



OUR VOICES, OUR SAFETY

Bangladeshi Garment Workers Speak Out





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Cover photo: Survivors of the November 24, 2012, factory fire at Tazreen Fashions. © Joseph Allchin.



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Aleya Akter, General Secretary, Bangladesh Garment and Industrial Workers' Federation.
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Preface:

ALEYA AKTER'S STORY

Aleya Akter is the General Secretary of the Bangladesh Garment and Industrial Workers' Federation (BGIWF). She is employed at Lufa Garments although she does not sew any more. Instead she works as a union steward. For many years she was targeted and harassed for trying to form a union in her factory, but eventually succeeded. Aleya is one of the few workers who chose to appear under her own name and photograph in this report. We spoke with her at the BGIWF office in October 2014.

It was 1994 when I moved to Dhaka. I was born in 1985 so I was nine years old. I came alone. My family was so poor they couldn't bear the expenses of the family or of education. We had enough food to eat because we worked in agriculture but we didn't have money for other basic necessities.

I tried to become a garment worker but because I was only nine, no one wanted me. Then I discovered that I could wear long heels or long apparel. The heels made me taller and I was physically able to do the work. I had studied through fourth grade and they tested me for some basic alphabetical knowledge and to see if I could read the difference between S, M, L, and XL sizes. I passed the test and they gave me the job at the age of nine. For the first three months I was a helper and earned 300 taka per month. When I was promoted to sewing operator, I earned 500 taka per month.

I still work in the same factory. Since becoming a union leader, in the past four or five years, I don't work much with the sewing machines. I work mostly on trade union activities during my work time at the factory,

teaching workers in industrial law and guiding them properly. If someone is deprived of their rights then I bring their issues to the attention of management.

The management is paying my salary because I faced physical abuse and mental harassment when I tried to form the union. When you see that the company is functioning smoothly and production is high because factory unrest is now totally absent, it's quite a small amount of money to pay for the owner. I know my paycheck isn't much but I get full dignity there, from both management and workers. So the salary is not the main issue for me.

What happened when you formed the union?

I was severely beaten when I tried to bring together workers to make them understand why it's necessary to form a union. I was beaten on three separate occasions from 2006 to 2007, once inside the factory conference hall, once in a meeting room with the presence of the police, who observed and did nothing, and once in front of the factory.

They would say: "You are thinking outside the box. You should not form a union. Don't do this."

I said we wanted to work only until 5 pm, but the management forced us to work until 10 pm on the weekend. Along with some other workers, we refused to do this and walked out of the factory at 5 pm. Five or seven people beat me up. Management then suspended me for 22 days. When I entered the factory after the 22 days, thugs beat up my colleague Shorif, a union leader. I informed the police that factory management had beaten my colleague.

If after all this suffering we could form trade unions in every factory, we could prevent more Rana Plazas and Tazreens from happening.
-Aleya Akter

When management found out that I'd spoken to the police, they beat me for the second time.

After that incident, I became a known entity at the factory. They began to harass me by increasing my workload. Management used to watch me all the time. They would stand over my desk while I worked. When I used the toilet, I had to use a permission card. But they couldn't keep me from organizing the workers and forming a union.

A month later, I saw a fight break out on the street in front of the factory. I saw workers from the factory across the street beating workers from my factory. I called Babul (President of BGIWF) and the police. First Babul came and then the police arrived. Myself, Babul, police and management all sat in a conference room to settle the issue. While discussing the issue, we looked out the conference room window and found that another fight had started. Suddenly eight or 10 workers barged into the conference room and started to try to beat me and Babul in the conference room in front of the police and management. The management and police just sat there observing us being beaten and didn't take any action. They dragged me into another room to hurt me seriously. They punched me like it was a boxing match. They tried to slice me with a knife. I was kicked brutally in my back, belly and chest. When they tried to slice me, I ran and they tore my clothes. I saved my life by running and some workers tried to cover me up with clothing. But all the gates were locked. Some workers helped me get out through an emergency exit.

I continued working at the factory, trying to ignore

the hatred and knowing that I was around the people who had been responsible for this. Some factory management employees showed their true feelings of regret for that incident. I continued to raise the trade union issue with management and after a series of meetings we finally secured union registration in the factory in 2013.

Have things changed since you formed the union?

Before forming the trade union, we had no earned leave, festival bonus, maternity leave, or service benefit. Now we have all of those benefits. There is now an automatic salary increase of 12% per year, starting after the first of the year. Factory management also put in speakers on some floors so that workers can listen to music for entertainment.

We managed to get our factory management to care about us. This is a major challenge: to get factory management to have a proper mindset about their workers, to understand that their workers should not be ignored and that they should live a life with dignity. If after all this suffering we could form trade unions in every factory, we could prevent more Rana Plazas and Tazreens from happening.

The Rana Plaza building collapse of April 24, 2013, was the deadliest disaster in the history of the global garment industry. © BCWS.





Our Voices, Our Safety

EXECUTIVE SUMMARY

Two and a half years after the Rana Plaza building collapse and the launch of the first industrial reform programs to address the pervasive fire and structural hazards in Bangladeshi garment factories, workers report they will not be safe without a voice at work. Fire, electrical, and structural safety in garment factories is essential and will save lives. But these renovations and repairs must be the foundation for additional reforms that address the intimidation and violence that keep workers silent, afraid to voice concerns and put forward solutions to ensure their own safety. A next phase of reforms must instill the lessons that respect for workers is as important to safety as are fire exits, that workers' perspectives on safety are as important as the findings of building engineers. Without it workers' lives and health will continue to be in jeopardy.

Between October 2014 and January 2015, the International Labor Rights Forum interviewed more than 70 workers with the assistance of the Bangladesh Center for Worker Solidarity. We set out to talk with them about fire, electrical, and structural safety issues. But almost all workers wanted to talk to us about more than the necessary technical repairs and renovations in their factories. This report is an attempt to do justice to their words and to tell the story of safety from the point of view of the workers we interviewed.

The workers we interviewed describe a chilling web of social relations of intimidation and violence that spans factories and apparel companies, workers' communities, government agencies, law enforcement, and even their families. The effect

of this web is that workers are silenced. They emphasize that until it is broken they cannot be safe. In the words of one worker, "We say nothing. They say everything. Then how would we say that it's safe?"

The workers explain that safety is never just a thing that is given them, but a process in which they are actively and vocally engaged. They tell us "how to be safe," a reciprocal process where factory owners and the government listen to workers and workers to them. Safety, the workers say, is fundamentally about mutual respect for their shared humanity and consideration for their different needs. This insight is at the core of these workers' understanding of safety.

Unfortunately, safety, as a process of reciprocity and mutual respect, is something the workers we interviewed rarely experience. Instead they report production targets and workloads so high managers prevent them from taking necessary restroom breaks, drinking water, leaving the factory at a reasonable hour, or getting leaves from work to attend to their own or their family members' medical emergencies. They tell us about wages so low they are effectively trapped in abusive conditions, and about sexual harassment and abuse for which the victims are blamed. In a word, instead of a safe working environment, they describe to us, with some notable exceptions, a state of abject powerlessness. This is the opposite of safety, from workers' point of view.

The social and economic issues that workers brought to the fore of our conversations about

safety are not only legitimate safety issues in their own right, but also indicators that fire and building safety could be in jeopardy in the long run despite the current reform efforts. Workers' heavy and increasing workloads and associated abuses reflect the industry's intense price pressures and compressed production schedules, which managers enforce on workers, demanding more pieces per hour, more hours per day, and less leave from work. These are the same pressures that originally caused factory owners in nearly every garment factory in Bangladesh to circumvent basic safety measures and could do so again when the attention of the world is turned elsewhere, and when the current reform programs come to an end. Indeed, there is growing evidence that these production pressures are already causing dangerous delays of essential safety repairs and renovations in most factories that are being investigated.¹

The two main industrial reform programs, the Accord on Fire and Building Safety in Bangladesh and the Alliance for Bangladesh Worker Safety, differ markedly in their attention to the social relations of violence and intimidation that threaten workers' safety. The Accord is a power-sharing agreement between apparel companies and unions; its premise is that companies and worker organizations should engage as equals in solving safety problems. The Alliance for Bangladesh Worker Safety is an agreement among apparel companies alone and does not provide a meaningful voice to workers or trade unions.

Worker leaders in factories covered by the Accord

program describe a new level of access to factory inspections and inspection results, unparalleled in industry social auditing, where audit reports are typically proprietary to the industry, workers excluded from inspections, and unions sidelined from remediation programs. They talk about the open collaboration between the Accord and signatory union federations, and describe several cases where the Accord and its signatory brands have defended workers against retaliation when they voiced safety concerns or partook in Accord investigations. By contrast, the Alliance, in its promotional materials and according to workers we interviewed, appears to overlook incidents of harassment and violence against union members.

The next phase of safety reforms should build on the progress achieved under the Accord. The goal should be an end to the reprisals against workers who make their voices heard, and a safe working environment where factory owners and managers engage with workers with mutual respect. To achieve this goal, the Bangladeshi government must register unions according to the law, and investigate and publicly denounce factory owners for using thugs to silence workers through violence and intimidation. Factory owners must adopt a zero-tolerance policy for managers who threaten or inflict violence against workers, and urge the industry associations to do the same toward their members. Apparel brands and retailers must reform their purchasing practices to cease commercial demands that contribute to the silencing of workers, committing instead to prices and delivery times in line with the cost and time of producing goods in compliance with all

safety and labor regulations. People everywhere can play a critical role in advancing these social safety reforms by holding apparel brands and retailers to account, urging meaningful action from governments, demanding that workers' voices be heard, always asking: Do we know what it means to be safe for workers?

Factory-level union leader at Luman Fashion. © ILRF.





Introduction:

PROGRESS FOR WHOM?

We have seen great progress that has taken place following the collaboration of important stakeholders, like factory owners, building safety experts, the government, ILO and all the brands.²

-Ellen Tauscher, Chair of the Alliance for Bangladesh Worker Safety, following the Dhaka Apparel Summit, December 2014

Today, on the commemoration of the Rana Plaza collapse, we take note of the progress that has been made, but also the urgent work that remains.

-Joint statement of representatives of the United States government, the European Union, and the International Labour Organization on the two-year anniversary of Rana Plaza, April 24, 2015³

Actually, garment workers' progress is like a nightmare. Even having those dreams is a curse for us the garment workers. Our salary is very low compared to the garment workers in the developed countries. Our standard of living is unbearable. We can barely make our living. We can only breathe. That's our situation now. Our family, relatives, kids — those who are near to us — we can't treat them properly. The dreams that we have, they turn into curses.

-Mamun Faruk, quality inspector at garment factory, Bangladesh, December 2014

The apparel industry first arrived in Bangladesh in 1978, when Bangladesh was widely regarded to be an economic “basket case,” in the infamous words of Henry Kissinger, still recovering from a bloody war of independence, ravaged by floods and political corruption, marred by entrenched poverty, and teetering on the brink of collapse. That year the fledgling industry exported US\$ 12,000 worth of ready-made garments.⁴ More than three decades later, in 2014, Bangladesh exported US\$ 24 billion of ready-made garments, the second highest apparel export volume in the world after China. More than 4,000 (registered) factories now employ four million workers, who produce 80% of the country's export earnings.⁵ During this period Bangladesh's poverty rate has been cut in half, life expectancy increased, infant

mortality decreased, and literacy rates and per capita food intake increased.⁶

Yet, the United Nations still classifies Bangladesh as one of the world's 48 “Least Developed Countries” (LDC).⁷ The government's goal is to graduate from the LDC group and become a middle-income country by 2021, its 50th anniversary of independence. Bangladesh would have to increase its per capita income from US\$ 1,044 to US\$ 1,242 in 2015 currency terms.⁸ Its main strategy to achieve this goal is to double its apparel exports to US\$ 50 billion by 2021.

Only three countries have ever emerged from LDC status,⁹ but according to the World Bank, Bangladesh's goal is not beyond reach.¹⁰

Government leaders appear confident that Bangladesh can reach the US\$ 50 billion apparel export goal by its 50th anniversary — more than a 100% increase in 6 years.

The question, however, is how much Bangladeshi garment workers will benefit from continued industry growth. The industry has been built on the backs of workers who have absorbed the lowest wages in the world, endured brutal reprisals for defending their rights, and labored in fear of factory fires and unsafe conditions. If the apparel industry is to be a path not just to middle income status, but also to safety, prosperity, and justice for its workers, growth cannot be the sole guiding post.

Stories of Progress

Fortunately, there now appears to be a near universal consensus that Bangladesh needs an industry growth strategy based on safe and decent working conditions.

After 30 years of unsafe conditions in Bangladeshi garment factories, culminating in the collapse of the Rana Plaza factories on April 24, 2013 and the death of 1,134 garment workers,¹¹ Bangladesh is today the testing ground for several industry reform programs. The United States has announced that Bangladesh must reach several safety and labor rights benchmarks in order to regain eligibility for trade benefits. The Government of Bangladesh, employers and unions have signed an action plan on fire and building safety in the apparel industry. Bangladesh has also committed

to addressing labor rights and factory safety in the apparel sector under a Sustainability Compact with the European Union, the United States, and the International Labour Organization (ILO). The ILO has launched a three-year initiative, including Better Work Bangladesh, to improve working conditions in the apparel industry. And the major apparel brands and retailers that buy apparel from Bangladesh have formed two separate five-year safety initiatives, the Accord on Fire and Building Safety in Bangladesh, a legally binding agreement between companies and unions, and the Alliance for Bangladesh Worker Safety, an industry initiative.

We are now well into each initiative and nearing the half-way mark of the Accord and the Alliance, and the question that industry, government, media, and others are seeking to answer is: Is there progress in Bangladesh? Are workers safer and are the conditions improving? Can one or more of these programs become the foundation for a long-term strategy of growth that not only lifts Bangladesh out of its LDC status, but also increases safety, prosperity, and justice for workers?

There are many ways of telling the story of safety and of measuring progress in Bangladesh as the quotations at the start of this chapter illustrate.

For example, the US government, the EU, and the ILO note progress in policy and administrative practice. Bangladesh has amended its labor law and strengthened certain aspects of freedom of association; recruited and trained new factory

When we consider questions of progress, we should do so, as far as we are able, from the perspectives of workers.

inspectors; and posted factory safety information online.¹² They also note the significant work that remains under the Sustainability Compact to realize its goals, including continued legal reforms consistent with ILO standards.¹³

The Bangladeshi Government lists a variety of progress indicators. As of April 21, 2015, progress included the amendment of its labor law; a larger number of trade union registrations; upgrading its labor law enforcement agency to a department, the Department of Inspections for Factories and Establishments, with triple the budget; hiring and training 218 new labor inspectors; increasing the number of building inspectors in the cities of Dhaka and Chittagong; and declaring April 25, 2013, a National Mourning Day on account of the Rana Plaza tragedy.¹⁴

The Ministry of Labour and Employment (MoLE) reports on numbers of inspections as indicators of progress. As of October 31, 2015, the government had conducted 1,475 assessments under the National Tripartite Action Plan for Building and Fire Safety, finding only three factories to be “dangerous.” Five factories were “near[ly] dangerous,” 209 “risky but not dangerous,” 640 “less vulnerable,” and 471 “safe.”¹⁵ *The Daily Star*, the major English language newspaper in Bangladesh, reported “Government engineers find most factories fit.”¹⁶

The Alliance and its member companies tell the story of progress in numbers of trainings, inspections, and corrective action plans. For example, as of March 9, 2015 the Alliance reports

it had inspected all Alliance-listed factories and published 1,500 inspection reports, ensured “some form of remediation” in every factory, finalized 300 corrective action plans, trained 1.2 million workers on fire safety, and launched a helpline accessible to 500,000 workers in 300 factories.¹⁷

These numbers, the Alliance says, add up to progress. Headlines of accomplishments and success leap off their website and public communications. For example:

- “Successful reform begins on the factory floor. More than one million workers and managers have now been trained in basic fire safety.”
- “... 10,000 participants and 50 exhibitors participated in the largest safety expo in nation’s history ...”
- “Findings of Independent Review of Alliance for Bangladesh Worker Safety Indicate Major Progress”

For Mamun Faruk and other workers we interviewed the number of inspections, corrective actions, and factory closings do not tell the whole story of safety. Policy advances have yet to materialize, and the enthusiasm in some of the government’s accounts in particular are sadly lacking in even the most optimistic of worker stories. For workers we interviewed the overwhelming story line remains one of violence, intimidation, and exclusion, a story where dreams become “curses” and progress turns into “nightmares.” This is not to say the reform programs are not doing important work or that Mamun Faruk and other workers we

interviewed are without hope. It is simply to say that when we consider questions of progress, we should do so, as far as we are able, from the perspectives of workers.

In the opening quote to this chapter, the Alliance Chair, Ellen Tauscher, lists the collaboration of “important stakeholders” — factory owners, building safety experts, the government, the ILO, and all the brands — as key to progress, but omits workers. Yet, only when workers’ own voices are a valued part of reform initiatives will industry growth bring safety, security, and justice to workers, and only then will the progress on safety be sustainable.



Changing the Perspective on Safety

This, then, is the story of safety from the point of view of the workers we interviewed. It is an attempt to shift our vantage point on safety by listening to workers. About a year into their ambitious worker training program, the Alliance announced they were going to determine how effective it was by measuring “how well workers process and

retain provided information, which aspects of the training achieve the greatest impact, which delivery methods are most effective and where follow-up training may be required.”¹⁸ But instead of measuring progress by asking how much workers retain from trainings and how well they apply what they learn, industry, government, and others should ask how well they understand workers. Do they know what safety means for workers? How much do they retain when workers speak? How do they apply what they learn from workers?

Representing safety from workers’ vantage point is not an easy task. The author and editors of this report are not workers or Bangladeshi. But we have made a best-faith effort based on a decade-long close relation and frequent interaction with Bangladeshi unions and NGOs who work closely with Bangladeshi garment workers. We interviewed more than 70 workers, including 57 workers one-on-one and in-depth, and a group of 19 union leaders during a four-hour meeting in the capital, Dhaka. Staff of the Bangladesh Center for Worker Solidarity (BCWS) conducted most of the one-on-one interviews in their own offices, a setting in which workers felt safe and secure. While guided by questions, many workers described their experiences at length and, elaborating, discussed issues they considered to be important, whether or not the interviewer had asked about them. A native Bangladeshi student at the University of California expertly translated and transcribed each interview verbatim and explained Bangla expressions and connotations. We then met several times with the BCWS researchers to ensure we had understood and interpreted the workers correctly.

The Interviewers and the Interviewees

Staff members of the Bangladesh Center for Worker Solidarity conducted most of the worker interviews for this report. One of Bangladesh's most prominent labor rights advocacy organizations, BCWS was founded in 2001 by a group of former garment workers in order to improve working conditions in the industry. Since then, BCWS has advanced workers' rights by strengthening the capacity of workers to advocate for themselves, in their own voices. BCWS offers workers services such as labor rights education and leadership trainings, legal aid and counseling on specific workplace problems, literacy classes, and computer trainings to build workers' capacity to speak out using electronic communication tools. Conducting the interviews for this report served the same goal for BCWS and for us: to give voice to workers on safety issues. Thus the workers who appear in this report are not randomly selected research subjects. Rather they are individuals who sought out BCWS because they wanted to learn how to advocate on their own behalf and participated in this research because they had something to say. They were, in this sense, also leaders in the research, taking the interviews in a direction that mattered to them.

BCWS and ILRF staff interviewed workers one-on-one and in depth between October

2014 and January 2015. These workers ranged in age between 16 and 48, and were on average 27 years old (27 years was also the mean age of this group). Thirty-five of the workers were women, and twenty-two men. Forty-five of them worked in factories participating in the Accord program, 16 in the Alliance program, and seven in neither program. Eighteen of the workers were members of factory level unions. Three workers, all of them union members, wanted to appear under their own names — rather than pseudonyms — in this report.

In addition, two ILRF staff members traveled to Bangladesh in October of 2014 and April 2015, conducting individual in-depth interviews with seven union staff members and two members of the Accord staff, two group meetings with 20 factory-level union leaders, and a meeting with eight union federation leaders. In addition, we participated in two group meetings with survivors of the Rana Plaza and Tazreen Fashions tragedies, and interviewed survivors individually. Each one of the meetings and interviews helped to inform the analysis of this report.

Many workers told us that they wanted more than to just tell their stories. In the aftermath of the Rana Plaza and Tazreen tragedies, garment workers' stories, and especially the stories of survivors, have become hot commodities in global media and research markets.¹⁹ During the course of work to ensure adequate compensation for the victims of Rana Plaza and Tazreen, we met many workers who were, they said, tired of telling their stories to researchers and reporters and wanted to know what good it would do them. While workers we interviewed wanted to share their experiences and thoughts with their peers at BCWS, an organization that fights for their rights, many of them commented that they were doing so only in the hopes of changing their lives.

For example, one worker challenged the BCWS interviewer: "I have said many things in many places. Many people interview me like this. However, we don't get any hope for the future or any promise that it will go somewhere positive. So what's the point of telling this for nothing?"

"Actually, we will try to do something for you guys," the interviewer responded. For BCWS the interviews were not just research. When workers told them about safety and related problems in factories they often followed up with trade unions and the Accord to achieve remedy. In one case, BCWS worked for more than a year following the worker interviews to document events surrounding the dismissal of union members who had voiced safety concerns. Their careful documentation eventually helped the Accord to obtain a commitment from the factory to reinstate

the workers with full back pay.

Yet, workers also worried that they were risking their jobs by talking with us. For example, when the interviewer asked one worker if they could send her interview "abroad" to be used for an article, she replied: "Yes, you can. But if you use them, and the owner finds out, in that case, I will lose my job."

At the end of another interview in which the worker revealed that thugs, hired by the factory, had beaten him and threatened his life in retaliation for his union activities, the interviewer promised: "Ok. We will look into your statements. We will send these abroad. They will publish a report. They will try. You don't have to worry. Your name will not be published."

In order to protect the workers who shared their stories with us, we have changed their names, removed any unique identifying information from this text, and blacked out their faces in photos. Any resemblance to a real name of a garment worker is coincidental.

However, three workers told us they wanted to appear undisguised, under their own names and with their authentic photos in this text. All three are sewing machine operators, but one, Aleya Akter, whose story appears as the preface to this report, works as union steward; one, Dalia Sikder, is the President of her factory's union; and one, Salma Akter Mim, is the General Secretary of her factory's union. Their unions are all affiliated with the Bangladesh Garment and Industrial Workers'

All workers should be able to voice demands without fear.

Federation (BGIWF). Each one of these workers faced intimidation and violence in retaliation for organizing unions at their factories, but was able to build the “unity and strength,” in Dalia Sikder’s words, that now allows them to be secure in voicing their demands for safe workplaces without fear of reprisals.

Our goal is simple: All workers should be able to voice demands without fear. All workers should be able to dream aloud of a life in which they are treated with respect and dignity and can provide adequately for their dependents. By telling the story of safety from workers’ point of view and, insofar as we are able, in workers’ own words, we hope to create more demand for workers to be heard. We hope that readers will ask, is there progress from workers’ perspective? We urge the Bangladeshi government, factory owners, apparel brands and retailers, and others with similar influence to help foster environments in which workers may securely speak about their safety concerns and help to develop solutions.

This problem that you can’t talk. You say that if you are beaten up, you can’t talk. If you are made to work until midnight, you can’t talk and if the lunch break is for 10 minutes, you don’t talk. What could be a solution for these problems?

-BCWS interviewer posing a follow-up question to a worker

Rana Plaza survivors and their supporters hold a rally urging apparel brands and retailers to pay full and fair compensation. © CCC.



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Most workers we interviewed required

anonymity in order to protect themselves

from retaliation for speaking out.



Part I:

SILENCING WORKERS

In the course of the research for this report we conducted in-depth interviews with 57 garment workers. They were women and men, many migrants from rural areas, others born in Dhaka, the capital city. Some were literate and had schooling; others had very little education, could not read or write, and did not know their exact age. Many were Muslim, but not all. Some were leaders of the unions at the factories where they worked, others had attempted but failed to organize a union, and yet others did not know what a union was. Some of them judged their factories to be structurally safe and were content with the improvements in fire safety, while others still worked in fear of fire and building hazards.

But one thing they all had in common. They spoke passionately about the ways they and their coworkers had been silenced, denied access to knowledge, excluded from any meaningful participation in matters of their own safety, sometimes violently and brutally, often more subtly. These workers confirmed what we have long known: that the Bangladeshi garment industry is adept not just at making apparel, but also in producing subordination. But they explained just how it does so: through a network of social relations of intimidation and violence that span factories and buyers, workers' communities, government agencies, law enforcement, and even their families.

Workers use the Bangla term “nirjaton” to describe the abuse that they face in the factory and also often in their communities and households. When they speak of “nirjaton” they talk about

being mistreated in several ways—for example, managers slapping or yelling at them, forcing them to work late to meet impossible production quotas, denying them restroom breaks—without being able to defend themselves and stand up for their rights. In this way, the operative concept of “nirjaton” is silencing: workers are abused and must remain silent. Some Bangladeshis translate “nirjaton” as “torture,” referring to profoundly disrespectful treatment, especially severe beatings. In this report we have used the words “harassment”, “abuse” or “violence” in most cases where workers talk about “nirjaton” in order to distinguish it from situations where union leaders and worker organizers are tortured as defined in human rights law; that is, where mental or physical pain is inflicted on a person in order to extract information or as a form of punishment, intimidation or coercion, at the instigation or acquiescence of a public official.²⁰

The chapters in this part describe the many ways that workers report on “nirjaton”—being harassed, abused and silenced by factory managers, local political leaders and associated thugs and gang members, police, labor ministry administrators and their superiors, husbands, and apparel companies with their social auditors. They make clear that being silent does not imply they accept their situation. In providing these accounts to us the workers are doing more than just reporting: they are asserting their voice and resisting the silence imposed on them. In reporting their stories we are seeking to support workers in breaking the web of intimidation and violence imposed on them, a necessary step for safety programs in the garment industry to have a lasting impact.

Chapter 1:

Owners, Thugs, and Police

Garment factory owners in Bangladesh are generally well connected to political elites. At least 30 factory owners or their family members hold seats in parliament, making up about 10% of the total.²¹ Other owners, such as Mohammed Sohel Rana, the owner of the Rana Plaza building, have strong local political ties. He was a local leader of the youth wing of the ruling party, the Awami League,²² a position he is now alleged to have abused to conduct illegal business and erect unsafe buildings.²³

Factory owners use their networks of political, financial, and social relations that extend from the factory to workers' communities to develop their retaliatory capacity against workers who seek to organize and form unions. They may award political leaders of local communities the contracts for scrap business, transportation, and food supply. In return they expect these local leaders, and the thugs they employ, to keep the union out of their factory. Sometimes owners also pay the political leaders and thugs directly to keep the union out. This might cost them 100,000 to 500,000 taka (US\$ 1,300 to US\$ 6,400) in smaller factories, and up to a million taka (US\$ 13,000) in larger factories, according to local labor activists we interviewed. According to a local factory union leader, a local thug had recently warned him that he (the thug) would get 4,000 taka (US\$ 50) for injuring him with a sharp weapon.²⁴

Having close ties with the local political leaders, landlords, and police, the thugs, or “mastan” in Bangla, can convince a landlord to evict workers from their homes. They can force workers to leave

their communities within a day under the threat of violence. They can inflict violence on workers under the protection of the police. They often assault, terrorize, and threaten union leaders and their families, thereby sending a chilling message to other workers about the consequences of unionizing.²⁵

The Solidarity Center in Bangladesh, a non-governmental organization affiliated with the US union federation, AFL-CIO, tracks factories' use of “mastan” to squelch union organizing. They note several cases that have received international media attention when the factories supply well-known brands. But subcontractors and factories that supply brands less concerned about an image of social responsibility also commonly use “mastan” to suppress union organizing campaigns.²⁶ Transparency International Bangladesh also reports allegations that factory owners wield political influence to enlist local police to suppress workers' movement in factories.²⁷

ILRF learned about one local political leader in Ashulia, an industrial area near Dhaka, who has helped several factory owners prevent workers from unionizing. This leader, a member of the governing Awami League political party, has a seat on the Thana (police station) committee, and is also influential with the Industrial Police. He conducts business with the factories, and they have an unwritten agreement that when workers organize “he will take care of that.” Either he himself, or his political activists, the thugs, will show up at the factory. “They go inside the factory to show that they have a good relation with factory

According to a factory union leader, a thug had recently warned him that he (the thug) would get 4,000 taka (US\$ 50) for injuring him with a sharp weapon.

managers,” says the labor activist who told us about him. Just making their presence known to workers inside the factory is a statement of intimidation and an implicit threat. Outside the factory they threaten workers explicitly. “For example, they went door to door to thirty workers who were trying to form a union at one factory, forcing them to sign a blank paper,” says the activist. “The workers signed, knowing that going to the police would not help. Then they were fired.”

Some of the local leaders who crack down on union organizers are in the “jute” business, a local expression for waste fabric.²⁸ They buy factories’ leftover fabric and make products such as pillows, bus seats, and mattresses. They may also run food stalls outside the factory gates. One worker active in a campaign to form a factory union recounts: “There are jute business people in the neighborhood. They scared us through them. They told us, ‘You don’t need to unionize.’ They also told us, ‘If you unionize, you might have trouble.’ They mostly scared us through these jute businessmen.”

Whether workers are native to the community where they live or recent migrants from the countryside determines how susceptible they are to thugs. “Suppose we are not the natives of the area, but we are here temporarily,” explains Rina Hossian, a sewing machine operator. “They intimidate us through the locals. They tell us: ‘If you go to these places, or if you want to unionize, we won’t let you live in this neighborhood, let alone have a job.’” By contrast, Rina Syed, the Vice President of her factory union, notes, “since my

native area is near the factory, they haven’t been able to cause much trouble for me yet.”

The activist we interviewed explains the different treatment of local and non-local workers: “If the factory is located in Gazipur and the worker is native to Gazipur the factory doesn’t mess with the worker. Let’s say there are ten workers who want to form a union, and two are local and eight are from the countryside. The managers may be verbally abusive against the eight workers from the countryside. They may fire them and file false charges against them. But they won’t do that to the two local workers because they don’t want to take the risk of shaming them. Doing that might turn their family and all the neighbors against the factory. The community is often hostile to a union organizing campaign, worrying that the factory might close if the campaign is successful, and everyone would lose their jobs. By harassing local workers, the factory risks turning community opinion against them instead.”



Factory managers employ a variety of methods to intimidate and threaten workers who become leaders or seek to unionize. They may serve formal disciplinary notice to workers under section 23(4) of the Bangladesh Labor Act, under which workers may be suspended or dismissed for insubordination or disobedience, disorderly behavior, or “any act subversive of discipline.” For example, one worker involved with a union organizing campaign received the following “show cause” notice from his employer, declaring him to

be an “undisciplined worker:”

“You are aware that since April 1st, 2015, you have been hindering the production activities in the factory without any reason. Despite being warned over and over again, you have stopped work without the permission of the authority. According to Bangladeshi Labor Law 2006 (Amended 2013, Code 13(1)), you are an undisciplined worker. Bangladeshi Labor Law 2006, Code 23 (4), is applicable to you. The factory authority has prohibited you from entering the factory for seven days because of your activities.

“You are being informed that you are specially requested to send a written answer to the above-mentioned notice addressing the signatory below. Otherwise, the company will make the final decision according to Bangladeshi Labor Law.”

But usually the factory’s means of discipline and punishment is less formal.

Ariful Reza, linking machine operator, 24 years old

If I were a leader now, they will keep me under their eyes all the time. They will deprive me of all the benefits so that I deliberately quit. If I became a worker leader, then there will be 50 people behind me. If they all work under my leadership, they will have to give them salary and benefits for three months and 13 days. Then they will have to give them money for 40 days annual holiday. In order to deprive them of this, they will keep me under

their watch. They will pressure me so that I quit voluntarily. So that they don’t have to kick me out.

Sadia Mirza, sewing machine operator, 34 years old

When you tried to unionize, what happened?

About 10 to 15 of us got together. They forcefully kicked us out. They took our ID cards from our chest, and kept them. Then they took our signatures on a blank page. Then they didn’t let us get together. They told us, “You can’t use mobiles here.” Then they kept us locked up until 10:30 pm. Then they kicked us out. I then said, “Father also has a father. A mullah can only run up to the Mosque.” I told him that. [An expression, which in this context is a form of resistance, telling managers they are not all-powerful.]

Nurul Sher, sewing machine operator, Vice President of factory union, 23 years old

It wasn’t easy to form the union. After the management learned we were forming a union, we faced many difficulties. There were many types of harassment: workload increase and verbal abuse and other punishment. My job was to join sleeves. My regular quota was 60 jackets an hour; that’s 120 sleeves an hour. They doubled that quota for me and the other trade unionists after they learned about our union. When we made mistakes in our sewing, they slapped us, or made us stand at our desk, holding our ears. That’s a shaming activity that children who misbehave in schools have to do. It’s very humiliating.

Once the factory management learned that I had

reached the quota [for union registration], the management offered me a supervisory position that would have made me unable to lead the union. They would have paid me a higher wage but I decided not to do that for the sake of workers. I continued organizing and finally managed to form the union.

Morsheda Masud, sewing machine operator, 31 years old

When the company figured that we were filling out the D-forms in order to unionize, they relocated me five times within a month to different machines. I mean if I worked on one machine, I could talk to the next machine operator. They wouldn't give me that opportunity. Then if I went to the restroom, the supervisor would always keep the time, whether it was two minutes or five minutes. I have been working in that factory for nine years. I worked in first aid for seven years. When I started working on forming the union, the company took that first aid key away from me. If someone had a cut or some other problems, most people would come to me. They took the key so that no one could come to me. Nowadays people are very conscious. Everyone understands with a little hint. They would try their best so that I could not explain to anyone. They would stalk me all the time.

Factory managers are not the only threat to union organizers. When asked what stands in the way of progress, workers often responded with a list of people linking the community to the factory: "Police, thugs, factory managers, supervisors, line chiefs."

Shobita Byapari, sewing machine operator, 28 years old

What do you think stands in the way of progress for Bangladeshi garment workers?

Police, thugs.

Then, what else?

Garment managers, supervisor, and line chiefs.

Ritu Khan, helper, 40 years old

What do you think stands in the way of progress for Bangladeshi garment workers?

Police, thugs, the supervisor, the line chief. These are the biggest problems.

What does the police do?

Suppose the owner got a cop to harass me, or they got a thug to beat me.

How about the supervisor?

Suppose if I did something. In the office, they...

Do they lay a hand on the girls?

Yes.

So the girls don't say anything about that?

What will they say? For the fear of losing our job, no one says anything.

Sabina Ara, sewing machine operator, believes she is 25 or 26 years old

Suppose you asked for a salary increase. What would happen?

They threaten us with many things. They threaten us with the police. Then there are local politicians; they threaten us with them. There are landlords; they threaten us with them.

Mamun Islam, knitting machine operator, 28 years old

What do you think stands in the way of progress for Bangladeshi garment workers?

The primary thing is the location of the factory. Whichever factory you go to, the very first thing are the local people. Because of the locals, we, who come from outside to work, can't work properly.

Gang members or thugs sometimes serve as managers' enforcement agents in case of disputes.

Mamun Islam, knitting machine operator, 28 years old

We, the workers, are under tremendous pressure. We work in the production on the sweater side. There was a dispute over the production rate and they kicked out two or four guys without logic. They will make them sign a blank sheet. If they don't sign, they will say, "Sign it." They will bring the local thugs and say, "You sign it, sign it." [Using a derogatory form of "you."] "We will do this and that; we will file a lawsuit against you." It's like, whoever speaks up, they will kick her out.

Gang members instill fear simply by making themselves known to workers, and by watching, letting workers know they are being watched.

Mamun Islam, knitting machine operator, 28 years old

Let's say, the rate for a product should be 20 taka. They give the 20 taka rate to ten different factories. Now, we deserve this rate of 20 taka since ten other factories get it. They will give us a 12 taka rate and enforce it through local thugs. You don't agree? You can't say anything. They are coming inside the factory, roaming, listening to who is saying what. They are local gang members, understand. They are roaming around like this. People can't say anything out of fear.

Babul Jabbar, sewing machine operator, 27 years old

There is no union. They have already kept people spying on me. What am I doing, how many times I am going to the toilet, how many times I came back from the toilet, how many times I stood in front of a machine, they have all this recorded. Similar to when a guy is born, from then until the end, there is a record with Allah. Okay. How many sins he committed, there is a report with Allah. Now they made a system like that. They have a personal guy. Maybe I don't know that guy. I don't know who will snitch on me, when, or how. It could happen that my sideman could tell on me. But I can't blame him without knowing. So it's like that. But at the time of kicking me out, they will say, "You committed these crimes, you did this and that." They show these "crimes" to expel a man. However, the guy was deprived of his just dues.

Sometimes thugs use explicit, chilling threats to

They are coming inside the factory, roaming, listening to who is saying what. They are local gang members. People can't say anything out of fear.
-Mamun Islam

stop a union campaign.

Laboni Akter, Senior Organizer, Bangladesh Garment and Industrial Workers' Federation, 35 years old

Under the threat of being killed, three of the union leaders were forced to sign a paper saying that they don't want the union and that they want to resign. They were provided some money and were picked up with a car and sent to their home district [their native rural homes], and that's how they were forced



Laboni Akter, Senior Organizer, Bangladesh Garments and Industrial Workers Federation. © ILRF.

to leave the factory. Then the union activities ended because union leaders weren't present and workers weren't organized.

At one factory we had almost completed all the trade union registration steps, when some union leaders were picked up by thugs and threatened. Then the workers thought if the union leaders are being targeted then why would we join the union. We will be targeted too. That's how the union campaign ended.

The experience at another factory was similar. The workers were told: "We'll throw you into a 30 or 40-foot hole and your body will never be found again." They were given 60,000 or 70,000 taka (US\$ 800 or 900) and they decided to take the money and to leave the factory and leave the union. They were so terrified that they didn't even manage to communicate with the union federation for the next six or seven months.

Mehedi Khatun, iron operator, General Secretary of factory union, believes he is 30 to 32 years old

Last Tuesday, they threatened me outside the factory. The factory GM [general manager] knows outside thugs. They threatened to beat me. I had a cell phone. In fear of losing my life, I recorded everything they were telling me. I realized that they were saying what the owners wanted them to say. Now, my dad wasn't a rich man. I am a poor man who is working. An outside terrorist could do anything to me if he is given 2,000-3,000 taka (\$US 25-40). That's what they want. One of them said that if he deals a blow with a sharp weapon on me, he would get 4,000 taka

The workers were told: “We’ll throw you into a 30 or 40-foot hole and your body will never be found again.” -Laboni Akter

(\$US 50). Now, my main fear is that they threatened me last Tuesday. They are telling me, “Why should you unionize? What type of union politics are you involved in?” They are telling me, “Why do you try to raise the salary?” They threatened me with many things. They verbally abused me. They told me to go to my native home by today, Friday. They forbade me to enter the factory from Wednesday onward. Then I went to brother Raju [a leader of the Bangladesh Independent Garment Workers Union Federation (BIGUF) federation] and asked him what to do. We discussed what we should do with two elders in the neighborhood. They suggested that they would never be able to do it. If they did, they would take care of it. Then brother Raju told me, “It’s okay. Don’t worry. People say many things.”

If necessary the thugs will inflict violence on workers who try to unionize.

Laboni Akter, Senior Organizer, Bangladesh Garment and Industrial Workers’ Federation, 35 years old

At one factory, management hired thugs with arms. One day heavy fighting took place at the factory, some of the workers were severely injured and that union campaign became a failure also.

Jahid Razzak, sewing machine operator, President of factory union, believes he is 26 or 27 years old

What happened when you tried to unionize?
Management said, “This is not a good thing to do. If you do it, the factory would have troubles. You would have troubles.” The local people said, “This factory has been running here for so long, and you

guys started working here only a few days ago. It didn’t have any problem for so long, and now you guys are causing trouble. Will you shut down the factory? If there is a factory in a neighborhood, the neighborhood gets developed.” I mean the local people only listened to management. They didn’t believe us. We workers are worth only two taka, and they are big officers. People would talk like that.

We worked very hard to unionize. We had to go to many people’s homes to collect signatures. We had to collect photos, had to have them fill out the D-forms. However, the people who do the jute [waste fabric] business in the company... Factory management had them abuse us a lot. They told us to leave the neighborhood forever.

They harassed and abused you?
Yes.

How?
They beat me.

Ok. What else?
They told me to leave the neighborhood. “You leave by today. How you will leave, we don’t know.” After they beat me, I complained to a union center. They told me to take their photos. I took their photos. I still have them in my mobile.

Did anything happen after that?
Then they told the owner. I had a conversation with the owner. The owner said, “I don’t know these people. This happened outside the factory.” I mean they took me behind the factory to beat me. They can’t beat me inside the factory because all these

**This is our request to the government
and the owners that we, the workers,
don't get beaten up by the police.
-Anika Kazi**

workers are very dear to me. They beat me outside the factory. Workers didn't know. So the owner said, "I don't know about this. It's outside the factory. I have nothing to say."

Sometimes it is not the thugs but police who inflict violence on workers who organize.

Anika Kazi, sewing machine operator, 22 years old

What do you think stands in the way of progress for Bangladeshi garment workers?

The main obstacle is that if we wanted to protest over something, the police beat us up. The owner bribes the cops to get the workers arrested. They implicate workers by telling a lie. This is our request to the government and the owners that we, the workers, don't get beaten up by the police.

Ariful Reza, linking machine operator, 24 years old

What do you think stands in the way of progress for Bangladeshi garment workers?

There are some people of the government whom the owner bribes and brings over. The police, they sometimes verbally abuse us. Sometimes they even beat us. However, mostly police intimidate us, and the locals beat us and harass us.

Fatema Chokroborti, sewing machine operator, 27 years old

So have you tried to organize the workers to form a union? What is the problem?

I got 400 to 500 people to come here [the union office]. But the owner raised the wages a little at

the end of the year and the workers backed off. As soon as they get money, they retreat. Then they say, "We don't need the union. They could kidnap us or murder us."

They are scared.

Yes, the EPZ [Export Processing Zone] is filled with RAB [Rapid Action Battalion, a paramilitary anti-terrorist elite force] and police. Right now, if you say anything about a worker being abused, the gate is immediately flooded with police. Earlier, 36 people were handed over to the police. They even kept a girl in jail for two days.

Occasionally workers are able to use their own connections to local political elites to their advantage.

Nurul Sher, sewing machine operator, Vice President of factory union, 23 years old

The problems that we faced in order to unionize: We were chased by thugs; we had a lot of pressure from outside the factory. The owner told me, "You leave the factory. You can't stay in the factory." I replied, "Why?" He said, "You are causing trouble in the factory. My factory used to be good before you came. Now you are causing trouble in my factory." Then the owner called me to his office and got some thugs there. He then showed me that thing.

Arms?

Yah. He said, "We will torture you." I said, "I am not afraid of torture. Since I have been born, then most definitely one day I shall die. You won't benefit from intimidating me with that. I am organizing because

I am not afraid of torture. Since I have been born, then most definitely one day I shall die. You won't benefit from intimidating me with that.
-Nurul Sher, responding to the owner who was threatening him with a gun

I desire the wellbeing of workers. I do it for them. If you keep me, then keep me; otherwise, fire me.”

What kind of arms did they show you?

A revolver. A small one.

Ok. Then?

My union secretary was with me. He had a big mouth. His brother is in the local Awami league. He also helped me a bit. Then we slowly did the whole thing [organized the union].

And now?

Now it's doing fairly well. We have a good relationship with the federation that helped us, and we maintained a good relationship with the local Awami league leaders so that we can survive. We can live well and eat well by having a good relationship with the Awami league leaders so that they can't harm us.

Why Thamid Khandoker Became a Union Organizer

I worked in quality control for a long time. The management used to misbehave a lot. One day, my mom got very sick in my native home, in the Khulna district. I went to my boss to ask for two days leave. “Boss, I need a leave for two days. My mother is very ill, Boss.” He says, “There won’t be any leave.” So my heart broke. I said, “Look Boss, my mother is very ill.” I started imploring them very politely. He wouldn’t listen to anything I said; instead he reprimanded me and insulted me. Then I went back to my section. Someone then told me, “Listen, if you want to fix this, then you have to go to an organization. There is a federation called BIGUF [Bangladesh Independent Garment Workers Union Federation]. You have to go there. If you go there, then slowly you will see one day that they won’t be able to do this.” Later on, I told other managers, “Sir, my mother is very ill. I badly need a leave for two days.” I said, “Boss, I really have to leave tonight.” Then my boss said, “If you exit the factory, then never enter the factory again.” Then I decided that I would go. Since my mom was sick, I definitely will go. What happens as a consequence will happen.

Later on, a guy told me, “Go to the federation and get a membership card. Become a member. Slowly keep increasing the manpower. You will see that these problems will be solved.” Since

that day, I made a promise that I would do this work. I came here, and they gave me directions and told me, “If you keep doing it in this way, you will be able to save everyone from these irregularities and oppressions.”

Then I started working on it alone. First I didn’t know how. I used to fill out the D-forms on the factory floor in order to unionize. I used to do it by going to workers’ machines. Back then the management didn’t even know what I did. When they found out about it, I would go during the lunch hour to do it. I wouldn’t even have lunch properly. I would fill out the forms first. I would go to peoples’ homes after recess to fill out the forms. In this way, I would fill out 50-100 forms every week. I faced many challenges. They had thugs threaten me in my home. I was told to leave the neighborhood. They even told my landlord to evict me from my home. They harassed me in many ways. Yet I didn’t back off since I had a dream that I will definitely form the union; what is in my fate will happen anyway. After unionizing, we were very good for ten long months by the grace of Allah. The workers’ rights such as leaves and gate passes—they were not able to deny these. They were not able to abuse us verbally. But a new administrative officer came and changed the system. Now the old abuse and oppression have started again.

Chapter 2:

Government Administrators and their Superiors

From workers' point of view, government administrators are sometimes part of the network of social relations of intimidation and violence that hold them back when they seek to organize unions to defend their rights and protect their safety. Administrators' job is to apply the law. But according to workers we interviewed, sometimes the law is faulty and sometimes administrators abuse the law to deny and silence workers who stand up for their rights.

On July 15, 2013, in the aftermath of the Rana Plaza tragedy, and three weeks after the U.S. suspended Bangladesh's eligibility for trade benefits under the Generalized System of Preferences (GSP) for failure to take steps to ensure internationally-recognized labor rights for workers, Bangladeshi lawmakers amended the country's labor law to strengthen worker rights protections. Yet, serious obstacles to union formation remain in the law.

At first glance, the new law appears more union friendly. It eliminates the obligation on the Ministry of Labour and Employment (MoLE) to send employers the names of union leaders at the time of trade union registration, a requirement that previously incurred significant risks of harassment and intimidation for trade unionists during the vulnerable period before the union was officially recognized. Yet, as the United States Agency for International Development (USAID) observed in its 2014 assessment of labor conditions in Bangladesh, the law still does not prohibit the MoLE from providing the employer with a copy of the union registration petition and the names of worker representatives. There is no penalty for

MoLE for doing so, and the law does not define a process to ensure that the petition and names are kept confidential.²⁹

As under the old law, workers hoping to form a union must gather the signatures of 30 percent of a factory's workers, and unions whose membership falls below this level will be deregistered. Labor leaders had urged lawmakers to adopt a ten percent threshold for union registration instead, which is in line with ILO recommendations.³⁰ Thirty percent is a difficult threshold for unions in large factories that employ thousands of workers. According to the ILO this threshold amounts to a violation of workers' fundamental labor rights. The Committee on the Application of Standards, a permanent tripartite body of the International Labour Conference, observed that "such a high threshold for merely being able to form and have a union registered necessarily interferes with the right of workers to form organizations of their own choosing provided under Article 2 of the Convention [on Freedom of Association and Protection of the Rights to Organise (No. 87)]."³¹

The USAID report also criticizes the Joint Directorate of Labour (JDL) for serious administrative failings. This is the agency empowered to register unions and file complaints in Labor Courts for unfair labor practices. USAID writes: "To date the JDL has not established procedures to handle union registrations... or prosecute unfair labor practices... Both the Inspector General and the JDL lack procedures with appropriate forms for receiving, processing, and reporting on complaints."³² In addition,



Dalia Sikder, President of union at Natural Apparels. © ILRF.

unions report that local police and the Industrial Police, formed to maintain law and order and ensure security in the ready-made garment sector, often fail to file or accept “First Incident Reports” from unions regarding violence against union members and workers.³³ These reports are just the first step for police to investigate and file criminal cases. Thus, for workers there may be no way to report violence to the police, and if it is reported, no guarantee that their case will be heard by the proper authorities or adjudicated in a court. At worst, there is no accountability and no punishment for inflicting violence on workers who seek to form unions and protect their rights and safety.

Dalia Sikder, sewing machine operator, President of factory union, 22 years old

I took the initiative to form a union by bringing workers to the BGIWF [Bangladesh Garment and Industrial Workers Federation] office without informing anyone from the factory authority. One by one I brought workers here and reached the 30 percent requirement and submitted all the documents to JDL. But they informed the factory management that a trade union application had been submitted. One JDL officer handed over the whole list of 450 workers affiliated with the union to the factory manager. I saw the list in the hands of the factory manager.

One JDL officer handed over the whole list of 450 workers affiliated with the union to the factory manager.

-Dalia Sikder

The factory management began to mentally abuse the workers. They increased our workload and did not allow us to use the toilet freely. A guard would follow us to the toilet to make sure that we didn't talk to anyone. I was supposed to do 50 pieces before; now I had to do 150 pieces in an hour. I sewed waistband linings onto pants. While I was doing that job they yelled at me more than ever before. If I couldn't do the workload in eight hours, I had to stay for 11 to 13 hours until I was done but they only paid for eight hours. Some of the local thugs were involved in this matter, harassing us on our cell phones. They got our numbers from the factory management. "You'll need to leave the union if you want to stay at the factory," they told us. They also called my mother threatening her, telling her that I won't remain safe if I keep doing this, and that they could do harm to my mother too.

When JDL came to the factory, the management took them directly to the seventh floor where we have the lowest number of affiliated workers. I called the JDL authority to ask whether they had come or not and they informed me that they were on the seventh floor. I tried to go to the seventh floor, but the security guard stopped me on the fifth floor.

Some people from the JDL authority came down and asked me if I wanted to form a trade union, and together with some other workers we said that, yes, we want to form a trade union. JDL said, "Why do you want to form a trade union? A trade union is not good for you. It will hamper you." I said, "We want to form one." The JDL authority gave me a document and asked me to sign: do I want to form a union, my designation in the factory, and my signature. I wrote

it according to their requirement. Then the JDL authority left the factory. [The workers did succeed in forming the union.]

Aleya Akter, factory union steward, General Secretary of the Bangladesh Garments and Industrial Workers Federation, 29 years old

After Rana Plaza, the government was very helpful in forming trade unions. But more recently as lots of applications are submitted to JDL, they are getting rejected. It's getting closer to the previous situation. JDL is providing less and less trade union certificates. This is coming from a higher level than the JDL that they don't have the permission to allow trade unions. They show lame excuses for the rejections, but really it's about high-level pressure.

Sometimes workers are beaten. At one factory in Badda area, one female worker was recently brutally beaten just because she had submitted trade union documents to the JDL.

The Higher-Ups

In April 2014, Bangladeshi unions began reporting rejections of their union applications for dubious reasons. Some JDL staff members told them confidentially their applications would be rejected whether or not they had met all requirements for union registration. Two of the stronger union federations, the Bangladesh Garment and Industrial Workers' Federation (BGIWF) and the Bangladesh Independent Garment Workers Union Federation (BIGUF) have reportedly not been able to register a single union since mid April 2014; JDL

has rejected 19 applications for union registration from BGIWF and 17 from BIGUF during that time. Both union federations have been supporting union members in presenting charters of demand to employers and seeking collective bargaining agreements.

At the same time, unions began reporting a disturbing increase in violence against union members. Most of the reports of violence implicated lower-level supervisors and local thugs. But, accounts in Bangladeshi press have also revealed that the Bangladeshi Commerce Minister and the President of the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) themselves intimidated labor activists, calling for retaliatory action against labor leaders who reported on violence against union organizers, who, they said, were acting against the country's interest.³⁴ The leader of the BGMEA demanded "exemplary punishment" of the trade union leaders for "harming the country's image abroad."³⁵

Prime Minister Hasina has also escalated the rhetoric of violence against labor leaders. Speaking at the inauguration of the Dhaka Apparel Summit, December 7-9, 2014, she called for "owners, workers, foreign buyers and consumers to beware of local and foreign conspirators," who, she claimed, are trying to destroy Bangladesh's garment sector.³⁶ Several unions worried that the statements were targeted at them, and again reported that labor ministry officials had told them that their union registrations would be rejected because of their connections to international organizations.

In March 2015, Bangladeshi press warned against "local and foreign conspirators against the garment industry" referring to secret service reports about a "conspiracy" to "instigate activities" and "ignite the workers." According to the articles, the intelligence branch had confirmed that "so called labor leaders" are acting as agents of foreign conspirators, naming Kalpona Akter, the Executive Director of the Bangladesh Center for Worker Solidarity, as one of these "conspirators."³⁷

Such words from the highest-ranking Bangladeshi government and business officials are eerily reminiscent of the Prime Minister referring to labor leaders as "enemies of the nation" after minimum wage protests in 2010.³⁸ Those leaders, Kalpona Akter among them, were persecuted, falsely charged with criminal activity, beaten and imprisoned for a month. Only in 2014 did the government finally drop all charges against them, none of which were substantiated by evidence.

Chapter 3:

Factory Managers and Husbands

Women workers are silenced, in the factories and at home, through violence or the threats of violence, by means of fear — of being abused at work, of losing our jobs. We face sexual harassment. We are told we are worthless; we shouldn't speak; we shouldn't be leaders.

-Kalpona Akter, Remarks at the Women's Empowerment Principles Annual Event held at the United Nations, March 10, 2015³⁹

In an industry where 80% of workers are women, but owners and managers overwhelmingly men, gender is an important aspect of social relations, power and control. But just how the industry shapes gender and how gender influences the industry appears to vary with perspective.

From one perspective — often articulated by development economists — the apparel factory is the great equalizer, providing poor rural women from patriarchal societies with an income, giving them independence, establishing men and women as equal under the law, with the same rights, empowering women.⁴⁰ The apparel industry itself, the theory goes, is but a stepping-stone to industries and jobs with more value added and higher incomes, bringing increased consumer spending, a growing economy, and a higher standard of living over time. The children of poor struggling apparel workers will in time belong to the comfortable middle class, with girls and women being the primary beneficiaries.

Bangladesh is a poster child for this theory of development. During three decades of industry growth, Bangladesh's poverty rate has been cut in half, life expectancy increased, infant mortality decreased, and literacy rates and per capita food intake increased.⁴¹ More than 4,000 factories now employ four million workers, and 80% of all these workers are women.⁴² Thus the country has developed and millions of Bangladeshi women have obtained jobs outside their homes. As income earners and key actors in the country's primary export industry, women have been able to claim improved social status.



Kalpona Akter interviewed during a demonstration on the second anniversary of the Rana Plaza building collapse.
© Jessica Maudlin, Presbyterian Hunger Program.

Government and industry leaders appear to largely espouse this theory of gender and development, often flatly and triumphantly asserting that women have and will continue to benefit from the growth of the apparel industry.

“The garment industry is the lifeline of the economy. The sector empowered women and Bangladesh is moving ahead,” said Atiqul Islam, president of Bangladesh Garment Manufacturers and Exporters Association, at a meeting with the US Ambassador to Bangladesh in March 2015.⁴³

“Bangladesh has been making incredible products. The garment business has given economic independence to women,” said Ellen Tauscher, chairperson of the Alliance for Bangladesh Worker Safety, at the Dhaka Apparel Summit in December 2014.⁴⁴

“The status of women in Bangladesh has also risen with economic growth,” asserted a report by the New York University’s Stern Center for Business and Human Rights in an otherwise critical analysis of the reform efforts in the Bangladesh apparel industry.⁴⁵

“The contribution of RMG industry to women’s empowerment in this country is undeniable. The picture of women giving pocket money to their husbands during a lunch break is a sight for sore eyes,” said Rubana Huq, a garment factory owner and Managing Director of the Mohammadi Group, in an interview with *The Apparel Story*, a publication of the Bangladesh

Garment Manufacturers and Exporters Association.⁴⁶

The government’s vision is more of the same: to become a middle income country by doubling apparel exports to US\$ 50 billion by 2021 when Bangladesh will celebrate its 50th anniversary of independence.⁴⁷

Yet, from the perspective of the workers we interviewed, the apparel industry is not an unmitigated success story of women’s empowerment in Bangladesh. They tell us that the idea of women’s domesticity has not disappeared or been replaced with acceptance of women in the public sphere. Instead, domesticity — in the sense of women’s subjugation and submissiveness — has simply been extended from the household to the factory floor. Women have twice the work and responsibility, often having to provide for both their immediate families in the city and extended families in the countryside, but their authority has not expanded in either the factory or the home workplace. Instead they often face violence and verbal abuse in both the factory and the home, and those who attempt to express their voice and claim power to improve conditions become targets of repression. These women’s incomes are hardly a source of independence, being so meager as to create a desperate dependency on their jobs rather than freeing them to look for better opportunities. And the little that they do earn, we learn from these women, usually ends up in the hands of their husbands or fathers, depriving the women of any control of their livelihood.

Some 87% of Bangladeshi women have been victims of domestic violence in their lifetime, according to the Bangladesh Bureau of Statistics.

Domesticity and Domestic Violence

After more than 30 years of apparel factories employing millions of mostly rural migrant women workers in Bangladesh, the notion that women belong in the home rather than in the factory or the public arena is still strong, according to the workers we interviewed.

“Many husbands don’t let their wives go outside the home. Many parents don’t allow their daughters to go outside the home, thinking that they will get spoiled if they go to the garment factories,” explains Sadia Mirza, a 33 year-old sewing machine operator. “Many people in the villages still stigmatize women in the garment factories.”

“Many people still think, ‘Oh, you are a woman so you should not work, you should stay in the home,’” says Babul Akhter, President of the BGIWF union federation, explaining this concept of female domesticity. “Or if you go to work then you should go home immediately after work and make food for your husband. You should not go to a union federation office or join protests after work.”

Unfortunately, for most women, working in the home also means dealing with violence from husbands at one time or another. Some 87 percent of Bangladeshi women have been victims of various forms of domestic violence in their lifetime, according to the Bangladesh Bureau of Statistics, which conducted the first-ever national census on women and violence in December 2013.

The Bureau surveyed 12,600 women. Sixty-five percent of the women said their husbands abuse them physically; 36 percent said they were victims of sexual violence; 82 percent said they faced psychological abuses; and 53 percent said they were victims of mental anguish.⁴⁸ The human rights organization Odhikar also reports that violence against women and girls in Bangladesh is widespread, documenting cases of dowry violence, rape, acid violence and sexual harassment.⁴⁹

Trapped by a Poverty Wage

Women apparel workers may earn an income, but their 5,300 taka (US\$ 68) per month minimum wage is still the lowest of any apparel workers in the world, and women are so desperate for this meager income they cannot afford to reject even potentially deadly work, as the Rana Plaza tragedy made plain.

According to the Asia Floor Wage Alliance, Bangladeshi garment workers’ legal minimum wage amounts to just 19% of a living wage that would provide for the basic needs of a worker’s family.⁵⁰ None of the 39 workers we interviewed about incomes and expenses report that they are able to cover their household’s expenses without overtime pay despite their modest living. In fact, only four of the 39 workers reported incomes equal or in excess to their household expenses even when including overtime pay, and all of them were single men or women living on their own. Single workers often share a room with four or five other people to cut down on housing costs. Workers also squeeze their food expenses, eating

Should I eat or send my kids to school?

-Rina Hossian

predominantly rice and dal with some vegetables, and rarely any meat. Their poor nutrition results in frequent colds, fevers, headaches, and joint aches, according to labor activists we interviewed.

Many workers told us they cannot afford basic necessities. Rehana Uddin is about 45 years old and has been working in garment factories for 20 years. She has married off her two daughters and her three sons make their own living. At this stage of her life she should be doing relatively well. But she tells us she has to make one sack of rice last for two months and never eats fish or meat. Her husband has heart disease but they cannot afford his medication.

Even after cutting back on food and other basic necessities, there is a large gap between most workers' salaries, including overtime pay, and their household expenses, which those with children reported as 15,000 taka (\$US 190) per month or more. Rina Hossian, who is about 27 years old, lives with her husband and their two girls and two boys. Her monthly income with overtime is 8,000 taka (US\$ 100), but her expenses are between 20,000 and 25,000 taka (US\$ 260 and US\$ 320). She wonders, "Should I eat or send my kids to school?"

Morsheda Masud is a 31 year-old sewing machine operator who lives with her mother, younger sister, and daughter. She came to Dhaka in 1997 when her father passed away. Her monthly income is 7,000 taka (US\$ 90), but her expenses are 15,000 taka (US\$ 190). "I have to struggle a lot to live (with this income). It's like I lose the rice

to get the salt," she says, using a Bangla expression for extreme poverty.

In some cases, other family members help cover household expenses. But workers often have to buy food on credit from the local food vendors. Buying on credit is slightly more expensive than buying with cash and the loans must be paid back promptly the day workers are paid. If they do not have the cash when the loans are due they may need secondary loans from neighbors or landlords. And so they work to be able to pay back loans, trapped by meager salaries.

Late payment of wages increases the strain on workers. Bangladeshi law says that workers' wages must be paid by the seventh day of the month following the wage period. However, employers sometimes pay late or withhold wages to discipline workers. Nishad Kazi, a sewing machine operator, reports that her factory sometimes pays wages as late as the 15th day of the month. If workers are absent from work her factory may reprimand them by holding their wages until the very end of the month, the 25th or 30th day, she says. Meanwhile, the pressure of increasing expenses and growing debt mounts. "We depend on getting our salaries on time," says Nishad Kazi as she ticks off her needs: "the credit at the stores, rent, my own living expenses, kids' education, and also sending money home. If we don't get paid on time, we get trouble."

Finally, the little income that women garment workers do receive they usually do not control. Almost everyone is paid in cash. That cash may go

Thirty-four of the 43 married women (79%) surveyed reported giving their husbands their wages every month.

straight into the hands of a husband or father.

In April 2015, the Bangladesh Center for Worker Solidarity surveyed 100 women garment workers in Dhaka, Gazipur, Ashulia-Savar, Narayanganj, and Chittagong to ascertain how many of them maintained control of their earnings. Among these women, 44 were unmarried; 13 were single mothers — divorced, separated, or widowed; and 43 were married, living with their husbands.

Thirty-four of the 43 married women (79%) reported giving their husbands their wages every month; only nine of the married women (21%) said they had some control of their earnings, spending it together with their husbands. In addition, 27 of the 44 unmarried women (63%) lived with their parents and reported giving their earnings to their father or mother. The rest of the unmarried women reported sending 2,000 to 2,500 taka (US\$ 25-32) to their parents in the countryside every month. Only the single mothers retained full ownership of their earnings, being solely responsible for their own and their children's livelihood.

The Fear Factor

Because of their meager incomes, most workers we interviewed live in constant fear: the fear of losing their jobs, the fear of hunger, the fear of not being able to provide for their families. That is one reason, they say, that most of them remain quiet and acquiescent.

Sabina Haque, sewing machine operator, 28 years old

Everyone fears losing their job. They won't say a thing. ... If a worker says, "No I won't be able to do 100 pieces, I will do 80," they will say, "Get out!"

Rehana Uddin, wooling machine operator, believes she is 35 or 40 years old

We used to eat lunch and be terrified. "When is it going to fall down? Allah! So many people died by stairs like these. Who knows when we will die? It will break down." We said things like this. Isn't it frightening? If you heard that this factory is cracked, it got cracked in different places, the stairs have cracks, the plaster is cracked, then wouldn't you feel fright in your soul? It's like that.

But poor people do it accepting death. You get it? Maybe they are doing it now for the pain of their stomachs. Do poor people care about their life? We have to save our stomach, thinking about the stomach.

Sharmin Akhtar, quality controller, believes she is 32 or 33 years old

If I can't do something well or the supervisor comes and finds a little problem he may say, "You don't have a job here. You can't stay. You leave." Where do I go at that moment? That's my problem. A person may make a mistake in her work. Now if I made a mistake in my work and they called on me and said, "Why did you do such a job? Go, you get out." At that moment, if I wanted to say a thing to him, I can't even master the courage. Why can't I say anything? If I did, they would reply, "Why are you talking? You don't have the job. You get out." That's why I couldn't

**If there is a man and a woman,
they will give less salary to the
woman. They will harass and abuse
the woman, make her toil more
for free, not pay her overtime.
-Sadia Mirza**

say a thing even if I wanted to say something.

In the Factory: Discrimination and Sexual Abuse

Women workers testify they are not treated as equals in the factory, despite the fact that they are supposed to be equal under the law.

Taslima Sultana, sewing machine operator, 31 years old

Inside the factory no one can really abuse a male operator the way they do to women. We don't protest very much so that's why they do that to us. And besides, they don't even hire men very much anymore. And this is why they don't take men. For example, the end of the workday is supposed to be at 7 pm, but they don't give us leave until 8 or 9 or 10 pm. They wouldn't do that with a man, would they?

Sadia Mirza, sewing machine operator, 34 years old

If there is a man and a woman, they will give less salary to the woman. They will harass and abuse the woman, make her toil more for free, not pay her overtime. When they can't prevail with the man, they abuse the woman and also beat her. They say, "You will stay after recess and submit this work and then you will leave."

Has it happened to you?

It happened to me.

What happened? Could you please say?

It happens that I can't make the 150-piece work

quota. And my sideman does a maximum of 40 pieces. It's not possible for me to pull out so much work. So they told me, "Look, if you can't do the job, you have to stay after recess and finish the work and then leave. Otherwise, you will be marked absent." They scold me, using bad language.

Women workers also report that because they are women they are expected to be acquiescent and silent.

Liza Begum, sewing machine operator, believes she is 27 or 28 years old

Top management officials reprimand us, or rebuke us, or call us names. Like they say sometimes, "Hey, why won't you do this thing? You must do it." Like that. Women can't say anything emphatically.

What does it mean that you can't say anything emphatically?

They stop us with a rebuke or by calling us names. Or they say, "We will give you a lower salary, or you won't get the raise," or things like that.

Rehana Sikder, sewing machine operator, believes she is more than 22 years old

If we try to say a thing, they won't listen to us. If a guy tries to say it, they listen; but they don't value our opinions because we are women. They intimidate us instead.

They intimidate you because you are a female worker?

Yah. I won't be able to tell them anything.

One particularly pernicious form of violence against women is sexual harassment and abuse. It is part of many women workers' daily lives, yet few women talk about it because they are told they are to blame.

Kalpona Akter, Executive Director, Bangladesh Center for Worker Solidarity, 39 years old

A woman is continuously pressured and asked many times. She's afraid that someone will find out and she's afraid what will happen if she becomes pregnant or her coworkers or her family find out. If there is a beautiful girl on the production floor, the supervisor can try to convince her that he's in love, or if she has a good relationship with him then he can increase her salary.

First it might be, "Let's go to the park." Later on he tries to convince her to have sex. "Let's have sex and maybe I'll let you leave the factory early at 5 pm or 6 pm or you can walk around the production floor without being harassed." And people won't mess with her because they know that she has a good relationship with the production manager. She's also been trapped. "You need to continue this relationship with me or I'll tell others."

She is now afraid she will never be able to get married, or, if the community finds out, that they will look at her in a different way and think of her as a sex worker. If a woman has sex before she is married, she can rarely get married or she will be considered a prostitute for sleeping with multiple guys or she'll be considered a bad person. There are lots of rape cases involving women workers. The

woman is always blamed. "She is bad; that's why it happened to her."

Anika Kazi, sewing machine operator, 22 years old

In this factory, after a girl became pregnant, [the manager] called her to the office and scolded her a lot. "Why did you conceive the baby?" he demanded. This and that. She was scolded in very bad language.

Sharmin Akhtar, quality controller, believes she is 32 or 33 years old

I came to Savar to work. My work ends at 12 am. If I tell them, "Sir, my home is far away. I can't work. Let me go home. Someone else stay instead of me," they will say, "No. Since you came to work, you have to do your duty whether it is 12 o'clock or three o'clock. If you can't do your duty now, you will lose your job." So if they don't recess, I must go on working carrying all the dangers in my head.

Targeting Women Organizers

Jahara Ara Akter, a helper at a garment factory and but sixteen years old notes that, "We female workers can't say many things to male workers." However, "if a woman becomes a leader," she continues, "we can tell her everything frankly. It is convenient for women to have a female leader."

Yet, women union leaders face particular challenges. A slide presentation on the Bangladeshi garment industry by the Bangladesh Independent Garment Workers Union Federation (BIGUF) discusses "challenges to form unions." One slide

Looking at what happened to Aminul, what could happen to me? It could be the same or worse. I could be raped.
-Laboni Akter

Aminul Islam

Aminul Islam was a worker organizer and labor rights defender who was tortured and murdered in early April 2012.⁵¹ He was President of the Bangladesh Garment and Industrial Workers' Federation's (BGIWF) local committee in the Savar and Ashulia areas of Dhaka and a senior organizer with the Bangladesh Center for Worker Solidarity (BCWS). Circumstances strongly suggest that members of the government's security forces murdered Aminul in retaliation for his labor rights work. In a letter to Prime Minister Hasina, eleven apparel industry associations from Europe and North America expressed concern that "the apparent circumstances leading up to and surrounding Aminul's death could be perceived to be part of a deliberate campaign to repress efforts to raise and

address issues related to unsatisfactory working conditions in the RMG sector."⁵² In May 2012, during a highly publicized visit to Bangladesh, U.S. Secretary of State Hillary Clinton publicly condemned the killing of Aminul and called for an independent investigation to bring the perpetrators to justice. "The labor problems in the garment industries have to be solved because you do not want to earn a reputation as a place where labor leaders and activists are murdered," she said at a question-and-answer session with students and youth leaders at the International School Dhaka.⁵³ However, to date, nobody has been held responsible for this crime, which has had a chilling effect on workers' efforts to organize and speak up in defense of their safety and rights.

lists those challenges in order: "Termination, black listing, physical assault, close monitoring, high production target, false case, arrest, jail." The last challenge to unionization on the list is: "divorce of female workers by husband."

"I had to divorce my husband because he was opposed to my union work," explains Kalpona Akter. "Husbands don't accept women who go to the union office or talk with male workers. If husbands feel that their wife doesn't listen to them the woman could be beaten or divorced."

Laboni Akter, Senior Organizer, Bangladesh Garment and Industrial Workers' Federation, 35 years old

As a woman it's very difficult to organize workers. Whatever threats a man can handle, it's harder for a woman to receive those threats. I was threatened that I would be abducted. In our society if a woman faces this situation, life becomes hazardous. Looking at what happened to Aminul, what could happen to me? It could be the same or worse. I could be raped.

Rina Syed, sewing machine operator, Vice President of factory union, 30 years old

We women can only shed tears. Everyone is a victim of abuse: by their husbands, by the company, by the garment factory owners. -Taslima Sultana

When we first unionized, we had to struggle hard to submit the D-forms. We had to take the workers to different places—to their houses so that the management doesn't see us, wherever we found safety. Many people frightened us in many ways. The [local political] leaders told us, "You do it as a woman, later on you will lose respect and dignity."

Kalpona Akter, Executive Director, Bangladesh Center for Worker Solidarity, 39 years old

Men can organize at anytime, but it's not considered safe for women to walk or go to a worker's house at a certain time or in a certain area.

Empowering Women?

What then of the promise of the apparel factory as the great equalizer, providing independence and power to women workers? Unfortunately, the experiences of the workers we interviewed belie the theory of "women's progress" in the apparel industry.

Abdur Hassan, a 34 year-old sewing machine operator, voices a sense of betrayal describing a situation where the manager harassed a female worker by pulling her scarf and dress. The factory was supposed to be different from the household, he says. "This is not right. It's not a household. It's a factory. You are working for a salary. Perhaps you have a higher rank and she is a worker or a helper, but she is working for a salary as well."

According to the women workers we interviewed, the apparel factory, like the household, has become an arena of oppression for Bangladeshi

women. They now carry double the work, and face double the violence. They use the term "nirjaton" in Bangla to describe the mistreatment, subordination, and abuse that they face both in the factory and in the household. When women are mistreated and cannot fight back, they say they face "nirjaton," or abuse and violence. In the factory, women face violence when they are slapped or verbally abused, or when they have to work late to meet an impossible production target or are denied restroom breaks or work leaves. In the household they face violence from their husbands, who may abuse them physically, sexually, or verbally.

Violence against Bangladeshi women workers pervades their lives. "As female workers, we have to deal with barriers everywhere," explains Taslima Sultana. At 31 years of age, Taslima is a 13-year veteran in the garment industry and works as a sewing machine operator. "When we are in the street we face barriers, and then in the factory. Even in the house we have barriers, don't we? We have to attend to all of our domestic duties before we leave the house. When we are traveling to work we deal with harassment. If we are two minutes late at the factory, we have to hear things like, 'Is this your father's factory?' We women can only shed tears. Everyone is a victim of abuse: by their husbands, by the company, by the garment factory owners. If we could be a little liberated from this abuse, all women workers, wherever we are, whatever factory we work for, or maybe we work for a household, that would be the biggest achievement for me."

Chapter 4:

Auditors

Social auditors, hired directly or indirectly by the apparel companies to inspect the factories that make their goods, are supposed to make up for the government's lack of capacity to hold factories accountable for complying with the law. Yet, in the experience of the workers we interviewed, social auditors who work in the service of apparel companies do not seek to protect them from abuses in the workplace. For them, social audits are typically experiences of exclusion. None of the workers we interviewed who spoke about social audits had had a meaningful role in the inspections or had access to the audit results. None of them believed they could speak to auditors about problems in their factory. In effect, the social auditors are just another link in the network of violence and exclusion that keep them submissive and silent.

These social audits continue along with the new fire and building safety inspections conducted under the Accord, the Alliance, and Bangladesh's national action plan on fire and building safety.

Abdur Hassan, sewing machine operator, 34 years old

They don't let us say anything. The meeting they call for us, we can't say anything even at that meeting. We can't make any noise. That is the problem we got.

Do workers accompany auditors?
No, they are not even called.

Ariful Hossain, quality controller, 29 years old

Do you participate in inspections?
No, no, no. We are not even called.

Rina Akter, sewing machine operator, believes she is 30 or 31 years old

We operators heard that they came, but we didn't pay much attention.

Tareq Islam, quality controller, 23 years old

Can workers accompany inspectors?
No the workers can't be there.

So who are present there?
The sirs are there.

Management?

GM [general manager] sirs are there. MD [managing director] sirs are there. Workers can't go near them, can't say anything.

Rabequl Barua, iron operator, over 40 years old

Do they ever come to talk to the workers, or do they only talk to the management?
No. They only talk to the management. They never talk to workers.

Never? As you have been working there for seven years, have they ever spoken with you?
Not with me; however, if they talk, they talk to one or two people. But that is never on the floor.

**They don't let us say anything.
We can't make any noise. That
is the problem we got.
-Abdur Hassan**

Tareq Islam, quality controller, 23 years old

In the fourth floor ladies toilet, water drips from the roof. The men's doesn't leak, but the women's leaks from the roof.

Have you ever informed things like this to the people who come?

We don't get any opportunity to inform them about this. We are always the victim of the situation. We are here. We have to stay like this. Otherwise, we fear losing our jobs.

Shamim Bhowmik, linking machine operator, 28 years old

Have you ever seen any buyer inspecting the factory?

Yah. Some buyers come and inspect the factory. The management accompanies them. However, the buyers don't ask anything of any worker, and the management doesn't let them say anything.

Ok. When buyers inspect the floors or the toilet, do they talk to the workers?

No. They don't talk to workers.

Sometimes workers talk to the auditors under the watchful eye of the owner or managers.

Mamun Islam, knitting machine operator, 28 years old

Most Fridays [weekends] they make us work. You know when a buyer or someone asks us something the factory officials accompany them. We can't say in front of them that, "No, they are making us work

on Fridays."

Why can't you say this?

We can't say this because they will leave after hearing this and we will lose our jobs. We will be expelled. They will abuse us a lot.

Aleya Akter, factory union steward, General Secretary of the Bangladesh Garments and Industrial Workers Federation, 29 years old

Have you experienced a company audit?

Yes. We were getting a low salary but the company showed the auditor that we were getting a high salary. We weren't getting many advantages but the company showed them that we were getting lots of advantages. The management got workers to tell the buyers that we are okay, that we are getting a high salary. I know this because they brought some workers into a room with the auditor and managers. Management was interpreting for the workers, but some of the workers understood some English so they came to understand that the management was talking rubbish and intentionally mistranslated what the workers were saying. And then the workers told me afterwards what had happened.

Sumi Haque, sewing machine operator, 27 years old

Have you ever seen any buyer visiting the factory?

Yes. I have seen them coming once or twice a month.

So do the buyers come and talk to you guys?

Yes, they talk to the older operators.

Have you ever heard what they ask those older

operators?

There was a sister next to me. They asked her, “Are you doing good?” She has been working there for a long while. She said, “Yah, I am ok.” That’s all I heard.

Are they Bengali or foreigner?

Foreigners usually come and the Bengali owners accompany them.

To the extent that workers are allowed to participate in audits they are carefully coached on what to say and not say.

Sabina Akter, sewing machine operator, believes she is 26 or 27 years old

The day the buyer comes, they announce it over the speakers. “Today the buyer will come from that place.” Then they announce, “If they talk about Friday duty, you will say that we don’t work on Fridays. If they ask about working after 7 pm, tell them that we don’t work after 7 pm. They pay our overtimes properly. Our attendance bonus is given properly.” I mean they tell us various things to tell the buyer.

Haven’t you ever thought, we will not say these things?

Then we will get trouble.

What trouble will there be?

They will abuse us on the floor. Perhaps our jobs will be gone, they will kick us out. They will curse us.

Tareq Islam, quality controller, 23 years old

Before they come, they tell us one day ahead that

if they ask you anything, you tell them, “We get recess.”

So you know you are lying.

Of course.

Why are you lying?

For the fear of losing our job.

Rehana Uddin, wooling machine operator, believes she is 35 or 40 years old

When people like this come to the factory, do you accompany them or do they speak with you?

Sometimes buyers who come from different places, they call on us, the senior operator; they listen to one or two things. But if we speak the truth, the factory won’t run. I tell them that they let us go at five o’clock and that they don’t make us stay late.

What time is your duty hour until actually?

They make us work from 8 am to 12 am.

They make you work until 12 o’clock midnight?

Yah. These six months, until midnight every day. Sometimes we work until 3 am in the morning. It’s not fixed. However, when buyers come, we say, if they call on us, that after 5 pm they let us go. It’s even written on the card that after 5 pm they recess. Yet, we work until 12, even 3 o’clock in the morning.

Tareq Islam, quality controller, 23 years old

When those inspectors come, do they keep you guys with them? Can you, the workers, accompany them?

No, we can’t. Say those people come. They tell us

When buyers come, we tell them they let us go at 5pm. Yet, we work until 12, even 3 o'clock in the morning.
-Rehana Uddin

one day ahead that if they ask you anything, you tell them that “we get recess,” “our aisles are clean,” “we are paid for vacation,” although we are never paid for vacation. But we have to say these things as they are mandatory conditions. Ok. They instruct us, and then we have to say it if they ever ask.

Why do they say this?

They say this so they will get orders.

So you know that you are lying.

Of course.

Why do you lie?

For the fear of losing the job.

Taherul Ali, quality controller, 28 years old

Has the factory owner ever told you, “A buyer will come tomorrow, you will say these things”?

Yes they do.

What did they say?

Every time a buyer comes, they give some suggestions.

What are those suggestions?

For example, on which dates they pay salaries, then the benefits we get.

Are those suggestions true or false?

Somewhat true and somewhat false.

Salma Akter Mim, sewing machine operator, General Secretary of factory union, 24 years old

Yes, I know there is an audit when they ring the bell. But I've never spoken to the auditors. I never know who the auditors are working for. Before an audit a meeting is held with workers and we're told to say all good things about the factory, the factory owner, and the work. So they ring the bell to put us in the mindset to remind us to say good things.

Sadia Mirza, sewing machine operator, 34 years old

In this factory, they take our signatures on three sheets when we collect our salary. Then we say, “Why do we sign these sheets?” They say, “That's for the buyers. We show that to buyers.” They tell them we get more than we do. So I told them one day, “Look, the salary sheet you make for the buyers, if my husband gets this sheet he would say, ‘You got so much money.’ Then I'd be in a bad situation with him. He'd think I'd become unfaithful to him.”

Nishad Kazi, sewing machine operator, believes he is 26 or 27 years old

They warn us that on that date, buyers are coming. “You will maintain discipline.” They tell us what to say.

What do they tell you?

For example, that they pay the salary and overtime properly. That they don't make us do overtime. And that on Fridays [weekend] they don't make us work.

Is it a true statement or a false statement?

They have us work on Fridays. Then they don't pay overtime properly.

Ok. After inspections, do the managers say anything?
They ask us what we told them. Then we say, “Yah, as you guys said, we answered that way.”

You mean you would say what you were instructed to say by the owners?
Yah.

Shamim Bhowmik, linking machine operator, 28 years old

And before the buyer comes, do managers tell you anything?
Yah. They tell us, “Your recess is at 5 pm to 7 pm. You are paid your salaries properly. Your production quota is good.”

You will say this?
Yah.

You mean they teach you to lie?
If they say 10 things, 9 and a half of it is lies. I mean the one who is asked, if he doesn't say these things, he gets fired without any salary.

Sabina Akter describes what happened a few days ago when a buyer visited and she did not completely follow the coaching.

They called upon five or six workers. I was there. They asked us, “Does your factory have you work on Fridays? Do they pay overtime properly?” So I said that they pay overtime properly. They said, “Do they curse?” Now, the curse words they use are beyond belief. They abuse us a lot. After I told them that, I had a lot of troubles on the floor.

What problems did you have?

The problem is that the person in charge, the line chief, the PM [production manager], they all look at me differently. They gave me an extra heavy workload and reprimanded me.

Can you let the buyer know?

What if the buyer doesn't call on me? If I went to them voluntarily, then I would lose my job here.



Tazreen fire survivors share their stories. © ILRF.



Part II:

SAFETY ACCORDING TO WORKERS

After the Rana Plaza building collapse the language of safety in business, government, and civil society has increasingly become the language of experts: that of building engineers, electrical engineers, and fire safety experts. As discourse about “load bearing,” “bending moment,” or “means of egress” can be somewhat alienating for everyone with less than the necessary training and education, including workers themselves, the Accord on Fire and Building Safety in Bangladesh has published a 10-page glossary of structural, electrical, and fire safety terms and abbreviations, helping to expand safety literacy.⁵⁴

In engineering terms, the Rana Plaza collapse was a structural failure. The building had been originally designed for five floors, but eight floors were in use, and a ninth under construction. The fifth through eighth floors did not have any supporting walls, and poor quality iron rods and cement compounded the building’s weaknesses. In addition, a portion of the building was constructed on land that had previously been a body of water and was filled with rubbish, an inadequate foundation for the weight and stress of the building.⁵⁵

But it is clear to nearly all analysts that multiple factors led to the Rana Plaza collapse where 1,134 workers were killed, thousands injured and traumatized, and families ruined.

In the language of government administrators, “building codes,” “certificates,” and “inspections,” are key words with which to understand the Rana Plaza collapse. Any new structure must

have a government-issued occupancy certificate in Bangladesh. But only six certificates had been issued from 2008 to 2013, despite the fact that 4,000 to 5,000 new buildings are erected every year.⁵⁶ From this perspective, the Rana Plaza collapse was an administrative failure: the building, like many others, was constructed and occupied illegally, lacking valid permits and certificates, the result of a corrupt system.

For investigative journalists, the figure of Sohel Rana, the owner of Rana Plaza, is one key to understanding the collapse. He appears as a ruthless and corrupt bully who used his political connections to build his empire and satisfy his greed. “He traveled by motorcycle, as untouchable as a mafia don, trailed by his own biker gang,” reports *The New York Times*. “Local officials and the Bangladeshi news media say he was involved in illegal drugs and guns, but he also had a building, Rana Plaza, that housed five factories.” In order to build Rana Plaza he bullied adjacent landowners, acquired their property by force, and used his political connections to obtain illegal construction permits.⁵⁷ When the cracks in the building appeared the day before the collapse, he is reported to have falsely assured tenants, including five garment factories, that the building was safe, telling workers that it would last 100 years.⁵⁸ His ruthlessness thus contributed directly to the collapse of the building and the death of the workers.

Our focus, as an advocacy organization, is how to change what has been either willful ignorance or outright recklessness of the large apparel

We say nothing. They say everything. Then how would we say that it's safe? -Fatema Chokroborti

brands, which have failed to heed the warning signs and ensure the safety of workers. These companies conducted thousands of social audits of Bangladeshi garment factories but largely ignored fire safety and building design failures that put workers' lives in jeopardy, despite the many warnings from labor rights groups and others who have documented structural building flaws, corruption, repression of workers' rights, and flaws in factory auditing programs. They certified deathtrap factories as compliant with labor and safety standards, including those in the Rana Plaza building, and benefitted from low labor costs. From this perspective, the Rana Plaza collapse represents the failure of a global trade regime that allows companies to source out production to places where they can avoid paying the full cost of compliance with labor and safety regulations with scant regard for the welfare of workers.

Fixing building flaws, installing the necessary safety equipment, strengthening government oversight, holding corrupt owners and politicians to account, and getting the apparel companies to pay for the cost of safety are all necessary components of an architecture of safety. Yet, these perspectives on safety—those of safety experts, government administrators, investigative journalists, and advocates—do not capture the full meaning of safety from workers' vantage point.

The workers we spoke with sometimes refer to the perspectives of outside safety experts and use their language when discussing the safety of their factories. But they do so deferentially, always

referring to authorities other than themselves. For example:

Yah, of course it's safe.

You are sure your factory is safe?

Yeah, I know for sure my factory is safe.

Why do you think so?

Because it's been inspected and certified by the government.

Or:

Is your factory safer for work now than in the past?

Yes. The factory is safer than in the past for work.

How so?

It used to be weak, the building could break apart, or there was fear of a fire hazard. Now the buyer is keeping everything running. Our buyers keep an eye on everything. Our owner is also conscious.

Or:

Since they came and performed the inquiry nothing has happened yet. We haven't heard anything. That implies it's safe.

Or:

Safe, can it be said? Only the ones who check can say. The owners can say. Allah can say what happens when.

But workers' own language and understanding of safety is not limited to that of the experts and other authorities.

Forty out of the 57 workers we interviewed told us that a union is part of the solution to safe workplaces.

Safety, the workers we spoke with say, is not just something that can be given to them, whether a properly engineered building, a building code enforced by government inspectors, an owner prosecuted for violating the law, or an apparel company paying for compliance. Rather, for these workers safety is an activity in which they themselves are vital and vocal participants. They envision owners listening to what they have to say and they listening to owners—a process of mutual understanding and respect. Their workplaces cannot become safe, they say, when they are relegated to the sidelines of conversations and activities designed to make them safe. As Fatema Chokroborti, a 24-year old sewing machine operator, observes, “We say nothing. They say everything. Then how would we say that it’s safe?”

Forty out of the 57 workers we interviewed one-on-one, told us that a union is part of the solution to safe workplaces. In the words of Jahid Razzak, a 27-year old sewing machine operator, a union gives them the “the power to talk.”

In addition, these workers told us, safety is not only about the traditionally-recognized workplace health and safety hazards, such as lack of fire exits, structurally unsound buildings, or toxic chemicals, but also social hazards—such as excessively high production targets, denials of medical leaves, late night work, and meager wages—that the major garment industry safety initiatives in Bangladesh do not address.

From these workers’ point of view, the Rana Plaza collapse was not just a structural, administrative,

and economic failure. It was also a failure of a social system spanning communities and workplaces that ignores and excludes workers and denies them their voice. Rana Plaza workers feared for their safety because they had seen sizable cracks appear in the supporting columns the day before the collapse. Some Rana Plaza survivors we spoke with said they were told they would lose their overtime wages if they did not work the following day. Others were told they would lose the entire month’s pay if they did not work. And then, managers pushed them inside the building. They had no say, and could not exercise their right to refuse dangerous work.

None of us wanted to go to the factory that day. They forced us to go there. It was the end of the month and we would not get paid for that day if we were absent. We are very poor and we cannot bear that loss.

-Moriom, 28 years old, lost her right hand

Chapter 5:

How to Be Safe

According to occupational health and safety experts globally, in both developed and developing regions safe workplaces depend on workers to have access to knowledge about safety hazards and to participate meaningfully in health and safety programs. Without informed and empowered workers these programs do not succeed and hazardous conditions that cause work-related fatalities, injuries and illnesses persist.

For example, research by the UK Occupational Health and Safety Authority, the Health and Safety Executive, shows that “greater and better-informed employee participation in health and safety makes workplaces safer: active workforce participation in managing safety leads to large reductions in accident rates.”⁵⁹ According to an International Labour Organization study: “workers’ organizations play a very important role in reducing the toll of accidents and ill health.”⁶⁰ The UK-based Hazards magazine is dedicated to “show[ing] why safety is better organized,” and that “workplace unions are your best hope for better, safer work.”⁶¹ The Maquila Health and Safety Support Network (MHSSN) reports that the unionized Alta Gracia factory in the Dominican Republic responded rapidly to the MHSSN team’s recommended corrections and changes to improve health and safety.⁶²

The reasons that worker involvement is indispensable for safety are apparent, notes the California Collaborative on Occupational Health and Safety: “workers are on site all day, every day; workers know the process and problems of normal operations; workers have ideas for resolving safety

problems; and workers can verify whether hazard corrections are implemented and actually work.”⁶³

The workers we interviewed affirm this insight into safety. They talk about safety as an activity, a process in which they are engaged, rather than as a thing that can be given to them.

Many workers noted that this process begins with awareness and that they are safer than before simply because they now pay more attention to safety issues in their workplace. “These events took place before our own eyes,” observes Babul Jabbar, a 27-year old sewing machine operator. “Especially after Rana Plaza, people are more aware of their safety. For example, when I enter my floor, I first look at what is and isn’t on this floor. Okay? If I would really be able to do my job safely, I look at these things. People are conscious about these things.”

The workers talk about “how” they want to be safe—by listening and having owners and the government listen to them. The process of safety, they say, is fundamentally about mutual respect for their shared humanity and consideration for their needs.

Many workers note that unity among workers and a formal union is often necessary for a dialogue on safety, echoing the experience of workers globally who have found that a union makes them safer, particularly where union members are actively engaged in health and safety committees or other safety activities. Union members, and particularly union leaders, are protected by law from employer

Safety means we all, brothers and sisters, are united, that the company listens to us, to the small demands we have, and we also get to listen to them. That's how we want to be safe.
-Surya Begum

harassment and retaliation, and therefore empowered to raise concerns about safety and other labor issues. There is no comparable set of protections for members of safety committees or worker participation committees, both of which are now required in factories with 50 workers or more. Though workers can address health and safety concerns through both of these committees, neither one can protect workers from retaliation or ensure they receive remedy in the event they are punished for voicing concerns about safety. In short, neither committee is a substitute for a union.⁶⁴



For the workers we interviewed, to be safe means that factory owners, buyers and the government listen to them and respect them.

Surya Begum, knitting machine operator, believes she is 22 or 23 years old

Safety means we all, brothers and sisters, are united, that the company listens to us, to the small demands we have, and we also get to listen to them. That's how we want to be safe.

We all—brothers and sisters and owners—we all might have desires. Both of us could mediate this thing by sitting together. Suppose we wanted two things. The company could tell us that, “Look, let's you and us both survive. You take one, and compromise the other.”

What do I not do for the company? We sacrifice

many things, many times. We understand that if our company doesn't survive, then we won't survive. We will never make an unjust demand. If my company can earn two taka, they won't suffer by giving us one taka. The company would be able to give us one taka. We understand that.

We are also human. Despite being poor, we are human too. Even if they are millionaires, they are human as well. They have wants from us and we have wants from them. They should have love for us, they should explain to us, they should call us closer, they should behave well with us.

Rabeul Barua, ironing operator, over 30 years old

Suppose I work in a factory. Both sides' wellbeing has to be ensured. Owners have to look after the workers' wellbeing, and workers have to look after the owners' wellbeing. However, there is a division of justice and injustice. They fire someone unjustly or abuse someone. They pressure him with the workload. We want that none of these things ever happen. If these things don't happen, the buyers will see that these factories, Bangladeshi factories, will be okay. They will give them jobs from abroad. The foreign buyers will see if the workers are compensated justly. If the buyers only notice that, I think that would benefit the workers.

Mohammad Khalil, sewing quality inspector, 24 years old

Now, the problems that workers face, if the high officials such as the MD [managing director], PM [production manager] sirs, if they made a little

sacrifice for us, or listened to our stories, if they held a weekly or monthly meeting with us, got to know our problems, if they worked that way, only then we would get the solutions.

Mamun Islam, knitting machine operator, 28 years old

We the workers have become very, very low now [considered to be insignificant].

What are the ways out of this situation? What do you think?

There is only one way out. That is the government. If the government gives it thought, and priority, if they investigated each factory, how they are operating, what the problems are, then they would have to talk with the workers, listen to the workers. Only then would the government learn. If the government inquired about us, we would be very happy, and the owners would be a bit afraid.

Thamid Khandoker, quality inspector, 27 years old

Those who use our products, they should definitely care for us. The buyers, the brands, should care for us, and they should do it genuinely because the fruits should be eaten by keeping alive those who grow the fruits. If the workers live, the owners have money. They can do any business. If the workers live well, the quality of everything will definitely be better. The nation and the country will be developed. Bangladesh will have a better reputation in the world.

Power and inequality go to the root of the problem

of safety. The ideal of mutual respect, listening, and compromise is difficult to achieve in an unequal environment.

Rina Hossian, sewing machine operator, believes she is 27 or 28 years old

Do you think that garment workers are safer now than a year ago?

Compared to the past, perhaps 10% safer out of 100%.

If you think that they are not safe, why not?

In most of the factories, staffs are more powerful than the workers.

You mean the management has more authority than the workers. How is it? How do they exercise their authority?

Suppose when I start in the morning, I could do 60 to 70 pieces. I couldn't do any more than that. They will give me 120 pieces. I couldn't do that many. I need to drink water, use the restroom. Then they start bashing us. Perhaps they would take us to the GM [general manager] or PM [production manager]. They take us to the OS [operations supervisor].

In order to engage as equals with owners and others on safety issues, workers need access to inspection results about their factories, which is not always easy to come by.

Thamid Khandoker, quality inspector, 27 years old

Because our building always has minor problems, I tell the administration over and over that they

I think that whatever problems there might be in our factories, we, the owners and workers, could solve them together. I had a big hope, and I believe it.
-Tareq Ahmed

should not put the loads and the heavy things on the top floor. I tell them “Sir, put it on the bottom. Keep the heavy things on the ground floor. Perhaps the workers would feel safer.” They say, “No, our building doesn’t have any problems. Our building is very sturdy. We have tested the structure.” So I said, “Give us a copy of the test.” They said, “You won’t understand anything from the test. It won’t serve any purpose for you to see the test. The building is very good. We also stay here. You are not the only one staying here so that if it collapses only you will die.” I still said, “Still sir, we need a copy of the test.” Whenever we try to talk to them about anything, they try to deny it. If we say it in a respectful manner, they consider it an attitude. They think that we are bargaining with them, arguing with them, like this.

The solution, 40 out of the 57 workers we interviewed said, is a union, giving them a voice, putting them on a more equal footing with the owners, and allowing them to talk with the “sirs.”

Tareq Ahmed, quality inspector, 25 years old

If you had been able to unionize, what would the benefits have been?

I think that whatever problems there might be in our factories, we, the owners and workers, could solve them together. I had a big hope, and I believe it.

Tareq Islam, quality inspector, 23 years old

If we had been able to unionize we could have talked to the owners openly, we could have talked to the GM [general manager] sir, as well as the owner, and the chairman sir about things like, “Why

is there so much load on our floor?” “Why is the production rate so high?” It wasn’t like this before. Okay, madam? Unionization has been the biggest remaining obstacle. Whoever is trying to unionize is being expelled.

Taslima Sultana, sewing machine operator, 31 years old

So if you were able to form a union, what would the benefits be, can you tell me?

For the company, there is profit and for the workers there is safety.

Jahid Razzak, sewing machine operator, President of factory union, believes he is 26 or 27 years old

If you unionize, you can talk about your own rights; you have the power to talk. I mean now they [workers] understand this. At first, they would not want to understand. They didn’t want to sign the card. They were very scared even to fill out the D-form.

One worker told us how they were able to engage with the owner, address safety issues and improve conditions when they formed a union:

Duly Sikder, helper, 22 years old

There is a joint inside our building. Inside that joint, there is a significant portion that is cracked, but we work in fear that it will fall down. Sometimes, there is fire inside the boiler room. About two or three times a month, it catches fire. We have two gates. They keep one gate closed and locked, and one gate open. If we want to exit, they don’t let us exit.

Didn't you, the workers, ever try to tell the owners these things?

No. We never told them.

Did you tell them after forming the union?

Yes. After unionization, we told them.

You didn't get to tell them before having the union?

No. How could we say anything when we didn't have the strength? We are harassed and abused in many ways in the factories. How can we say anything about this?

What did the owner say when you told them after unionizing that there are fires in the boiler?

The owner fixed it.

Factory-level union leader at Luman Fashion. © ILRF.



Chapter 6:

Safety, Workloads, and the Social Environment

While safety is fundamentally a process in which workers are engaged as equals with owners and managers, buyers and government, this process must produce concrete outcomes. The workers we interviewed told us that a safe building is indispensable, but they also need a safe social environment.

In May 2015, Hesperian Health Guides published the *Workers' Guide to Health and Safety*, based on fieldwork and interviews with workers and health educators from 25 countries spanning every continent. The Guide addresses traditionally recognized workplace health and safety hazards, such as toxic chemicals, unsafe machinery, and fire hazards but also shows that social hazards — such as violence and sexual harassment, discrimination, risks to reproductive and sexual health, low wages, chronic stress and other deterrents of mental health — are often more pressing for workers on a day-to-day basis.⁶⁵

As can be expected, for many workers we interviewed, the physical environment — boilers that catch fire, fire equipment that is inaccessible, stairways that are too narrow, or cracks in the walls — was uppermost on their minds. But even in the context of the Bangladeshi apparel industry, where workers sometimes live in fear their building may catch fire or collapse on top of them, social hazards were just as pressing. When asked if her factory is safe, Taslima Sultana clarified: “For safety there could be two things. It could be regarding the benefits to us workers or you could be referring to the actual factory building. Which do you mean?” Rehana Sikder, a 22-year old

sewing machine operator, confronted the implicit assumption in the question and replied: “Safe in terms of what? There is nothing safe. Is the factory collapsing the only measure?”

Strikingly, without prompting, 27 out of the 57 workers we interviewed told us that their workload had increased dramatically since the latest minimum wage increase in 2013. In pointing to their workload as a safety issue these workers also identify a root cause of the unsafe buildings and the more traditionally recognized workplace health and safety hazards. The “fast fashion” industry pushes factories to cut labor costs and speed up production to meet short delivery deadlines at low prices. When workers' workload increases it means their managers are also under pressure to produce, knowing that missing a delivery deadline to a brand customer could be catastrophic, as their factories may have to absorb the cost of an undeliverable order. These are the same pressures that originally caused factory owners in nearly every garment factory in Bangladesh to circumvent basic safety measures, and the same dynamic that contributed to the Rana Plaza tragedy.

Workers' testimony on excessive workloads is therefore significant on two levels. First, workers experience their workload itself as a safety issue, preventing necessary restroom or food breaks, causing managers to deny even medically necessary work leaves to which they are entitled, or forcing them to work late when safety may be more lax and accidents more likely. But the excessive workload workers report is also an indicator that the fire and building safety renovations now under way may

Without prompting, 27 out of the 57 workers we interviewed told us that their workload had increased dramatically since the latest minimum wage increase in 2013.

not be sufficient to protect workers in the case of an emergency or over the long-term. Fire exits are no use if managers, under pressure to complete large orders with short deadlines, prevent workers from leaving the building when the alarm sounds, as happened at Tazreen, where 121 workers were killed,⁶⁶ or if those exits are locked, as happened at Garib and Garib, where 21 workers were killed.⁶⁷ A structurally sound building with proper wiring cannot protect workers against emergency orders that result in boxes with inflammable materials being stacked in hallways or other improper places, blocking fire extinguishers and exit routes. Building repairs and renovations should therefore be accompanied by reform of apparel brands and retailers' purchasing practices to reduce production pressures and workloads.



Although most workers recognized safety improvements in their factories, only five of the 57 workers we interviewed stated unequivocally that their factory is safe.

Many workers described the fire and building hazards they face in detail.

Ariful Reza, linking machine operator, 24 years old

Do you think that your factory is safe now?

The factory is pretty safe compared to before. There used to be a shortage of equipment, those were brought in. Then the hosepipe for the water supply has been built. A fire-resistant door has been installed, so that in case there is a fire, it can't

spread if the door is shut. There have been some steps taken like these.

After taking these steps, do you think that there should be more steps taken?

Yah. More changes should be made.

Such as?

The fire extinguishing equipment is usually placed in front of the doors, but not inside. So they will only extinguish a fire at the door, not inside. Some fire extinguishers are needed inside. The water faucets in my factory are very dirty. They should be changed. The boards that are there in every table, those boards should be newer so that the girls who work there, their scarves don't get tangled in the machine.

Ratan Hossain, sewing machine operator, 32 years old

We are not safe now. Our boiler catches on fire every now and then, and electric wires spark fire often. When it sparks fire, they fix it. Then it sparks fire again later. They are not changing the wiring. We have two open gates, but they keep two others closed. They don't open those two gates. Meanwhile, there was a fire. The fire alarm went off. Not everyone could exit. Many of them fell and hurt their hands and legs. They couldn't exit.

When did it happen?

In 2014.

So you want to see these changes, right? Such as the boiler, the electric wires, you want these problems

fixed?

We want our factory to be safe. And we want the owners to unite with us, and the factory to run nicely so that these accidents don't take place, and workers don't die. And regarding our building, people call it a "couple building." Two buildings are next to each other. One of them sank a bit into its foundation and there is a crack in the middle. How can I call it good?

Sadia Mirza, sewing machine operator, 34 years old

And there are proper ways to evacuate workers?

Yah, there is, but it's narrow.

Narrow?

Two people can exit at a time, but not more than two people can exit. Also of all the gates, two of them are closed. We said, "Will we not be able to exit through this gate?" They said, "No, these gates are always shut."

Did you ask what happens if there is an accident?

Yes. We asked.

What did they say then?

They said, "No, that remains close. You go this way."

So you think that in order to enhance safety, there should be more actions taken?

Yes. The stairs should be widened. They are very narrow. On this side, girls exit; on that side, boys exit. But I think that among girls if someone trips over, she will be trod over. I mostly exit with the guys because if I fall with them, they will pull me out anyhow. Girls are not like that. They will step

over and go.

Workload and Safety

Most workers we interviewed addressed issues beyond structural, electric, and fire safety when we asked them if their workplace is safe. Thinking that the interviewer wanted them to talk about these fire and building hazards, they often made a decision to switch perspective to address the social environment. For example, Rehana Akhter, a 28-year old sewer, initially stated her factory was safe.

What do you think? Your factory is safe?

Yah, it's good.

When you speak with other workers, I mean the other operators, helpers around you, your coworkers, what did you feel after talking to them? Is this factory safe?

Yah, safe.

There is no problem?

There is none.

Yet, when the interviewer asked her again about how safe garment workers are compared to a year ago, she responded, "Now they are not safe from the workers' perspective," and explained that after increasing the salary last year (2013) when the minimum wage increase came into effect, the factories had also increased production targets, resulting in much heavier workloads, a concern that many other workers also addressed. For them, to be safe means having a manageable workload, allowing workers necessary rests and restroom breaks, reducing pressure on workers

Our salary is low and they increased the workload. We can't even get up from the machines. We can't even go to drink some water.

-Rehana Sikder

and managers alike, and fostering a more humane working environment.

Rehana Sikder, sewing machine operator, 22 years old

Do you think that garment workers are safer now compared to a year ago?

They were safer before. What safety is there now?

Why don't you think it's safe?

I think so because our salary is low and they increased the workload. We can't even get up from the machines. We can't even go to drink some water.

Sumi Haque, sewing machine operator, 27 years old

Were the old days better than now? Or are the recent days better than those in the past?

The old one was better because the workload was less.

But your salary was less too.

Yah, although the salary was low, the workload was low as well. Now with the raise in the salary, we are pressured very hard to produce, so much that we can't catch up. We can't go to the restroom to pee. We can't even get a chance to drink some water. From the morning to lunch, I have to work so much that I myself can't get up from work. We can't even get up.

Taslina Sultana, sewing machine operator, 31 years old

So what do you think should be introduced to the

factory to ensure safety?

For safety there could be two things. It could be regarding the benefits to us workers or you could be referring to the actual factory building. Which do you mean?

I am talking about all types. Your overall protection. If the building is safe then our lives are safe. But look, they have increased wages. After increasing our wages, they abuse us more, and the work gets harder. For example, our production target used to be 800 to 1,000 pieces. Now they have given us a target of 1,600 pieces. If we have even one piece left of our target, we can't leave. So what should I talk about? Along with the increase in wages, they have started to abuse us more. They increased the production load, and they use filthy language on top of that. If you are physically ill, you won't get a leave. If you are absent anyway they will give you a 'show cause' notice.⁶⁸

Sharmin Akhtar, quality controller, believes she is 32 or 33 years old

Do you think garment workers are safer now compared to a year ago?

If they are in one way, they are not in the other way.

Such as?

They are not in one way. Now, my workplace needs 10 people. Instead, they are employing five people. Where do the other five people go? Even among those five people, there are many attempts to divide them. The five people who work do it with difficulty. Yet they can't master the courage to say, "How do I do two people's work by myself?"

In front of my machine, there has to be one helper; there should be two machines, two people. Now I have to do the job of two machines by myself alone. Whether or not I can do it, I have to do it. If I can't do it, my job is gone. "You get out. That position doesn't need people like you."

Sabina Akter, sewing machine operator, believes she is 26 or 27 years old

Do you think that garment workers are safer now than one or two years ago?

In terms of working conditions, they are not safe.

Why not?

As we used to work before, we could drink water, eat tiffin [light meal], but now we can't anymore.

Sabina Ara, sewing machine operator, believes she is 25 or 26 years old

Do you think that in order to enhance safety, there should be more changes in your factory?

Yah. There should.

What changes?

Our workload is heavy, and the quality pressure is big. I mean they don't compromise with anything. They neither compromise quality, nor production. They want to maintain both.

Do you think that compared to a year ago, garment workers are well off?

In the past, we used to have a lower wage, that's right. However, in terms of work, it was good.

You mean there was not so much pressure?

We didn't have that much pressure.

Tareq Islam, quality inspector, 23 years old

What can be done to make your factory safe?

There is a lot of work pressure. Operators have to take a lot of pressure. If they can't do the job they are verbally abused with foul language. They are misbehaved, as we say. They are called bad names.

Shobita Mahbub, sewing machine operator, 30 years old

Two years ago, they gave us a 900 to 1,300-piece production target. Doing 1,300 pieces is possible. We would get physical rest. However, now they gave us a target of 1,800 to 2,000 pieces. It's not possible for anyone to do it. That's why physical and verbal abuse have increased so much, only because of the target.

Production pressure increases risk of physical and verbal abuse, another aspect of safety for the workers we interviewed.

Anika Kazi, sewing machine operator, 22 years old

I don't think it's safe. Suppose we work, we get scolded, pressured, they make us work for free until 9 or 10 pm, threatening us. Like that, we are not safe.

Do you think there should be changes?

There should be changes because if changes are not made, then we workers won't be able to make our living by working there. Suppose we become

The new GM [general manager] only wants production. He doesn't have any time to look at the building. -Abdur Hassan

the victims of scolding and abuse, we can't make a living there by working. They will keep putting pressure on us, torturing us. This should be stopped.

Fatema Chokroborti, sewing machine operator, 27 years old

So the trainings they've been having, do you think this is has improved work safety at the factory?

No, the way management puts their hands on us, throws us out by our necks, pushes us down, and hits us with bottled water. Slap, slap. Like that.

While production pressure and the excessive workload is itself a safety issue for workers, it can also exacerbate the risk of fire and building safety failures as managers, under pressure to meet a production deadline, may cover up or ignore problems.

Abdur Hassan, sewing machine operator, 34 years old

Do you think your factory is safe now?

No it's not safe.

Why?

Because the building has cracks in many places.

Have you ever informed the owner?

We informed the owner, and the owner has inspected the cracks and painted them. They put some limestone in the cracks. I told them, "This crack, this crack is not safe for us. It's risky. Isn't it going to need repairing?" There are so many cracks. Something could happen at any moment.

What do they say then?

The new GM [general manager] came. The new GM only wants production. He is only busy with the production. He doesn't have any time to look at the building.

Sometimes the long working hours that factories seek to hide from buyers and their auditors indirectly causes additional safety hazards.

Shamim Bhowmik, linking operator, 28 years old

Is your factory safer now than in the past?

It's safer than in the past, but it's somewhat safe for us, and somewhat unsafe for us.

How do you mean?

The work environment: the floor is unorganized, they curse, they have us work without providing any tiffin [light meal]. They have us work by production target. If we can't make the target, we have to work until 10 pm or 12 am. But after 5 pm, the gate is locked. In case there is a fire the security officer could leave from there (for his own safety). In that case, our lives won't be safe.

Why do they keep it locked?

So that buyers can't come to audit after 5pm. They tell them we have recess, and when they see that it's locked from inside and outside they will conclude it must be recess.

Oh. It's only to show the buyers that they recess from 5 to 7 pm, but in reality...

And in reality they have us work without providing tiffin [light meal] until 10 pm or 12 am.

If we can't make the target, we have to work until 10 pm or 12 am. But after 5 pm, the gate is locked.
-Shamim Bhowmik

Leaves and Safety

Many workers told us that they are not safe when they cannot get leaves from work to cope with their own or family members' medical emergencies. But production pressure causes managers to deny workers the leaves to which they are entitled by law.

Fatema Chokroborti, sewing machine operator, 24 years old

The supervisor, line chiefs, all of them can enjoy vacation every month, but we can't. That's why I think that we are not safe.

For example, today I had an emergency. I needed a leave. But when I asked for a leave, they wouldn't give it. If I had got it, that would've been a solution. When a baby is very sick, if the mom is nearby, then she could help make him healthy or at least see him. We don't even get to do that. If someone's husband is sick, if they ask for a leave, they say, "Don't give excuses. Quit the job." Isn't this a big problem for us?

Surya Begum, knitting machine operator, 22 or 23 years old

I have a small baby who is very sick. So I came and said, "Sir, please give me a leave." So he said, "If I give you leave, who will work here? We can't give you leave." As it happens our kids get very sick, and sometimes die in a very short time. Sometimes, they don't grant leave for physical sickness. What happens then? Many times we fall on the machine,

we fall on the floor, we faint. We have a situation like a heat stroke. It gets very serious.

Rina Hossian, sewing machine operator, believes she is 27 or 28 years old

Suppose I am fainting from sickness. Even then, they don't give us leaves. They harass us in many ways. It's been seven years. I don't get any medical leave. They don't let us go to the clinic. So in order to save our jobs, we don't even say anything. We have to work for our survival.

Sabina Akter, sewing machine operator, believes she is 26 or 27 years old

If there is a family problem in our homes and we ask for leave, they don't want to give us leave. Perhaps our husband is sick, they don't give us leave. If the kids are sick, they don't give us leave. For our own sickness, they don't grant leave. We get dizzy and faint, yet they don't grant leave. They keep us lying in medical for one or two hours, and then they take us back to work again.



Street-side views of electrical wiring in Dhaka and fire safety tools inside a garment factory.
© ILRF.



Part III:

ACTION PLANS AND WORKERS' VOICES

In 1991, Levi Strauss was the first global apparel company to adopt a private code of conduct for its manufacturing suppliers around the world. In the view of many advocates at the time, private codes of conduct was a necessary, but temporary, step to fill a governance gap in developing regions where labor law protections and inspection capacity had not kept up with the rapid growth of industry. This governance gap was a fertile environment for sweatshop conditions, advocates argued, and companies should step in with a regime of private regulations: their own labor codes and private inspectors or “social auditors.” Whether or not this regime of private regulation could in fact benefit workers, when the only means of accountability to private and non-binding codes was the threat of tarnishing name-brand companies by association with sweatshops and child labor, was unclear. How long this fill-in-the-gap strategy to protect workers would be necessary also was not clear.

Today we have answers. Social auditing is an US\$ 80 billion global industry and has expanded from apparel to a variety of industries, including electronics and agriculture.⁶⁹ The private codes have not served as a temporary fill-the-gap measure until developing countries are able to strengthen their own labor law regime. On the contrary, some governments have used private codes and auditing systems to replace, rather than improve, their own labor inspection administrations. In Pakistan, for example, the government has nearly abolished state labor inspections and instead subsidizes monitoring by private companies which award certificates, such as the SA8000 certificate, which factories can use to attract international buyers.⁷⁰

This privatization of regulation came to light when a fire at Karachi’s Ali Enterprises factory killed 259 workers in 2012, just weeks after being certified by private inspectors.⁷¹

Furthermore, the legal construction of codes does not benefit workers. This point was settled in 2007 when Walmart admitted in a California US District Court that workers were not in fact the intended beneficiary of its code of conduct. ILRF brought suit on behalf of workers from China, Bangladesh, Indonesia, Swaziland, and Nicaragua who made Walmart clothing and suffered serious wage and hour violations. The workers claimed that Walmart’s code of conduct created a contractual obligation between Walmart and the employees of its global factory suppliers who had agreed to comply with the code of conduct. But the judge ruled that the workers had no standing to sue because they were not party to the contract between Walmart and its suppliers. Under California law these workers would have been parties to the contract and could have sued had they been its intended beneficiaries. The workers would then have been able to hold Walmart legally accountable to code prohibitions on forced overtime, non-payment of overtime wages, and other abuses. But rather than operating under a legally binding code of conduct, Walmart opted to tell the court that its code of conduct was intended to protect the company from reputational harm, and not to benefit workers.⁷²

If private codes are not intended to benefit workers, it is not strange that they have not in fact been of much value to workers. Numerous academic studies

— so many as to generate a “growing consensus” among social scientists — have concluded that monitoring has limited effect on compliance with labor standards.⁷³ For example, economist Richard Locke analyzed 800 Nike audits from 51 countries and found that monitoring alone had little effect on labor compliance.⁷⁴ After a decade of pouring over factory audits, he has come to the “reluctant conclusion,” he says, that “private regulation has had limited impact.”⁷⁵ Locke is hardly alone in reaching this conclusion. A large body of literature has analyzed and exposed the weaknesses of corporate-controlled social auditing, where auditors, compromised by conflict of interest, detect and report only the violations corporate clients expect or want to address.⁷⁶ Factory auditors themselves have acknowledged how easy it is for them to miss blatant violations during an audit for a corporate client, and described the ingenious ways in which factories mislead auditors.⁷⁷ Critiques have documented case after case of global supplier factories, audited and certified for western retailers and brands, with the most heinous labor rights violations.⁷⁸

Because private codes are not contractually enforceable, companies have separated their social auditing functions from their sourcing and purchasing functions. Social auditing has become part of “Corporate Social Responsibility” (CSR) charitable activities that may appear to and sometimes do benefit workers, but are entirely voluntary and offer no guarantees to workers. While social auditors and CSR staff may admonish suppliers to comply with the company’s code of conduct, the company’s sourcing department and

its agents set contractually enforceable prices, lead times, and design specifications that often do not take into account the cost and time required for code compliance. This double-faced message about the importance of complying with labor standards carries a perverse incentive to factory owners to game social audits while continuing to produce goods below the cost of compliance. Managers coach workers on how to behave and what to tell social auditors (see, for example, Chapter 4 of this report). As a result, an entire industry of services has developed, feeding off factory owners’ need to create an image of compliance.



In Bangladesh the failure of private regulation to protect workers has been catastrophic.

While the industry has grown steadily over three decades, labor law has not caught up to international standards, despite revisions in 2006 and 2013, and does not adequately protect workers’ internationally accepted rights. Building and occupancy rules have been routinely ignored.⁷⁹ Though Bangladesh is currently working to upgrade the Department of Inspection for Factories and Establishments to a Directorate with a budget to hire 800 inspectors, as recently as 2008 Bangladesh had only eighty labor inspectors and 20 inspectors for occupational health and safety for the entire country. Those inspectors were supposed to cover 24,299 factories, three million shops and establishments, and two major ports.⁸⁰

Meanwhile, global apparel companies have conducted thousands of their own social audits year after year, apparently ignoring serious building and fire code violations, such as lack of fireproof doors, unsafe means of egress, unsafe electrical installations, and weak structures, all of which are now known to be normal safety failures in Bangladesh. In the fall of 2012, ILRF had counted at least 959 garment worker fatalities and 2,977 injuries in 278 incidents in unsafe factories since 1990.⁸¹ Then, on November 24, 2012, a fire at Tazreen Fashions near the capital Dhaka claimed the lives of 112 workers and injured at least 150 other workers.⁸² Walmart's Ethical Sourcing Assessor had given Tazreen an "orange" rating, which means, "the factory had violations and/or conditions which were deemed to be high risk." But Walmart had opted to discontinue business with Tazreen rather than address the problems.⁸³

Then the Rana Plaza building collapsed and the failure of private and voluntary regulation became too blatant and too enormous to ignore. In its 2014 "Bangladesh Labor Assessment," the US Agency for International Development noted "Widespread recognition that existing compliance programs... have been unable to galvanize further progress."⁸⁴ The pattern from the earlier factory fires and deadly incidents continued: the factories in Rana Plaza had been audited and workers were killed. The Business for Social Compliance Initiative (BSCI) had audited two factories in the Rana Plaza building, New Wave Style and Phantom Apparels.⁸⁵ According to the website of a third factory in the building, Ether Tex, it too had passed inspection by BSCI and also by the Service

Organization for Compliance Audit Management (SOCAM).⁸⁶ None of these audits helped to protect workers.

As a result, Bangladesh's apparel industry is today the testing ground for several reform initiatives to make the industry safer. In June 2013, the United States suspended Bangladesh' eligibility for trade benefits under the Generalized System of Preferences (GSP) program and a month later announced a "Bangladesh Action Plan," requiring the Government of Bangladesh to reach several safety and labor rights benchmarks to regain eligibility for these benefits. In July 2013, the Government of Bangladesh, employers' organizations, and the IndustriALL Bangladesh Council (IBC) signed the National Tripartite Plan of Action on Fire Safety and Structural Integrity in the Ready-Made Garment Sector in Bangladesh, updating a previous fire safety plan signed in January 2013 after the Tazreen Fashions fire. In July 2013, the Government of Bangladesh also signed the "Sustainability Compact for Continuous Improvements in Labour Rights and Factory Safety in the Ready-Made Garment and Knitwear Industry in Bangladesh" with the European Union, the United States, and the International Labour Organization. In October 2013, the ILO launched a US\$ 24 million, three-and-a-half year initiative called "Improving Working Conditions in the Ready-Made Garment Sector," which includes Better Work Bangladesh. Meanwhile, the major apparel brands and retailers that buy apparel from Bangladesh announced the formation of two separate fire and building safety initiatives, the Accord on Fire and Building Safety in Bangladesh,

a legally-binding agreement between companies and unions, and the Alliance for Bangladesh Worker Safety, an industry initiative.

These programs and plans are all improvements on private regulation pre-Rana Plaza, which largely ignored twenty years of workers being killed and injured in preventable fires and building collapses.⁸⁷ Yet, none of the programs is fully realizable or sustainable without a workers' movement that guarantees that workers' own perspectives and insights are central to its work and holds both public and private actors to account. Only one of the programs, the Accord, is based on this fundamental insight into safety.

The Accord, with more than 200 company signatories, and the Alliance, with 26 company signatories, are the major industry safety reform programs in Bangladesh. Both programs conduct factory inspections and require corrective action of fire, structural, and electrical hazards in factories that supply the signatory companies. They also coordinate inspections and remediation activities in shared factories. But they differ markedly in their relations with workers.

While the Accord is a power-sharing agreement between companies, two global union federations, and eight Bangladeshi trade union federations that can hold the companies to account through binding arbitration, the Alliance is an agreement among apparel companies alone and does not provide a meaningful voice to workers or trade unions. While the Accord provides a central role to unions in program implementation, both in

inspections and trainings, the Alliance limits worker participation to disclosing inspection findings to worker representatives at each factory visit.⁸⁸ Protection of workers who seek to exercise their rights to voice concerns about fire and building safety issues is fundamental to the Accord. The industry-controlled Alliance, on the other hand, seeks to give workers a voice through a worker complaint helpline it calls Amader Khota, or "Our Voice." But it is not clear that what workers appear to report through the helpline is what they would say were they empowered through unions and protected by law to speak with managers and owners on terms of mutual respect. This helpline is a blunt tool to obtain information from workers, and it is no substitute for unions and a workers' movement.

Chapter 7:

The Alliance: Whose Voice?

During two decades, thousands of garment workers were injured or killed in preventable fires and building collapses in Bangladesh. Time and again Bangladeshi unions called attention to the absence of fire doors and structural weaknesses of buildings, but were ignored. Workers standing up for their rights faced — and still face — arbitrary detentions, arrests and criminal proceedings on the basis of spurious charges, and beatings or threats to their physical safety. For years, garment workers have been brutally silenced.

It could therefore appear as a victory for workers that many post-Rana Plaza safety programs state that workers' voices are important to their own safety. For example, in its written material the Alliance for Bangladesh Worker Safety embraces “worker empowerment” as a central principle of worker safety. Yet, in its own promotional materials and according to workers we interviewed, the Alliance appears to overlook incidents of harassment and violence against union members. The Alliance should instead explicitly describe such incidents and explain its strategy to mitigate and prevent violence against union members. To depict harmonious labor-management relations when the reality is different does not help to strengthen workers' voices.

Meanings of Worker Empowerment

Article three of the Alliance Member Agreement is titled “Empower Workers” and explains that the member companies are “keenly aware that effective worker empowerment is a critical element in achieving meaningful fire and

building safety in Bangladesh.” The companies will work to ensure “true worker empowerment,” the Agreement states.⁸⁹

The Alliance Action Plan explains that the member companies will require the establishment of Worker Participation Committees (WPCs) as a means of worker empowerment. Bangladeshi law requires WPCs in factories with 50 or more workers.⁹⁰ Their purpose is to “inculcate and develop a sense of belonging and worker commitment” and to do so by promoting mutual trust and understanding; ensuring the application of labor law; encouraging vocational training; improving and maintaining occupational health and safety; adopting measures for the improvement of welfare services; and improving productivity and reducing production costs.⁹¹ The workers we interviewed may support these goals, many of them expressing a yearning for a sense of belonging and mutual trust and understanding between them and their managers. Yet, many of them also understood that mutual trust and respect is only possible when they relate to managers and owners as equals and that WPCs do not alter the fundamental power imbalance in the workplace.

For example, Shobita Mahbub, a 30-year-old sewing machine operator who works in a factory under the Alliance program says she would prefer a union to the WPC.

What do you think? Is the WPC committee good or union is better for you?

A trade union would be best.

The word “union” only appears parenthetically in one section of the 18-page Alliance Member Agreement. In the 11-page Action Plan, “union” only appears once.

Have you ever placed any demands through the WPC committee?

Yah, we have placed many demands.

Does the company accept your demands?

They don't accept them. After hedging for a while, eventually they address their own issues. Then they tell us, “We are taking care of it.” But they only take care of their issues, not our issues.

Ariful Reza, a 24-year old linking machine operator, says that his factory encourages worker leaders to join the WPC rather than to form a union, but the WPC does not address workers' issues.

Management says, “The company has a post for worker leaders. So you guys don't need to do anything from outside [unions]. You join them.”

You mean, “Join their WPC”?

Yah. Join them.

Do they look after workers' issues?

The committee that has formed is completely for the company. There is nothing for workers. If they were for workers, then they would have surely done something for the 50 helpers who lost their jobs yesterday.

Only a union could give workers “the power to talk” with management, in the words of sewing machine operator, Jahid Razzak, the strength to tell management about hazards they face at work, the ability to solve problems together with factory owners. Chapters 13 and 14 of the Bangladesh Labour Act of 2006 gives unions the right to negotiate legally enforceable agreements

on wages, benefits, and workplace conditions with management, and the authority to file grievances to protect workers from safety hazards and other legal infractions. Sections 187 and 195 of Chapter 13, which addresses trade unions and industrial relations, protect union members and officers from retaliation for engaging in union activities.⁹² By contrast, as workers in this report testify, employers can use another section of the same law, Section 23 of Chapter 2, to discipline and dismiss non-unionized workers who speak up for their safety and their rights.⁹³ But the word “union” only appears parenthetically in one section of the 18-page Alliance Member Agreement.⁹⁴ In the 11-page Action Plan, “union” only appears once. In both documents, the role of unions is incidental.⁹⁵

For the Alliance companies, “empowerment” is something that happens without unions and, thus, without granting workers legal protection against retaliation. Yet without such protection, which is only given to workers who are union members, workers are likely to remain silent, fearing thugs and beatings, and the loss of their jobs and livelihoods, should they speak up about the hazards they face at work. When workers are intimidated and silenced workplaces are likely to be less safe.

The Alliance Helpline

According to the Alliance, its member companies empower workers with a mobile technology that encourages workers to safely report problems through a helpline.⁹⁶ The helpline gives workers “the opportunity to voice safety concerns so that

they can be heard and acted upon in a timely manner.” They have named it Amader Kotha, or Our Voice.⁹⁷

Mamun Faruk, a quality inspector, reports that following an Alliance-training at his factory, “They gave us a card of the organization. That is Amader Kotha. The Alliance instructed the workers: ‘If we don’t get any solution after informing the high officials, then we are supposed to call Amader Kotha and let them know that there are these problems in my factory.’”

But the helpline does not just receive and transmit workers’ voices as they are. This is how the helpline works, in the words of the Alliance: “Workers use their mobile phones to report safety and other concerns to Amader Kotha, as well as respond to simple, mobile-based surveys. The collected information is then shared with and validated by factory managers, and any serious safety concerns are verified by qualified technical experts.”⁹⁸

The Alliance counts the “number of substantive issues” that workers report, and categorizes them into “urgent safety,” “non-urgent safety,” “urgent non-safety,” and “non-urgent non-safety” issues. There is also an “urgent retaliation” category for workers who report retaliation for using the helpline, but this category is mostly empty in helpline reports. Only after this process of validation, interpretation, categorization, and counting do workers and their voices become real to the Alliance and its member companies. But these voices may be different from the voices of workers who have “the power to talk” through a

union, protected by law to speak with managers and owners on terms of mutual respect. The helpline reports may not always reflect what workers themselves consider their most urgent safety issues.

The first problem is that only an average of 28% of helpline users are women in an industry where more than 80% of workers are women.⁹⁹ Though the Alliance indicates that it is sensitive to this gender imbalance in several newsletters that report on helpline activities, there is no clear trend toward a pattern of use that reflect the gender composition in the industry. For example, Alliance reports for the 15-month period from August 2014 through October 2015 show that women users represented more than 30% of users in four of the first six months, and in only three of the last six months of that 15-month period. Women’s voices are thus largely missing from the Alliance’s representation of workers’ concerns. The women workers we interviewed told us about being silenced in the workplace and at home. Thus when the Alliance represents helpline reports as “Our Voice” they gloss over the continued underrepresentation of women’s perspectives and thereby help perpetuate the silencing of women.

The next problem is that the issues that workers consider urgent and vital to their safety are not reported as such through the helpline. According to Alliance reports for the 15-month period from August 2014 through October 2015, only 24% of reported helpline issues (611 in total) were “safety” issues while 76% of issues (1,953 in total) were what the Alliance terms “non-safety” issues. By far the

Only an average of 28% of helpline users are women in an industry where more than 80% of workers are women.

most reported “safety” issue was active fires in locations outside the factory (319 in total), such as warehouses, markets, or nearby homes, issues beyond the purview of Alliance activities. Only in one month, April 2015, did workers report nearly as many “safety” issues as “non-safety” issues. That was the month of a massive earthquake centered in Nepal, which resulted in workers reporting walls or windows shaking and cracks in beams, columns, and walls. Deducting the reports of fires outside the factory, workers reported only 292 factory-related “safety” issues, compared to 1,953 “non-safety” issues. Thus, by the Alliance’s own measurements, an overwhelming majority of workers’ concerns — 87% — are what the Alliance terms “non-safety” issues and which the Alliance does not address in its inspections and corrective action plans. The most common among these issues are workers’ complaints about termination, verbal abuse, wages and benefits, and working hours.¹⁰⁰

Our findings are in fact similar to the non-filtered and non-categorized Alliance helpline findings: workers report that safety is more than the structural, fire, and occupational safety issues that the Alliance helpline categorizes as “safety.” For the workers we interviewed, safety is also about the social hazards they face at work. They told us they are not safe when they work far into the night and the factory locks the gates to keep auditors out; when they cannot get leave to care for a sick child or attend to their own medical emergencies; when they must face a torrent of verbal abuse and denigrating treatment on a daily basis; when production targets are set so high as to prohibit

restroom breaks or breaks for snacks; or when their wages are so meager they cannot provide an adequate nutritional diet for themselves and their families. Nor are they safe, they told us, when they lack the ability to talk to managers and owners about the issues they face, and present their demands with the assurance that they will be heard. According to the classification system of the Alliance helpline, however, these issues that workers consider vital to their safety are not related to safety and not urgent. Their grievances fall on deaf ears.

For example, Rehana Mahmood, a 31-year old sewing machine operator, tells us what happened when she and her coworkers attempted to get the Alliance to address violent threats and dismissals of union members in her factory. She recounts:

This much I know about Alliance: They come and do meetings with us and they tell us: “We come here for one reason: if there are any cracks in the building or if there are any places that have collapsed. If that happens, you first let the owners know. If they don’t fix it, you call us and your identities will be kept confidential. And electricity: if there are any problems anywhere or any fires anywhere, then you call the owners and management. If they don’t take any action, you call us and we’ll keep your names confidential.”

Shortly after the time of the Alliance visit, two workers were fired, in apparent retaliation for their union activities. Rehana Mahmood continues:

Two of our workers were fired when someone

came and complained about their union involvement. Our floor director called them over and told them to immediately sign their resignation papers and take their money and leave. When they asked him, “Sir, did we do anything wrong,” he told them, “whether or not you did anything wrong, you have to resign; take your money and leave.” After a lot of discussion, they asked him, “Give us one more day.” They didn’t give them any more time and were told to leave. After they left the building, the director called the chairman’s son (we have an area chairman) who brought over 20 to 25 men. As soon as the two workers came out of the gate, they took them somewhere and forced them to sign the resignation papers. They told them, “Submit your resignation and take your money and go. Otherwise, we’ll kill you, put you in a sack and throw it away.” Then, out of fear, they took the money and left. But they didn’t actually want to take the money. After hearing this, we all fear that this will also happen to us. How will we survive?

The interviewer asked Rehana Mahmood if anyone has called the Alliance to report this problem. She responded:

Several girls called the Alliance and said, “You told us you’d look out for our interests. Well, lots of people are getting fired and they are not getting adequate wages. What are you going to do about this?” Apparently they said, “We don’t know anything about that. We are only working on building safety and electricity. If you have any electrical problems, we can help you with that.”

Clearly, Rehana Mahmood considered the forced resignation of her colleagues and union members under the threat of being killed, stuffed in a sack and thrown away to be an “urgent safety” issue. This incident has created a climate of fear, which intimidates workers from voicing any concerns, including those related to fire and building safety. Yet, the Alliance’s classification of workers’ concerns does not allow them to understand this form of violence and intimidation against workers as a safety issue and to take action to protect workers’ safety, despite workers’ demand that they do so.

A final challenge for the helpline is that it is one-way communication — a source of information for the Alliance companies and the factories — but not for workers or their unions. Information is power and this information gives the owners and the Alliance companies the power to define workers’ problems and to articulate what workers say about safety. They, rather than the workers, become the experts about workers and what matters to them. Thus the Alliance inspectors set priorities for investigations and corrective actions in the name of workers, but address only selected concerns, and disregard the perspectives of workers such as Rehana Mahmood on how to solve problems in the factory. The question is to what extent the helpline lends legitimacy to the Alliance, allowing its work to be conducted in the name of workers, and to what extent it empowers workers to express their own voices.

To ensure workers' safety, the Alliance must also investigate and address the social relations of intimidation and violence that continue to keep workers in a subservient position, unable to voice their concerns.

Overlooking Violence Against Unions?

Workers and union leaders have a voice in the inspections and are always informed of the inspection results, the Alliance reports. “We have invited worker representatives to be part of the factory inspection process and to shadow the entire assessment from start to finish,” the Alliance states in its 2014 Annual Report. “All findings from the inspections are shared in the local language with the worker representatives during the closing meeting of the inspection.”¹⁰¹

A worker voice in the inspection process is an important goal, but not easy to achieve in practice after years of factories and apparel companies excluding and silencing workers, denying them a voice, and auditors treating inspection results as closely-guarded corporate secrets.

For example, Tareq Ahmed says that when the Alliance team inspected his factory workers did not accompany them and they did not learn what the Alliance had found. “They didn’t let us know if they found any problem,” he notes, adding that “they haven’t yet trained us if there is a fire incident, how we would exit, and there are not enough fire extinguishers in the factory.”

Taslina Sultana reports that she was present at the Alliance meeting following their inspection of her factory, but she does not know what they found. She did not tell the Alliance about her concerns about rickety external hanging staircases that “could break at any time,” which the factory typically hides from auditors. “Sometimes they

open it and sometimes they close it off,” she told us. “When the buyers come to audit, they shut it down.” She says she is not sure if the Alliance noted the staircase. At the meeting with the Alliance, “they didn’t give us a chance to report problems,” she says. “They said, ‘after we’re done talking you can ask questions,’ but no one said anything.”

The types of challenges to worker participation that Taslima Sultana and Tareq Ahmed describe are to be expected after years of workers being denigrated, excluded and silenced. However, to meet those challenges and to ensure workers’ safety, the Alliance should work with the trade unions that have the capacity to defend workers who make their voices heard and have the legal right to negotiate on safety and other issues with managers and owners. Unfortunately, as an industry initiative, rather than a joint initiative between industry and unions, the Alliance does not appear to work closely with unions. Several trade union leaders told us that they do not know much about the Alliance or have a working relationship.

The Alliance does in fact have a “Labor Committee of the Board,” consisting of representatives of four unions.¹⁰² But these unions do not organize garment workers and therefore do not have the capacity to represent or protect the interests of garment workers. In addition, they are not part of the governing structure of the Alliance, its Board of Directors, and do not have power to hold companies like Walmart, Target, Gap, and VF Corporation—all of whom are represented on the

Board of Directors — accountable to the terms of the Alliance.¹⁰³

Lack of union involvement makes it possible to overlook violence against unions, which appears to be the case in the Alliance inspection of Clifton Apparels. Ironically, the Alliance features this inspection prominently on its website¹⁰⁴ and in its 2014 Annual Report as a case illustrating their engagement with unions. In a letter to Senator Robert Menendez, Chair of the Senate Committee on Foreign Relations, Alliance Chair Ellen Tauscher referred to the Clifton case as an example of how the Alliance is “engaging with trade unions present in Member factories, and inviting them to be part of the inspection process.”¹⁰⁵

The Alliance inspected Clifton Apparels on April 10, 2014. According to the Alliance case study, the Alliance inspection team insisted that management invite the union to participate in the inspection. At the opening inspection meeting the Alliance’s General Manager of Worker Empowerment “further emphasized the importance of union participation, explaining the role of both the management and the union in the process.” Factory management, the Alliance reports, “took worker involvement positively and agreed to their participation in the assessment process.” Following the inspection, the union representatives reported, according to the Alliance case study, that “they had never been asked to join any such exercise and that they felt good about being part of this inspection process and enjoyed it.”¹⁰⁶

Yet, according to a Solidarity Center report, just a few weeks before the joint inspection Clifton Apparels had launched an anti-union campaign of violence, threats and intimidation. The union had informed the Directorate of Labor and initiated a case alleging unfair labor practices. The Solidarity Center documented severe anti-union activities, including:¹⁰⁷

- Beating a union executive committee member until he signed a blank sheet of paper, resigning from the union (March 12, 2014).
- Threatening factory closure unless workers rejected the union. A manager reportedly announced, using the factory speaker system: “The owner of the factory has been running the factory for 29 years. We know that you love the owner. But those people who formed the union want to destroy the factory. If you don’t sign against the union, the owner will close the factory. So you all have to sign” (March 13, 2014).
- Instructing workers through the factory loudspeaker system not to join the union, not to pay any dues, and not to provide a photocopy of their identity card to the union (March 18, 2014).
- Calling on local political leaders with business ties to the factory to intimidate union leaders. The political leaders reportedly told union leaders to refrain from any activities that are “against the interests of the company” (March 30, 2014).

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- Issuing an order to transfer one of the main union organizers to another factory, and suspending him when he refused (April 3, 2014).

These reports of violence, threats, and intimidation against the union are conspicuously absent from, and appear incongruous with, the Alliance report of a harmonious inspection process with management and union collaboration. The President of the union federation to which the Clifton union was associated, the Bangladesh Independent Garment Workers Union Federation (BIGUF), contests the depiction of management-union harmony, saying that management forced the union to participate in the inspection. Because the Alliance does not work closely with BIGUF they may have been unaware of management's anti-union campaign. Yet, addressing violence and threats to union members and leaders is necessary to give voice to workers and fundamental to a safe workplace. The Alliance should therefore seek to meaningfully engage genuine garment workers' unions in their work in order to be able to forcefully and publicly denounce violence, threats, and intimidation against union members and leaders. To depict harmony where there is violence is to perpetuate the silencing of workers.

Chapter 8:

The Accord: A New Model for Worker Participation

The Accord's strategy of worker empowerment is different from the Alliance's strategy. The Accord does not contain a separate chapter on "worker empowerment" because the concept is embedded in its structure, which is a power-sharing agreement between apparel companies and unions. It begins with the premise that companies and worker organizations should engage as equals in solving safety problems. As signatories to the agreement, unions can hold companies accountable to its terms through a binding arbitration process. According to Article 5 of the Accord, arbitration awards are governed by the International Labour Organization's Convention on the Recognition and Enforcement of Foreign Arbitral Awards, signed by 155 countries, including Bangladesh and the domiciles of all company signatories to the Accord.¹⁰⁸ This convention directs courts of all signatory countries to recognize and enforce foreign arbitration awards in the same way as domestic awards. Thus, a Bangladeshi union, representing workers in a factory that supplies an Accord-member apparel company, can initiate a dispute resolution process against the company and, if necessary, obtain an award that is enforced by a court of law of the domicile of the company. This recourse to binding and enforceable arbitration to hold companies legally accountable is the foundation of the Accord's worker empowerment strategy.

Creating Access to Information

The possibility of unions and companies engaging as equals and of workers holding global apparel companies accountable depends on a level of

worker access to information unparalleled in industry social auditing practice. Typically, audit reports and even names of supplier factories are proprietary to the industry, workers are excluded from inspections, and unions sidelined from remediation programs. In order to break with past practices, the Accord has made it a priority to ensure workers have access to the terms of the Accord, know the factories that supply signatory companies, and receive in a timely manner the inspection results, corrective action plans, and timetables for remediation.

The Accord has taken steps to overcome workers' challenges to access of information.

First, the Accord has conducted trainings with all fourteen Bangladeshi apparel union federations that are affiliated with the global union federation, IndustriALL, to ensure union leaders understand the Accord and can, in turn, educate their members on how to use the Accord to protect their own safety, file complaints and hold the apparel companies accountable. Leaders of unions and labor organizations confirmed to us that they are familiar with the Accord and its requirements. For example, Laboni Akter, a Senior Organizer with the Bangladesh Garment and Industrial Workers' Federation, says she was trained by her union federation to know about the Accord and that she is planning on attending another training to learn about Accord inspections.

Under Article 19, the names and addresses of all factories supplying Accord signatory companies are publicly available. This information is

The Accord is a power-sharing agreement between apparel companies and unions.

accessible in English and Bangla on the Accord website.

Under Article 11, the Accord shares all inspection reports within two weeks of the date of inspection with representatives of the factory union, if present, and the factory's health and safety committee or the Accord signatory unions if there is no functioning health and safety committee. Within six weeks the inspection reports become public. Signatory unions have immediate access to inspection reports that identify severe and imminent danger to worker safety. We asked 19 union representatives and leaders in Dhaka if they had received or seen inspection reports about their factories. Those who worked at Accord-listed factories all said "yes." The others had not seen or heard about inspection reports.

Monira Begum, a 28-year old clothing folder and president of her factory union, notes that as soon as they unionized they received the Accord inspection report. "They told us, 'There has been an audit of the Accord in your factory before you had the union. This is the report.'"

In addition, the Accord has employed Field Resource People to talk to workers face-to-face and ensure they receive and understand the Accord's reports about their factories even when there are no unions in their factories. Sadia Islam, an Accord Field Resource Person, says her job is to "educate workers about what the Accord found, to teach workers what's in the corrective action plan, and to ask workers to tell me if the corrective action plan is being implemented."

The Accord has also taken steps to make its communication accessible to workers by publishing all reports in Bangla in simple, yet technically accurate language. In addition the Accord uses symbols and large photographs to show workers the specific problem areas in their factories and to help them understand Accord reports even if they are illiterate.¹⁰⁹

Finally, under Article 16, unions participate in all fire and building safety training activities. These trainings address basic safety procedures and precautions and are designed to "enable workers to voice concerns." According to the Accord Director, Rob Wayss, union representatives also have the right to accompany inspections and they work proactively with unions to include workers in the inspection process and in dialogue with management to ensure they can help monitor and report on remediation in their factories.

Hassan Khan, quality inspector, President of factory union, 30 years old

Did the Accord go to inspect your factory?

Yes. They did.

When they went to the inspection, did you or any of your colleagues accompany them?

I was with them. When the Accord went, they called me on my cell phone.

What did you talk to them about?

We talked about many things. The problems that the building had—we talked about those problems.

When they went to inspect the building, did the management accompany you at that time?

Yes, they were there.

You don't know what they talked with the management about, do you?

The problems that they had previously found, they told the management to repair that. There were six pillars. The auditor had said that it was not enough. They needed more. So the new pillars were not installed as they were supposed to be. Then underneath the building, there was plaster. The auditor said that it would work. The final inspection was supposed to take place that day, but it didn't happen. They set a new date.

Defending Workers' Right to Participate

Many workers told us that participating in Accord inspections was a significant shift compared to their experiences of industry social audits, which are ongoing. However, creating access and including workers where they have previously been excluded is not a matter of flipping a switch and may not happen without management resistance.

One worker reported: "Some of us were there during the inspection. After the Accord left, management said, 'why did you talk to them, you should have said you didn't want to participate.'" Another stated: "Our factory was inspected by the Accord. The owners are saying that because of you we have to spend all this money on renovating the factory or otherwise the Accord will force us to close the factory."

Similarly, Jewel, an organizer with the Bangladesh Independent Garment Workers Union Federation (BIGUF) reported that in one case they "didn't provide any solidarity members' names to the Accord because it was not safe for solidarity members to participate in inspections." According to Jewel, "they would just lose their job after an inspection because factory owners don't want union members to have communication with higher-level people." However, the Accord immediately reported the inspection results to BIGUF — Jewel says they found "serious structural problems with the building" — and BIGUF organized a meeting with workers the day after the inspection to inform them of the results.

In the case that workers face retaliation for participating in inspections, the Accord works to ensure they receive remedy and to protect them from harm.

Salma Akter Mim, a 24-year old sewing operator and General Secretary of her factory's union who goes by "Mim," has experienced many industry audits, but says she never spoke to the auditors and never knew who they were working for. "Before an audit, a meeting is held with workers and we're told to say all good things about the factory, factory owner, and the work. So they ring the bell to remind us to say good things — everything gets tight and according to schedule."

By contrast, the Accord told her when their inspection team was scheduled to visit. She says she "told the Accord staff that the union president and I want to accompany the Accord inspection



Salma Akter Mim, General Secretary of union at Dress and Dismatic. © ILRF.

team while the Accord visits the factory, and the Accord immediately agreed to that.”

However, after the inspection, Mim continues, the owner retaliated against her. “The owner informed us of all the losses that the Accord is making him incur,” says Mim. “He’s blaming us for all the costs the Accord is making him pay. They are making a mockery of me, ‘Oh, the Accord called you, oh you are so important.’ And I said, ‘Yes, they called me because I also attended their

seminar.’” Shortly thereafter she was fired.

It turns out the Accord performed its inspection while management was conducting a violent campaign against the newly formed union. Two months prior to the Accord inspection the factory had caught fire, which Mim suspects was a management “set-up” against the union. The fire took place at 8:30 pm at night with no workers present, and began in a storage room where there is no electricity. Afterwards, management

hinted that the union was to blame, she says, and closed the factory for two months without paying workers their salaries. Workers had to show up to the factory daily to sign-in but the factory did not pay a travel allowance.

Tensions escalated. At a meeting between union and non-union workers, the union president was beaten and the non-union workers accused a union member of sexual harassment. He was arrested. One day when a union leader was speaking to the quality manager, “the general manager arranged for 100 workers to surround me and some of them beat me in front of the factory,” reports Mim. The union leader “came down and covered me and the union president. None of us left the scene. We were thinking that whatever happens, we will face it together. Suddenly one factory manager kicked me and I fell down, and he was shouting, ‘How dare you hit our general manager?’ I called some union leaders, and when they tried to come, they suddenly found themselves locked up by factory security on the order of our factory owner.”

During the lay-off, Mim and other union members “learned from BGIWF that if the factory owner does this type of thing, that according to law workers who have been at the factory for at least nine months should get their full basic salary and those who have worked for less than nine months must receive half their basic salary.” Mim says they presented this demand to the factory owner. Finally “we tried to get a meeting with the Bangladesh Garment Manufacturers and Exporters Association and the owner assured us that the factory would be back in full operation

soon and that they would discuss the union matter with us after the factory was back in operation.”

On the day of the Accord inspection the factory fired seven union members, including Mim. Two union members were fired later. However, workers filed a complaint with the Accord, as the firings were related to the inspection, and the Accord worked with the union and signatory brands at the factory to get the workers reinstated. In October of 2015 the workers obtained a commitment from the factory to reinstate all nine union members with full back pay. Mim is one of only three workers in this report who chose to use her real name, which is a testament to the strength of her union and the commitment of the Accord to defend workers’ right to raise their voices on safety-related concerns.

In the case of BEO Apparels, 48 union members were fired in retaliation for demanding management address their concerns about fire safety and related issues. Following the firings the factory union filed a safety complaint with the Accord on the grounds that the factory violated the terms of the Accord by firing workers in retaliation for raising concerns about fire safety. Union member Jahid Razzak, explains: “There were some fire-related problems. The boiler machine was on the floor. We wanted them to remove it. We submitted some demands.” Rina Syed, another union member, told us that management’s response to workers’ demands was: “Why do you guys worry about these things? You are here to work. So work.” Jahid Razzak continues: “That’s why we complained to the Accord. Then the Accord came to investigate.”

In our union outreach we always make it clear that if you speak out on safety issues you cannot be retaliated against, and if you are, the Accord and its signatory brands will take action.

-Rob Wayss

The Accord convened a meeting between the factory union, factory management, and factory buyers to discuss the firings, insisting that management reinstate the fired union members and attend a training for both union members and management to address issues relating to reinstatement and compensation, and to improve the ability of management to work with the union on safety issues at the factory. The factory owner agreed to reinstate the workers, but, unfortunately, closed the factory before they were reinstated. The Accord, the Accord brands in the factory, and the union federation to which the factory union was affiliated together ensured that the workers who complained about the safety conditions were paid back wages and received the full severance payment to which they were entitled.¹¹⁰

The Accord is also active on a national level to defend lawful trade union activities and protect workers' space to organize. The Accord swiftly condemned statements from high-level government officials and the Bangladesh Garment Manufacturers and Exporters Association who had called for retaliatory action against labor leaders who, they said, were acting against the country's interest, having reported on incidents of violence against union organizers.¹¹¹ In its letter to the Minister of Commerce and the Minister of Labour and Employment, the Accord voiced concern that: "negative references made about the trade union work, including work with the Accord, of IndustriAll/labour colleagues Nazrul Islam Khan, Roy Ramesh, Babul Akhter, Amirul Haque Amin, and Kalpona Akter ... unfairly condemn their legitimate work, inaccurately

cast them as working against their country, and place their safety at risk." The Accord requested that the government "support the work of trade unions, which is internationally recognized and protected by law and international standards, and refrain from comments which can be considered threatening or which add to an environment where union members, union staff, or union officers feel fear and concern of their safety." The success of the Accord, the letter concluded, "requires...the Ministry of Commerce and the Ministry of Labour and Employment [to ensure] our trade union colleagues are not condemned or placed at risk for their trade union work or their work with the Accord."¹¹²

This open collaboration between the Accord, signatory unions and individual union "colleagues" sends a message to both managers and workers that unions are integral to the safety process and that the Accord and its signatory brands will defend workers who voice safety concerns or partake in Accord activities and protect them from retaliation for doing so. In an environment where workers are routinely silenced and punished for voicing their concerns this message bears repeating often. The Accord's Director, Rob Wayss, explains:

In our union outreach we always make it clear that if you speak out on safety issues you cannot be retaliated against, and if you are, the Accord and its signatory brands will take action. We have had complaints where workers have been terminated, and we intervened. When workers see the Accord and the union together, when we call them before a factory visit and they are there

when the engineers go back, and when they see that their complaint was addressed and the Accord is living up to its obligations, the more that happens it tells workers that if they raise a safety issue in an Accord factory they cannot be punished for doing so. Bit by bit these stories get around and little by little we are moving the industry toward that culture.

The Economics of Reprisals Against Workers

Factory management's retaliatory actions against workers who seek to voice concerns about their safety, partake in Accord inspection activities, or organize unions to defend their rights result, in part, from the economic pressures of the "fast fashion" industry model: that is, high volume, fast and low-cost production according to flexible agreements that allow buyers to respond to rapid fluctuations in consumer demand while requiring factories to produce "on demand" with little opportunity to plan ahead or negotiate orders with buyers other than "take it or leave it." The economics of fast fashion leave little room for the cost or time of complying with labor and safety standards, or engaging with unions that may demand attention to expensive safety repairs and renovations. From factory owners' point of view it may make more economic sense to pay thugs to keep the union out of the factory than to negotiate with workers on a charter of demands, or a

collective bargaining agreement. Owners are concerned those negotiations could result in increased costs or production delays they can ill afford if they want to maintain their brand customers.

Therefore, financial incentive to factories to comply with required safety reforms is also an important measure to protect workers against reprisals. According to the terms of the Accord, it is the buyers' responsibility to ensure that safety remediation is financially feasible and carried out on time. Buyers must ensure that funds are available both for the necessary upgrades required to comply with safety requirements (Article 22) and to continue wage payments to workers during renovations (Article 13). Brand compliance with these articles would alleviate economic pressures on factories and thereby create more space for workers to voice their concerns about safety issues.

Demonstration held during the first anniversary of the Rana Plaza building collapse. © UFCW.





Our Voices, Our Safety

PART IV: A RENEWED CALL TO ACTION

Nothing happens in Bangladesh without protest. Whatever I have seen so far anywhere, whatever we have achieved so far, all the way from the 1800s in Chicago, workers' demands are obtained through various protests. Whatever benefits we get, whether the attendance bonus or the lunch benefit, we had to achieve through protest. In order to achieve our demands, we have to protest.

-Mamun Faruk, factory quality inspector, 22 years old

Prior to unionization, our Eid bonus was 40% [of our month's salary]. Now after the union, we get an Eid bonus of 60%. If we had to work after 10 pm until 12 am, the night compensation used to be 20 to 25 taka [per day]. Now it is 40 taka. The tiffin [light meal] compensation used to be 9 taka; now it is 16.50 taka. If there is an emergency shipment, we have to work until 12 am or 1 am. They provide the tiffin. During Eid, the government holiday is three days. We get three more days on top of that. We have made a request of the company that if we work on Fridays [weekends], it must be counted as overtime. ... For each one of these successes we had to protest. We had to stop the work. We informed them beforehand according to the law. When they didn't accept our demands, we shut down the work. After shutting down the work, the company called us and said, "Okay, they will be provided."

-Morsheda Masud, sewing machine operator, 31 years old

ILRF has long argued for the importance of workers participating in and, indeed, leading efforts to improve their own safety. That is why we helped develop the Accord on Fire and Building Safety in Bangladesh and continue to argue for its importance: it is the only safety program in Bangladesh where workers engage on equal terms with companies and can hold companies accountable to the terms of the agreement. This is also why we wanted to hear directly from workers about the safety conditions in their factories.

We had expected to talk to workers about fire and building safety in their factories, the safety issues that all the reform programs in Bangladesh address. To some extent we did: workers told us in detail

about cracked joints in factory walls, boilers that caught fire, buildings that did not appear level, or on the positive side, new safety trainings and the installation of fire protection equipment. In this way, workers validated our original assumption: they are experts on their own workplaces and, lacking their voices, any safety program is seriously flawed.

Almost all workers we interviewed wanted to talk to us about more than just the technical repairs and renovations necessary to address the fire, electrical, and structural risks in their factories. They emphasized that safety is never a thing that is just given to them, but a process in which they are actively and vocally engaged. They taught us "how to be safe," as Surya Begum put it, a process

Workers emphasized that safety is never a thing that is just given them, but a process in which they are actively and vocally engaged.

of reciprocity, listening and having owners and the government listen to them. Safety, the workers said, is fundamentally about mutual respect for their shared humanity and consideration for their different needs. This insight is at the core of these workers' understanding of safety.

Unfortunately, safety, as a process of reciprocity and mutual respect, is something the workers we interviewed rarely experience. Instead they told us about factory managers, thugs, police, government administrators, husbands, and auditors who silence them and deny them a voice in their own safety. They reported production targets and workloads so high managers prevented them from taking necessary restroom breaks, drinking water, leaving the factory at a reasonable hour, or getting leaves from work to attend to their own or their family members' medical emergencies. They told us about wages so low they are effectively trapped in abusive conditions, and about sexual harassment and abuse for which the victims are blamed. In a word, instead of a safe working environment, they described to us, with few exceptions, a state of abject powerlessness. This is what they term “nirjaton” in Bangla: not just mistreatment and abuse, but the absolute lack of respect for their humanity such that resistance appears futile. It is the opposite of safety, from workers' point of view.

The social issues that workers brought to the fore of our conversations about safety are not only legitimate safety issues in their own right, but also important indicators that fire and building safety could be in jeopardy in the long run despite the current reform efforts. The heavy workloads, low wages, and verbal, physical, and sexual abuse

that workers experience reflect the industry's intense price pressures and compressed production schedules that factory managers enforce on workers, demanding more pieces per hour, more hours per day, and less leaves from work. These are the same pressures that originally caused factory owners in nearly every garment factory in Bangladesh to circumvent basic safety measures and could do so again when the attention of the world is turned elsewhere, and when the current reform programs come to an end. What is to say that factory owners will not again sacrifice safety investments and deny workers their right to refuse dangerous work to not miss tight production deadlines with razor thin profit margins? As long as apparel companies press the “fast fashion” price and time demands on factories and workers are silenced and denied a voice in their safety, current progress in fire, electrical, and building safety is not sustainable.

Indeed, these production pressures are already causing worrying delays of essential safety renovations and repairs. An analysis by ILRF and other labor groups of H&M's progress in making their preferred suppliers safe shows that H&M, two-and-a-half years after the Rana Plaza collapse, was dramatically behind schedule in correcting the dangers identified by the Accord's inspectors even in their best factories (H&M's “Gold” and “Platinum” factories). These delays put tens of thousands of workers' lives at risk. The majority (52%) of all required corrective actions at these factories were behind schedule. Structural renovations were most often behind schedule (72%), followed by fire safety repairs (50%), and then electrical repairs (38%). More than half of H&M's best factories still had locking doors or collapsible gates, which can slow

The Accord’s requirements should be reinforced by a general call to action for apparel companies, factory owners, and government to listen to workers.

workers’ escapes during an emergency. Even worse, 61% of these factories didn’t have working fire exits — fire-rated doors and enclosed stairwells — although the deadlines had passed.¹¹³

H&M’s factories are not the only ones behind schedule in the corrective actions necessary to ensure workers’ safety. Shortly after labor groups released the report on H&M factories, Accord Director Rob Wayss observed that remediation is behind schedule in “the large majority of our factories,” and “far behind...in too many of our factories.”¹¹⁴ Unfortunately it is not possible to determine the extent of delays in factories that participate in the Alliance program rather than the Accord. Unlike the Accord, the Alliance does not disclose factories’ progress in implementing corrective action plans. It is thus impossible to determine whether factories that produce solely for Alliance brands have made the necessary safety repairs and renovations, and there is no way for the public to hold Alliance brands accountable.

There are three essential strategies — social, economic, and cultural — to maximize chances for success of the current safety reform initiatives and to ensure there is no backsliding once the programs come to an end.

First, the Bangladeshi government must protect workers’ right to form unions and factory owners must respect that right. Strong unions will be critical to holding factory owners accountable to their commitments on safety. Without prompting, forty out of the 57 workers we interviewed told us that a union was part of the solution to safe workplaces. “The biggest thing is unionizing,” Tareq Islam said.

Aleya Akter explained: “We have formed the union at the factory so that no other worker is beaten and abused like us.” With a union, workers are safer because they are better able to engage with factory owners as equals based on mutual respect.

At the same time apparel companies must reform their “fast fashion” demands. The consequent time and price pressures leave little room for the reciprocal process — owners listening to workers, workers listening to owners — that is fundamental to safety. Safety is a relatively slow process compared to the pace and hyperactivity of fast fashion, which requires workers to be silent and passive, like cogs in the machines.

Finally, apparel companies, factory owners, and the government must come to think about workers differently. They must learn that workers are experts on safety in their own workplaces and equals that deserve respect, and safe and decent working conditions. They must learn to shift their perspectives on workers by listening to workers.

The Accord’s dual focus to require brands to ensure technical fire and building safety renovations are made and adequately financed, and to protect workers who voice concerns about their safety, are two sides of the same coin, and both essential to creating working environments that workers experience as safe. Reprisals against workers who speak out must end, and at the same time the purchasing practices that foster the reprisals must be reformed. The Accord’s requirements should be reinforced by a general call to action for apparel companies, factory owners, and government to listen to workers.

Conclusion and Recommendations: Towards a New Phase of Social Safety Reforms

Who is responsible for stopping the reprisals against workers who speak up to address their safety concerns? Who is responsible for creating safe workplaces, as workers understand it, where workers can engage with managers and owners with mutual respect, listening to one another? Who is responsible for fostering workplaces where unions are accepted and workers are not abused?

These are all the same question of safety. The Bangladeshi government, the factory owners, and the apparel companies share responsibility for listening to workers and for creating the conditions in which workers can be heard. They must end the retaliation against workers who seek to make their voices heard. They must cease activities, including commercial demands, which cause or contribute to the silencing of workers.

A new phase of social safety reforms, building on the progress achieved under the Accord, is necessary to address the intimidation and violence that keep workers silent, and to ensure current reforms are fully realizable and sustainable. The new safety reforms should instill the lessons that respect for workers is as important to safety as are fire exits, that workers' perspectives on safety are as important as the findings of building engineers.

To the Government of Bangladesh:

The Bangladeshi government must protect workers' human rights, including their freedom of speech and freedom of association. The government must not cause or contribute to threats, violence and intimidation of workers who

seek to defend their rights and safety. It must seek to mitigate the risk that any party, including employers, will harm workers who speak out in defense of their own safety, and expeditiously remedy such harm and prevent its recurrence. It is responsible for creating safe spaces for unions and respect for collective bargaining — the only legally protected mechanism through which workers can negotiate with owners about safety and other working conditions on equal terms.

The government must also address the pervasive violence against women that keeps more than eighty percent of the garment workers in a subservient position, fearing rebukes, verbal abuse, physical punishment, or sexual harassment and abuse for speaking “emphatically,” as one worker put it. The government should enforce its own laws on violence against women at work. It should also work closely with women's rights organizations and trade unions with a majority of women members to develop necessary legal, policy, and administrative reforms, educational programs, and other governmental actions to address violence against women in the workplace, the community, and the home.

Finally, the government must address the persistent poverty among garment workers. This means addressing not only the low wages, but also preventing employers from requiring excessive overtime hours and related production quotas. All of these pressures combine to keep workers trapped in abusive and unsafe conditions, unable to voice concerns about their safety because they simply cannot afford the risk of employer

A new phase of social safety reforms is necessary to address the intimidation and violence that keep workers silent, and to ensure current reforms are fully realizable and sustainable.

reprisals and of losing their jobs. A living wage earned during a regular workweek is essential for workers to be able to speak freely and protect their own safety.

The government should convene a wage board with meaningful representation from independent union federations, with the goal of increasing the legal minimum wage for garment workers to a living wage, based on the demands and requirements of Bangladeshi workers and their unions. The government should ensure the wage board carries out its mandate on schedule, and promptly implement its recommendations. The government should also ensure workers have the ability to report the abusive use of involuntary overtime on a confidential basis to an office that will be able to take action to address the problem.

To Garment Factory Owners and Industry Associations in Bangladesh:

Factory owners must respect the human rights of workers, including their freedom of speech and freedom of association and take responsibility for ending the reprisals against workers who speak up in defense of their own safety. The first step, for factory owners, is to ensure they fully comply with Bangladesh's laws on freedom of association and collective bargaining. That requires them to adopt a zero-tolerance policy for managers who threaten or inflict violence against workers who join or seek to form unions in their factories, and to immediately sever their business ties to any business, street vendor, or political leader who threaten or inflict violence on workers to keep

the union out of their factory. Factory owners should request that the industry associations, the Bangladesh Garment Manufacturers and Exporters Association and the Bangladesh Knitwear Manufacturers and Exporters Association, join them in an initiative to end violence, threats, and intimidation against trade union members and their supporters. The industry associations should themselves adopt a zero-tolerance policy against any member that is found to use threats, intimidation, or violence against trade union members or worker leaders. Those members should be expelled from the association, thereby losing their Export Registration Certificate.¹⁵ Finally, employers should announce to their workers that they will remain neutral should workers wish to form a union in their factory.

To Global Apparel Brands and Retailers:

Apparel brands and retailers must proactively ensure respect for the freedom of speech of workers and their rights to freedom of association and collective bargaining. Both civil society and the US Government have extensively documented violations of these rights in Bangladesh, and the United States withdrew Bangladesh's eligibility for trade benefits under the Generalized System of Preferences after years of careful review of unsatisfactory improvements in the protection of these and other labor rights. Despite workers' rights to organize and bargain collectively being enshrined in virtually every brand's code of conduct, abuse of these rights continues to be pervasive.

First and foremost apparel brands and retailers should recognize their own role in creating the commercial conditions under which factories cannot feasibly comply with labor and safety regulations. This includes flexible supplier agreements, where apparel brands require their supplier factories to produce “on demand” according to deadlines and prices set by the brands, and which foster the time and price pressures that leave little room for the mutually respectful process of safety that workers demand. Apparel brands and retailers must reverse their negative impact on safety by committing to their suppliers to pay prices that reflect the full cost of production, including the cost of complying with all labor and safety regulations, and the cost of living wages. They must work with their factory suppliers to ensure safety renovations are financially feasible and that those renovations are completed according to the mandated timeframes. In addition, they must allow suppliers to negotiate feasible production timelines, allowing for safe production without excessive time pressure and workloads.

Brands and retailers must also recognize their own role in silencing workers through audits that exclude workers or force them to deny the abuses they face at work. Instead, they should invite workers to select representatives to participate fully in the audits, ensure there are no reprisals against workers for doing so, and make the detailed audit findings available to workers and their unions.

Finally, these global apparel companies must

use all the commercial leverage at their disposal to hold their suppliers strictly accountable for complying with Bangladesh’s laws on freedom of association and the right to collective bargaining. This includes exercising contractual rights to discontinue orders for serious or persistent violations of workers’ rights, and providing financial incentives for suppliers to respect workers’ rights and negotiate with unions.

These measures must be taken in concert: penalizing suppliers for violating workers’ freedom of association while undermining the conditions for worker organizing through tight commercial terms would not be constructive.

To Other Governments, Funders, Media, and Concerned People:

The chain of influence and responsibility to protect the safety of Bangladeshi garment workers extends to many other actors, both public and private, who can help to advance the next phase of social safety reforms.

The U.S. Government, and other governments with similar leverage, should clearly articulate their support for safety programs that include workers in positions of leadership and authority and that actively protect workers who seek to organize unions in defense of their own safety. This includes the Accord on Fire and Building Safety in Bangladesh. Governments must also use their full range of trade, commercial, policy, and diplomatic influence with the Government of Bangladesh and with apparel companies to ensure

each party takes responsibility for ending the reprisals against workers who speak out.

Funders, public and private, can provide vital support for worker safety by focusing on initiatives that strengthen the Bangladeshi workers' movement, and that seek to hold the government, factory owners, and apparel companies accountable for the silencing of workers.

Media can help by presenting workers not only as victims of catastrophic safety failures, but also as experts on safety with vital insights for any safety program.

People everywhere can play a critical role in advancing the social safety reforms by holding apparel brands and retailers to account, urging meaningful action from governments, demanding that workers' voices be heard, always asking: Do we know what safety means for workers?

Key steps for the Government of Bangladesh:

- Expeditiously register unions that meet administrative requirements, and eliminate legal and administrative obstacles to union formation in consultation with independent union federations.¹¹⁶
- Investigate, hold accountable, and publicly denounce factory owners for using and employing local political leaders and hired thugs to silence workers through threats, intimidation, and violence, as well as police and security personnel for threatening or inflicting violence on people who engage in legitimate trade union activities.¹¹⁷
- Convene a wage board, with meaningful representation from independent union federations, with the goal of increasing the legal minimum wage for garment workers to a living wage, based on the demands and requirements of Bangladeshi workers and their unions.
- Work with women's rights organizations to develop necessary legal, policy, and administrative reforms, educational programs, and other governmental actions to address violence against women in the workplace, the community and the home.

Key steps for factory owners:

- Adopt a zero-tolerance policy for managers who threaten or inflict violence against workers who join or seek to form unions and immediately sever ties to any political leader, thugs or others who threaten or inflict violence on workers to keep the union out of their factory.
- Request that the industry associations, the Bangladesh Garment Manufacturers and Exporters Association and the Bangladesh Knitwear Manufacturers and Exporters Association, adopt a zero-tolerance policy toward any member that uses threats, intimidation, or violence against trade union members, worker leaders, their families, and community members to prevent the formation of an independent union in their factories.
- Tell workers and independent union federations that they will remain neutral should workers wish to form a union in their factory, and implement that commitment.

Key steps for apparel brands and retailers:

- Sign supplier agreements where prices cover the full cost of producing goods in compliance with all safety and labor regulations and where delivery deadlines are feasible without excessive workloads, overtime, or subcontracting. Assume financial responsibility for safety repairs as required under Article 22 of the Accord.
- Invite the factory union, the occupational health and safety committee, and/or a union federation to participate in social audits, and share the audit results with these organizations.
- Publicly disclose supplier factories to allow external monitors as well as workers themselves to report violations and hold buyers accountable for safety violations.
- Use contracts, commercial incentives and other forms of leverage to hold suppliers strictly accountable for complying with Bangladesh's laws on freedom of association and the right to collective bargaining.

Chapter 10:

Postscript: “Of Course I Want to Say Something”

At the end of our interviews with workers we asked what they would like to tell us in closing about their work and safety. We wanted to know what might be still lingering in their minds that seemed important enough to them to bring up again or anew. Thirty-nine workers continued speaking, unprompted by any questions, often emphatically and sometimes at length. “Of course I want to say something,” exclaimed Mamun Islam, demanding the right to be heard. Here, in closing, we leave workers’ words as they are, with but a minimum of interpretation.

Safety and the Human Value of Workers

Many workers chose to speak philosophically about safety, talking about their value as human beings and as women, and yearning to be liberated from abuse. But theirs was not just a simple one-way demand. Instead, workers expressed a profound sense of reciprocity. Owners should respect and listen to them, just as they listen to the owners. Owners should be able to make money and workers should live well; that way the whole country benefits. “We want the government to run well, that the owner does well, and that we get a good salary as well,” said one worker.

Sabina Akter, sewing machine operator, believes she is 26 or 27 years old

I want to say that we work. But there is no appreciation for us. We are workers. Our owners don’t value anything about us. The job we do, we have no value. They treat us as though we have no soul. We want to get some appreciation.

Taslima Sultana, sewing machine operator, 31 years old

All I would like to say is that we women can only shed tears. In Bangladesh, 85% of garment workers are married. Everyone is a victim of abuse—by their husbands, by the company, by the owners. Those who work in the garment industry have to face abuse at every moment. If we could be a little liberated from this abuse, then all women workers, wherever they are, whatever factory they work in, or maybe they work in a household, that would be the biggest achievement for me.

Mamun Islam, knitting machine operator, 28 years old

I am only trying to say that we the garment workers... if you looked into it, you will see that the garment workers are not in peace. Our fault is only one. That is that we were born poor. That is our crime.

I mean we are the workers and we work in the factory, but we have no value or importance. As I just told you, say if we are absent for only one day, we lose our job. If we are late, they mark us absent for three days. In one factory the ladies left the place crying. They made them sign the resignation letter. If they didn’t want to resign, they used force and said [using a derogative form of speech], “Resign, why won’t you resign? You have to sign.” Many male workers also left the factory crying. But we are helpless. There is no one next to us who would stand up and say, “Go forward. We are with you.” Actually, we the workers have become very, very low now.

They treat us as though we have no soul. We want to get some appreciation.
-Sabina Akter

Unionizing for Safety

Other workers thought strategically about safety, arguing they need to form unions without facing violence from management-controlled thugs. In the words of one worker, “It’s not possible doing it alone. For example, if I am alone in the factory and talk to two or three other people, my job will be gone. That’s why, I feel, we need to unionize.” Another worker who had successfully formed a union despite being threatened and beaten by thugs concluded, “I wish no one else ever becomes a victim of that.”

Tareq Islam, quality inspector, 23 years old

What else can I say, madam. The biggest thing is unionizing. We have to struggle to live. Whatever our salary has increased, it’s not working out I need 20,000 taka (US\$ 260), but I earn 8,000 taka (US\$ 100). There’s a big gap, isn’t it? That’s it, madam. On top of the workload, managers use foul language, calling us names, referring to our mother or sister, behaving rudely. If we had a union here, then we would have many benefits, but, madam, we are not able to make it. Whoever among us is trying to organize a union, they expel him or her. Because they know that unionizing means that we would work safely, we won’t have to fear losing our job, we won’t have a heavy production load. They also understand that the law supports the union. That’s why they are not letting us unionize.

Jahid Razzak, sewing operator, President of factory union, believes he is 26 or 27 years old

What can I say about my own thoughts? The type of abuse I had to endure in order to unionize—I wish no one else ever becomes a victim of that. I heard in the TV news that the union leader was abducted and killed. I want such a thing never to happen. They beat me a lot. They told me to leave the area. However, there were some powerful local people who were close to me. If they hadn’t been there, I wouldn’t have been able to remain living in the area. Then I would have had to leave. I want such things never to happen anywhere. That’s all I have to say.

Dalia Sikder, sewing machine operator, President of factory union, 22 years old

Most workers are abused in many ways. BGIWF [Bangladesh Garment and Industrial Workers Federation] and some other organizations are coming forward to help. I urge other organizations to work together collaboratively to build unity and strength to register unions and to ensure that no one is abused in garment factories again.

Rina Hossian, sewing machine operator, believes she is about 27 years old

I didn’t have hope before, but from what I learned by coming here [office of the Bangladesh Center for Worker Solidarity], from what sister explained to us, I got more courage. The job that they are doing, we can be like them. We want to help them by standing by them.

Mohammad Rahman, linking machine operator, believes he is 26 or 27 years old

Our fault is only one. That is that we were born poor. That is our crime.
-Mamun Islam

It's only that we have protests every few days, but we don't want strikes. Strikes are a loss for us as well as the owners. Even for the government, it's a loss. We don't want these things. We want the government to run well, that the owner does well, and that we get a good salary as well. But in order to get it, we have strikes over a high work rate, or because of defects in the building. There are many problems like this. They don't pay salaries properly. If they announce the pay on the 8th, they pay it on the 17th or 18th. These are the problems. Management's behavior is bad. If you speak up about this, your job is gone.

It's not possible doing it alone. For example, if I am alone in the factory and talk to two or three other people, my job will be gone. That's why, I feel we need to unionize.

Safety Demands

Many workers voiced specific safety demands, but only two of them addressed fire and building hazards and only in the context of other issues. By contrast, 15 of the 39 workers told us their wages must be increased and paid on time, so that they can at least live modestly, "eat some lentils and rice, not any more or any less." Workers spoke about other social hazards, including their need for leaves and vacation, again speaking modestly: "Anyone who has a conscience doesn't want a leave every day or in every month. But we do need some leaves."

Jahid Azim, feeder operator, 30 years old

I only want to say that we, the workers who are in Bangladesh, want to work safely, and in a healthy way, without verbal abuse, fighting, or protest. As our salary is right now, if the salary is increased a bit more, that would be the best. Because with this money, it is not possible with one person working to pay rent, child expenses, feeding parents. [frustrated] It does not happen.

Mamun Faruk, quality inspector, 22 years old

There are many social obstacles. Overall, it is about bringing the living standard of us who work in the garment industry to a decent level. For that, we need a wage increase, transportation benefits, medical benefits. I mean, if these things are taken care of—I mean what workers get in the developed countries—if these things were done, the living standard would be improved for workers.

Ratan Hossain, sewing machine operator, 32 years old

My own opinion is that I want that people of Bangladesh, people of the entire world, who are garment workers, or other workers, that they get a way to live well. That's what I want. Everyone can live by eating rice, lentils. [common expression for a good, yet modest life] That's my expectation.

Shobita Byapari, sewing machine operator, 28 years old

I think, if they raise our salaries, it would be good for us. Our salary is 6,300 taka (US\$ 80). Can we survive with that? We can't. If we don't get any reward for

I want that all the garment factories always run well. Our leaves are granted properly. The maternity leaves are given properly. The salaries are paid by the 5th or 7th. And every garment factory gets a trade union.
-Liza Begum

our work, even though we work so hard, then how would we live?

Sadia Mirza, sewing machine operator, 34 years old

My only demand is that they should increase the salary in the garment world and they should pay overtime. If the lowest level salary is 6,400 taka (US\$ 80) and then there is overtime, then at the end of the month, you should get 10,000–12,000 taka (US\$ 130–150). But they don't even count 20 hours overtime. So you don't even get 7,000 taka (US\$ 90). How can we live?

Fatema Chokroborti, sewing machine operator, 24 years old

I only want to say that anyone who has a conscience, he doesn't want a leave every day or in every month. We do need some leaves. Many people could have problems. Some have kids, some have husbands, some have in-laws. I mean if we ask them for leave, they say, "Don't give excuses. Quit the job and leave." Or "do this and that."

Liza Begum, sewing machine operator, believes she is 27 or 28 years old

My own thoughts... now, there are thousands of garment factories in Bangladesh. I want that all the garment factories always run well. Our leaves are granted properly. The maternity leaves are given properly. The salaries are paid by the 5th or 7th. And every garment factory gets a trade union.

Shamim Aktar, sewing machine operator, 29 years old

I have one demand. Not only in our factory, in any factory, all should get the maternity leave properly. When mothers need it, if they are given it right away, it's better for everyone. That's what I want. And they should pay the salary by the 7th of the month—by the 5th to 7th. That's what I want.

Babul Jabbar, sewing machine operator, 27 years old

I was sick. I can't talk like before. I used to be very quick, I could tell a thing very fast. Now I can't speak. I don't have that much energy in my body. I say that if the law were better, that would be good for the garment workers. For example, they are not getting their vacations properly. In many factories, they pay the salary on the 15th or 20th. They make deductions from the salary. For example, my salary is 6,000 taka (US\$ 80). He is getting 5,000 taka (US\$ 65) because he was late for a day. Their explanation was hogwash.

Rehana Mahmood, sewing machine operator, 31 years old

We want a little more than the salary we already receive. The biggest thing is we want a better working environment. Also, we want less work demands, lower production targets.

**If the buyer says, “I will not give work if there is no union” even the government’s Dad doesn’t have power to stop it.
-Aleya Akter**

Mijanur Jabbar, quality inspector, 37 years old

I want to say that where I currently work, we expect from the company that we can work safely, and without any hazard.

Aleya Akter, factory union steward, General Secretary of the Bangladesh Garments and Industrial Workers Federation, 29 years old

I just want a proper working environment for all the workers. Workers should be healthy, safe and sound in all aspects of life. That’s all I want.

Nurul Sher, sewing machine operator, Vice President of factory union, 23 years old

I want all four million garment workers in Bangladesh to have a job with security, a safe and sound working environment, and a decent wage.

Who is Responsible for Safety?

Finally some workers discussed the various responsibilities of their employers, government, and apparel companies to create safe working environments. “I only say that the government should look after us,” said one worker. Apparel brands also have a responsibility towards workers, they said. In particular, one worker said, they should support unionized workplaces lest all their struggles be for naught. “Now everything depends on the buyers,” she explained. “If the buyer says, ‘I will not give work if there is no union,’ even the government’s Dad doesn’t have power to stop it.”

Mamun Islam, knitting machine operator, 28 years old

There is only one way out. That is the government. If the government made it a priority, if they investigated each factory, how it is operating, the problems of the workers, they would have to talk to the workers, listen to the workers. Only then would the government learn. But the government doesn’t even inquire about us. The main problem is the government. If the government inquired about us, we would be very happy, and the owners would be a bit afraid.

Aleya Akter, factory union steward, General Secretary of the Bangladesh Garments and Industrial Workers Federation, 29 years old

I don’t have much more to add. Only this: we have formed the union at the factory because no other worker should be abused as severely as we were. Other workers can form unions now, and the buyers should accept it. Now everything depends on the buyers. If the buyer says, “I will not give work if there is no union” even the government’s Dad doesn’t have power to stop it. Everything is the buyer’s work. We work for the buyer.

End Notes

¹ For example, Clean Clothes Campaign, International Labor Rights Forum, Maquila Solidarity Network, and Workers Rights Consortium. “Evaluation of H&M Compliance with Safety Action Plans for Strategic Suppliers in Bangladesh.” September 2015. <http://laborrights.org/publications/evaluation-hm-compliance-corrective-action-plans-strategic-suppliers-bangladesh> (Accessed November 2, 2015).

² Islam, Syful. *Fashion United*. “Bangladesh sets export target of 50 billion US dollars by 2021.” <https://fashionunited.uk/news/business/bangladesh-sets-export-target-of-50-billion-us-dollars-by-2021/2014121514895> (Accessed December 2, 2015).

³ The statement was released by U.S. Secretary of State John Kerry; High Representative of the European Union for Foreign Affairs and Security Policy Federica Mogherini; U.S. Secretary of Labor Thomas E. Perez; EU Commissioner for Employment, Social Affairs, Skills and Labour Mobility Marianne Thyssen; U.S. Trade Representative Ambassador Michael B.G. Froman; EU Commissioner for Trade Cecilia Malmstrom; U.S. Agency for International Development Acting Administrator Alfonso E. Lenhardt; and EU Commissioner in charge of International Cooperation and Development Neven Mimica. See: <http://www.state.gov/r/pa/prs/ps/2015/04/241083.htm>

⁴ Bangladesh Garment Manufacturers and Exporters Association. “Quick Facts.” April 8, 2012. <http://www.bgmea.com.bd/home/pages/Strengths> (Accessed December 2, 2015).

⁵ Bangladesh Garment Manufacturers & Exporters Association. “The Apparel Story: Transformation of RMG Industry.” March-April 2015. <http://www.bgmea.com.bd/media/newsletters/April-March-2015/April-March-2015.pdf> (Accessed December 2, 2015).

⁶ The World Bank Group. “Bangladesh Country Data.” <http://data.worldbank.org/country/bangladesh> (Accessed July 14, 2015).

⁷ United Nations. “List of Least Developed Countries.” http://www.un.org/en/development/desa/policy/cdp/ldc/ldc_list.pdf (Accessed July 14, 2015).

⁸ Tribune Report. “Bangladesh needs 10 more years beyond 2021 to become middle-income country.” *Dhaka Tribune*. November 28, 2014. <http://www.dhakatribune.com/business/2014/nov/28/bangladesh-needs-10-more-years-beyond-2021-become-middle-income-country#sthash.JdxajKMY.dpuf> (Accessed December 2, 2015).

⁹ United Nations, “Programme of Action for the Least Developed Countries for the Decade 2011-2020.” May 9-13, 2011. <http://unohrlls.org/UserFiles/File/IPoA.pdf> (Accessed December 2, 2015).

¹⁰ The World Bank Group. “Towards Accelerated, Inclusive and Sustainable Growth in Bangladesh.” November 13, 2012. <http://www.worldbank.org/en/news/feature/2012/11/13/towards-accelerated-inclusive-and-sustainable-growth-in-bangladesh> (Accessed December 2, 2015).

¹¹ This is the death count of the Rana Plaza Coordination Committee, which oversees compensation payments to the victims and their families and dependents. The Committee includes representatives of the Bangladeshi government, Bangladeshi garment factories, brands, Bangladeshi and international trade union federations, and Bangladeshi and international non-governmental organizations. <http://www.ranaplaza-arrangement.org/> (Accessed December 2, 2015).

¹² Summary Reports of Building, Fire and Electrical Safety Assessments of RMG factories are available on the website of the Department of Inspections for Factories and Establishments. See: <http://database.dife.gov.bd/reports/safety-assessment-reports> (Accessed December 2, 2015).

¹³ Joint statement by European Commission/HRVP and US agencies on the Second Anniversary of the Rana Plaza disaster in Bangladesh, Brussels. April 24, 2015. http://europa.eu/rapid/press-release_STATEMENT-15-4849_en.htm (Accessed December 2, 2015).

¹⁴ See Bangladeshi government statement summarizing activities and progress as of April 21, 2015, on the website of the Ministry of Labour and Employment: http://mole.portal.gov.bd/sites/default/files/files/mole.portal.gov.bd/page/83b1ado6_b9b4_4dd4_97b3_a5749f81bb29/Latest%20steps-taken%20Rana-Plaza%2020%20April%2015%20SECT%29%20dt.%2021.04.2015.pdf (Accessed December 2, 2015).

¹⁵ “Status of Building Assessment 31 October 2015.” Department of Inspection for Factories and Establishments, Ministry of Labour and Employment. <http://database.dife.gov.bd/> (Accessed November 26, 2015).

¹⁶ Star Business Report. “Govt engineers find most factories fit.” November 10, 2015. <http://www.thedailystar.net/business/govt-engineers-find-most-factories-fit-170011> (Accessed November 30, 2015).

¹⁷ Alliance for Bangladesh Worker Safety. “Alliance 18-Month Update.” March 9, 2015. <http://www.bangladeshworkersafety.org/en/progress-impact/alliance-publications/17-blog/alliance-announcements/272-alliance-18-month-update> (Accessed November 26, 2015).

¹⁸ Alliance for Bangladesh Worker Safety. “Alliance for Bangladesh Worker Safety Engages University of Texas to Conduct Independent Impact Assessment of Safety Trainings.” *PRWeb*. October 22, 2014. <http://www.prweb.com/releases/2014/10/prweb12271264.htm> (Accessed December 2, 2015).

¹⁹ Many hundreds of Bangladeshi garment workers were killed in preventable factory fires and building collapses during the last two decades, prior to the Tazreen Fashions factory fire on November 24, 2012. At the same time, U.S. and European corporate investment in the Bangladeshi garment industry steadily grew and the world paid scant attention to deathtrap factories in Bangladesh. That changed after the Tazreen fire, which killed 112 workers who were trapped inside the building or jumped to their deaths in desperation, and

especially after the Rana Plaza building collapse.

²⁰ Article 1 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is the internationally agreed legal definition of torture. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx> (Accessed December 2, 2015).

²¹ Chalmers, John. *Reuters*. “Special Report: How textile kings weave a hold on Bangladesh.” May 3, 2013. <http://www.reuters.com/article/2013/05/03/us-bangladesh-garments-special-report-idUSBRE9411CX20130503> (Accessed December 2, 2015).

²² Gomes, William. “Reason and responsibility: the Rana Plaza collapse.” *openSecurity*. May 9, 2013. <https://www.opendemocracy.net/opensecurity/william-gomes/reason-and-responsibility-rana-plaza-collapse> (Accessed December 2, 2015).

²³ Mustafa, Sabir and Shyadul Islam. “Profile: Rana Plaza owner Mohammad Sohel Rana.” *BBC*. May 3, 2013. <http://www.bbc.com/news/world-asia-22366454> (Accessed December 2, 2015).

²⁴ The exchange rate used in this report is US\$ 1 = 78 Bangladeshi taka.

²⁵ Transparency International Bangladesh. “Readymade Garments Sector: Problems of Good Governance and Way Forward.” October 31, 2013. http://www.ti-bangladesh.org/beta3/images/max_file/fr_ffs_rmg_13_en.pdf (Accessed December 2, 2015).

²⁶ The Solidarity Center, “Current Conditions and Concerns Regarding RMG Union Development in Bangladesh,” January 2015.

²⁷ Transparency International Bangladesh. “Readymade Garments Sector: Problems of Good Governance and Way Forward.” October 31, 2013. http://www.ti-bangladesh.org/beta3/images/max_file/fr_ffs_rmg_13_en.pdf (Accessed December 2, 2015).

²⁸ This waste fabric business is different from the more commonly known jute fiber business, which was the largest Bangladeshi export industry until the end of 1980s.

²⁹ USAID. “Bangladesh Labor Assessment.” April 2014. http://pdf.usaid.gov/pdf_docs/PA00XXZ3.pdf (Accessed November 3, 2015).

³⁰ Drake, Celeste. “The AFL-CIO Reacts to Recently Passed Amendments to the Bangladesh Labor Law of 2006.” AFL-CIO. July 23, 2013. <http://www.aflcio.org/Blog/Global-Action/The-AFL-CIO-React-to-Recently-Passed-Amendments-to-the-Bangladesh-Labor-Law-of-2006> ; Greenhouse, Steven. “Under Pressure, Bangladesh Adopts New Labor Law.” *The New York Times*. July 16, 2013. <http://www.nytimes.com/2013/07/17/world/asia/under-pressure-bangladesh-adopts-new-labor-law.html> (Accessed December 2, 2015).

³¹ Committee of Experts on the Application of Conventions and Recommendations. “Follow-up to the conclusions of the Committee on the Application of Standards (International Labour Conference, 102nd Session, June 2013).” http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149423 (Accessed November 3, 2015).

³² USAID, *Ibid*, p. 14.

³³ The Solidarity Center, “Current Conditions and Concerns Regarding RMG Union Development in Bangladesh,” January 2015.

³⁴ Tribune Report. “BGMEA boss seeks punishment for spreading falsehood.” *Dhaka Tribune*. June 24, 2014. <http://www.dhakatribune.com/business/2014/jun/24/bgmea-boss-seeks-punishment-spreading-falsehood> (Accessed December 2, 2015).

³⁵ Tribune Report. “BGMEA boss seeks punishment for spreading falsehood.” *Dhaka Tribune*. June 24, 2014. <http://www.dhakatribune.com/business/2014/jun/24/bgmea-boss-seeks-punishment-spreading-falsehood> (Accessed December 2, 2015).

³⁶ UNB. “Beware of conspiracy against RMG sector: PM.” *Prothom Alo*. December 7, 2014. <http://en.prothom-alo.com/bangladesh/news/56890/Beware-of-conspiracy-against-RMG-sector-PM> (Accessed December 2, 2015).

³⁷ Original article: *Bangla News 24*. March 10, 2015. <http://www.banglanews24.com/beta/fullnews/bn/375505.html> (Accessed November 3, 2015).

³⁸ SweatFree Communities. “Enemies of the Nation or Human Rights Defenders? Fighting Poverty Wages in Bangladesh.” December 2010. <http://laborrights.org/sites/default/files/publications-and-resources/enemiesofthenation.pdf> (Accessed December 2, 2015).

³⁹ Akter, Kalpona. “Remarks at Women’s Empowerment Principles 2015 Annual Event.” March 10, 2015. <http://www.laborrights.org/publications/kalpona-acters-remarks-wep-united-nations> (Accessed December 2, 2015).

⁴⁰ For a brief overview of these arguments and a critique, see Eisenstein, Hester, “The Sweatshop Feminists.” June 17, 2015. <https://www.jacobinmag.com/2015/06/kristof-globalization-development-third-world> (Accessed December 2, 2015).

⁴¹ The World Bank Group. “Bangladesh Country Data.” <http://data.worldbank.org/country/bangladesh> (Accessed July 15, 2015).

⁴² Bangladesh Garment Manufacturers & Exporters Association. “The Apparel Story: Transformation of RMG Industry.” March-April 2015. <http://www.bgmea.com.bd/media/newsletters/April-March-2015/April-March-2015.pdf> (Accessed December 2, 2015).

⁴³ Star Business Report. “US pledges to help achieve \$50b apparel export target.” *The Daily Star Bangladesh*. March 6, 2015, modified March 13, 2015. <http://www.thedailystar.net/business/us-pledges-help-achieve-50b-apparel-export-target-5407> (Accessed December 2, 2015).

⁴⁴ Staff Correspondent. “Firm, right step to \$50b hope.” *The Daily Star Bangladesh*. December 8, 2014, modified March 8, 2015. <http://www.thedailystar.net/firm-right-step-to-50b-hope-54086> (Accessed December 2, 2015).

⁴⁵ Labovitz, Sarah and Dorothee Baumann-Pauly, “Business as Usual is Not an Option: Supply Chains and Sourcing After Rana Plaza.” April 2014. New York University Stern Center for Business and Human Rights. https://www.stern.nyu.edu/sites/default/files/assets/documents/con_047408.pdf (Accessed November 3, 2015).

⁴⁶ Bangladesh Garment Manufacturers & Exporters Association.

“The Apparel Story: Transformation of RMG Industry.” March-April 2015. <http://www.bgmea.com.bd/media/newsletters/April-March-2015/April-March-2015.pdf> (Accessed December 2, 2015).

⁴⁷ Reference to Dhaka Apparel Summit in December 2014, Prime Minister Hasina

⁴⁸ Ucanews.com reporter. “Nearly nine in 10 Bangladeshi women suffer abuse.” *UCA News*. January 23, 2014. <http://www.ucanews.com/news/nearly-nine-in-10-bangladeshi-women-suffer-abuse/70139> (Accessed December 2, 2015).

⁴⁹ Odhikar. “Violence against women.” <http://odhikar.org/violence-against-women/> (Accessed December 2, 2015).

⁵⁰ Asia Floor Wage. “Asia Floor Wage: What is it and why do we need one?” 2013 Asia Floor Wage figure. <http://asia.floorwage.org/what> (Accessed July 15, 2015).

⁵¹ See, for example, Manik, Julfikar Ali and Vikas Bajaj, “Killing of Bangladeshi Labor Organizer Signals an Escalation in Violence.” *The New York Times*, April 9, 2012. <http://www.nytimes.com/2012/04/10/world/asia/bangladeshi-labor-organizer-is-found-killed.html> (Accessed October 22, 2012).

⁵² Letter to Prime Minister Sheikh Hasina Wased from the American Apparel and Footwear Association and 11 other international apparel industry associations, April 18, 2012. <https://www.wewear.org/assets/1/7/041812bangladeshassnltr-bcws1204-FINAL.pdf> (Accessed December 2, 2015)

⁵³ Clinton, Hillary Rodham, “Interview With Ms. Mooni Saha, and Mr. Ejaj Ahmed At a Town Hall Interview with Bangladeshi Youth,” May 6, 2012. <http://www.state.gov/secretary/rm/2012/05/189370.htm> (Accessed October 22, 2012).

⁵⁴ Accord on Fire and Building Safety in Bangladesh. “Glossary of Terms.” <http://bangladeshaccord.org/wp-content/uploads/Glossary-of-Terms.pdf> (Accessed July 15, 2014)

⁵⁵ Paul, Ruma. “Local mayor suspended as Bangladesh disaster toll climbs to 430.” Reuters. May 2, 2013. <http://www.reuters.com/article/2013/05/02/us-bangladesh-building-idUSBRE9410CU20130502> ; Ahmad, TF. “Rana Plaza: An Architecture of Disaster.” February 4, 2015. Architizer. <http://architizer.com/blog/rana-plaza-an-architecture-of-disaster/> (Accessed December 2, 2015).

⁵⁶ Smith, Stirling. “Factory collapse: a view from Dhaka.” Ethical Trading Initiative. May 13, 2013. <http://www.ethicaltrade.org/news-and-events/blog/stirling-smith/factory-collapse-a-view-from-dhaka> (Accessed December 2, 2015).

⁵⁷ Yardley, Jim. “The Most Hated Bangladeshi, Toppled From a Shady Empire.” *The New York Times*. April 30, 2013. <http://www.nytimes.com/2013/05/01/world/asia/bangladesh-garment-industry-reliant-on-flimsy-oversight.html> (Accessed December 2, 2015).

⁵⁸ Roy, Pinaki. “Building owner assured workers of Bangladesh factory’s safety.” *The Globe and Mail*. April 28, 2013. <http://www.theglobeandmail.com/news/world/building-owner-assured-workers-of-bangladesh-factorys-safety/article11601069/> (Accessed December 2, 2015).

⁵⁹ “Union OHS Reps make a dramatic difference.” 27 May 2004 (updated February 2012. <http://www.ohsrep.org.au/news-and-views/features/union-ohs-reps-make-a-dramatic-difference> (Accessed November 3, 2015).

⁶⁰ Alli, Benjamin. “Fundamental Principles of Occupational Health and Safety.” 2008. International Labour Organization. http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_093550.pdf (Accessed November 3, 2015).

⁶¹ See Hazards Magazine: <http://www.hazards.org/unioneffect/> (Accessed November 3, 2015).

⁶² Maquiladora Health and Safety Support Network. “Health and Safety Evaluation Report: Alta Gracia garment plant, Villa Alta Gracia, Dominican Republic.” February 24, 2011. http://mhssn.igc.org/AltaGraciaH&SRpt_Feb2011.pdf (Accessed November 15, 2015).

⁶³ Brown, Garrett. “Genuine Worker Participation—An Indispensable Key to Effective Global OHS.” *New Solutions*, Vol. 19(3): 315-333 (2009). <http://new.sagepub.com/content/19/3/315.full.pdf> (Accessed December 2, 2015).

⁶⁴ Section 195 of the Bangladesh Labour Act 2006 protects union members from a variety of unfair labor practices of employers, such as discrimination, dismissals, threats of dismissals, or inducements to a worker to cease being a union member. In addition, Section 187 (amended 2013) selects union officers for special protection, stating that the President, the General Secretary and other trade union officers may not be transferred from one place to another without his or her consent. In 1990, the court stated that the main objective of this Section “is to give protection to a trade union leader so that for his trade union activities he may not be harassed by the employer by way of transfer without his consent...” [Abdul Mannan Talukder Vs. Bangladesh House Building Finance Corporation (1990) 42 DLR (AD) 104]. Sections 205 and 206 of Bangladesh Labour Act 2006 require the establishment of worker participation committees and Section 90A (amended 2013) the formation of safety committees in factories with more than 50 employees, but do not provide the same protections for committee members as Sections 195 and 187 do for union members.

⁶⁵ Jailer, Todd, Miriam Lara-Meloy and Maggie Robbins. *Workers’ Guide to Health and Safety*. Berkeley, CA: Hesperian Health Guides. May 2015. <http://hesperian.org/books-and-resources/workers-guide-to-health-and-safety/>

⁶⁶ “Bangladesh arrests three over deadly factory fire.” BBC News. November 28, 2012. <http://www.bbc.com/news/world-asia-20522593>. (Accessed December 2, 2015).

⁶⁷ Worker Rights Consortium, “Recent Tragedies and Fire Safety in Bangladesh,” April 2, 2010. <http://workersrights.org/university/memo/040210.html> (Accessed November 1, 2015).

⁶⁸ A “show cause” notice is a formal disciplinary notice to workers under section 23(4), Chapter 2, of the Bangladesh Labor Act, under which workers may be suspended or dismissed for insubordination or disobedience, disorderly behavior, or “any act subversive of discipline.”

⁶⁹ Winslaw, Rachel. *Buyers beware: audit idiocy*. August 16, 2011. <http://policy-practice.oxfam.org.uk/blog/2011/08/buyers-beware-audit-idiocy> (Accessed December 2, 2015).

⁷⁰ European Center for Constitutional and Human Rights. “Globalization of industry—privatization of monitoring?” European Center for Constitutional and Human Rights, Policy Paper. May 15, 2014. http://www.ecchr.eu/en/our_work/business-and-human-rights/publications.html?file=tl_files/Dokumente/Wirtschaft%20und%20Menschenrechte/Policy%20Paper%20Working%20Conditions%202014-05-15%2C%20eng.pdf (Accessed November 6, 2015).

⁷¹ Walsh, Declan and Steven Greenhouse. “Inspectors Certified Pakistani Factory as Safe Before Disaster.” *The New York Times*. September 29, 2012. http://www.nytimes.com/2012/09/20/world/asia/pakistan-factory-passed-inspection-before-fire.html?_r=0 (Accessed November 6, 2015).

⁷² For a legal analysis of this case, see Kenny, Katherine. “Code or Contract: Whether Wal-Mart’s Code of Conduct Creates a Contractual Obligation Between Wal-Mart and the Employees of Its Foreign Suppliers.” *Northwestern Journal of International Law and Business* 27/2 2007: 453-473. <http://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1652&context=njilb> (Accessed November 6, 2006).

⁷³ Esbenshade, Jill. “A Review of Private Regulation: Codes and Monitoring in the Apparel Industry.” *Sociological Compass* 6/7 (2012): 541-556.

⁷⁴ Locke, Richard, Fei Qin, and Alberto Brause, “Does Monitoring Improve Labor Standards?: Lessons from Nike.” *MIT Sloan Working Paper*. July 2006. <http://ssrn.com/abstract=916771> (Accessed December 2, 2015).

⁷⁵ Locke, Richard. “Can Global Brands Create Just Supply Chains.” *Boston Review*, May/June 2013.

⁷⁶ AFL-CIO. *Responsibility Outsourced: Social Audits, Workplace Certifications, and Twenty Years of Failure to Protect Worker Rights*. 2013. <http://www.aflcio.org/content/download/77061/1902391/CSReport+FINAL.pdf>; Anner, Mark. *Corporate Social Responsibility and International Labor Rights: The Quest for Legitimacy and Control*. March 2012. <http://dosen.narotama.ac.id/wp-content/uploads/2012/03/Corporate-Social-Responsibility-and-International-Labor-Rights-The-Quest-for-Legitimacy-and-Control.pdf>; Clean Clothes Campaign. *Looking for a Quick Fix: How Weak Social Auditing is Keeping Workers in Sweatshops*. 2005. <http://www.cleanclothes.org/resources/publications/05-quick-fix.pdf/view> (Accessed December 2, 2015)

⁷⁷ Frank, T.A. “Confessions of a Sweatshop Inspector.” *Washington Monthly*. April 2008. <http://www.washingtonmonthly.com/features/2008/0804.frank.html> (Accessed December 2, 2015)

⁷⁸ Claeson, Bjorn. *Deadly Secrets: What companies know about dangerous workplaces and why exposing the truth can save workers’ lives in Bangladesh and beyond*. International Labor Rights Forum. December 2012. <http://laborrights.org/sites/default/files/publications-and-resources/DeadlySecrets.pdf>; Claeson, Bjorn. *Dangerous Silence: Why the U.S. military exchanges need to address unsafe and illegal conditions in their supplier factories*. International Labor Rights Forum. February 2014. http://laborrights.org/sites/default/files/publications/Dangerous_Silence--High_Resolution_for_Printing.pdf; Brown, Garrett. “The record of failure and fatal flaws in CSR factory monitoring.” January 2013. http://mhssn.igc.org/MHSSN_Statement_on_CSR_Monitoring-Jan2013.pdf

⁷⁹ Smith, Stirling. “Factory collapse: a view from Dhaka.” Ethical Trading Initiative. May 13, 2013. <http://www.ethicaltrade.org/news-and-events/blog/stirling-smith/factory-collapse-a-view-from-dhaka> (Accessed December 2, 2015).

⁸⁰ Maher, Sam. *Hazardous workplaces: Making the Bangladesh Garment industry safe*. Clean Clothes Campaign. November 2012. <http://www.cleanclothes.org/resources/publications/2012-11-hazardousworkplaces.pdf> (Accessed December 2, 2015).

⁸¹ These figures were based on research on Bangladesh garment factory fire incidents, 1990-2012, conducted by Professor Robert J.S. Ross of Clark University, the Clean Clothes Campaign, the Fair Wear Foundation, and the International Labor Rights Forum (ILRF). ILRF compiled all findings and independently confirmed each incident with reputable media sources using the LexisNexis Academic search engine. We used the latest available figures on worker deaths and injuries for each incident. In those cases where the numbers of injured workers were reported as approximate figures, we erred on the conservative side. For example, when “hundreds of injured workers” were reported, we counted 100 workers, and when “dozens of injured workers” were reported, we counted 12 workers. For 2006-2009, we use the Government of Bangladesh’s Fire Service and Civil Defense Department statistics of 414 garment worker deaths in 213 factory fires during the four-year period, cited in: Chowdhury, Syed Tashin. “Dhaka blaze adds to garment sector toll.” *Asia Times*, December 16, 2010, http://www.atimes.com/atimes/South_Asia/LL16Df05.html (accessed 6 November 2012). Media have reported on only a fraction of the factory fires documented by the Bangladesh Fire Service and Civil Defense Department during 2006-2009. Assuming that media have not reported on all factory fires for the periods 1990-2005 and 2010-2012, we have, in all likelihood, underestimated the numbers of fire incidents, worker deaths, and worker injuries.

⁸² See, for example, Alam, Julhas, “112 killed in fire at Bangladesh garment factory,” AP report published in US News, <http://www.usnews.com/news/world/articles/2012/11/25/112-killed-in-fire-at-bangladesh-garment-factory> (accessed 2 December 2012), and “Bangladesh blames sabotage for factory fire; country mourns,” Reuters report published in *Chicago Tribune*, <http://www.chicagotribune.com/news/sns-rt-us-bangladesh-firebre8apozf-20121126,0,1227987.story> (accessed 2 December 2012).

⁸³ Walmart’s notice to Tazreen Fashions of its first “orange” rating was available on the website of the Tuba Group, the parent company of Tazreen Fashions until December 2012. It is now available at: <https://www.documentcloud.org/documents/524544-walmart-tazreen.html> (Accessed 22 January 2014).

⁸⁴ USAID. “Bangladesh Labor Assessment.” April 2014. http://pdf.usaid.gov/pdf_docs/paoojxz3.pdf (Accessed December 2, 2015).

⁸⁵ Business Social Compliance Initiative: An initiative of the Foreign Trade Association, “Statement on the Rana Plaza Building Collapse in Bangladesh,” April 30, 2013, <https://bsci-intl.org/news-events/statement-rana-plaza-building-collapse-bangladesh> (Accessed December 12, 2013).

⁸⁶ Ether Tex Limited, “Factory Profile,” on file with ILRF.

⁸⁷ *Deadly Secrets*, *ibid*.

⁸⁸ Alliance for Bangladesh Worker Safety. “Alliance 18-Month Update.” March 9, 2015. <http://www.bangladeshworkersafety.org>

org/files/Alliance%2018%20Month%20Report%20FINAL.pdf (Accessed December 2, 2015).

⁸⁹ Alliance for Bangladesh Worker Safety. “Members Agreement.” <http://www.bangladeshworkersafety.org/files/Alliance-Member-Agreement-FINAL.pdf> (Accessed July 2, 2014)

⁹⁰ An Act Adopted to Amend Further the Bangladesh Labour Act, 2006 (Act No. 42 of 2006), Labour Act, 2006, Section 205 (July 22, 2013), <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/94286/110640/F-482588609/BGD94286%20Eng.pdf> (Accessed July 2, 2014).

⁹¹ Bangladesh Labour Act 2006 (XLII of 2006), Section 206, “Functions of Worker Participation Committee,” <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/76402/110637/F-1265526237/BGD76402%20Eng.pdf> (Accessed July 2, 2014).

⁹² See note 64.

⁹³ See note 68.

⁹⁴ Alliance for Bangladesh Worker Safety, “Members Agreement,” <http://www.bangladeshworkersafety.org/files/Alliance-Member-Agreement-FINAL.pdf> (Accessed July 2, 2014).

⁹⁵ In case a union is present in a factory, an Alliance inspector is authorized to notify the worker representatives of an “immediate danger” to worker safety. See, Alliance for Bangladesh Worker Safety, “Action Plan Overview,” <http://www.bangladeshworkersafety.org/files/Alliance-Action-Plan-Package-FINAL.pdf> (Accessed February 4, 2014).

⁹⁶ Alliance for Bangladesh Worker Safety, “Action Plan Overview,” <http://www.bangladeshworkersafety.org/files/Alliance-Action-Plan-Package-FINAL.pdf> (Accessed February 4, 2014).

⁹⁷ Alliance for Bangladesh Worker Safety. “Worker Helpline.” <http://www.bangladeshworkersafety.org/programs/worker-helpline> (Accessed July 17, 2015).

⁹⁸ Alliance for Bangladesh Worker Safety. “Worker Helpline-ORIG.” <http://www.bangladeshworkersafety.org/en/what-we-do/worker-helpline/157-worker-helpline-orig> (Accessed November 9, 2015).

⁹⁹ The analysis of the Alliance helpline data is based on the reported figures for the 15-month period from August 2014 through October 2015 in the Amader Kotha newsletters. <http://www.bangladeshworkersafety.org/what-we-do/worker-helpline> (Accessed November 28, 2015).

¹⁰⁰ Analysis in this paragraph is based on the reported hotline numbers in Our Voice: Amader Kotha Newsletter, 2(4), April 2015. http://www.bangladeshworkersafety.org/files/newsletters/AllianceHelpline_NewsletterApril2015.pdf (Accessed November 7, 2015)

¹⁰¹ Alliance for Bangladesh Worker Safety. “Factory List and Inspection Reports.” <http://www.bangladeshworkersafety.org/factory-list-inspection-reports> (Accessed July 17, 2015)

¹⁰¹ The Alliance Board Labor Committee is listed here: <http://www.bangladeshworkersafety.org/about/labor-committee-of-the-board> (Accessed October 16, 2015)

¹⁰³ The Alliance Board of Directors is listed here: <http://www.bangladeshworkersafety.org/about/board-of-directors> (Accessed October 16, 2015).

¹⁰⁴ Alliance for Bangladesh Worker Safety. “Safety Assessment with Union Participation.” April 10, 2014. <http://www.bangladeshworkersafety.org/files/Alliance%20Inspection%20Union%20Participation.pdf> (Accessed November 6, 2015).

¹⁰⁵ See, http://67.222.35.163/alliance/files/AllianceReply_SFRC_April10.pdf (Accessed November 6, 2015).

¹⁰⁶ Alliance for Bangladesh Worker Safety, *ibid.*

¹⁰⁷ The Solidarity Center report on the Clifton Apparels anti-union campaign is on file with the ILRF.

¹⁰⁸ UNCITRAL. “Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958).” http://www.uncitral.org/uncitral/en/uncitral_texts/arbitration/NYConvention.html (Accessed December 2, 2015).

¹⁰⁹ See, for example, http://accord.fairfactories.org/accord_bgd_files/1/Audit_Files/1120.pdf (Accessed December 2, 2015).

¹¹⁰ Worker Rights Consortium. “Fact Sheet: Anti-Union Firings and Violence at BEO Apparel (Bangladesh).” <http://www.femnet-ev.de/images/ngwf/WRC-Fact-Sheet-BEO.pdf> (Accessed July 17, 2015).

¹¹¹ Tribune Report. “BGMEA boss seeks punishment for spreading falsehood.” Dhaka Tribune. June 24, 2014. <http://www.dhakatribune.com/business/2014/jun/24/bgmea-boss-seeks-punishment-spreading-falsehood> (Accessed December 2, 2015).

¹¹² Accord on Fire and Building Safety in Bangladesh. *Letter from the Steering Committee to the Hon. Minister Tofail Ahmed, Ministry of Commerce.* 28 June, 2014. <http://bangladeshaccord.org/wp-content/uploads/SC-Ltr-to-MoC-and-MoLE-28-June-2014.pdf> (Accessed November 2, 2015).

¹¹³ Clean Clothes Campaign, International Labor Rights Forum, Maquila Solidarity Network, and Workers Rights Consortium. “Evaluation of H&M Compliance with Safety Action Plans for Strategic Suppliers in Bangladesh.” September 2015. <http://laborrights.org/publications/evaluation-hm-compliance-corrective-action-plans-strategic-suppliers-bangladesh> (Accessed November 2, 2015).

¹¹⁴ Bain, Marc. “Years after the Rana Plaza tragedy, too many of Bangladesh’s factories are still ‘death traps.’” October 25, 2015. <http://qz.com/530308/more-than-two-years-after-the-rana-plaza-tragedy-too-many-of-bangladeshs-factories-are-still-death-traps/> (Accessed November 2, 2015).

¹¹⁵ Membership in a trade association is one of five requirements for an export license. See, http://www.ccie.gov.bd/index.php?cmd=about_ccie&id=10 (Accessed December 2, 2015).

¹¹⁶ These steps can include: lowering the threshold for union registration from thirty to ten percent and eliminating other union registration requirements that violate ILO Convention No. 87 on Freedom of Association; directing the Joint Directorate of Labour to establish consistent procedures to handle union registrations and prosecuting unfair labor practices; prohibiting the Ministry

of Labour and Employment from providing the employer with a copy of the union registration petition and the names of worker representatives, and ensuring that the petition and names are kept confidential; directing the Industrial Police and local police to consistently accept “First Incident Reports” from unions regarding violence against union members and workers; establishing a tripartite independent committee to investigate rejected union registrations since 2013 to determine whether or not they were properly rejected, and to ensure registration of those unions that meet administrative requirements.

¹¹⁷ This includes dropping the pending criminal charges against labor activists and advancing a transparent investigation of the murder of labor organizer Aminul Islam, bringing the perpetrators of this crime to justice.

“Our Voices, Our Safety provides the perfect combination of analysis and background of the Bangladesh garment factory situation and workers’ lived experience. Anyone who cares about garment workers and global development must read this report.”

-Kim Bobo, Founding Director, Interfaith Worker Justice

“This is a critical, devastating report and a rallying cry... Revealed here is a mind-blowing confluence of violence inflicted on the bodies and beings of women workers: intimidation, rape, silencing, harassment, beatings, torture, unsafe buildings, denial of breaks, dismissal of opinions, unequal pay, slave wages. Factory owners, huge corporate chains, retailers and consumers ourselves are all complicit in a system that denies workers their voice and full participation in their own futures and well-being. What if women in the west decided that we valued the women in Bangladesh who make our clothes more than we valued the items we were purchasing? What if, instead of dressing ourselves in the terror, pain, and abuse of the oppressed, we celebrated their talent, generosity and labor and rose with all our hearts for their rights, safety, value and dignity?”

-Eve Ensler, playwright and activist

“When I met with garment workers in Bangladesh, I heard similar stories of perseverance and courage amidst hardship that I will never forget. When these workers – mostly women – are seeking to change the harsh conditions by attempting to register unions or make bargaining demands, many are facing threats and firings. This report should be heard as a call to action for factory owners, apparel brands and retailers, and government to end this pattern of violence and intimidation and to ensure safety.”

-George Miller, U.S. Representative from California (1975-2015)

“It is the incredible bravery, determination and perseverance of these women workers that is the hope for meaningful and lasting change in the apparel factories. A core tenet of the occupational health and safety profession is that no factory-level safety program can be effective without the genuine participation of informed, knowledgeable and active workers in identifying and correcting workplace hazards. Bangladesh’s garment factories will not improve unless the women workers in them have a meaningful voice and are protected from retaliation and discrimination. This report is an invaluable contribution to highlighting the inescapable need for a central role for Bangladesh’s women garment workers in creating and maintaining safe and healthful factories.”

**-Garrett D. Brown, Certified Industrial Hygienist and Coordinator of
the Maquiladora Health and Safety Support Network**

“This extensive and heart-felt report on the voices of Bangladeshi women garment workers is a must-read for anyone who is concerned about how and where their clothes are made and the inequities of the global garment supply chain. Real women’s empowerment in Bangladesh isn’t just about getting a pay-check, it’s about having a job with dignity, the right to form a union, and the responsibility of factory owners, western brands, and the Bangladeshi government to heed these calls for action. The power in this report is the garment workers’ voices themselves.”

-Liz Shuler, Secretary-Treasurer, AFL-CIO

“This report is a must-read for anyone interested in workers’ rights, particularly women workers. The struggles of the workers in Bangladesh and the incredible organizing they are doing is a calling cry for us globally to push for workers’ rights in terms of the right to work, rights at work, the right to an adequate standard of living, and the right to leisure. It requires international coordination and a regulatory framework that prevents the exploitation of workers all over the world.”

-Radhika Balakrishnan, Faculty Director, Center for Women’s Global Leadership at Rutgers University

“I am disheartened and outraged to hear of the blatant labor rights violations occurring in the garment industry in Bangladesh. The actions police and factory owners are taking to prevent union organizing and attacking workers’ rights are reprehensible. The actions of male factory managers in abusing female factory workers is despicable. I am proud to support ILRF in shining a light on these violations. Congress needs to take a bigger role in working with our trade partners and governments to improve labor standards in Bangladesh and around the world. We need to protect workers from harassment and ensure that workers have a safe space in which to organize. I am committed to working with my colleagues to promote trade that leads to better, safer and more just workplaces for everyone.”

-Jan Schakowsky, U.S. Representative from Illinois & Member of ILRF Board of Directors

“My hope is that this report will help get factory owners, apparel brands and government to ensure our rights, a living wage, and put an end to retaliation against trade unionists. A living wage would result in good production. Improved labor-management relations would increase productivity and bring peace to the industry.”

**-Babul Akhter, President, Bangladesh Garment & Industrial Workers Federation (BGIWF)
and Secretary General, IndustriALL Bangladesh Council (IBC)**



OUR VOICES, OUR SAFETY

