



# INDUSTRIAL SAFETY IN THE RMG SECTOR IN THE POST-ACCORD-ALLIANCE ERA

*Is the Institutionalisation Process Slowing Down?*



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## Abstract

Industrial safety in the readymade garments (RMG) sector has been passing a critical phase with a lack of proper coordination, monitoring and enforcement which are likely to be the reasons behind rising industrial accidents. During the post-Accord-Alliance period, industrial safety in the RMG sector could not maintain the standards of the Accord-Alliance period. Reasons for accidents have been spread in the post-Accord-Alliance period in electrical, fire, short circuit and structural issues. The accidents are observed mainly in medium- and large-scale factories.

This report examines the state of industrial safety in the RMG sector in the post-Accord-Alliance period. The specific objectives of the study are—(a) to review the nature and trend of industrial accidents and level of industrial safety measures undertaken during the post-Accord-Alliance period; (b) to examine the state of monitoring and inspection carried out by the public and private agencies on workplace safety of RMG enterprises; and (c) to put forward a set of suggestions for strengthening the institutional initiatives of industrial safety in the RMG sector.

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# 1. Introduction and Objectives of the Study

In recent months, workplace safety in the readymade garments (RMG) sector of Bangladesh has come to public attention with the rise in industrial accidents in garment factories. According to Bangladesh Fire Service and Civil Defence (2021), a total of 222 garments factories—of which 66 per cent are export-oriented—have confronted fire accidents during 2020.<sup>1</sup> The number of injured workers in factory related incidents increased by almost 24 per cent in 2020 compared to that in 2019 (BILS, 2021). This rise in industrial accidents and regression of workplace safety are difficult to explain given that Bangladesh's export-oriented RMG factories have made significant progress in terms of industrial safety during 2013–2018 through various initiatives undertaken as part of the National Tri-Partite Plan of Action (NTPA) (2013–2018).<sup>2</sup> A special contribution has been made to industrial safety by the Accord Bangladesh<sup>3</sup> and the Alliance for Workers Safety<sup>4</sup> under the National Tri-Partite Committee (NTC). This report referred to the safety-related activities that were undertaken during June 2013–April 2018 as '*the Accord-Alliance*' measures. Since mid-2018 the workplace safety issues have been monitored under several new initiatives which include *Remediation*

*Coordination Cell (RCC)*<sup>5</sup> (2017–December 2021); *Transition Accord*<sup>6</sup> (June 2018–June 2021); *RMG Sustainability Council (RSC)*<sup>7</sup> (May 2020–onward); *Nirapon, Bangladesh office*<sup>8</sup> (June 2018–June 2020); and *Nirapon, North America office* (July 2020–onwards). The above-mentioned initiatives have been referred to in this paper as the initiatives of the '*post-Accord-Alliance period*'.<sup>9</sup>

In less than three years after the end of the tenure of the Accord and the Alliance, such a rise in the number of accidents in the post-Accord-Alliance period raises a question about the effectiveness of the institutional process followed for maintaining industrial safety in the RMG sector. It portrays that an incomplete journey of institutionalisation, which made it difficult to achieve the ultimate objective of a sustainable RMG sector in Bangladesh.

Against this backdrop, this paper examines the state of industrial safety in the RMG sector in the post-Accord-Alliance period. The specific objectives

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<sup>1</sup>The number could be rather higher if the ongoing COVID pandemic would not lead to the closure of garment factories across the country for a while.

<sup>2</sup>The NTPA is the major time-bound programme set by the Ministry of Labour and Employment (MoLE) in order to address the legal, institutional and operational commitments made by the government as part of the agreement with the European Union (EU), the United States of America (USA), Canada and International Labour Organization (ILO) under the Sustainability Compact to ensure longterm sustainability of the RMG sector of Bangladesh. The action plan was initiated in 2013.

<sup>3</sup>Accord: The Accord on Fire and Building Safety in Bangladesh was formed in 2013 by European retailers (which included 220 brands).

<sup>4</sup>Alliance: The Alliance for Bangladesh Worker Safety was formed in 2013 by North American retailers (which included 29 brands).

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<sup>5</sup>RCC is established in 2017 with a view to identifying fire, electrical and structural problems of export-oriented factories which were not working with brands/buyers having membership with the Accord and Alliance. The initiative to remediate these factories was named as 'National Initiative (NI)'. The RCC is set up as a cell under the Department of Inspection for Factories and Establishments (DIFE) of the MoLE with financial and technical support from the development partners and international organisations including ILO. Detailed discussion is presented in section 6.

<sup>6</sup>Transition Accord was set up immediately after the end of the operation of the Accord Bangladesh in 2018. It was set up with the mandate of continuing monitoring workplace safety issues in the factories which had been monitored by the Accord. Detailed discussion is presented in section 6.

<sup>7</sup>RSC is established in 2020 with a view to monitor the progress of the factories which supply products to brands/retailers/buyers who are member of Accord/Transitional Accord. Detailed discussion is presented in section 6.

<sup>8</sup>Nirapon Bangladesh Office and Nirapon North America Office are the follow-up initiatives after the end of the operation of the Alliance in 2018. Nirapon Bangladesh office continued operation till 2020 after that Nirapon North America Office has taken responsibility to monitor the safety issues of selected factories which were earlier monitored by the Alliance. Detailed discussion is presented in section 6.

<sup>9</sup>Technically speaking, Accord-led initiatives have been ongoing under the agreement of 'Transition Accord' which was effective for 2018–2021. A total of 12 brands/retailers and workers organisations have agreed to continue their initiative after 2021 under a new accord.

of the study are—(a) to review the nature and trend of industrial accidents and level of industrial safety measures undertaken during the post-Accord-Alliance period; (b) to examine the state of monitoring and inspection carried out by the public and private agencies on workplace safety of RMG enterprises; and (c) to put forward a set of recommendations for strengthening the institutional initiatives of industrial safety in the RMG sector.

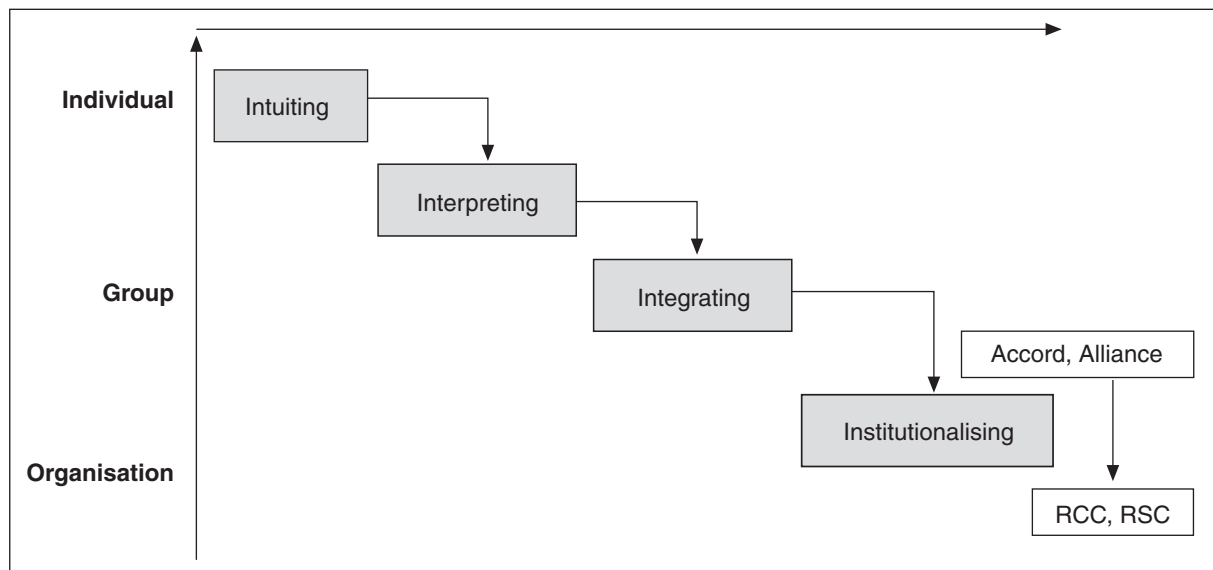
## 2. Analytical Framework of the Study

The process of institutionalisation of industrial safety measures in the RMG sector has started with the initiation of the private sector-led initiatives of the Accord and the Alliance under the framework of the NTPA. These initiatives have identified fire, electrical and structural integrity of factory buildings of RMG enterprises and undertook measures for remediation of the identified problems through Corrective Action Plans (CAPs) which were implemented during 2013–2018. It was expected that a process of institutionalisation of industrial safety would be completed during this period. However, the initiatives ended hastily after five years without a proper way of extension of work to complete the remaining CAP related activities.

Despite the positive contribution made by the Accord and the Alliance during their five-year tenure (2013–2018), a group of stakeholders, particularly those related to the businesses, were not in support of an extension of the operation of their operation. The mutual understanding between the Accord and Alliance and the associations had strained when the extension of the Accord agreement included additional issues such as labour rights issues. The period of stay of the Accord has been settled in the court with the directives of ending the operation in November 2018. The new organisations which have taken charge of monitoring the remediation related activities have been expected to deliver the targeted activities by maintaining the standards set forth during the earlier period. The study examines the institutional capacity of the new organisational set-up to deliver the targeted outputs from the framework of ‘institutionalisation of organisation learning’.

The study follows the 4-I framework developed by Crossan, Lane and White (1999) (Figure 1). The 4-I indicates a comprehensive model of organisational learning, which identifies four main processes, including ‘intuiting’, ‘interpreting’, ‘integrating’, and ‘institutionalising’. Moazzem and Khandker (2016) applied the 4-I framework to examine the

Figure 1: Analytical Frame of the of the Study



Source: Prepared by authors based on Crossan, Lane and White (1999) as cited in Moazzem and Khandker (2016).

level of progress of organisational learning in the DIFE. It is expected that initiatives for industrial safety if institutionalised, will clearly delineate work responsibilities for different organisations, terms of reference (ToR), command and control, internal and external reporting system, transparency and accountability mechanism both within and between organisations etc. Since the inception of activities by new organisational entities such as Transition Accord, Nirapon, RSC and RCC, it is expected that the issues mentioned earlier will be clarified. Hence, these new entities will undertake their activities under the overall monitoring of the DIFE. The present study examines the process of institutionalisation during the post-Accord-Alliance period in the case of operation of the new institutional set-ups for industrial safety in the RMG sector.

### 3. Methodology of the Study

The study is conducted based on the primary and secondary information collected from different sources. Primary information was collected through scanning of six national dailies (online version) for two periods—the Accord-Alliance period (May 2015–April 2018) and the post-Accord-Alliance period (May 2018–April 2021). A part of the collected information has been matched with the database available on website of the Mapped in Bangladesh (MiB).<sup>10</sup>

Various information of institutional initiatives such as those carried out by the RCC, RSC and Nirapon as well as Fire Service and Civil Defence (FSCD), DIFE and Department of Labour (DoL) have been collected through key informant interviews (KIIs) with concerned persons of these organisations. A total of 11 KIIs were conducted which include one representative of the employers, one representative of trade unions, one representative from the ILO Dhaka office, three representatives from RCC, RSC and Nirapon and three representatives from brands including two who are members of the executive committee of RSC, and two worker representatives who are executive committee members of RSC.

<sup>10</sup><https://mappedinbangladesh.org/>

A major focus of primary information is to understand the institutional process, organisational capacity, organisational learning from earlier initiatives, mechanism followed for transparency and accountability and level of progress of targeted measures. On the other hand, secondary information was collected from different national and international sources (such as websites, official reports, and website-related information). Finally, the findings of the study were presented and validated through a virtual dialogue organised by the Centre for Policy Dialogue (CPD) and Friedrich-Ebert-Stiftung (FES) Bangladesh on 11 July 2021.<sup>11</sup>

### 4. Review of Industrial Accidents in the Post-Accord-Alliance Period

Industrial accidents in the post-Accord-Alliance period (May 2018–April 2021) have been examined based on the media reports. During May 2018–April 2021, a total of 46 accidents related to the export-oriented RMG factories were reported. According to those reports, the number of incidences increased by 100 per cent in FY2019–20 compared to that in FY2018–19, followed by a decline of 20 per cent in FY2020–21 (up to April 2021) perhaps due to limited operation during the covid-pandemic. The reasons for the occurrence of these accidents are different such as catching fire, the incidents of short circuits, collapse of a building, explosion of boilers and so on. However, accidents caused of fire (52.17 per cent) and short circuits (23.9 per cent) were found to be the main reasons. A considerable number of these factories are members of Bangladesh Garment Manufacturers and Exporters Association (BGMEA) or Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA) (78.6 per cent) and are inspected either by Accord or Alliance or by RSC which worked as part of the NI (45.6 per cent) during the Accord-Alliance period. In other words, most of the accidents occurred in factories that were earlier inspected under the Accord, Alliance and

<sup>11</sup>The dialogue was attended by a number of senior government officials including Inspector General of DIFE, President of BGMEA, Vice President of BKMEA, senior trade union leaders, representatives of different embassies, high commissions and international organisations, subject experts and journalists.

Table 1: Comparison of Industrial Accidents during Accord/Alliance and Post-Accord/Alliance Period

Type of Incidents	Accord-Alliance Period (May 2015–April 2018)		Post Accord-Alliance Period (May 2018–April 2021)	
	Count of Incidents	% of Incidents	Count of Incidents	% of Incidents
Accidental (not specified)			1	2.20
Boiler explosion	2	4.4	3	6.50
Explosion of gas cylinder			3	6.50
Fire caused by unspecified reasons	43	93.3	24	52.17
Electrical (short circuit) caused fire	1	2.2	11	23.90
Structural problems (buildings unusable)			4	8.70
Grand Total	45	100.0	46	100.00

Source: Author’s Compilation.

NI initiatives and are member of either of the two associations.

To understand the changes in the nature and type of accidents after the Accord-Alliance period, a comparative assessment has been made with the post-Accord-Alliance period (Table 1). Interestingly, no major difference in the total number of accidents reported between these two periods. However, the nature of incidents has changed during the post-Accord-Alliance period. While the majority of the occurrences in the Accord-Alliance period was related to fire, these have diversified in the post-Accord-Alliance period in fire, electrical and structural issues. New types of occurrences are also observed during the post-Accord-Alliance period, such as an explosion of boiler and gas cylinder. With the limited or reduced flow of piped gas supply by the public gas distribution companies (e.g., Titas), factories tend to use cylindered gas purchased from different private companies or collected illegally, which are unsafe and caused fatal accidents.

To undertake an in-depth analysis, the compiled data of newspaper reports have been matched with a dataset of the MiB on RMG enterprises. Such a matching exercise helped to undertake analysis on important issues such as the size of the factories where accidents took place, availability of safety committees in those factories, etc. However, out of 46 factories reported in the media, information of

28 factories is retrieved from the MiB dataset.<sup>12</sup> A location, size and membership-wise analysis have been carried out to appreciate the nature of the relationship of accidents with those variables. Out of 28 factories, 64 per cent factories are medium-sized and 25 per cent and 11 per cent are large and small-sized factories, respectively (Table 2).<sup>13</sup> The majority of incidents occurred in medium-sized factories followed by large and small-sized factories. Fire incidents were higher in knit and woven factories—about 41 per cent and 35 per cent respectively. Boiler explosions and explosions from gas cylinders occurred in the sweater and woven factories. In the Accord-Alliance period, detailed data of 31 factories have been retrieved from the MiB dataset out of 45 factories reported in the media. Both medium and large scale enterprises experienced more accidents during that period. Most of these factories (74 per cent) were members of BGMEA.

The introduction of safety committees was one of the major initiatives during the Accord-Alliance

<sup>12</sup>A lack of reporting of all RMG factories related data exists mainly because of the difference in definition use for reporting factory data in the MiB website. Factories having export share over 80 per cent of their total output are reported in the MiB website which excludes a considerable number of factories having export share less than 80 per cent of their total output.  
<sup>13</sup>Size-wise distribution of enterprises: (a) small scale enterprises: factories having 500 workers or less; (b) medium size enterprises: factories having 501-2,500 workers; (c) factories having 2,501 workers or above.



Table 2: Types of Incidents happened in Different Size of Factories during the Accord-Alliance and the Post Accord-Alliance Period

Type of Incident /Factory Size		Accidental	Boiler	Explosion of gas cylinder	Fire	Short circuit	Structural	Grand Total
Accord-Alliance Period (May 2015–April 2018)	Large		1 (7.1)		13 (92.9)			14 (100)
	Medium				15 (100)			15 (100)
	Small				1 (50)	1 (50)		2 (100)
	Grand Total		1 (3.2)		29 (93.6)	1 (3.2)		31 (100)
Post-Accord-Alliance Period (May 2018–April 2021)	Large				4 (57.1)		3 (42.9)	7 (100)
	Medium	1 (5.6)	1 (5.6)	2 (11.1)	10 (55.6)	3 (16.7)	1 (5.6)	18 (100)
	Small				3 (100)			3 (100)
	Grand Total	1 (3.6)	1 (3.6)	2 (7.1)	17 (60.7)	3 (10.7)	4 (14.3)	28 (100)

Source: Author's Compilation.

Note: Figures in parenthesis indicate row percentage.

period. It was introduced as part of the amended Bangladesh Labour Act (2013) implemented under the NTPA. Out of the data retrieved, about 93 per cent of factories had safety committees. Hence, the lack of functionality of the safety committees in the factories could be made responsible for the occurrence of such incidents. Overall, the institutions which are responsible for monitoring and ensuring workplace safety, have not functioned as expected. The Covid-19 pandemic may partly be responsible for constraining the institutions to ensure factory level safety compliances properly.

Overall, a major difference is observed in industrial accidents during the post-Accord-Alliance period compared to that in the Accord-Alliance period. While the incidents were confined to fire-related issues during the Accord/Alliance period, such incidences spread to fire, electrical and structural issues in the post-Accord-Alliance period. Unlike the earlier period, medium-sized factories have been more affected during the post-Accord-Alliance period. Majority of factories where accidents occurred in the post-Accord-Alliance period were under the inspection of Accord/Alliance during the earlier period. The existence of safety committees in these factories could not contain industrial accidents. In other words, the lack of responsibility of the concerned institutions at the

factories, such as the safety committee, caused the occurrences of the industrial accidents. Moreover, new types of accidents such as boiler explosions and gas explosions have been increasing in RMG related factories.

## 5. Industrial Safety Measures Taken during the Post-Accord-Alliance Period

### 5.1 Organisations taken over the responsibility of monitoring industrial safety during post-accord-alliance period

During the post-Accord-Alliance period, safety-related measures undertaken by the public and private agencies are rather slow and partly off-track in nature. The change of the institutional structure and governance during the transition period is partly responsible for this. The organisational structure of monitoring and inspection has significantly changed during this period. The Accord has initiated its activities as 'Transitional Accord' under a new agreement between its board members to be effective during 2018–2021. During 2020, Accord-inspected factories have been handed over their activities to the RSC—a local entity registered at the Registrar of Joint Stock Companies (RJSC) as

Table 3: Status of Inspection under Different Categories of Factories (Up to April 2018)

Inspection Status of Accord (Up to April 2018)		Alliance Program (Up to November 2018)		NI-led Inspection Programmes (March 2018)	
Inspected factories under the Accord	1620	Total Factories	714	No of Factories Covered	1549
100% remediation completed	270	100% remediation completed	428	Closed	531
New factories scheduled for inspection	57	Active Factories	654	Active Factories	809
Factories out of scope of the Accord and transferred to National Action Plan	51	Factories Suspended	178	Factories out of scope (EPZ; jointly under Accord-Alliance)	141
Factories inspected but now closed	186	Factories with Democratically elected Safety Committees	181	CAPs for structural measures	1379
Factories relocated and no longer, covered under Accord Programme	54	All Remediation Items Completed	93 per cent	CAPs for fire-related measures	1517
Terminated factories under Article 21	109	High-priority Remediation Items Completed	90 per cent	CAPs for electrical measures	1517

Source: Accord, 2018; Alliance, 2018; European Commission, 2018.

a non-profit private company. On the other hand, the Transitional Accord has signed an agreement to continue its activities after 2021. The Alliance has handed over its activities to another private company called 'Nirapon' which initially started its activities from Dhaka and later shifted its administrative activities to outside Bangladesh. NI-led activities have been continued without any break since 2017. Such organisational restructurings have made a significant adverse impact in monitoring, inspection and remediation related activities.

## 5.2 Status of industrial safety measures by the end of accord-alliance period

To understand the progress in industrial safety in RMG enterprises during the post-Accord-Alliance period, it is better to discuss the benchmark situation first, i.e., where it stood at the end of the Accord-Alliance's activities by April 2018. Available data indicate factory related safety measures made considerable progress till the end of 2018—mainly in Accord-Alliance factories while the NI, which started operation lately (in 2017), completed preparing

CAPs for its member factories (Table 3). It is to be noted that only 809 factories out of 1,549 NI identified factories were in operation in 2,018. Despite making considerable progress, neither Accord nor Alliance had been able to complete 100 per cent remediation of all their member factories by 2018. Out of 714 Alliance inspected factories, 428 factories have made 100 per cent completion till November 2018.<sup>14</sup> On the other hand, out of 1620 Accord-inspected factories, 270 factories have completed 100 per cent remediation during the same time.<sup>15</sup> It is important to note that electrical and fire-related problems were mostly resolved in the Accord/Alliance factories (96 per cent and 93 per cent respectively) by the end of 2018 where 32 per cent of structural problems have remained incomplete). During this period, NI had developed CAPs for its factories, including

<sup>14</sup>During this period, the Accord has helped to form safety committees in 182 factories; besides, Alliance has suspended its business activities with 178 factories.

<sup>15</sup>During this period Accord had terminated 109 factories under article 21, and 186 factories and 54 factories were closed after inspection and relocated or no longer under the Accord programme, respectively (Accord, 2018).

1,379, 1,517 and 1,517 initial CAPs for structural, fire, and electrical issues, respectively (European Commission, 2018). Overall, the prime focus of the post-Accord-Alliance period should be completing the remaining remediation works and maintaining the fire and electrical compliance standards. However, NI-inspected factories need a major drive to complete their remediation works to be compliant according to the national standards.

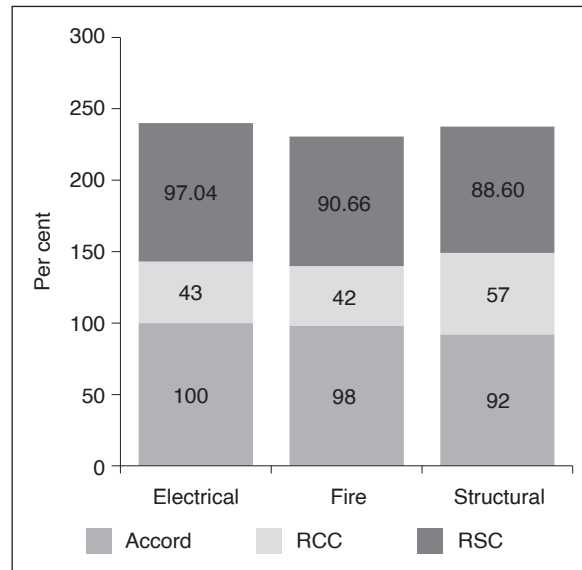
### 5.3 Progress of Industrial Safety during the Post-Accord-Alliance Period

During the post-Accord-Alliance period, the progress of factory inspection and remediation related activities has slowed down (Figure 2). Accord-led factories have completed remediation of 100 per cent of their electrical problems while 2 per cent fire-related and 8 per cent of structural problems remain incomplete. Since RSC had started its operation in May 2020, it has made noticeable progress on these issues. According to RSC, its inspection has covered 1,266 out of 1,700 factories. ‘Nirapon’ has been working with an exclusive set of factories—397 factories that had completed remediation works earlier. It is following a risk-based approach to safety monitoring which is called Nirapon 2.0. Its safety monitoring has been conducted by a private company called Elevate.<sup>16</sup> NI-led factories that are monitored have made slow progress—58 per cent of fire, 57 per cent of electrical and 43 per cent of structural problems of its member factories have been resolved so far.

**Status of factories under Transition Accord:** According to the Transition Accord, a total of 1,632 factories were inspected, and another 60 factories are in waiting for inspection. Accord has initially identified a total of 2,280 factories for inspection—till May 2021 it had inspected 74 per cent of these factories. A total of 605 factories that were initially identified for inspection are found non-existent in their addresses, 173 factories were closed, 170 factories were relocated, 190 factories were suspended, and 72 factories were out of Accord’s obligation.

<sup>16</sup>Its other activities such as training, and helpline support have been done through organisations such as BRAC and Phulki.

Figure 2: Progress of Remediation during the Post-Accord-Alliance Period



Source: Accord, 2021; RCC, 2021; RSC, 2021.

Due to changes in ownership and changes in the size of operation, the issues of relocation, closing down or merger of factories have been frequently visible in the RMG sector. During 2018–2021, the fire, electrical and structural safety in the Accord-led factories have increased by 3.6 per cent, 1.8 per cent and 23.8 per cent, respectively. Hence, overall completion of CAPs has reached 100 per cent, 98 per cent and 92 per cent, respectively.

**Status of factories under RCC:** RCC has been overseeing mainly the NI-led factories. Out of 262 factories under the supervision of the RCC, 1,549 are NI-led factories, 890 factories are handed over by the Alliance<sup>17</sup> and 223 factories are handed over by the Accord. Few of these factories have been joined under the inspection led by the RSC. At present, the active factories under the RCC are only 813. Till April 2021, the overall remediation progress was 47 per cent—the remediation progress of structural, electrical and fire-related CAPs was 57

<sup>17</sup>It was found that 463 of Alliance inspected factories have completed their remediation. Besides 32 Alliance inspected factories were in waiting for inspection and out of them 22 factories were found with full remediation. Furthermore, Alliance had suspended 180 factories for non-compliance; among them, RCC inspected 60 factories and found 25 in operation where rate of progress is 415 (RCC, 2021).

Table 4: Status of Nirapon Factories (till July 2021)

Issues	Factory Numbers
Total active CAP closed factories number	342
Total active CAP in progress factories number	38
Total active new factories number	17
Total active factory under nirapon matrix	397
CAP closed factories through TSV during nirapon 2.0	12
CAP Closed expansion/Extension through TSV during nirapon 2.0	3
Number of factories submitted 1st cycle 90-day report (in percentage)	86 per cent
Number of factories submitted 2nd cycle 90-day report (in percentage)	92 per cent
Number of factories submitted 3rd cycle (on going) 90-day report (in percentage)	50 per cent
Expansion/Extension found through 90-day reports (in percentage)	24 per cent
Safety support visit conducted percentage (till date) (in percentage)	39 per cent
Expansion/Extensions found through SSV (till date) (in percentage)	21 per cent

Source: Collected from the Nirapon Office.

per cent, 43 per cent and 42 per cent, respectively. However, wide variation exists in the level of progress between factories. Only 24.7 per cent of factories (201 factories) completed remediation over 70 per cent while 13.8 per cent (112 factories) have completed 50–70 per cent of their CAPs. As high as 61.5 per cent of factories completed below 50 per cent level of remediation (RCC, 2021). A major drive is required to complete the remaining remediation works of RCC-led factories.

**Status of factories under RSC:** Since June 2020, RSC had started the inspection and so far, inspected about 1,709 factories. Of these, 1,179 factories made 93 per cent remediation from initial inspection and 98 factories made 100 per cent remediation. Among 1,709 factories, initial structural, electrical and fire-related remediation has been undertaken by 1,299, 1,308 and 816 factories, respectively (RSC, 2021). The overall initial remediation progress was about 93 per cent where the rate of remediation for structural, fire and electrical are 88.6 per cent, 90.66 per cent and 97.04 per cent, respectively. The progress of RSC appears to be positive.

**Status of factories under Nirapon:** During their 13 months of operation till June 2020, Nirapon received 7,311 complaints, where 3 per cent were urgent

safety-related and 12 per cent were non-urgent safety-related issues (Nirapon, 2020). Since July 2021, Nirapon has been working exclusively with 397 factories (where 342 factories are CAP-closed, 38 factories are in progress of CAPs and 17 factories are active new factories) (Table 4). Unlike the method of inspection followed by RCC and RSC, Nirapon has been following Nirapon 2.0 risk-based monitoring method. Under this method, factories need to submit their self-assessed inspection reports. About 86 per cent of factories submitted 1st cycle 90-day reports, and 92 per cent and 50 per cent factories submitted 2nd and 3rd (in progress) 90-day cycle reports respectively (Table 4). According to the discussion with the senior management officials of the Nirapon, there is no formal correspondence in place between Nirapon and government officials at present. Hence, a distance has been created between the two organisations which made it difficult to undertake informed activities with the government. Nirapon's relationship with BGMEA and BKMEA appears to be troublesome, although its brand members have maintained a relationship with both associations. Hence, it is important to rebuild the relationship between Nirapon and government agencies as well as with business associations (BGMEA/ BKMEA) and initiate a process of working relations between them.

**Overall status of industrial safety:** The main observations regarding industrial safety during the post-Accord-Alliance period is despite various initiatives currently been undertaken a part of factories are yet to cover under any of the ongoing safety initiatives. Hence, the risk of unattended vulnerable export-oriented RMG factories is very high. While the progress made by the RSC is noticeable, but its activities have yet to ensure safety in all inspected factories. The overall remediation progress under the RCC-led factories was alarming and inspected factories are way behind in remediation progress compared to those inspected under other initiatives. New issues of safety and security have been noticed in the RMG factories such as the explosion of a boiler, explosion of gas cylinder, etc. These issues are yet to cover under any of the initiatives.

## 6. Review of Institutional and Operational Challenges of RCC, RSC, Nirapon and DIFE

The institutional and operational issues of RCC, RSC, Nirapon and DIFE has been examined from the organisational learning perspective as discussed in the analytical framework of the study in Section 2. Unlike the Accord-Alliance period, there is no single overseeing authority to look after the activities of the safety organisations. During the Accord-Alliance period, the overall direction of safety-related measures has been provided by the MoLE. In contrast, such overall direction of the MoLE has not been maintained during the post-Accord-Alliance period. There are several

reasons behind that. First, the RSC has registered under the RJSC of the Ministry of Commerce. It has yet to establish its official relationship with the DIFE under the MoLE. Secondly, Nirapon has no official connection with any of the government offices including the Prime Minister's Office (PMO), Ministry of Commerce (MoC), the MoLE, or DIFE. Thirdly, monitoring, inspection and remediation measures as followed by the new institutions have been deviated from what was maintained during the Accord-Alliance period.

The following discussion highlights institutional and operational issues related to key monitoring and inspection agencies which include RCC and RSC.

### 6.1 The RCC

The RCC has been set up under the overall supervision of the DIFE in 2017 with the objectives of inspection and monitoring the safety concerns of factories that were outside the purview of the Accord and Alliance. At present, a total of 209 staff are working in the RCC of which 80 are inspectors and 105 are engineers. In the case of monitoring and inspection, RCC has followed the same protocol and guideline which is followed by the Accord-Alliance. However, the RCC has made a number of changes in the monitoring and inspection process. According to the senior officials of RCC, it is following national guidelines and standards in case of operational procedures. The operational guidelines of RCC were relaxed compared to that of the Accord. The warning process maintained by Accord (i.e. escalation protocol) was made relaxed

Table 5: Human Resources of RCC (till April 2021)

Project Director	1 person (Deputy Director)			
DIFE - 96	11 Engineers	4DIGs	1 Focal person	80 Labour Inspector
IA RCC (ILO)- 13	3 Engineers	3 Officers	Others- 7	
CAP Project (GOB)	48 Field Engineers	12 Design & Report Reviewers	Others- 2	
Bureau Veritas (ILO)	31 Engineers	6 Officers		
<b>Total</b>	<b>209 (105 Engineers)</b>			

Source: Author's Compilation from RCC, 2021.

for RCC factories. For example, the closure notice in round- 6 of the escalation protocol was just a warning for the factories—no measure of shutting down of factories had been undertaken.<sup>18</sup>

According to the KIIs with RCC officials as well as representatives of buyers, brands and trade unions, a number of challenges have been identified. *First*, RCC is facing trouble for not having adequate efficient workers and engineers to do RCC related works (Table 5). For example, only 5 firms are accounted for almost 80 per cent of designing and drawing works of RCC; but their quality is not satisfactory as per the requirement of the RCC. Often these firms could not deliver the output as per the committed timeline. *Second*, RCC could not follow the transparency protocol as it is mentioned. The publication of inspected reports of factories confronted pressure from the vested quarters. Hence, the RCC does not have any official published report on the progress of its activities neither it could follow the data disclosure system.

The RCC website is non-functional with inadequate factory-level data which portrays a lack of transparency in the inspection process. *Third*, RCC inspectors confronted problems while inspecting factories which further delayed the overall operation of RCC. Lack of magistracy power of factory inspectors is a concerning issue in maintaining compliances in the factories. *Fourth*, the majority of RCC inspected factories are located in rented buildings (91 per cent) where building owners do not cooperate in case of providing access to the inspectors to the buildings, are unwilling to share building-related information and do not show interest in undertaking necessary remediation works. *Fifth*, RCC faces difficulty to ensure compliance as compliance is not a priority of these factories since they work for non-branded buyers/suppliers. *Sixth*, the limited financial capacities of these factories

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<sup>18</sup>According to the Project Director of RCC, RCC provides multiple chances to non-compliant factories and does not suspend any factory directly as Accord did through the NTC; instead RCC warns the authority for not improving the remediation issues through the escalation protocol. RCC moderates the structural standard for the factories which made in 1980–000 and provides them time to improve the building structure.

constrain them to undertake remediation measures. Besides, banks show less interest in financing as they consider such lending risky due to the non-commercial nature of the investment. Moreover, the process of getting credit is more complex. *Seventh*, the escalation protocol could not be enforced in full; most importantly, the enforcement decision of closure is not in the hand of RCC. *Eighth*, limited fund availability constraints assessing new factories by RCC which usually requires high assessment cost. *Ninth*, lack of modern information technology (IT) infrastructure at RCC is a major drawback in undertaking operational management properly. Updating Labour Inspection Management Application (LIMA) database has stalled which made it difficult to get the updated status of RMG factories on registration and compliance-related issues. *Finally*, since most factories work as a third-party contractors, brands and buyers have no direct pressure on them to undertake remediation measures; hence factories do not have incentives to remediate their factories.

## 6.2 The RSC

RSC is formed as a private non-profit company. Its shareholders include Shondhi Limited, brands/ buyers, IndustriAll and UniGlobal. The Shondhi Limited included local business bodies like BGMEA<sup>19</sup>, brands and buyers related to textiles and apparel (member of 'Transition Accord'). It is accredited by the MoC. The RSC has a Board of Directors consisting of 18 representatives, six from each RSC member organisation including six representatives of brands/buyers, six representatives of employers and six representatives of workers organisations. RSC's core objective is to "deliver a world-class sustainable workplace safety programme". Given its mandate on workplace safety, labour management and environmental safety, RSC should have an official relationship with MoLE. According to the RSC Deed of Trust document, a government coordination council (GCC) will be formed. This may not be the same as the NTC as operated during the Accord-Alliance period. GCC will include representatives of MoLE, Ministry of Finance (MoF), Ministry of Information (MoI), MoC—a high-level policy forum.

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<sup>19</sup>BGMEA is one of the shareholders of the Shondhi Limited.

GCC's activities do not limit the direct engagement of DIFE in the RSC monitoring process. RSC should get accredited by the DIFE and should be operated under the oversight of the DIFE. Despite having governance-related concerns against DIFE, a proper organisational set-up requires a single chain of command where RSC should be guided by the DIFE. RSC's current institutional set-up does not make it clear.

RSC covers the Accord-inspected factories and factories suggested by the members of RSC signatory-brands-buyers (170+). A total of 1,709 factories are currently under its monitoring purview. It follows most of Accord standard operating procedure (SOP), protocol and other monitoring and enforcement mechanism. However, it has revised a number of protocols; for example, instead of following the shutdown mechanism followed by Accord, RSC took a method of problem-solving mechanism. Due to the covid pandemic, RSC got only seven months to do the inspection related activities during its first year after the inception in June 2020. However, the lack of chief safety officer (CSO) has been constraining its ongoing activities. RSC has increased the number of monthly inspections from 10 to 20 as the lockdown get eased. Given the rising demand for inspection, new safety issues have been planned to be included under inspection such as boiler safety; moreover, there is a plan to include environmental safety issues. In case of boiler-related inspection, it should take the accreditation from the Boiler Authority under the Ministry of Industry and should work under the overall oversight of the Boiler Authority.

Despite progress in factory inspection activities, several limitations are observed in RSC operation.

*First*, RSC uses escalation protocol to warn factories and in extreme cases, it tears the business relationship with factories. This does not ensure workplace safety in the concerned factories. In those non-compliant factories, it necessitates a proper operational relationship with DIFE to deal with such factories.

*Second*, it is alleged that factories with major structural and physical weaknesses are not handled

properly by the RSC, and those factories were terminated from the businesses.

*Third*, there should have existed a formal structure and protocol about how these factories to be dealt with under the DIFE's overall industrial safety structure. *Fourth*, RSC has recently started public disclosure of its inspection related activities. It is expected that its technical team will ensure transparency and data disclosure issues as mentioned in its agreement. *Fifth*, it is alleged that there is a dearth of willingness in some members of the board of RSC in case of public disclosure of data of inspected factories. *Sixth*, RSC is confronting the challenges of a limited workforce to ensure its smooth operation. However, it should not appoint past employees of Accord who had been sacked. *Seventh*, it is alleged that the inspectional procedure of RSC is not free from internal and external pressure. RSC needs to ensure its neutrality, transparency and accountability. *Eighth*, RSC should give priority to all the undone inspections of Accord factories and follow-ups immediately. *Ninth*, RSC needs to work on the green industry to ensure a better industry situation. *Tenth*, RSC should start to work with governmental bodies and operationalise the GCC as early as possible.

### 6.3 Nirapon

The journey of Nirapon started with some misunderstandings with trade bodies on inspection related cost-sharing issues.<sup>20</sup> At present, Nirapon seems to have no formal correspondence with any government offices at present. Hence, a distance has been created between each other. This has made it difficult for Nirapon to work jointly and collectively in the industrial safety process. Its relationship with BGMEA and BKMEA is also not so smooth although its brand members have maintained a relationship with the association. It is important to close the gap between Nirapon and government agencies as well as with private sector agencies (BGMEA/BKMEA). It is also important to have exchanges of information between RSC and Nirapon on related activities.

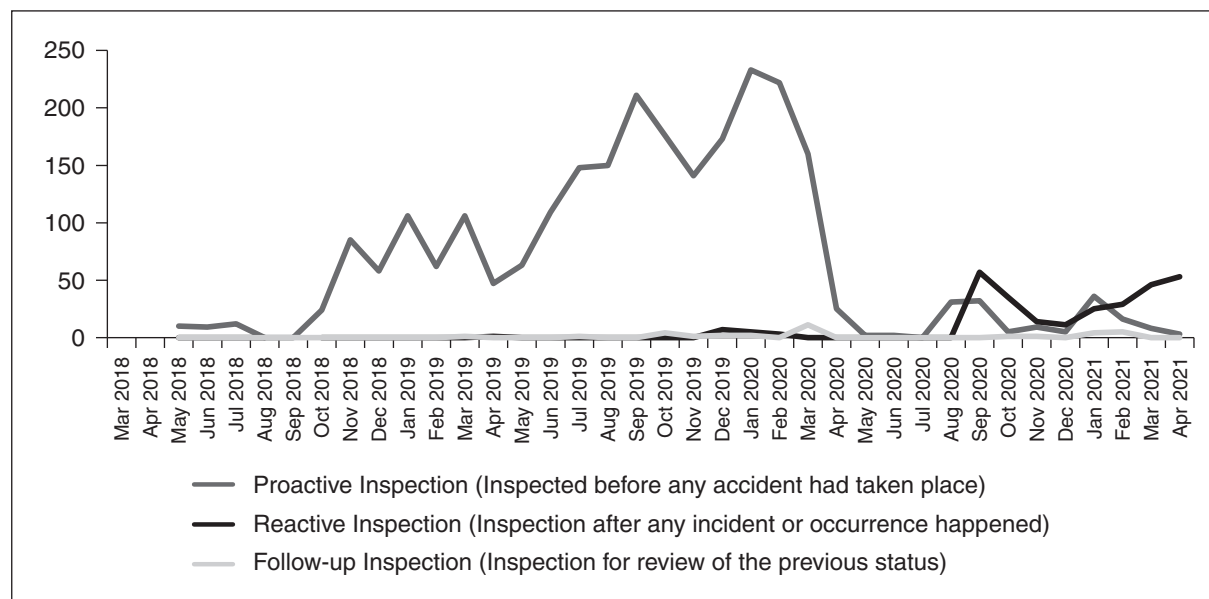
<sup>20</sup>Both the parties could not come to a conclusion about the charges for inspection and how the cost to be shared between parties etc.

## 6.4 The DIFE

DIFE under the MoLE is in overall responsibility to inspect, monitor and ensure compliance on workplace-related safety and security. Since the Accord-Alliance initiative started in 2013 under the NTPA, DIFE did not look into the safety-related issues in RMG factories in order to avoid duplication of work. DIFE, at present, is not focusing on workplace safety-

related issues of RMG factories. It is perceived by DIFE that safety-related issues have been monitored by specific organisations such as RCC, RSC. DIFE's inspection, at present, is largely focusing on worker-related issues including workers' health, wage, working hour and other issues. Its inspection related activities severely interrupted since May, 2020 when Bangladesh has been experiencing the COVID pandemic related adversities (Figure 3).

Figure 3: Monthly Labour Inspection Status of the DIFE



Source: DIFE (2021) and LIMA (2021).

Table 4: Human Resource of DIFE, (till 2021)

Designation/ Position	Number of Employees (Existing)	Number of Employees (Plan to hire)**
Inspector General (IG)	1	0
Additional Inspector General*	1	0
Joint Inspector General (JIG)*	0	4
Deputy Inspector General (DIG)	12	15
Assistant Inspector General (AIG)	69	109
Labour Inspector	231	133
Others*	168	250
Total	482	511

Source: DIFE, 2021.

Note: \*Others includes all the officials and staff of DIFE except the officials mentioned above. According to the DIFE website, the Joint Inspector General is already hired, and the position of Additional Inspector General is currently unoccupied.

\*\*Including 10% reserved position.



DIFE's human resource capacity is not well-matched with the requirement of monitoring workers' safety and other related issues across all industrial and economic activities (Table 6). According to the Annual Report of the DIFE published in 2021, DIFE's total staff strength is less than 500 of which 231 are labour inspectors who monitor the level of compliance at the factory level. It has a plan to further expand its human resource capacity of 511 of which 133 will be labour inspectors. DIFE officials need proper training and logistic support to conduct monitoring and inspection and follow-up activities properly.

Being the official focal point, DIFE is supposed to be at the core of all kinds of industrial safety-related activities. However, existing safety related activities carried out by different entities does not indicate DIFE is in control of all these activities. There is no official understanding between RSC and DIFE about working on safety-related issues in factories which made it difficult for DIFE to get a clear picture of RSC related activities. The COVID-pandemic is likely to cause an adverse effect in establishing an official connection with DIFE. It is also not sure what kinds of official jurisdiction will DIFE possess to regulate the activities of RSC at the operational level. There is no official protocol for how DIFE would decide which organisation would monitor which factories and how it reports back to DIFE. This also raises a question—would RSC's intention to monitor all export-oriented factories (including those of RCC, Alliance/Nirapon/other non-member factories) bypass DIFE's authority in industrial safety in factories? As per the discussion, RSC intends to monitor all export-oriented RMG factories in the future. It is also not clear whether Alliance/Nirapon intends to register locally in the future and expresses interest to do the same what RSC is doing.

DIFE's jurisdiction according to the Labour Act is not very specific in terms of monitoring building-related

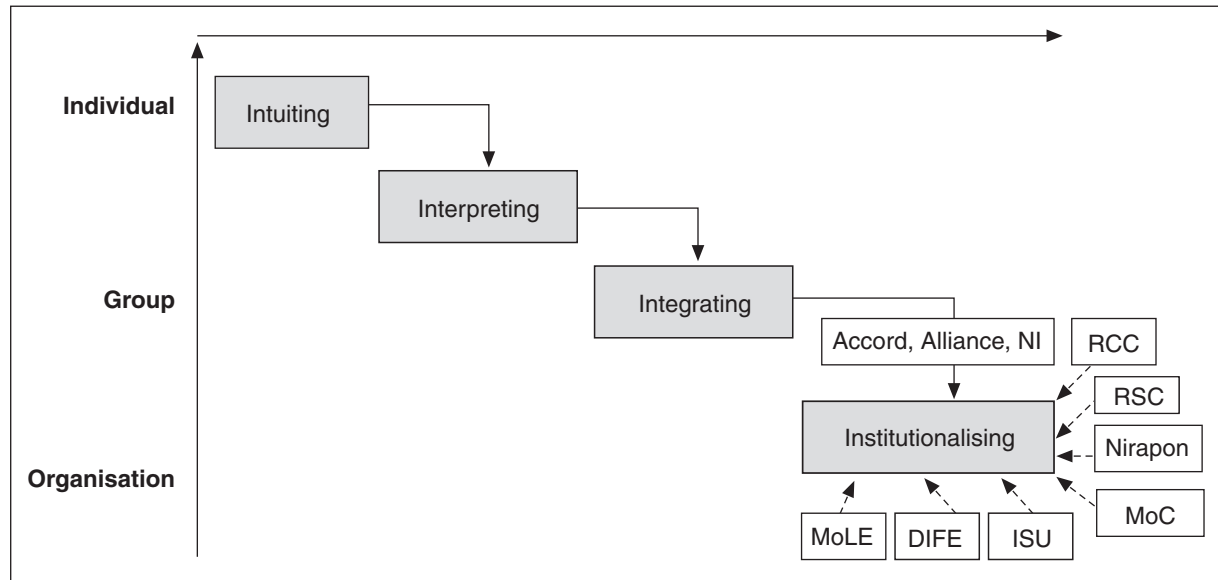
safety standards. It is important to make it clear how building-related safety issues will be monitored by DIFE. Necessary official understanding will be required between DIFE and the City Corporation or other local government authority in these regards as per the Bangladesh National Building Code (BNBC). DIFE realises its limited human resource is difficult to cover all minoring activities duly and timely. It has recently worked on further expansion of its human resources. It is working with ILO targeting to develop an Industrial Safety Unit (ISU) for all major sectors.

## 7. Conclusion and Way Forward

Industrial safety in the RMG sector has been passing a critical stage with a lack of proper coordination, monitoring and enforcement which are likely to be the reasons behind rising industrial accidents. During the post-Accord-Alliance period, industrial safety in the RMG sector could not maintain the standards of the Accord-Alliance period. Reasons for accidents have been spread in the post-Accord-Alliance period in electrical, fire, short circuit and structural issues. The accidents are observed mainly in medium and large-scale factories. Weak maintenance of safety standards, lack of regular monitoring and poor functioning of safety committees would be the reasons behind industrial accidents in the RMG factories. Boiler-related and gas-related explosions are other reasons which are also increasingly becoming a major concern.

A major focus of the post-Accord-Alliance period should be to complete the institutionalisation process of industrial safety in the RMG sector and give it a shape of sustainability (Figure 4). In this context, a two pronged approach will be needed to address these challenges—first, strengthening the monitoring and enforcement capacity of existing organisations with maintaining transparency and accountability, and second, keeping the overall coordination of industrial safety to be set under 'one umbrella'—DIFE.

Figure 4: Institutions to be Integrated into the Fire Safety Monitoring Process



Source: Prepared by authors based on Crossan, Lane and White (1999) as cited in Moazzem and Khandker (2016).

## 7.1 RCC related proposed measures

- (a) RCC needs to speed up its activities and use its inspection and acceleration protocols. It should visit every factory once every three months.
- (b) RCC should be made more accountable. Its officials should work unbiased way and each activity of its officials need to be monitored regularly.
- (c) The process of closing down factories under the RCC protocol needs to be compatible with other protocols and thereby application of these processes needs to be increased.
- (d) Awareness-raising programmes among the senior or top management of small and medium-scale factories are required to encourage quick implementation of safety-related measures.
- (e) All building owners of factories need to take the necessary 'no-objection certificate' from the DIFE if it is partially or fully used for industrial purposes. If building owners fail to produce that the DIFE should have authority to close down the buildings (either partially or fully).
- (f) Low-cost financing needs to be ensured for remediation of factories with flexible terms and conditions. Building owners would invest for necessary structural remediation on a 'cost-sharing basis with RMG owners. Necessary magistracy authority needs to be given to the DIFE (at least at the senior official level—AIG and above) to take a prompt decision and to enforce the legal actions on non-compliant factories.
- (g) RCC needs long term finance to complete remediation works and to monitor day-to-day activities of remediated factories. It needs funds to do the necessary assessment of new factories.
- (h) RCC needs a strong IT-related infrastructure to deliver its activities on time. In this connection, it needs to invest in IT professionals to ensure public reporting of its activities through its website.
- (i) RCC needs to recruit more firms that would be able to deliver technical works, including designing works.
- (j) It should prepare a data disclosure policy and regularly disclose inspection-related information through its website.
- (k) RCC should ensure follow-up visits every three months and inspection and follow-up reports should be published.
- (l) RCC must be functioned as an unbiased organisation and has to be regulated by neutral people.

## 7.2 RSC related proposed measures

- (a) RSC needs to ensure its official linkage with MoLE/DIFE where the latter is supposed to be the lead authority in monitoring and inspection of factories.
- (b) RSC should prioritise 100 per cent completion of its Accord inspected factories and thereby should set a timeline accordingly.
- (c) RSC must ensure transparency in the disclosure of data for public consumption. It has started to upload data of individual factories; however, most of the data were inspection reports prepared by Accord and very few of those reports are prepared by RSC.
- (d) RSC should report to the DIFE regarding its activities. It should meet every three months with DIFE with a status of quarterly progress report.
- (e) The DIFE should decide the monitoring of factories and their regular inspection and supervision. In case, RSC or RCC or other private entity has any request, DIFE will consider that.
- (f) Data accountability is an important issue for RSC. This data should be jointly accountable to three parties who are on the board.
- (g) The overall status of data needs to be made public.
- (h) RSC board should not be interfered with by the decision/expectation of a single party. RSC should quickly appoint its chief safety officer (CSO), who will work from Dhaka. It should also recruit other professionals.
- (i) RSC should gradually put focus on the green industry as a follow-up activity. In that case, it should get accredited with the Department of Environment (DoE).
- (j) In case of boiler-related inspection, it should take the accreditation from the Boiler Authority of the MoLE and should work under the overall oversight of that authority.
- (k) There should have a formal structure and protocol about how these factories to be dealt with under the DIFE's overall industrial safety structure.
- (l) RSC has recently started public disclosure of its inspection related activities. It is expected that its technical team will ensure the transparency

and data disclosure issues as mentioned in its agreement.

- (m) RSC should be made it clear how it will ensure transparency in public access to data through its technical capacities. It should also be made it clear how the data management will be carried out between RSC headquarters and the Dhaka office.
- (n) RSC needs to ensure its neutrality, transparency and accountability. It should give priority to all the undone inspections of the Accord factories and undertake the follow-ups immediately.
- (o) RSC should start to work with governmental bodies and materialise the GCC as early as possible.

## 7.3 Nirapon related proposed measures

- (a) It is important to close the gap between Nirapon and government agencies as well as with private sector agencies (e.g., BGMEA, BKMEA).
- (b) There should have exchanges of information between RSC and Nirapon on related activities.
- (c) Most importantly, a Nirapon-based safety monitoring mechanism needs to be taken into cognisance in the overall safety process.

## 7.4 DIFE related proposed measures

- (a) DIFE, with the support of the MoLE, should make sure that all kinds of industrial safety should be under its control.
- (b) DIFE will delegate the responsibility of which factory to be inspected by whom.
- (c) DIFE's technical and human resource capacity needs to be upgraded.
- (d) DIFE and ILO should work closely to ensure industrial/workplace safety in all industrial and economic activities (Figure 5).
- (e) DIFE can take advantage of RSC private sector entity, for optimising resources and more effective regulation.
- (f) DIFE may think of accommodating other private entities.
- (g) ILO may consider undertaking a study about how to integrate different organisational measures more effectively to develop a sustainable institutionalisation model.

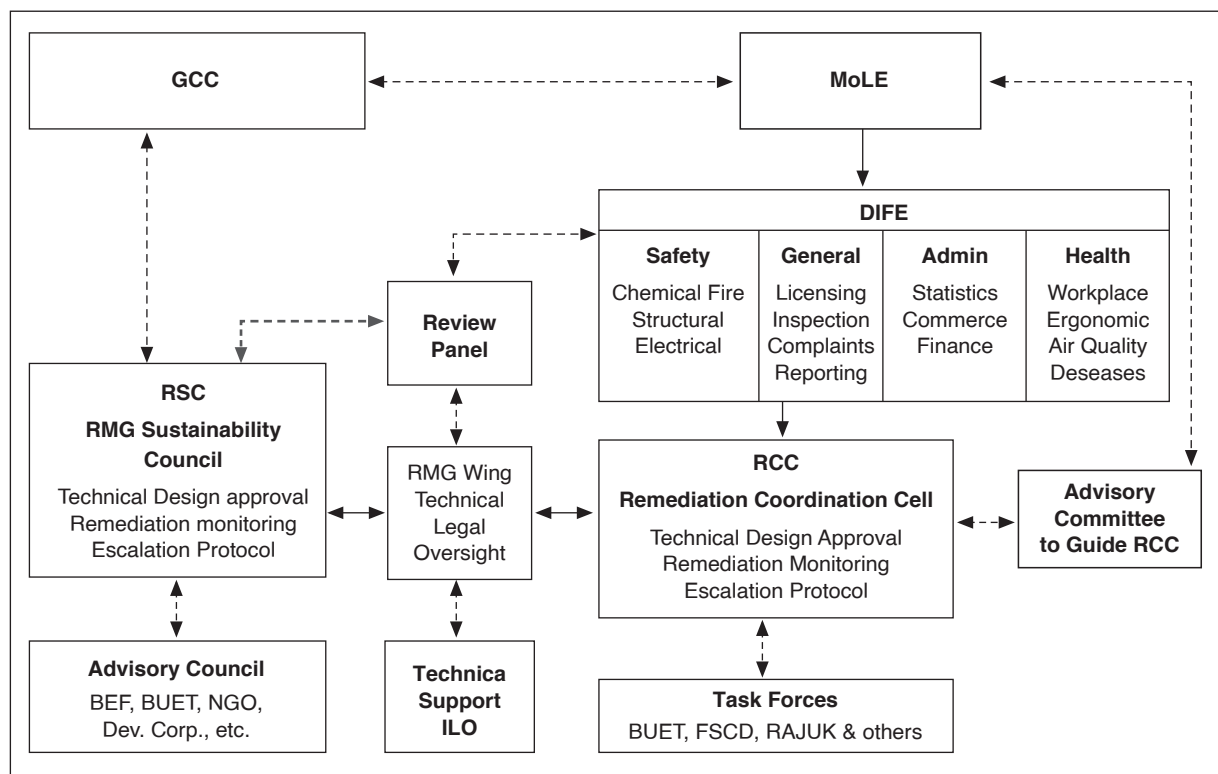
## 7.5 International brands and their organisations/platforms

- (a) International brands and their organisations who intend to work on workplace safety should work under the existing institutional entities under the public sector (RCC, DIFE) or private sector (RSC).
- (b) In case brands and their organisations are willing to work on different issues, authorisation/accreditation from the respective public agencies/authorities need to be taken.
- (c) All private entities local or brand-led initiatives must report to the concerned public authorities regularly.

## 7.6 Institutional structure for industrial safety in the long run

According to an internal document by ILO prepared for the DIFE, industrial safety and worker-related issues should be administered under the overall responsibility of the MoLE. Figure 6 presents the institutional structure of industrial safety for the RMG sector. DIFE is the lead organisation in ensuring worker-related issues. It will form four units including—(a) safety; (b) general; (c) administration; and (d) health. The RSC and RCC will work with DIFE. The ILO will provide technical support to the RCC. A number of task-forces need to be formed with a view to extending technical advise to the RMG Wing. These task forces will be formed with technical and official staff of different local academia and other organisations.

**Figure 5: Industrial Safety Governance in RMG-Coordination**



Source: Authors' Illustration based on ILO document.

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## Acronyms

AIG	Assistant Inspector General
BGMEA	Bangladesh Garment Manufacturers and Exporters Association
BKMEA	Bangladesh Knitwear Manufacturers and Exporters Association
BNBC	Bangladesh National Building Code
CAP	Corrective Action Plan
CPD	Centre for Policy Dialogue
CSO	Community-based Organisation
DIFE	Department of Inspection for Factories and Establishments
DIG	Deputy Inspector General
DoE	Department of Environment
DoL	Department of Labour
EU	European Union
FES	Friedrich-Ebert-Stiftung
FSCD	Fire Service and Civil Defence
GCC	Government Coordination Council
IG	Inspector General
ILO	International Labour Organization
ISU	Industrial Safety Unit
IT	Information Technology
JIG	Joint Inspector General
KII	Key Informant Interview
LIMA	Labour Inspection Management Application
MiB	Mapped in Bangladesh
MoC	Ministry of Commerce
MoF	Ministry of Finance
MoI	Ministry of Information
MoLE	Ministry of Labour and Employment
NI	National Initiative
NTC	National Tripartite Committee
NTPA	National Tri-Partite Plan of Action
PMO	Prime Minister's Office
RCC	Remediation Coordination Cell
RJSC	Registrar of Joint Stock Companies
RMG	Readymade Garment
RSC	RMG Sustainability Council
SOP	Standard Operating Procedure
ToR	Terms of Reference
TSV	Technical Support Visit
USA	United States of America

Industrial safety in the readymade garments (RMG) sector has been passing a critical phase with a lack of proper coordination, monitoring and enforcement which are likely to be the reasons behind rising industrial accidents. During the post-Accord-Alliance period, industrial safety in the RMG sector could not maintain the standards of the Accord-Alliance period. Reasons for accidents have been spread in the post-Accord-Alliance period in electrical, fire, short circuit and structural issues. The accidents are observed mainly in medium- and large-scale factories. Against this backdrop, this paper examines the state of industrial safety in the RMG sector in the post-Accord-Alliance period.



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