



CALLING FOR REMEDY

The Bangladesh Accord complaint mechanism has saved lives and stopped retaliation across hundreds of factories

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EXECUTIVE SUMMARY

The Accord on Fire and Building Safety in Bangladesh has taken away the fear of entering the workplace for garment workers across the 1,674 factories it covers. Next to the inspections on fire, electrical, and structural safety that the Accord is most widely recognized for, it also operates an extensive Worker Participation program which includes a Safety and Health Complaints Mechanism. Through the Accord's All Employee Meetings and in-depth occupational health and safety committee trainings, over 1.6 million workers – the majority women – have received information on how to identify hazards and report them using the complaint process.¹

Independent investigations by credible experts are crucial for workplace safety, but inspections alone do not change worker-management communications. The people who work daily in the factories are key to making workplaces safer. Thus the Accord has an accessible, rights-based and confidential complaint mechanism, which functions in tandem with the independent inspectorate. Workers themselves and their representatives are best placed to notice and alert complaint handlers about new health and safety issues as well as to monitor the ongoing remediation of those violations. The Accord's complaint mechanism is one of the tools workers have to report concerns about health and safety hazards without fear of employer retaliation, and if they choose, anonymously.

There are other complaint systems associated with factory safety inspection programs, but our review of the cases reported indicates these are inadequate. For example, Bangladesh's Department of Inspections for Factories and Establishment manages a complaint system that is available to garment workers; however, its online database reports that DIFE has received only 25

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complaints since 2014, none of which were in the category of workplace safety.² In comparison, the Accord reports 1,329 complaints during the same time period, of which 917 related to occupational safety and health.³ A major difference between the two complaint mechanisms, which may influence the extent to which workers access them, is that the Accord allows for anonymous and confidential complaints, whereas DIFE does not.⁴

This report analyzes the structure and procedures of the Accord's complaint mechanism, worker and union complaints received by Accord staff, Accord responses, and resolutions reached. Additionally, it draws on worker interviews conducted in October 2018, which we feature in two factory case studies. Through this research, we find that the Accord's complaint mechanism:

- Is an independent and responsive avenue through which garment workers in Bangladesh are regularly raising concerns of safety violations.
- Provides responsive and meaningful action and is successful at securing remediation. As a result, workers are increasingly more likely to trust and use the complaint mechanism.
- Ensures that workers are able to exercise their right to refuse dangerous work.
- Protects workers from retaliation.
- Provides apparel brands and retailers with knowledge of factory-level issues that would otherwise go undetected and unreported, allowing them to remediate.
- Provides transparency by publicly reporting on all complaints received, with details about their current status and resolution.
- Reduces potential gender bias in worker access, because, through the Accord's training program, all workers in each factory receive information about how to use the complaint mechanism.

An essential policy of the Accord complaint system is a commitment by the secretariat to always take action when retaliation against workers who raise health and safety concerns is brought to its attention. Without intervention mandated by the Accord, many workers who were fired after raising the alarm over risks and hazards they perceive would not have been rehired. The prevalence of this retaliation indicates that reprisals

The success of the Accord's complaint mechanism is one of several reasons why the work of the Accord should be allowed to continue until credible alternatives for all aspects of its work are in place.

against workers who raise complaints in non-Accord covered factories is likely much higher, as factory management are not held accountable.

The success of the Accord's independent complaint mechanism is one of several reasons why the work of the Accord should be allowed to continue until credible alternatives for all aspects of its work are in place.



Accord safety training. © Raluca Dumitrescu for Bangladesh Accord

INTRODUCTION

On April 24, 2013, at least 1,134 workers lost their lives in the collapse of the Rana Plaza building in Bangladesh – the deadliest disaster in the history of the apparel industry. That morning, women who saw cracks in the walls tried to refuse to enter the eight-story building, but were hit and pushed to go to their sewing machines. Others complied with the loudspeaker announcements, which claimed the building had been repaired, under threat of losing their month's salary and fearing the economic impact that would have on them and their families. From reports of workers who survived that day, it was clear that the tragedy of Rana Plaza could have been prevented had the workers, the vast majority of them women, been heard and had the ability to take action. Yet, none of these workers had a viable channel to make a complaint or refuse dangerous work.

Three weeks later, Bangladeshi unions, global unions, and apparel companies came together to conclude negotiations on an enforceable agreement that holds the signatory brands accountable for safety in the

factories where their garments are made.⁵ The Accord on Fire and Building Safety in Bangladesh has brought unprecedented advances to the vigilance and promotion of workers' right to healthy and safe conditions of work in an industry with an 80% women labor force. These features include thorough fire, electrical, and structural safety inspections by qualified, independent engineers with public reporting on findings and corrective action plans; binding commitments – including financial obligations⁶ – from brands to remediate safety violations; an extensive worker training program on fire and building safety; and a transparent and responsive mechanism for workers to raise complaints confidentially and with guarantees of non-retaliation.

Today, thanks to the Accord, more than 2.5 million workers go to work in safer factories. Since 2015, no garment workers has died in Accord-listed factories due to fire, electrical, or structural safety issues covered by the Accord's inspections program.⁷ Each factory covered by the Accord is inspected approximately

By providing a safe, effective channel for workers to voice their individual and collective concerns, the Accord's complaint mechanism has strengthened the capacity of workers to improve their working conditions and advocate for their rights.

every four months. As of April 2019, the Accord has conducted more than 35,000 initial and follow-up inspections across more than 2,000 factories, during which the engineers identified over 140,000 fire, electrical, or structural hazards. Two hundred and twenty-seven factories have completed remediation of all findings from their initial inspections; 1,068 factories have accomplished over 90% of the required remediation, including installation of fire doors, removal of lockable gates, replacement of faulty equipment and wiring, and structural renovations.⁸

The Accord's engineers have made impressive progress in capturing and overseeing remediation of fire, electrical, and structural safety issues in the factories under their purview. Given the sheer size of the industry, however, inspectors cannot be on site at factories at all times. This means there will always be safety hazards that might escape their attention, or will only be registered on their next visit in a few months. For day-to-day monitoring and reporting on workplace conditions, workers themselves are in the best position to do so. They can also identify health and safety issues, such as unhygienic washrooms and sexual harassment, that fall outside of the scope of the Accord's building inspections. Taking these realities into account, the Accord program includes a transparent Safety and Health Complaints Mechanism through which workers can raise concerns of safety violations confidentially, anonymously, and with protection from retaliation – and be assured they will be properly investigated and remediated. In addition, workers in Accord-covered factories can count on protection by the Accord if they need to invoke their right to refuse dangerous work.⁹

Through the Accord's complaint mechanism, many safety and health issues either not covered by the building inspections, or not detected during them, have been remediated.¹⁰ Because of the Accord's transparent reporting, complaints have surfaced important information – from workers' perspectives and directly



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from the factory floor – about conditions in specific workplaces that otherwise go undetected by parties not present on the factory floor. This enables workers, trade unions, and other stakeholders to monitor progress and remediation in the factories and be part of the process of making them safer. By providing a safe, effective channel for workers to voice their individual and collective concerns, the Accord's complaint mechanism has strengthened the capacity of workers to improve their working conditions and advocate for their rights.

Accord safety training. © Raluca Dumitrescu for Bangladesh Accord



THE ACCORD'S COMPLAINT MECHANISM

Achieving and maintaining a safe workplace requires the full awareness and participation of workers. Garment workers are on the front lines of being able to identify potential violations in their factories, and have the most at stake when those issues are not addressed immediately. For workers to stand up for their right to a safe workplace, it is important that they understand what constitutes an occupational health and safety violation. They need to be able to raise concerns – confidentially and anonymously if they so desire – with assurance that what they report will be addressed and remediated in a predictable fashion, and that they will not suffer any retaliation or other negative consequences for doing so. Workers should be able to raise these issues individually, as a group, or with the support of their union. The important role of supporting organizations cannot be underestimated, especially for the women workers, who frequently experience harassment and gender-based violence at work.¹¹ Unions, either individually or as federations, should be able to raise concerns on behalf of their members, workers in the factories where they have a presence, or other workers who contact them.

Since 2014, the Accord has implemented a complaint mechanism that addresses all these conditions. Article 18 of the first Accord established that: “The [Accord] Safety Inspector shall establish a worker complaint process and mechanism that ensures that workers from factories supplying signatory companies can raise in a timely fashion concerns about health and safety hazards, without fear and confidentially, with the Safety

Inspector.”¹²

Scope and Coverage

The Accord’s Safety and Health Complaint Unit receives and processes complaints from workers and their representatives on an array of occupational safety and health (OSH) issues in factories that are covered by the Accord – that is, factories that are or have been supplying one or more brands that are Accord signatories. In addition to building safety, OSH issues covered by the Accord include personal protective equipment, maternity leave, excessive working hours, forced overtime, sexual harassment, and workplace violence – as well as OSH-related pay, such as sick pay, maternity pay, and payments of any nature which may have been impacted as a result of reprisal actions against those who have pursued a claim under safety and health.

The Accord accepts complaints related to reprisals against a worker or group of workers who have raised a safety concern either directly with the factory management, through the factory’s Safety Committee, or through a union federation. This aspect of the Accord’s coverage is critically important to workers: the Accord has received numerous complaints that fall within this category and has investigated and remedied cases of workers, including union members, fired for engaging in Accord activities or raising complaints about safety violations in their factories.¹³



FIRE SAFETY



ELECTRICAL SAFETY



STRUCTURAL SAFETY



OCCUPATIONAL HEALTH & SAFETY

Empowering Workers through Safety Training

Since workers are the best monitors of their workplaces, any initiatives for the improvement of occupational safety and health should rely on and reinforce worker participation. An important initial step in empowering workers to be effective defenders of their rights and active participants in workplace improvement is comprehensive and accessible worker education, conducted in collaboration with local trade unions and/or independent, representative worker organizations, preferably on-site and during working hours.

The Accord provides two kinds of training for workers: training for factory-based, joint worker-management Safety Committees¹⁶ and All Employee meetings. The Safety Committee training focuses on building the Committee members’ capacity to monitor factory remediation, identify safety hazards, handle health and safety complaints, and report on violations of workers’ right to Freedom of Association in the context of protecting their own safety.¹⁷ This training includes conducting walkthroughs of the factory to identify actual or potential safety hazards such as inadequate use of machines, obstacles on the work floor, or poor ventilation and lighting. . Furthermore, the Safety Committee co-chairs (one worker and one management representative) are offered to accompany Accord inspections and receive the Accord’s inspection reports.

All Employee Meetings are on-site presentations given by Accord staff to each and every factory workers and managers in which they introduce the Accord program and the Safety Committee members. These meetings provide information on how to identify and reduce common safety hazards, how to safely evacuate the factory in case of fire or other emergency, and how to use the Accord’s Safety Complaints Mechanism. Each worker receives booklets in Bangla summarizing the information in accessible language in a user-friendly format.¹⁸ It is critically important that these trainings are reaching all workers in each factory in order to decrease potential gender bias in access to the complaint mechanism; for example, a helpline in Bangladesh’s garment industry that did not come with a robust training program reports that only 29% of callers have been women, even though women make up 80% of the workforce in the sector.¹⁹

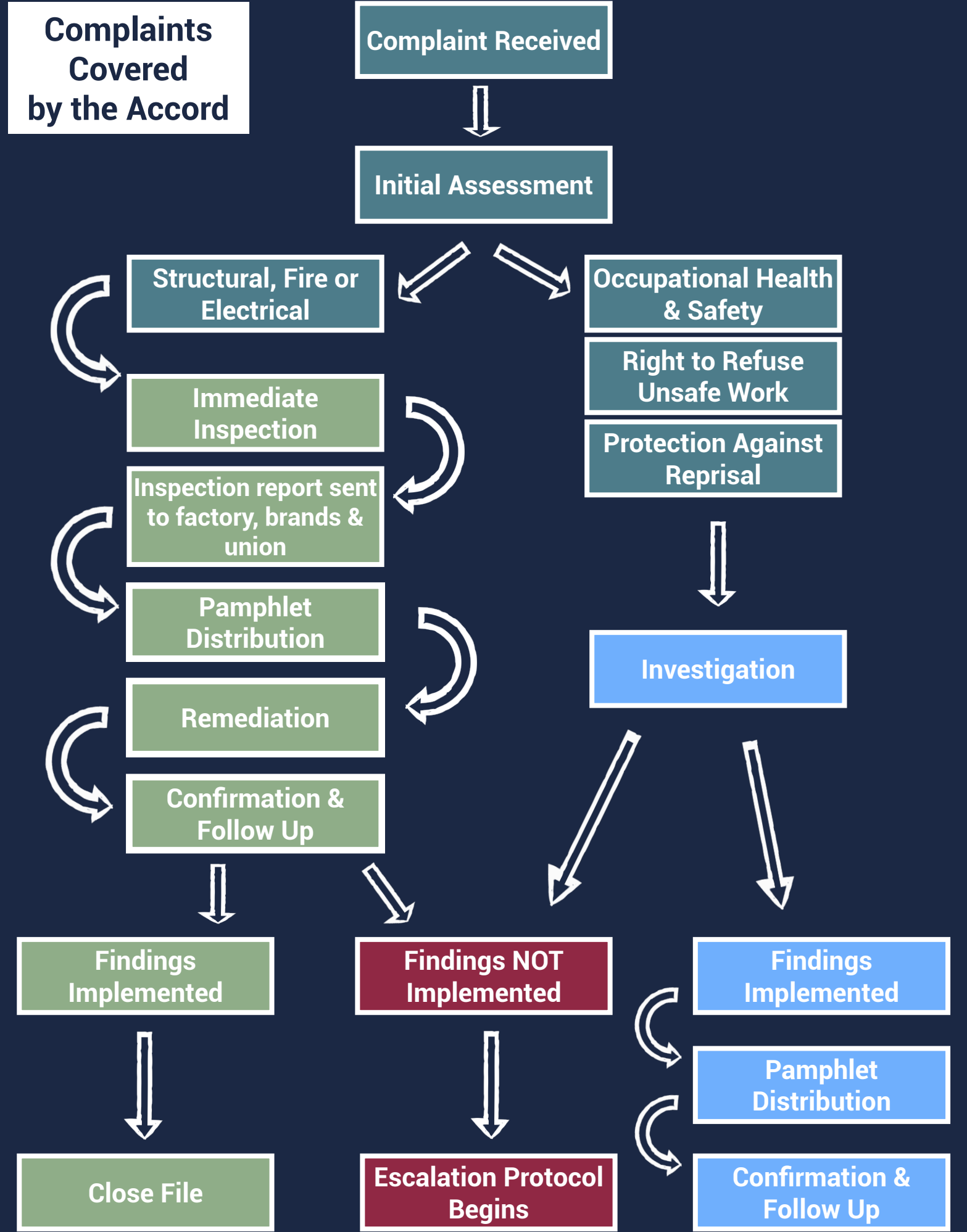
It is through these trainings that the Accord encourages workers to bring safety concerns to the factory’s Safety Committee. The Accord outlines three steps for workers in that process:

- 1) Tell someone on the Safety Committee about the problem;
- 2) Let the Safety Committee investigate the problem. Help them understand why it is a problem;
- 3) Once they understand the problem, help the Committee find a solution that reduces the hazard.²⁰

If the safety problem cannot be or is not addressed by the factory Safety Committee, the Accord encourages workers to contact the Accord directly via the Safety Complaint Mechanism.

Workers can file a complaint by calling the Accord’s Safety Complaints phone number, in writing via email, or in person at the Accord’s Dhaka office. For all complaints that the Accord receives, an Accord Complaints Handler conducts an initial assessment to determine whether the alleged problem took place at an Accord-covered factory and falls within the scope of the Accord with

the Accord. In all cases, where it is possible to reach the complainant, an Accord Complaints Handler will talk with the complainant(s) and ask them to describe the situation in detail and explain what is the problem. The Complaints Handler will also assure them that the complainant(s) can remain anonymous if they so desire and explain the benefits and limitations of anonymity.¹⁴



Within the Accord's mandate

If the complaint falls within the Accord's mandate, the Accord will send an engineer to the factory to inspect the reported safety hazard(s). If the complaint entails an allegation related to fire, structural, or electrical safety, the Accord will send an engineer to the factory to evaluate the issue. On allegations of other occupational health and safety issues or retaliation against workers for engaging in Accord activities or having attempted to raise health and safety violations, the Accord case handler may carry out an on-site visit and conduct interviews with workers and managers.

Subsequently, the Accord prepares a report that, if the violation is confirmed, includes the time-bound steps required to remediate the problem. During the investigation, Accord case handlers share information with workers to inform them about the problem and how it is being addressed. Throughout the process, an Accord case handler works with the complainants and with factory management to make sure that Accord requirements for remediation are implemented. The Accord then follows up with another visit to verify whether the remediation has been completed.

If the follow-up visit determines that sufficient progress was made to address and remediate the problem, the case is considered closed ("resolved"). If not, then Article 16 is applied: apparel company signatories are informed and the brands issue a notice and warning which will lead to the termination of the business relationship between all Accord signatory brands and the factory, if the factory management's unwillingness to comply persists.¹⁵

The time needed for the Accord staff to investigate a complaint, issue a resolution for factory management to implement, inform the workers in the factory about it, and follow-up on the implementation of the resolution depends on factors such as the magnitude of the violation, how cooperative the factory management is, and whether there is a Safety Committee in the factory that is already involved in addressing that safety problem.

Outside of the Accord's mandate

If a complaint falls outside of the Accord's mandate or if it refers to an issue in a factory that is not covered by the Accord, the Accord staff do not process the complaint internally. If the complaint concerns an issue other than safety in an Accord-listed factory, the Accord case handler forwards the issue to the signatory brands sourcing from that factory and to the factory union, if there is one. If the factory is not part of the Accord, the case handler will provide the complainant with the necessary contact information for them to report the issue to the Department of Inspections for Factories and Establishments (DIFE) within the Bangladesh Ministry of Labour and Employment, or will refer the case directly to DIFE, if the complainant agrees.

Complaints Not Covered by the Accord



The Importance of Transparency

The Accord makes all findings from initial inspections conducted by its engineers publicly available online in reports in both Bangla and English along with photos and the agreed upon corrective action plans. The Accord updates each corrective action plan after factory managers report the completion of the mandated repairs and renovations and also after verification by the engineers' follow-up inspection. Workers have access to the inspection reports and corrective action plans as one potential source of information upon which to base complaints, for example they observe that a hazard reported as remediated has not been corrected or if they notice an issue that was not identified in the inspection report.

All complaints received by the Accord, whether they are processed by the Accord or referred to other channels, and even if they are withdrawn by the complainant, are posted publicly on the Accord's website. Each case listed details the following information:

- Name of the factory
- Who filed the complaint (individual worker(s), a union or union federation, or other interested party; to maintain the anonymity of the complainant no names are mentioned²¹)
- Date the complaint was filed
- Status of the complaint (resolved, resolved outside of the Accord, non-OSH issue, not processed, or withdrawn)
- A brief description of the allegations
- Update or outcome of the complaint (what the Accord did to address the complaint)
- Number of times the complaint was filed

The importance of this level of transparency of complaints cannot be overestimated. First, it allows workers, their representatives, and other stakeholders to monitor progress on remediation of specific violations in particular factories. Second, it is a way of gaining awareness into conditions in factories, recurring and endemic violations, and broader trends of problems in the industry. The visibility of the sheer amount of complaints — over 660 in 2018 alone — normalizes the process and can take away barriers for complainants. Finally, it is a means by which to hold employers, governments, and brands accountable for addressing, preventing, and remediating rights violations.

A Model of Workers' Access to Remedy

“A grievance mechanism can only serve its purpose if the people it is intended to serve know about it, trust it and are able to use it.” - UN Guiding Principles on Business and Human Rights

The United Nations Guiding Principles on Business and Human Rights (UNGPs), endorsed by the UN in 2011, is an instrument consisting of 31 principles based on the “Protect, Respect and Remedy” framework.²² It provides a global standard for governments and business to prevent and address risks and violations to human rights, including labor rights, in corporations' supply chains.

As part of the “Remedy” pillar, the UNGPs outline the criteria that grievance mechanisms should meet in order to ensure effectiveness. Such mechanisms should be:

- Legitimate:** enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes;
- Accessible:** being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access;
- Predictable:** providing a clear and known procedure with an indicative time frame for each stage, and clarity on the types of process and outcome available and means of monitoring implementation;
- Equitable:** seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms;
- Transparent:** keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake;
- Rights-compatible:** ensuring that outcomes and remedies accord with internationally recognized human rights;
- A source of continuous learning:** drawing on relevant measures to identify lessons for

The United Nations Guiding Principles on Business and Human Rights provides a global standard for governments and business to prevent and address risks and violations to human rights, including labor rights, in corporations' supply chains.

improving the mechanism and preventing future grievances and harms; Operational-level mechanisms should also be: (h) Based on engagement and dialogue: consulting the stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances.

The Accord's complaint mechanism meets the criteria set forth by the UNGPs in that it has:

- **Legitimacy:** It is managed by a credible, independent body, and allows and respects anonymity.
- **Accessibility:** Workers gain information about the mechanism through trainings (All-Employee Meetings and Safety Committee Trainings), posters in factories, and pamphlets. Complaints can be filed anonymously through a variety of means: phone, email, or in person, and individually or through unions or union federations.
- **Predictability:** The process follows a step-by-step approach, with ongoing communication with the complainant.
- **Equitability:** Right to fair hearings, emergency hearings, and document review.
- **Transparency:** It provides investigation reports to all concerned parties, pamphlet distribution at factories, and publication of summary of each complaint and outcomes.
- **Rights-compatibility:** Investigation verifies compliance with occupational safety and health standards and protects the right to refuse dangerous work.
- **A source of continuous learning:** Accord staff documents past complaints handling, which becomes a source of information for improvement in processing issues more effectively.²³



Fire safety inspection. © Raluca Dumitrescu for Bangladesh Accord

Eliminating Gender Bias in Complaint Systems

Women in Bangladesh's apparel industry face daunting challenges, and particularly when they speak out for their rights. Managers generally expect them to acquiesce to the high production quota requirements and low wages without complaint. They face financial pressures when their husbands control their income. Sexual harassment by managers, co-workers, and on public transit to and from the factory is widespread, and rarely acknowledged.²⁴ Many women who file complaints or join unions are told by their families not to speak out or get involved. When workers do organize for change, they may be illegally dismissed, attacked by factory-hired thugs or face arrest under falsified criminal charges.²⁵ This context needs to be taken into account when complaint systems are designed and managed. To reduce

potential gender bias, and to minimize the potential for reprisals, training about how to file complaints should reach all workers in a factory and the complaint process must allow for anonymity and confidentiality. The Accord has attempted to address these challenges not only by ensuring anonymity for workers who use its complaint mechanism, but additionally by specifically adding a gender lens to its worker trainings and by making sure that its scope encompasses gender-specific health and safety issues beyond building safety, such as sexual harassment or hygiene, developing protocols to address these specific issues.

Sexual harassment by managers, co-workers, and on public transit to and from the factory is widespread, and rarely acknowledged.

Mim Akter, Dress and Dismatic union. © ILRF

By the Numbers

The number of complaints filed through the Accord has grown exponentially since the complaint mechanism was initiated in 2014. This reflects several of the positive impacts that the Accord has had: an increased capacity of workers – through training and engagement with the Accord – to identify and raise concerns relating to hazards that threaten their safety and health, and a confidence that workers and unions have gained in the complaint mechanism as it has demonstrated effectiveness in remediating problems. The guarantee of anonymity, confidentiality, and non-retaliation has also been key in building workers' confidence in using the mechanism. Union federation leaders in Bangladesh have pointed out that in comparison to other complaint mechanisms, factory owners take the complaints filed with the Accord more seriously, because they know that if they do not address the complaints, their business with brands will be negatively affected. Furthermore, they have seen that once factories resolve a complaint through the Accord process, it serves as a precedent for the factory, creating real change.²⁶

Factory management is aware that the Accord will investigate any reprisals resulting from workers raising safety or health concerns. The effect has been a curb in cases of workers being fired or beaten up for bringing forth a complaint, although the Accord does continue to receive some complaints consisting of allegations of retaliation.

About a third of the calls from rank-and-file workers received by the Accord relate to non-OSH issues, including:

- Unfair, forced termination
- Non-payment or incorrect payment of wages, benefits, and/or severance
- Retaliation for raising non-OSH issues
- Unreasonable production targets
- Fear or suspicion of factory closure for non-Accord related reasons

Some workers may be bringing these matters to the Accord because they know it is a way of reaching the brands, while minimizing risk of retaliation, because the Accord will share non-OSH complaints with its signatory brands buying from the factory.

From the complaints reported as of April 2019 on the Accord's website:

Complaints received from individual workers: 658

Complaints received through unions and/or union federations:²⁷ 126

Accord inspection.
© Raluca Dumitrescu for Bangladesh Accord



Status of complaints filed through the Accord Complaints Mechanism²⁸

Initial assessment	61
Under investigation	198
Non-OSH	412
Not processed	153
Resolved	334
Resolved outside Accord complaints mechanism	58
Unresolved	25
Withdrawn	88
Total complaints received under Accord mechanism	1329

One side of a card handed out to workers in English and Bangla.
© Bangladesh Accord

Topics of Resolved Complaints

Structural safety	54
Fire/electrical safety	40
Forced overtime, denial of sick leave or maternity benefits, condition of washrooms, and similar	84
Violence/harassment, including gender-based violence	48
Unfair termination	50



Brand Obligation to Require Full Participation of Suppliers

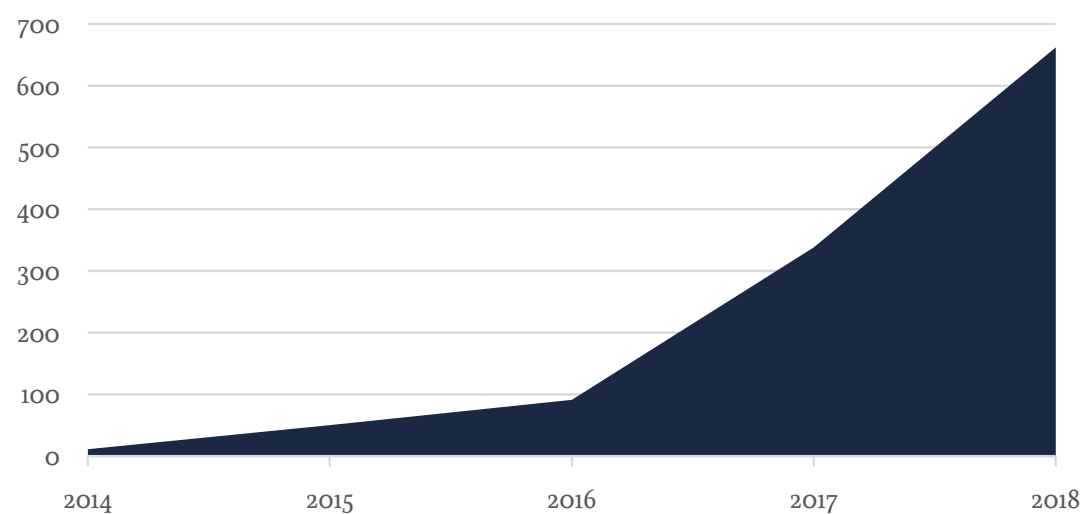
Under the 2018 Accord's article 16 (previously Article 21), signatories are obliged to require full participation of their suppliers. If a supplier refuses to remediate an issue, whether uncovered during a building inspection or an investigation initiated by a complaint, it will be met with a "notice and warning process" in line with the Accord's Escalation Protocol. The final sanction in this process is termination of the business relationship with all Accord brand signatories. On August 18, 2016, this led to Fresh Fashion Wear being declared ineligible for Accord signatory brands to conduct business with after a complaint in May that year about reprisals against workers remained unresolved.²⁹

This provision is particularly important given that

complaints are often based on a power asymmetry between workers and management. When making a complaint, workers may risk retaliation, denial of their right to refuse dangerous work, or sexual harassment. In instances where the direct relationship between worker and management is at stake, and remediation will require a change of behavior or termination of a member of the management, having a sanction mechanism beyond mediation and dialogue is of crucial importance. The embedding of the complaint mechanism in a system with real sanctions provides a strong incentive for sustainable implementation of remedy measures. For example, if the complaint mechanism determines that a dismissed worker was retaliated against, they might not only be rehired with back pay, but be rehired with the factory's commitment to keep them employed for a period of time. It is clear that the potential ramification of being declared ineligible to produce for Accord brands is a significant deterrent to factories that may otherwise be recalcitrant about remediation steps; it has only been employed once due to a complaint procedure.



Complaints received through Accord by year





Safe evacuation drill. © Raluca Dumitrescu for Bangladesh Accord

Case Study

ANANTA APPARELS

In April 2017, workers reported to the Ananta Apparels factory in Dhaka for work in the morning as usual. The factory produced for major brands, including Abercrombie & Fitch, C&A, Gap, H&M, Inditex (Zara), Levi's, Mango, Marks & Spencer, Next, and River Island.

The difference that month, though, was the significant construction going on next door to the towering 15-story factory building. Construction workers had dug a deep trench bordering one wall of the Ananta building, as preparation for the new building's foundation. "From our workplace, we could easily observe how soil was eroding from the base of the wall," Shamim,³⁰ an Ananta employee, says.

Crisis

On April 10, 2017, as rain poured down in the city, a large portion of the wall of the Ananta Apparels factory collapsed and fell into the trench. "It was a frightening experience," according to Shamim. "The engineers working at the construction site suggested our factory management evacuate the building. However, our managers didn't agree." Workers were instructed to keep sewing – even as other businesses housed in the same building were being hurriedly evacuated. "Many of us feared another Rana Plaza incident," says Shamim, who is the organizing secretary of the workers' union at the factory.

The pressure didn't just come from his direct superiors at the factory. "I got several calls from the factory owner and officials of the Bangladesh Garment Manufacturers and Exporters Association (BGMEA). They offered us whatever amount of money we wanted in exchange for continuing the work in peace," Shamim recounts.

"The Accord team came to visit the factory the next day. We all were afraid of entering the building. However, the managers were insisting on starting the work as soon as possible."

Shamim called his union federation, the National Garment Workers Federation (NGWF), to report on the safety concern. Right away, NGWF informed the Accord through the Safety Complaints Mechanism, and Accord engineers got in touch with Shamim directly. He sent photos of the collapsed wall and the construction site. "The Accord team came to visit the factory the next day. We all were afraid of entering the building. However, the factory managers were insisting on starting the work as soon as possible," says

"If the Accord leaves Bangladesh, the factory buildings which have already been renovated will never have any further repairs in future if they become needed. Removing the Accord would be a disastrous decision."

Shamim.

Instead of entering the building, workers demonstrated outside the headquarters of the Directorate of Inspector General of Factories & Establishment (DIFE) and the head office of the BGMEA, calling for officials to shut down the factory until it could be inspected and repaired. Eventually, both Accord engineers and DIFE prohibited entrance to the factory pending the completion of repairs.

Ananta Apparels was closed for four days while building maintenance could be done to correct structural flaws that had been present since the building was constructed. When the factory reopened, Shamim says, "Accord officials arranged a meeting on every floor of the factory building, where the officials showed papers to all the employees of the floor and explained to them what kind of maintenance work had been done to strengthen the building. So, we really felt safe after returning to the factory."

Compensation

The battle to get the factory to make life-saving repairs was only the first hurdle. Salaries for Bangladeshi garment workers remain among the lowest in the world. At the time, the monthly minimum wage for garment workers was Tk 5,300, or US \$63. Four days of unexpected, unpaid leave is absolutely devastating for workers who earn such extremely low wages – Shamim describes it as "sheer injustice." Even though the Ananta Apparels workers had no control over missing four days of work, management initially was unwilling to compensate them.

It took the involvement of the apparel brands sourcing from the factory, who were alerted by the Accord, to

ensure the workers were compensated. "The buyers directly told the factory management that if they did not pay the workers their four days' salary immediately, they would cancel all of their orders," says Shamim.



Structural safety inspection.
© Raluca Dumitrescu for Bangladesh Accord

Follow Up

After this intervention from the buyers, the Accord provided three additional trainings for Ananta Apparels workers. "First, we, the union members received training about better working environment and building safety with the factory management. Then, all the employees received training on workplace safety. After that, the Accord arranged an additional training on workplace safety exclusively for the safety committee members," says Shamim.

"As union members and safety committee members, I and several of my colleagues accompanied the Accord team during their inspections. Taking part in the factory inspection was a great learning experience for us. We, the workers, always think that ensuring production in time is our one and only duty. We cannot have any concern about safety, work environment, and other issues. Now, this mindset has changed," says Shamim.

Shamim has had more than a decade of experience in the garment industry prior to the Accord's existence. He knows exactly what it would mean if the Accord's work were to be disrupted. "If the Accord leaves Bangladesh, the factory buildings which have already been renovated will never have any further repairs in future if they become needed." And, he says, factories that have yet to finish the necessary renovations will never complete them. "Removing the Accord would be a disastrous decision."



Dress and Dismatic union officers © ILRF

Case Study

DRESS & DISMATIC

The Dress and Dismatic factory opened in Dhaka in 2004, operating out of a small apartment. Now, more than 300 workers clock in at a multi-story factory each day to sew for major brands.

The expansion came with safety problems. “At first there were lots of problems in our factory,” Mim Akter, a Dress and Dismatic employee and factory union leader, says. “The security guards used to lock the main gate. The electric lines were dilapidated. Fire exits were not always open or working.”

could cause a serious accident at any time. There was no open space, and the work environment was quite unhealthy,” she says. Overloading was a factor in the 2013 Rana Plaza building collapse that claimed the lives of 1,134 people.

Mim made a call to the Accord to report the safety hazards on February 26, 2015. Two days later, Accord engineers came to the factory for an unannounced inspection. Following their inspection, the Accord left factory management with a list of corrective actions they needed to undertake.

Retaliation

The factory management suspected that Mim and her fellow union leaders had tipped off the Accord. In response, immediately after the inspection the management formed a “worker committee,” comprised entirely of workers who weren’t union members. “Management incited the committee by telling them that we were trying to close the factory and we were trying to make them unemployed. The committee members, who were also our fellow workers, started to verbally and physically abuse us,” says Mim.

On March 2, just two days after the Accord inspection took place, the tension culminated in a violent attack. When Mim was physically attacked by a worker from the committee, her coworkers intervened to protect her, and a full-scale fight broke out. “Management was there on the spot, but they did not intervene. At one point, the guards restrained only us who were being attacked, but did not stop the perpetrators,” says Mim.

After the fight, factory management identified thirteen workers as responsible, giving them resignation letters to sign. The four committee members were taken aside and told they would be rehired once the dust settled; the same deal was not offered to the nine union members. Mim and the union’s General Secretary refused to sign.

“I said, ‘I shall never sign my resignation letter, because I did not commit any crime. If you have to sack me, do whatever you want. I don’t want money.’ At one point, the local police officer also started to press us to sign the resignation letter. The officer said, ‘Why don’t you sign it? Otherwise, you would not get a single penny as your benefit.’ However, I was adamant. I said, ‘I don’t want money.’ Then he said, ‘If you don’t sign the letter, we shall take you to the police station.’ I asked, ‘Why will you take us to the police station? Even if you do so, you will not be able to keep us there because we have not committed any offence.’ However, the police kept on arguing with me. At one point, I was informed that I have been fired.”

Aftermath

This was the beginning of nine months without employment for Mim and her eight coworkers. The Accord convened all the involved stakeholders after the dismissals in order to mediate. Accord staff, factory management, the factory-level union, the BGIWF union

federation, and brand representatives were all involved in meetings in an attempt to bring peace to the factory. Ultimately, factory management was willing to meet all of the terms – except for rehiring the union president and general secretary. “The brand, the Accord and the federation told the factory management that if they want to solve the crisis, they have to take us back,” Mim relays.

Faced with brands, who were alerted by the Accord, threatening to revoke orders and to urge other major



General Secretary of the Dress and Dismatic union © ILRF

brands not to source from Dress and Dismatic, factory management agreed to reinstate all dismissed workers, with full back pay including benefits and missed festival bonuses.

The union leaders at Dress and Dismatic continue to represent their coworkers, and continue to work closely with the Accord. “Without their persistent efforts, we would never have gotten our jobs back,” Mim says. “We can talk freely to Accord officials, they respond very promptly. They don’t get easily convinced by the statements of the factory management. They regularly check compliance issues during factory inspections. We strongly believe that the Accord should stay and operate in Bangladesh.”

“The brand, the Accord and the federation told the factory management that if they want to solve the crisis, they have to take us back.”

The most critical problem was serious overloading. After accompanying Accord engineers on visits at other factories, and attending trainings provided by NGOs on Accord safety standards, Mim recognized a serious hazard in her own factory. “The entire place was overloaded with heavy machinery and stored goods that



STRUCTURAL SAFETY

Example of a complaint on structural safety, resolved through the Accord mechanism, as captured on the Accord website:

D&S Pretty Fashions Ltd

7 October 2018 | Filed by: Individual Worker(s) | Status: Resolved

Description

The Complainants expressed concern on structural safety issues related to recently completed remediation and alleged tremors in the building. They sought confirmation that the building is safe for production and occupancy. The Complainants expressed concern of payment of wages to workers who work in area(s) of the factory which remained closed for continued structural remediation work.

Outcome

The factory re-opened after completing the Accord required structural remediation which was verified by Accord engineers. The Accord distributed a notification to all workers at the factory to inform them that the structural hazards were properly repaired and the building is safe for production and occupancy.

On the issue of payment to workers in sections of the building which remained temporarily closed, the Accord held a meeting with the factory and found that such sections were re-opened and obtained confirmation that affected workers received their due payments. The Complainants verified that they received their due wages and of the re-opening of the closed sections of the factory.



SEXUAL HARRASSMENT

Example of a complaint about sexual harassment, resolved through the Accord mechanism:

Amir Shirts Ltd

10 July 2018 | Filed by: Individual Worker(s) | Status: Resolved

Description

The Complainant(s) alleged that several members of Factory Management are inappropriately behaving towards and sexually harassing female employees.

Outcome

The Accord confirmed with the Complainant(s) that the Factory Management has implemented adequate measures to prevent and address allegations/cases of sexual harassment and inappropriate behavior. These measures include utilizing the grievance system of the factory. The Accord also received documentation from the Factory Management related to these preventive and enforcement measures and policies.

Complainant alleging unfair termination from employment for being pregnant was reinstated without any loss of earnings



ACTS OF REPRISAL

Example of a complaint regarding acts of reprisal:

Nexus Sweater Ind.(pvt) Ltd

10 April 2016 | Filed by: Union | Status: Resolved

Description

Complainants alleged that the commencement of the Accord Safety Committee Training Program led to Factory Management becoming aware that there was a registered union in the factory and that this, in turn, led to acts of reprisal against them, including three workers being dismissed.

Outcome

An Agreement was reached between the factory and the union through a series of meetings chaired by the Accord, whereby three workers were reinstated and retroactive payments were received for time not working in the factory. The Safety Committee Training Program is now proceeding with proper cooperation between workers and management. The three reinstated workers are members of the Safety Committee.



SICK LEAVE

The Accord does not always decide in favor of the complainant(s). Here is an example:

Columbia Garments Ltd

20 May 2018 | Filed by: Individual Worker(s) | Status: Resolved

Description

The Complainant alleged that the factory medical officer behaves in an inappropriate and rude manner during the course of duty, which dissuades workers from availing of sick leave.

Outcome

Following its investigation, the Accord finds that the allegations contained in the complaint were without merit and the complaint was therefore not upheld.





COMMON COMPLAINTS BROUGHT TO THE ACCORD

Common complaints brought to Accord, besides those related to building, fire and electrical issues, include the following, with the first three making up the overwhelming majority:

- Unfair, forced termination
- Non-payment or incorrect payment of wages, benefits, and/or severance
- Retaliation for raising issues
- Non-payment of maternity leave benefits
- Unreasonable production targets
- Violence or discrimination against union members
- Fear or suspicion of factory closure
- Excessive and forced overtime



Accord Safety Committee training. © Raluca Dumitrescu for Bangladesh Accord

EXAMPLES:

Ripon Knitwear Ltd

10 October 2018 | Filed by: Individual Worker(s) | Status: Resolved

Description

The Complainant alleged verbal abuse, intimidation, and threat of termination of employment by a named member of the Factory Management. The Complainant further alleged the same member of the Factory Management had beaten workers and generally created a hostile work environment.

Outcome

The Factory Management investigated the allegations through an internal investigation committee and provided the results of same to the Accord. The Accord additionally confirmed with the Complainant(s) that the alleged manager's behavior and the hostile work environment issues had improved / been remedied.

Adury Apparels Ltd.

9 October 2018 | Filed by: Individual Worker(s) | Status: Resolved

Description

The Complainant alleged she was not paid the first installment of her maternity leave benefits when she began the leave. She further alleged she was told by Factory Management that eligible employees will not receive their due maternity benefits.

Outcome

The Accord confirmed that Factory Management took appropriate measures to investigate the allegations related to maternity leave payments and remedied cases where there was violation of payment of entitlements. The factory Safety Committee will work together with the Factory Management on continued compliance with maternity benefits and associated entitlements.

Example of non-OSH complaint filed by a union federation, not processed by the Accord, but forwarded to the signatories:

Dekko Designs Ltd

7 June 2018 | Filed by: Federation | Status: Non OSH

Description

The Complainant alleges that the factory management terminated one hundred and ninety-seven (197) workers without issuing any prior notice. It is further alleged that the factory management had yet to disburse service benefits according to their service tenure.

Outcome

Non-OSH complaint. Not processed by the Accord. The Complaint was forwarded to signatories and labour partners.



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CONCLUSION

Through a program of inspections, a complaint mechanism, and safety training, the Accord on Fire and Building Safety in Bangladesh has made factories safer for 2.5 million garment workers, 80% of whom are women.

Yet, its future in Bangladesh currently hangs in the balance with threats from the government of a forced closure of its operations and offices in Dhaka. In 2017, the Accord announced that it would continue its work as a Transition Accord until 2021, or until local institutions prove to have met a set of “rigorous readiness conditions” to take on the monumental task of safety inspection and remediation in the sector. But a court ruling could force the closing of the Accord’s operations and offices in Dhaka prematurely. The government of Bangladesh claims it is ready to take on the responsibility of inspecting all factories and remediating all safety issues, but our research published last month shows that the Department of Inspections for Factories and Establishments (DIFE) and the Remediation Coordination Cell (RCC),³¹ which already

have many other factories and other buildings under their purview, are far from ready and equipped to take over the Accord’s work.³²

The expulsion of the Accord would severely jeopardize workers’ ability to access remedy. In a post-Accord context, complaints reception and management

Yet, its future in Bangladesh currently hangs in the balance with threats from the government of a forced closure of its operations and offices in Dhaka.

would come under the mandate of DIFE since the RCC does not include complaints management and administration as part of its remit. Although DIFE’s website has a complaint form and contact information, as well as a mobile app to submit complaints, DIFE only lists a total of 25 complaints received since 2014 of which

13 were resolved, and not a single one of the complaints received were in the category of workplace safety.³³ In comparison, the Accord has received 1,329 complaints during the same time period, of which 859 have been publicly reported thus far with details regarding the factory in question, the topic of the complaint, and the outcome. The Accord’s complaint mechanism provides brands with visibility of factory-level issues that they may not otherwise detect. It also provides an early warning channel for problems that can be addressed before they escalate, and can help brands with their supply chain due diligence.

Although the Accord regularly refers complaints to DIFE that are outside of the Accord’s scope (either non-OSH related, or from factories that are not within the Accord’s coverage), there is no information about these complaints on DIFE’s website. DIFE’s requirement that a worker must enter their full name and employee identification number to use the system is an insurmountable barrier to its use in a country in which workers’ right to freedom of association is constantly under threat, and a stark contrast with the confidential, anonymous worker-to-brand complaints mechanism maintained by the Accord.

As this report shows, in addition to the more widely-publicized inspections program of the Accord, the Accord’s complaint mechanism provides a critical tool for day-to-day monitoring of safety conditions and reporting by workers, and it has successfully remediated



Fire safety inspection by Accord staff. © Raluca Dumitrescu for Bangladesh Accord

The success of the complaint mechanism shows that, combined with the training program, which educates workers on how to report potential safety violations, it is a necessary, life-saving complement to the Accord’s inspections program and a system to be emulated with the same levels of confidentiality, transparency, and responsiveness in other countries and beyond the field of building safety.

hundreds of complaints. Violations raised by workers and unions through the complaint mechanism that the Accord has addressed include a multitude of issues that workers in particular are well-placed to detect, such as visible cracks in the building, partially blocked exit routes, sexual harassment by managers, and firing of union members for participation in Accord inspection and health and safety activities. The success of the complaint mechanism shows that, combined with the training program, which educates workers on how to report potential safety violations, it is a necessary, life-saving complement to the Accord’s inspections program and a system to be emulated with the same levels of confidentiality, transparency, and responsiveness in other countries and beyond the field of building safety.



ENDNOTES

- 1 Accord on Fire and Building Safety, “Update Safety Training Program,” April 23, 2019, <https://bangladeshaccord.org/updates/2019/04/23/update-safety-training-program>
- 2 DIFE, “Complaint Resolving Efficiency Report,” Accessed May 9, 2019, <http://lima.dife.gov.bd/public-report/complaint-resolving-efficiency>.
- 3 These are aggregate numbers provided from Accord staff in April 2019. Given the sensitive nature of the issues, the Accord staff first approves the language of the complaint (description and resolution) internally before posting this information online at <https://bangladeshaccord.org/safety-complaints>.
- 4 The fields on DIFE’s online complaint form require workers to enter their full name and employee identification number to use the system.
- 5 The original Accord, founded on May 15, 2013, was a five-year commitment. Most signatories of that agreement joined a three-year extension of the Accord to provide more time for finishing the mandated repairs and renovations in their supplier factories, and because government inspection and enforcement institutions were not ready to take on the task. The 2018 Transition Accord agreement includes notable improvements for workers, including a mandate that factories pay severance when they close or relocate because of safety issues, protections for union members who face retaliation from their employer when they advocate for improved safety, and enhancements to the dispute resolution mechanism, which holds brands accountable to their commitments. The new Accord also introduced the possibility of a negotiated expansion scope to cover factories that make home textiles and footwear, as well as thread and cloth. As of May 2019, there are 193 company signatories in the 2018 Transition Accord.
- 6 Article 17 of the 2018 Accord states: “In order to induce factories to comply with upgrade and remediation requirements of the program, participating brands and retailers will negotiate commercial terms with their suppliers which ensure that it is financially feasible for the factories to maintain safe workplaces and comply with upgrade and remediation requirements instituted by the CSI. Each signatory company may, at its option, use alternative means to ensure factories have the financial capacity to comply with remediation requirements, including but not limited to joint investments, providing loans, accessing donor or government support, through offering business incentives or through paying for renovations directly,” <https://admin.bangladeshaccord.org/wp-content/uploads/2018/08/2018-Accord.pdf>. Article 21 of the 2013 Accord contains similar language: http://www.industrialunion.org/sites/default/files/uploads/documents/2013-05-13_-_accord_on_fire_and_building_safety_in_bangladesh_0.pdf.
- 7 Research sources on factory safety incidents in Bangladesh include a review of news articles on accidents in Bangladesh’s ready-made-garment sector and local reports. There were at least 13 boiler-related fatalities in Accord-listed factories since 2015, which is a reason the Accord NGO witness signatories have called for the Accord to expand its program to include boiler inspections. See: <https://laborrights.org/releases/bangladesh-factory-explosion-shows-need-expand-accord-inspections-boilers> and <https://www.dawn.com/news/1343286>. An electrical trainee died at Plummy Fashions in November 2017 in the course of performing maintenance work on a SSCM machine, after suffering extensive burns from a fire caused by a defect in the machine, <https://www.solidaritycenter.org/wp-content/uploads/2019/04/Bangladesh-2019-Safety-Incident-Chart-April-18-2019.pdf>.
- 8 Accord on Fire and Building Safety in Bangladesh, “Safety Remediation Progress,” April 23, 2019, <https://bangladeshaccord.org/updates/2019/04/23/safety-remediation-progress>
- 9 Article 10 of the 2018 Accord states: “Signatory companies shall require their supplier factories to respect the right of a worker to refuse work that he or she has reasonable justification to believe is unsafe, without suffering discrimination or loss of pay, including the right to refuse to enter or to remain inside a building that he or she has reasonable justification to believe is unsafe for occupation,” <https://admin.bangladeshaccord.org/wp-content/uploads/2018/08/2018-Accord.pdf>. In the 2013 Accord, this concept was contained in Article 15: http://www.industrialunion.org/sites/default/files/uploads/documents/2013-05-13_-_accord_on_fire_and_building_safety_in_bangladesh_0.pdf.
- 10 Accord staff refer complaints that are not related to occupational health and safety to the Accord’s brand and labor signatories, and if the complainant so requests, to Bangladesh’s Department of Inspection for Factories and Establishments. As discussed later in this report, although the Accord regularly refers complaints to DIFE that are outside of the Accord’s scope, DIFE’s website contains no information about whether or how it has processed these complaints. See DIFE’s “Complaint Resolving Efficiency Report,” which shows zero complaints received during 2014 to 2018, Accessed May 9, 2019, <http://lima.dife.gov.bd/public-report/complaint-resolving-efficiency>.
- 11 According to a Fair Wear Foundation survey, over 60% of women garment workers in Bangladesh have been intimidated or threatened with violence at work and 75% say that verbal abuse occurs regularly in their factory, most of which was sexually explicit. Fair Wear Foundation, “Violence and harassment against women and men in the global garment supply chain,” March 12, 2018, <https://www.fairwear.org/wp-content/uploads/2018/03/FWF-ILO-submission-final.pdf>. A survey by Shojag found that 22% of respondents reported that they themselves had faced physical, psychological, or sexual harassment in the garment industry or on the way to or from their workplace and that 86% of women said that male supervisors were the main perpetrators of violence or harassment in factories. Johura Akter Pritu, “Initiative to End Gender-based Violence in the Garments Industry,” Dhaka Tribune, August 28, 2018, <https://www.dhakatribune.com/business/2018/08/28/initiative-to-end-gender-based-violence-in-the-garments-industry>.
- 12 In the 2018 Accord, a similar requirement is contained in Article 13, <https://admin.bangladeshaccord.org/wp-content/uploads/2018/08/2018-Accord.pdf>.
- 13 Article 13 of the 2018 Accord expanded slightly on Article 18 of the 2013 Accord by instructing the Steering Committee to “further develop a training and complaints protocol to ensure that workers’ rights to Freedom of Association are respected in relation to protecting their own safety under the scope of this agreement,” <https://admin.bangladeshaccord.org/wp-content/uploads/2018/08/2018-Accord.pdf>. Given that the original Accord agreement already contained protections for workers facing reprisals for exercising their right to occupational health and safety, this additional language has not notably changed their type of complaints processed by the Accord.
- 14 Complete anonymity throughout a complaints process may limit the chances for full remediation if a case involves, for example,

payment of severance, reinstatement, or other personal redress.

- 15 Article 16 of the 2018 Accord reads: “Each signatory company shall require that its suppliers in Bangladesh participate fully in the inspection, remediation, health and safety and training activities, as described in the Agreement. If a supplier fails to do so, the signatory will promptly implement a notice and warning process in accordance with the Escalation Protocol established by the SC leading to termination of the business relationship,” <https://admin.bangladeshaccord.org/wp-content/uploads/2018/08/2018-Accord.pdf>. In the 2013 Accord, this concept was contained in Article 21: http://www.industrialunion.org/sites/default/files/uploads/documents/2013-05-13_-_accord_on_fire_and_building_safety_in_bangladesh_0.pdf.
- 16 Worker-management Safety Committees are mandated by law in ready-made-garment factories in Bangladesh. Each factory must form a committee with equal representation of workers and management. Worker representatives to the committee must be chosen by the workers themselves, and if the factory has a union, in coordination with the union. As of April 2019, the 408 factory-level Safety Committees have completed the Accord Safety Committee training and 590 Committees are in training. A further 160 Accord factories are to commence the Safety Committee and Safety Training Program in the second quarter of 2019.
- 17 Accord on Fire and Building Safety in Bangladesh, “Update Safety Training Program,” April 23, 2019, <https://bangladeshaccord.org/updates/2019/04/23/update-safety-training-program>.
- 18 Copies of the booklets (in English) distributed to workers at the end of the All Employee Meetings 1 and 2 are available at <https://admin.bangladeshaccord.org/wp-content/uploads/2018/08/Your-Rights-and-Responsibilities-under-the-Accord-EN.pdf> and <https://admin.bangladeshaccord.org/wp-content/uploads/2018/08/Safe-Evacuation-and-Safety-Hazards-in-Ready-Made-Garment-Factories-EN.pdf>, respectively. The Accord has developed an additional booklet for workers to be distributed during a 3rd All Employee Meeting focused on common health hazards and the workers’ right to a safe and healthy workplace, scheduled to commence at Accord factories in July 2019.
- 19 Amader Kotha Worker Helpline, Call Data, accessed May 11, 2019, <https://amaderkothahelpline.net/call-data/>. The call data shows a steady decline in calls received since April 1, 2018, and states that “None calls were placed to Amader Kotha in April, 2019.” Nirapon, a new initiative that commenced activities in 2019, which uses the Amader Kotha helpline, reports that 30% of the calls it received during January and February 2019 (the only two months reported thus far) were from women and 14% of all calls related to safety issues, Accessed May 12, 2019, <https://www.nirapon.org/worker-voice/>. Neither Amader Kotha or Nirapon is reporting the factory name, description, or resolution of each call received. Nirapon describes itself as a “self-regulating” entity for safety in Bangladesh – this amounts to the same kind of failed voluntary model under which hundreds of garment workers died prior to the Accord’s formation. According to its website, Nirapon will not publicly identify factories that do not meet the standards and will have no authority to require remediation in factories where imminent life-threatening conditions have been identified or to suspend factories that fail to remediate those safety hazards. Nirapon claims that factory assessments will be carried out by a list of “qualified assessment firms,” but the list of such firms is kept confidential and there is no mechanism to ensure that these firms are equipped to carry out in-depth fire, building and electrical safety inspections. Nirapon’s website acknowledges that it will not work with factories to drive remediation, and offers no clear mechanism through which safety violations will be addressed.
- 20 From “Safe Evacuation & Safety Hazards in Ready-Made-Garment Factories,” p. 21, <https://admin.bangladeshaccord.org/wp-content/uploads/2018/08/Safe-Evacuation-and-Safety-Hazards-in-Ready-Made-Garment-Factories-EN.pdf>.
- 21 The overwhelming majority of users of the Accord’s complaint mechanism have been workers and unions. Of all complaints brought to the Accord since 2014, only 23 were lodged by representatives of factory management. Four were brought by brand representatives and one was put forth by DIFE.
- 22 United Nations, “Guiding Principles on Business and Human Rights,” 2011, https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.
- 23 Michael Bride, “Access to Remedy for Bangladeshi Readymade Garment Workers: Lessons from the Accord on Fire and Building Safety in Bangladesh,” Presented at the American Bar Association Section of International Labor & Employment Law, Midyear Meeting, Dublin, 2017.
- 24 ILRF, “Our Voices, Our Safety: Bangladeshi Garment Workers Speak Out,” December 2015, <https://laborrights.org/ourvoicesreport>.
- 25 Human Rights Watch, “Whoever Raises their Head Suffers the Most,” April 22, 2015, http://features.hrw.org/features/HRW_2015_reports/Bangladesh_Garment_Factories/.
- 26 Naimul Karim, “Complaints about safety in Bangladesh factories hit a high in 2018,” Thomson Reuters Foundation, March 19, 2019, <https://www.reuters.com/article/us-bangladesh-factories-safety/complaints-about-safety-in-bangladesh-factories-hit-a-high-in-2018-idUSKCN1R02C7>
- 27 All of the main union federations that represent garment workers in Bangladesh have used the Accord’s complaint mechanism.
- 28 The Accord has received 1,329 complaints as of April 2019. Thus far, information on 859 of the complaints has been posted on the Accord’s website.
- 29 Accord, “Termination of Accord Companies’ Business with Fresh Fashion Wear Limited,” August 18, 2016, https://accord2.fairfactories.org/accord_v2_files/1/Audit_Files/161898.pdf
- 30 In an interview with ILRF, Shamim requested that a pseudonym be used in sharing his story.
- 31 The Remediation Coordination Cell (RCC) was set up by the government of Bangladesh together with BGMEA and BKMEA (the two main employers’ associations), with technical support of the International Labour Organization (ILO), and funding from the UK, Canada, and the Netherlands, to provide fire and building safety remediation for factories currently under Bangladesh’s National Initiative. Currently, the RCC is operating as a temporary entity, coordinated between DIFE and other agencies such as RAJUK (for building inspections), the Fire Service and Civil Defence Department, and the Office of the Electrical Advisor and the Chief Electrical Inspector, and intends to become a “one-stop shop” for industrial safety once the Accord program has concluded.
- 32 “Bangladesh Government’s Safety Inspection Agencies Not Ready to Take Over Accord’s Work,” Clean Clothes Campaign, International Labor Rights Forum, Maquila Solidarity Network, and Worker Rights Consortium, April, 2019. https://laborrights.org/sites/default/files/publications/RCC%20report%204-1_3.pdf.
- 33 DIFE, “Complaint Resolving Efficiency Report,” Accessed May 9, 2019, <http://lima.dife.gov.bd/public-report/complaint-resolving-efficiency>.

