



The Labour Inspection in Bangladesh 2014-2018

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



**The Labour
Inspection in Bangladesh
2014-2018**

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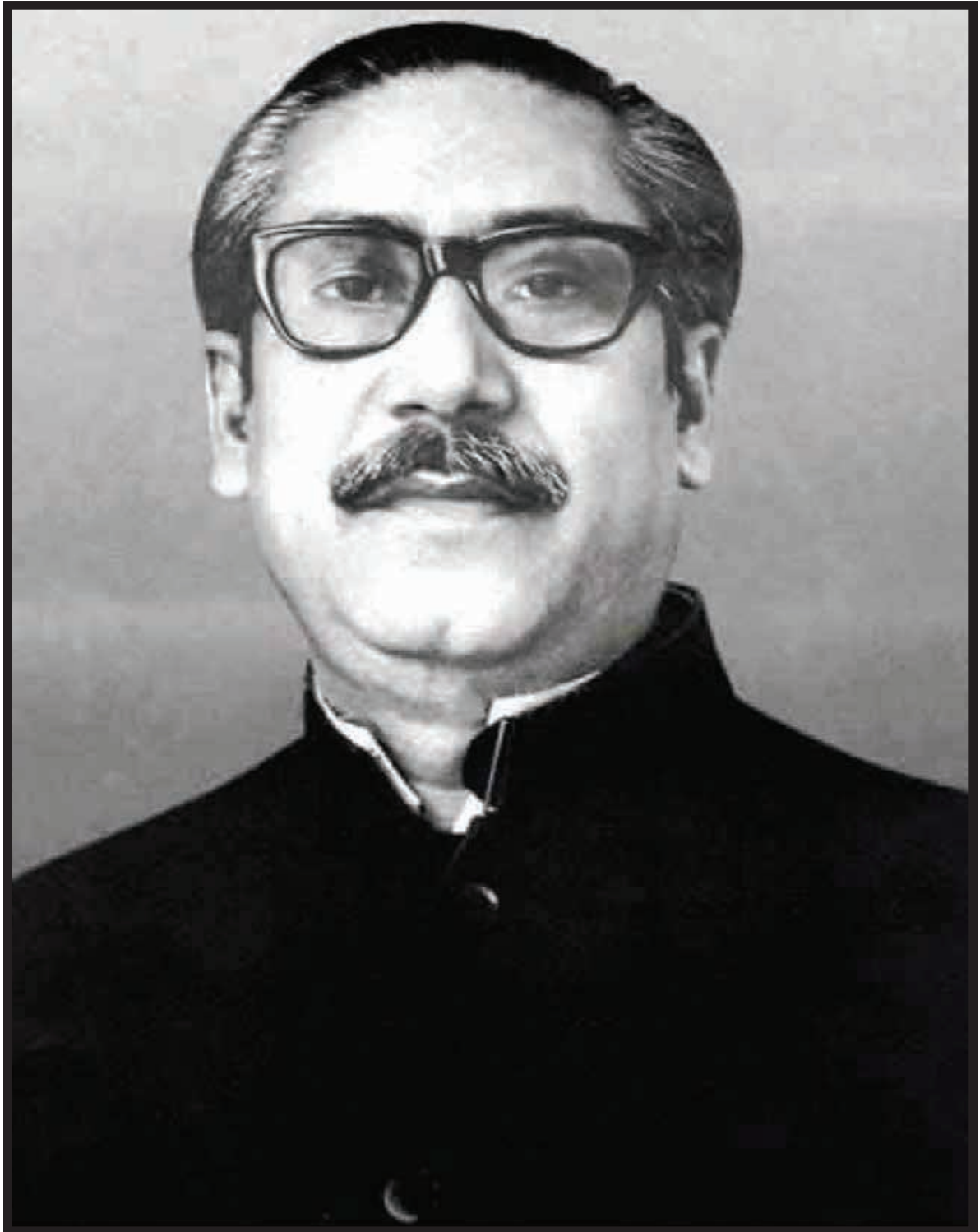
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Father of the Nation Bangabandhu Sheikh Mujibur Rahman



Honorable Prime Minister Sheikh Hasina

Foreword

I am delighted that the Department of Inspection for Factories and Establishments (DIFE) has taken the initiative to publish the report of the Labour Inspection in Bangladesh 2014-2018 with inspection information.

DIFE is playing a pivotal role in promoting decent working conditions in workplaces and international labour standards by acting as a bridge among employers, workers, development partners, and other stakeholders. DIFE strives to ensure that working conditions which include the terms of the contract, wages, working hours, leave, occupational safety and health, maternity benefits, and welfare are implemented and regulated in accordance with the Bangladesh Labour Act, 2006 and Bangladesh Labour Rules, 2015. DIFE also works for the elimination of child labour in the workplaces.

In addition to regular inspection of factories and establishments, DIFE helps to establish day-care centers to promote women-friendly workplaces and supports the establishment of safety committees in factories/establishments. Targeting the SDGs-2030 and Vision-2041, DIFE has taken some initiatives like an online licensing system, 100% e-filing, toll-free helpline (16357) for workers, etc. The Remediation Coordination Cell (RCC) of DIFE is overseeing remediation work in ready-made garment factories.

I strongly believe that DIFE will work hard to achieve the dream of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman to build 'Sonar Bangla' where all Bangladeshis will be able to work and live in safety and dignity. I would like to express my heartfelt thanks to all the members for their sincere tough grind in preparing this informative report.



Md. Nasir Uddin Ahmed

Inspector General (Additional Secretary)

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

Abbreviations

| | |
|----------|---|
| a2i | Access to Information |
| Addl. IG | Additional Inspector General |
| ADP | Annual Development Plan |
| AIG | Assistant Inspector General |
| BBS | Bangladesh Bureau of Statistics |
| BDT | Bangladeshi Taka |
| BGMEA | Bangladesh Garment Manufacturers and Exporters Association |
| BIAM | Bangladesh Institute of Administration and Management |
| BKMEA | Bangladesh Knitwear Manufacturers and Exporters Association |
| BLA | Bangladesh Labour Act |
| BLR | Bangladesh Labour Rules |
| BUET | Bangladesh University of Engineering and Technology |
| BPSC | Bangladesh Public Service Commission |
| CAP | Corrective Action Plan |
| DIFE | Department of Inspection for Factories and Establishments |
| DIG | Deputy Inspector General |
| DoL | Department of Labour |
| EU | European Union |
| FSCD | Fire Service and Civil Defence |
| FY | Financial Year |
| GDP | Gross Domestic Product |
| GIZ | Deutsche Gesellschaft für Internationale Zusammenarbeit |
| GoB | Government of Bangladesh |
| IG | Inspector General |
| ILO | International Labour Organization |
| ITC-ILO | International Training Centre of the ILO |
| JIG | Joint Inspector General |
| LAT | Labour Appellate Tribunal |
| LFS | Labour Force Survey |
| LI | Labour Inspector |

| | |
|---------|---|
| LIMA | Labour Inspection Management Application |
| LWF | Labour Welfare Foundation |
| MoLE | Ministry of Labour and Employment |
| MWB | Minimum Wage Board |
| NAP | National Action Plan |
| NCCWE | National Coordination Committee for Workers' Education |
| NOSHRTI | National Occupational Safety and Health Research and Training Institute |
| NSDC | National Skill Development Council |
| NTC | National Tripartite Council |
| NTPA | National Tripartite Plan of Action |
| OIC | Organization of Islamic Cooperation |
| OSH | Occupational Safety and Health |
| PATC | Public Administration Training Centre |
| PMO | Prime Minister's Office |
| RAJUK | Rajdhani Unnayan Kartripakkha (Capital Development Authority) |
| RCC | Remediation Coordination Cell |
| RMG | Ready-made Garment |
| RTM | Remediation Tracking Module |



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The ILO Convention 81¹ in force since 1950 provides a common framework and standards for labour inspectorates across the world, which was ratified by Bangladesh on 22 June 1972.

Labour inspectors are essential to the enforcement of employees' rights, to promote economic and social development. They help make decent work a reality and provide pointers of socio-economic trends in society. Ensuring compliance with health and safety at work and other employment conditions is a common task of labour inspectors.

Labour inspection activities are carried out by the national system. The Labour Inspectorate in Bangladesh is known as the Department of Inspection for Factories and Establishments (DIFE). It is established to ensure the implementation of labour acts for the well-being of the workers and to advise employers and employees on the applicability of Labour laws.

In Bangladesh, even after recruiting more than 200 labour inspectors after 2014, compared to the number of enterprises to cover under labour inspection, the number of labour inspectors is insufficient. Staff shortages are further compounded by the impact of the crisis adding more work to an already overburdened DIFE. DIFE realized the necessity of sufficient number of inspectors and submitted revised organogram to the Ministry of Labour and Employment (MoLE) with 2,784 staff where 1,571 will be inspectors. The new organogram has also proposed function based units at DIFE head office.

This report covers the period 2014 to 2018 and provides a detailed account of how labour inspectorates operate in Bangladesh, how they are organized, the main issues they deal with, statistics of labour inspection and activities of DIFE, the main problems they are faced with, and identifies areas for improvement. In addition, this report will try to shed light on several relevant issues for example, the existing capacity of DIFE to carry out the labour inspection activities and the future planning and activities to improve the quality of inspections. Lastly, a few key challenges will be identified.

¹ILO Convention C.081 details out labour inspection system in a country and considered as the international standard for labour inspection. For details on ILO Convention 81, please visit <https://bit.ly/2WsMV8q>

Background of DIFE and Present Status

The Department of Inspection for Factories and Establishments (DIFE) is the national labour inspectorate which is, as per Bangladesh Labour Act 2006 and ILO Convention C.081, is solely responsible for enforcing labour laws and rules through inspections at the workplaces. This chapter briefly describes history of DIFE, its structure and its evolution over time.

2.1 Formation of DIFE

The Department of Inspection for Factories and Establishments (DIFE) is a department under the Ministry of Labour and Employment (MoLE) of the People's Republic of Bangladesh. In 1970, DIFE was created as a separate directorate in pursuance of ILO Labour Inspection Convention No. 81 and labour policy of 1969.

Currently, DIFE performs its tasks as defined and determined by Bangladesh Labour Act 2006 (and its subsequent amendments made in 2008, 2009, 2010, 2013 and 2018) with the overall aim of working towards establishing a healthy work culture and improving the lives of workers. Besides conducting labour inspections, the department's areas of responsibility include the provision of legal information and advice to employers and workers.

2.2 Vision and Mission of DIFE

Vision: To create a better working environment for the workers by ensuring safe and healthy workplaces, protecting the welfare of workers and encouraging cooperation.

Mission:

- Implementing labour laws and regulations;
- Eliminating child labour;
- Enhancing productivity of factories by creating a better working environment;
- Ensuring workplace safety including fire safety and welfare of workers; and
- Implementing minimum wages, as declared, in different sectors.

2.3 Functions of DIFE

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

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

- Inspection of factories, shops, industries and commercial establishments, especially high risk ones, for establishing the terms of employment, safety and health issues and labour welfare under the Bangladesh Labour Act, 2006 along with Bangladesh Labour Rules, 2015 and prosecuting the violators before labour courts;

- Examination and verification of certificates issued by the relevant authorities relating to safe operations of gears, derrick winches and other accessories of ports and ships and inspection of ships at the national ports for enforcement of relevant provisions of the law;
- Participation in the formulation and review of labour laws and policies and strategies on enforcing them;
- Investigation of complaints received from workers on their labour rights and working environment;
- Sharing knowledge and experiences with workers and employers and advising them on the labour law, rules and regulations and the best means of complying with them and carrying out promotional and publicity programs to foster and increase the awareness of occupational safety and health and labour inspection;
- Approval of the factories' machine layout plans, modification and expansion plans.
- Issuance of registration certificates for the factories and establishments and renewal of licenses²;
- Establishing communication with the various government organizations, employers' associations and trade unions for the proper implementation of labour laws;
- Reporting on labour inspection, wage administration, conditions of workplace and occupational health and safety.

2.4 Legislative framework of the DIFE

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

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

Section 319 of the Act stipulates that the Inspector General, Joint and Deputy Inspector General, an Assistant Inspector General or a Labour Inspector, shall have the following powers and responsibilities:

- a) with necessary assistants, to enter, inspect and examine any place, premises, vessel or vehicle, at any reasonable time, which in his consideration, is deemed to be or used as, an establishment;
- b) to require any registers, records, files, notices, certificates or any other documents maintained in pursuance of this act or any rules, regulations or schemes to be produced, and to seize, inspect or examine them and to make a copy thereof;
- c) to make necessary investigation or examination for ascertaining whether any provisions of this Act or any rules, regulations or schemes in respect of any establishment or any worker employed therein are properly complied with;

²As per BLA 2006 Section 326 and Rule 354, a license from DIFE is required for factories, shops and commercial establishments to start operation. This is different from trade licenses or company registration.

d) to take a deposition in respect of any matter pertaining to this act or any rules, regulations or schemes, of any person who is found in any establishment or who is believed to be or to have been within the preceding 2 (two) months employed in any establishment;

e) to require every person so deposed or examined to sign the records or papers of such deposition or examination for verification;

f) if necessary, to call to account or to demand an explanation from an employer or any person employed by her in respect of any registers, record, certificates, notices or any other document maintained by that employer; and

g) to exercise such other powers or perform such other functions as are conferred to them by this act or any rules.

DIFE also carries out monthly awareness programme in the different factories and at District DIFE offices (Office of Deputy Inspector General) in order to build awareness about labour laws, occupational safety and health, elimination of child labour amongst the enterprises, employers and public at large.

2.5 From directorate to department

After the independence of Bangladesh in 1971, the importance of industry and trade steadily increased. However, the inadequacy of the manpower, infrastructure and logistic support of DIFE compared to the huge number of factories, shops and establishments made it difficult to perform its duties efficiently. After the tragic incident of Rana Plaza, the Government of Bangladesh (GoB) has initiated a major reform of the inspection service. On 15 January 2014, the GoB upgraded the status of DIFE from a directorate to a department. Following are salient features of the upgrade:

- Upgrading the status of DIFE to a full department from a directorate, provides greater operational and management authority, allowing them to facilitate discussions with other government agencies and departments on an equal footing.
- The newly upgraded department has headquarters situated in Dhaka and has tripled the number of field offices, from 7 to 23 District offices across the country.
- Upgrading the post of Chief Inspector (Deputy Secretary) to Inspector General (Additional Secretary) has provided DIFE with stronger leadership and more authority.
- A more than three-fold increase in the number of approved staff positions from 314 to 993, of which 575 are Labour inspectors.
- The number of transports, logistics-office furniture, inspection tools, and equipment and IT equipment has increased with support from Government and development partners including ILO and GIZ.
- The annual budget of DIFE has increased by about five fold during the last four years. The annual budget was from BDT 7.5 crore in 2013-14 while it is to BDT 35.12 crore in 2018-2019.

2.6 DIFE management reform during 2014-2018

As part of the upgradation from directorate to department, a reform process was undertaken in 2014 to strengthen DIFE's planning and operational mechanisms with the active technical and financial support from ILO and other development partners.

Following are some of the key reform measures:

- Adoption of a DIFE reform roadmap 2014-2016. The roadmap set out a number of milestones and targets to institutional reform of the DIFE. The management reform process was duly monitored and subsequently reviewed and revised in 2016.
- DIFE is providing leadership to the management and implementation of the Remediation Coordination Cell (RCC) for the national initiative factories in the RMG sector.
- In order to strengthen the capacity of DIFE in the area of Occupational Safety and Health, an OSH unit has been formed at DIFE HQ level which is comprised of 32 inspectors and senior management. The unit at present is developing ground work for the approved OSH institute which is under construction.
- A unit at HQ level called – Inspection Quality Monitoring Unit comprised of 8 members has been established. This unit developed an internal monitoring framework to ensure quality inspection visits and to prevent corrupt practices. The Unit is working in close collaboration with the transparency and Accountability Committee and will report to the IG directly.
- The first ever National Labour Inspection Plan was adopted by DIFE in February 2015. The plan was developed with technical support from the ITC-Turin. Since 2015 DIFE has been developing an annual inspection plan at the beginning of each year.
- Preparation of annual inspection plan based on sectoral and geographical priorities on a regular basis.
- A job description of the inspectors has been developed and endorsed.
- Inspection checklist for RMG sector was developed in 2016. Five more checklists on Factory, Small and Medium Factories, Ship building and breaking, Shops and Establishments are being drafted and are expected to be field tested in 2019.
- Adoption of a Code of Ethics for the Labour Inspectors and other staff.
- A digital inspection platform, Labour Inspection Management Application (LIMA) developed, piloted and adopted by DIFE for strengthening its data collection, analysis and reporting as well as promoting transparency, accountability and better service delivery. This platform allows many of the activities to be performed online, e.g. factory licensing, labour inspection, accident and injury reporting and complaints submission and tracking.
- As of December 2018, the total of 314 inspectors were recruited from the 575 approved post; and among them, 61 were female Inspectors. The number of women Inspector have steadily increased, e.g. as of July 2016, there were 57 women out of 284 inspectors compared to June 2013 when there were 10 women inspectors out of 92 inspectors.
- Labour inspectors received foundational training as well as specialized training on safety, OSH, IT and gender.
- DIFE introduced toll free number for helpline (08004455000) for receiving complaints from workers in 2015. It also designated an email address, complaints@dife.gov.bd, for receiving

complaints@dife.gov.bd, for receiving complaints by email. In January 2019, DIFE has introduced a more user-friendly number (16357) for receiving complaints and now gradually taking over full operation of the helpline and overall complaints management system.

2.7 Present structure and organogram of DIFE

DIFE's present structure is mainly divided into Headquarters and Office of the Deputy Inspector General (or District Office).

2.7.1 DIFE Head quarters at Dhaka

The Chief Executive of the Department, designated as Inspector General (IG), is an Additional Secretary, a high official of the government. He is supported by an Additional Inspector General (Joint Secretary of the GoB). Four Joint Inspector Generals are responsible for Administration, General, Safety and Health wings. Four Deputy Inspector General (DIG) are assigned with these wings at head quarters.

Following are the responsibilities of the four wings at the DIFE head quarters:

a) **General section:** General section, headed by a Joint Inspector General (JIG), is responsible for the implementation of laws in respect of wages, regulation of hours of work, conditions and terms of employment, social security, including in respect of payment of compensation; payment of wages; labour unrest, issuance of a license to sub-contractors, support to the labour welfare foundation etc. The general wing also deals with factory registration, licensing and complaints management. The wing head is supported by a Deputy Inspector General (DIG) and 2 Assistant Inspector General (AIG).

b) **Health section:** Health wing supervises the provisions of occupational health, hygiene, medical and relevant welfare matters, elimination of child labour, maternity benefits, child care, occupational diseases etc. The wing also performs works related to observation of OSH day, OSH unit, training to safety committee members etc. The unit is headed by a Joint Inspector General (JIG) supported by one Deputy Inspector General (DIG) and one Assistant Inspector General (AIG).

c) **Safety section:** Safety section looks after the workplace safety, workplace accident and its compensation, approval of factories' layout plan, monitor fire safety, structural safety and electrical safety etc. The wing also supervise remediation based on factory building assessment, approval of corrective action plan, support to the review panel, support to the remediation coordination cell etc. The wing is headed by JIG (Safety) and supported by DIG (Safety) and two AIG (safety).

d) **Administration and development section:** Administration and development section is responsible for office administration, human resources, benefits, annual performance review, implementation of national integrity strategy, HR related work (recruitment, transfer, promotion), budget, resource allocation, infrastructure development (establishment of field offices), procurement, printing and publications, public relations etc. This wing is headed by a Joint Inspector General (JIG) and supported by 1 Deputy Inspector General (DIG) and 6 officials. The administration and development wing consists of the following cells:

i) **Legal cell:** This cell takes necessary steps to support inspectors related to legal proceedings and case filing. The Law Officer joined in 2017 and actively supporting the legal cell.

Besides, the DIFE has appointed Panel Lawyers on consultancy service basis to support them on legal issues.

ii) **Statistics and research cell:** This cell is responsible for developing and updating of the nation-wide list of factories and establishments, collecting and compiling inspection data, supporting prepare reports etc. Statistics and research officer joined in 2018 and working for the cell.

iii) **Information and public relations cell:** This cell is responsible for managing communication with media, planning and implementing activities related to raising awareness, and managing social media. Moreover, this cell is responsible for providing people with required information in accordance with the Right to Information Act. The information and public relations officer joined in 2017 and working for the cell.

iv) **Accounts cell:** This cell looks after budget, expenditure monitoring, audit, salary, rent, office expenditure management among other things. An account officer is in charge of this cell.

v) **Library:** A post of the librarian is approved under the current organogram. A resource and learning center has been established at the head office with support from the ILO and is currently equipped with three computers and a collection of books.

The Inspector General (IG) provides overall guidance and management support to these four sections.

2.7.2 District offices (office of the deputy inspector general)

Main inspection work is conducted by 23 units or district offices which have been established in accordance with location and distribution of different industries or other establishments in different district towns of the country. Each district office is headed by a Deputy Inspector General (DIG), who is supported by Assistant Inspector General, Labour Inspectors and support staff. Each district office has 5 sections: (a) administration; (b) safety inspection; (c) health inspection; (d) general inspection; and (e) shops and establishments inspection. However, all posts in the field offices are yet to be filled in and the recruitment process for these posts are ongoing.

There are three types of Labour Inspectors working in the field offices: Labour Inspector (General), Labour Inspector (Safety) and Labour Inspector (Health). Field level labour inspection work and law enforcing functions are mainly conducted by Assistant Inspector General (AIG) and Labour Inspector (LI). However, often inspections are performed by a Labour Inspector (General) and a Labour Inspector (health/safety), but all inspectors are expected to inspect both wages/welfare and OSH to a certain level.

There are also a number of administrative staff in each unit office to conduct the administrative jobs and to support the executives in their official works.

Headquarters

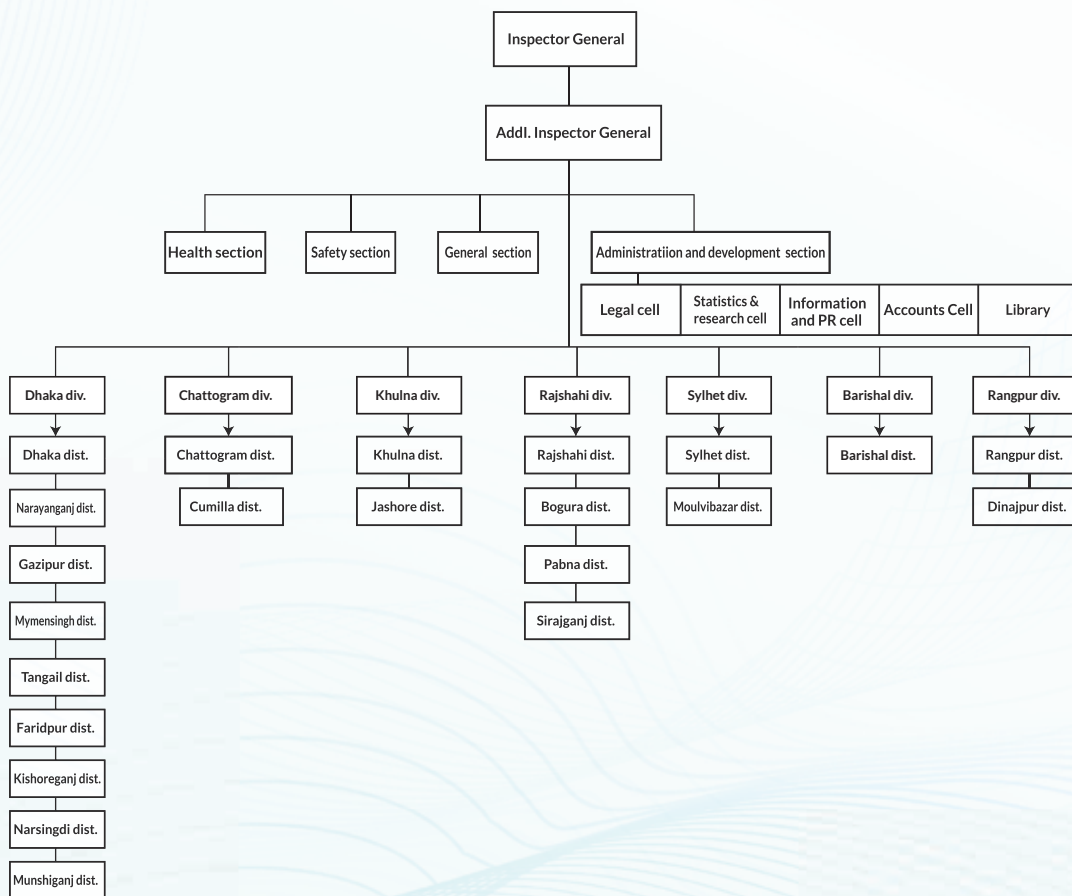


Figure 1: DIFE organogram

2.8 Personnel and equipment of DIFE

Total number of sanctioned posts are 993 out of which 491 posts (around 50%) are currently filled. There are 215 sanctioned posts for grade-2 to 9 (or Class-1) officers and 365 posts for grade-10 officers. Out of the total existing 491 posts, almost 20% (100) posts are filled in by women. However, women comprise 15% (14) of existing 92 grade-2 to 9 officers. In the 220 existing posts for grade-10 officers, 47 (about 22%) are female officers.

| | Officer | | Staff | | Total |
|--|--------------|-----------|-----------------|-----------------|--------|
| | Grade-2 to 9 | Grade- 10 | Grade- 13 to 16 | Grade- 17 to 20 | |
| Sanctioned | 215 | 365 | 206 | 207 | 993 |
| Existing | 92 | 220 | 145 | 34 | 491 |
| Male | 78 | 173 | 111 | 29 | 391 |
| Female | 14 | 47 | 34 | 5 | 100 |
| Existing as a percentage of sanctioned | 42.79% | 60.27% | 70.38% | 16.42% | 49.44% |

Table 1: DIFE personnel by grade (sanctioned and existing)

Table 2 shows a summary of the equipment procured from government's own sources or from the development partners during 2015 -June 2019.

| Item | Number |
|---|-------------|
| Vehicles: Jeep, Microbus, Car | 30 |
| Motorcycle | 210 |
| Computer Servers | 3 |
| Computers | 288 |
| Laptops | 47 |
| Tablet Computers | 325 |
| Office Equipment (Photocopier, Fax, Printer, Scanner, Multimedia Projector, TV/Conferencing System etc) | 398 |
| Inspection equipment (PPE, lux meter, thermometer, sound meter, scanner, humidity meter, ferrosannner, etc) | 1,424 |
| Grand total | 2726 |

Table 2: DIFE's equipment (as of June 2019)

DIFE headquarters is currently located at Sromo Bhaban (Labour Tower) at Bijoy Nagar. Out of 23 district offices, 9 has own building and 13 are being built.

2.9 Annual budget of DIFE

Table 3 shows that the annual budget of DIFE increased from BDT 23.301 crore in 2014-2015 to BDT 35.12 crore in 2018-2019, a 54% increase. It also shows that in 2015-2016 the budget increased by 54% compared to 2014-2015; but there is a 42% decline in the budget in 2016-2017. However, the budget allocation of DIFE has steadily increased since 2016-2017; from 2016-2017, it was 23% higher in 2017-2018 with a further 13% increase in 2018-2019.

| Fiscal year | Annual Budget in Crore BDT | Annual Budget in USD million (1USD=BDT 84) |
|-------------|----------------------------|--|
| 2014-15 | 23.301 | 2.77 |
| 2015-16 | 35.665 | 4.24 |
| 2016-17 | 25.175 | 2.99 |
| 2017-18 | 31.048 | 3.69 |
| 2018-19 | 35.120 | 4.18 |

Table 3: DIFE's annual budget (2014-2019)

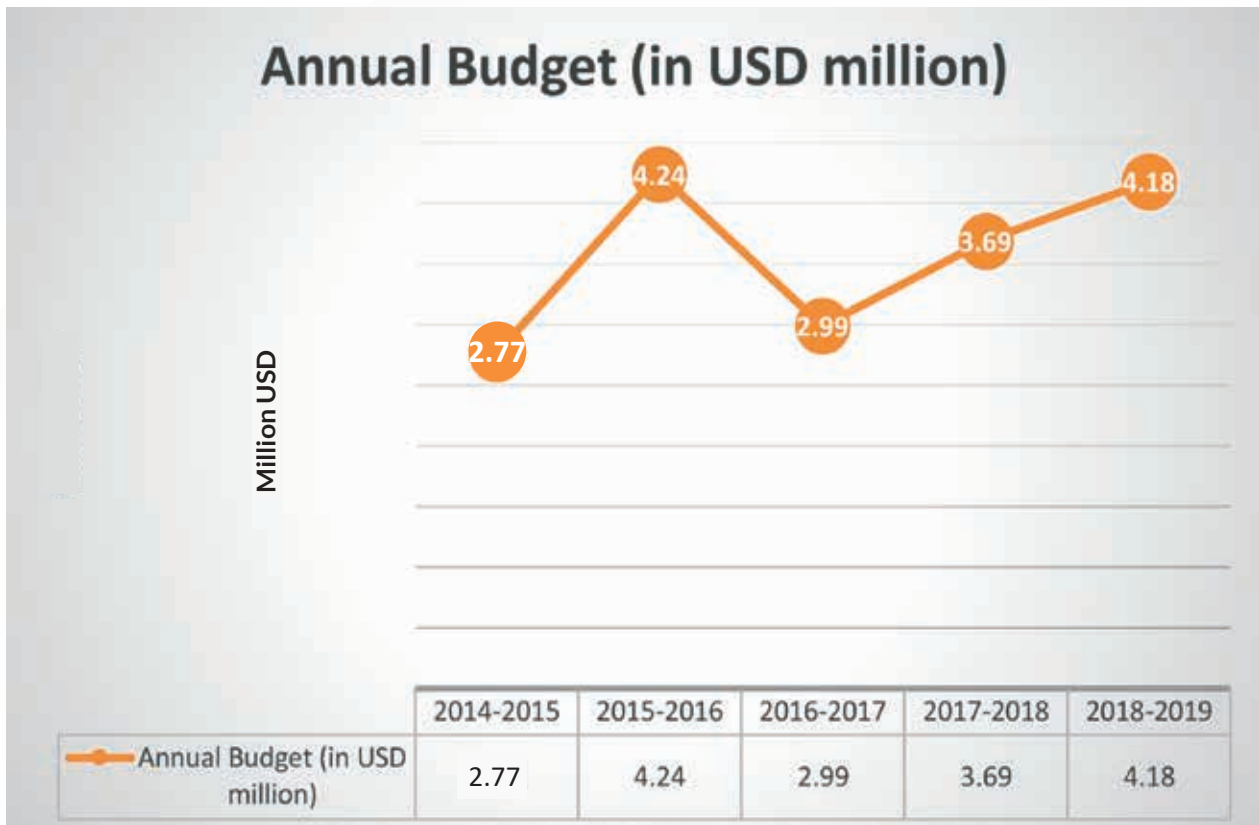


Figure 2: DIFE's annual budget 2014-2019

This increased budget allocation allows DIFE to both run a larger operation with more inspectors and to undertake capacity building actions. The increased budget allocation allows for:

- An increase in the number of inspections, greater mobility, and expanded activities;
- The purchase of new inspection equipment, the introduction of modern equipment (e.g. vehicles, computers, Personal Protective Equipment etc.);
- Training and capacity building for staff to modernize office operations; and
- The ability to collaborate with other government offices, private institutions, employers and workers organizations to complement inspection work.

2.10 Transparency, accountability and integrity

As a public agency, the DIFE inspectors and other staffs are obliged to follow the government established rules and procedures related to anti-corruption measures which include strict adherence to:

- The Government Servants (Conduct) Rules, 1979;
- The Government Servants (Discipline and Appeal Rules), 2018; and
- The Prevention of Corruption Act, 1947 (Act no. II of 1947)

Any corrupt or unethical practice results in disciplinary actions including termination according to the Government Servants (Conduct) Rules, 1979 and The Government Servants (Discipline and Appeal) Rules, 2018.

Given the Government's commitment to ensure safety and health at workplaces, DIFE is focusing on establishing a culture of transparency and integrity among its staff. It has adopted a code of ethics to be followed by the inspectors to uphold integrity. DIFE is constantly working to adopt measures to ensure neutrality and honesty during inspection. One of such measure is instruction to inspect factories in a group of two inspectors. 24 Ethics Committee (including 1 at the HQ) has been formed in 2016 in different field offices to implement the National Integrity Strategy of Bangladesh. Legal prosecution and disciplinary actions have been initiated against 22 officials so far.

As part of National Integrity Strategy and to encourage transparency, accountability and adherence to national integrity strategy, DIFE introduced integrity awards for staff. In 2018, DIFE awarded 1 officer and 1 staff at head office, and 1 officer in field office.

As a ratifier of ILO Convention C.081 on Labour Inspection, Bangladesh's labour inspectorate (DIFE) operates in line with international standards and continuously trying to improve its operational processes. Since 2014, DIFE has progressed a lot in terms of improving, documenting and sharing its processes to standardize all of its operations and assure quality at all levels. This chapter briefly describes the labour inspection system in Bangladesh and portrays how DIFE conducts inspections to implement labour law.

3.1 Labour inspection in Bangladesh

On-spot inspection of the workers' workplace has been made compulsory by the provisions of the BLA, 2006. In fact, in order to implement the provisions of the BLA in factories and establishments effectively, the provisions of the BLA have been enforced for inspection and post inspection activities³. The department's own inspection plans and procedures have been introduced in order to fulfil its responsibilities and to make practical reflections in labour situations.

3.1.1 Type of inspections

LABOUR INSPECTION

Regular

Special

Usual
Regular

Follow-up/
Re-
inspection

Design/
Layout

License

Investigating
Complaints

Investigating
Accidents

Labour
Unrest

Sudden
visit for
special
issue

Survey/
Information
Collection

Special
Instructions

Based on the nature of inspection, inspections are classified into two categories:

1. **Proactive:** Proactive inspections are regularly planned inspections by DIFE which take place throughout the year and included in Annual Inspection Plan. Labour inspectors generally have a set target in each month to complete a certain number of proactive inspections.

2. **Reactive:** Reactive inspections are conducted often due to some triggers in the factories and establishments or for some special events. DIFE conducts the following types of reactive inspections:

a) **Approval of layout plan:** Once factories apply for approval of factory layout plan, labour inspectors visit the factory premise and verify the layout, and then recommend for approval of the plan, if satisfied.

³Ref. Section-319, Bangladesh Labour Act-2006, Rule-351, Bangladesh Labour Rules-2015, and ILO Convention C.081.

- b) Issuing license: When factories and establishments apply for licenses, labour inspectors inspect to verify the provided information.
- c) Investigating complaints: As part of complaints management, labour inspectors investigate the complaints by inspecting the workplace.
- d) Investigating accidents: When informed by the factory management or any other sources, labour inspectors inspect the workplace to investigate the accident and injury.
- e) Labour unrest: When labour unrest arises or reported, labour inspectors inspect the workplace to collect and analyze information and take necessary steps to remediate the unrest issue.
- f) Sudden inspection on special issues: Labour inspectors inspect the workplaces to identify some special issues, such as child labour, working on holidays, etc.
- g) Surveys/information collection: Labour inspectors inspect workplaces to conduct special surveys and data collection, e.g. mapping the establishments, building factory database, etc.
- h) Special instructions: With special instructions from MOLE or DIFE's senior management, labour inspectors conduct special inspections which are time bound and to serve a certain purpose.

DIFE conducts two kinds of inspections based on informing the inspection of factories and establishments authority prior to inspection:

1) **Announced:** In cases where the inspections require documentary evidence may be announced prior to the inspections. In the case of announced inspections, the inspections will be conducted by preparing the visit schedule beforehand, taking approval, and in some cases, informing the authority by writing. At least 50% of the regular inspections shall be announced inspections.

2) **Unannounced:** Special inspections will usually be unannounced inspections. Unannounced inspections are conducted instantly without any prior plan and prior announcement, as the situation demands.

3.1.2 General principles of inspection

DIFE conducts its inspections based on the following principles:

1. Inspector General shall determine the number and nature of regular inspections of the Deputy Inspector General and field level Inspectors in a given month by the administrative order.
2. For regular inspection, each inspector will submit an advance inspection schedule and submit it for authorization by the 15th of the previous month.
3. The inspection schedule of the Deputy Inspector General shall be authorized by the Inspector General and the inspection schedule of the other Inspectors shall be authorized by the Deputy Inspector General of the field offices.
4. If an organization is found to be fully compliant in a recent inspection, it shall not be brought into the routine inspection plan in next two years. However, if necessary, special inspections can be conducted, e.g. complaints and accident investigation.
5. The Deputy Inspector Generals, in their inspection schedule, shall include the organizations, for follow-up inspection, which have only been inspected by their subordinate Labour Inspectors at least three months ago. If necessary, the concerned inspector will adjust the organization with the Deputy Inspector General as his/her follow-up inspection in the advance inspection schedule.

6. At least 50% of the regular inspections has to be conducted without announcement. Special inspections are usually unannounced, however, if necessary (such as, ensuring the presence of the witness) special inspections (such as investigating complaint, accidents etc.) may be conducted with prior announcement.

7. In the case of investigating confidential matter or complaints (such as deploying workers to work on off days, recruitment of children and women in hazardous work), reactive or special inspections shall be conducted without a prior announcement.

8. The Deputy Inspector Generals will divide the inspectors of their own office into a two-member team and allocate areas for each team. In case of team formation and allocation of areas, balance of workload should be maintained.

9. For the inspection of factories, inspection has to be conducted jointly by a team comprising two or three members of inspectors of different branches. However, an Inspector can inspect the establishments alone.

10. Before leaving the office for inspection, the inspectors will record their name, designation and destination with date and time in the Movement Register. Team members will go together for joint inspection.

11. In all inspections, where applicable, inspectors will use the necessary Personal Protective Equipment (PPE).

12. Labour Inspectors will maintain confidentiality of the information gathered by the inspections and on taking subsequent actions.

13. Labour Inspectors must have to maintain their professionalism at all levels of inspection and strictly follow the Code of Ethics.

14. All of the inspection activities have to be done through the Labour Inspection Management Application (LIMA). If not possible to use LIMA for any reason, pen and paper can be used instead. However, as soon as LIMA is available, information collected through pen and paper should be transferred to LIMA.

3.1.3 Inspection process

With the support of ILO, DIFE adopted its first version of standard operating procedure (SOP) in 2016. The SOP detailed out inspection procedure and the labour inspectors are introduced to the SOP so that they can follow the same procedures for conducting inspections. The Labour Inspection Management Application (LIMA) is built based on this SOP.



Figure 3: Labour inspection steps

Labour Inspection process, as followed by DIFE, consists of four main stages: planning, preparation, visit and post visit actions. Following sections explains these main stages with steps in each stage.

3.1.3.1 Planning

DIFE prepares three types of plans for inspections:

1. **Strategic Inspection Plan:** This plan is usually for 3 (three) years and sets priority sectors for inspections in each region. DIFE prepared for the first time such plan in 2014, with support of ILO, and still follows the priority areas and sectors set in that plan.
2. **Annual Inspection Plan:** Based on the priority areas and sectors set in Strategic Inspection Plan, DIFE prepares its Annual Inspection Plan which shows for each districts how many proactive inspections will be conducted in which sectors. District Offices are responsible for preparing the plan, whereas the Inspector General at DIFE head office approves and publishes the annual inspection plans⁴. Annual Inspection Plan is guide for each district offices to conduct inspections.
3. **Monthly Inspection Schedule:** Individual labour inspectors, including the Deputy Inspector General, prepares their monthly inspection schedule in line with Annual Inspection Plan, which is approved by the DIG or IG. Checklist for the enterprise is made available in LIMA app for the approved schedule.

Currently, LIMA contains the Monthly Inspection Schedules. It reinforces the target set in Annual Inspection Plan while preparing the Monthly Inspection Schedule.

⁴DIFE's Annual Inspection Plan for 2018-2019 available here: <https://bit.ly/2wkBU9U>

3.1.3.2 Preparation

Once the Monthly Inspection Schedule is approved, the Labour Inspectors get prepared in following ways:

1. Checking the documents related the enterprise to be inspected. They may look into previous inspection records, information available in factory database or in paper files.

2. Collects necessary equipment for the inspection of the enterprise, including PPE. The inspectors get equipped with necessary documents, such as identity card, printed checklist; android tablet with LIMA app and checklist; reference documents like BLA, 2006; Labour Rules, 2015 guidelines for using the checklist; communication materials for the enterprise; notebooks, pens and papers for personal note taking.

3. If the inspection is announced, the labour inspectors call the enterprise management and make an appointment. If the inspection is not announced, inspectors schedule the visit in their calendar and make necessary arrangements for transport and other supports.

LIMA provides scheduling function and notifying the enterprise management of the announced inspections via emails. LIMA mobile app also contains the checklists and reference documents, so inspectors using LIMA do not need to carry extra documents except printed copies of checklist as backup.

3.1.3.3 Visit

Actual visit to the enterprise takes place after approval of the schedule and necessary preparations for the inspection. In this stage, labour inspectors follows the steps below:

1. Visit the enterprise, introduce themselves to management through Introductory Meeting, inspects the enterprise, examine and observe to collect data and fill up the checklist.

2. Inspectors share their findings with the enterprise management through closing meeting. The inspectors inform the management about score (to indicate compliance level) of the inspection and explain next steps.

3. Based on the data collected from the inspection visit, the inspectors finalize the inspection report explaining rationale for scoring (especially for 'not compliant' and 'partially compliant' items in the checklist).

4. The inspectors submit the report to their supervisor for approval and subsequent sharing with the enterprise management.

LIMA facilitates filling up the checklist and preparing the report digitally minimizing work of the labour inspectors.

3.1.3.4 Post inspection actions

DIFE follows the following steps for post inspection actions:

1. Based on the noncompliance issues found in inspection, a Corrective Action Plan (CAP) is developed by the labour inspectors and approved by the DIGs/IG. The CAP is shared with the enterprise management to take corrective measures and report back progress within a specified date.

2. Based on the reports on implementation of the CAPs by the enterprise management, the inspectors plans follow up inspection and verify whether the CAP items have been implemented by the management. If still noncompliance found in followup inspection, the inspectors issue a final notice for corrective action.

3. In case of zero tolerance issues, such as Child Labour, or not implementing the CAP in specified time, the inspectors file legal case in labour court. Then they follow up the case until the case is settled.

LIMA provides function to perform all the above steps digitally, except filing a legal case in labour court. However, it provides mechanism to document case filing and record status of the case until that is settled.

3.1.4 Inspection tools

After upgradation of DIFE in 2014, DIFE has standardized its inspection tools, with support from ILO. Labour Inspectors in DIFE now uses the following tools for conducting inspection:

1. **Standard Operating Procedures (SOP):** DIFE's SOP clearly portray how inspections – both reactive and proactive – will be conducted. It also guides in investigating accidents and complaints. The SOP was developed in 2016 and now being revised to reflect digitalization, e.g. use of LIMA and other applications, use of e-filing, etc, following the ILO Convention C.081.

2. **Labour Inspection Checklists:** DIFE adopted its inspection checklist, which was prepared based on BLA 2006 (amendment 2013) and Labour Rules 2015. The inspection checklist⁵ was field tested and finalized through tripartite consultation in 2017 and being used for inspection since then. Later in 2017 and 2018 DIFE also developed 5 (five) other checklists to cover RMG factories, small and medium factories, shops, commercial establishments, and ship building & breaking establishments. These five checklists are being piloted and will be finalized after June 2019 through a tripartite consultation. Use of standard checklist makes all inspections uniform and comparable.

3. **Guide to use Inspection Checklists:** A detailed guide of using inspection checklist is developed by DIFE, with support from ILO, in 2016 and all labour inspectors trained on that so that labour inspectors use the checklist with full understanding and uniformly.

4. **Inspection Grading Policy:** With checklist, DIFE developed a grading policy that counts total score of the inspection and indicates how much compliant an enterprise is. The grading policy takes into consideration of zero tolerance items and weighted items in the checklists. This complex and scientific calculation of score is done by LIMA when inspections are done using LIMA app. The inspectors are also trained on this calculation while using printed checklist. As per the grading policy factories can be graded into three bands: A (compliant), B (partially compliant) and C (noncompliant). Strategic objective of DIFE's inspections is to graduate C enterprises to B and B enterprises to A.

5. **Inspection Guidelines for Labour Inspectors:** In 2017, after adoption of Inspection Checklist, DIFE developed an inspection guidelines that helps labour inspectors to understand how inspections should be conducted. It introduces inspection principles and techniques, e.g. interviewing, observation, cross checking data, dealing with noncooperation from factory management, etc.

6. **LIMA app:** LIMA app with android tablet or mobile phone enables labour inspectors to fill the inspection checklist in the app, which is later synced to central server and generates inspection report, CAP and follow up actions. All labour inspectors trained on use of LIMA and provided with android tablets.

⁵Bangla version of Factory Inspection Checklist is available at <https://bit.ly/2EDVqCJ>

DIFE plans to develop some other helping tools for inspections that will facilitate inspection by the labour inspectors. Such helping tools will include awareness materials for employers and workers on labour inspection process, complaints management, accident reporting, factory licensing, and use of digital platforms for getting services from DIFE. The process of managing these additional helping tools is now in a continuous process.

3.1.5 Public reporting on inspections

With support of the ILO, DIFE started public reporting on inspections since 2014. It published a progress report in 2015 capturing 2014 inspection data and information related to management reform. It was the first inspection report in compliance with C0.81 that has been made publicly available by DIFE. Later DIFE published its Annual Report for 2015-2016 and 2016-2017. This progress report includes status of reform of the DIFE since 2014 and inspection data for these years (2014-2018).

Since 2014, DIFE has progressively publishing more inspection data publicly through its annual reports and plans to publish more in coming years. Full implementation of LIMA from all offices will enable DIFE to publish real-time inspection data. While LIMA is being adopted by DIFE offices gradually, DIFE planned to publish regular reports on key issues of labour inspection, such as inspections and compliance rate; complaints received and resolved; accidents reported, investigated and compensated; number of licenses issued and renewed, etc.

3.1.6 Human resources and recruitment of inspectors

As per the approved organogram, DIFE has a total employees of 993. Out of this, 575 are Inspectors who are responsible to conduct inspections. Among them 198 are field level OSH Inspectors and 344 are field level general Inspectors. A total of 6 officials and 412 other staff are also employed to carry out the management and official works and to support the inspection activities of the department.

The Ministry of Labour and Employment (MOLE) has adopted a recruitment Rule for the DIFE in 2014. The Rule spells out the academic qualifications requirement for inspectors and other staff positions. The DIFE has also adopted a job description for the inspectors in 2014.

On the basis of their academic qualification, inspection officers are divided into three specialized areas:

- Labour Inspector (Health): Bachelor of Medicine and Surgery. Diploma of health/ medicine.
- Labour Inspector (Safety): Bachelor of Engineering (further divided into civil, mechanical, chemical, electrical etc.), Diploma in Engineering.
- Labour Inspector (General): At least graduate (various backgrounds).

Since 2014, the recruitment of Inspectors are being done through the Bangladesh Public Service Commission (BPSC), through a competitive process. To improve and better coordinate DIFE's human resource practices, DIFE MIS module of LIMA contains a database of DIFE inspectors with key information such as date of joining, transfer and posting, training received, promotion etc.

A new bunch of labour inspectors joined after 2014. There are now 993 sanctioned posts out of which 663 posts have been already filled up – 499 from revenue budget and 164 are from outsourcing. The recruitment of remaining vacant posts is under process. From 92 active inspectors in June 2013, by December 2018 the number had risen to 314.

3.1.7 Training of inspectors

In 2014, DIFE did not have a system to train the labour inspectors. With support from ILO, all newly recruited labour inspectors were provided with basic orientation and 40-day long foundational training. ITC-ILO delivered the trainings. Standard training modules for labour inspectors, developed by ITC-ILO, were translated into Bangla and used in the training sessions. Besides many of the labour inspectors received advanced training on labour inspection, OSH and workplace safety, sponsored by ILO, GIZ and Denmark.

In 2014 the DIFE established a Training Sub-Committee headed by Additional Inspector General with an aim to develop a longer- and medium-term capacity development plan for the inspectors. A comprehensive training calendar was jointly developed by three development partners- ILO, GIZ and Denmark which was a very helpful tool to better coordination among the agencies and to better plan the trainings in terms of content and dates.

International Training Centre of the ILO (ITCILO) carried out a set of training activities targeting the existing and newly recruited labour inspectors of DIFE since 2014. With the support from ITC-ILO a number of face to face training, e-learning and fellowships were conducted for the labour inspectors of DIFE. Later DIFE conducted the foundational trainings in partnership with ITC-ILO and BIAM.

DIFE has already created a pool of master trainers on OSH, labour inspection and IT/LIMA (Table 4).The inspectors trained as master trainers have already conducted training on labour inspection and checklist; others are ready to conduct training for other inspectors. These master trainers have already planned for cascading trainings on OSH issues and LIMA/RTM in 2019.

| Master Trainer Topic | Year | Sponsored by | Total | Male | Female |
|--|--------------|--------------|------------|------------|-----------|
| ToT on Factory Inspection Checklist for Labour Inspector | 2016 | ILO, GIZ | 22 | 18 | 4 |
| ToT on Labour Inspection (by ITC-ILO) | 2014 2016 | ILO | 40 | 32 | 8 |
| Master Trainers Training on LIMA | 2017 | ILO | 20 | 14 | 6 |
| Master Trainers Training on Remediation Tracking Module of LIMA | 2018 | ILO | 22 | 20 | 2 |
| Expert training on OSH issues (Boiler safety, electrical safety, chemical safety, construction safety, accident preventions, ergonomics, and crane safety) | 2016-2018 | Denmark | 40 | 34 | 6 |
| Grand Total | | | 144 | 118 | 26 |

Table 4: Number of inspectors provided with master trainers' training

To have coherent and long term training plan, DIFE has started preparing a long term training strategy for DIFE to meet the training needs of labour inspectors in a sustainable manner. Analysis of Job Profile, required competencies and skills and training needs will be taken into consideration for developing training strategy. The strategy is expected to be available by end of 2019. Once the training strategy is available, labour inspectors and other staff of DIFE will receive a series of trainings to perform their job in effective and professional manner. Development partners will also be able to invest in trainings in more sustainable way.

3.1.8 Inspection equipment, transport and office logistics

Field offices are now better equipped with office equipment including transportation, Personal Protective Equipment (PPE) and inspection equipment received from ILO and procured by the DIFE using their own resources. DIFE received 145 motorcycles (including 40 scooties for female labour inspectors), 107 computers and other office equipment (printers, multimedia projectors, fax, etc) from the ILO in order to facilitate field operations. Personal Protective Equipment (PPE) for 250 inspectors and OSH Equipment for 23 district offices procured for the DIFE. The inspectors demonstrate the PPEs before the workers and the managers to raise their awareness and to encourage its use.

DIFE has procured vehicles including 12 microbus and 10 motorcycles under the government budget. Procurement of PPE, office logistics have also made by the DIFE under the government budget. Besides, all the DIFE officials and labour inspectors are equipped with Android Tablets for using LIMA and e-filing system.

3.2 Government commitment and actions to improve labour inspection system

The Government of Bangladesh has always been committed to ensuring better working environment for the workers. To ensure safety in the work place and welfare of the workers Ministry of Labour and Employment of Government of Bangladesh has taken several courses of actions which include reform of labour laws and policies, administration and improvement of the national system of labour inspection. The Government of Bangladesh, as per the provisions of the Bangladesh Labour Act 2006, is to maintain a Labour inspection service to ensure compliance with the law. It has also committed to the provisions of the ILO conventions and ratified, particularly Convention 81 on Labour Inspection, as well as national level commitments expressed through the adoption of several national policies namely OSH Policy 2013, Labour Policy 2012, Child Labour Elimination Policy 2010, and National Plan of Action for Elimination of Child Labour (2012-16).

3.2.1 Reform of labour laws and policies

In the face of changing situation, Bangladesh Labour Act (BLA), 2006 has been amended on July 2013 aiming to ensure workplace safety, rights of the workers and practice of trade union for collective bargaining. In 2013 amendment of BLA increased amount of fines for labour laws violations. With amendment to BLA 2016, registrations of new trade unions increased. With ILO's support the Department of Labour (DOL) under MoLE launched an online trade union registration system in 2015. After the amendment of the BLA and launching of online registration system, number of trade unions increased.

In 2015, the Government of Bangladesh adopted the Bangladesh Labour Rules 2015 that spelled out implementation of BLA. Later on, BLA was amended in 2018. This amendment, among others, increased amount of compensation for workplace accidents injury, and provided DIFE opportunity to inspect factories in Export Processing Zones (EPZ). Apart from these amendments and adoption of labour rules, the government also adopted policies such as the Child Labour Elimination Policy, 2010, National Occupational Health and Safety Policy, 2013, Domestic Workers Protection and Welfare Policy, 2016 etc. All these legislative reforms were directed to safeguard the rights and welfare of the workers in Bangladesh.

3.2.2 Strengthening DIFE

Building the capacity of the labour inspection system has been an integral feature since 2014. Specific follow up measures including upgrading the status of DIFE, increasing the number of inspectors, a major increase in budget allocation, the provision of training of new inspectors and staff, stronger collaboration with other departments, and seeking technical advisory support from the ILO and other international agencies.

With a view to fulfilling its commitments to improve compliance in the factories and establishments and ensuring safety and improved working conditions, the Government also formed a high-level National Industry Health and Safety Council in 2014. The Hon'ble State Minister for Ministry of Labour and Employment (MoLE) is the Chair of the Council and the Inspector General of DIFE is the Member Secretary of this body. Members of the council include representatives of various government agencies, employers and trade unions.

Labour Inspection Results 2014-2018

Enforcing Bangladesh Labour Act 2006 (and its amendments) and Bangladesh Labour Rules is the main function of DIFE. DIFE does this function conducting regular inspections and investigating accidents and complaints. Besides these DIFE also conducts public hearing, awareness raising meetings and other campaigns. This chapter briefly describes the main result of labour inspections for the period 2014-2018.

4.1 Number of registered factories and establishments

DIFE maintains a list of factories and establishments which are licensed and registered under DIFE. Although, as per the Economic Census 2013 conducted by Bangladesh Bureau of Statistics (BBS), the total number of economic units in Bangladesh are 8,075,704, in which all of these units do not fall under DIFE's jurisdiction. DIFE maintains a database of factories and establishments that are licensed by DIFE, and inclusion of nonregistered factories and establishments in a database is ongoing. The licenses are provided to factories and establishments by the district offices following the rules set in Bangladesh Labour Rules 2015. According to DIFE's documents, as of December 2018, total 34,243 factories are registered under DIFE, which is 11,025 more than the total number in 2015.

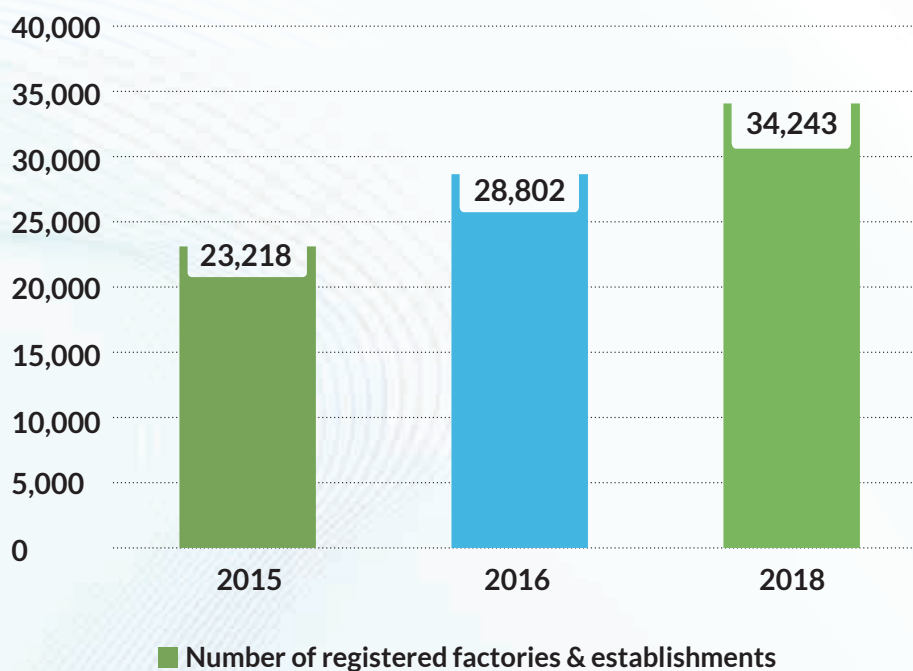


Figure 4: Number of registered factories and establishments by year

Most of these registered factories are located in Dhaka division (17,069), followed by Rajshahi, Mymensingh and Khulna.

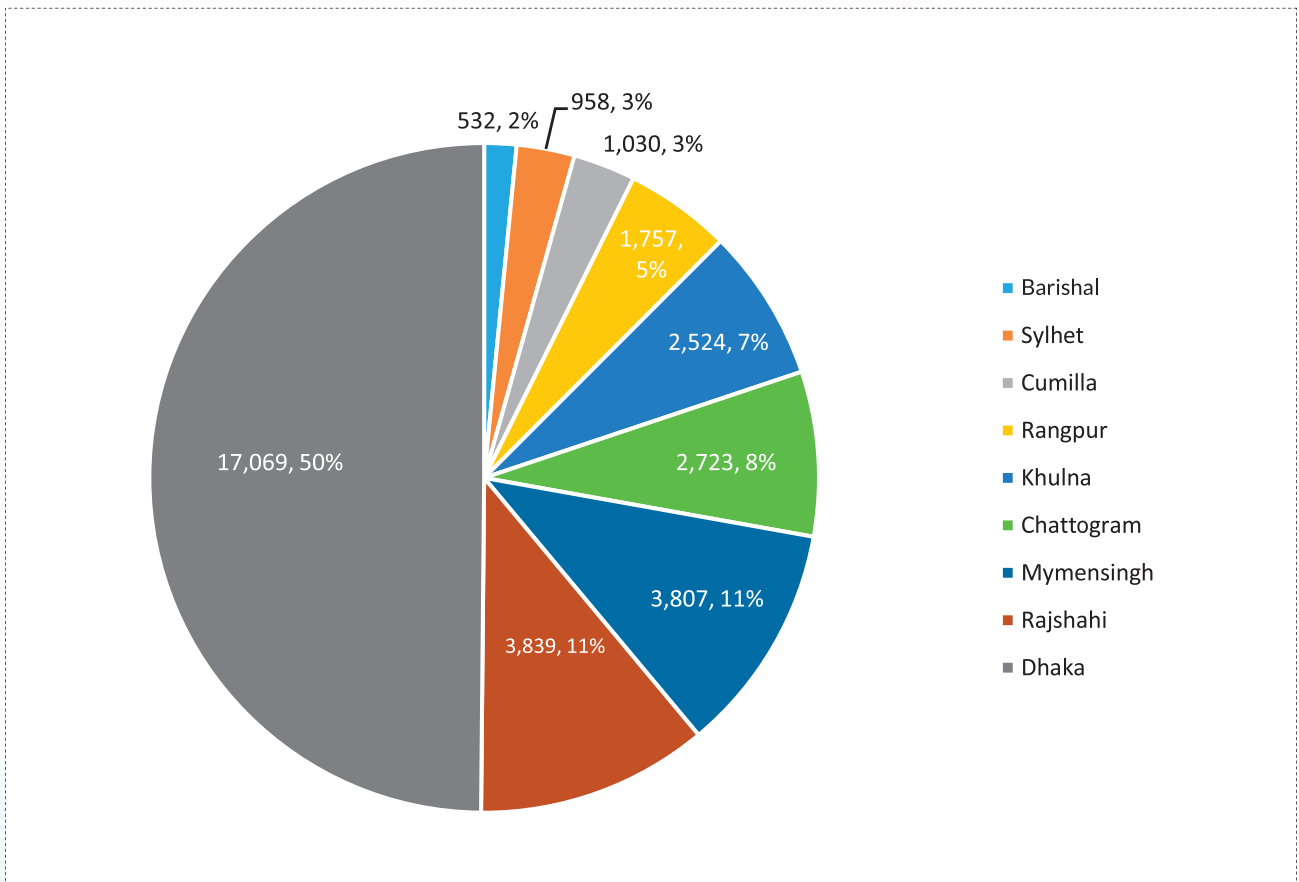


Figure 5: Number and percent of registered factories by divisions

From 2019, DIFE is moving to online platform LIMA for registering and licensing of the factories and establishments. Using this online licensing and renewal system will update the enterprise database with recent data. DIFE has planned to increase number of registered factories and establishments by awareness raising campaign and online licensing system.

4.2 Inspections carried out

In 2014, the DIFE developed the first ever annual inspection plan with support from the ITC-ILO for 2015. The same plan was the basis for DIFE's annual inspection plan for 2016, 2017 and 2018. The annual inspection plan is now district based including priority sectors in that district.

The total number of inspections completed in 2015-2016, 2016-2017 and 2017-2018 were 27,685, 32,924 and 42,639 respectively. Of these inspections, 63.51% inspections are done in factories, 24.69% for shops and 11.80% for establishments. As RMG sector is considered as a priority sector for labour inspection and ensuring compliance, out of all inspections conducted for the factories, 9.83% of the inspections are for RMG sector factories. These include follow-up inspections too.

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

Table 5: Labour inspections carried out in 2015-2018

4.3 Labour law violations detected through inspections

All district offices detect labour laws violations through inspections conducted using standard checklist. These violations are categorized under 13 clusters:

- i) Recruitment and job conditions,
- ii) Children and adolescent workers,
- iii) Maternity welfare benefits,
- iv) Occupational health,
- v) Occupational safety,
- vi) Occupational accident, compensation and safety committee,
- vii) Welfare measures,
- viii) Working hours and holidays,
- ix) Wages and payment of wages,
- x) Social security (group insurance, provident fund, profit sharing, etc)
- xi) Gender discrimination,
- xii) Violence at workplace, and
- xiii) Others.

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

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

Table 6: Labour law violations detected through inspections as per clusters (2016-2018)

For 2016-2018, most of the violations found through labour inspections are related to employment and conditions of service (26%), followed by working hours and leave (19%), and occupational safety (12%), and occupational health (10%) (Figure 6).

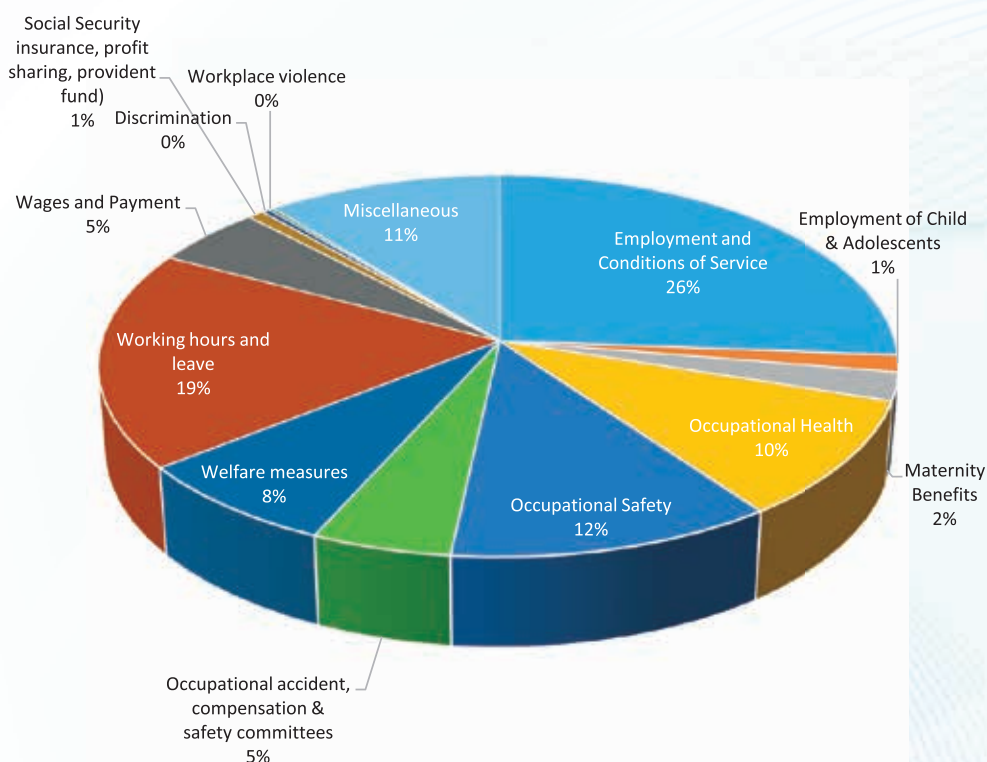


Figure 6: Ratio of violations by checklist clusters

With introduction of standard inspection checklist in 2016, the violations identified are more systematically tracked and employers are advised to take remedial actions and follow the laws.

4.4 Legal cases filed for violations

DIFE filed legal cases for the violations that are of zero tolerances and that are not rectified by the employers after giving notices and time for rectification. From 2015, as the number of inspections carried out and more violations detected through labour inspection, more legal case are also filed. In 2015-2016, a total of 1304 cases were filed.

| Fiscal Year | Factories | | | | Shops | | Establishments | | Child Labor | | Total Cases | Cases Settled | |
|-------------------|------------|--------------|--------------|------------|------------|------------|----------------|------------|-------------|-----------|--------------|---------------|------------|
| | RMG | Other | Total | % | # | % | # | % | # | % | | # | % |
| 2016-2017 | 124 | 822 | 946 | 74% | 77 | 6% | 188 | 15% | 62 | 5% | 1,273 | 273 | 21% |
| 2017-2018 | 69 | 882 | 951 | 56% | 421 | 25% | 283 | 17% | 34 | 2% | 1,689 | 781 | 46% |
| 2018-2019* | 72 | 635 | 707 | 52% | 410 | 30% | 212 | 15% | 41 | 3% | 1,370 | 844 | 61% |
| GrandTotal | 265 | 2,339 | 2,604 | 60% | 908 | 21% | 683 | 16% | 137 | 3% | 4,332 | 1,898 | 44% |

Table 7: Number of legal cases and settlement (2016-2019)

In 2016-17, the number of cases were 1,273, in 2017-2018 it became 1,689 and in 2018-2019 it is 1,370. Out of these, most of the cases are for factories (60%) followed by shops (21%) and establishments (16%). Around 3% of the cases are about employing child labour.

As number of cases increased, there is significant improvement in case settlement too. In 2016-2017, only 21% cases were settled, in 2017-2018 it became 46%, and for 2018-19, it arose to 61%.

4.5 Complaints, public hearing and settlement

DIFE accepts complaints from the workers regarding the violations of Bangladesh Labour Act 2006 and Bangladesh Labour Rule 2015 in the workplace and aims to resolve those complaint promptly and effectively. Workers can submit/inform their complaints to DIFE using a number of channels, i.e. letter or application, online, email and toll free helpline (16357), complain box and through public hearing session etc. Since 2014, DIFE is actively trying to improve the complaints management system and advertising different channels and social media of receiving the complaints. It has also taken measures to improve complaints investigation and resolution mechanism.

| Year | Complaints Received by | | Total Complaints Received | Settled | |
|--------------------|------------------------|--------------|---------------------------|--------------|------------|
| | Letter | Online | | # | % of total |
| 2015 | 1,046 | 114 | 1,160 | 564 | 49% |
| 2016 | 1,067 | 834 | 1,901 | 932 | 49% |
| 2017 | 1,667 | 546 | 2,213 | 1,623 | 73% |
| 2018 | 1,848 | 575 | 2,423 | 2,232 | 92% |
| Grand Total | 5,628 | 2,069 | 7,697 | 5,351 | 70% |

Table 8: Number of complaints received and resolved (2015-2018)

During the period 2015-2018, DIFE received 5,628 complaints and resolved 5,351 (70%). The number of complaints received has increased over time from 1160 in 2015 to 2423 in 2018, a rise of 109%. Overall 70% of the complaints have been resolved in the period 2015-2018.

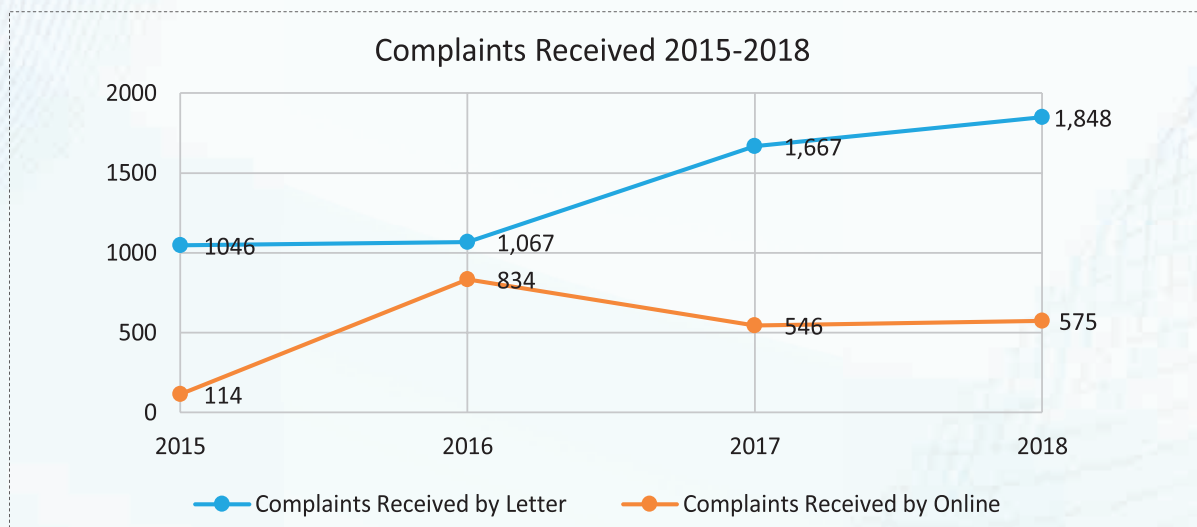


Figure 7: Complaints received 2015-2018

During the period 2015-2017, most of the complaints were received through letter/application (73%) and only 27% were received via online (helpline, email, etc). However, receiving complaints via online increased – in 2015 it was 10% and in 2018 it became 24%. In 2016, the highest number of complaints 834 (44%) were received via online.

Public Hearing: DIFE conducts public hearing in every district office at least once in a week. Workers come to the DIFE office to file complaints and seek support from DIFE officials. In each office, a labour inspector is designated to support the workers for taking immediate actions for such complaints. The number of public hearing as well as number of complaints resolved has been increasing since 2015.

| Fiscal Year | # complaints received | # complaints resolved | Percentage Resolved |
|--------------|-----------------------|-----------------------|---------------------|
| 2015-2016 | 427 | 329 | 77% |
| 2016-2017 | 919 | 791 | 86% |
| 2017-2018 | 1,580 | 1,349 | 85% |
| Total | 2,926 | 2,469 | 84% |

Table 9: Complaints received and resolved through public hearing (2015-2018)

In 2015-2016, total 427 complaints were received in public hearing, out of which 329 complaints (77%) were resolved. In 2016-2017, number of complaints increased by 115% compared to 2015-2016, and in 2017-2018 the increase was 270% compared to 2015-2016.

In resolving complaints, some of the challenges arises, such as not getting the complainant to investigate, having status quo in court, not getting the employer, lengthy investigation due to not getting the complainants and witness. Sometimes besides submitting complaints, cases are also filed in court and in that case investigation of complaints cannot be completed until court case is settled. However, DIFE is actively trying to manage the complaints in systematic way so that all are settled and can be reported

4.6 Accidents and compensation

In case of workplace accidents across the country, Labor Inspectors of DIFE visit the scene on the spot. They find out the probable cause of the accident, prepare report and give proper advice to the factory owners and workers to prevent such accidents. Moreover, in case of any special accident, investigation committee is formed. After reviewing the investigation report, further legal steps are taken. In addition, steps are taken to ensure legal compensation to the victims.

| Fiscal Year | Number of accidents occurred | Injured Person by Injury Type | |
|--------------|------------------------------|-------------------------------|------------|
| | | Injury | Death |
| 2015-2016 | 152 | 193 | 91 |
| 2016-2017 | 410 | 435 | 170 |
| 2017-2018 | 533 | 555 | 102 |
| Total | 1,095 | 1,183 | 363 |
| | | 77% | 23% |

Table 10: Number of accidents with death and injured persons (2015-2018)

As per DIFE records, for the period 2015-2018, a total of 1,095 accidents were reported to DIFE. Out of 1,546 reported injuries, 363 (23%) are death; majority 1,183 (77%) are injuries. DIFE has worked to ensure that compensation for all reported injuries according to the BLA 2006 (amended 2018) has been settled and workers received the money of compensation. For the period 2015-2018, BDT 16.95 million has been paid as compensation.

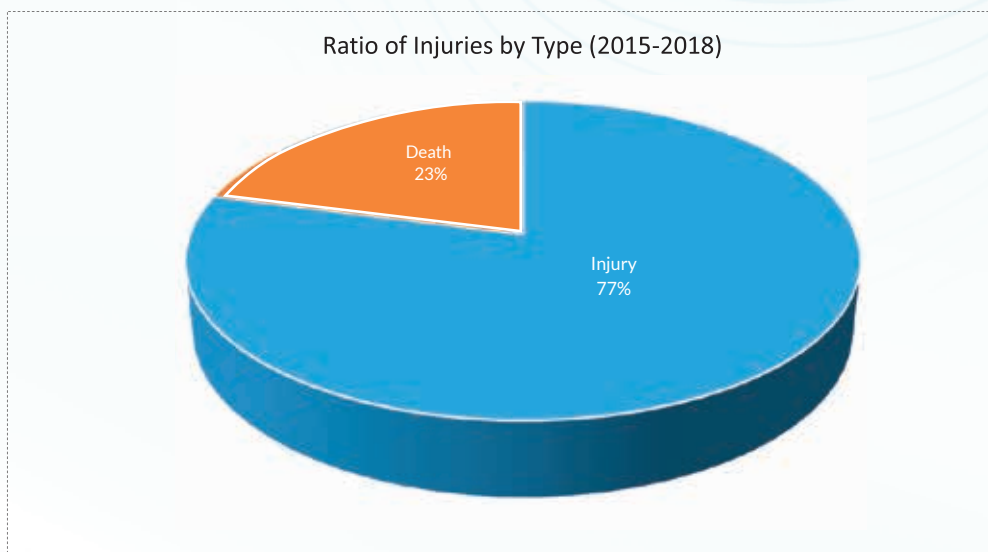


Figure 8: Ratio of injuries by type (2015-2018)

For the period 2015-2018, most of injuries reported are from RMG sector, which may be due to increased awareness in this sector as a result of several safety programs run by ILO, national initiative, Accord and Alliance. However, most of the injuries in RMG sector are minor non-fatal, whereas most of the fatal injuries are reported in ship breaking & building sector and construction sector.

There is a big opportunity to improve reporting on accidents and injuries and DIFE is relentlessly trying to improve this rate of reporting by the employers. To facilitate that DIFE has built online system of accident and injury reporting using LIMA and planned to launch a nationwide campaign on accident and injury reporting.

4.7 Child labour issues

Elimination of child labor is one of the priority areas for DIFE. With intervention of ILO-CLEAR project, all of the DIFE officials and inspectors have been trained on child labor and consistently work for eliminating child labor. Twenty DIFE officials were trained on child labour inspection most of whom are now holding key positions at HQ and district offices. All of the DIFE officials and inspectors have been instructed to consistently work for eliminating child labor with special emphasis to eliminate the worst forms of child labour from the thirty eight hazardous sectors (declared by government) by 2021 as per Government commitment. DIFE incorporated a section on child labor in inspection checklist and, during inspections, labour inspectors proactively monitor engagement of child labor.

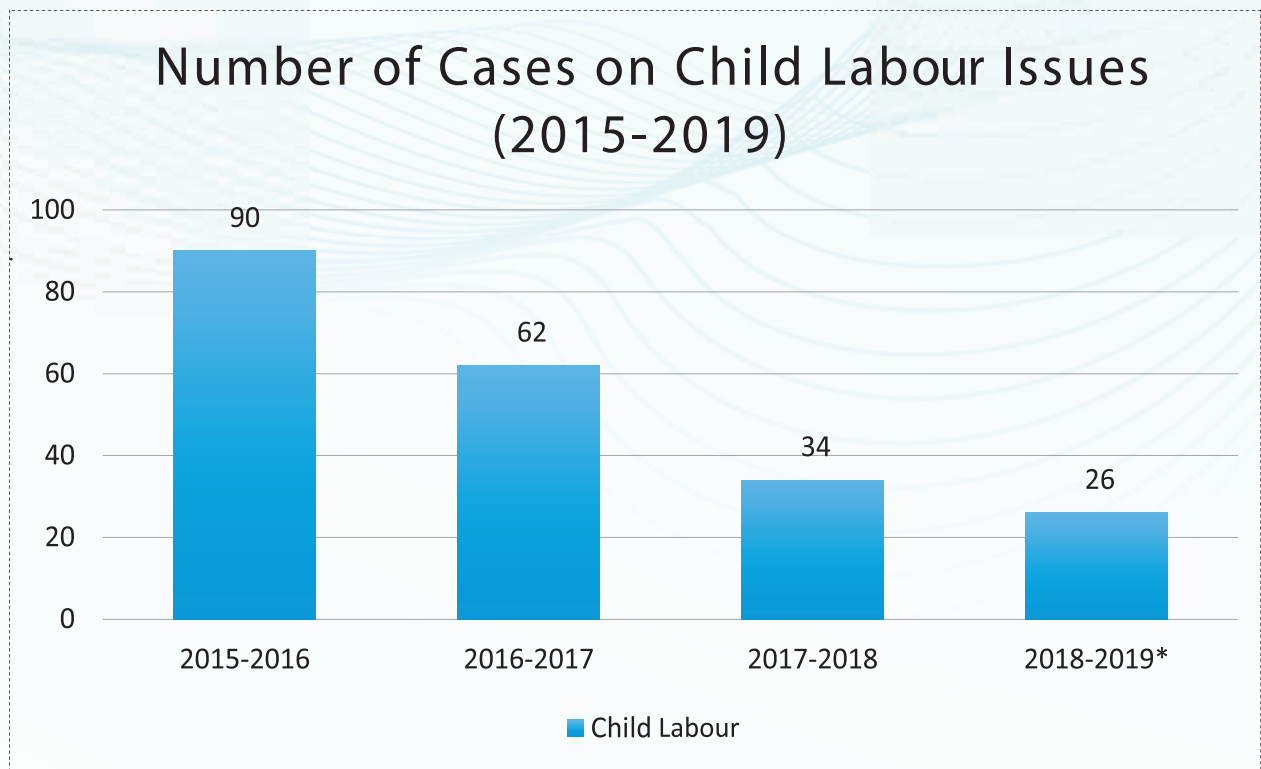


Figure 9: Number of cases on child labour issues (2015-2019)

As shown in Figure 11, in 2015-2016 fiscal year, a total of 90 legal cases were filed on child labour issue. In 2016-2017, number of cases on child labour were 62 and in 2017-2018 it was 34. In 2018-2019 (as of April 2019), number of cases on child labour is 26. These cases were only for local garments (tailoring house), hosiery (knitting factory), restaurant, printing, and weaving sectors.

With constant monitoring of DIFE, export oriented RMG and shrimp processing sectors has already been 100% child labour free. For 2017-2018, DIFE targeted following sectors to fully eliminate child labor: aluminum, tobacco/bidi, soap, plastic, glass, stone crushing, spinning, silk, tannery, ship breaking and handloom. During the reporting period, DIFE officials have played key role in activating child labour welfare council at national, divisional, district and upazilla level.

As per BLA 2006, employment of child labour was prohibited, except engaging them in light work. However, the recent amendment of BLA, 2006 in 2018 fully prohibited engaging child labour by eliminating the section on light work for children. Therefore, the minimum age for entry into workforce is now fourteen without any exception.

4.8 Maternity benefits

As per BLA 2006, each female worker is eligible to get maternity benefits (112 days leave with wages) from her employer. DIFE is working relentlessly to ensure maternity benefits for the eligible female workers in different sectors.

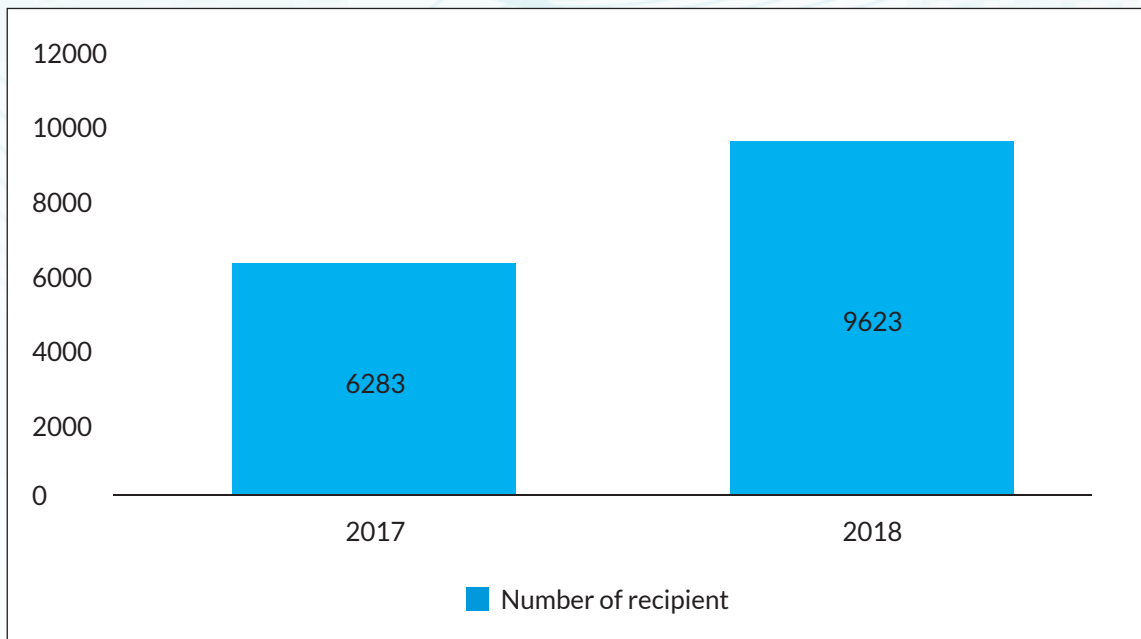


Figure 10: Number of maternity benefits recipients (2017-2018)

Since 2017, DIFE has been monitoring maternity benefits in the workplaces actively. In 2017 in total 6,283 female workers received maternity benefits, in 2018 that stands to 9,623.

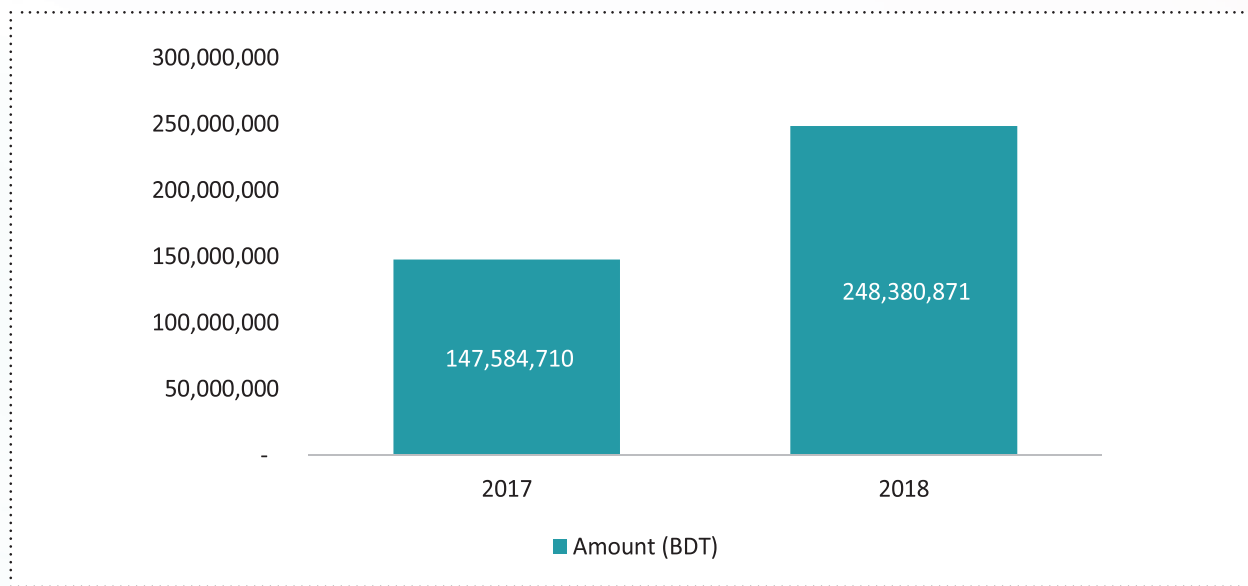


Figure 11: Maternity benefits amount (2017-2018)

Figure 11 shows a rise in amount of maternity benefits from 2017 to 2018.

4.9 Gender equality and sexual harassment prevention

During the reporting period, DIFE is focusing on promoting gender equality and preventing sexual harassment at workplace as well as protecting rights of the women workers by enforcing Labour Law. For the reporting period following actions have been undertaken:

- The roadmap of DIFE developed in 2014 and revised in 2016 under the auspices of ILO-RMG project emphasize on ensuring gender equality at workplace;
- The checklist for inspection ensures equal pay for equal work at workplace as guaranteed by section 345 of the Labour Act;
- Within the purview of section 332, the checklist provides measures to inspect gender-based violence and harassment including sexual harassment at workplaces by inspecting
 - (a) If there is effective mechanism for complain,
 - (b) If female workers are aware of the grievance procedure, and
 - (c) If she is by any means obstructed to file grievance.

The BLA 2006 (amendment 2018) has guaranteed that-

- In case, a woman worker fails to provide a notice to the employer before giving birth of a child, she shall be allowed to remain absent for post-natal period for eight weeks along with offering her the payable maternity benefits within 3 (three) working days of submission of proof of the delivery;
- If she have had a miscarriage before going to the maternity leave on a designated date in that case she shall not get any maternity benefit. However, leave shall be allowed if it is required on the health ground.

Besides, with financial assistance of UNFPA and Bangladesh Government, DIFE is implementing a project titled Gender Equality and Women's Empowerment at Work place. The project aims to reduce the gender-based violence of women workers working in garment, leather goods and tea garden sectors. Awareness on Gender Based Violence (GBV), Sexual Reproductive Health and Rights (SRHR), HIV and AIDS is being increased of workers working in these three sectors through advocacy and motivational meetings.

With the implementation of this project, inspectors and industrial police officials will be able to advise the workers/managers and owners working in the factory on GBV and SRHR. Women will be empowered and thus harassment and violence at workplace is expected to reduce.

4.10 Day care provision

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

4.11 Non-tax revenue earnings

Issuing of license for factories and establishments is one of the most important activities of DIFE from which DIFE also earns. Number of issuing new licenses and renewing the old licenses increased during the reporting period (Figure 12). In 2015-2016 FY, only 17,239 licenses issued and renewed (68% renewal), and in 2018-2019 FY (up to April 2019), 14,968 new licenses issued and 24,208 renewed (62% renewal).

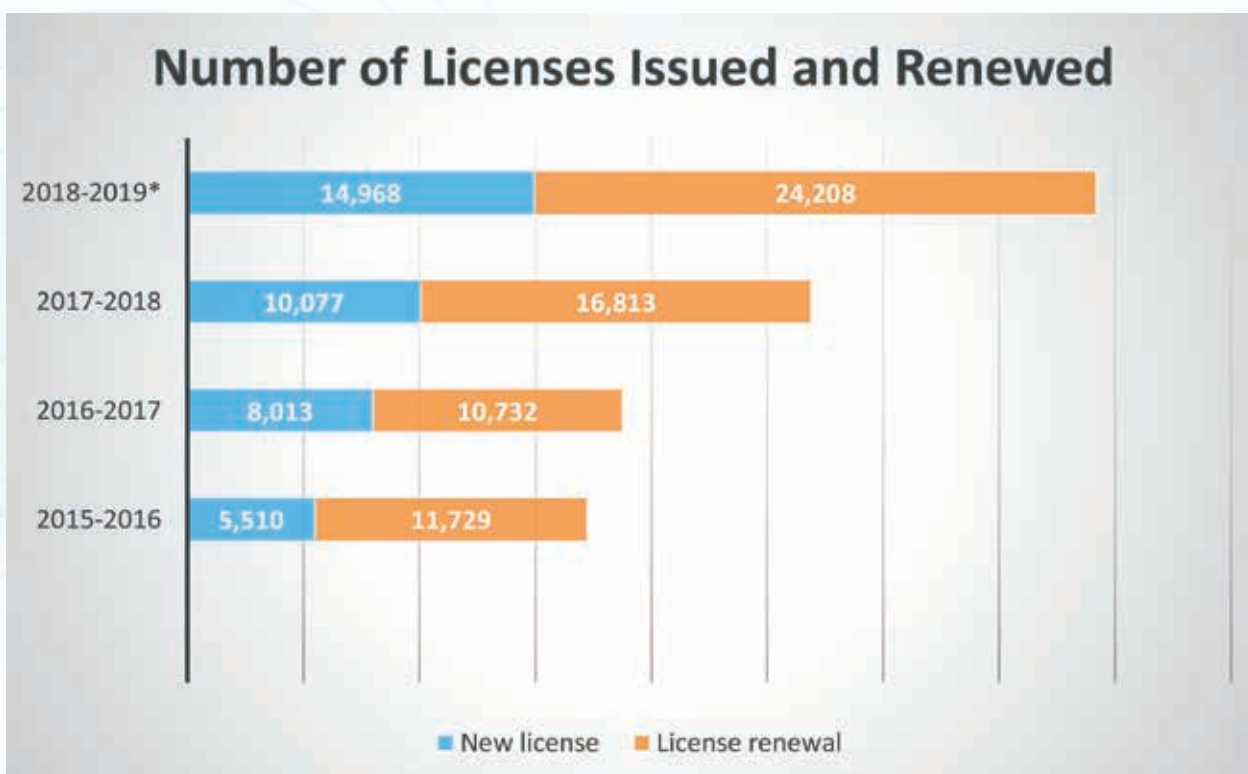


Figure 12: Number of licenses issued and renewed

Figure 13 shows upward trend of non-tax revenue earning from issuing new licenses and renewal of old licenses. During 2018-2019, DIFE realized 54.38 million BDT as the renewal of licenses and issuance of new license. In 2015-2016, the amount from new licenses and renewal was 44.58 million BDT.

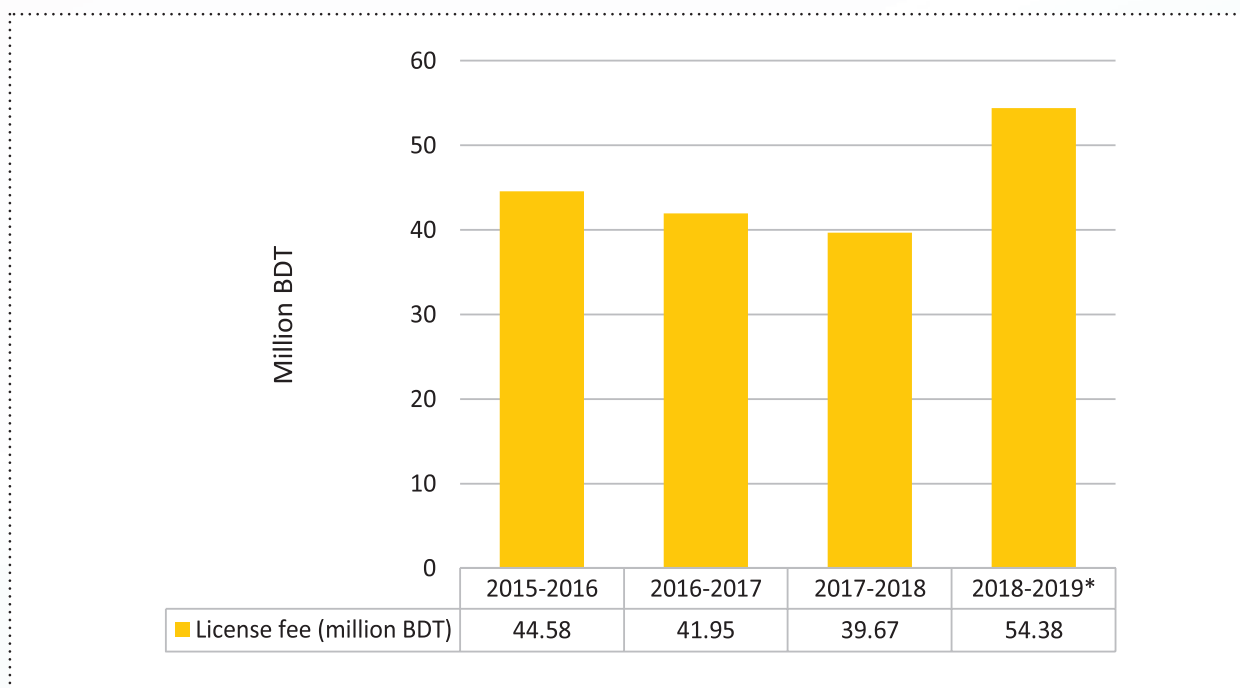


Figure 13: Non-tax revenue earning from new licenses and renewal (in million BDT)

4.12 Safety committees

As per BLA 2006, factories having 50 or more workers must have a safety committee following the procedures described in BLR 2015. BLR 2015 provides instructions for formation, scope of work and responsibilities for safety committees. After adoption of BLR 2015, DIFE actively support and monitor eligible factories to establish the safety committees. DIFE also checks status and functioning of safety committees in regular inspections.

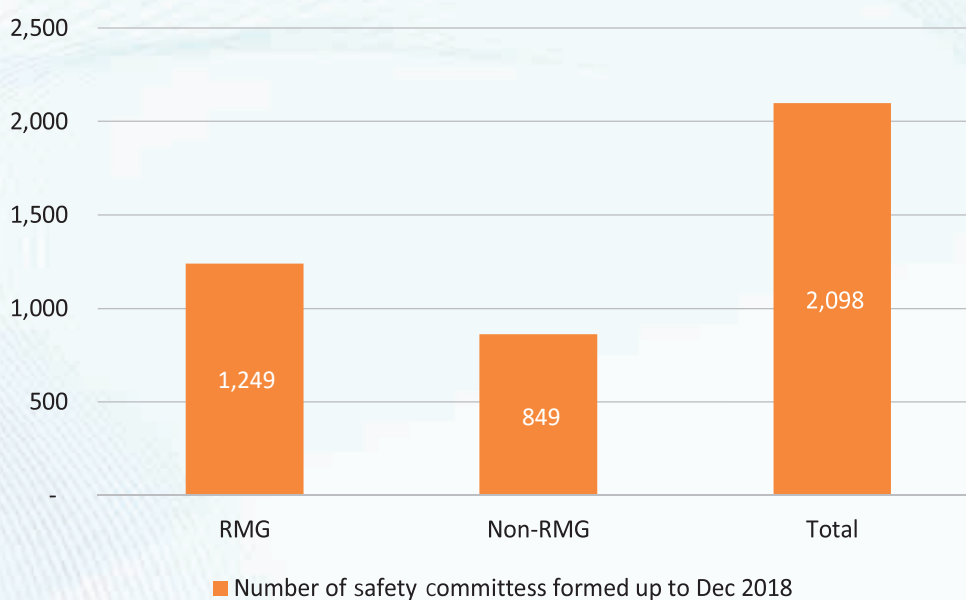


Figure 14: Number of safety committees formed (up to December 2018)

As of December 2018, 2098 safety committees are reported to be formed in factories. Out of this, 1249 (59%) are in RMG factories and 849 (41%) are in non-RMG factories.

4.13 Awareness raising programme

DIFE introduced awareness raising meetings with workers and employers to make them aware about the labour laws and OSH issues. Each district offices organize such meetings in every month. The awareness raising program was introduced from 2015-2016 financial year and number of meeting held in each year are increasing (Figure 15).

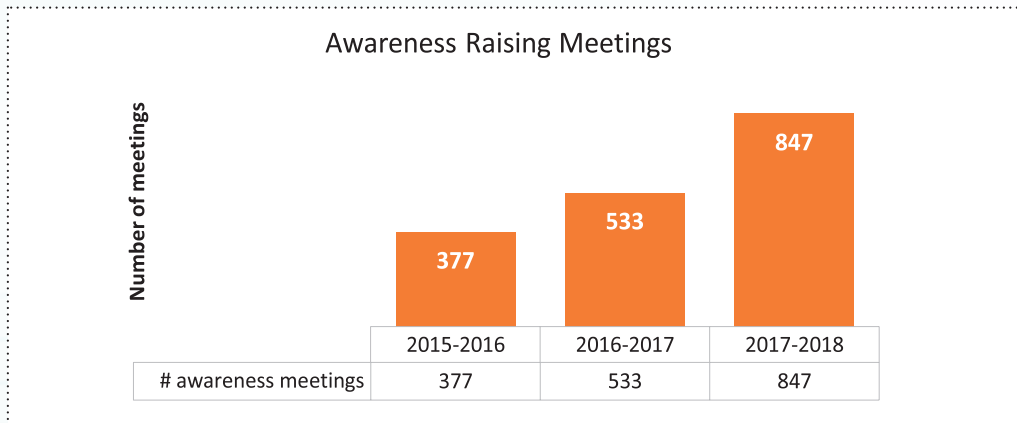


Figure 15: Awareness raising meetings organized by DIFE

4.14 Labour welfare

As per BLA 2006, DIFE works to ensure workers participation in company’s profit. The inspection checklist includes item to check whether the factory contributes to Labour Welfare fund. DIFE also helps the workers to get aid from Labour Welfare Foundation (LWF). Figure 16 shows increasing number of people received support from the welfare fund.

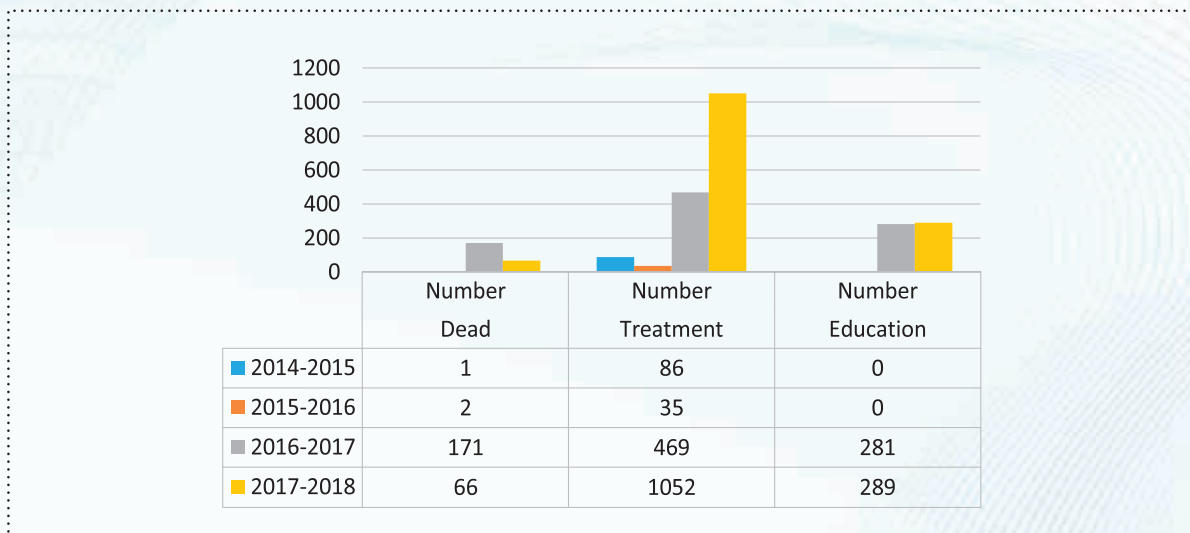


Figure 16: Number of persons supported from Labour Welfare Foundation

Figure 17 shows grant amount disbursed to workers and their family members. As seen from Figure 16, amount for treatment and education increased over time.

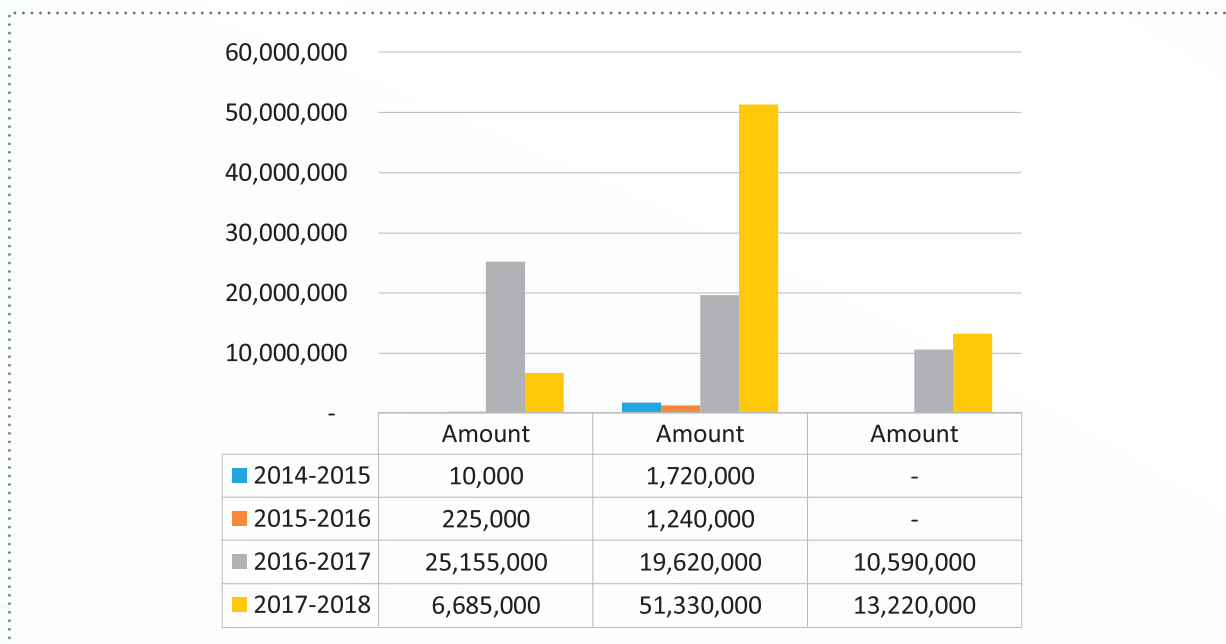


Figure 17: Grant amount by year and type from Labour Welfare Foundation

As per rules of the Labour Welfare Foundation, it provides to workers treatment (maximum 50,000 BDT for emergency, and 100,000 BDT for acute diseases) and their family members' education (maximum 300,000 BDT). For permanent disability or death due to occupational accident, the worker or the family gets maximum 200,000 BDT from LWF.

Following the collapse of Rana Plaza in April 2013, a major priority was to inspect ready-made garment (RMG) factories for structural, electrical and fire safety. In April 2013, the Government of Bangladesh took immediate steps in coordination with local and international stakeholders to ensure building safety in the ready-made garment (RMG) sector. A *National Tripartite Plan of Action on Fire Safety and Structural Integrity (NTPA)* was adopted on 25 July 2013 by the Government to address the issues that have emerged following the fire and building collapse.

Thereafter the ILO, European Union (EU), United States of America and the Government of Bangladesh jointly adopted *Sustainability Compact* in Geneva in July 2013.

5.1 Safety assessments

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

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

Table 11: Number of factories assessed by three initiatives

The inspection process commenced in late 2013, and by the end of 2015 was complete with 3,780 factories having been inspected by the three initiatives.

During the inspection process, a common standard for preliminary assessments of factories were agreed upon by Accord, Alliance and National Initiative. After conducting the preliminary assessment of factories, cases of imminent dangers to referred to review panel to review and shut down the factory. In some cases, preliminary assessments recommended detailed engineering assessment (DEA) and corrective action plan (CAP)⁶. NTPA Assessment Guidelines and DEA guidelines⁷ were developed and used for safety assessments and developing corrective action plans (CAP).

5.2 Review panel

A Review panel was established for requiring immediate action conveyed by the Inspector General of the Department of Inspection for Factories and Establishment (IG-DIFE).

⁶CAP development guideline: <http://dife.portal.bd/site/page/b6d8d803-1610-4095-9f3a-ed03ea5ae780>

⁷Please see <http://dife.portal.bd/site/page/38da41f2-3968-4264-bcd4-c46107e75137>

The Review Panel was chaired by the Inspector General (IG) of DIFE, and comprised of member from NI, Accord, Alliance, employers' organizations (BGMEA & BKMEA) and trade unions. The review panel reviewed the cases referred to the panel and provided final decision on closure of the factory. Cases that were not agreed in review panel were referred to National Tripartite Committee (NTC).

The Review panel undertaken 163 factory and 81 building. Of them 39 factory has been totally closed and 47 partially closed, 3 factories are decided to close, and 6 building are totally vacant others are operational.

National Tripartite Committee (NTC) was solely responsible for overall administrative decision before formation the Task force.

5.3 Task force for CAPs

As per the decision of 8th NTC meeting, held on 23 December 2014, three Taskforces for Structural, Fire, Electrical were formed to approve Corrective Action Plans (CAPs) and respective designs. The taskforces are led by the Inspector General of DIFE and consists of representatives from FSCD, RAJUK/CDA and BUET.

5.4 Establishment of Remediation Coordination Cell

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

To monitor the activities of RCC and phasing out of Accord and Alliance, Transition Monitoring Committee (TMC) for the RMG sector in Bangladesh was formed by Ministry of Labour and Employment ON 14th June, 2018. Besides TMC, an advisory committee was also formed to oversee the activities of RCC.

A core body was assigned as the policy making authority of RCC, five government agency attached as member of the Core body as follows:

- Department of Inspection for Factories & Establishments(DIFE)
- Fire Service and Civil Defence (FSCD)
- Public Works Department (PWD)
- Rajdhani Unnayan Kartripakkha (RAJUK) /Chittagong Development Authority (CDA)
- Office of the Electrical Adviser and Chief Electric Inspector

The RCC functions as follows:

Taskforce

The taskforces for Structural, electrical and fire safety checks the designs and drawings of the structural, electrical arrangement and fire protection system of each factory and

approves those following Bangladesh standard codes. As of 31 December 2018, the status of Taskforce is as follows:

a) Structural taskforce: 98 meetings were held. Total received 262 (707), reviewed 225 design, recommended for correction 193 and approved 32, retrofitting suggested-22, Retrofitting done-5, No retrofitted required-10, pending 37.

b) Electrical taskforce: 33 meetings were held, submitted-295 (707), it has reviewed 97 design, recommended for correction 17 and approved 81, pending 197.

c) Fire taskforce: 43 meetings were held. Submitted-258 (707), it has reviewed 122 design, recommended for correction 98 and approved 15, partially approved-9, pending 136.

| Taskforce | # of meetings held | Number of CAPs | | | | | | | |
|-------------|--------------------|----------------|----------------|------------------------|----------|------------------------|-------------------|--------------------------|---------|
| | | Total received | Total Reviewed | Recommended Correction | Approved | Retrofitting Suggested | Retrofitting Done | No retrofitting required | Pending |
| Structural | 98 | 262 (707) | 225 | 193 | 32 | 22 | 5 | 10 | 37 |
| Electrical | 33 | 295 (707) | 97 | 17 | 81 | | | | 197 |
| Fire | 43 | 258 (707) | 122 | 98 | 15 (9*) | | | | 136 |
| Grand Total | 174 | | | | | | | | |

*Partially approved

Table 12: Number of taskforce meetings and CAPs approval status

Design and review team

A set of engineers has been involved in design and drawing review team. The team has given their effort analyzing information and effective communication. 3 teams of RCC forming with individual members from three discipline (Electrical, Structural and Fire) are closely working with taskforce to facilitate and strengthening the procedure of design approval, they are also intensive support to the member of taskforce.

Field visit

RCC has deployed 80 case handler in RMG dense area, and are regularly monitoring the remediation activities of factory and updating information to RCC office. The Engineers of RCC at the field level confirm that the factories have drawings and designs approved by Task Force and supervises the remediation works at the factories and make sure that the works are done as per approved design and drawing. They support the factory owners by technical inputs pertaining to approved design and drawing and ways of implementation of the same. Apart from that they suggest if there are any new corrective measures found to be taken for safety concern. The senior level Engineers of RCC verifies the reports of field Engineers, suggests improvement of the report by clarification and visits the factories reported for next course of action on safety compliance issue. The building reported to be

imminent danger to life of people are referred to the review panel for immediate remedial measures including closure of use of that building. RCC has a mandate to recommend DIFE to prohibit the use of any building of any factory if it appears to be dangerous to human life or safety.

Awareness building meeting

Inspector General (IG) of DIFE has setup 32 number view exchange meetings with factory owners and representatives to aware the remediation work.

5.5 Achievements of RCC

The National Initiative factories are mostly small, financially less capable and the factories are situated mostly in rented or shared building. Considering this situation, there are mentionable achievement during this period of time as given below:

- Remediation Coordination Cell has forced 583 factories to totally shutdown and imposed 80 factories for shifting to new building. 697 factories are in under follow up of RCC.
- By December 2018, RCC developed Remediation Tracking Module (RTM) of LIMA and trained all engineers of RCC on use of RTM for tracking remediation. It will be fully operational after uploading backlog data. RTM will publish factory profiles that contain safety assessment reports, CAPs, CAP implementation and monitoring data and overall remediation status for respective factory.
- 32 awareness build-up series meeting was held in different corner of RMG dense area surrounding the country. The meeting inspired owners to come under the remediation umbrella.
- As of December 2018, DIFE has given 17 Business As Usual Certificate to factories that have remediated 100% structural safety.
- As of December 2018, overall progress of CAP remediation is 36% during the reporting period, of them progress of structural 36%, Fire 30% and Electrical 38%.

Accord /Alliance excluded suspended factories during counting percentage of progress, so the progress is always remaining above 80%. Whereas, Remediation Coordination Cell (RCC) considers all types of factory during progress counting, so the outcome result is given all the time below 40%.

5.6 Capabilities of RCC

RCC has the full capacity to effort those factories for smooth running under the follow-up program ahead in the following indicators:

Workforce

To accomplish the remediation work and monitoring the activities in time to time. RCC has numerous expert technical persons from different stakeholder, it is combined of total 134 engineers RCC own staff, CAP implementation project and ILO and 80 case handler of DIFE has been deployed in field level for monitoring the factory remediation status. For functioning RCC activities, RCC has been equipped 5 Admin officer, 5 Finance officer, 5 IT officer, one Communication officer and 7 other supporting staff. A total of 157 expert workforce is involved for monitoring Remediation work.

Escalation protocol

The escalation protocol is another key components of RCC capabilities. There will be two forms of escalation: Standard and Expedited. Standard escalation will be recommended by the Engineering Support Team. Expedited escalation will be recommended by Engineering Support Technical Team.

Once a factory has entered escalation, it must begin to show progress within the escalation timelines or it will move to the next round of escalation protocol by the factory. If the factory fails to act, they will directly enter Expedited Escalation. The IG-DIFE will use all tools at his disposal for immediate action for expedited factories that are not willing to comply.

Enlisted detailed engineering assessment (DEA) firm¹⁰

DIFE has enlisted 26 firm for structural and 71 firm for fire & electrical for remediation assessment; information and other instruction is available about in DIFE website.

Training

RCC Engineers have received number of trainings in different time for enhancing their capacity to follow-up the CAPs targeting the remediation of factories. A training program on CAP Development and follow-up remediation was held at RCC office, conducted by BUET Professors, where all RCC engineers participated in the program. RCC engineers also received training on knowledge transfer and sharing organized by Accord Fire and building safety in Bangladesh. Recently, a training module has been designed of two weeks prevailing training course on Industrial Safety regulation and DEA Guidelines, Testing and maintenance on Alarm, Electrical safety training, where RCC team will be being trained by the BUET expertise and the participants are different stakeholders like DIFE, RCC, BGMEA/BKMEA, RAJUK/CDA/ City Corporation/paurashava/OCEI/CIB/RCC engineer.

Awareness meeting

In every month, DIFE's district office organize awareness building meeting with factory owners/representatives, which encourages tremendously the owner for remediatin work.

1549 NI Factories

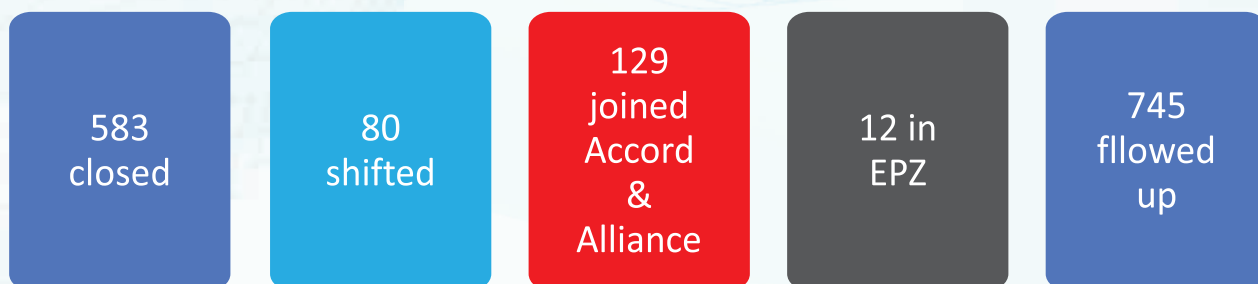


Figure 18: Current status of NI factories

Among 745 factories, 329 factories situated in own buildings and 416 factories are in rented buildings.

Utilization declaration (UD) cancellation

Department of Inspection for Factories and Establishment had prepared a list of 215 vulnerable factories and sent a letter to BGMEA/BKMEA for cancelling the UD immediately.

¹⁰ Available at <http://dife.portal.gov.bd/site/page/47930b8e-5ef1-4e93-bc1f-8217d677a8ba>

Government initiated project

To expedite remediation and works of RCC, the government initiated a project in June 2018 by hiring 60 engineers and assigning them in CAP follow-up. A revision of Development Project Proposal (DPP) is proposed to ministry for extending RCC manpower from 60 engineers to 90 engineers.

5.7 Future of RCC

RCC is a temporary initiative to follow up remediation work of factories under national initiative. However, such bodies are needed for ensuring industrial safety in future. Keeping that in mind, DIFE has proposed its new organogram where RCC will be placed as Industrial Safety Unit (ISU) and that unit will work on ensuring structural, fire and electrical safety in the workplaces. The knowledge generated through RCC will remain in ISU.

Industrial Safety Unit (ISU) is seen as a legacy that will work on ensuring industrial safety, e.g structural, fire and electrical, as part of their regular activities. DIFE has proposed this unit as part of their revised organogram. The ISU may also conduct safety assessment similar to those done under the National Initiative. The main activities of ISU will be to continue remediation activities of RCC; monitor and evaluate electrical, fire and structural safety of factories and establishments; justify structural design of the factories and establishments; and ensure practical observation on specified safety issues.

In line with Bangladesh Vision 2021 (Digital Bangladesh)¹¹, DIFE started its journey towards digital Bangladesh in 2014 by launching its first ever website and then adding RMG sector factory database to the website. Later online licensing, helpline and e-filing added to DIFE and now it is moving to a comprehensive knowledge management platform called Labour Inspection Management Application (LIMA). This chapter provides brief overview of DIFE's progress towards digitalization, communication and knowledge management.

6.1 Website

DIFE's website (www.dife.gov.bd), including a publicly available database, was launched on 27 March 2014. Initially the website was hosted and maintained with support from ILO, but from 2016 the website was migrated to national web portal. A team of 4 DIFE staff were trained on website management and they took over updating and managing the DIFE's website.

In August 2018, DIFE established a separate website (<http://rcc.dife.gov.bd>) for Remediation Coordination Cell (RCC) to provide updates on remediation progress of RMG factories under National Initiative (NI). The RCC website is maintained by RCC project team.

6.2 RMG sector database

In 2013, just after Rana Plaza incident, USA stopped US GSP facilities to Bangladeshi exporters and imposed some conditions to regain the GSP status. One of the conditions was to establish a publicly accessible database of export oriented RMG factories. With support from ILO, DIFE established the RMG sector database containing data of 3806 factories and launched the online database on 28 March 2014. Later the database was used to track safety assessments.

Initially the database of RMG factories contained basic information of the factories and status of structural, electrical and fire safety assessments (including inspections, remedial actions with time frames, closures, etc.). Later the factory database was moved to LIMA and safety assessment related information was moved to RCC website (<http://rcc.dife.gov.bd>), which are developed with support from ILO and maintained by DIFE. RCC website was launched in 2018 to provide detailed information on remediation progress and works of remediation coordination cell (RCC) run by DIFE.

6.3 E-filing

The present government has emphasized introducing e-filing aiming easy and quick service delivery and prompt decision. E-filing is used as an effective tool for implementing the Digital Bangladesh Vision-2021. Introducing e-filing system in February 2017, DIFE has been doing 100 percent of its activities through the system since October 2018. By December 2018, besides head office, DIFE has introduced E-filing in four offices of its 23 DIG offices.

DIFE, among the departments, has consistently secured the top position in the ranking of E-filing management. In the ranking determined by Access to Information (a2i) project of the Prime Minister's Office (PMO), DIFE has become champion in using e-filing system in 2018.

¹¹For details, please visit <http://www.digitalbangladesh.gov.bd/>

6.4 Labour inspection management application (LIMA)

In early 2014, DIFE had no database of factories and reliable source of data for public reporting. All inspection data were paper based with little analysis and public reporting. With assistance from ILO, DIFE started development of its information and knowledge management platform in September 2014. As part of that, ILO conducted a scanning of the existing information systems and practices in DIFE, FSCD & RAJUK, which laid out a brief plan for Information and Knowledge Management System (IKMS) for DIFE and FSCD.

Development of IKMS for DIFE started in 2015. Labour Inspection Management Application (LIMA) including mobile app was developed and field tested by end of 2015, which includes web application and mobile application and contains Labour Inspection checklist. Based on the field test of LIMA app, a comprehensive platform was developed which is current LIMA available via <http://lima.dife.gov.bd>. The LIMA development was completed by 2016 and all labour inspectors and DIFE officials were trained on LIMA use by early 2017. It was piloted in four RMG dense districts – Chattogram, Dhaka, Gazipur and Narayanganj, and officially launched in March 2018. All the inspectors were given android based tablets (250 from ILO, 75 from DIFE) for using LIMA.

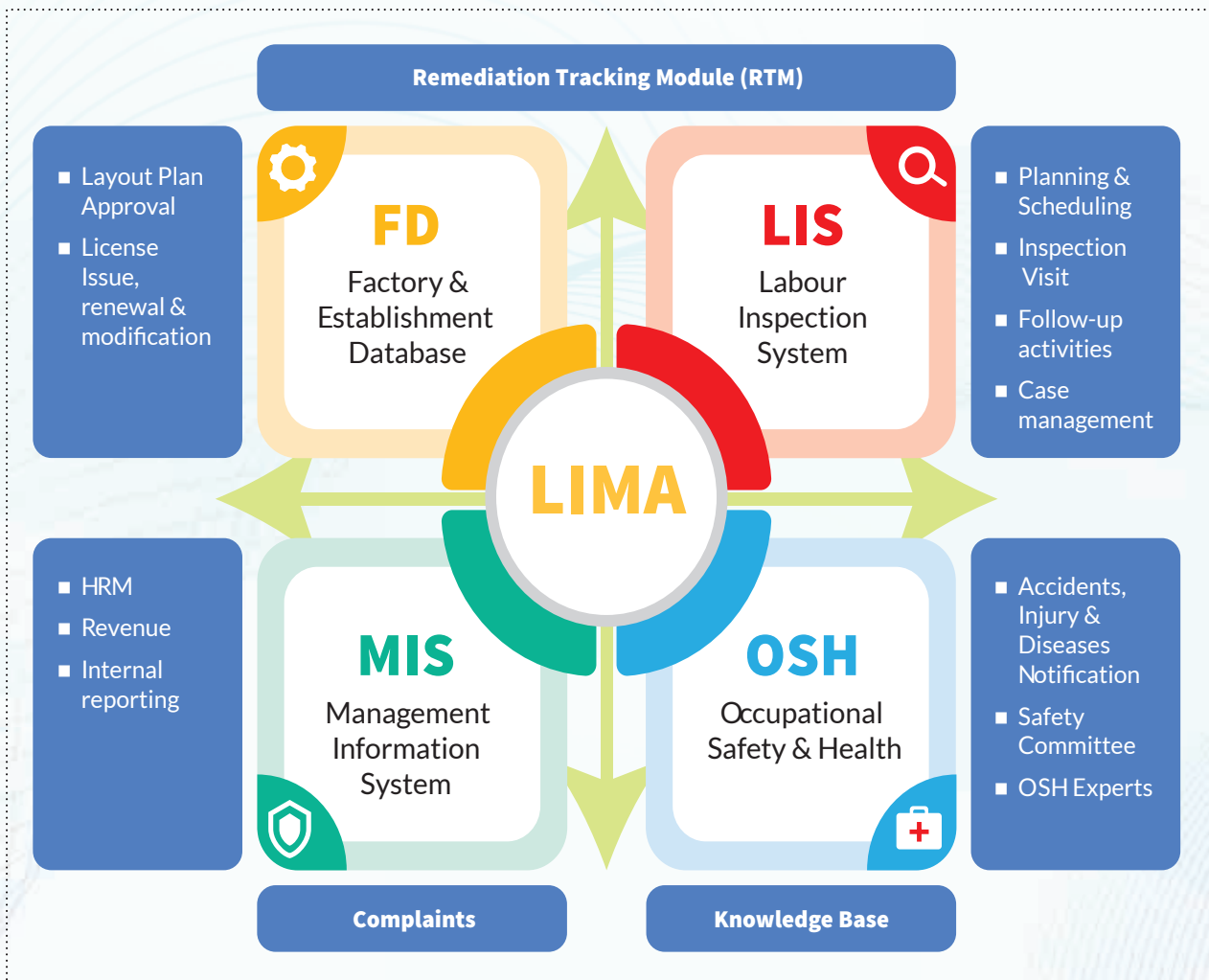


Figure 19: LIMA components

The LIMA a comprehensive information and knowledge management system for DIFE, which includes following modules and sub-modules:

- **Module 1 – Enterprise database:** Online factory registration/renewal/licensing and layout plan approval system provides factory management to apply for factory licenses and approval for layout plans. Data coming through the licensing process builds the enterprise database for DIFE.
- **Module 2 - Labour inspection system:** Including inspection planning, scheduling, use of checklist during factory visit, report writing, corrective action planning, follow-up visit and case management.
- **Module 3 – OSH:** Occupational safety and health module includes OSH experts' database, accident and injury reporting, occupational disease reporting, safety committee database and OSH knowledge base.
- **Module 4 - DIFE management information system (DMIS):** DMIS includes personnel management, revenue reporting, compliance reporting, workers welfare and other essential reporting for DIFE.
- **Module 5 – Remediation tracking module (RTM):** This module includes data on preliminary assessments on structural integrity, fire and electrical safety, corrective action plans (CAPs), follow-up inspections of CAPs, CAP implementation progress and overall remediation progress of factories under national initiative.
- **Complaints management system (CMS):** CMS sub-module provides online platform for receiving complaints, managing and resolving the complaints and providing feedback to complainant. It provides central platform for managing the complaints received from all over the country.
- **Knowledge base:** This is a central repository for all knowledge products of DIFE and a hub for knowledge sharing.

The LIMA is currently being hosted at national data center managed by Bangladesh Computer Council (BCC). Application Programming Interface (API) is being developed so that other applications can interact with LIMA.

In 2017, DIFE has received 3 servers (two Linux based, one windows-based), one network attached storage server and licensed Windows Server 2012 R2 version with 100 client access license, to support IT infrastructure of DIFE and host the LIMA and other applications used by DIFE.

To strengthen capacity of the DIFE IT team (a team of 6 labour inspectors, 2 female) were provided with industry standard IT trainings, namely CompTIA A+ (for hardware and common PC troubleshooting), Microsoft Windows Server Administration, MySQL Database Administration, RedHat Linux System Administration, and CIW Graphic & Web Design. These trainings aimed to enhance their skill to manage the servers and web applications that were developed for DIFE. Besides, in May-June 2017, 25 labour inspectors were trained as master trainers for LIMA and subsequently all labour inspectors including the staff at DIFE head office were trained on use of LIMA. In 2017-2018, four piloting district offices have received orientation on troubleshooting of LIMA and operationalizing of several modules of LIMA at field level. Problems faced by the labour inspectors in using LIMA were reported and resolved during the piloting period.

As of December 2018, DIFE completed piloting of LIMA in four districts and ready to launch it for all offices from 1 January 2019.

6.5 Helpline

With ILO's assistance, DIFE launched a Labour Helpline (0800 44 55 000) on 15 March 2015 which aimed to facilitate workers to register their complaints and grievances. The helpline was operated through third party and logged complaints were forwarded to DIFE and DoL for investigation and actions. In 2018, DIFE acquired a short phone number for helpline: 16357, and made it operational. DIFE is in process to establish its own call center to receive the complaints over the phone. Besides it has already developed a mobile app for submitting complaints and there is LIMA module for complaints management. In 2018, DIFE revised its SOP to manage complaints using LIMA. In addition, DIFE has established an email account (complaints@dife.gov.bd) to receive complaints/grievances.

DIFE planned to conduct a nationwide campaign on helpline and complaints mechanism to popularize the complaints management system including the helpline.

6.6 Communication capacity, campaigns and materials

After upgradation to Department, DIFE recognized importance of DIFE's communication capacity and visibility has increased during the reporting period. Two communication officials were recruited in 2017 and 2018 to support DIFE's labour inspection and remediation (RCC) activities.

6.6.1 Capacity

Although DIFE has no full-fledged communication unit, it has a information and public relations officer at head office who oversees communication related functions. The information and public relations officer joined DIFE in 2017 and working on communication activities. However, DIFE sees communication is integral part of all inspectors work and in that view, with support of the ILO, in 2017, 170 DIFE officials (138 male, 32 female) were trained on communication and information sharing. The trained officials now have increased capacity of communicating the inspection results with public and media. Moreover, projects under DIFE, e.g. RCC and LI-OSH strengthening, are having separate communication capacity.

6.6.2 Communication tools

Since 2014, a number of publications on labour inspection, occupational safety and health (OSH), information management and remediation activities were produced as training and awareness raising materials.

With support from ILO, a bilingual OSH kit was developed to train safety committee members on workplace health and safety-related risk assessment, emergency preparedness, personal protective equipment (PPE), fire, electrical and chemical safety, and prevention and response to workplace accidents. These materials were distributed to 585 garment factories and among DIFE regional offices, trade unions, employer organizations, civil society organizations and academic institutes. These kits are available in print and online version for easy access.

Besides, nine audio-visual items on DIFE's reform, role of DIFE, functions of safety committees, gender inclusion, OSH tips, information and knowledge management, LIMA and foundational trainings were produced to showcase the activities and achievements of DIFE during the reporting period.

A remediation kit was produced in 2018 to inform employers, workers and government employees about the remediation process and remediation financing.

6.6.3 Communication channels

DIFE's first information sharing channel started in 2014 with launching of its website. After that DIFE added more channels including Facebook page and YouTube channel. From 2014, DIFE maintains an official Facebook page and using it to share updates on different issues following the Government's social media guidelines. DIFE's facebook page¹² and facebook group are maintained by DIFE ICT cell. Currently the facebook page has more than 5,000 followers. DIFE district offices also maintain separate facebook pages targeting district level users. A closed facebook group¹³ maintained by the labour inspectors acts as community of practice where labour inspectors to share their problems, solutions and expertise. Another closed facebook group LIMA support is used to provide support to LIMA users. DIFE also publishes news bulletin for internal use.

6.6.4 Media relations

During the reporting period DIFE regularly responded to enquiries and requests from national and international media. Press coverage were organized for the launching ceremony of the Labour Inspection Management Application (LIMA), the Remediation Coordination Cell (RCC), National Day on Occupational Safety and Health (OSH), helpline launching ceremony, world day against child labour, and etc.

6.6.5 Campaigns

DIFE launched a three-month long campaign titled 'Safe workplaces, go ahead Bangladesh' on 30 March 2017 with the support of the ILO. The campaign targeted ready-made garment (RMG) workers living in three industrial areas of Dhaka, Gazipur and Chattogram districts. Under the campaign, 2 million RMG workers received text messages on workplace safety and health. A radio programme and a series of public service announcement (PSA) were broadcasted on Dhaka FM radio. In addition, a video documentary and posters featuring a popular Bangladeshi actor were produced to sensitise workers and factory management about OSH. All these audio and videos were packaged in OSH kit and were distributed to factories for later use.

Since 2016, DIFE celebrates National Occupational Safety and Health (OSH) Day on 28 April. To mark the day, DIFE has organised press events, public space branding, newspaper supplement and advertisement, road shows in four industrial zones and awareness programme in 23 districts where DIFE regional offices are located.

Since National OSH Day 2018, DIFE introduced OSH Good Practice Award for the RMG factories. On 28 April 2018, 10 RMG factories were awarded for their contribution towards ensuring safe and healthy workplace for the workers. The OSH good practice will be awarded every year and will be expanded to other sectors too to recognize the employers' commitment towards a safe workplace.

¹² Accessible via <https://www.facebook.com/dife.gov.bd/>

¹³ Accessible via <https://www.facebook.com/groups/1016111328529550/>

Development Projects to Strengthen DIFE

Several development partners are supporting the strengthening of the Labour inspection system and are assisting DIFE to develop its capacity by training staff and providing equipment and other assistance. Although many of these projects are mainly targeting the RMG industry, they are supporting the national Labour inspection system and strengthening the capacity of DIFE which will benefit all sectors. This chapter highlights some of the major projects by DIFE which are funded by the Government of Bangladesh and development partners.

7.1 Projects funded by the government

As part of its commitment to strengthen the labour inspection system, the Government of Bangladesh (GoB) has undertaken several projects for DIFE. Following sections provide overview of some of the recent projects.

7.1.1 Modernization and strengthening the DIFE

To modernize DIFE, the Government of Bangladesh, from its own budget, has taken up a development project in 2013 which was implemented by DIFE for the period January 2013 to December 2016. Through this project DIFE Established 9 (nine) district office buildings in Gazipur, Kushtia, Faridpur, Cumilla, Barishal, Mymensingh, Moulvibazar, Rangpur and Narayanganj. Establishment of these offices and having own buildings decentralized activities based on industry density that facilitates close monitoring, effective inspection and ultimately saves time and cost. Under this project, DIFE procured inspection equipment and office furniture for sustainable work of these offices that included 1 jeep, 6 microbuses, 45 motorcycles, 45 desktop computers, 2 laptops, and 3 tablet computers. It has also developed computer network between zonal offices, regional offices and headquarters. The phase 2 of the project will start in July 2019 and will continue up to December 2021. In phase 2, 13 office buildings are expected to build. Budget for the phase 1 of the project was 725,002,000 BDT and budget for Phase 2 is 2290085000 BDT.

7.1.2 CAP implementation of remediation coordination cell

In 2018, GOB started the project for implementing the Corrective Action Plans (CAP) under Remediation Coordination Cell (RCC). The project started in July 2018 and will continue up to June 2019. The project is providing 60 engineers to support follow-up activities of CAP and supporting other activities of RCC. The project will support remediation activities of 745 active RMG factories which were assessed by the national initiative and currently being followed up by the RCC. The project will contribute in reducing the industrial accidents and improving safety at workplaces. Considering the importance of the work, GoB has already taken initiative to extend the project up to 2021 to strengthen capacity of RCC.

7.1.3 Establishment of OSH Institute

GoB has undertaken a large project to establish National Occupational Safety and Health Research and Training Institute (NOSHRTI) with estimated budget of 1,652,833,000 BDT. The project started in September 2018 and will continue up to June 2021. In this phase of the project the institute building and necessary physical structure will established.

The OSH institute will contribute to better awareness raising and knowledge generation on occupational safety and health among the workers, employers and mass people. The Institute will conduct research on OSH issues and cater a range of trainings on OSH for workers, employers, managers and other relevant people.

7.2 Projects funded by development partners

After upgrading to department, DIFE has received lot of attention from the development partners and have undertaken several projects to strengthen DIFE. Following sections provide overview of projects supported by development partners.

7.2.1 ILO

After the Rana Plaza, much of the reform that undertaken in DIFE have been supported by the ILO, especially its Improving Working Conditions in the RMG sector in Bangladesh programme, that was funded by the Canada, the Netherlands and the United Kingdom. In its first phase (October 2013- June 2017), the programme aimed at improving safety and working conditions for some 4.2 million workers in the Bangladesh RMG sector. The program closely worked with DIFE for all its five components: looking into building safety, strengthening the Labour inspection system, ensuring occupational safety and health, rehabilitation of RMG workers injured at Rana Plaza and the launch of Better Work program.

Among these five components, first three components, i.e. building safety, strengthening labour inspection system, and ensuring occupational safety and health, were directly implemented with DIFE and provided DIFE with a significant amount of capacity building, technical expertise and resources relating to Labour inspection work in general as well as the following up in a systematic manner on the results of safety inspections of RMG factories. The programme has also helped DIFE to develop its first of kind Reform Roadmap, Annual Inspection Plan, Labour Inspection Checklist and Inspection Guidelines, Standard Operating Procedures (SOP) for inspections, OSH profile, providing foundational training to all newly recruited labour inspectors, and establishing DIFE's digital inspection platform LIMA.

The programme's second phased (July 2017 – Dec 2023), continued to support strengthening DIFE. Some of the major support for DIFE during this period are:

- a) establishing and strengthening remediation coordination cell (RCC) to oversee remediation of the national initiative RMG factories;
- b) making LIMA fully functional in all DIFE offices to publish reports online from LIMA;
- c) updating OSH profile;
- d) developing National Plan of Action for OSH that will help formulate national OSH programme;
- e) risk based annual inspection planning and systemic execution of the plan;
- f) improved reporting on labour inspection, OSH and remediation;
- g) effective complaints management system;
- h) effective reporting system for occupational accident and injury;
- i) gender sensitive labour inspection system;
- j) long term training strategy for DIFE's inspectors and partnership with appropriate institutions to ensure delivery of trainings to newly recruited inspectors.

ILO, through other projects, also supporting DIFE

7.2.2 UNFPA

In 2017, DIFE started implementation of UNFPA supported project Gender Equality and Women's Empowerment at Work Place, which will continue up to December 2020. The project aims to improve gender equality and empower women. It will also contribute in reducing gender based violence and sexual harassment at workplace. The project is currently raising awareness on sexual and reproductive health and rights (SRHR) and HIV/AIDS among the workers. Key activities accomplished so far are:

A strategy titled 'Operational strategy to prevent and respond to gender based violence and gender discrimination in the work place' has been prepared and approved for the Ministry. A draft work plan has also been formulated for implementing the strategy.

The factory managers of the three sectors have been trained on SRHR and GBV issues.

The Orientation program have been organized with the owners of the relevant sectors

Eighty industrial police officers have been trained on GBV.

Total budget for the project is 54,887,000 BDT and GOB contributed 6,043,000 BDT.

7.2.3 Danish

Denmark is supporting DIFE to strengthen capacity of labour inspectors in OSH by providing trainings and fellowships. Under its Strategic Sector Cooperation program, Danish provided 286 tablet computers for the labour inspectors (which were replaced by ILO provided tablet computers in 2017). It has trained labour inspectors on machinery safety (08 persons), accident prevention (08 persons), construction safety (08 persons), chemical safety (08 persons) and ergonomics (08 persons). Denmark sponsored fellowship for 4 labour inspectors to complete Master's programme in AALBORG University, six-week OSH training in Denmark for 9 inspectors. The support from Denmark is still continuing in the form of direct training and fellowships.

7.2.4 GIZ

German development agency GIZ has also provided assistance to DIFE in the form of training for staff and the supply of inspection equipment to help build a modern inspection system. DIFE is continuing its work with GIZ on injury insurance scheme and overall accident and injury reporting for workplaces.

7.3 Cooperation with other agencies

Since the Rana Plaza incident, it has been clear that Labour inspection services cannot work in isolation and need to work with other agencies and departments which are concerned with building and workplace safety, workers' welfare, workers' rights and Labour-management cooperation. DIFE has embraced this challenge and is actively collaborating and coordinating with government ministries and departments, employers' associations, international buyers, brands, trade union bodies and development partners.

The Role and responsibility of DIFE are mainly determined and specified by the Bangladesh Labor Act 2006 and Bangladesh Labor Rules 2015. The activities of DIFE have been more specified and expanded in BLR 2015. With socio economic advancement of Bangladesh, the number of factories and establishments is increasing. Moreover, 100 economic zones are being established by Bangladesh governments. DIFE needs its capacity to enforce labor laws and ensure rights, safety and health of the vast number of workers. Keeping the changing context in mind, DIFE planned its future activities to be able to respond proactively.

8.1 New organogram

At present, DIFE has the organogram with 993 approved posts. With increased number of enterprises and inclusion on EPZ factories in labour inspection purview, DIFE's current structure is not sufficient. Besides, ensuring industrial safety became one of the notable mandates of DIFE. Considering these changing context and challenges, DIFE has submitted a proposal of new organogram with 2,784 personnel to the Ministry of Labour and Employment (MoLE). The comparative scenario of existing and proposed DIFE organogram is shown in Table 13.

| Status | Number of Divisional Offices | Number of Districts offices (Office of DIG) | Number of EPZ inspection offices | Total Personnel | Number of Inspectors | Research and training Institute |
|----------|------------------------------|---|----------------------------------|-----------------|----------------------|---|
| Existing | 0 | 23 | 0 | 993 | 575 | o |
| Proposed | 09 | 48 | 05 | 2784 | 1571 | OSH institute (under construction by GOB project) |

Table 13: Changes in personnel in proposed organogram

The proposed organogram will provide function based units at head office and more labour inspectors in the field offices.

8.2 OSH institute

Recognizing the absence of education and training opportunities on OSH in Bangladesh, DIFE proposed establishment of a National Occupational Safety and Health Research and Training Institute in Bangladesh. The Government of Bangladesh approved the project and construction of building for the instituted started in 2018 in Rajshahi.

The OSH Institute will have 140 personnel and 5 (five) faculties: (1) Administration, (2) Education and Training, (3) Research and Developments, (4) Occupational Health, and (5) Occupational Safety. The OSH Institute will have following activities:

a. Research: The institute will conduct research on occupational health and safety issues in Bangladesh. It will support such researches by providing supervision, lab facilities and dissemination of results. Some of the priority area for such research will be: specifying Standards for Workplace Inspection and Workplace Safety, research on workplace accidents

and prevention of those types of accidents, research on occupational diseases, and support for improving OSH regulations.

b. Training and education: In addition to the officials of the DIFE, there will be facilities for the officers or employees of different government organization, employees/ workers from various levels of factories and establishments to participate in the training or courses on labor laws, occupational health and safety programs for different periods. This faculty will provide certificate courses on occupational safety and health, certificate course on labor laws and rules, accident prevention, risk assessment, and accident investigation.

c. Consultancy services: The OSH Institute will offer a set of services to individuals, groups or organizations interested in paying on-the-money: (a) Risk Assessment (Health and Safety), (b) Accident prevention and reporting, (c) Environmental Assessment, (d) Environmental Impact Assessment (EIA), (e) PPE management, (f) Industrial waste/waste water management, (g) Monitoring of the workplace air, (h) Chemical exposure and recommendation, and (i) Complete OSH solution.

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

8.3 Industrial safety unit

Industrial Safety Unit (ISU) is seen as a legacy that will work on ensuring industrial safety, e.g structural, fire and electrical, as part of DIFE's regular activities. The main activities of ISU will be to: continue remediation activities of RCC; monitor and evaluate electrical, fire and structural safety of factories and establishments; justify structural design of the factories and establishments; and ensure practical observation on specified safety issues.

DIFE included the 10 industrial safety unit (ISU) in the proposed organogram. One will be in head quarter with 63 personnel among those 27 will be engineers. The rest of industrial safety units will be in 9 divisional offices with 148 engineers. All engineers of industrial safety unit will have Civil or electrical or (industrial and production) engineering degree.

The industrial safety unit (ISU) will be active once the new organogram is approved. The knowledge of RCC will be transferred to ISU.

8.4 National plan of action for OSH

Bangladesh initiated developing OSH profile in 2014, and is committed to promoting OSH culture. Through observation of National OSH Days since 2014, launching OSH Good Practice Awards and OSH campaign conducted in 2016-2017, OSH issues have been surfaced in factories and establishment. To capitalize on the momentum created, DIFE plans to develop National Plan of Action for OSH (NPA-OSH) which may guide launching national OSH programme with multi-ministry involvement. NPA-OSH is expected to be available by mid 2020.

Challenges for Labour Inspection

Since the upgrade of DIFE, many things have improved. For example, personnel has increased, the budgetary allocation by the Government has increased to a marked extent and also the number of programs for raising the skill level of the labour inspectors has increased. However, there are still some challenges which may hinder effective inspection activities undertaken by DIFE. This chapter lists some of the challenges in labour inspection in Bangladesh.

9.1 Inadequate number of labour inspector

In Bangladesh, like many other countries, the number of labour inspectors is seen as inadequate in relation to the extent of their responsibilities, the increasing number of enterprises and workers and the increasing complexity of the labour market. The insufficient number of labour inspectors has a negative impact both on workers' protection and on labour inspectors' own working conditions:

- The lack of adequate number of inspectors can lead to a decrease in either the number of enterprises inspected or in the time that is spent on analyzing each dossier and its possible implications; both cases result in limiting the effectiveness of labour inspectors' interventions.
- The lack of adequate number of inspectors can also lead to overtime or additional pressure of work and in consequence to a worsening of their own working conditions.

During the last few decades, the economy of Bangladesh has largely expanded which has resulted in a large increase in the number of factories and establishments. Due to this expansion, the current number of labour inspectors is insufficient to undertake the effective factory inspection throughout the country.

9.2 Female labour inspectors

Labour inspection has still remained predominantly a male territory though the female participation in the labour force has increased steadily and currently stands at 31% of the total labour force (LFS 2017). Female labour force increased from 18.2 million in 2015-16 to 19.8 million in 2016-17; thus the total number is increased 1.7 million in one year. Rapidly growing industries like RMG employ more than four million workers of which about 80% are female. In June 2013 (at the time of Rana plaza Collapse), there were 92 labour inspectors in post of which 82 were male and 10 were female i.e. the percentage of female labour inspectors was a mere 11% of the total. As of December 2018, there are 314 labour inspectors in post, of which 252 are male and 62 are female i.e. the percentage of female inspectors now stand at 20%, from the situation in 2013. Though it is a welcome trend, retention of the female labour inspector is still an issue. Since 2014, a total 22 female labour inspectors have left the job and joined in some other profession. Due to its nature, the labour inspection job remains a challenge for the female.

9.3 Retention of labour inspectors

Since 2014, a high turnover of labour inspectors is observed. It showed that between 2014 and 2018, total 79 inspectors (22 female) resigned because they wanted to switch to better jobs. Out of these 79 inspectors, who left the job, 67 were labour Inspectors of grade-10. Retention rate is higher for grade-9 inspectors.

In 2016, ILO conducted a study on DIFE High Level Staff Retention and Motivation. This investigative study identified the underlying causes of low retention of the inspectors and explored different models for inspectors' recruitment and retention including career development/growth opportunities. ILO recommended professionalization of the service and introducing cadre service for labour inspectors, as well as increasing salary and other benefits considering the challenges of the profession.

9.4 Recruitment process

The recruitment of new labour inspectors takes considerably more time than estimated of (1 year or more) because of the required changes in the government's recruitment modality. After the Rana Plaza incident, the Labour Inspectors are being recruited by the Public Service Commission (PSC) and from the waiting list of BCS. From ILO's study on motivation and retention of labour inspectors, one of the causes of low motivation is the current practice of recruiting new labour inspectors. The study recommended to have a separate recruitment process specifically conducted for recruiting the labour inspectors.

9.5 Career path of the labour inspectors

Another challenge of the DIFE is the lack of motivation of the labour inspector due to limited career path. Three major reasons for lack of motivation are:

- **salaries and allowances:** The labour inspectors have the same pay scale as other government officials and their salaries vary according to their qualification and seniority. They do not receive any type of incentives or allowances that may distinguish or compensate them for the risks and hazards they face as labour inspectors.

- **working hours:** The regular working hours of the inspectors are from 9 am to 5 pm, from Sunday to Thursday, but the inspectors usually work until late hours in the evening or night and sometimes they also work on weekends, Fridays and Saturdays, without overtime payment or any other form of compensation. Inspectors are entitled to 20 days of casual leave, but in reality they do not have them, except in extreme cases. Unused casual leave is also not compensated.

- **Stagnant career path:** With experience of more than 13 years, a labour inspector can be promoted up to Joint Inspector General (JIG) which has only four posts, or upto to Deputy Inspector General (DIG) which has 27 posts. Promotions are possible only if there is vacant post. The Inspector General and Additional Inspector General posts are reserved for civil service cadre. For Labour Inspectors, moving to higher position is very competitive and often impossible even after best performance.

9.6 Inadequate training of labour inspector

The changing labour market requires labour inspectors to continually adapt to new realities, new legislation and new challenges; moreover, the impact of retirement means that skills and knowledge need to be transferred to new recruits. The only way of guaranteeing this is to provide an adequate level of training for both new and existing employees. The reality is, however, one of insufficient financial resources, an insufficient number of labour inspectors and an ever-changing labour market. All these factors make difficult to provide proper training. In spite of the challenges DIFE has arranged a large number of training programs for labour inspectors every year. But in practice those skill level training was not enough due to high turnover of Labour Inspectors and due to newly recruited labour inspectors including IG and Additional IG need time to develop various skills with the cooperation of national and international partner organization. Thus, it is important to design and plan training programs on a regular basis to help DIFE to strengthen the skills of labour inspectors.

9.7 Legislative authority and coordination among stakeholders

It is found that DIFE could not practice the instant legislative power due to the law. DIFE has to file cases under different section of labour law and forward these to court. This is a lengthy process to solve the cases. On the other hand, the amount of fine is very minimum with a huge time investment. Although through amendment of Bangladesh Labour Act, 2006 in 2013, the amount of fine under violation of several sections of the Act, has been increased by 5 to 25 times (Table 14).

| Section no. | In BLA, 2006 | In amendment BLA (2013) |
|-------------|--------------|------------------------------------|
| 286 | 5,000 BDT | 25,000 BDT (5 times higher.) |
| 306 (1) | 2,000 BDT | 25,000 BDT (12.5 times higher.) |
| 306 (2) | 1,000 BDT | 10,000 BDT (10 times higher.) |
| 307 | 1,000 BDT | 25,000 BDT (25 five times higher.) |

Table 14: Changes of fines in BLA 2006 (amendment 2013)

By the amendment in 2018 the compensation for death and disability due to workplaces accident or diseases has been increased (2 times as earlier).

Coordination among the different stakeholders is another problem to make delay to solve the filed cases quickly.

9.8 Unavailability of sector specific information

With the rapid expansion of the manufacturing and services sectors in Bangladesh, the number of registered factories and establishments, as stated earlier, has expanded greatly over the years. There is not enough specific information about sector-based workers and their working conditions, which make the inspection activities relatively difficult to carry out.

9.9 Lack of interest among factory owners and workers

Factory owners and workers have limited interest in laws related to labour issues. The awareness level on Labour laws and OSH issues of workers and employers in many sectors are very low. It is one of the hardest challenges for inspectors to implement labour laws in those sectors. Often it is found that workers are not using the safety system although it is supplied by the employers.

9.10 Personal security

For several years now and in a number of different countries, labour inspectors have faced physical or psychological abuse as a result of often being seen as an obstacle to a “free” economic development of the enterprise. Bangladesh is not different from other countries. Sometimes inspectors are to take the responsibilities for workplaces accidents that is not desirable.

9.11 New types of challenges in labour inspection

The new realities of the labour market, such as complexity of industrial processes, new illnesses, mental stress, outsourcing, complex supply chains and the globalization of labour relations, make it necessary for labour inspectors:

- To develop new inspection skills and strategies for prevention;
- To improve data collection in the context of globalization and worldwide employment relations;
- To improve administrative and legal means of action;
- To plan programming and reporting;
- To obtain a broader involvement of social partners at the national level to encourage more targeted action, especially in occupational health and safety issues;
- To keep a balance between sanctions and prevention.

Without these improvements the effectiveness of the labour inspection services will gradually diminish as will the protection provided to workers in their day-to-day activity.

“The world is divided into two halves, the oppressed and the oppressors. I am with the oppressed.”

Bangabandhu Sheikh Mujibur Rahman



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