



**DISSERTATION**

**ON**

**Effectiveness on Health and Safety Laws of EPZ Workers: An  
Analysis on Labour law**

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## CONSENT FORM

The Dissertation titled “*Effectiveness on Health and Safety laws of EPZ workers: An analysis on Labour law*” prepared by Jannatul Ferdous, ID: 2017-1-66-059 submitted to Mohammed Shahjalal , Senior Lecturer for the fulfillment of the requirements of Course 406 (Supervised Dissertation) for LL.B. (Hons.) degree offered by the Department of Law, East West University is approved for submission.

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## DECLARATION

I am Jannatul Ferdous, ID: 2017-1-66-059 hereby declare that the dissertation entitled **“Effectiveness on Health and Safety laws of EPZ workers: An analysis on Labour law”** submitted towards fulfilling the requirements of Course 406 (Supervised Dissertation) for LL. B (Hons.) degree by the Department of Law, East-West University. This is my original work, and no portion of it has ever been published before. This dissertation is entirely my responsibility.

## ABSTRACT

When it comes to worker rights for their health and safety, those employed in EPZs are the group that suffers the most. There are a great number of incidents that take place in the EPZ industry each year that are reported to have a substantial impact on the lives of the workers. This paper provides an overview of the rules and regulations that are now in place regarding the health and safety of EPZ workers. The study focuses on the national and international legal frameworks for addressing safety and health issues related to EPZ. It also discusses the issues involved with the implementation of those legal frameworks. In addition to that, the article discusses the role that regulatory authorities can play in improving the current situation. It has been discovered that Bangladesh already has many laws and regulations written down that meet with the international conventions on health and safety. These rules and regulations may be accessed here. However, the laws and regulations, the monitoring and improvement of these rules and regulations, and the partnerships between the departments and organizations that are concerned are not being enforced. Because of this, as compared to other industrialized countries, our nation is falling further and further behind in terms of its economic and labor development.

## LIST OF ABBREVIATIONS

BEPZA	Bangladesh Export Processing Zones Authority
BLA	Bangladesh Labor Association
ILO	International Labor Organization
OSH	Occupational Safety and health
EPZ	Export Processing Zone
DEPZ	Dhaka export processing zone
FDI	Foreign direct investment
BOI	Board of investment

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## CHAPTER 1: INTRODUCTION

## 1.1 Background of the Study

In order to ensure a quick economic growth, the Bangladesh government has implemented an open-door policy to attract foreign investment. By regulating industrialization through specific Export Processing Zone (hereafter referred to as the EPZ) laws Bangladesh wants to improve its economy. In developing countries like Bangladesh the export processing zones (EPZ) have been a way of attracting foreign direct investment. After 1990 EPZ has played an important role in the economy of Bangladesh. The EPZ contributes significantly to the country's economic growth. EPZs are subject to the Export Processing Zones Labor Act 2019, which is a specialized piece of legislation that regulates the relationship and establishes employees' rights. The purpose of establishing EPZs is to make rules of worker employment relationships between employees and employers, fix the minimum wage rate and payment, health and safety, and so on. EPZs are special areas designated for export-oriented industries. In order to improve foreign exchange revenue, create employment opportunities for local manpower, accelerate technology transfer along with the growing trade imbalance, high unemployment, capital storage, insufficient foreign exchange, and lack of technical expertise<sup>1</sup>. EPZs are often established in places conducive to global trade such as seaports, airports, and border areas. The Bangladesh Export Processing Zones Authority (BEPZA) has developed 8 EPZs in Bangladesh and government plans to create 100 economic zones under the Bangladesh Economic Zone's Authority. In Bangladesh, the first EPZ was established in Patenga, Chittagong in 1983 based on a law enacted by the parliament in 1980. More than 30 countries have so far invested in various projects in the EPZs in Bangladesh, including Japan, South Africa, Malaysia, USA, UK, China, and many other countries. Bangladesh Labor Act 2006 governs the employees of various organizations in Bangladesh. But for EPZs there is a different law. In 2019 the government of Bangladesh passed the Bangladesh EPZ Labor Act 2019 for EPZ workers. This law addressed the issue of health and safety but EPZ workers in Bangladesh are facing several challenges due to unsafe working conditions and lack of social compliance. The BEPZA is the highest authority and a different organ of the Bangladesh government to regulate the EPZ sector. BEPZA is the official organ of the government to promote attraction and facilitate both domestic and international investment in EPZs. To ensure workplace safety and

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<sup>1</sup><[https://en.banglapedia.org/index.php/Export\\_Processing\\_Zone?fbclid=IwAR3muMeIWSHus3QxX5\\_MhT\\_wSG2GdU4RObqvWM8BKfcydhMVw0DBubT3ify4](https://en.banglapedia.org/index.php/Export_Processing_Zone?fbclid=IwAR3muMeIWSHus3QxX5_MhT_wSG2GdU4RObqvWM8BKfcydhMVw0DBubT3ify4)> accessed on 15th November 2022

right of the workers BEPZA is always concern but in recent days some occupational Accident happened due to absence of Implementation of health and safety rules in workplace. Due to absence of health and safety rules health risks can arise with them. It can be reducing their work energy which can be harmful for the Government. Unsafe working conditions are a negative factor that is frequently connected to EPZ's. Workers are expected to work long hours in physically conditions, such as Extreme heat and noise, defective manufacturing equipment, uninspected building. There isn't much done to improve the situation in some factories since lack of access to union representation. That means that workers continue to suffer the impact of unsafe working condition<sup>2</sup>. So the government should try to comply with National law. The purpose of National law on health and safety for EPZ workers cannot be fulfilled it won't implement in reality. This sector is spreading all over the world furthermore, BEPZA should try to forward this sector more with global growth.

## 1.2 Research Question

Whether the existing laws of EPZ worker's health and safety are adequate or not?

## 1.3 Literature Review

The government has opened its doors to foreign investment to speed up economic growth. Through the Bangladesh Export Processing Zones Authority, the government encourages, inspires, and helps foreign investment in Export Processing Zones (BEPZA). Investors have come to two EPZs. It's important to figure out if it's worth the country's resources to make more EPZs and how they help Bangladesh become more industrialized. Safety and security are still important, even though most people spend their days at work. Safety depends on how productive a worker is and how well they can provide for themselves and their families. Money and a job are important, but being unemployed hurts families. Emerging countries are unstable, poor, and sick, which makes work-related injuries and illnesses a public health issue. ILO says that about 2.3 million workers die every year from illnesses and accidents at work. Every year, there are 337 million accidents and 160 million work-related diseases. Taking everything into account, illnesses, injuries, and deaths at work may cost between 10%

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<sup>2</sup> <<https://www.liveabout.com/export-processing-zones-epz-2221273>> accessed on 15th November 2022

and 15% of the country's GDP. According to conservative estimates, occupational risk factors cause 312,000 accidental deaths at work and 8.8% of all deaths worldwide. Therefore, it is our important responsibility to find out the issues and problems of the country and the target sector and the project and find out their solutions. One of the issues facing this sector is health and safety. If we do not take care of the health and safety of the workers, they will suffer from various physical and mental problems. Ensuring health and safety is the basic need of workers. If it does not fulfill basic needs, it will affect the work, productivity will decrease.

So, it is very important to research on this topic. The work falls under the category of research because I have tried to find solutions to these pressing problems in the society. I have researched to solve health and safety problems of EPZ workers.

#### 1.4 Research Methodology

It is an exploratory research of qualitative method. This research is an empirical research based on secondary resources. Both primary and secondary data sources are used in the analysis of this study. Primary data collected from national and international statute, policy and Secondary data has been collected from scholarly writings, documents related subject matter, newspaper, books. I also collected data from various Acts Statute Laws etc. for performing this task.

#### 1.5 Limitations

The biggest problem with this research is that it can't be done because there aren't enough resources. There is also no way to get to the case laws. And there aren't any exact books on the research topics. If there are no time limits, the researcher will also find more results. There isn't enough up-to-date information, and four months isn't enough. Maybe I tried as hard as I could in this short amount of time to change the subject. But there weren't enough magazines or newspapers with articles about this subject. Even though my project wasn't based on a specific law. As a whole, this research topic has a lot of problems.

## CHAPTER 2: HEALTH AND SAFETY OF EPZ WORKERS IN DOMESTIC LAW AND INTERNATIONAL LAW

Bangladesh is very populous country and majority of Bangladesh population is engaged in work. The vast majority labor organizations or companies or garments have their own rules and regulations but all of them have to follow the minimums statutory standards and make rules according to the same. The Export Processing Zones (EPZ) Labor Act 2019 (Act) is a specialized piece of legislation that was passed in Bangladesh in 2019 to regulate labor relations and determine the rights of workers in all of the country's export processing zones. Workers and employers are both subject to the law's requirements. Statutory Regulatory Order No. 257/2021 was the document that, on July 27, 2021, was used to repeal the EPZ Workers Welfare Association and Industrial Relations Act<sup>3</sup>. It was issued by the government (EWWAIRA).

### 2.1 Health and Safety of EPZ workers in International Law

In every sector of the economy, safety and health management systems play an essential function. It is absolutely necessary for workers to be aware of the various occupational dangers that exist in the industry. At the same time, management has a responsibility to protect employees from potentially hazardous situations by taking the necessary precautions. At the international level Occupational Safety and Health (OSH) agreement is made by conventions and recommendations. The ILO is the main organization on an international level working with OSH<sup>3</sup>. International Labour Organization has a great influence on this area IL Conventions 4 C 155 and C161 deal with occupational safety and health and occupational health services respectively. The policy objective of Convention C155 is to prevent occupational accidents and damage to health and illness by identifying and reducing hazards in the workplace environment. Convention 5 C161 aims to establish and maintain a safe and healthy working environment that will facilitate optimal physical and mental health at work. Although these conventions have not yet been ratified in Bangladesh<sup>4</sup>, many of the recommendations of these conventions have been practiced to some extent through the implementation of various existing laws and regulations. 6. The objective of this convention

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<sup>3</sup> EPZ Labour Act to protect rights of workers, owners, The Financial Express, <<https://thefinancialexpress.com.bd/public/index.php/trade/epz-labour-act-to-protect-rights-of-workers-owners-1569731945>> Accessed on 12 November 2022

<sup>4</sup> Mission and impact of the ILO < <https://www.ilo.org/global/about-the-ilo/mission-and-objectives/lang-en/index.htm>> accessed on 03 December 2022

is ensuring safety and health and the working environment for all workers. All Member States that have ratified the Convention receive guidance from it that policymakers take into account national situations and practices when developing laws related to OSH. This should be done in consultation with various parties in the labor market. The aim of the policy should be to prevent accidents and damage to health as far as possible in the workplace 7. Achieving this goal requires both worker's cooperation and an employer commitment. There are two other international conventions on occupational safety and health 8. They are Occupational Safety and Health Services Convention no. 161 since 1985. The objective of this convention is to establish and maintain a safe and healthy working environment in all industries and since 2006 the most recent is the number of 187 specialized structures for occupational safety and health conventions. The objective of this Convention is to promote the continuous improvement of occupational safety and health in order to prevent occupational injuries, diseases and deaths of workers. Furthermore, the ILO issued a protocol 9 in 2002, which can be seen as a supplement to the Occupational Health and Safety Convention no. 155 since 1981. We understand from the Protocol that it is the duty of States to develop adequate systems for reporting work-related incidents as this is important for the production of national statistics. There are other conventions relating to workplaces and employment. For example, the 1964. Employment Injury Benefits Convention. The aim of this convention is to help workers injured at work 10. 1993 Convention on the Prevention of Major Industrial Accidents This Convention aims to prevent catastrophic accidents involving hazardous substances, as well as to mitigate the response to such incidents. The Working Environment Pollution, Noise and Convention, 1977 aims to provide a better working environment for workers by addressing problems such as air pollution, noise and vibration. Other than Conventions, Recommendations are also guidelines for OSH<sup>5</sup>. In the case of a non-binding agreement, states are usually keener to reach an agreement because they know that the result for non-compliance is non-existent. In that case Ratify is not important for the member states.

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<sup>5</sup> International Labour Standards on Occupational Safety and Health  
<<https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/occupational-safety-and-health/lang--en/index.htm>> accessed on 03 December 2022

## 2.2 Health and Safety of EPZ Workers in Domestic Law

The Act has many parts, most of which are in line with ILO standards, and some of them may look like the Bangladesh Labor Act (BLA) 2006. This article talks about some of the most important parts of the Act. The Bangladesh EPZ Labor Act says that workers and owners of industrial units that are part of the Bangladesh Economic Zone Authority will be able to use their rights in 2019. The EPZ Labor Law says how workers are hired, how they interact with their employers, what the minimum wage is, how wages are paid, who pays for workers who get hurt on the job, and how health and safety are handled in EPZs or economic zones. In Chapter 3, benefits for mothers are talked about. So, employees who have just given birth don't have to work for eight weeks. Also, all women who are eligible should get maternity pay from their employers for the eight weeks before the expected date of birth and the eight weeks after. Chapter 4 talked about health, cleanliness, and safety at work. The chapter also has safeguards for health, hygiene, and safety that meet the standards set by the International Labor Organization (ILO). Chapter 5 of the Act talked about employees' work hours and their time off. This chapter limits how much people can work every day. Employees can only work eight hours a day, while Enterprise can work ten hours. It also says that you can only work for 48 hours a week. This act also has rules about when and why someone can take a leave of absence. Chapter 8 of the Act says that if an employee gets hurt at work, the employer must pay compensation according to the Act or other rules and regulations. This chapter also explains when and how you can ask for compensation, as well as why you might be turned down<sup>6</sup>. 10 Employment Injury Benefits Convention, 1964 [Schedule I was changed in 1980] (No. 121) The ILO Committee pointed out that there are some big differences between the Act and the ILO standards even before the Act was passed. No matter the difference, some of these are better than others. Here, we talk about the main problems that need to be fixed. According to Section 39 of BEPZA Instruction No. 1, the management has to make sure that workers have the right protective clothing, etc., if they work on machines, deal with dangerous chemicals, or do specialized work<sup>7</sup>. Section 75 of the BLA 2006 says that employees should be given the right glasses when their eyes are in danger because they are

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<sup>6</sup> EPZ LAW,2019 < <http://bdlaws.minlaw.gov.bd/act-1285.html> > Accessed on 03 December 2022

<sup>7</sup> Section 39 of BEPZA < <https://www.bepza.gov.bd/content/bepza-act> > Accessed on accessed on 15th November 2022



exposed to too much light or heat<sup>8</sup>. Section 61(2) said that the Inspector could stop any building, machinery, or plant from being used by any institution if he thought it was dangerous to people's lives or safety<sup>9</sup>. Section 93(1) of Bangladesh's labor laws says that if there are more than fifty workers, the employer must set up a break room with a water system so that the workers can eat food they brought with them and rest<sup>10</sup>. Section 93(3) of the BLA says that if there are more than 25 female employees, there must be separate bathrooms for men and women<sup>11</sup>. Section 36 of BEPZA Instruction No. 1 says that every business must provide and maintain a reasonable number of bathrooms and laundry facilities for their employees. In each business in the EPZ, there will be a clean bathroom where workers can rest or eat food they brought from home<sup>12</sup>. Sections 89(1) and (2) of the BLA 2006 Export Processing Zones Act say that each establishment must set up a first-aid box or an almery with first-aid supplies for every 150 employees<sup>13</sup>. Section 37 of BEPZA Instruction No. 1 says that each company must pay a certain amount of money each month to the Medical Centre Trustee Board to help keep the Medical Centre running for the staff<sup>14</sup>. Section 40 of BEPZA Instruction No. 1 says that the bosses have to give workers who work on machines, handle toxic chemicals, or do other specialized jobs the right safety gear, such as clothing and shoes. Under BEPZA's rules, each business must also provide and maintain a reasonable number of bathrooms and laundry rooms. Section forty, BEPZA Instruction No.1 facilities for their workers according to section thirty-six, BEPZA Instruction No.1. In each company in EPZ, there must be a clean bathroom where workers can rest or eat their own food according to section thirty-eight, BEPZA Instruction No.1. In a factory, the workers are the most important thing that keeps the machines running and makes the products that customers want. When a workplace is not safe, workers can't work long hours. All organizations must follow health and safety policies<sup>15</sup>.

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<sup>8</sup> The Labour Act 2006, section 75

<sup>9</sup> The Labour Act 2006, section 61(2)

<sup>10</sup> The Labour Act 2006, section 93 (1)

<sup>11</sup> The Labour Act 2006, sections 93(3)

<sup>12</sup> Section 36 of BEPZA

<sup>13</sup> The Labour Act 2006, Section 89(1)(2)

<sup>14</sup> Section 37 of BEPZA

<sup>15</sup> Section 40 of BEPZA

Bangladesh's Labour Law 2006 and EPZ Law 2019 or BEPZA Act have rules about health and safety for both employees and employers. Even though the EPZ law was just made, a closer look shows that the Labour law gives workers more protection in terms of health and safety rules than the EPZ Act. Exporters from Bangladesh are always being pushed to meet international standards. The people in charge should pay more attention to the rules for EPZ workers because it is a busy and busy place of work that is also the economic engine of our country. The EPZ Act was made so that all EPZ relationships could be settled and workers' basic rights could be protected. It is mostly built based on ILO standards. To make the Act's original goal even more important, it needs to be changed.

## CHAPTER 3: HEALTH AND SAFETY LAWS OF EPZ WORKERS IN DIFFERENT COUNTRIES

An export processing zone (EPZ) is a controlled area where machinery, technology, and raw materials can be brought in duty-free and with a guarantee to be used in making goods for export. In the last 20 years, export processing zones (EPZs) have grown quickly, especially in low- and middle-income countries that want to attract private sector investment to help them become more industrialized. People have paid a lot of attention to how their markets work and what makes them successful, as well as how they fit into the larger structure of global economic policy. However, there are still questions about the rights of workers in EPZs. These worries are based on the ways that EPZs are supported by the law, such as by agreements that limit the use of traditional labor law or by regulations that don't work well. In the ILO Constitution, the idea of protecting workers from work-related illness, disease, and injury is explained. Many EPZs fail to provide a safe place to work, and many businesses have to work in dangerous places. The ILO instruments listed below are important tools that governments, businesses, and workers can use to create good practices and make sure that health and safety standards at work are as high as they can be.

### 3.1 Pakistan

The Export Processing Zones Authority is a government program in Pakistan that was made to help the country's exports grow and get stronger. Its main goals are to speed up the industrialization of the country and increase the amount of exports by making it easy for investment funds to start ambitious open-market projects in the Zones. These projects would create jobs, bring in new technology, and encourage investment. The Federal Government is happy to give workers the following rules. These rules are being made because section 26 of the Export Processing Zones Authority Ordinance, 1980, says that they can be (IV of 1980). In particular, these rules are about health and safety for the public, working time, and what to do in case of a medical emergency. They run an Emergency Medical Center that also works in the Karachi EPZ to help KEPZ workers who need medical care. If you want to work, the government only gives you 8 hours a day, or 48 hours a week.

### 3.2 Sri Lanka

Sri Lanka first export processing zone (EPZ) was established in 1978 as a part of the economic liberalization policy which was introduced after decades of protectionism. Sri Lanka now has three EPZ established over period of 13 years. After 15 years, the Greater Colombo Economic commission (Amendment) Act no.49 of 1992, which changed the name of the commission

of Board of Investment. The Board of Investment of Sri Lanka will monitor the labor relations situation in firms under its jurisdiction and companies are required to keep strong relations<sup>16</sup>. To ensure that the standards are met, plans for the construction of the factory buildings must be submitted to the BOI for approval. That regulations establishes specifications for the dimensions of the factory based on the size of the workforce as well as for lighting, ventilation and amenities such as portable water supplies, washroom, canteen and rest areas. It is worth that the BOI has established pollution control standards and its Environmental Department provides safeguards for industries both inside and outside of the zones. National safety regulations apply to firms in the zones as well, with the goal of preventing occupational injuries and minimizing workplace hazards. The occupier of a factory is required to notify the BOI in writing of any industrial accidents that results in death or disability that prevents the workers from earning full wage for more than three days or makes the person unconscious. The effected individual is entitled to compensations<sup>17</sup>. The country labor laws are relevant to these businesses. Moreover, Free Trade Zone Enterprises are required to have a written contract of employment containing the terms and conditions of services, including the certification or category of the employee, normal hours of work, rate of pay, training period, if any, probationary period, sick leave, safety, holidays, and superannuation contributions, which must be issued to every worker, and an acknowledgment of the receipt obtained by the employer. A typical workday consists of one shift of eight hours and a half-day of five and a half hours. Normal 1 hour must be allocated for meals or relaxation. In the Free Trade Zone, there are no limits on night-shift employment for men. However, employment of female workers during the night shift from 10 p.m. to 6 a.m. the following day will be permitted, subject to a number of B.O.I. requirements<sup>18</sup>. The B.O.I. Enterprise is required to obey the basic standards of conduct in disciplinary issues and to provide

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<sup>16</sup> Abeywardene, J., R. de Alwis, A. Jayasena, S. Jayaweera and T. Sanmugam (1994). "Export Processing Zones in Sri Lanka: Economic impact and social issues", Multinational Enterprises Programme, Working Paper No.6. International Labor Organization, Geneva.

<<https://www.econstor.eu/bitstream/10419/103852/1/770271375.pdf?fbclid=IwAR0TZhJaduRHMnPROQjDJ6ffWJ2BiCt3qU00wByPNaf2cfkCxN3-eLh89aQ> > accessed on 28<sup>th</sup> November 2022

<sup>17</sup> <[https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---multi/documents/publication/wcms\\_126264.pdf?fbclid=IwAR1aAII3ljatzqa05-eESuOl\\_e8fztwU6LiUqXdff\\_xeBg8-wlAkOtH8Jw](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_126264.pdf?fbclid=IwAR1aAII3ljatzqa05-eESuOl_e8fztwU6LiUqXdff_xeBg8-wlAkOtH8Jw) > accessed on 15th November 2022

<sup>18</sup> <[https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---multi/documents/publication/wcms\\_126264.pdf?fbclid=IwAR1aAII3ljatzqa05-eESuOl\\_e8fztwU6LiUqXdff\\_xeBg8-wlAkOtH8Jw](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_126264.pdf?fbclid=IwAR1aAII3ljatzqa05-eESuOl_e8fztwU6LiUqXdff_xeBg8-wlAkOtH8Jw) > accessed on 15th November 2022

retirement benefits, health and welfare facilities, industrial safety, industrial injury benefits, etc.

### 3.3 India

India was one of the first countries in Asia to realize that the export processing zone (EPZ) model, which was first set up in Kandla in 1965, worked. The government of India set up Export Processing Zones so that infrastructure could be built and tax breaks could be given to the country's many industrial sectors. EPZ has helped the country's economy grow by making it possible for exports to do well. The fact that the Labor Department, which is led by the Labor Commissioner, is in charge of enforcing the many laws about working conditions shows that the executive is the most important part of labor governance. Some of these tasks are to check for compliance with the law through inspections and to punish people who don't follow the law. One important law in this area is the Factories Act of 1948, which is meant to protect worker safety and working conditions. Work Under this system, work standards are kept, and it is against the law to do dangerous work. Using the usual forces of supply and demand in the labor market, there will be a single wage in equilibrium. The Factories Act of 1948 applies to factories that meet the definition of "factory" in section 2(m) or to industrial establishments for which section 85 has been made applicable by the State Government through publication in the Official Gazette. The main goal of the Factories Act is to help workers stay healthy. The Act has sections 11 through 20 that deal with health, and sections 21 through 40 deal with safety. Below, you'll find more information about each section: Part Eleven: Most of the problems in this section have to do with keeping the workplace clean. The clause says that every factory must be kept clean and free of any waste from a drain, a commode, or anything else that could be a problem. This means that dirt and trash should not build up and be taken away every day, and that the whole area should be clean. Section 12: This section tells you how to get rid of wastes and wastewater. That every industry should have good plans for treating and getting rid of the wastes and effluents that come from its processes so that they are safe. In Section 13, we talk about how to control the temperature and air flow in the workplace. Every factory should make plans for good ventilation and the flow of fresh air. Section 14: This section talks about how the Factory should get rid of dust and smoke. This says that a factory that is making something must make sure that dust, fumes, and other pollutants are properly gotten rid of at their source.

Section 15 is about adding humidity to factories with machines. In order to follow rules set by the State Government, the humidity level in factories is artificially raised. Sections 16 and 17: This part talks about overcrowding, which is an important subject. In this part, it says that no room in the plant should be so full that it could hurt the health of its workers. Sections 18 and 19: This section tells you what you need to do to make sure workers have enough clean water to drink. Also, there are certain things that need to be done to make drinking water sources acceptable. So, the source of drinking water shouldn't be within six meters of a place to wash, a urinal, a toilet, a spittoon, or an open drain that carries waste. A factory with more than 250 workers should also have ways to cool the drinking water when it's hot outside. Section 20: This section has information about how urinals and toilets at work should be built. It says that there must be enough urinals in every factory and that they must be in the right place. It should be cleaned and cared for. There are plans for separate urinals for men and women who work there. This part tells you how to set up the spittoons in a factory. Every factory must have enough spittoons in easy-to-reach places, and they must be cleaned, maintained, and kept in good shape on a regular basis.

### 3.4 Bangladesh

The Export Processing Zones (EPZ) Labor Act 2019 (the Act) is a special piece of law that sets out the rights of workers in all export processing zones in Bangladesh and regulates how people work together. Both employees and employers have to follow the law. The EPZ Employees Welfare Association and Industrial Relation Act was taken away on July 27, 2021, when Statutory Regulatory Order No.257/2021 became law (EWWAIRA). It is said that the EWWAIRA was used to violate the basic rights of EPZ workers, especially their right to not be in a union. Experts from the International Labor Organization (ILO) say that it broke a lot of ILO rules. There were also questions about whether or not EPZs had to follow a certain law. Even though the Bangladesh Labor Act (BLA) 2006 is seen as a modern law because it meets ILO standards and protections and gets rid of several labor-related statutes, there are still 25 labor-related laws that have not been gotten rid of or merged. The Act has a number of rules that, for the most part, meet international standards. Some of these rules could be similar to the BLA 2006. In Chapter 3, benefits for mothers are talked about. So, employees who have just given birth don't have to work for eight weeks. Also, all women who are eligible should get maternity pay from their employers for the eight weeks before

the expected date of birth and the eight weeks after. The fourth chapter talks about workplace safety and hygiene. The Act includes health, safety, and sanitation rules that are in line with the ILO. The fifth chapter talks about employees' work hours and time off. It says that employees can only work eight hours a day and businesses can only work ten hours a day, for a total of 48 hours a week. Chapter 8 of the Act says that if a worker gets hurt at work, the employer must pay the worker according to the terms of the Act or any other laws or rules that apply. This chapter talks about the different ways compensation can be given and the reasons why it can't.

Discussing the above issues, it can be seen that the laws of Bangladesh and India give more importance to the health and safety of workers.



## CHAPTER 4: PRESENT SCENARIO OF THE EPZ WORKERS IN BANGLADESH

I have already analyzed present health and safety provision of EPZ act of Bangladesh. Now I will try to explain whether those provision is applying or not in reality.

#### 4.1 Cumilla EPZ Worker's died in Storeroom Roof Collapse

In Cumilla Export Processing Zone (EPZ), a woman worker died when the roof casting board of a garment storeroom that was being built fell. Josna Begum, who lived in the Thira pukur par area of south chartha in cumilla city and was 45 years old, was named as the person who died. Josna Begum worked for the company as a cleaner. Her husband and four children will remember her. Josna Begum has worked for NASSA Garment for many years. She was at work in the morning, and all of a sudden, the board in the storeroom of the Garment building fell down. Three other people were hurt in the accident, which happened at EPZ NASSA Garment. There were other people who got out of the building without serious injuries, but Josna Begum did not. Josna was taken to Cumilla Medical College Hospital with serious injuries, but the doctor on duty there said she was dead. Cumilla EPZ General Manager Zillur Rahman confirmed the death and said it was an accident. He also said that the family of the person who died will get a fair amount of money.

#### 4.2 Uttara EPZ Factory Worker Dies in Machinery Accident

A worker of a factory in Uttara Export Processing zone (EPZ) at sangolshi village in Sadat of the upazilla was died in a machinery accident inside the factory building during working hours. The victim is identified as Ershad Ali (35) son of MD kabir uddin of chairman para village in chapra saranjami union of Sadar upazilla in the district. Ershad Ali was a heavy Machine operator in a Hong Kong-based spectacle factory called Mazen (Bangladesh) Industries Ltd. The victim's coworkers reported that the victim while operating a heavy machine hit by his head at around 3:30pm on that day. They claimed that the victim was operating the machine without taking any precautions due to lack of authority monitoring. Factory officials immediately rushed him to Rangpur Medical collage Hospital because his condition was critical, but he died an hour after admission there at 7:00 Pm. Uttara EPZ General Manager Abdus sobhan acknowledged the accident and announced the an three-member inquiry committee has been formed headed by AGM MD Khaled. Factory officials immediately rushed him to Rangpur Medical collage Hospital because his condition was

critical, but he died an hour after admission there at 7:00 Pm. Uttara EPZ General Manager Abdus sobhan acknowledged the accident and announced the an three-member inquiry committee has been formed headed by AGM MD Khaled<sup>19</sup>.

#### 4.3 Fire at Garment factory in Savar OLD Dhaka EPZ

The fire that broke out at the garment factory in the old Dhaka Export Processing Zone in Savar. On that day, the fire started at 6:50 pm in the building's basement. In an instant, the fire spread to the whole go down. Two units of the DEPZ fire service began working to put out the fire. Then, nine units from Savar, Dhamrai, and Tongi joined the fight. At 11:20 pm, after a lot of work, the fire was put out. No one was hurt, and the cause of the fire was not known at first. When hired, DEPZ General Manager (administrator) Abdus sobhan said that the fire started in a 3,200-square-foot area. The factory that makes labels and stickers had a room for storage. Most of what was in the room was scaffolding and paper that could catch fire. They have been hurt. This fire in Dhaka EPZ did not hurt any of the workers.

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#### 4.4 Fire at Adamjee EPZ

The fire that broke out in the Adamjee Export processing zone (EPZ) in Siddhirganj, Narayanganj, has been put out after about 9 hours of trying. According to fire officials, the fire started at a gas pipeline at 7:35 a.m. After getting the word, nine fire departments rushed to the scene to bring the situation under control. According to Abdullah Al Arefin, the Deputy Director of the Narayanganj fire service, no one was hurt in the fire that started at a gas pipeline. According to a fire service team, the fire was put out after 9 hours by 9 units of fire service, including EPZ, Hajiganj, and Mandalpara stations, and 65 skilled workers. But the cause of the fire is unknown<sup>21</sup>.

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<sup>19</sup><<https://thedailynewnation.com/news/167878/Uttara-EPZ--factory-worker-dies-in-machinery-accident?fbclid=IwAR2FKhvseoEPbIODGSEy85Xx98wmiAYEcduwUGvCmK-6UjFIAnBCRCMMHd4> > accessed on 15th December 2022

<sup>20</sup><[https://www.thedailystar.net/news/bangladesh/accidents-fires/news/fire-breaks-out-garment-factory-savars-old-dhaka-epz-2986086?amp&fbclid=IwAR3qiLTcx2-pu3pEma4Su-L8AHzriS1H4AuC0zbiwa\\_68yIzZP8vk\\_5tyjI](https://www.thedailystar.net/news/bangladesh/accidents-fires/news/fire-breaks-out-garment-factory-savars-old-dhaka-epz-2986086?amp&fbclid=IwAR3qiLTcx2-pu3pEma4Su-L8AHzriS1H4AuC0zbiwa_68yIzZP8vk_5tyjI) > accessed on 15th December 2022

<sup>21</sup> < <https://www.observerbd.com/news.php?id=370918> > accessed on 15th December 2022

Based on above discussion, we can have concluded that, the provision of health and safety is not much effective in Bangladesh in reality. Several accidents had happened in EPZ industry without the application of health and safety provision of EPZ act and the saddest reality is, workers didn't get any compensation because of those incident.

## CHAPTER 5: FINDINGS AND RECOMMENDATIONS

## 5.1 Finding

Worker's health and safety is crucial in every sector, EPZ industry is no exception in this regard. This study intended to investigate the effectiveness of the existing laws of health and safety measures for EPZ workers.

The EPZ act is recently implemented with many loop holes. Though it does not meet international standards but still at good standard than Pakistan and Sri Lanka.

In domestic laws even though the EPZ Act was just passed, but a closer analysis suggests, from the previous research, that the Labor Law offers employees more protection in terms of health and safety standards than the EPZ Act. However, the labor law also has loopholes in terms of maintaining the international standards for ensuring the health and safety of the workers.

Further, the study compares the EPZ laws with other countries such as India, Pakistan, and Sri Lanka where it is found that the laws of India and Bangladesh covers more safety and health measure than other countries.

The analysis of different scenarios it is found that the unfortunate fact is that workers weren't compensated for any of the incidents that occurred in the EPZ industry without the execution of the EPZ Act's health and safety provisions. In short, health and safety protections in Bangladesh are not adequate.

## 5.2 Recommendation

Based on the above finds of the study the following measures may take:

- The Labor Inspection Department will monitor the impact of OSH policy and labor law in the EPZ industry.
- Conduct training and offer capacity-building support to raise understanding of legal and regulatory problems to ensure workplace safety, particularly in clothing manufacturers.
- Establish the employer association as a leading provider of knowledge and information on the health and safety of the workers.
- Take a holistic approach among government, INGOs and NGOs to create and implement the suitable policies for the EPZ workers.

### 5.3 Conclusion

Bangladesh intends to strengthen its economy by overseeing industry through particular Export Processing Zone (EPZ) laws. Export processing zones (EPZs) have been used in developing nations like Bangladesh to draw in foreign direct investment (FDI). This study intended to investigate the effectiveness of the existing laws of health and safety measures for EPZ workers. Undoubtedly, the importance of health and safety standards of EPZ workers are crucial. This study finds that the tragic issue that without the enforcement of the health and safety rules of the EPZ Act, workers weren't reimbursed for any accidents in the EPZ industry, according to the examination of various situations. In Bangladesh, there are not enough safeguards for ensuring the health and safety of the EPZ workers. For this reason, both national and international organizations come forward to address the issues to ensure workers right.

## BIBLIOGRAPHY

### Articles & Online Journals

- Abeywardene, J., R. de Alwis, A. Jayasena, S. Jayaweera and T. Sanmugam (1994). "Export Processing Zones in Sri Lanka: Economic impact and social issues", Multinational Enterprises Programme, Working Paper No. 6. International Labor Organization, Geneva.
- Ahamed, F. (2011). Working conditions in the Bangladesh Readymade Garments Industry: Is Social compliance making a difference? PhD Thesis, La Trobe University, Australia.
- Alam M. J., Mamun, M. Z. and Islam, N. (2004). Workplace Security of Female Garments Workers in Bangladesh. *Social Science Review*: 21(2): 191-200.
- EPZ Labour Act to protect rights of workers, owners, The Financial Express, <<https://thefinancialexpress.com.bd/public/index.php/trade/epz-labour-act-to-protect-rights-of-workers-owners-1569731945>> Accessed on 12 November 2022
- EPZ LAW,2019 < <http://bdlaws.minlaw.gov.bd/act-1285.html> > Accessed on 03 December 2022
- International Labour Standards on Occupational Safety and Health < <https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/occupational-safety-and-health/lang--en/index.htm>> accessed on 03 December 2022
- Mission and impact of the ILO < <https://www.ilo.org/global/about-the-ilo/mission-and-objectives/lang--en/index.htm>> accessed on 03 December 2022
- Mohanta, M. K., A. K. Saha, and M. A. Hasan. "Prevalence and determination of occupational diseases of." *University Journal of Zoology, Rajshahi University* 31 (2012): 79-82.
- Nahar, N. (2009), "Occupational Health Hazards in Garments Sector: A Study in Gazipur District." Unpublished MS Thesis submitted to the Department of Rural Sociology, Mymensingh: Bangladesh Agricultural University.



Section 39 of BEPZA < <https://www.bepza.gov.bd/content/bepza-act> > Accessed on  
accessed on 15th November 2022

### **Legislation**

The Labour Act 2006, section 75

The Labour Act 2006, section 61(2)

The Labour Act 2006, section 93 (1)

The Labour Act 2006, sections 93(3)

Section 36 of BEPZA

The Labour Act 2006, Section 89(1), (2)

Section 37 of BEPZA

Section 40 of BEPZA

### **Other Links**

<[https://en.banglapedia.org/index.php/Export\\_Processing\\_Zone?fbclid=IwAR3muMeIWSHus3QxX5\\_MhTwSG2GdU4RObqvWM8BKficydhMVw0DBubT3ify4](https://en.banglapedia.org/index.php/Export_Processing_Zone?fbclid=IwAR3muMeIWSHus3QxX5_MhTwSG2GdU4RObqvWM8BKficydhMVw0DBubT3ify4)> accessed  
on 15th November 2022

<<https://www.liveabout.com/export-processing-zones-epz-2221273>> accessed on 15th  
November 2022

<<https://thedailynewnation.com/news/167878/Uttara-EPZ--factory-worker-dies-in-machinery-accident?fbclid=IwAR2FKhvseoEPbIODGSEy85Xx98wmiAYEcduwUGvCmK-6UjFIAnBCRCMMHd4>> accessed on 15th December 2022

<[https://www.thedailystar.net/news/bangladesh/accidents-fires/news/fire-breaks-out-garment-factory-savars-old-dhaka-epz-2986086?amp&fbclid=IwAR3qiLTcx2-pu3pEma4Su-L8AHzriS1H4AuC0zbiwa\\_68yIzZP8vk\\_5tyjI](https://www.thedailystar.net/news/bangladesh/accidents-fires/news/fire-breaks-out-garment-factory-savars-old-dhaka-epz-2986086?amp&fbclid=IwAR3qiLTcx2-pu3pEma4Su-L8AHzriS1H4AuC0zbiwa_68yIzZP8vk_5tyjI)> accessed on 15th  
December 2022

< <https://www.observerbd.com/news.php?id=370918> > accessed on 15<sup>th</sup> November 2022

<<https://www.econstor.eu/bitstream/10419/103852/1/770271375.pdf?fbclid=IwAR0TZhJaduRHMnPROQjDJ6ffWJ2BiCt3qU00wByPNaf2cfkCxN3-eLh89aQ>> accessed on  
28<sup>th</sup> November 2022

<[https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---multi/documents/publication/wcms\\_126264.pdf?fbclid=IwAR1aAllf3ljatzqa05-eESuO1\\_e8fztwU6LiUqXdff\\_xeBg8-wlAkOtH8Jw](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_126264.pdf?fbclid=IwAR1aAllf3ljatzqa05-eESuO1_e8fztwU6LiUqXdff_xeBg8-wlAkOtH8Jw) > accessed on 15th November 2022

<[https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---multi/documents/publication/wcms\\_126264.pdf?fbclid=IwAR1aAllf3ljatzqa05-eESuO1\\_e8fztwU6LiUqXdff\\_xeBg8-wlAkOtH8Jw](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_126264.pdf?fbclid=IwAR1aAllf3ljatzqa05-eESuO1_e8fztwU6LiUqXdff_xeBg8-wlAkOtH8Jw) > accessed on 15th December 2022