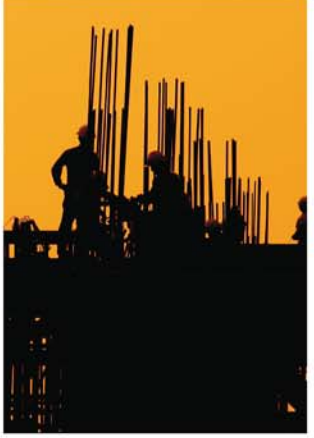
Civil Society Monitoring Initiative



INDUSTRIAL SAFETY OF NON-RMG ENTERPRISES AND WORKERS

Monitoring Transparency, Accountability and Efficiency of Public Actions

Khondaker Golam Moazzem
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Abstract

The safety standards of non-RMG factories and establishments are becoming a foremost issue as the number of incidents and causalities is up surging over time. Hence Bangladesh's growing reputation as an industrial hub would be at risk at regional and global levels. Undertaking remedial measures in non-RMG factories is a difficult task because of the lack of willingness of enterprises to invest in safety measures; weak governance structure in public monitoring agencies; limited capacity of monitoring and enforcement of public agencies; and lack of pressure from the buyers and consumers about industrial safety in the workplace. In this backdrop the study assesses current industrial and compliance states in non-RMG enterprises, traces out the limitations and drawbacks of different regulatory bodies and putting forward a set of recommendations for strengthening the institutional capacity. Based on the analysis, the study recommends institutional strengthening for BIDA, DIFE, FSCD and DoE to ensure safe working environment for industrial workers of non-RMG enterprises.

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Content

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Acronyms

BGMEA	Bangladesh Garment Manufacturers and Exporters Association
BIDA	Bangladesh Investment Development Authority
BILS	Bangladesh Institute of Labour Studies
BKMEA	Bangladesh Knitwear Manufacturers and Exporters Association
BLA	Bangladesh Labour Act
BLR	Bangladesh Labour Rules
BNBC	Bangladesh National Building Code
BPGMEA	Bangladesh Plastic Good Manufacturers & Exporters Association
CPD	Centre for Policy Dialogue
CSO	Civil Society Organisation
DC	District Commissioner
DIFE	Department of Inspection for Factories and Establishments
DoA	Department of Architecture
DoE	Department of Environment
DoL	Department of Labour
EPB	Export Promotion Bureau
FBCCI	Federation of Bangladesh Chambers of Commerce & Industries
FDI	Foreign Direct Investment
FI	Fire Inspectors
FSCD	Fire Service & Civil Defence
FSM	Fire Safety Management
FY	Fiscal Year
GoB	Government of Bangladesh
IFC	International Finance Corporation
ILO	International Labour Organization
ILO-ITC	International Training Centre of the ILO
KII	Key Informant Interview
LDC	Least Developed Country
LIMA	Labour Inspection Management Application
MIB	Mapped in Bangladesh
MoLE	Ministry of Labour and Employment
OSH	Occupational Safety and Health
RAJUK	Rajdhani Unnayan Kartipakkha
RCC	Remediation Co-ordination Cell
RMG	Ready-Made Garment
SMI	Survey of Manufacturing Industries
SOP	Standard Operating Procedure
T&G	Textiles and Garments
TI	Transparency International

1. Background

1.1 Introduction

The vital issue of industrial safety in non-RMG Enterprises has hardly been addressed by the concerned factory management/government departments over the decades. The tragedy at a food-processing factory (Hashem Foods Ltd.) in Narayanganj on 8 July 2021, which killed over 52 workers and injured more than 50, has once again highlighted industrial safety issues in the non-RMG enterprises of Bangladesh. Previously however, two deadly incidents of human casualty, viz., Tazreen Fashions fire and the Rana Plaza building collapse had occurred in RMG sector, scaring away international brands, buyers, and organisations, but had paradoxically helped Bangladesh's RMG sector ensure safety in the workplace. However, the non-RMG sector did not take lessons from these accidental occurrences and seemingly failed to establish a safe and secured workplace. Eventually, the safety standards of non-RMG factories and establishments have now become a foremost issue as the number of incidents and causalities is multiplying over time.

Therefore, Bangladesh's growing reputation as an industrial hub seems to be at risk at regional and global levels. A positive note is however underway: the government has announced several initiatives following the Hashem group accident, the most important of which has been the formation of a 24-member Committee to detect safety risks and provide directions to responsible agencies for taking appropriate action as and when required.[1] Bangladesh Investment Development Authority (BIDA) has been provided the lead role for this initiative.[2] The main objectives of the committee are: (a) to offer necessary suggestions/ directions to concerned offices after reviewing the observations and recommendations available from field level performers; (b) to review the activities relating to safety issues in factories, mills and industrial and commercial establishments; (c) to put forward suggestions for taking necessary steps after reviewing the laws, rules and policies guidelines and instructions; and (d) to take necessary measures towards training of the management and workers in mills and factories on industrial safety issues.

Even though required initiatives are being undertaken, similar trends of accidents in the non-RMG factories are still continuing. Since the fire incident at Narayanganj on July, 2021, a total of 82 different types of accidents have been reported in the national dailies (Cf. Annex Figure 1): almost one incidence every two days. The majority of these accidents were related to fire hazard (52 accidents); other accidents included electrical, boiler explosion and related issues resulting in death of 167 workers/people and injury of 256 workers/people. Major industrial zones are the areas of these accidents (55 accidents): 29 in Dhaka and adjacent areas, 10 in Narayanganj, 8 each in Gazipur and Chattogram, involving mainly housing, hospitals, marketplaces, commercial areas and factories.

Unlike the RMG sector in the global value chain, most of the non-RMG sectors operate within the domestic supply chain. Hence, undertaking remedial measures in non-RMG factories would be a difficult task because of the lack of willingness of enterprises in investing in safety measures, weak governance structure in public monitoring agencies, limited capacity of monitoring and enforcement of public agencies and lack of pressure from the buyers and consumers about

[1] Bangladesh Investment Development Authority (BIDA) Act 2016, which came into effect on September 1, 2016, mandated BIDA to provide a range of promotional and facilitation services aimed at accelerating the country's industrial development. BIDA's functions can be broadly classified as promotion of investment, facilitation of investment, and policy advocacy.

The Committee has been headed by the Private Sector Advisor to the Prime Minister. The members of the committee include representatives of different government offices such as DIFE, FSCD, RAJUK and representatives of different private sector associations including FBCCI and BGMEA.

[2] A 9-member Sub-committee has been authorized to prepare a Standard Operating Procedure (SOP) for 'combined inspection'. The sub-committee includes senior members of FSCD, DIFE, MoLE, DoE, DoA, Office of The Chief Inspector of Boilers, FBCCI, BKMEA and BIDA.

industrial safety in the workplace (Khan, 2013; Arastoo et al., 2015). Hence, the government ought to take a strong commitment to undertake effective monitoring of industrial safety measures through proper institutional mechanisms, providing at the same time for transparency and accountability. In the context of this initiative, this study aims to see the current state of the industrial and compliance in the non-RMG enterprises along with the safety process, progress, and trace out the limitations and drawbacks faced during the initiatives and will try to put a set of recommendations as a civil society monitoring initiator.

1.2 Civil Society Monitoring Initiative

Civil Society Organisations (CSOs) can obviously play an important role in monitoring the activities of different public and private agencies to maintain industrial safety and worker-related issues. Ensuring transparency and accountability is one of the major aspects of proper industrial safety enforcement in industrial and commercial enterprises in developing countries. Against all odds, improved governance through better transparency and accountability in enforcing industrial safety measures yielded positive changes in the RMG sector during 2013-2018. The civil society initiative titled 'Monitoring the Post-Rana Plaza Developments' was in 2013, where the Centre for Policy Dialogue (CPD) had extended the secretarial support. The main objectives of the initiative were to monitor the progress of commitments undertaken at national and international levels.[3] Between 2013 and 2019, the monitoring initiative had conducted surveys, pursued studies and compiled secondary data and information, which was subsequently made public through press briefings, national dialogues, presentations as well as published working papers.

That is to say, CPD is initiating a civil society-led monitoring initiative on 'industrial safety in non-RMG enterprises and establishments' to highlight transparency, accountability, and efficiency in implementing safety measures over time. Specifically, this monitoring initiative will- assess safety-related weaknesses in factories and establishments; review adequacy and clarity of policies, laws and rules with regard to industrial safety; monitor the progress of different safety-related remedial activities to be undertaken by public and private sector-led initiatives and examine the preparedness of public institutions in undertaking the inspection, monitoring and ensuring remedial measures according to the plan. The initiative will work as a complementary initiative along with those that have been undertaken by the public and private sectors for remedial measures.

2. Objectives and Methodology of the Study

2.1 Objectives of the Study

The prime objective of the initiative is to monitor the state of progress of industrial safety in non-RMG factories and establishments through (i) necessary reforms in policies, laws and rules, (ii) strengthening public and private agencies, (iii) identifying the safety concerns, (iv) providing the remediation plan to the factories/establishments, and (v) implementing the remediation plan. The specific objectives of the study are:

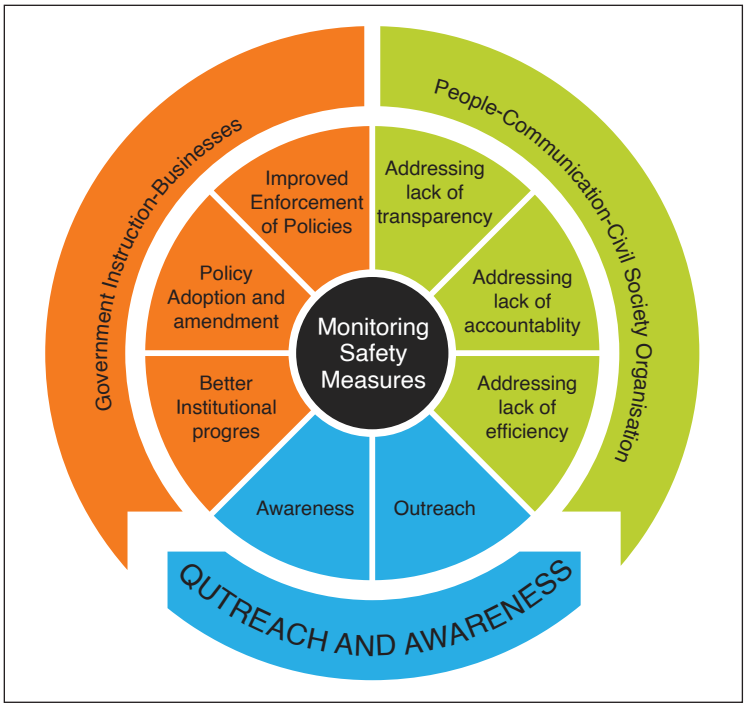
(a) To review the industrial accidents in non-RMG enterprises in recent years with a view to identifying and fathoming their nature, extent and level of public actions;
(b) To review BIDA-led initiative on industrial safety in non-RMG enterprises;
(c) To identify the weaknesses and challenges in BIDA-led initiative; and
(d) To put forward necessary suggestions on improvement of BIDA program with a view to ensuring workplace safety and labour related issues in major non-RMG sectors.

[3]The main objectives of the monitoring initiative include – (a) ensuring financial support to the victims and their families; (b) arranging treatment facilities for injured workers; rehabilitating the Rana Plaza survivors; (c) undertaking measures for necessary reforms on policies, laws and rules; (d) strengthening human and logistics facilities of public monitoring agencies including DIFE, DoL and FSCD; (e) taking measures on identifying the weaknesses in fire, electrical and building safety; and (f) ensuring proper enforcement of remedial measures in factories.

2.2 Analytical Framework

The afore-said monitoring drive follows the analytical lens of 'impact monitoring' in undertaking the initiative (Figure 1). The impact monitoring highlights how are the specific activities undertaken by the public agencies to effect changes to the target groups. In this context, the proposed monitoring initiative mainly target impact-monitoring in three core areas, viz., (a) Policy and Institutional Change: improved enforcement of policies, policy adoption and amendment and better institutional progress; (b) Behaviour Change: addressing lack of transparency and accountability and addressing efficiency gap; and (c) Outreach and Awareness: Outreach activities among the stakeholders and awareness related activities among the employers, management and workers.

Figure 1: Framework for Civil Society Monitoring



Source: Author's illustration based on Transparency International (n.d.).

The above-mentioned framework helps to locate the gaps in key areas and perceive how those gaps have been addressed through public and private sector-led measures in terms of policies, laws, rules and institutional involvement. The framework will guide to identify whether the adopted measures are appropriate and adequate to address the gaps and weaknesses, and to seek out how far the public and private institutions have accepted/liked those measures in terms of transparency, accountability and efficiency. Finally, it attempts to find out whether outreach and awareness-raising measures have been undertaken to target the concerned stakeholders, including employers, management and factory workers.

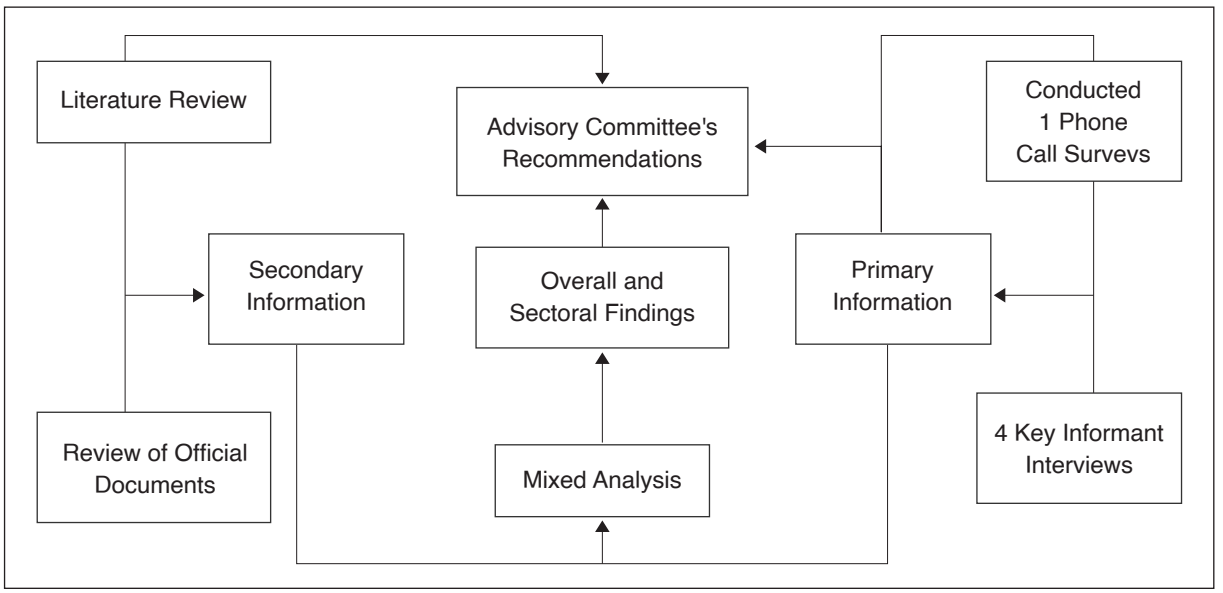
2.3 Methodology of the Study

This study employs a mixed qualitative and quantitative approach to analyse the previous, present and future perspective of industrial safety in the non-RMG sector of Bangladesh (Figure 2). To collect the evidence-based information relating to occupational safety and health (OSH), the study team referred to both primary and secondary sources. For primary information, the study team conducted four key informant interviews (KIIs) with the officials of the different government departments and international organisations.[4] In addition, the study team pursued a survey over phone calls targeting the officials of Fire Service and Civil Defence (FSCD) and Department of Environment (DoE) who were involved with the combined Inspection at BIDA's initiative.[5] Through this survey, the study attempted to identify the current status, progress and challenges of the

[4]The discussion sought to enquire: What type of weaknesses/ challenges were faced most by the factories?; and what challenges were the inspection team confronted during inspection?

[5]The number of respondents were 28 and 18 from DoE and FSCD respectively. Major issues covered in the survey had been: Whether they know about their engagement in the inspection process?; Whether they had any training for conducting such special inspection?; How many factories have been inspected by them till that time?; How many factories are to be inspected by each team?

Figure 2: Methods for Collecting Data and Information from Different Sources



Source: Authors' Illustration.

inspection. Secondary data were collected from the newspapers, annual reports of the relevant departments, press releases and websites. After piecing together, the available information, the study team tried to illustrate the status/trend of the different mishaps/accident taking place during last couple of years at the non-RMG factories and the inspection status.

3. Overview of the Non-RMG Enterprises/Establishments and State of Their Compliances

Bangladesh has seen the emergence of a substantial number of industrial firms outside of the export-oriented textiles and garments (T&G) industry over the last two decades. These enterprises are related to different non-RMG sectors, including agriculture, manufacturing and service sectors - finished goods industries (e.g., food processing, plastic products), intermediate product industries (e.g., textiles, processed leather), and capital machinery and raw materials (e.g., basic metal products and non-metallic mineral products). In the early part of this century, the number of manufacturing establishments including RMG and non-RMG was 24,752 (Survey of Manufacturing Industries, 2006), which got almost doubled reaching 46,110 (SMI, 2019).[6] Among those, the highest share of establishments in non-RMG enterprises represented the food processing (12,678; 32 per cent), brickfield (5,611; 14.2 per cent) and textile industries (4,323: 10.9 per cent) (Table 1). It is also observed that the share of the registered factories is almost 100 per cent in the export-oriented factories compared to local or sub-contracted factories, 84 per cent. In addition, there are around 12,000 commercial establishments including offices, hospitals and clinics, hotels and motels, educational intuitions, and so on (FBCCI, 2021). Many other non-RMG sectors are also emerging as export-oriented sector like leather and leather-related goods, agricultural products, and jute and jute-related products. According to Export Promotion Bureau (EPB), these sectors have exported goods and products worth about US$942 million, US$1,028 million, and US$1,161 million respectively during FY2020-21 (EPB, 2021). These export-oriented non-RMG sectors would have to consider, and operate as per, the international standards on human and labour rights, occupational safety and health and buyers' code of conduct on social and physical compliances.

[6]SMI includes 2,856 large, 3,178 medium, 23,306 small and 16,770 micro industries.

Table 1: State of the non-RMG Enterprises in Bangladesh (up to FY2020-21)

Sector/ Factory Group	Number of Factories		Total No. of Export Oriented Factories		Total Factories
	Registered	Unregistered	Registered	Unregistered	
Food Processing	10,782	1,813	83	0	12,678
Brick field	4,729	882	0	0	5,611
Textile	3,801	245	277	0	4,323
Wood and Construction	2,210	585	3	0	2,798
Engineering	1,918	786	17	0	2,721
Filling Station	1,244	127	0	0	1,371
Chemical	826	347	36	0	1,209
Plastic	709	437	20	0	1,166
Hosiery	104	769	0	0	873
Others*	6212	277	316	2	6,807
Grand Total	**32,535**	**6,268**	**752**	**2**	**39,557**

Source: Authors illustration from the Federation of Bangladesh Chambers of Commerce and Industry (FBCCI).

Note: *The other sectors are loom, printing press, steel and re-rolling, medicine, leather, agriculture and so on (Excluding RMG).

Most factories (RMG and non-RMG) have found labour-related non-compliance issues, about 42 per cent factories and 62 per cent institutions during 2020 (DIFE, 2021a).[7] According to a Bangladesh Institute of Labour Studies (BILS) report, 115 workers died and 134 were injured in workplaces in the non-RMG sectors in the first half of 2021. In the entire year of 2020, 218 workers died and 268 were injured in this sector (BILS, 2020). Despite such painful scenario, non-RMG sector does not seem to be concerned and very active regarding safety initiatives.

According to the Bangladesh Labour Act 2018, factories having at least 50 workers are legally required to have Safety Committees in the workplace. As of July 2021, safety committee has been formed in 2,672 RMG factories (75.2 per cent) and 2,180 (6.1 per cent) non-RMG factories (DIFE, 2021b).[8] This is an indication that the working conditions in non-RMG factories are not at a satisfactory level, and workers have been employed in different factories where labour-related compliances are not adequately fulfilled.

According to an estimate available with International Finance Corporation (IFC), 2021, at least USD 10 billion worth exports would be generated in the medium term by the growing non-RMG manufacturing sectors that are taking advantage of the rapidly expanding domestic markets and leveraging the same instruments as RMG, such as bonded warehouses and access to innovative trade finance instruments. Further, backward linkage to active pharmaceutical ingredients and production of biosimilars (biologic medical product) could signify the increasing sophistication of the pharmaceutical industry and enhance exports of affordable quality medicines. Safety and compliance concerns might hamper the expanding potential of the non-RMG sector of the country, factory management must acknowledge and act accordingly.

As Bangladesh is in the process of graduation from the least developed countries (LDCs) to developing status by 2026, a more diversified and advanced private sector including RMG

[7]This information refers to both RMG and non-RMG factories and other establishments (as mentioned 'institutions').

[8]According to BLA 2006, factories having 50 or more workers must have a Safety Committee formed and functioning as per the procedures set in BLR 2015. Percentage calculated based on the data from MIB for RMG factories (3555) and for non-RMG (35852) considered the number of registered factories from FBCCI.

and non-RMG is important for the country to achieve this goal. Hence Government of Bangladesh (GoB) focuses on product and export diversification in the domestic economy. However, to develop and continue the product and export diversification process across all the sectors, Bangladesh requires to attract overseas trade partners towards significant rise of foreign direct investment (FDI) in trade and commerce and better trade facilities with major trading partners. But the non-compliance issue assumes a major concern in respect of non-RMG industries, as most of the foreign buyers and investors hope for a better and safe environment and workplace for profitable investment amidst no-loss and no-casualty syndrome. Hence, it is both important and imperative to improve the workplace safety in the non-RMG industries on an urgent basis.

4. State of Industrial Accidents in the Non-RMG Enterprises of Bangladesh

In Bangladesh, industrialists and the general public are well acquainted with industrial accidents and operational collapses. However, the nature, causes and mode of accidents have undergone changes over the last fifty years, although efforts to improve workplace conditions continue despite all odds. In this section, the state of accidents at the workplace and other establishments and labour related non-compliances are discussed. Besides, labour inspection and safety-related measures are also reviewed.

4.1 Overview of Fire Hazard and related Fatalities, and Inspection Carried Out by Administrative Authorities

Most of the fire-related accidents occurring at factory premises took place due to gas leakage, technical errors, short-circuit, boiler blasts, and so forth. However, it is noticeable that the occurrence of fire-related accidents has escalated in the last five years until 2020. Different types of fire related accidents, most of them occurring at home kitchen, shops, and bazaars (Table 2). In 2020, a total of 28,096 fire mishaps took place at different sectors and places, where the highest 8,776 (42 per cent) happened at the home and kitchen vis-à-vis 6,316 (36.9 per cent) in 2015. There is still an upward trend for fire accidents in every sector until 2019.

Table 2: Fire-related Accidents Reportedly Occurring in Different Places and RMG/non-RMG Sectors (Year wise)*

Sectors and Places	**Number of Fire Accidents**					
	2015	**2016**	**2017**	**2018**	**2019**	**2020**
Home and Kitchen	6,316 (36.9)	6,451 (38.8)	7,005 (39.4)	7,216 (37.2)	8,466 (35.4)	8,776 (42)
Cow-house and Haystacks	2,666 (15.6)	2,480 (14.9)	2,436 (13.7)	2,741 (14.1)	4,714 (19.7)	3,091 (14.8)
Shops and All Bazaars	2,829 (16.5)	2,855 (17.2)	3,012 (16.9)	3,312 (17.1)	4,057 (17)	2,984 (14.3)
Factories and Warehouse	1,099 (6.4)	934 (5.6)	1157 (6.5)	1,281 (6.6)	1,245 (5.2)	401 (2.4)
Offices, Hospitals, Schools, Boardings, and Hotels	533 (3.1)	656 (3.9)	654 (3.7)	819 (4.2)	738 (3.1)	495 (2.4)
Jute related Warehouse, Mills, Shops and Transports	145 (0.8)	198 (1.2)	249 (1.4)	155 (0.8)	207 (0.9)	80 (0.4)
Ships, Automobile, Cars, and Normal Transports	991 (5.8)	397 (2.4)	359 (2)	505 (2.6)	364 (1.5)	307 (1.5)
Others	2,532 (14.8)	2,644 (15.9)	2,905 (16.3)	3,359 (17.3)	4134 (17.3)	4,666 (22.3)
Grand Total	**17,111**	**16,615**	**17,777**	**19,388**	**23,925**	**20,896**

Source: Authors' illustration from FSCD Yearly Statistics 2015, 2016, 2017, 2018, 2019 & 2020.

Note: *Value in parenthesis is in percentage (%).

Despite nominal share of accidents in factories and warehouses (including RMG and non-RMG) during last six years (2015-20), it incurred the highest amount of Tk.860.4 crore losses from different fire hazards (Table 3) below. In addition, the jute-related manufacturing factories, warehouses, and establishments have lost nearly Tk.45 crore worth of raw materials and goods during 2015-20, the highest of course in 2015, Tk.13.7 crore. On the other side, no change is observed in the loss-recovery ratio over the period (in 2020 vis-à-vis 2016), and no significant improvement in the "loss-recovery ratio" for any specific sector.

(Table 4) It is also observed that the loss-recovery ratio during 2020 is higher for cow-houses and haystacks (0.30), factories and warehouses (0.21),

Table 3: Volume of Loss from Fire Accidents at Different Places

(in Per cent)

Sectors and Places	**Amount of Loss from Fire Hazard (in Crore BDT)**					
	2015*	**2016**	**2017**	**2018**	**2019**	**2020**
Home and Cooking Place	68.4 (8.2)	49.1 (22)	69.8 (28.4)	71.2 (15.9)	82.4 (25.2)	91.4 (43.7)
Cow-house and Haystacks	10.1 (1.2)	11.5 (5.1)	17.0 (6.9)	12.7 (5.7)	15.6 (4.8)	15.8 (7.6)
Shops and All Bazaars	63.8 (7.7)	62.2 (27.8)	59.1 (24.1)	78.8 (22.8)	158.2 (48.4)	47.8 (22.8)
Factories and Warehouse	618.6 (75.5)	47.3 (21.2)	45.6 (18.6)	107.8 (31.3)	29.5 (9)	11.6 (5.6)
Offices, Hospitals, Schools, Boardings, and Hotels	6.2 (0.7)	6.0 (2.7)	10.7 (4.3)	6.5 (1.9)	5.4 (1.7)	3.4 (1.6)
Jute related Warehouse, Mills, Shops and Transports	13.7 (1.7)	7.9 (3.5)	6.7 (2.7)	6.1 (1.8)	4.0 (1.2)	6.5 (3.1)
Ships, Automobile, Cars, and Normal Transports	23.4 (2.8)	11.0 (4.9)	18.8 (7.7)	8.9 (2.6)	5.7 (1.7)	4.7 (2.3)
Others	25.6 (3.1)	28.6 (12.8)	18 (7.3)	53 (15.4)	26 (7.9)	28.1 (13.4)
Grand Total	**829.9**	**223.5**	**245.7**	**345.1**	**326.7**	**209.4**

Source: Authors' illustration from FSCD Yearly Statistics 2015, 2016, 2017, 2018, 2019 & 2020.
Note: *The amount loss at factories and warehouses in 2015 is higher because any terrible fire incidents might have happened causing a heavy damage.

Table 4: Loss-recovery Ratio around Fire Mishaps (Sector wise)

Sector and Places	**Loss-recovery ratio* (Value in Crore)**					
	2015	**2016**	**2017**	**2018**	**2019**	**2020**
Home and Cooking Place	0.28	0.33	0.19	0.25	0.32	0.18
Cow-house and Haystacks	0.24	0.15	0.23	0.13	0.17	0.30
Shops and All Bazaars	0.20	0.24	0.20	0.14	0.37	0.19
Factories and Warehouse	1.13	0.18	0.21	0.21	0.13	0.21
Offices, Hospitals, Schools, Boardings, and Hotels	0.09	0.12	0.21	0.15	0.11	0.07
Jute related warehouse, Mills, Shops and Transports	0.20	0.25	0.11	0.06	0.26	0.28
Ships, Automobile, Cars, and Normal Transports	0.27	0.10	0.23	0.23	0.12	0.05
Others	0.06	0.20	0.13	0.44	0.09	0.09

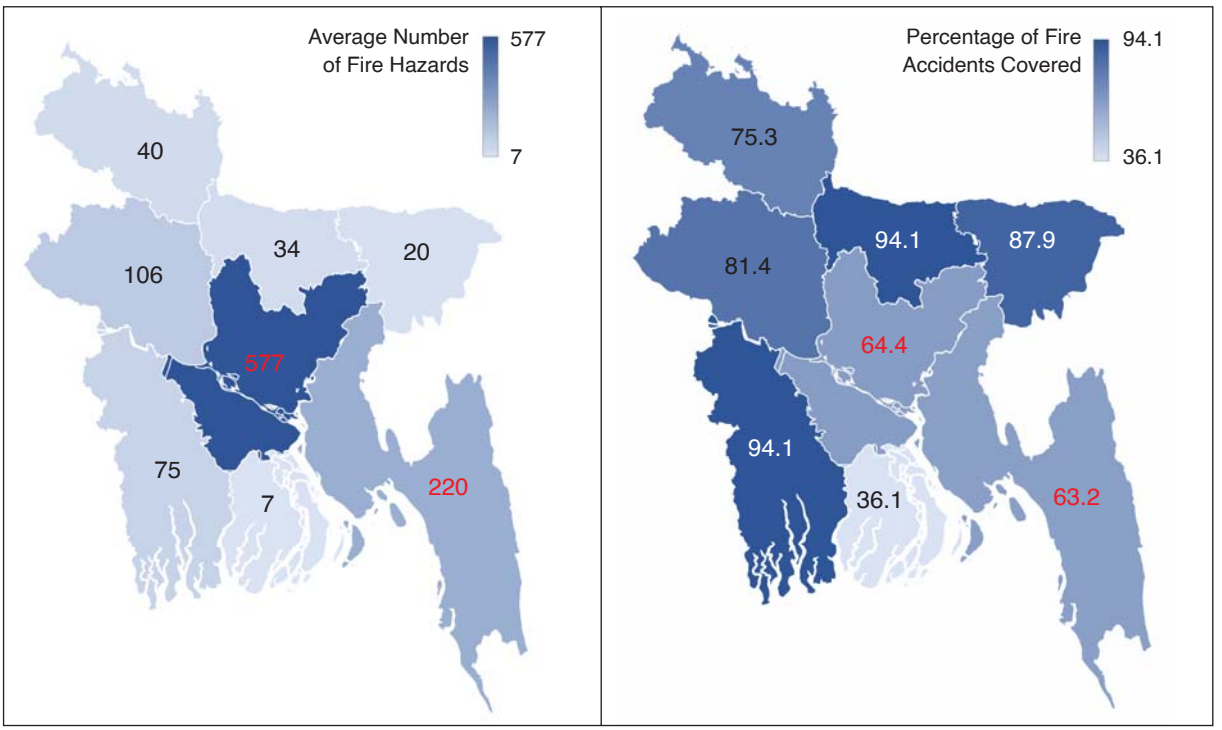
Source: Authors' illustration from FSCD yearly statistics 2015, 2016, 2017, 2018, 2019 & 2020.
Note: *Loss-recovery ratio=Amount of loss/Amount of Recovery (the physical property value saved from fire hazard).

and jute-related factories (0.28) respectively. A lack of improvement in competence or effectiveness in recovery management might perhaps be one of the important reasons for stalled situation in "loss-recovery perspective" over the years.

Figure 3 below shows the average number of fire hazards that happened (left one) and the share of the accidental events covered (right one) by FSCD in industrial factories in the last five years.[9] At the industrial factory level, the majority of the incidents happened in Dhaka and Chattogram, on average 577 and 220, respectively (Figure 3). Dhaka and Chattogram are considered as the industrial hub of Bangladesh, owing to most of the manufacturing industries are established in these two divisions. Despite higher occurrence of fire hazards in these divisions, the share of accident coverage is not more than 64.4 per cent and 63.2 per cent respectively representing only around half of the mishaps; and this is perhaps due to the lack of adequate logistics facilities against the number of disastrous events. Again, while Mymensingh and Khulna record less than 100 fire hazards, the coverage of both is 94.1 per cent in both divisions.

According to FBCCI's priority list, the country has 11,886 commercial buildings and factories. Of these, (i) 5,405 establishments are used for "hospital and clinic" purposes, (ii) 3,243 establishments are used for "office and commercial" purposes (e.g., 'private bank and insurance companies', 'real estate companies', 'newspaper', 'private television and radio channel/ offices), (iii) 1,803 establishments are used

Figure 3: Average Number of Fire Hazards and Share of Accidents Incidents Covered at Industrial Factories (Division wise)*



Source: Authors' illustration from FSCD yearly statistics 2015, 2016, 2017, 2018, 2019.
Note: *Here, the average number of fire accidents is based on data from 2015 to 2019 for seven divisions except for Mymensingh as it emerged as a division in 2017. For Mymensingh, the calculated year is 2017-2019.

[9]The information covered all the eight divisions of Bangladesh: Dhaka, Chattogram, Rajshahi, Khulna, Barishal, Sylhet, Rangpur and Mymensingh.

for "market and shopping mall" purposes, and (iv) others are used for educational "institutes, residential hotels, and community centres".

FSCD (2019) has made an assessment in terms of the level of fire-related risk of different establishments. The majority of service-related establishments are found either at 'very high risk' or 'high risk' state, and the highest level of risks is observed in case of "shopping mall/market", too, (42.3 per cent) followed by "educational institutions" (22 per cent) and "health care service" (19.2 per cent) establishments. In addition, according to the observation of the FSCD inspection team, a total of 3,768 factories were inspected in the FY2018-19; and out of that, the highest, around 8 per cent, of "media centres" were in satisfactory condition, while satisfactory situation of the remaining sectoral establishments was around 6.5 per cent or less (Table 5). More than 70 per cent of establishments representing educational institutions, residential hotels and banks have been found in a risky situation during the years 2017-19. In this context, 'alarming' establishments have increased in each category except for the educational institution in FY2019 compared to FY2018.

Table 5: Assessment of the Fire Safety vis-à-vis Risk at the Multi-storeyed Buildings*

(in Per cent)

Multi-storeyed Building Category	2017-18			2018-19		
	Very Risky	Risky	Satisfactory	Very Risky	Risky	Satisfactory
Shopping Mall/ Market	674 (42.3)	897 (56.2)	24 (1.5)	541 (42.4)	687 (53.9)	47 (3.7)
Educational Institute	336 (22)	1072 (70.2)	119 (7.8)	94 (9.1)	924 (89.3)	17 (1.6)
Bank	11 (1.4)	593 (73.7)	201 (25)	173 (25)	474 (68.5)	45 (6.5)
Health Care	134 (19.2)	502 (71.8)	63 (9)	173 (40)	249 (57.5)	11 (2.5)
Residential Hotel	29 (5.4)	433 (81.2)	71 (13.3)	70 (21.5)	248 (76.3)	7 (2.2)
Media Centre	3 (6.3)	21 (43.8)	24 (50)	18 (69.2)	6 (23.1)	2 (7.7)

Source: Authors' illustration from FSCD Annual Report 2017-18 & 2018-19.

Note: *The information of FY2019-20 could not be considered as the information was similar to FY2017-18.

According to rule 13 of the Fire Prevention and Extinction Rules 2014 (section 5), Director-General can suspend the licenses of the establishments or factories if any kind of term or condition is violated under 'schedule 3'. There is no instance however of such license-suspension or halting operation due to the occurrence of accidents in the factory. Similarly, the existing Code of Conduct (BNBC 2006) requires the installation of both automatic and manual fire alarms in buildings that are more than 20 meters high. But the proposed BNBC 2020 relaxes this and does not require installation of both manual and automatic fire alarm systems; it now requires manual or automatic fire alarm systems which are also applicable for commercial buildings up to 80 meters (approximately 24-story).

The above assessment highlights certain concerns in respect of industrial safety: (a) the number of fire-related incidents is still upsurging, (b) no significant improvement observed in the loss-recovery ratio in major factories and establishments, (c) low share of coverage of fire mishaps in two major industrial locations (Dhaka and Chattogram); and (d) risky situation in most of the shopping malls and markets. One must add to this: limited level of measures undertaken by the concerned authority against different levels of non-compliances.

4.2 Labour Inspection Status of Different Administrative Bodies

DIFE is the governing body under the Ministry of Labour and Employment (MoLE) responsible for inspecting labour safety and security-related

Table 6: Labour Safety Inspection Carried Out at Different Sectors (Year Wise)

(in Per cent)

Fiscal Year	RMG Factories	Shops	Establishments	Other Factories
2015-16	2988 (11)	4674 (17)	1950 (7)	18073 (65)
2016-17	2177 (7)	7200 (22)	3598 (11)	19949 (61)
2017-18	4985 (12)	13622 (32)	6632 (16)	17400 (41)
2018-19	4098 (9)	14890 (35)	8020 (19)	16092 (37)
2019-20	3887 (10)	11558 (31)	7050 (19)	14832 (40)
2020-21	6227 (13)	6979 (15)	6611 (14)	27544 (58)

Source: Authors' illustration, vide., DIFE Annual Report 2018-19 & 2019-20, and Labour Inspection Report 2014-18 & 2020-21.

issues in the industrial sector of Bangladesh. Under its guidance, a digital data reporting system styled 'Labour Inspection Management Application (LIMA)' was set up in 2019. LIMA is used for regular review of labour-related inspections through the digital system; it works on licensing, labour complaints and establishing OSH mechanisms in both RMG and non-RMG enterprises (LIMA, 2021). However, maximum labour inspection was carried out in the non-RMG factories (other factories).

According to BLA 2006, section 86 (1), "workers have the option to inform the employer if they find any building or machinery they are associated with is in such a dangerous condition as likely to cause bodily injury at any time; if the employer/ factory management fails to take appropriate measures within 3 (three days) following worker(s) complaint/request, and any worker is injured due to use of defective building or machinery, authority concerned shall be liable to pay compensation to the injured worker(s) at the rate of double the compensation payable for such injury" (Chapter 12, Sub-section 2). Although there are several clauses in chapter 12 regarding the compensation of workers' death caused by the noted fault and failure of the factory management, it does not mention the amount of compensation payable to the departed workers), which shows a downward trend as it drops to 40 per cent in FY2019-20 from 65 per cent in FY2015-16, although the lowest was 37 per cent in FY2018-19.

Regarding the number of causalities, 1,296 accidents happened in the last six fiscal years, where a total of 2,002 injuries were reported; out of that, 1,361 (68 per cent) injuries were fatal, and 641 (32 per cent) injuries eventually led to death (Table 7). Even though the number of accidents shows a diminishing trend, the share of death is still high at 121 (18.9 per cent) and 103 (16.1 per cent) in FY2018-19 and FY2019-20, respectively vis-à-vis 91 (14.2 per cent) in FY2015-16.[10] It is not clear whether the families of the departed workers

Table 7: Number of Casualties Reported from Different Accidents and/or Incidents (Year wise)

(in Per cent)

Fiscal Year	**No. of Accidents**	**Fatal Injury**	**Death**
2015-16	152 (11.7)	193 (14.2)	91 (14.2)
2016-17	410 (31.6)	435 (32)	170 (26.5)
2017-18	533 (41.1)	555 (40.8)	102 (15.9)
2018-19	88 (6.8)	103 (7.6)	121 (18.9)
2019-20	59 (4.6)	42 (3.1)	103 (16.1)
2020-21	54 (4.2)	33 (2.4)	54 (8.4)
Grand Total	**1296**	**1361**	**641**

Source: Authors' illustration from DIFE Annual Report 2018-19 & 2019-20 and Labour Inspection Report 2014-18 & 2020-21.

[10]Here, The FY2020-21 was not considered since that has been the year of pandemic.

or injured ones had received their compensation properly as per the BLA 2006.

According to BLA 2006, section 86 (1), "workers have the option to inform the employer if they find any building or machinery they are associated with is in such a dangerous condition as likely to cause bodily injury at any time; if the employer/ factory management fails to take appropriate measures within 3 (three days) following worker(s) complaint/request, and any worker is injured due to use of defective building or machinery, authority concerned shall be liable to pay compensation to the injured worker(s) at the rate of double the compensation payable for such injury" (Chapter 12, Sub-section 2). Although there are several clauses in chapter 12 regarding the compensation of workers' death caused by the noted fault and failure of the factory management, it does not mention the amount of compensation payable to the departed workers.

DIFE conducted their inspection in factories in three phases targeting all types of factories across the country. These include (a) proactive inspection (undertaken before any accident had taken place), (b) reactive inspection (inspected after any incident or occurrence happened) and (c) follow-up Inspection (for review of the previous status). Table 8 presents the status on sector-wise labour safety and security inspection undertaken at different stages. Among different sectors/categories, electrical and electronics (89.6 per cent), cold storage (60 per cent), tea factory and garden (59.6 per cent), jute or jute product (46.6 per cent), and ice mill (45.4 per cent) sectors, respectively, had gone through proactive inspection involving above 45 per cent factories/groups; and the least inspection was conducted in the leather and related products (8.3 per cent), ship building/breaking (10.4 per cent) and steel and re-rolling (12.4 per cent) industries. Through the inspection, the inspector can hold or prohibit usages of machinery/plant or production in a building until it is properly repaired or altered if he/she found imminent danger to human life or safety, according to BLA2006 section 61 (1&2). BLA and the concerned section does not however provide any timing, days or weeks, for the employer to solve the problems; neither is there any direction for the authority to conduct the follow-up inspection. Such lack of clarity in the law and lacuna in the process involving inspection, implementation of remedial measures and reviewing the progress of implementation invariably cause persistent weakness and uncertainty in workplace safety.

Reactive inspection was undertaken in 31.6 per cent electrical and electronics factories, 24.3 per cent cold storage industries and 27.1 per cent agriculture sectors (mainly 'hatchery'), (Table 8). Most importantly, follow-up inspection didn't matter at all in respect of 15 categories. Even though there were 12,678 food production and processing factories, 5,611 brickfields and 4,323 textile

Table 8: Labour Safety Inspection Status of Non-RMG Sectors (As of November 2021)

(in Per cent)

Sector/ Factory Group	Total Factories	Proactive Inspection	Reactive Inspection	Follow-up Inspection
Jute	422	196 (46.4)	63 (14.9)	10 (2.4)
Food Production	12,678	2934 (23.1)	1227 (9.7)	124 (1)
Ship Building/ Breaking	305	32 (10.5)	10 (3.3)	0 (0.0)
Steel and Re-Rolling Mill	613	76 (12.4)	34 (5.5)	0 (0.0)
Textile	4,323	878 (20.3)	196 (4.5)	3 (0.1)
Stone Lifting and Crushing	36	N/A	N/A	N/A
Engineering	2,721	542 (19.9)	472 (17.3)	6 (0.2)
Paper and Board Mill	199	67 (33.7)	20 (10.1)	3 (1.5)
Brick Field	5,611	884 (15.8)	491 (8.8)	3 (0.1)

(Table 8 contd.)

(Table 8 contd.)

Sector/ Factory Group	Total Factories	Proactive Inspection	Reactive Inspection	Follow-up Inspection
Tea Factory and Garden	166	99 (59.6)	0 (0.0)	2 (1.2)
Chemical	1,209	235 (19.4)	52 (4.3)	3 (0.2)
Wood and Construction	2,798	791 (28.3)	147 (5.3)	3 (0.1)
Filling Station	1,371	418 (30.5)	226 (16.5)	8 (0.6)
Electricity	152	N/A	N/A	N/A
Leather	435	36 (8.3)	7 (1.6)	0 (0.0)
Electrical and Electronics	351	305 (89.6)	111 (31.6)	4 (1.1)
Plastic	1,166	295 (25.3)	129 (11.1)	3 (0.3)
Glass, Ceramic and Melamine	157	48 (30.6)	14 (8.9)	0 (0.0)
Medicine	593	125 (21.1)	63 (10.6)	0 (0.0)
Aluminium	306	94 (30.7)	7 (2.3)	1 (0.3)
Mineral	63	21 (33.3)	12 (19)	0 (0.0)
Agriculture (Hatchery)	210	73 (34.8)	57 (27.1)	0 (0.0)
*Packaging**	562	106 (18.9)	53 (9.4)	0 (0.0)
Printing Press	672	104 (15.5)	26 (3.9)	2 (0.3)
Hosiery	873	N/A	N/A	N/A
Cold Storage	428	257 (60)	104 (24.3)	8 (1.9)
Tobacco	310	101 (32.6)	37 (11.9)	0 (0.0)
Weaving	823	139 (16.9)	43 (5.2)	9 (1.1)
Fishing Hatchery	98	N/A	N/A	N/A
Handicrafts Industry	76	N/A	N/A	N/A
Ice Mill	163	74 (45.4)	28 (17.2)	0 (0.0)

Source: Website of Federation of Bangladesh Chambers of Commerce and Industry (FBCCI); LIMA, DIFE.

Note: *The number of factories covering all sectors is considered from the sectoral priority list of DIFE except packaging sector, and collected from the LIMA establishment list.

industries, the follow-up inspection had reference to at most only 1 per cent following the occurrence of accidental mishaps in these factories.

Due to varying degrees of non-compliance, the DIFE files cases against factories, and the number of criminal cases relating to workers safety and labour rights is naturally on the rise. Different RMG and non-RMG factories, shops, and establishments have faced criminal cases against the factories for violation of labour rules/ regulations under BLA 2006 and BLR 2015 (Table 9). It won't be out of place to note here the occurrence of violations and irregularities on the part of the management concerning compliance in factories and establishments relating to: (i) condition of employment and services, (ii) maintaining working hours and holidays, (iii) undertaking welfare measures, (iv) formation of safety committees, (v) social security (group insurance, provident fund, profit sharing, etc.), (vi) payment of wages and wage-discrimination, (vii) use of child labour and violating the provisions in hiring adolescent workers, (viii) failure to ensure maternity and welfare benefits, (ix) ensuring occupational health and safety, (x) incidence of accidents, (xi) due payment of compensation, etc.

Within last five years, as much as 1,667 criminal cases have been lodged during the time of the COVID-19 pandemic on account of various non-compliances including irregularities in wage payment, lay-off and retrenchment. It needs to mention that the highest number of cases were

Table 9: Trends of Criminal Cases Filed at Different Sectors

(in Per cent)

	Fiscal Year				
Sector	**2016-17**	**2017-18**	**2018-19**	**2019-20**	**2020-21**
RMG	124 (9.7)	69 (4.1)	72 (5.3)	132 (7.9)	75 (5.3)
Shops	77 (6.1)	421 (24.9)	410 (29.9)	386 (23.2)	239 (16.8)
Establishments	188 (14.8)	283 (16.8)	212 (15.5)	332 (19.9)	291 (20.5)
Other Factory	822 (64.6)	882 (52.2)	635 (46.3)	777 (46.6)	718 (50.5)
Child Labour	62 (4.9)	34 (2)	41 (3)	40 (2.4)	98 (6.9)
Cases Settled	**273 (21.5)**	**781 (46.2)**	**844 (61.6)**	**260 (15.6)**	**490 (34.5)**
Total	**1,273**	**1,689**	**1,370**	**1,667**	**1,421**

Source: Authors' illustration from DIFE Annual Report 2018-19 &, 2019-20, and Labour Inspection Report 2014-18, 2020-21.

filed against the authority of non-RMG factories and establishments every year between FY2016-17 and FY2020-21 mainly because of the unwillingness of the management to maintain and ensure labour rights at the workplace. Industries are still hiring child labour; child labour related cases comprised a noticeable share of total number of cases, and the number has been increasing. BLA 2006 provides very insignificant punishment for the employer, a fine up to Tk5,000, in case the factory hires any child or adolescent in contravention of any provision or act (section 284). Such inadequate punitive measure could hardly discourage employer using child labour in workplace.

The above discussion brings out a number of findings regarding non-compliance in workplace in non-RMG enterprises. These include: (a) the number of accidents declines but the share of deaths and injuries is still high; (b) the share of labour inspection is still insignificant compared to the number of non-RMG factories; (c) there is a significant drawback between reactive and follow-up inspection; (d) the labour rights violation is relatively higher in the non-RMG enterprises[11]; (e) child labour issue still prevails in the workplace; and (f) safety and workers related institutional governance are largely absent in a large section of non-RMG enterprises/establishments.

5. BIDA led initiative on the inspection of Non-RMG Enterprises

5.1 Inspection Modalities of Different Departments under BIDA-led Initiative

According to a higher official of BIDA, the factory inspection was scheduled to starts from the first week of October, 2021. To conduct the inspection, the concerned authority developed a detailed inspection checklist which includes information related to building installation/construction and safety/security issues. As many as 79 issues had been referred including 6 on building structure, 28 on fire hazard, 14 on electrical safety, 5 on environmental pollution control, 14 on boiler safety, and 7 on explosives. Some of the issues related to licensing and certification on fire prevention, explosives control and other safety issues from respective departments.[12] It is important to note that labour-related concerns were not included in the checklist.

A Standard Operating Procedure (SOP) has been developed in order to conduct the inspection.

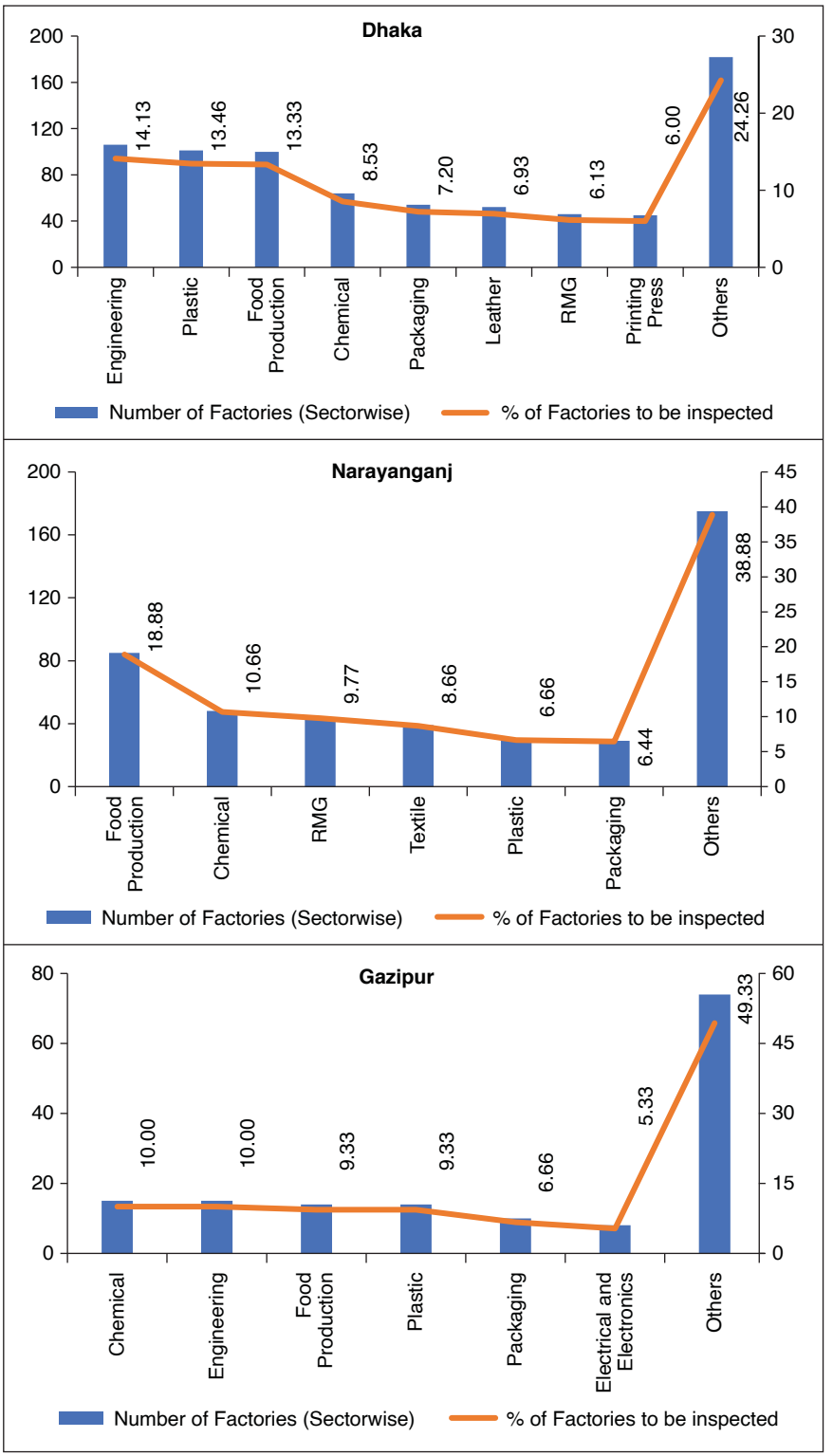
[11]The life of a worker becomes valueless owing to the neglect and indifference of the employer; most of them do not care about the fine of Tk.1000 and fail to notice any accident and any serious bodily injury until the real occurrence. In case of bodily injury or death of a worker, however, the punishment might take the form of 6-month imprisonment, or the fine might be extended to Tk.3000 or both, according to Section 290 (BLA 2006).

[12]Checklist followed BNBC code, BLA 2006, BLR 2015, Fire Protection Act 2003, Electricity Rules 2020, Boiler Act 1923, Explosives Act, 1884, Bangladesh Environment Conservation Act, 1995 and so on.

According to that, at the initial phase, the inspection team goes for a formal inspection visit and does not take any action against employers. A formal inspection notice is sent to the factories three days before the inspection. A total of 38 combined inspection teams, (each comprising up to 11 members)[13] were formed to inspect 1,900 factories representing four main industrial clusters: 750 factories from Dhaka, 550 from Chattogram, 150 from Gazipur and 450 from Narayanganj. Selection of factories has been carried out based on the level of safety related concerns. Figure 4 presents distribution of selected factories in three main clusters (Dhaka, Gazipur and, Narayanganj). Out of 1,350 factories belonging to these three clusters, higher share is related to engineering (11.3 per cent), food processing (18.89 per cent), chemical (10 per cent) and plastic manufacturing (10 per cent) factories. The other selected factories are

[13]The 11-member Inspection Team was formed with the representatives from DIFE, PWD, DoE, Department of Explosive, FSCD, Chief Inspector of Boilers, Office of the Chief Electrical Inspector, and a member out of private entities.

Figure 4: Number of Factories Covered at the Initial Phase (Region-wise)*



Source: Authors' illustration based on DIFE document.

Note: *About 550 factories will be inspected in Chattogram, but the study team had no further information on the inspection details there.

(share not more than 5 per cent) included leather, RMG (local and sub-contracted), textile, and packaging industries.

While the inspection was supposed to be completed by December, 2021, majority of the factories are yet to be inspected. All the 108 Inspection Teams has received necessary training by January 10, 2022. Out of 5,000 factories to be inspected, inspection has been completed only in 875 factories, which is 17.5 per cent of the total targeted factories. In case of factory inspection in Dhaka, Gazipur and Narayanganj regions, only 766 factories have been inspected out of the targeted 1,900, which is only 40.3 per cent of total. Inspection of the highest number of factories is completed in Chattogram: 450 factories which is 81.8 per cent of total factories. This is followed by Gazipur (99 factories, 66 per cent), Narayanganj (97 factories, 21.6 per cent) and Dhaka (120 factories, 16 per cent). As for the rest 3,100 targeted factories, only 109 factories from other regions/districts have been inspected, which is only 3.5 per cent of the total factories. However, the overall performance is very poor as a great deal of work yet to be done.[14]

The collected data are being processed and preserved by DIFE under a special database and managing such a large dataset requires skilled professionals who could provide required support in terms of listing challenges, identifying the level of risks and time-based planning.

5.2 Perception of the Field Inspectors

The study team conducted a phone call survey during November-December, 2021 on the officials from FSCD and DoE who were listed as members of the inspection team. A total of 39 officials (Fire Inspectors, Environmental Officers and Inspectors) have been surveyed, of which 16 officials are from FSCD and 23 officials from DoE. In terms of spatial distribution, 17 inspectors from Dhaka, 2 from Gazipur, 11 from Narayanganj, and 9 from Chattogram.

Perception of FSCD Inspectors: During the time of interview in Nov.-Dec. 2021, FSCD officials were found to be less informed and less engaged in the inspection process compared to those from DoE. For FSCD, it was observed that, 81.25 per cent of the surveyed inspectors knew that they were part of the combined inspection team, and 50 per cent of them got the initial training for the inspection (Figure 5). About 75 per cent of surveyed inspectors did not however have any further information about the inspection including the timing of inspection. It is found that only about 25 per cent of inspectors have already started inspection and they have completed inspecting a total of 13 factories from the textile, plastic, and food production sector.

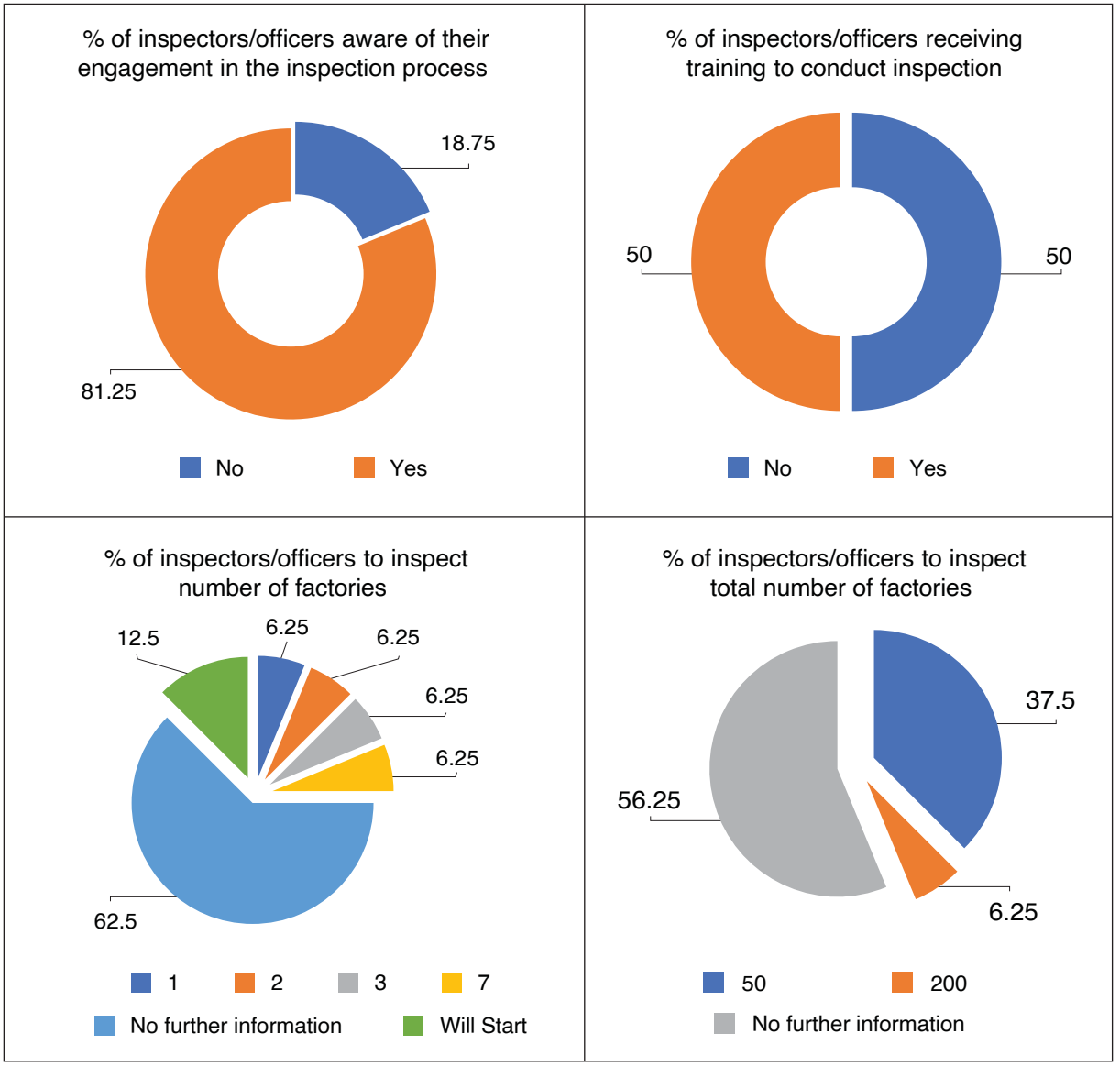
The responsibility of inspecting the above number of factories is not same for all. It depends on the availability of officers in respective locations. About 37.5 per cent of the inspectors have reported that each team was to inspect a total of 50 factories. In some cases, the inspectors were required to inspect over 200 factories as they had been enlisted for more than one team, sometime even as many as four teams; and this was due to lack of sufficient officials in the respective offices.

The inspectors who inspected few factories noticed that textiles and garments factories have better fire safety plan compared to other factories including those of the plastic factory. Majority of non-RMG factories are unable to ensure fire safety related compliances. A few factories have fire detectors and emergency alarm systems, but the factories did not have enough fire resistance systems (e.g., decoration, false ceiling) to prevent spread of fire after accidents. Due to lack of logistics support (e.g., vehicles), FSCD officials have faced difficulty in completing the inspection timely although they had enough human resources.

Perception of DoE Inspectors: The status of preparation of DoE inspectors, on the other hand, is found out be better compared to FSCD officials. Majority of the inspectors from DoE had prior information about their inclusion in the inspection team. About 96 per cent of the members attended

[14]Other regions/districts include Moulvibazar-10 factories; Barisal-21 factories; Sylhet-20 factories; Mymensingh-7 factories; Pabna-4 factories and Others: 47 factories

Figure 5: Inspection Status of Fire Service and Civil Defence (FSCD)*

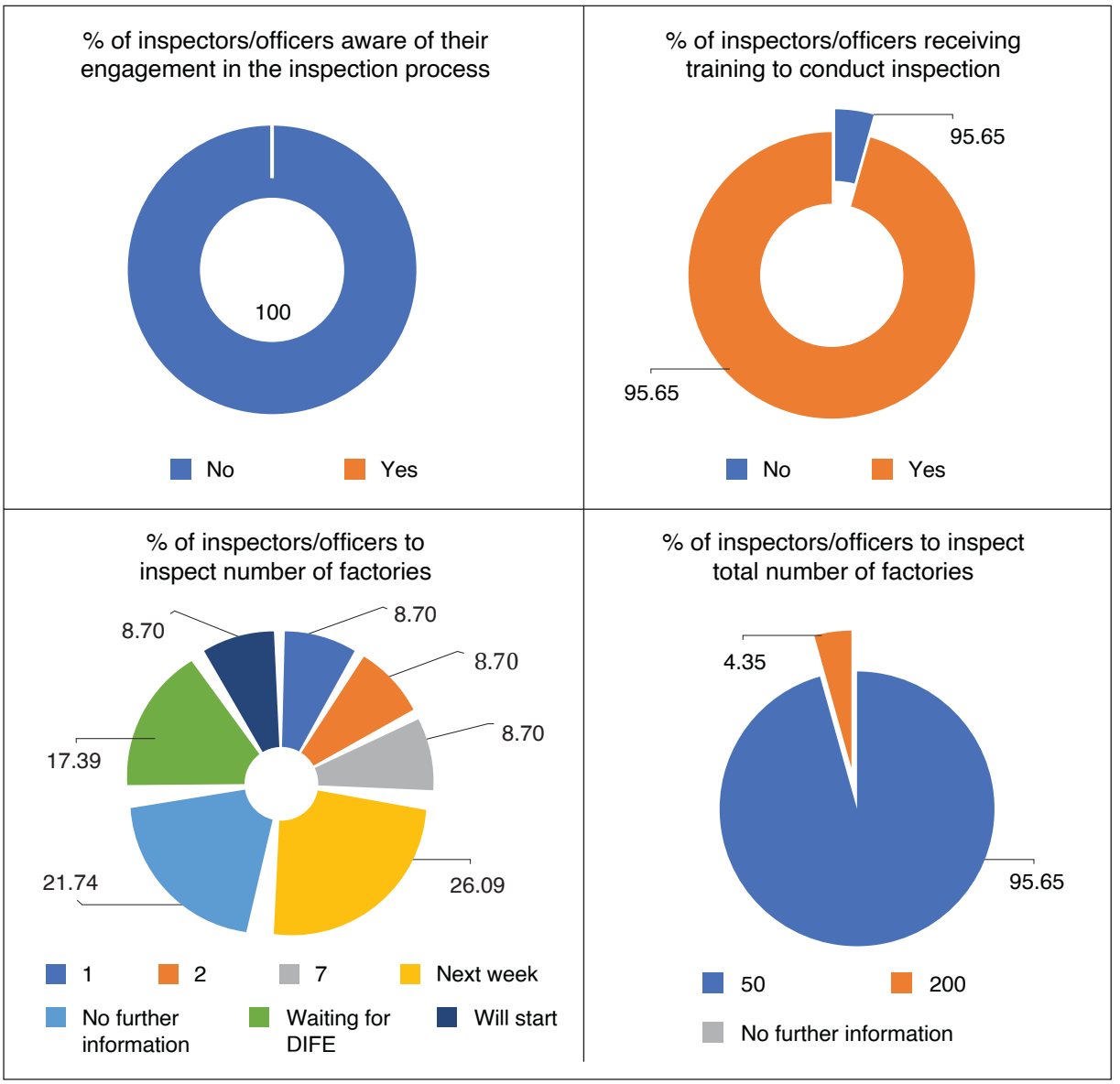


Source: CPD-CA Survey (2021).
Note: *The analysed illustration is based on 16 respondents words; 2 others were either denied to talk/could not reached.

the training programme at the BIDA (Figure 6). It is found that 26 per cent of the members went for inspection while the survey was conducted. A total of 20 factories from footwear, plastic, and aluminium manufacturing sectors have been inspected. On the other hand, 26 per cent of inspectors informed that they would start inspecting from the following week. However, 40 per cent of the inspectors informed that they are waiting for the notice from DIFE and have no further information about the inspection.

As the DoE inspection team identified, the factories of old Dhaka are desperate to repair their factories as the workplace environment was not conducive for running the production. The majority of the factories did not have any etp (effluent treatment plant), no appropriate channel for the treatment of liquid and solid wastes. However, the plastic factories producing (e.g., pipe fittings and other toiletry fittings) tried to address the industrial waste related treatment, although some of them have no environmental

Figure 6: Inspection Status of Department of Environment (DoE)*



Source: CPD-CA Survey (2021).
Note: *The analysed illustration is based on the views of 23 Respondents; other Respondents were either denied to talk or could not be reached.

clearance certificates. Majority of the factories are found ignorant and unaware of carbon emission caused by industrial activities of their factories.[15] Moreover, no factory has fulfilled all the criteria of environmental clearance. Like FSCD, the inspector(s) of DoE had to face vehicle shortage problem and were practically unable to conduct a comprehensive inspection. Besides, DoE officials encountered the challenges of shortage of human resources, too. Most of the officers were thus busy with other official activities. Thus, due to lack of sufficient officials, the inspectors are part of several inspection teams.

[15]While only one factory was concerned about carbon emission, many others did not surprisingly acknowledge the very issue.

5.3 Engagement of FBCCI in the Inspection Process

A unique feature of the BIDA inspection initiative is the involvement of FBCCI in the inspection process; hence, it becomes a public-private initiative. Regarding the involvement of FBCCI, one representative is involved in each inspection team. FBCCI has set up a 'Safety Council' with the aim of supporting and encouraging the industries to behave well and keep safe. The council is to provide technical support to the inspection team(s). Besides, members of different associations are involved in the national level advisory committee. While their engagement is appreciated, their views regarding the inspection drive appears to be well-diverged.[16]

5.4 Keeping ILO at 'Arm's Length' in the Inspection Process

International Labour Organisation (ILO) is very strangely kept outside the whole initiative, despite the fact that ILO expressed its willingness to be engaged in the process. In fact, immediately after the accident in Narayanganj in July, 2021, ILO Geneva office expressed its willingness to work with the government. Besides, ILO team met with the private sector Advisor of the Prime Minister, Secretary of MoLE and Inspector General of DIFE and expressed its interest to be involved in the overall inspection and remediation process of non-RMG factories. ILO Country Director met with the FBCCI President in November, 2021 and expressed its earnest intention to work with the Apex body to work in collaboration for the remedial process.

Needless to mention, ILO has a long track record of working with different Ministries/Departments, particularly related to workers' safety and workers' rights under a tri-partite framework. The successful remediation initiative in the RMG sector during the post-Rana Plaza period has been carried out by the employers, brands and workers, where ILO provided important coordination and technical support.

Considering the demand for undertaking remedial measures for industrial safety in Bangladesh, ILO has specific short, medium and long term recommendations. These include strengthening policy, legislative and institutional environment for the enforcement of fire safety standards, strengthening national capacity in fire safety practices, effective enforcement of rules for fire prevention and safer work environment, and appropriate regulation of fire safety measures in operational industrial buildings.

Despite having the technical preparation and being ready to engage in remedial measures, keeping ILO at 'arm's length' has been a point of major concern. A number of questions may naturally arise from such a stance of the government: (a) does it indicate government's political intention to undertake the inspection process without the support of the inter-governmental organisation? and (b) will the existing institutional setup, operational modalities and process of undertaking different activities be able to ensure efficient way of completion of activities, given the sign of sluggishness in the inspection process?

5.5 Overall Observations

The progress of BIDA-led initiative thus proves to be unsatisfactory. The initiative is still struggling to initial phase challenges. A number of concerning issues is well manifest under the BIDA initiative. These are: (a) unsatisfactory progress in inspection in Dhaka and Narayanganj; (b) Non-inclusion of labour-related issues in the inspection process, which is a major gap; (c) mismanagement and slow progress in activities undertaken by both FSCD and DoE; (d) shortage of human resources at the DoE; (e) inadequate transport facility for inspection teams; (f) unwillingness to involve the international organisations, particularly ILO in the initiative; and (g) lack of clarity about technical support in data management, data analysis and operational guidance.

[16]The BPGMEA arranged two separate awareness and discussion meetings on 11 Nov. and 25 Nov. 2021 'To raise public awareness on fire prevention in industrial factories'. The programmes were presided over by BPGMEA President (11 November) and FBCCI President (25 November), respectively.

6. Conclusion and Way Forward

Non-RMG enterprises and establishments have been expanding in the country because of growing economic activities targeting local and export markets. These industries are related with food processing, plastic products, textiles, processed leather, basic metal products and non-metallic mineral products. Industrial safety is a major concern in most of these factories which need to be addressed properly.

Industrial safety in the non-RMG sector has been passing through a critical stage as the number of accidental incidents are increasing day by day due to the lack of proper monitoring and enforcement, and application of century-old laws and acts as well. The safety standards of non-RMG factories and establishments are largely poor compared to the RMG factories. This is mainly because of escalating occurrence of fire-related accidents in four industrial clusters – Dhaka, Gazipur, Narayanganj and Chattogram.

Most non-RMG enterprises engaged with the domestic supply chains often do not follow any code of conduct on workplace safety and workers' rights. There is also no such pressure from other stakeholders, including consumers, workers and CSOs, to ensure compliance standards; in addition, workers are also not fully aware of the safety and security concerns. Most of the non-RMG factories do not have safety committees to look after this. Factory managements are also not concerned with punishment and retaliation as the administrative authorities do neither play their due role nor do they apply provision of penalty based on the age-old laws which is highly insignificant.

The BIDA-led Monitoring initiative to identify the safety concerns in non-RMG factories is a positive drive towards ensuring the workers' fundamental right to safety and security in the workplace. However, the initiative has yet to deliver the expected results. This study has identified a number of weaknesses which include: (a) lack of proper leadership from BIDA side; (b) problem of coordination amongst different public agencies; (c) limited capacity to handle generated data for identifying the problems; and (d) limited technical expertise. Given the sluggish progress of the overall activities so far, it is doubtful whether the initiative will ultimately deliver the expected outcome.

BIDA-led process confronted a number of operational challenges: (a) difficulty in coordination between different offices responsible for the factory; (b) problem of managing time by the officials of the DC offices in different districts in participating in the inspection; (c) failure in maintaining inspection schedule due to other departmental engagement of the officials of DoE and PWD; (d) excessive work pressure on the officials of the department of explosives and office of chief boiler authority owing to shortage of human resources; and (e) frequent transfers of the officials from related departments and retraining require for the new officials. Finally, database management is likely to be a major challenge, particularly to deliver overall and factory-specific challenges and recommendations.

Considering the above-mentioned scenario of drawbacks and challenges, following issues need to be addressed for effective implementation of BIDA's Initiative.

6.1 Suggested Measures Associated with BIDA Monitoring Initiative

A number of unaddressed issues need to be addressed under the BIDA-led initiative: (a) how the inspection related outcome will be used; (b) who will guide the factories in identifying their weaknesses and how those will be addressed by firms; (c) which organisations will take responsibility whether the remedial measures have appropriately been carried out by firms; and (d) how to take measures to alert firms as and when the remedial measures are not properly applied.

In this context, the following initiatives may be undertaken: (a) BIDA needs to provide a strong leadership role in implementing the measures in time-bound manner; (b) arrangement of necessary human resources, gears and accessories, and

logistics support for concerned public offices and inspection teams for timely implementation of the inspection; (c) simplified operational modalities and small size of inspection team towards earliest completion of the inspection process; (d) BIDA should start designing the next phase of the initiative, i.e. undertaking remedial measures; (e) BIDA should ensure that inspection of the factories under different sectors should be on the same page in maintaining the quality of inspection through necessary support for inspection and extending cooperation in implementing suggested measures; (f) BIDA should immediately invite ILO in providing necessary technical support in effective implementation; and (g) as part of transparency and accountability, BIDA should develop a common digital platform to store data, disclose data and publish inspection progress quarterly, half-yearly, or annually.

6.2 Suggested Measures associated with FSCD Inspection

The FSCD should take note of the following suggestions: (a) FSCD should consider the dis-aggregation of the RMG and non-RMG factories while reporting fire hazards; (b) FSCD needs to report the fire mishaps separately for chemical, plastic, textile, and aluminium sectors as most of the fire accidents in non-RMG enterprises in those sectors; (c) FSCD should focus on the share of accident coverage by FSCD in major industrial areas (especially in Dhaka and Chattogram); (d) FSCD should extend/increase their operation and inspection in hill tracks and highland areas along with the industrial areas; and (e) the institutional capacity of FSCD needs to be augmented as the loss-recovery ratio from fire accidents reads high in non-RMG enterprises.

According to ILO (2021), FSCD should consider the following: (a) liaising with inspection departments to identify 2-3 sectors to initiate a fire safety action plan: (b) identifying 3-4 key fire safety measures that have the most impact on building safety (i.e., detection, early warning systems, protected escape routes, emergency drills, etc.); (c) developing a checklist, simple report format, follow-up methodology on key fire safety issues; (d) enhancing the capacities of FSCD professionals through an internationally recognised certification programme; and (e) designing and developing fire science and engineering curriculum and establishing laboratories for engineers and fire professionals.

6.3 Suggested Measures Associated with DIFE Authorities

For improving the institutional and inspectional capacity of DIFE, the following aspects should be taken into account: (a) the Remediation Coordination Cell (RCC) needs to be involved in the monitoring and inspection process of non-RMG factories with necessary human resources and logistics facilities; (b) the LIMA should emphasise on the labour-related issues in the non-RMG sectors, particularly food production, ship breaking/building, textile, plastic, and chemical; (c) the DIFE needs to focus on the criminal case settlement issues because it reflects the workers' rights and safety at the workplace; and (d) child labour issue ought to be well addressed in non-RMG sectors (especially re-rolling, steel, engineering, leather and non-leather sectors).

ILO (2021) stressed on the following aspects for strengthening DIFE's institutional capacity, too. These include: (a) preparing SOP for labour inspectorate on building safety measures and developing the capacity of DIFE to exercise due role on fire safety are immediately needed; (b) fire safety licensing for multi-departmental licensing approvals, coordination (e-fire license linked with LIMA) needs to be done;(c) jointly developing SOPs in identifying roles of each department on fire safety enforcement in existing buildings (as defined by Fire Service Act, BLA and BNBC) is important;(d) fast-tracking of rollout of DIFE Industrial Safety Unit; (e) establishing a relationship with FSCD and other inspection departments are required; (f) DIFE and FSCD inspectors need to complete the ILO-ITC Fire Safety Management (FSM) and Fire Inspectors Course (FI) as prerequisite for worthy inspection.

6.4 Suggested Measures Associated with DoE and Other Departments

The following perspective requires to be taken into account by DoE and other departments. Those are: (a) DoE should recruit more employees and introduce a training programme to operate on a regular basis; (b) logistics problem (especially transport) should be resolved as early as possible in order to complete the initial inspection as quickly as possible; (c) the DoE should maintain regular inspection of the non-RMG factories and should increase awareness related to environmental cost and damage among the industrialists; and (d) the boiler and explosive-related laws and acts need to be amended as the existing inspection checklist are prepared on the basis of century-old laws and acts.

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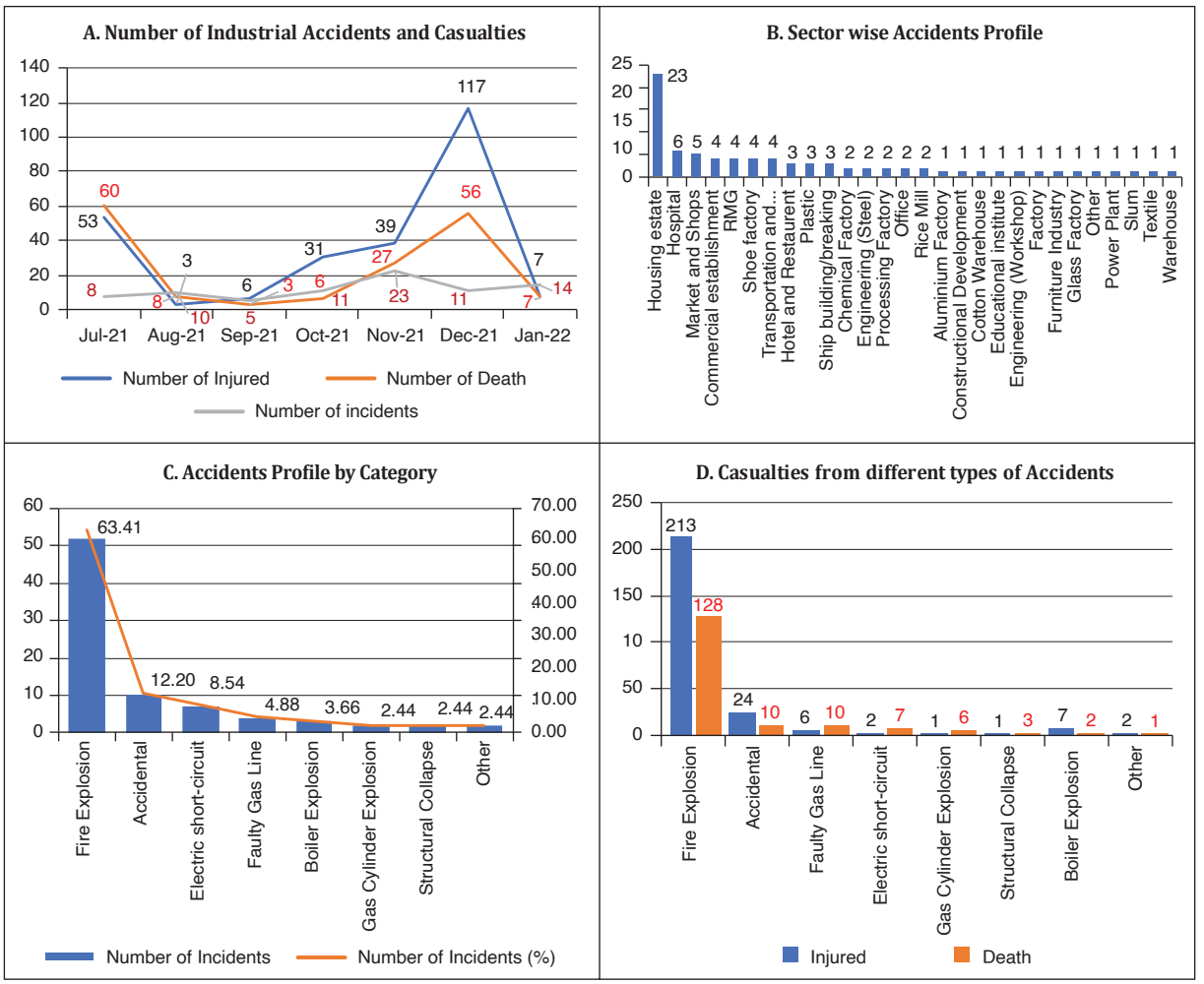
Annexure

Annex Figure 1: Status of Accidents during Post-Hashem Food Period (9 July-21–9 Jan-22)



Source: Author's illustration is based on newspaper report.

The safety standards of non-RMG factories and establishments are becoming a foremost issue as the number of incidents and causalities is up surging over time. Undertaking remedial measures in non-RMG factories is a difficult task because of the lack of willingness of enterprises to invest in safety measures; weak governance structure in public monitoring agencies; limited capacity of monitoring and enforcement of public agencies; and lack of pressure from the buyers and consumers about industrial safety in the workplace. Against this backdrop, the study assesses current industrial and compliance states in non-RMG enterprises, traces out the limitations and drawbacks of different regulatory bodies and putting forward a set of recommendations for strengthening the institutional capacity.

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