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Center for Migration Studies (CMS) Policy Brief- 1



“The RMG Sector Goes Ahead Leaving its Workers Behind”

On 6 March 2023, the Center for Migration Studies (CMS) of the South Asian Institute of Policy and Governance (SIPG) organized a national seminar on “Internal and International Migration: Policies and Practices for the Women Workers”. Based on the research by Dr. Ishrat Zakia Sultana, an Assistant Professor at the Department of Political Science and Sociology (PSS), North South University (NSU), Bangladeshi women migrant workers in the readymade garment industry continue to confront risky working conditions despite the country's strong labor rules. Before examining the role of women garment workers as economic actors and their primary areas of influence within the urban economy, it would be beneficial to look at the challenges these workers face as a result of working in the RMG sector because these challenges have a direct impact on their capacity to contribute to the rural and urban economy. In order to protect these workers in Bangladesh, the brief addresses the present gap between regulations and practices relating to the Bangladesh Labor Acts of 2006, as well as several implementation difficulties that need attention.

Introduction

Bangladesh has achieved a remarkable position in the global apparel sector due to the high quality of its products. For the past few decades, the label "Made in Bangladesh" has been sufficient to convince the customers about the product's high standard. The global acceptance of Bangladeshi Readymade Garments (RMG) has allowed Bangladesh to achieve incredible success in this sector, ranking second only to China. As a result, an obvious question may arise: who are the workers who made it possible?

With over \$27.9 billion in exports in the 2019–2020 fiscal year according to the BGMEA, over 4,560 garment factories employ four million people, 80 percent of whom are women (BGMEA, 2020). What aspects of the status of women RMG workers are represented, revealed, or concealed by the label "Made in Bangladesh"? What role do the ideas of "free market," "globalization," and "women empowerment" have in the lives of women workers in this sector? How can the RMG industry's advancement be valued when it has gained the label "sweatshops"? What does the Bangladesh Labor Act of 2006 mean in terms of protecting and advancing the rights of the workers in the RMG? How do migrant women workers handle the difficulties they face while working in the RMG sector? This research examined the position of women RMG workers who have relocated to the Dhaka division from different districts of Bangladesh and shows the difference between policy and practice with regard to their rights. Although the research relies on the experiences of garment industry workers in the Gazipur district who have been working in the RMG sector for a few years, it contends that because the policies have not been implemented, the industry's workers are forced to lead difficult lives even though they are the RMG sector's main proponents. Islam et al. (2017) point out that despite the fact that there are more women than men working in the RMG sector, they are still underpaid, less likely to advance to supervisory roles, and denied even more rights than men, including a living wage, respectable working conditions, workplace safety, and social protection. This study's focus is solely on the relationship between laborer experiences and the Act's implementation.

Methods

The research was based on both primary and secondary data. To understand their experience, primary data collection was conducted through narratives from focus group discussion (FGD) and in-depth individual interviews with RMG women migrant workers from Gazipur who has 3-10+ years of experience. Secondary data was gathered by reviewing the Bangladesh Labour Act 2006 to understand what has been legislated for workers. This research also incorporated comments and recommendations from a number of stakeholders who attended the national seminar where the research findings were presented.

Bangladesh Labor Act 2006

The Bangladesh Labor Act 2006 clearly outlines:

“This is an Act to consolidate and amend the laws relating to the employment of labor, relations between workers and employers, determination of minimum wage, payment of wages and compensation for injuries to workers, formation of trade unions, raising and settlement of industrial disputes, health, safety, welfare and working conditions of workers, and apprenticeship and matters ancillary thereto.”

The Act covers the following necessary areas related to readymade garment workers:

- *service and employment rules*
- *employment of adolescents*
- *maternity benefits*
- *health, hygiene*
- *safety, welfare, working hours, and leaves*
- *wages and payment*
- *compensation for accidents*
- *trade union and industrial relations*
- *profit participation, provident funds, inspection, etc.*
- *child labor*
- *occupational health and safety issues*

Despite addressing the important areas related to labor, the key findings stated below reveal that there is a gap in the implementation of the Act:

<i>Segments of the Provision under the BLA 2006 for RMG Workers</i>	<i>The Reality in Practices of Provisions under the BLA 2006 for RMG Workers</i>
Service and Employment	As mentioned earlier, labor service books are crucial but under BLA 2006, these materials remain in the hands of employers, and these acts as a disadvantageous for the workers as they don't have proof of their experience looking for another job or a proper record of their employment in the factory. As a result, when they change employers, they once again start from scratch and receive lower pay.
Wages and Payments	The current laws require equal pay for men and women while the latter continue to be underpaid despite similar levels of experience. Moreover, many employees receive below-minimum wages, as laws protecting such entitlements are often unenforced and ignored. Women workers have reported that the salary structure is often opaque, leaving them confused about the performance metrics on which their pay is established or the level of work that constitutes overtime pay. Finally, one of the most egregious complaints by these women is salary irregularities. BLA 2006 indicates that all employees must be paid at the end of every month, yet RMG factories often operate in violation of these rules.

Freedom of association	BLA 2006 allows RMG factory owners to organize trade unions but does not extend the same rights to laborers, taking away one of their key leverages - the ability to bargain collectively
Maternity benefits	Labor Act offers 8 weeks of maternity leave before and after the delivery of women with benefits but factory owners rarely enforce these provisions and opt for paying fines as it is more cost-effective for owners.
Working time and leave	As mentioned in the BLA 2006 that with double the payment, employers can force workers to work up to more than 2 hours. The legal definition of "work time" is the time a worker is still under the employer's control, excluding breaks for meals and relaxation. But it has not been entirely obvious whether or not the limited weekly work time of 60 hours will include employees' meal and leisure periods.
Profit participation	A handful of companies, not all, give profit bonuses, and the majority of organizations lack a trustee council to oversee the administration of the Participation Fund.

Main Research Findings

Migrated Workers are Outsiders – Women workers who move from outside Dhaka have challenges when trying to find housing and employment since neighbors and house owners view them as "outsiders." This issue is common in many urban areas all over the globe, where migrants from different areas frequently experience prejudice or discrimination due to their status as outsiders. For instance, Chinese farmers from their Beishan and Nanshan villages in Guangzhou are socially excluded in the urban areas (Xu, Li, & Huang, 2021). Similar to the findings of this study, migrants from rural areas generally lack language proficiency. They may experience additional challenges because of their gender, such as harassment and violence based on gender, access to healthcare, education, and other necessities, and despite all of this, they still have to deal with intolerance from the locals who use derogatory language.

This disadvantage may be made worse by gender discrimination. However, even after spending a long time in a place, the RMG sector's frequently challenging working circumstances, which include long shifts and low pay, can exacerbate the workers' feelings of isolation from the rest of society. This might create a difficult atmosphere for women workers looking for housing and employment opportunities in new cities like Dhaka and Gazipur.

“When we return home at night or delay paying the rent due to the delay in receiving a salary, the house owner simply throws away our belongings keeping the valuable ones for him, and tells us to go somewhere else”

A 32-year-old female worker in the garment industry, Gazipur.

As a result of the discrimination they experience, migrant women workers may find it difficult to find safe and affordable accommodation as well as job possibilities that are in line with their qualifications and skill sets. Such discriminations restrict their alternatives, compel them to settle for poor housing or low-paying employment, and therefore, keep them trapped in a cycle of deprivation and marginalization

Availability of Cheap Labor – Without a doubt, Bangladesh's abundance of inexpensive labor has been a mixed blessing for migrant workers looking for jobs in the Ready-Made Garments (RMG) industry. Although the low wages may be appealing to the rural migrant workers, the intense competition and exploitation brought about by the excess supply of workforce wanting to work in the RMG sector have made it impossible for them to establish a stable existence in the urban/industrialized area. Many migrant workers are forced to work long hours for meager pay and few conveniences, which puts them in insecure living circumstances. Furthermore, a lack of employment stability and protection has made it difficult for migrant workers to fight for their rights and improve their working conditions.

“I think we workers are scared of losing our dignity and of course, losing the job anytime, which is why we don't want to negotiate with the wage and work conditions and thus remain silent”

A 30-year-old female worker in the garment industry, Gazipur.

While the availability of cheap labor may appear to be favorable for Bangladesh's Ready-Made Garments (RMG) industry, it can pose considerable obstacles for migrant workers seeking employment. One of the major difficulties is that, because there is so much accessible labor, workers are sometimes regarded as readily replaceable, which can lead to abuse and mistreatment. As a result, in order to find work, workers may accept low pay, bad working conditions, and excessive hours. They are also subject to exploitation by employers who may take advantage of their need for labor.

“If I say something to the employer or someone else (to reveal the exploitation inside the workplace), I will be kicked out instantly and someone else will be hired the next morning. It is pretty easy to find a worker to replace the other. So, it is better that we keep quiet and digest the insults and assaults – sometimes verbal, sometimes physical”.

A 26-year-old female worker in the garment industry, Gazipur.

Furthermore, the disposable character of labor in the RMG sector may have detrimental social and economic effects. Workers may find it challenging to enhance their economic well-being, prepare for the future, and make investments in education or skill development. This may lead to a workforce lacking opportunities for upward mobility and perpetuating a cycle of poverty.

Workplace Harassment – The majority of new workers lack negotiation skills and are not literate, making it difficult for them to demand their salary on time. However, women workers experience substantial discrimination at work, including unwanted touching and beatings from line managers as well as verbal abuse. Despite this hostile work environment, women workers choose to keep quiet out of fear of losing their jobs, which provides them with financial stability. Owing to the power relations in the workplace, workers are unwilling to speak up, and because gender-based violence is widely accepted in society and there are inadequate avenues for reporting complaints, it is difficult but they struggle to get by due to the poor earnings in the RMG sector. Women in the sector frequently struggle with physical and mental health problems as a result of the long hours they frequently put in under risky conditions, for a little remuneration. Because they are women workers in a patriarchal society, they are also more likely to experience harassment and discrimination, which can exacerbate their financial problems.

for women to seek justice and hold abusers accountable. The issue of workplace abuse in Bangladesh's RMG sector serves as a reminder of how critical it is to increase awareness, educate the public, and enforce laws and policies that protect the rights and safety of women workers.

Poverty – Poverty, which is one of the major causes, forces women to work in terrible circumstances for poor wages and long hours. The people who have been questioned are from rural areas where living conditions are subpar and there are few or no resources available for them to support themselves at home. They move to Dhaka in pursuit of better employment,

“As I have to look after my family, I cannot talk about my pain and tiredness to my boss let alone ask for bathroom breaks or rest after working long hours in the factories because I saw how they scream at us”
A 26-year-old female worker in the garment industry, in Gazipur

Response from Stakeholders

At the national seminar, Ms. Sunzida Sultana, the Director of the Program at Karmojibi Nari, addressed how migrant women who work in the RMG sector are unable to have a basic conversation about their demands. She also emphasized that RMG workers are unaware of their position at work, let alone their legal entitlements, which are covered by the BLA 2006's provisions regarding menstruation and maternity leave. She continues, "Before we raise our voices for our Bangladeshi migrant workers working abroad about their abuse and exploitation, we should first see the condition of our domestic workers and RMG workers because they face the same negative consequences inside the country, such as no compensation for forced overtime or extra workload and no maternity leave, etc." Participants in the seminar stressed the importance of monitoring the implementation of the BLA 2006.

In conclusion, whether women migrant workers entered the RMG sector out of necessity or choice, the reality remains that these women garment workers are making a living and have gained a new social status as economic actors. Many studies have been done since the garment industry first began to show the importance of the industry in general and of women workers, in particular, to the national economy. There is still much to learn about workers' rights, jobs, and living situations. However, it is essential to keep in mind that migrants are not atomistic people who just work and earn for themselves and that the majority of internal migrants are part of multi-locational households with one foot in urban and another in rural economies. The challenges that women who work in the RMG industry are confronted with, as well as the locations where they live, have a direct impact on their capacity to contribute to both rural and urban economies.

Policy Recommendations

The Center for Migration Studies has called on the Government of Bangladesh and international brands to take action regarding the exploitation of internal migrants in RMG factories, and as a result, the GoB government enacted labor reforms that, once again, have proven ineffective in upholding workers' rights. The lack of legal protection and application of laws under the provisions of the Bangladesh Labor Act 2006 has remained the RMG industries' only shortcoming in securing workers' rights.

For the Government of Bangladesh:

- Provide more dignified jobs for displaced and migrated people from rural or less industrialized areas because sooner or later the jobs the workers are doing will be soon replaced by robots or AI.
- Include other low-skill work such as hospital cleaners, parlor beauticians, and domestic workers, regardless of the type of work which shall only be dignified if they are included in the Bangladesh Labour Act 2006.
- Investigate the RMG sectors for their malpractice and the violators should be held accountable.
- Propose technological innovation and training for workers in the factory.
- Ensure workers' rights to form unions and increase factory inspections.
- Investigate allegations against factory owners who engage in anti-union activity.
- Provide the RMG workers a settlement mechanism for their wage theft and overtime remuneration under the BLA 2006.
- Implement strict penalties for all the allegations of beatings, threats, and abuse proved by workers and prosecute those responsibly under Chapter 19 of the BLA 2006

For Bangladesh Garment Manufacturers and Exporters Association, BGMEA

- Strong monitoring of the industries is practicing the policies of Bangladesh and amending them with international standards of conduct.
- Have a stronger human resources department for recruiting responsible and accountable employees for supervision and monitoring.
- Introduce initiatives like a life-skills training course for empowering women in negotiation and communication skills.
- Make workers aware of the basic rules and regulations of RMG industries.
- Together with collaborating with the International Labor Organization, instruct owners about the advantages of self-reliant trade organizations and better labor relations.

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