hazards and diseases relates to accident prevention regulations: prevention from workplace hazards; disease prevention and safeguards; record keeping and planning; rehabilitation and building awareness of OSH.

3.5.1.1 Workplace safety

Factory Construction: The National OSH policy necessitates ensuring maximum safety standards during **factory construction** and implementing all standards and regulations on internal safety environment (Clause 4.d.1).

Risk identification and awareness: Employer's must identify all OSH **risks** and orientate all workers on such risks and the potential causes of accidents (Clause 4.d.2). The policy also suggests developing a safe workplan and ensuring its effective practice (Clause 4.d.8).

Imminent danger: The BLA clearly states that if a Labour Inspector finds a building, or any part of a building, or its machinery and plant, poses a serious threat to workers, then s/he is duty-bound to issue a written notice to the establishment owner. The owner must then seek necessary remediation for the building, and act on the notice according to the given deadline (Section 61).

⁹ Available in Bangla at <https://bit.ly/2ZGNBH5>

Fire license: According to the Fire Prevention and Extinction Act (2003), in order to use a building or certain part of a building or establishment as a warehouse or workshop, certain person/group need a permission license under the Act from the Director General of the Fire Service and Civil Defence Department (Section 4).

Fire resistance requirements: The Fire Code in Bangladesh National Building Code (2006) necessitates that all elevator shafts, vent shafts, and other vertical openings in workplaces shall be fully enclosed with the construction of a **minimum** four-hour fire-resistance protection, and that all fire exits comply with existing National Acts (Section 2.11.5).

Handling of petroleum products and asbestos: The Bangladesh Ship Breaking and Recycling Rules (2011) suggests maintaining a safety distance for storage of all petroleum products (Section 17.7). There should also be a specially constructed facility for the removal and handling of asbestos in the yard, alongside the necessary provision of ‘showering off’ the asbestos or other available asbestos handling systems (Section 17.9).

Safety Committee: The BLA (2006), Section 90a, necessitates the constitution of a Safety Committee in every factory where fifty or more workers are employed. The safety committee shall be constituted as prescribed in Section 30 of the Act.

3.5.1.2 Accident prevention

The National OSH Policy, the National Labor Policy and the National Industrial Policy deal with the issues of workplace accident prevention.

For example, the National OSH Policy clearly stipulates the need to:

- Ensure workplace safety and health protection in light of international conventions/declarations/recommendations/documents (Art. 3.a.1);
- Implement national laws and regulations in relation with workplace safety and occupational health (Art. 3.a.2);
- Set up national standards on OSH (Art. 3. a15, Art. 4a. 20);
- Develop a strategy and action plan to ensure proper implementation of national laws and regulations (Art.4. a.3);
- Include OSH issues in the policies and programs of all related ministries and agencies (Art.4.a13);
- Establish labor courts in the industrial zone for implementing mandatory OSH Provisions (Art. 4. A.15);
- Impose Mandatory terms and conditions upon construction agencies to follow OSH policies during government run construction works (Art. 4. A.22);
- Provide financial support to the establishments that maintain and practice the OSH rules and regulations (Art. 4.a.24);
- Ensure maximum safety standards during factory construction and implement all standards and regulations on internal safety environment (Art. 4.d.1);

Firefighting requirements: The Bangladesh Labor Act 2006 states that every establishment shall be provided with firefighting apparatus and fire exit. In case of 50 or more workers, employer shall arrange at least once in every six months a fire-fighting drills and shall maintain a record book (Section 62, BLA).

Machineries safety: If there are machines which are in motion or in use, they should be securely fenced by the safeguards of substantial construction (Section 63, BLA). Every set of screw, belt, or key, or any revolving shaft or spindle wheel or pinion shall be encased or otherwise effectively guarded so as to prevent danger (Section 67, BLA).

Floor safety: All floors, stairs, passages and gangways of establishments should be of sound construction and properly maintained, and all floors and stairways and strong railing shall be provided to ensure safety. The passages and stairs shall be kept opened for easy movement during continuance of work (Section 72 BLA (Amendment) 2013).

Load handling: No person should be engaged in any factory to lift, carry or move any load so heavy as to be likely to cause injury (Sections 74, 83-86, 90,323, BLA.).

Personal safety equipment: No authority shall engage any worker in work without providing him/her with personal safety equipment and ensuring correct uses thereof. A record book shall be maintained on this matter by the employer, in the prescribed manner (Section 78A, BLA (Amendment) 2013).

3.5.1.3 Workplace environment and prevention of hazards

At policy level, the National OSH Policy ensures safety in transportation, maintenance and control over chemicals used in the production process (Clause, 3.a.6).

The Bangladesh Labor Act has a number of provisions for protecting workers from workplace hazards, which include:

- a) Every establishment to be kept clean and free from effluvia arising out of any drain, privy or other nuisance (Section 51, BLA);
- b) The temperature of the work room is comfortable and prevents injury to health;
- c) Every employer is required to make effective and suitable measures for securing and maintaining adequate ventilation, sufficient and suitable lighting (Section 52);
- d) To prevent gathering dust or fumes in the workroom and its inhalation by workers (Section 53)
- e) The working environment of an establishment should not be so overcrowded that it is injurious to the health of workers. As a guide, nine and a half cubic meters of space should be provided for each single worker in a factory (Section 56),
- f) Every establishment should arrange sufficient numbers of separate toilets with sufficient light, air and water for male and female workers (Section 59).
- g) Employers should provide sufficient supplies of pure drinking water (Section 58); sufficient lighting (Section 57)
- h) An adequate number of gender-segregated toilets and washrooms, as well as sufficient numbers of clean and hygienic dustbins and spittoons at convenient locations in the workplace (Section 60).

Electric supply: The Bangladesh Labour Rules (2015) state that electricity supply lines and apparatus, in all factories, shall be of sufficient size and strength, and shall be constructed, situated, protected, and maintained in such a manner, as to pose a risk of serious bodily harm to workers (Section 58, BLR).

Chimneys and Ventilation: The Bangladesh National Building Code (2006) mandates that all chimney, vents and ventilation ducts should be constructed from non-combustible materials. The code also stipulates that every boiler, central heating plant, electrical room or hot water supply boiler must be separate from the main workplace building(s) to prevent any major hazards (Section 2.11.7)

Material Safety Data Sheet: *Bangladesh Labor Rules, 2015* states that the factory and establishments owners shall place Material Safety Data Sheet (MSDS) of dangerous materials in an easily noticeable place so that the employed workers can be well informed about the possible Hazard (Rule 68, 10)

It is an obligatory issue for factory owner to take proper approval of factory's layout plan and extension layout plan from DIFE (Section 326, BLA and Rule 353, BLR).

3.5.1.4 Disease prevention and safeguards

The National OSH Policy and the National Child Labour Elimination policy both include clauses regarding disease(s) prevention and safeguarding. The National OSH Policy calls for:

- a) identifying the risk of health and safety (Clause. A3)
- b) giving orientation to the persons engaged in formal and informal workplaces on the risk of possible accident, health risk and safety issues (Clause 3.4) and
- c) making provisions for a specialist who can identify occupational diseases' and ensure health safety in the factory and establishment (Clause 3.10).

The penal code ensures punishment by law in case of negligent and or malignant acts likely to spread infection of diseases dangerous to life (Section 269 and 270).

Fire and Smoke Detection System: The Bangladesh National Building Code requires the installation of automatic fire and smoke detection systems when the size, arrangements and the occupancy of a building become such that a fire itself cannot provide adequate warning to its occupants for their safety. The automatic fire and smoke detection system shall include sort of lien type heat sensitive detectors and optical, ionized or chemical sensitive type and smoke detectors (Section 4.41).

3.5.1.5 Record keeping and planning

Record keeping: The National OSH Policy urges the collection and maintenance of all records on OSH related accidents, injuries, death, treatment, compensation, cases, decisions etc., (Clause 3.a.7; 4.a.8; and 4.d.5). The policy also recommends that the respective institutions use the data and information to make action plans and take guidance from OSH specialists for ensuring OSH standards in the workplace (Clause 3.a.8,4. a.9 and 4.d.65).s

Safety record: Section 90 of BLA 2006 provides for the compulsory obligation of keeping and maintaining a safety record book and a safety board in every establishment and factories, wherein more than 25 workers are employed. According to the Bangladesh Labor Rules 2015, the authorities of all factories are obliged to maintain a register of all accidents and dangerous occurrences that occur in that factory (Rule 73).

3.5.1.6 Workplace level initiative

Safety Committee: As per Bangladesh Labor Rules 2015, if the factory has 50 or more than 50 workers, it is mandatory for factory owner to form and ensure functioning of a safety committee following the instructions as described in BLR (Section 90A, BLA 2006). Procedures for formation and role of safety committees is specified in Bangladesh Labor Rules (Chapter 8 and schedule 4, BLR 2015).

Sick room and dispensary: According to the Bangladesh Labour Act (2006), in every establishment, the first-aid box or cupboard - equipped with the contents prescribed by BLR - shall be provided, and be readily accessible to all, during working hours (Section 89), and where 300 (three hundred) or more workers are ordinarily employed, a sick room with a dispensary - of a size and containing equipment or other facilities prescribed by Section 77 of the BLR- shall be provided and managed by a medical practitioner and nursing staff, as may be prescribed by the BLR (Section 89 (5), BLA 2006 and Section 77, BLR 2015).

Medical centre: In any establishment or establishments where 5000 (five thousand) or more workers are employed, the employer or employers of that establishment or those establishments, shall arrange for operating a permanent medical centre, in such manner, as may be prescribed by BLR (Section 89 (6), BLA 2006 and Section 78, BLR 2015).

Welfare Officer: In every establishment where 500 (five hundred) or more workers are employed, the employer of such establishment shall appoint a welfare officer in the manner prescribed by Section 79 of the BLR (Section 89 (8), BLA 2006 and Section 79, BLR 2015).

Awareness on Hazards: As mentioned in section 78A (3) of the BLA, an owner is obligated to make all workers aware of workplace hazards through training.

The National OSH Policy (2013) describes the role of employers to identify OSH risks and to inform every person in the workplace about occupational health and safety risks.

Drinking water: The BLA (2006) mandates that factories shall provide purified potable water for workers at a suitable point in the factory/establishment (BLA Section 58 (1)). During hot summers, provision shall be made for cooling potable water for establishments that employ more than 250 workers (Section 58. 3).

Rest room: BLA makes it mandatory that the employer shall establish a rest room for the workers (in case of more than 50 workers) with arrangement for drinkingwater, where they can eat meals brought with them and take rest [section 93 (1), BLA]. Separate rest rooms shall be provided for male and female workers if the number of female workers is more than 25 [Section 93(3), BLA].

3.5.1.7 Awareness raising

According to the rule 351 of Bangladesh Labor Rules 2015, one of the key roles of labor inspector is to conduct training and/or workshop to raise knowledge and skills of workers, members of trade unions and employers.

The National OSH Policy mandates the treatment and compensation of any injured workers, and rehabilitate victim workers as per his/her capability (Clause 4.b.11 and 3.a.12) .

For raising awareness on OSH issues, the policy includes a number of clauses:

- a) regular observance of Occupational Health and Safety Day on April 28 each year by the state (Clause 4.a.25);
- b) Publicity on OSH related issues through government and private TV channels and other media (clause 4.a.26);
- c) inclusion of OSH issues in the curriculum of secondary and higher secondary education (Clause 4.a.27),
- d) motivate all employers to implement the OSH policy, Bangladesh Labor Act and related laws on OHS [Clause 4.b.1.],
- e) arrange discussions, consultations and trainings, for employees member organizations (Clause 4.b.2)
- f) provides information on laws related to OSH, rights and responsibilities of trade unions regarding safe and healthy workplaces and arrange orientation to the workers (Clause 4.c.1); and
- g) to motivate the workers through the trade unions to follow the laws on OSH (Clause.4 c. 2).

3.5.2 Safety Equipment/Tools and Facilities

The safety equipment/ tools and facilities include firefighting apparatus and the emergency fire exit, protective kits and the safety of buildings and machineries.

3.5.2.1 Personal Protective Equipment

The National OSH policy obligates to provide training, guidelines on safety and Personal Protective Equipment (PPE) to the workers and to ensure their use in the workplace (Clause.4. d.7). It suggests to follow OSH related guidelines provided by the employers to the workers (Clause 4.e.1). It also states that workers should take care of their own as well as co-workers' health and safety (Clause 4.e.2).

The BLA 2006 states that suitable goggles should be provided for the workers where eyes are at risk of exposure to excessive light or heat [section 75.]

The BLA Section 78A sets clear guidance on using safety appliances for personal safety at work:

- a) Where applicable, the employer shall supply safety appliances, and shall not employ any person before ensuring the use thereof. In accordance with the law, a record book shall be maintained by the employer in the prescribed manner;
- b) The workers concerned shall be held responsible if they do not use the safety equipment which has been supplied; and
- c) To ensure occupational health, safety and protection, all workers shall be made aware of the risks of the work through training.

3.5.2.2 Safety of Buildings and Machineries

BLA 2006 states that inspectors may prohibit the use of any building, machinery or plant of any establishment if it appears dangerous to human life or safety [Section 61 (2)].

Fire Prevention and Extinction Act 2003 prohibits any multi-storied industry or commercial space without the certification of the Director General of the Fire Service and Civil Defence (FSCD), with respect to fire prevention, fire extinguishing and other fire safety related issues (Section 7).

The Bangladesh National Building Code 2006 has detailed provisions on the safety of building minimum ceiling heights of every floor or an industrial establishment will be 3.5 meter for non-air-conditioned and 3.0 m for air-conditioned buildings (Section 1.12.2.). The minimum width of staircases of an industrial establishment has to be at least 2.0 metre and handrails will have a minimum height of 0.9 meter (Section 1.12.5). The exterior walls of industrial buildings shall have a fire resistance of at least 2-3 hours (Section 2.4.1).

3.5.2.3 Firefighting Apparatus and Emergency Fire Exit

The BLA (Amendment 2013) requires every establishment to provide means of exit including at least one alternative staircase connecting with every floor and requisite number of firefighting equipment in every floor (Section 62(1)). Also the amended Act ensures that in every establishment, while work is going on, no exit of a room shall be kept locked, and no exit shall be hindered or no barrier shall be put on the way (Section 62(3a)). In factories with more than 50 workers, mock fire drills should be carried out at least once every 6 months, (Section 62(8))

The BNBC (2006) also makes detailed provisions for fire exits – they must be easily discernible and accessible from any part of the building. In addition, all exits should be located and arranged in such a manner that they provide continuous and unobstructed means for escape to the exterior of the building, leading to a street or to other designated areas of refuge (Section 3.4). The code also recommends the correct type of fire extinguishing system to be used in different industrial establishments. In low hazard industries, manually operated fire alarm systems, along with portable fire extinguishing systems, must to be installed. For moderate hazard industries, areas up to 750 m² should be installed with automated fire alarm systems and have portable fire extinguishers. In areas above 750 m², the unit should be fitted with automatic sprinklers or automated fire alarm systems, along with a portable fire extinguishing system (Section 5.8).

3.6 Welfare at Workplace

3.6.1 Health Services and Medical Care

National OSH Policy and BLA provide the following provisions for mandatory and optional health care services:

- Where a worker serves notice of an accident, the employer shall, within 3 (three) days of service of such notice, ensure the worker is examined at the expense of the employer, by a registered medical practitioner. The worker shall submit himself for such examination;
- Provided that the accident or illness of the worker is of a grave nature, the employer shall make arrangements for him/her to be examined at the place where the worker is staying (Section 160 (1), BLA Amendment 2013).

- In any establishment where at least 10 (ten) workers are employed, the employer of the establishment may introduce, and implement, an insurance scheme against workplace accidents under a group insurance for all workers, and the benefits or money received from such an insurance scheme shall be spent on treatment of the workers (Section 160 (11), BLA 2006).
- If a worker is physically injured by an accident arising out of the course of his/her employment, his/her employer shall be liable to pay him/her compensation in accordance with the provisions of Chapter XII of BLA (Section 150, BLA 2006).
- The medical treatment of a worker injured in the workplace has to be performed under the supervision of the employer, and the employer is obligated to bear the expenses related therein (Section 142, BLR 2015).
- If a worker, while in the service of an employer for a continuous period of not less than 6 (six) months, as specified in Part-B of the Third Schedule of the BLA, is affected by an occupational disease peculiar to that employment, the illness shall be deemed to be a workplace injury by accident. Unless the employer proves the contrary, such an accident shall be deemed to have arisen out of the course of his/her employment (Section 150, 3(b), BLA 2006).

The National OSH policy obligates to ensure medical treatment and compensation for injured workers (Clause 4.a.12.). It also suggests periodic medical examinations to identify workplace related diseases/occupational health issues (Clause 4.b.12) and to provide support to the Occupational Health Surveillance (Clause 4. b.13.).

3.6.2 Maternity Benefits and Medical Care

The law provides for Right to maternity benefit and liability for its payment:

- Every woman worker shall be entitled to maternity benefit from her employer for the period of 8 (eight) weeks preceding the expected day of her delivery and 8 (eight) weeks immediately following the day of her delivery, and her employer shall be bound to give her this benefit:
- Provided that a woman shall not be entitled to such benefit unless she has worked under her employer for a period of not less than 6 (six) months immediately preceding the day of her delivery (Section 46(1), BLA 2006).

In every establishment, where 40 (forty) or more female workers are ordinarily employed, one or more suitable rooms shall be provided and maintained for the use of their children who are under the age of 6 (six) years (Section 94(1), BLA 2006).

3.6.3 Other Facilities

The BLA (2006) also ensures first-aid equipment, washing facilities, canteen, resting place and dining areas with water facilities. There are additional provisions for tea plantation workers, such as housing facilities to every worker and families residing in the tea plantation (Section 96), as well as facilities within easy reach of the workers, for their access to daily necessities (Section 97).

4 NATIONAL AUTHORITIES, BODIES AND INITIATIVES

The following national authorities, bodies and initiatives are responsible for ensuring occupational safety and health in the country:

4.1 Department of Inspection for Factories and Establishments (DIFE)

The Department of Inspection for Factories and Establishments (DIFE) is the national labour inspectorate which is, as per Bangladesh Labour Act 2006 and ILO Labour Inspection Convention, 1947 (No 81), solely responsible for enforcing labor laws and rules through inspections at the workplaces.

The DIFE bears responsibility to implement all the provisions of the Labour Act 2006 except Chapter 13: Trade Union and Industrial Relations and Chapter 14: Arbitration, Labour Courts, Labour Appellate Tribunal, Rules of Procedures.

Key functions carried out by DIFE as per the provisions of the Labour Act, 2006 are as follows:

- Inspection of factories, shops, industries and commercial establishments, especially high risk ones, for establishing the terms of employment, safety and health issues and labour welfare under the Bangladesh Labour Act 2006 along with Bangladesh Labor Rules 2015 and prosecuting the violators before labor courts;
- Examination and verification of certificates issued by the relevant authorities relating to safe operations of gears, derrick winches and other accessories of ports and ships and inspection of ships at the national ports for enforcement of relevant provisions of the law;
- Participation in the formulation and review of labour laws and policies and strategies on enforcing them;
- Investigation of complaints received from workers on their labour rights and working environment;

- Sharing knowledge and experiences with workers and employers and advising them on the labour law, rules and regulations and the best means of complying with them and carrying out promotional and publicity programs to foster and increase the awareness of occupational safety and health and labour inspection;
- Approval of the factories' machine layout plans, modification and expansion plans;
- Issuance of registration certificates for the factories and establishments and renewal of their licenses²;
- Establishing communication with the various government organizations, employers' association and trade union for the proper implementation of labour laws;

Reporting on labour inspection, wage administration, conditions of work and occupational health and safety.

Labour issues, in general, and labour inspection, in particular, in Bangladesh are regulated by the Bangladesh Labour Act No. 42 of 2006, and its amendments, which is applicable to all establishments and for all workers, except the following main categories:

- a) Offices of or under the Government;
- b) Educational, training and research institutions that are not run for profit;
- c) Agricultural farms where less than 5 workers are normally employed;
- d) Domestic workers;
- e) Any institution, run for treatment, care or service of the sick, aged, destitute, handicapped, orphan, abandoned women and children or widow, but not run for profit or gains; and
- f) Establishments run by its owner with the aid of members of his family and where no member is employed for wages.

4.2 Department of Labour (DOL)

The DOL is mainly responsible for registration of trade unions, facilitation of effective labor/ industrial relations, collective bargaining and negotiations, and for ensuring prompt and efficient settlement of labor disputes in the industrial sectors of Bangladesh.

The DOL has one head office and six divisional offices under which there are 9 regional offices. DOL runs 4 training institutes (Industrial Relations Institutes) that imparts training on Labour Laws covering safety and health provisions.

DOL also has 28 Labor Welfare Centers which provide medical services including health and family planning activities.

The key functions of DOL include:

- a) Registering trade unions and maintaining the trade union register;
- (b) Lodging complaints with the Labour courts for action against any offence or any unfair labour practice or violation of any provisions;
- (c) Determining the Collective Bargaining Agreement in relation to an establishment/group of establishments;
- (d) Supervising the election of trade union executives;
- (e) Acting as conciliator in industrial disputes; and
- (f) Supervising the functioning of Participation Committees.

4.3 Labour Courts

The Bangladesh Labour Act 2006 prescribes provision and procedures for labour courts and appellate tribunals. The DIFE's labour inspectors can lodge cases in Labour Courts against any employer that violates the BLA 2006. A worker or an employer can go to the labour courts to resolve any legal claim. Any representative of a Collective Bargaining Agreement may also seek redress from a labour court/labour tribunal.

Any party aggrieved by an award, decision, sentence or judgement given by a labour court may appeal to the Tribunal within 60 days of the judgement. (Section 217). The Labour Appellate Tribunal follows procedure as is prescribed in the Code of Civil Procedure, for hearing of appeal by an appellate Court from original decrees and shall have superintendence and control over all Labour Courts. The decision of a Tribunal is always final. Besides access to the Court and the Tribunal, the BLA 2006 grants worker's access to the criminal courts for offences of a criminal nature. At present there are ten labour courts in Bangladesh; three in Dhaka, two in Chattogram, each in Khulna, Rajshahi, Barishal, Sylhet and Rangpur. One Appellate tribunal sits in Dhaka.

4.4 Department of Public Health Engineering (DPHE)

The Department of Public Health Engineering (DPHE) is responsible for the water supply and sanitation (including human excreta & sullage disposal, drainage and solid waste management) of the whole country except Dhaka, Chattogram and Narayanganj town, both in rural and urban (City Corporation, Pourashava, Upazila HQs and growth centers) areas. In urban areas it works solely and jointly with pourashavas and City Corporation. It also assist local government institutions in operation and maintenance of water supply and sanitation infrastructure. It also sets water testing facilities, carry-out hydro-geological investigations, develop safe water supply technologies.

4.5 Bangladesh Fire Service and Civil Defence (BFSCD)

Under the Ministry of Home Affairs, the Bangladesh Fire Service and Civil Defence is the department responsible for firefighting, fire prevention, rescue missions, and ensuring fire safety during any kind of natural or man-made disaster, in accordance with the Fire Prevention and Extinction Law 2003. It responds to fire incidents through a network of more than 340 fire stations and operates a hotline 9555555 for receiving notification of fires incidents.

4.6 Office of the Chief Inspector of Boilers

Office of the Chief Inspector of Boilers under Ministry of Industries is responsible for inspecting boilers and ensuring boiler safety throughout the country. It performs the following roles:

- a) Advising the Ministry on import and use of boilers, steam pipes and economizers in the country;
- b) Advising the owners regarding design, construction, maintenance and working of boilers;
- c) Advising business owners regarding water treatment of feed water and cleaning of boilers;
- d) Determining safe working pressure for an old boiler after taking measurement and necessary calculations;

- e) Examining design, drawings, specifications of boilers to be imported from abroad or manufactured within the country;
- f) Registering all installed boilers after inspection and hydraulic test, proceeded by examination of all manufacturing certificates from steel makers, contractors and approved inspecting authority;
- g) Inspecting hydraulic testing of every working boiler annually and provides certificates thereof, if found fit;
- h) Recommending repairs, additions and alterations wherever found unfit to make the boiler workable;
- i) Enquiring into accidents of boiler or steam pipes.

The Office of the Chief Inspector's of Boiler also has a high power technical board, named Boilers Board, for laying down the up to-date technical standards on design, testing and inspection of Boilers. The inspection authority tests and certifies locally made boilers.

4.7 Department of Explosives

The Department of Explosives under the Ministry of Power, Energy and Mineral Resources controls use of explosives to minimize hazards. Some of the major functions of Department of Explosives are:

- Scrutiny and approving site, layout and construction plans for explosives manufacturing factories, explosives storage premises, manufacturing of explosives at site in Bulk Mixing and Delivery Vehicles (BMD), public display of fireworks, storage installations for compressed gases in unfired pressure vessels, filling plants for gas cylinders, etc.
- Training of Personnel engaged in detection/safe handling/use etc. of explosives and other dangerous substances.
- Advising Port, Airport and Railway authorities on-
 - a) classification of hazardous substances;
 - b) Packing and determination of conditions for storage/transport of dangerous substances;
 - c) Setting and layout of facilities for the loading/unloading and transit storage of explosives, flammable and other dangerous substances;
- Examination/testing of explosives/hazardous substances for classification of hazard.
- Advising the Government, the Industry and various organization on matters relating to the handling of explosives, flammable and other dangerous substances.

The Department of Explosives with its Head Office at Dhaka has five branch offices at Chattogram, Khulna, Rajshahi, Sylhet and Barishal. The Department has a Testing Laboratory at Segunbagicha, Dhaka which provides testing facilities for explosives and different materials coming under the purview of the Acts and the Rules administered by the Department.

4.8 Department of Environment (DOE)

The core activities of the DoE can be grouped into three main categories:

- 1) Enforcement of Bangladesh Environment Conservation Act 1995 (as amended up to 2010) for the conservation of environment and control of environmental pollution.
- 2) Conservation of biodiversity and management of biosafety.
- 3) Promotion of mass awareness concerning the conservation of environment and the ecosystem.

4.9 Public Works Department

The Public Works Department (PWD), under the Ministry of Housing and Public Works, is the lead construction agency in Bangladesh. It plays a pivotal role in the implementation of government construction projects. The PWD has teams of highly qualified and experienced professionals forming multi-disciplinary teams of civil, electrical and mechanical engineers who work alongside architects from the Department of Architecture.

4.10 National Tripartite Committee for fire and building safety in RMG Sector

The National Tripartite Committee was formed in May 2013 to monitor implementation of the National Tripartite plan of Action on Fire Safety and Structural Integrity (NTPA) for the readymade garments industry following the disaster in Rana plaza. A Sixteen-member tripartite Committee headed by the Secretary, Ministry of Labour and Employment (MOLE) has been formed to implement the National plan of Action.

As part of the commitments therein the NTPA and EU Sustainability Compact (Compact)¹⁰ in relation to workplace safety, the Government of Bangladesh agreed to assess the export oriented RMG factories regarding fire, electrical safety and structural integrity. Following that agreement the three actors namely: Accord, Alliance and National Initiative (NI) assessed 3780 RMG factories by end of 2015. The following is a summary of number of factories assessed by these 3 initiatives.

Table 2: Number of Factories Assessed by Three Initiatives

Name of Initiative	Number of Factories Assessed
National Initiative (NI)	1,549
ACCORD	1,505
ALLIANCE	890
Jointly by Accord & Alliance	-164
Total	3,780

¹⁰ After the Rana Plaza collapse, Bangladesh, European Union (EU) and ILO joined a major compact to to improve labour rights, working conditions and factory safety in the ready-made garment industry in Bangladesh. For more information, http://trade.ec.europa.eu/doclib/docs/2013/july/tradoc_151601.pdf

During the inspection process, a common standard for preliminary assessments of factories were agreed upon by the Accord, the Alliance and the National Initiative. After conducting the preliminary assessments of factories, cases of imminent danger were referred to a Review Panel to assess and shut down the factory. In some cases, preliminary assessments recommended detailed engineering assessments (DEA) and corrective action plans (CAP). NTPA Assessment Guidelines and DEA guidelines were developed and used for safety assessments and developing corrective action plans (CAP).

After completion of preliminary safety assessments, emphasis switched to remediation by implementing the CAPs. To monitor and facilitate the remediation work of the National Initiative factories, the Remediation Coordination Cell (RCC) was established on 15 May, 2017. The RCC focuses on managing the remediation process for garment factories under the Government of Bangladesh's National Initiative. The RCC is supported by the International Labour Organization (ILO) with funding from Canada, the Netherlands and the United Kingdom.

To monitor the activities of the RCC and to help phase out the Accord and Alliance, a Transition Monitoring Committee (TMC) for the RMG sector in Bangladesh was formed by the Ministry of Labour and Employment on 14th June, 2018. Besides the TMC, the Advisory Committee was also formed to oversee the activities of RCC.

4.11 National Council for Industrial Health and Safety

The Government, by notification in the official Gazette, constituted the National Council for Industrial Health and Safety in 2013. The Council is chaired by the State Minister, Ministry of Labour and Employment, and consists of concerned Ministries, representatives of employers, workers and industry experts.

4.12 City Development Authorities

City Development authorities like the Capital Development Authority of the Government of Bangladesh (RAJUK), Chittagong Development Authority (CDA), Khulna Development Authority (KDA) and Rajshahi Development Authority (RDA) are the public agencies responsible for coordinating urban development in Dhaka, Chattogram, Khulna, Rajshahi and other major cities in Bangladesh. They are a National Authoritative Board on building planning, estates and resources, plot allotment, and construction approvals from both public and private entities.

4.13 International Initiatives on OSH

The United Nations, with the ILO as its lead agency on work-related issues, is working to improve the OSH situation of Bangladesh alongside several international labour and human rights organizations; brands; buyers; retailers and the trade unions. Many of these initiatives centre around the RMG Sector. Two of the leading ones are the Nirapon (successor to the Alliance for Bangladesh Worker Safety) and the Accord on Fire and Building Safety in Bangladesh.

4.13.1 International Labour Organization (ILO)

The ILO is devoted to developing a safe and decent working environment and promoting labour rights for all workers in Bangladesh. The ILO has undertaken a wide range of activities to ensure safer workplaces, including supporting the National Initiative to carry out structural, fire and electrical safety checks of 1,549 RMG factories; boosted capacity of regulatory bodies such as DIFE and FSCD, as well as major efforts to foster a preventative safety culture by strengthening labour inspections and National OSH systems.

4.13.2 Alliance for Bangladesh Workers Safety

A group of North American apparel companies, retailers and brands jointly launched the Bangladesh Worker Safety Initiative to help improve worker safety in Bangladeshi ready-made garment factories. The Alliance focuses on systemic and sustainable improvements in fire, structural and electrical safety within Bangladesh's garment factories. Since its inception in 2013, nearly 1.6 million workers have been trained in fire safety and more than 28,000 security guards are trained in fire safety and emergency evacuation¹¹. At the end of 2018, former Alliance members and committed garment brands launched Nirapon, which aims to promote safety management, training and worker helpline programs.

4.13.3 Accord on Fire and Building Safety in Bangladesh

The Accord is an initiative of over 190 apparel corporations, two global trade unions - Industrial and UNI - and numerous Bangladeshi unions to create a safe and sound workplace for RMG workers. It is an independent and legally binding agreement targeting garment factories in Bangladesh to make them safer workplaces.

4.13.4 GIZ

OSH improvements in shipyards and the RMG sector are the priority working areas of Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), the German development agency. Notable activities include collaboration with one of Bangladesh's leading shipyards, Western Marine Shipyard Limited, and the Ministry of Health and Family Welfare, to improve the health and safety of shipyard workers and their wider community members.

4.13.5 Danish Working Environment Authority

Since 2016, the Danish government has been promoting OSH standards via a strategic sector cooperation (SSC) project called "Improving Health and Safety of Workers in Bangladesh through the Strengthening of Labour Authorities". The project provides technical and logistics support and has conducted eight-expert training programmes.

¹¹ Alliance Annual Report 2018

5 SOCIAL SECURITY AND INSURANCE

The BLA (2006) and Bangladesh Labour Rules (2015) provide mandatory provisions for group insurance for workplaces with 100 or more permanent workers. It also prescribes accident injury insurance for workplaces with more than 10 workers.

The National Labour Welfare Foundation (NLWF) was established under the Bangladesh Labour Welfare Foundation Act (2006) to provide support to workers in cases of diseases, accidents disability or death of workers. The NLWF also provides financial aid to their children. The following table shows the number of workers benefited and the amount paid to those workers.

Year	Number of Workers died following fatal injury	Amount of Taka handed over to the dead worker's descendent	Number of Injured Workers	Amount of Taka handed over to the injured worker for treatment	Number of meritorious sons/daughters of poor workers	Amount of that received aid	Total Beneficiaries	Total amount of aid (BDT)
2012-2013	111	11,100,000	44	880,000	-	-	155	11,980,000
2013-2014	3	60,000	67	1,218,355	-	-	70	1,278,355
2014-2015	1	10,000	86	1,720,000	-	-	87	1,730,000
2015-2016	2	225,000	35	1,240,000	-	-	37	1,465,000
2016-2017	171	25,155,000	469	19,620,000	281	13,220,000	921	55,365,000
2017-2018	66	6,685,000	1,052	51,330,000	289	13,220,000	1,406	71,235,000
2018-2019	126	7,110,000	3,422	134,630,000	282	9,820,000	3,833	151,560,000
Grand Total	480	50,345,000.00	5,175	210,638,355	852	36,260,000	6,509	294,613,355

Source: National Labour Welfare Foundation Administrative Data

6 EDUCATION, TRAINING AND RESEARCH ON OSH

6.1 Training, Research and Education on OSH

In Bangladesh both national and international Institutions are conducting training and research on OSH.

- The Fire Service and Civil Defence department provides training and awareness raising services. It conducts training on firefighting, evacuation, rescue and first aid courses (staff), training courses on risks of chemical fires, national building codes and fire safety managers' courses etc. It also publishes public safety tips to create awareness and prevention of fire-related incidents.
- The Training Institute for Chemical Industries (TICI), which is a part of the Bangladesh Chemical Industries Corporation (BCIC), provides OSH-related training on issues of industrial safety, accident prevention, electrical maintenance techniques, electrical safe work practices for process industries, safe handling of chemicals in laboratories etc.
- The Industrial Relations Institute (IRI) is a training institute under the Department of Labour, that conducts short-form training courses on labour laws, industrial relations, labour administration, labour conventions, and workplace safety and health issues as covered under the BLA. At present, there are four IRIs located in Chittagong, Gazipur, Khulna and Rajshahi.
- The Bangladesh Employer's Federation (BEF) regularly conducts training on Occupational Safety and Health. The BEF training unit offers training on workplace safety and compliance; Bangladesh's labour laws; increasing productivity at work; and modern practices of transformative leadership and management, etc.
- The Bangladesh Garment Manufacturers and Exporters Association (BGMEA) runs a social compliance improvement project to improve social and environmental standards in its member factories. The BGMEA, as part of its CSR activities, also conducts fire drills and fire safety training in member factories.

- The Bangladesh Institute of Labour Studies (BILS) regularly conducts OSH-related research, both in-house and in collaboration from external and international partners. The institute regularly organizes training and awareness programmes for trade unions to educate workers on OSH issues. BILS also manages two health centers for workers in Dhaka and Chattogram to provide medical services and OSH information.
- The Bangladesh Institute of Management Studies (BIMS) regularly conducts long- and short-term training on the Bangladesh Labour Act (2006) and its subsequent amendments. The courses – aimed at mid-level managers and senior executives – focuses on the legal requirements for employers on health, safety, hygiene, welfare and working conditions.
- The Bangladesh Occupational Safety, Health and Environment Foundation (OSHE) helps facilitate debate and discussion on the labour market and topical policy issues related to workers' rights, OSH and environmental issues.
- Safety and Rights Society undertakes training for workers, employers, NGOs and government regulatory body officials to enhance their skills in the field of health and safety and the investigation process of workplace accidents.
- The BUET-Japan Institute Disaster Prevention and Urban Safety (BUET-JIDPUS), was established in 2009 as the Bangladesh government's development project with the financial support from Japan. The institute undertakes collaborative programmes in the field of disaster reduction and urban safety. The institute's mandate is to provide a range of research, training, testing, investigation and consultancy services in the field of disaster prevention and urban safety.
- The Institution of Engineers, Bangladesh (IEB) offers its members training and awareness, and the formulation of safety rules. Regulation and policy, safety audit programmes, occupational health service management, compiling safety codes and manuals for individual industries conducting research, and university linkage programmes for introducing syllabus on safety.
- NIPSOM (National Institute of Preventive and Social Medicine), a national public health institute, post -graduates capable of satisfying the growing health needs of the community in promoting and restoring health. NIPSOM has a dedicated OSH-related department with 40 faculty members. It conducts regular research, provides training on OSH, as well as offers a full-time, one-year Masters in Public Health (MPH) in Occupational and Environmental Health. The Occupational and Environmental Health laboratory also includes a specialist unit for the analysis, detection and treatment of arsenic in different samples

6.2 OSH Institute

Recognizing the lack of education and training opportunities on OSH in Bangladesh, The Government of Bangladesh has undertaken a large project to establish National Occupational Safety and Health Research and Training Institute (NOSHRETI) with estimated budget of BDT 1,652,833,000. The project started in September 2018 and will continue up to June 2021. In this phase of the project the institute building and necessary physical structure will be established in Rajshahi

The OSH Institute will have 5 (five) faculties: (1) Administration, (2) Education and Training, (3) Research and Developments, (4) Occupational Health, and (5) Occupational Safety and will conduct research, training & education and consultancy.

7 OSH DATA COLLECTION

DIFE is mainly responsible for collecting information on OSH, Occupational accidents, injuries and diseases by labour inspection and report of accidents, injuries and diseases.

DIFE gets OSH related data through the following sources:

- Data received from employers on Occupational accidents, injuries and diseases according to BLA Section 80 & 82;
- Data gathered from regular inspection by Labour Inspectors;
- Information gathered through occupational accidents, injuries and diseases investigation
- Information received from workers, public, printing/electronic media and others sources.

If an accident occurs in any factory or establishment, which causes a loss of life or injury, the employers are legally obliged to send a notice to DIFE.

Labour inspectors visit factories and establishments with an inspection checklist. The checklist contains questions according to the Bangladesh Labour Act (2006) and the Bangladesh Labour Rules (2015). After completing an inspection, labour inspectors generate the compliance and non-compliance issues from the checklist. Reports are also made from inspection data gathered on OSH issues, occupational accidents, compensation and safety committees, welfare measures, social security insurance, provident fund, workplace violence and other issues.

Once an accident is reported to DIFE, its labour inspectors immediately visit the factory to investigate the incident and collect valuable information.

Broader OSH data is collected and analysed by means of obtaining annual returns and six-monthly returns from factory management – via respective field offices – whereby the data is compiled and consolidated.

Information is also gathered from workers, workers' organizations and unions who work directly in the factories and establishments. In many respects, these are the most reliable, first-hand sources for collecting data. Information is also garnered from the general public through the Complaints Management System (CMS) and the DIFE helpline (16357), which was established in 2015 with the support of ILO.

Officially launched on 6 March 2018, the digitalized Labour Inspection Management Application (LIMA) has improved the collection, storage and analysis of labour inspection data. A considerable portion of OSH-related data collection has been digitalized. Inspectors are now able to inspect a factory/establishment and take relevant pictures and record videos and audio by using this application. LIMA documents the following:

- Occupational Accident, Injury and Disease Reporting System (OAIDRS), through which employers can notify DIFE about any occupational accident, injury and/or disease.
- Safety Committees' database, where the formation and the functioning of respective safety committees is reported.
- OSH experts' database; a list of OSH experts in the country who can support factories to help improve OSH conditions in the workplace

Labour inspection and OSH related reports are also available publicly in LIMA¹².

¹² DIFE's digital inspection platform Labour Inspection Management Application (LIMA) is accessible via <http://lima.dife.gov.bd/>

8 PROMOTIONAL ACTIVITIES

8.1 OSH Day Observation

Since 2016, DIFE has celebrated National Occupational Safety and Health (OSH) Day on 28 April each year. To mark the day, DIFE organises press events, public space branding, newspaper supplements and advertisements, road shows in four major industrial zones and awareness campaigns in each of the 23 districts where DIFE's regional offices are located.

8.2 OSH Good Practice Award

For National OSH Day 2018, DIFE introduced an annual OSH Good Practice Award for the RMG sector. On the occasion, ten RMG factories were awarded for their contribution towards ensuring safe and healthy workplaces for their workers. In 2019, the OSH Good Practice Award was extended to four other sectors; pharmaceuticals, finished leather goods, tea and jute. A total of 22 factories received OSH Day Good Practice Awards on 28 April, 2019.

8.3 Child Labor Elimination

A priority area for DIFE is the elimination of child labour in Bangladesh. With the intervention of the ILO-CLEAR project. The Country Level Engagement and Assistance to Reduce Child Labour (CLEAR) project, funded by the U.S. Department of Labour (USDOL), aims to make direct contribution to the implementation of the National Plan of Action on the elimination of child labour in Bangladesh. As part of the project, all DIFE officials and inspectors have been trained on working towards the elimination of child labour. Twenty DIFE officials who were trained on child labour inspection are now holding key positions at DIFE HQ and the 23 district offices. All DIFE officials and inspectors have been instructed to eliminate child labour with special emphasis on the worst forms of child labour in 38 hazardous sectors. The Government has committed to meet this target by 2021. DIFE has incorporated a section on child labour in the labour inspection checklist and labour inspectors proactively monitor engagement of child labourers.

By 2018, child labour had been eliminated from six sectors including soap, glass, silk, tannery, ship breaking and weaving.

In 2019, under the supervision of MOLE, DIFE prioritized four other sectors to eliminate hazardous child labour, namely in engineering workshops, bakeries, hotels and plastics. This is in line with the Government's commitment to achieve SDGs Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

8.4 Ensuring Gender Equality

Since 2017, DIFE has undertaken initiative to promote gender equality and preventing sexual harassment at workplace as well as protecting rights of the women workers by enforcing Bangladesh Labour Law.

The checklist for inspection ensures equal pay for equal work at workplace as guaranteed by section 345 of the BLA 2006.

Within the purview of section 332, the checklist provides measures to inspect gender-based violence and harassment including sexual harassment at workplaces by inspecting (a) If there is effective mechanism for complain, (b) If female workers are aware of the grievance procedure, and (c) If she is by any means obstructed to file grievance.

Under the ILO's RMG Phase Two programme, DIFE's capacity on gender sensitive labour inspections is being strengthened. Alongside financial assistance from UNFPA and the Government of Bangladesh, DIFE is implementing a project titled '*Gender Equality and Women's Empowerment at Work place*'. The project aims to reduce gender-based violence of women working in ready-made garments, leather goods and the tea garden sector. Through advocacy and motivational meetings, the project has increased awareness and knowledge of Gender Based Violence (GBV), Sexual Reproductive Health and Rights (SRHR), and HIV and AIDS.

9 PROGRAMS OF EMPLOYERS AND WORKERS ORGANIZATIONS

9.1 Bangladesh Employers' Federation

As the only national level representative of employers, the Bangladesh Employers' Federation (BEF) engages in a wide range of activities covering social, labour, employment, and economic issues. Occupational Safety and Health (OSH) is one of the areas where the BEF has remained active since its inception in 1998. The BEF acknowledges the importance of OSH especially for sustainable industrialization and has a separate OSH unit to carry out the relevant activities.

BEF organizes monthly meetings' for officers from member organizations dealing with labour and administrative matters. During these meetings, OSH aspects of the member firms are discussed for ongoing improvements.

The BEF, as a strong advocate of learning and development, participates in various international workshops, seminars, forums on OSH. In particular, it sends its members' representatives to regular OSH training sessions in Japan, organized by the Japanese Association for Overseas Technical Cooperation and Sustainable Partnerships (AOTS). Upon completion of the training, the members have a better understanding on OSH issues and can work towards improving it further. Among its members, Grameenphone Limited, American & Efird (Bangladesh) Limited, Khadim Ceramics Limited, and The Bengal Glassworks Limited are all known to have strengthened and implemented better OSH practices as a result of the training.

After the Rana Plaza incident in 2013, the BEF actively called for strengthening OSH management systems in the Ready-Made Garment (RMG) sector. Under the ILO project "Improving Working Conditions in the Ready-Made Garment Sector (RMGP)", the BEF successfully completed the "Training of the Trainers" workshop for Master Trainers on the Essentials of Occupational Safety and Health (EOSH)". About 114 participants selected by the BGMEA and BKMEA were trained on the ITCILO package "Essentials of Occupational Safety and Health (EOSH)". These master trainers delivered training sessions and trained 8,038 mid-level managers who, in turn, disseminated and conducted OSH training sessions amongst 811,100 workers. New training materials integrating the EOSH package were translated into Bangla to facilitate training delivery at the factory level.

9.2 National Coordination Committee for Workers' Education

NCCWE is the main forum to conduct Training and Educational activities for the workers of Bangladesh. NCCWE comprises of 11 national workers federations. NCCWE recognizes Occupational safety and health not only as an important issue for workers but also as a necessity for sound and congenial industrial relations and atmosphere at workplaces. As workers are the main victim of safety and health hazards, NCCWE focuses on educating workers about Occupational Safety and Health.

After Saraka Garment fire tragedy in 1990, safety issue emerged as a priority area for the workers federations. Therefore, NCCWE and its federations identified the needs to build awareness among the workers to ensure safer workplaces.

Since then, with the support of ILO, workers organizations have been organizing numerous activities to raise awareness on OSH. The NCCWE has produced an array of training modules and tools, as well as a pool of 'master trainers', who regularly conduct OSH training workshops.

During 2016-2017, almost 8000 garment workers were trained on safety issues. Workers organizations conducted these training in most densely populated and garment workers dense areas, namely Dhaka, Narayangonj, Savar, Ashulia, Gazipur and Chattogram. As a result, workers awareness improved on OSH related laws and ways and means to ensure safety. Although some of the factories have safety committees, most of the garment factory have no trade unions. Trained workers are now able to contribute to improving occupational safety and health, fire safety and building safety in the factories through safety committees and participation committees.

Supported by ILO, the NCCWE also took the initiative to establish the Workers' Resource Centre (WRC) in 2018, a joint platform between two leading worker organisations – the National Coordination Committee on Workers Education (NCCWE) and the IndustriALL Bangladesh Council (IBC), which aims to support the operation of trade unions through fostering a culture of consultation, capacity building and information sharing.

Organized workers, especially trade unions, can play a vital role in the implementation of the National OSH Policy at the factory level. Therefore, strengthening trade unions' capacity on OSH is key to ensure OSH at workplaces.

10 OSH RELATED DATA FROM DIFE

10.1 Inspections Carried Out

DIFE prepares its annual inspection plan and carry out inspections throughout the year. Table 3 shows the number of inspections carried out by DIFE for the period 2015 to 2018.

Table 3: Labour Inspection carried out in 2015-2018

Fiscal Year	Factory				Shops		Establishments		Total
	RMG	Other	Total	% of Total	#	% of total	#	% of total	
2015-2016	2,988	18,073	21,061	76.07%	4,674	16.88%	1,950	7.04%	27,685
2016-2017	2,177	19,949	22,126	67.20%	7,200	21.87%	3,598	10.93%	32,924
2017-2018	4,985	17,400	22,385	52.50%	13,622	31.95%	6,632	15.55%	42,639
Grand Total	10,150	55,422	65,572	63.51%	25,496	24.69%	12,180	11.80%	103,248

10.2 Labour Law Violations Detected through Inspections

All 23 DIFE offices detect labour laws violations through inspections conducted using the standard checklist. These violations are categorized under thirteen clusters:

- i. Recruitment and job conditions
- ii. Children and adolescent workers
- iii. Maternity welfare benefits
- iv. Occupational health
- v. Occupational safety
- vi. Occupational accident, compensation and safety committee,
- vii. Welfare measures,

- viii. Working hours and holidays,
- ix. Wages and payment of wages,
- x. Social security (group insurance, provident fund, profit sharing, etc)
- xi. Discrimination,
- xii. Violence at the workplace
- xiii. Others

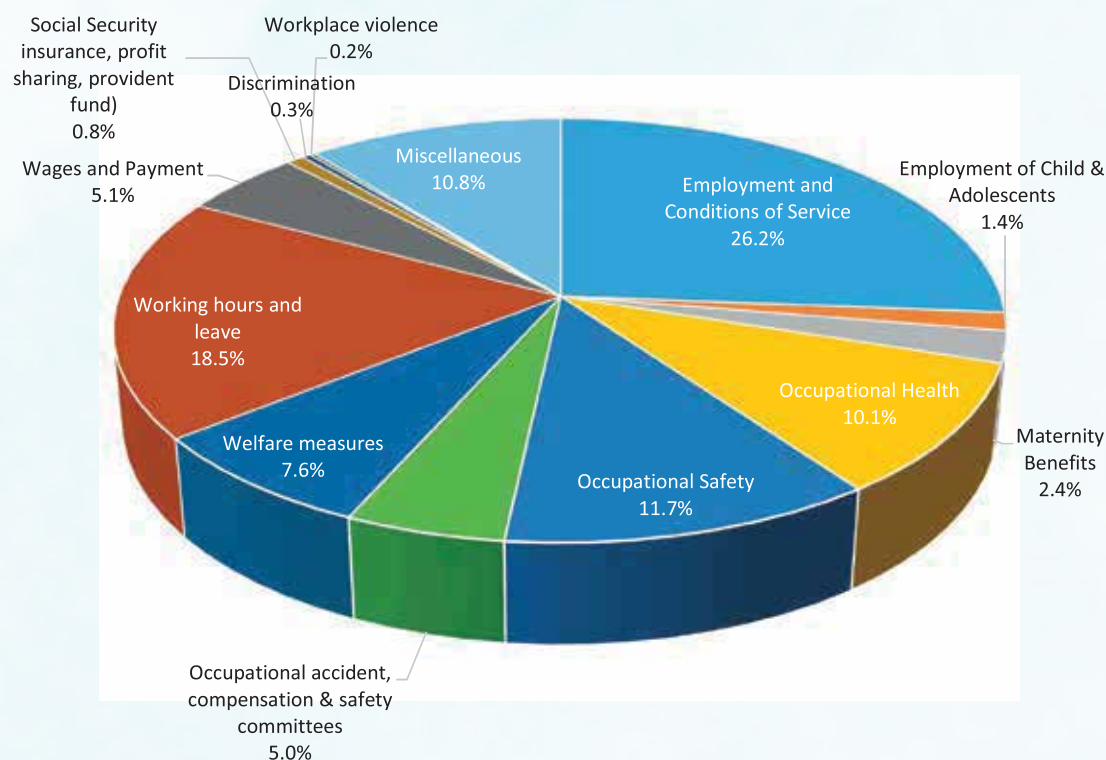
During inspections carried out by DIFE in 2014, a total of 44,347 violations of the BLA were reported. Of these, 10.8 percent were reported in RMG factories. The largest proportion of violations were related to terms and conditions of employment (44 percent), while safety and health violations accounted for 27 percent. In 2016, the total number of violations were 79,212 rising to 116,618 in 2018. The increased rate of violations is due to the increased number of detailed inspections and more effective use of checklists than previous years.

Table 4: Labour Law violations detected through inspections as per clusters (2016-2018)

Year	Employment and Conditions of Service	Employment of Child & Adolescents	Maternity Benefits	Occupational Health	Occupational Safety	Occupational accident, compensation & safety committees	Welfare measures	Working hours and leave	Wages and Payment	Social Security insurance, profit sharing, provident fund)	Discrimination	Workplace violence	Miscellaneous	Total
2016	9,461	849	1,841	8,019	10,524	4,331	5,904	16,116	3,558	540	201	153	7,715	79,212
2017	25,843	2,058	2,418	10,780	10,462	4,176	10,272	14,900	5,069	750	255	168	13,186	100,336
2018	32,317	1,234	2,784	11,020	13,562	6,292	6,359	23,718	6,404	963	572	299	11,094	116,618
Grand Total	77,621	4,141	7,043	29,819	34,548	14,798	22,535	54,734	15,031	2,253	1,028	620	31,995	296,166
Average	25,874	1,380	2,348	9,940	11,516	4,933	7,512	18,245	5,010	751	343	207	10,665	98,722

For 2016-2018, most of the violations found through labour inspections are related to employment and conditions of service (26%), followed by working hours and leave (19%), and occupational safety (12%), and occupational health (10%) (Figure 1).

Figure 1: Ratio of Violations by checklist cluster



With the introduction of standard inspection checklists in 2016, the identified violations are systematically tracked and employers are advised to take remedial actions and follow the legal procedures.

10.3 Legal Cases Filed for Violations

DIFE files legal cases for ‘zero tolerance’ violations and those that are not rectified by the employers after receiving notices of rectification. In 2015-2016, a total of 1304 cases were filed.

Table 5: Number of Legal Cases and Settlement (2016-2019)

Financial Year	Factory				Shops		Establishments		Child Labor		Total Cases	Cases Settled	
	RMG	Other	Total	%	#	%	#	%	#	%		#	%
2016-2017	124	822	946	74%	77	6%	188	15%	62	5%	1,273	273	21%
2017-2018	69	882	951	56%	421	25%	283	17%	34	2%	1,689	781	46%
2018-2019	72	635	707	53%	410	30%	212	15%	41	3%	1,170	844	62%
Grand Total	265	2,339	2,604	61%	908	20%	683	16%	137	3%	4,132	1,898	43%

As the number of reported cases increased, there is a significant increase in case settlement. In 2016-2017, only 21% cases were settled, whereas 46% in 2017-2018. Although it is from partial data (up to April 2019), case settlement rose to 65% for 2018-19.

10.4 Accidents and Compensation

As per the BLA (2006), employers are responsible for reporting any accidents and injuries in their workplaces. However, this is not consistent and DIFE frequently has to reply on other external sources to learn about accidents before it can investigate. For the period 2015-2018, a total of 1,163 accidents were reported to DIFE.

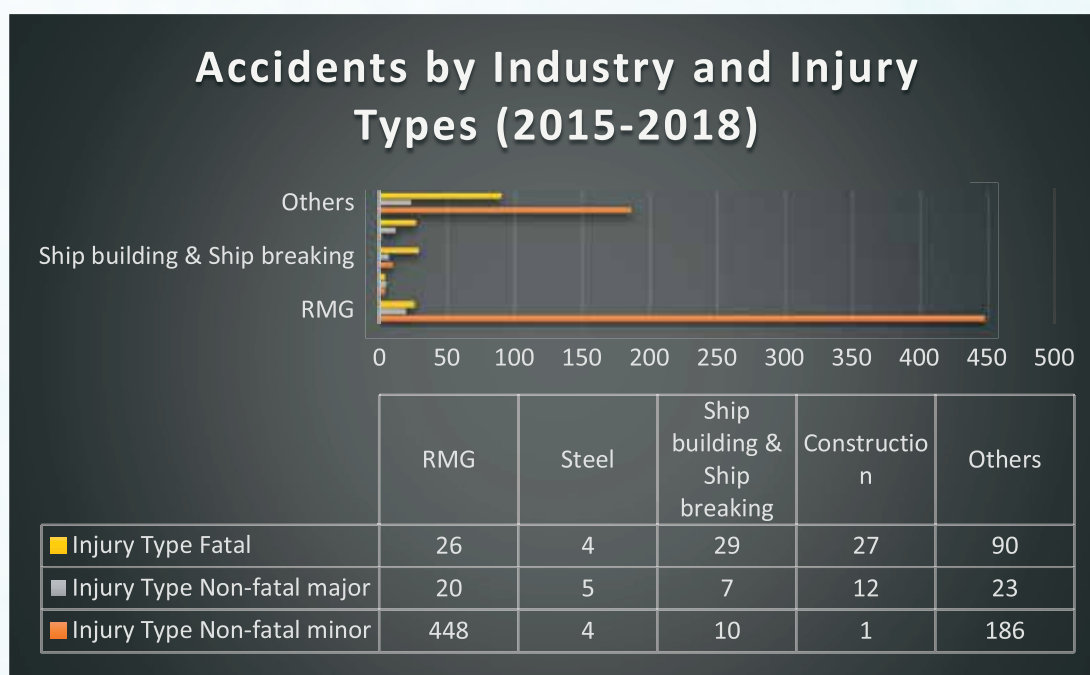
Table 6: Number of Accidents with injured persons (2015-2018)

Year	Reported Number of accidents	Injured Person by Injury Type		
		Non-Fatal Minor	Non-fatal Major	Fatal
2015-2016	214	125	14	75
2016-2017	381	286	30	65
2017-2018	568	509	23	36
Total	1,163	920	67	176

There was an upward trend in the number of accidents reported which may be due to increased confidence in the accident reporting system or increased awareness on accident reporting.

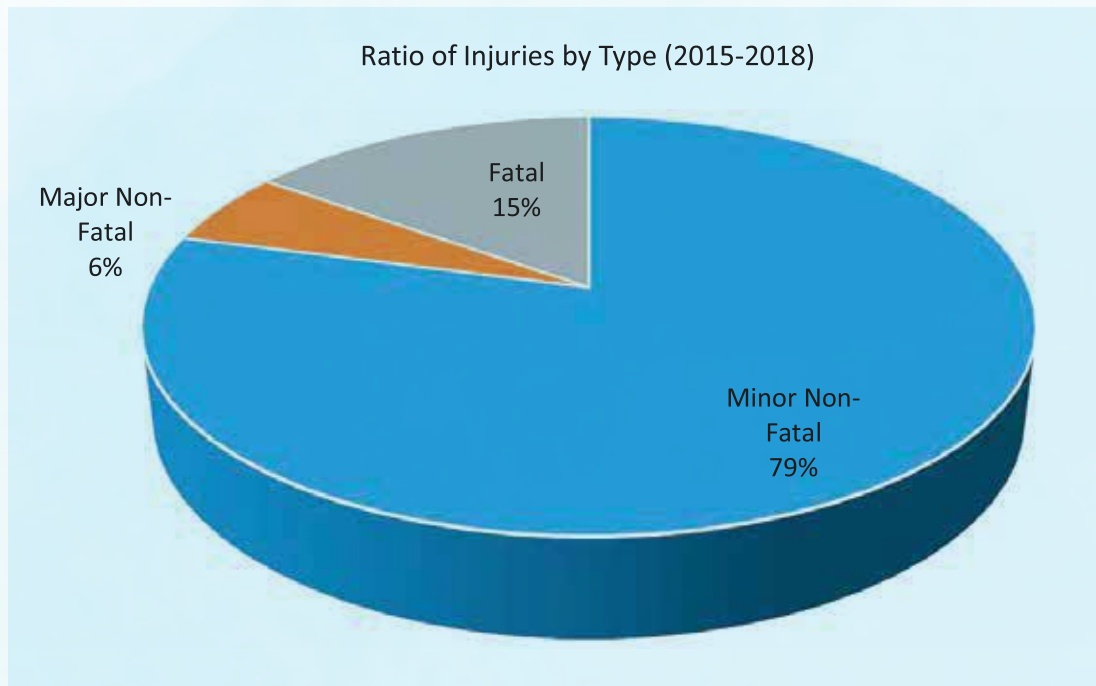
DIFE has worked to ensure that compensation for all reported injuries according to the BLA 2006 (amended 2018) has been settled and workers received the money. For the period 2015-2018, BDT 12.24 million has been paid.

Figure 2: Number of Accidents and Injured by types and Industry (2015-2018)



For the period 2015-2018, most of injuries reported are from the RMG sector (Figure 2), which may be due to increased awareness as a result of several safety campaigns run by ILO, the National Initiative, the Accord and the Alliance. However, most of the injuries in the RMG sector are non-fatal and minor, whereas the most fatal injuries are reported in the ship building & shipbreaking sector. Construction sector has also a high number of fatal injuries reported.

Figure 3: Ratio of Injuries by Type (2015-2018)

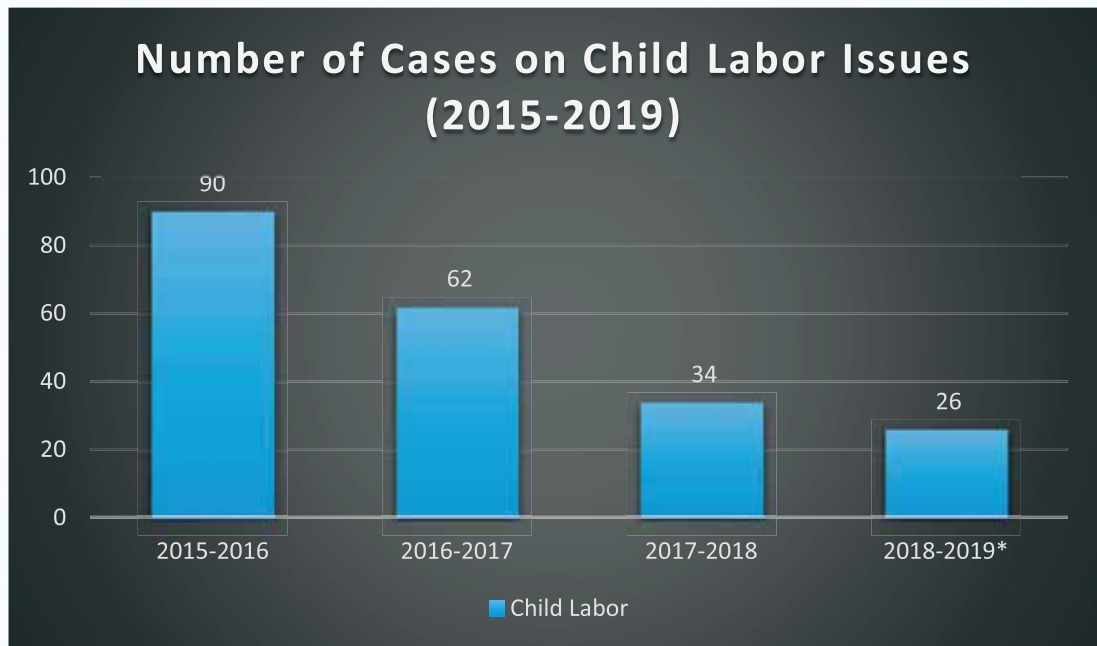


There is an opportunity to improve reporting on accidents and injuries and DIFE is seeking to improve the culture of reporting by employers. To facilitate this DIFE has built online system of accident and injury reporting under the OSH module of LIMA and plans to launch a nationwide campaign on accident and injury reporting in 2020.

10.5 Child Labour Issues

As shown in Figure 4, in 2015-2016 fiscal year, a total of 90 legal cases were filed on child labour. Over the period 2016-2017, 62 cases of child labour were reported, 34 cases reported over the period 2017-2018, 26 cases reported over the period 2018-2019 (as of April 2019). These cases were only for the local RMG (tailoring house), hosiery (knitting factory), restaurant, printing, and weaving sectors.

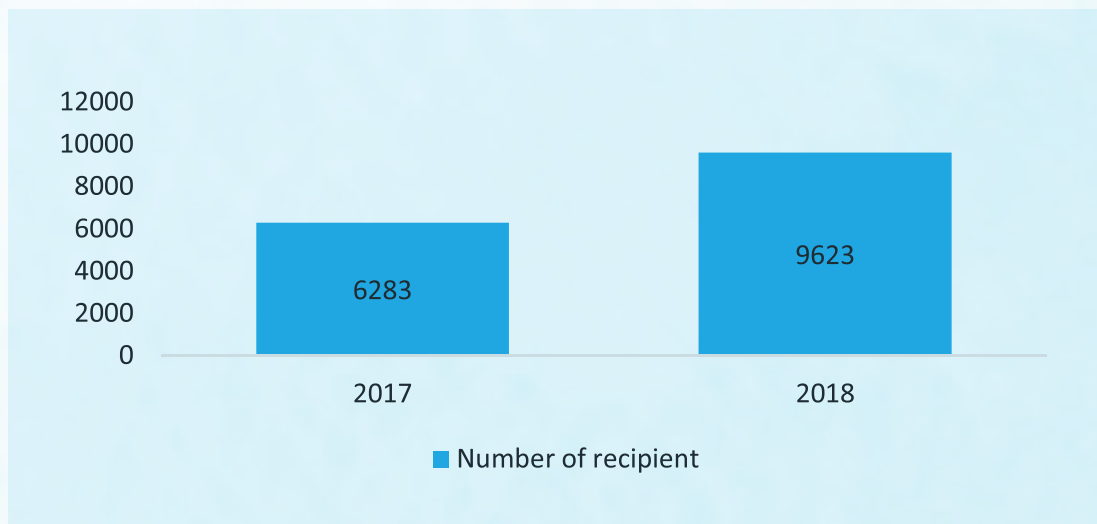
Figure 4: Number of Cases on Child Labor Issues (2015-2019)



10.6 Maternity Benefits

As per BLA 2006, all female workers are eligible for maternity benefits (112 days leave with wages) from an employer. DIFE is working to ensure that the provision of maternity benefits for eligible female workers, in different sectors, is enforced.

Figure 5: Number of Maternity Benefits Recipients (2017-2018)



Since 2017, DIFE has actively monitored maternity benefits in the workplace. In 2017, a total of 6,283 female workers received maternity benefits. In 2018, that figure increased to 9,623

Figure 6: Maternity benefits amount (2017-2018)

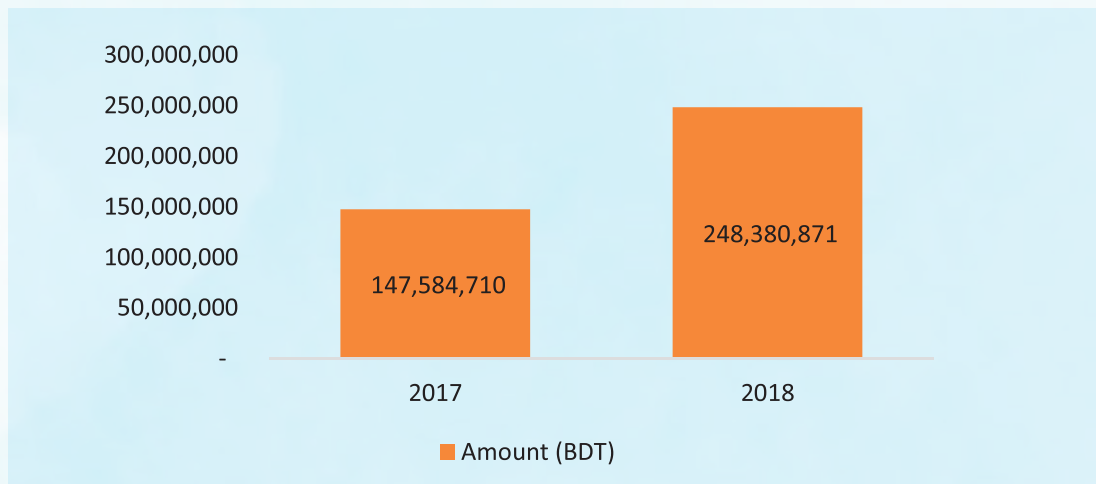


Figure 6 shows a rise in amount of maternity benefits from 2017 to 2018.

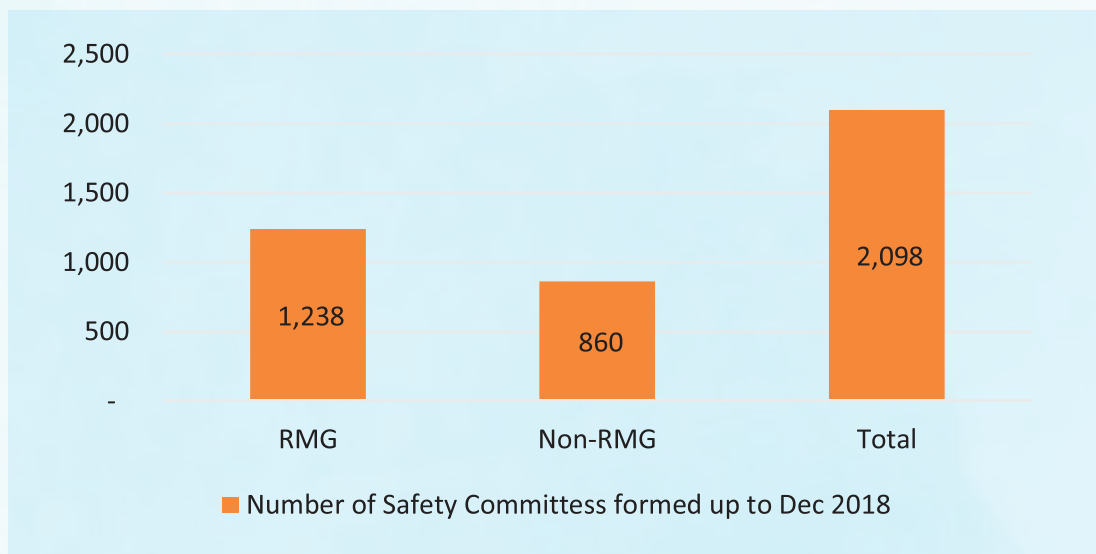
10.7 Day Care Provision

As per BLA 2006, factories having 40 or more female workers shall have a child care centre (room for children). DIFE monitors provision of child care centres in factories during regular inspections. Up to December 2018, a total of 4713 factories and establishments were reported to have day care centers for the children of their staff. DIFE also conducts awareness sessions for the factory management to encourage establishing the day care centre and running it with all amenities. For the reporting period a total 4,036 meetings were conducted by DIFE.

10.8 Safety Committees

As per BLA 2006, factories having 50 or more workers must have a safety committee formed and functioning as per the procedures set in BLR 2015. BLR 2015 detailed out formation, scope of work and responsibilities for safety committees. After adoption of BLR 2015, DIFE actively support and monitor eligible factories to ensure they are establishing functioningsafety committees.

Figure 7: Number of Safety Committees formed (up to December 2018)

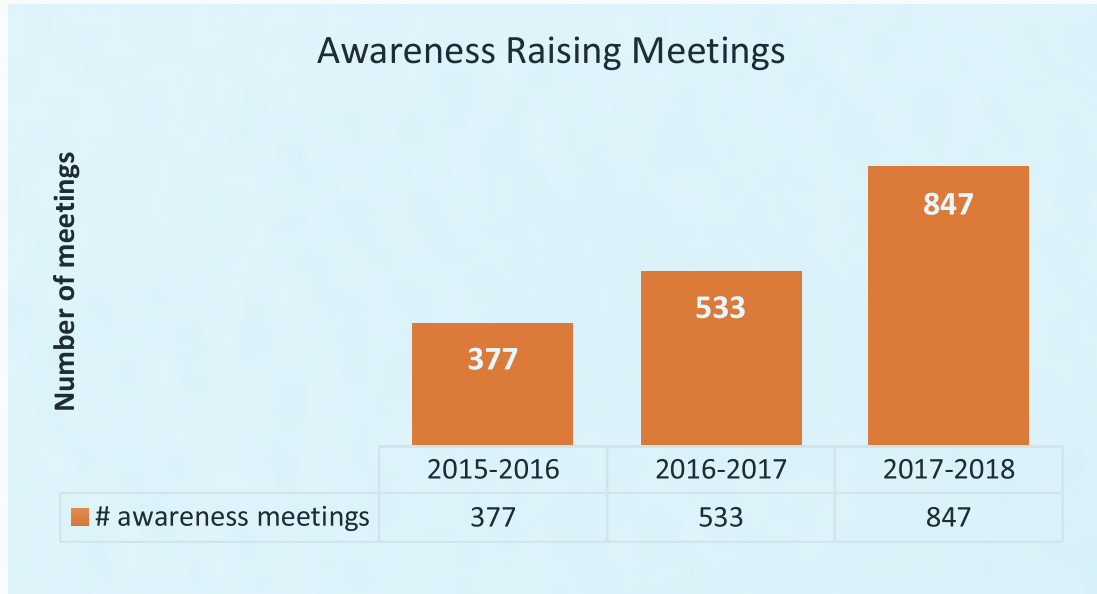


As of December 2018, 2,098 safety committees were formed in factories. Out of this, 1,238 (59%) were in RMG factories and the remaining 860 (41%), in non-RMG factories.

10.9 Awareness Raising Program

DIFE introduced awareness raising meetings with workers and employers to make them aware about the labour laws and OSH issues. The awareness-raising program was introduced from 2015-2016 financial year and number of meeting held so in each year are increasing (Figure 8).

Figure 8: Awareness Raising Meetings Organized by DIFE



10.10 Other Data on Inspection and OSH

With the adoption of the Labour Inspection Management Application (LIMA), accident and injury data are collected by online application and live reports on occupational accidents and injuries are available online¹³.

¹³ This report is accessible online via <http://lima.dife.gov.bd/public-report/fatal-nonfatal>.

মুজিববর্ষের অঙ্গীকার শোভন কর্মপরিবেশ হোক সবার

“As a man, what concerns mankind concerns me. As a Bengalee, I am deeply involved in all that concerns Bengalees. This abiding involvement is born of and nourished by love, enduring love, which gives meaning to my politics and my very being”

Bangabandhu Sheikh Mujibur Rahman



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