

# Improving workplace conditions for the Bangladesh Garment Industry

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First, I have no problem with the goals of companies proposing codes of conduct and workplace criteria for the factories and subcontractors that make their products in Bangladesh and elsewhere in the developing world. Regardless of whether driven by pressure from consumer groups or investors or idealistic goals, such Codes are a positive step by providing guidance to the firm assembling their products.

Second, the violations to be corrected are attributable to the local factories and subcontractors restricted in their ability to negotiate or challenge prices paid by the brands (who continually threaten to take the work elsewhere) while unrestrained in the easier route to enhancing their profit margin: skimming from their legal and often contractual obligations to their laborers with unlikely challenge. In a corrupt society and legal atmosphere they remain relatively secure in their belief that they will not be caught, or sued or otherwise called to account, and that if needed an appropriate bribe will still protect their ill gotten gains.

Third, I appreciate that the monitoring firms do endeavor to effectively police the factories to bring them into compliance with the Brands' Codes of Conduct. However, I do have some concern about their willingness to challenge those brands (which are their funders) over violations over ILO Codes 87 and 98 concerning freedom of association and right to collective bargaining or any other violations where the Brand might punish the messenger for relating the bad news.

Fifth, I recognize the limited effectiveness of national governments in policing their national statutes, let alone international norms in factories under their jurisdiction. Aside from the know evidence of corruption and payoffs, the appropriate ministries and enforcement agencies are universally understaffed, and their investigative and enforcement staff notoriously underpaid, and too often inadequately trained. In addition the evidence in most countries show that the workers objecting to violations lack education and have inexperience and difficulty securing assistance in processing their claims while factory owners threaten enforcement agencies with long and costly legal battles when the agencies undertake to live up to the goals of their governments. The usual role of the courts in such situations is one of siding with the enterprises and factory owners, either because of graft of cozy personal relationships

Sixth, so where are we? Given the ready mobility of the factories and subcontractors and the universal distribution of fabrication contracts by the brands, the national governments are loathe to strictly monitor the safety or fairness of the working conditions in the local factories. If factories improve the working conditions and pay their legal obligations they minimize or eliminate their already close margins. If they ask for higher compensation from the brands they risk the loss of all their business. They thus revert to cronyism with government officials, paying them off while hoping no one challenges.

Seventh, is there any viable alternative to the continuing and expanding and universal exploitation of workers living in crowded migratory facilities working under conditions that violate the universally proclaimed Codes of Conduct in factories that fail to meet local building code standards and constitute a continuing threat to life and limb? The prospects are not great. The commitment of the Alliance and Accord to help pay the cost of their factories' wrong doing is a step in the right direction. The role of worker support groups and other NGOs in highlighting the wrong doing is also a positive step, although the prospects for widespread consumer protest or boycott as an inducement to correct behavior is quite limited.

This problem is not dissimilar to what transpired in Cambodia in the late 1990s when the government of Cambodia, the Garment Manufacturers Association, the NGOs the market place in countries expanding import quotas and the brands developed the Better Factories program to provide ILO monitoring of factories, including an independent mediation and arbitration program to assure fairness in the process. Since then the number of factories has risen from 100 to 350 employing upward of 800,000 workers. While the program is far from perfect and is currently confronting numerous problems, it has protected the garment industry in Cambodia and provided a viable workforce for the country, expanding into tourism and construction.

Eighth, the baby steps for Bangladesh appear to be a more involved government better monitoring it construction codes and workplace protections, a Garment industry supervision of illegal and substandard factories and subcontractors who siphon of the work by excessive exploitation, and a positive role to be taken by the consuming countries, the home of the brands to encourage firms that live by the rules while boycotting or depriving contracts to those firms which contribute to continuation of deplorable workplace conditions.