



Exemplary Failures of Walmart, Gap and Other Apparel Brands and Retailers' Unilateral and Unenforceable Social Auditing Programs

In the last eight years, more than 1,800 garment workers have been crushed, burned, trampled and killed in preventable factory fires and building collapses in Bangladesh. All factories produced for global apparel brands and retailers that assured consumers the clothing was made ethically, the factories audited for compliance and certified to be safe with decent working conditions. Yet, many of the factories were illegal, lacked building permits and proper fire safety exits, and violated basic safety standards. Companies like Walmart and Gap have long asked us to trust their unilateral unenforceable commitments to worker safety. Now they and other members of the newly launched company, The Alliance for Bangladesh Worker Safety, are asking us to trust them again. Here are just a few reminders why we cannot trust them to do the right thing on their own.

1. Moon Fashion, Chittagong, 2006: **57 workers injured**

A transformer explosion caused workers to rush for the exits. Dozens of workers were injured when they were unable to get out the narrow exits. Buyers reportedly included Kmart and Walmart.¹

2. Garib & Garib Sweater Factory, Gazipur, 2010: **21 workers killed, 40 workers injured**

On February 25, 2010, 21 workers died when the factory caught fire for the second time in six months. Local news media reported thick black smoke caused by burning acrylic yarn spreading throughout the building. Lasting nearly two hours, the fire consumed the oxygen in the air, suffocating the workers, and the air filled with smoke because the building lacked proper ventilation. Workers could not escape because exits were locked. Firefighters had to cut the window grills to get in, hampering rescue efforts. The factory's own firefighting equipment was "virtually useless," according to the Dhaka Fire Service and Civil Defense.² A month and a half later another fire injured at least 10 workers and firefighters at Garib & Garib.³ Buyers at the time of the incident included H&M, El Corte Ingles, and Mark's Work Warehouse.⁴ The company's website also cited Walmart and JC Penny among current or previous buyers.⁵ H&M had inspected Garib & Garib in October of 2009,⁶ which had also been certified

¹ Clean Clothes Campaign, "Hazardous workplaces: Making the Bangladesh Garment industry safe," November 2012, available at <http://www.cleanclothes.org/resources/publications/2012-11-hazardousworkplaces.pdf/view> (accessed July 10, 2013). See also website of Imam Group: <http://www.imamgroupbd.com/moon.html>.

² See, "Gas chamber," bdnews24, February 26, 2010, available at <http://www.bdnews24.com/details.php?id=154583&cid=2> (accessed December 9, 2012), and Worker Rights Consortium, "Recent Tragedies and Fire Safety in Bangladesh," April 2, 2010, available at <http://workersrights.org/university/memo/040210.html> (accessed October 12, 2010).

³ "Fire again at Garib and Garib factory," *The Daily Star*, April 14, 2010, available at <http://www.thedailystar.net/newDesign/news-details.php?nid=134335> (accessed December 9, 2012).

⁴ Clean Clothes Campaign, "Compensation Bangladeshi Fire Victims Inadequate," available at <http://www.cleanclothes.org/news/2010/06/21/compensation-bangladeshi-fire-victims-inadequate> (accessed July 10, 2013).

⁵ Clean Clothes Campaign, "21 Workers Die at Bangladeshi Factory Fire," available at <http://www.cleanclothes.org/news/2010/03/02/21-workers-die-at-bangladeshi-factory-fire> (accessed July 10, 2013).

compliant by Worldwide Responsible Accredited Production (WRAP),⁷ and apparently considered the factory safe despite the many obvious hazards.

3. That's It Sportswear, Dhaka, 2010: 29 workers killed, 100 workers injured

Twenty-nine workers died in a fire inferno as a locked stairwell gate trapped workers on the ninth floor. Desperate to flee the heat and smoke, workers hurled themselves out of windows, many dying on impact. Just four days after the fire, after the surviving workers went back to work, some plaster and cement came off the ceiling of the eighth floor and fell with a loud thud on the floor. A rumor that the roof was collapsing spread among the panicked workers. Twenty-five workers were injured in the ensuing stampede.⁸ According to the factory website buyers included Walmart, H&M, Gap, JC Penney, Kohl's, Sears, Target, Carrefour, and Inditex.⁹ Gap had inspected the factory in the summer of 2010.¹⁰

4. Eurotex, Dhaka, 2011: 2 workers killed, 62 workers injured

Two workers, 20 and 22 years old, were trampled to death after a panic broke out following a boiler explosion on the second floor. Another 62 workers were injured. As rumors spread through the factory that a fire had broken out many panicked and rushed to leave the building. Workers report that the stampede led to overcrowding on the stairs down to the first floor, resulting in the collapse of a stair rail and a number of workers falling.¹¹ Around the time of the incident Eurotex was producing for Tommy Hilfiger, Zara, Gap, and Groupe Dynamite Boutique either directly or via subcontracting.¹²

5. Tazreen Fashions, Dhaka, 2012: 112 workers killed, 150 workers injured

On November 24, 2012, Tazreen Fashions burned and claimed the lives of 112 workers and injured at least 150 other workers.¹³ Buyers included Walmart, Dickies, Sears, and Delta Apparel. As many as five of the factory's 14 production lines may have been devoted to making Walmart apparel.¹⁴ Walmart

⁶ Brown, Garrett, "The record of failure and fatal flaws of CSR factory monitoring," available at http://mhssn.igc.org/MHSSN_Statement_on_CSR_Monitoring-Jan2013.htm (accessed July 10, 2013).

⁷ Nova, Scott, "Recent Tragedies and Fire Safety in Bangladesh," April 2, 2010, available at <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=2142&context=globaldocs> (accessed July 10, 2013).

⁸ Alim, Syed Fatahul, "The beleaguered garment sector," *The Daily Star*, December 20, 2010, available at <http://www.thedailystar.net/newDesign/news-details.php?nid=166555> (accessed December 9, 2012).

⁹ <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=2491&context=globaldocs>...

¹⁰ Brown, Garrett, "Corporate Responsibility: What is it good for?" ISHN Global Watch, May 2011, available at http://mhssn.igc.org/CSR_BangladeshFires_ISHN_May2011.pdf (accessed July 9, 2013).

¹¹ Clean Clothes Campaign, "That's It Sportswear fire: one year on workers still dying in unsafe buildings," December 15, 2011, available at <http://www.cleanclothes.org/news/thats-it-sportswear-fire-one-year-on-workers-still-dying-in-unsafe-buildings> (accessed October 22, 2012).

¹² Clean Clothes Campaign, "That's It Sportswear fire: one year on workers still dying in unsafe buildings," available at <http://www.cleanclothes.org/news/2011/12/15/thats-it-sportswear-fire-one-year-on-workers-still-dying-in-unsafe-buildings> (accessed July 10, 2013).

¹³ See, for example, Alam, Julhas, "112 killed in fire at Bangladesh garment factory," AP report published in *US News*, available at <http://www.usnews.com/news/world/articles/2012/11/25/112-killed-in-fire-at-bangladesh-garment-factory> (accessed December 2, 2012), and "Bangladesh blames sabotage for factory fire; country mourns," Reuters report published in *Chicago Tribune*, available at <http://www.chicagotribune.com/news/sns-rt-us-bangladesh-firebre8ap0zf-20121126,0,1227987.story> (accessed December 2, 2012).

¹⁴ Greenhouse, Steven, "Documents Indicate Walmart Blocked Safety Push in Bangladesh," *The New York Times*, December 5, 2012, available at <http://www.nytimes.com/2012/12/06/world/asia/3-walmart-suppliers-made-goods-in-bangladeshi-factory-where-112-died-in-fire.html> (accessed December 10, 2012).

audited the factory in May 2011¹⁵ and again in August 2012¹⁶. Underwriters Laboratories audited the factory in December 2011¹⁷ and Business Social Compliance Initiative (BSCI) in December 2011.¹⁸ Yet these audits did nothing meaningful to address the fundamental fire safety hazards at the factory.

6. Factories at Rana Plaza: 1,127 workers killed, 2,500 workers injured

On April 24, 2013, an eight-story commercial building, Rana Plaza, collapsed, killing 1,127 workers and injuring 2,500 workers. A bank and small shops occupied the first and second floors. When cracks appeared in the walls the day before the collapse employees of these businesses were told to stay home the following day. Five garment factories were housed in the floors above: New Wave Bottoms, Ether Tex, Phantom Apparels, Phantom Tac, and New Wave Style. Workers in these factories were threatened with the loss of one month's pay if they did not report to work .

A Walmart contractor produced jeans in 2012 at the Ether Tex factory, situated on the fifth floor.¹⁹ Among many others, J. C. Penney labels or cutting orders were found in the rubble at Rana Plaza. Business Social Compliance Initiative (BSCI) had certified two factories in Rana Plaza, New Waves Style and Phantom Apparel. According to the website of Ether Tex, it had passed inspection by BSCI and the Service Organization for Compliance Audit Management (SOCAM).²⁰ These audits failed to identify the illegal construction of the building that led to the loss of lives.

¹⁵ Records of Walmart's auditing of Tazreen Fashions are available on the website of the Tuba Group, the parent company of Tazreen Fashions. See: <http://www.tubagroupbd.net/Profile/Walmart%20Tazreen.pdf> (accessed December 9, 2012).

¹⁶ Brown, Garrett, "The record of failure and fatal flaws of CSR factory monitoring," available at http://mhssn.igc.org/MHSSN_Statement_on_CSR_Monitoring-Jan2013.htm (accessed July 10, 2013).

¹⁷ Greenhouse, Steven and Jim Yardley, "As Walmart Makes Safety Vows, It's Seen as Obstacle to Change," *New York Times*, December 28, 2012, available at <http://www.nytimes.com/2012/12/29/world/asia/despite-vows-for-safety-walmart-seen-as-obstacle-to-change.html?pagewanted=all> (accessed July 10, 2013).

¹⁸ Clean Clothes Campaign and SOMO, "Fatal Fashion," May 2013, available at http://somo.nl/publications-en/Publication_3943 (accessed July 10, 2013).

¹⁹ Greenhouse, Steven, "As Firms Line Up on Factories, Wal-Mart Plans Solo Effort," *New York Times*, May 14, 2013, available at <http://www.nytimes.com/2013/05/15/business/six-retailers-join-bangladesh-factory-pact.html?pagewanted=all&r=0> (accessed July 10, 2013).

²⁰ Bacon, David, "Laundering the Public Image of Worker-Killing Sweatshops," Truthout Analysis, May 7, 2013, available at <http://www.truth-out.org/news/item/16212-laundering-the-public-image-of-worker-killing-sweatshops> (accessed July 10, 2013).