

► Policy Brief

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National Tripartite Plan of Action (NTPA) on Fire Safety and Structural Integrity

Summary analysis and a way forward

Review: National Tripartite Plan of Action (NTPA)

The National Tripartite Plan of Action on Fire Safety and Structural Integrity in the Garment Sector of Bangladesh (NTPA), was formulated in 2013, with a view to address the weaknesses in rules and regulations, institutional capacity, Occupational Safety and Health (OSH) and wider concerns related to industrial relations and safer working conditions.

Under the NTPA, a total of 25 activities were undertaken by stakeholders from the public and private sectors. A comprehensive review of the NTPA was conducted to examine the level of 'institutionalization' of all commitments and related activities under the agreement.

The review was carried out through a participatory evaluation process, wherein all relevant stakeholders were interviewed and secondary source data was collected and analysed.

The review identifies areas for further improvement and new safety areas/sectors to be considered. It also makes several recommendations towards ensuring broader industrial safety across Bangladesh.

Analysis and Findings

The review of NTPA-related activities were carried out in four broad areas, including:

- a) Legislation and policy
- b) Administration
- c) Industrial safety
- d) Worker rehabilitation and injury insurance

Based on the analysis, the report identifies areas of progress, gaps and finally, the way forward for each respective activity.

a) Legislation and policy

The activities which have been undertaken include reform in labour rights and industrial relations and working conditions.

Major legal reforms have been made; the Bangladesh Labour Act (BLA), 2006 has been amended twice (in 2013, and again in 2018) and the Bangladesh Labour Rules (BLR) was formulated (pursuant to 2013 revisions) in 2015. The Export Processing Zones (EPZ) Act was also amended in 2019. These measures led to considerable progress in the policy frameworks on ensuring labour rights and workplace safety, such as reduced membership requirements to form trade unions and worker safety committees in enterprises.

The national OSH Policy was formulated in 2013 with a view to ensure workplace safety in all industrial sectors. However, the progress in OSH-related activities such as setting up national standards, maintaining relevant data, developing strategy and action plans etc. has been scant.

Despite considerable progress, there are still a number of areas requiring urgent attention, namely the ratification of ILO conventions related to workplace safety, freedom of association and the right to organize, and further amendments to the BLA and the BLR in order to align those with the relevant ILO conventions.

There are also different labour laws for EPZs and economic zones in Bangladesh, when in reality, one comprehensive labour law should be applicable throughout the country. Among other initiatives, although the BNBC is currently being revised, there are several concerns that the revisions are weakening the BNBC. Moreover, the rules for firefighting and fire prevention, and boiler safety are outdated and need revising too.

b) Administration

There have been notable improvements in the institutional and administrative capacities in the Ministry of Labour and Employment (MoLE), including upgrading two directorates into Departments; the Department of Inspection of Factories and Establishments (DIFE) and Department of Labour (DoL). DIFE, as well as the Bangladesh Fire Safety and Civil Defence (FSCD) have significantly strengthened their human resources and logistics capacities.

As part of its digitalization process, DIFE (with support from the ILO) has launched the Labour Inspection Management Application (LIMA), aimed at easing the factory licensing process. Also, the LIMA system serves as a digital database of safety issues in enterprises across multiple sectors.

Additionally, the online registration of trade unions has been made possible through DoL's online portal.

Moreover, both the DIFE and the FSCD have launched safety hotlines.

However, DIFE still does not have the capacity to inspect all factories in all sectors; therefore, capacity development of the DIFE needs to continue. The law enforcement capacities of DIFE and FSCD - such as the legal authority of labour and safety inspectors, particularly during the time of emergencies - needs to be increased.

c) Industrial safety

There is notable progress in improving the workplace safety of all garment factories. Preliminary safety assessments of all factories are completed; Accord and Alliance reported that over 90% of factories inspected under their initiatives had completed remediation. For factories under the National Initiative (NI) of the Government of Bangladesh, about 35% of non-compliances have been remediated; not accounting for the high number of closures due to the remediation process or the progress of factories transferred to other initiatives (a total of 180 NI factories transferred to Accord, Nirapon and EPZ after remediating to a level accepted by the industry and buyers); and 104 shifted or relocated. Also, safety trainings for management, staff and workers have been conducted by different government agencies, development partners and employers' organizations.

There are ongoing concerns over the different safety assessment methodologies followed by each of the three initiatives, namely Accord, Alliance and the National Initiative (NI). In particular, as compared to other initiatives, there has been slow progress reported in improving workplace safety in NI factories and all non-compliant NI factories have escalated with 620 closures.

Furthermore, a one-stop-shop for safety licensing is yet to be established, and there has been little progress in ensuring responsible business conduct in supply chains in all sectors.

d) Worker rehabilitation and injury insurance

Establishment of 'The Rana Plaza Donors' Trust Fund' in 2013 by the ILO, was a major step in rehabilitating and compensating the Rana Plaza survivors under which skills development and re-employment activities were also initiated. Despite those activities, a national scheme for employee injury insurance (EII) is yet to be developed. Likewise, the National Employment Injury Insurance Scheme is yet to materialize due to the lack of time-bound commitments, limited efforts for legislative changes and resistance from a section of stakeholders.

In light of the above, the NTPA accomplished its primary objective of identifying and implementing activities that fall within the individual and/or collective responsibility of the tripartite partners, to ensure an integrated approach to promote fire safety and structural integrity in Bangladesh, particularly in the ready-made garment (RMG) sector. The NTPA has further provided entry points for other stakeholders (i.e. buyers/brands, international development organizations, donors, etc.) that wish to support, in a coordinated manner, implementation of a National Employment Injury Insurance Scheme.

Way forward

Based on the review and analysis, the NTPA review proposes a Plan of Action (PoA) on industrial safety in Bangladesh, taking into account industrial safety in all sectors. With the changing environment and the need for a multisectoral approach, there is a real need to refocus efforts on industrial safety, taking into consideration the 'good practices' of RMG-facing initiatives. The proposed PoA highlights the following areas of work, which will prioritize 76 proposed activities with consultation with stakeholders:

Legislation and Policy

- The ratification of relevant international ILO conventions
- Greater enforcement and reforms of the BLA (2006)
- Reform of labour laws/rules

Administration

- Formation of a Government cabinet committee to oversee the implementation of the PoA
- Aligning the PoA with the 2030 Sustainable Development Goals (SDGs)
- Upgrading the capacity of DoL and DIFE
- Establishing a more transparent registration process for trade unions
- Improving the functioning of the LIMA app and database
- Making the DIFE and FSCD helplines more effective
- Improving social dialogue and industrial relations
- Strengthening the capacity of labour courts

Industrial Safety

- Strengthening industrial safety and remediation activities
- Undertaking safety trainings and self-assessments at the factory level
- Targeted awareness building programmes on workplace safety
- Ensuring implementation of the National OSH policy
- Assessment of factory-level safety needs for all types of industries

Workers Rehabilitation and Injury Insurance

- Adopting an employment injury insurance scheme

Contact details:

International Labour Organization

Country Office for Bangladesh
Block-F, Plot 17/B&C
Sher-E-Bangla Nagar Administrative Zone, Agargaon, Dhaka
Bangladesh

T: +88 09 678 777 457
E: dhaka@ilo.org



Kingdom of the Netherlands

