

Women RMG workers

Pregnancy is a horror for them

Shahriar Hassan, Dainik Bangla, 5 February 2023

The day Sahida was returning home after being discharged from her job, she was four months pregnant. Even though she was pregnant, like her colleagues she was working. But the authorities at her garment factory began to feel that her output had decreased compared to other workers. As a result, she was forced to leave the job with a day's notice. The next day when Sahida was leaving Dhaka to catch a bus to her village bus, she had only Tk 700 with her.

Sahida thought she could work for a few more months while pregnant. She would save up some money and show the light of the world to her child. But it did not happen. She once thought of having an abortion to keep her job. Sahida, who came from Sirajganj district of North Bengal to work in a garment factory named Malek in Dhaka's Uttarkhan, told the reporter that her pregnancy came as a curse.

Although export-oriented, the garment factories of Bangladesh have been established in and around the capital city of Dhaka. More than 2.5 million workers are working in more than 3,200 factories in Dhaka, Gazipur, Narayanganj and Chittagong districts. 1.5 million of them are women. All of them are young women. They came to work in a garment factory before their first child was born.

Although the 'Labor Act-2006' mentions maternity leave and other benefits, only a handful of garment factories practice accordingly. The organizations discharge pregnant employees, even though the owners and authorities do not admit it.

Many workers postpone pregnancy for fear of losing their jobs. Many women complain that they face physical complications while conceiving at a late age.

Jolly Talukder, leader of the Garment Workers Trade Union Center, said, 'Except for a few garments, most of the factories do not want to provide maternity benefits. If you make such a claim in some organization, you will face harassment and eventually lose your job. If you want to file a complaint against them, you must wait months. The promise of benefits is made, but it is never implemented.'

An investigation by the Dainik Bangla team shows that the number of women workers who become pregnant in the garment industry is not low. Talking to the garment workers, it was evident that the number of such incidents is way more than the complaints officially submitted to the Directorate of Inspection of Factories and Institutions. Again, only a tiny fraction of those who complain have received redressal.

This reporter spoke to 14 workers in the last month, including 10 who lost their jobs and four who were pregnant but still working. They were from 10 factories and sub-contractors registered with the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) in Dhaka, Savar, Narayanganj, and Gazipur. Eight of those who lost their jobs went back to

their village and never returned. Two have joined work again after being unemployed for three years. And the four who continued to work said they received no support except ridicule from colleagues and faced various other risks.

Julekha Akhter, a 24-year-old garment worker, said that she used to work as an operator in a garment factory named Motaleb Garments in Ashulia. He used to get a salary of Tk 9,700 per month. When she was five months pregnant, a piece of cloth fell from her hand to the floor and she sought help from others. The matter caught the attention of the manager. The next day the manager forbade Julekha from coming to work.

After being laid off, Julekha tried to get a job in another garment factory. But nobody wanted to hire her when she was pregnant. She did not receive any maternity benefits or any other benefits for that month. After a year and a half, she tried to return to the workplace but could not find the job she had left.

Julekha, who hails from a village in Comilla's Nangalkot Upazila, now works at a garment factory called Atiya Garments near the Mohammadpur bus stand. He told Dainik Bangla, 'It seems that working in garments is not only a curse but also a sin. My child is now two years old. As long as I am in this job, I will not have children. Because, I have seen how many people are losing their jobs due to pregnancy, with my own eyes'.

The Labor Act-2006 states that a working woman who has completed the first six months of her employment, if she is pregnant, will be entitled to a total of 16 weeks of leave during pregnancy and after childbirth, which shall be paid leave.

Cases of pregnant mothers, complaints to the department

On January 18, 23-year-old Ashful Akhtar came to Bijoy Nagar Factory and Institution Inspection Directorate from Rupganj in Narayanganj with her sister. Ashful was seven months pregnant at that time. She used to work at Akter Spinning Mill in Rupganj. A month ago, she was laid off from the factory without any leave or benefits. With the help of other women, she called the emergency helpline number 16357 launched by the department. From there she was informed to complain to this directorate of labor building.

The Department of Inspection of Factories and Institutions of the Ministry of Labor and Employment is responsible for taking care of the welfare of the workers. The complaints branch of the department informed us that many women workers are discharged before they ask for maternity leave.

The directorate receives an average of 15 to 20 complaints from factories in Dhaka and surrounding areas every month. 112 complaints have been filed in the last two years from 2020 to December 2022. However, they claim that a few years ago the number of complaints was several times more.

When asked, the Joint Inspector General (General Branch) of the Department of Inspection of Factories and Institutions Hasibuzzaman told Dainik Bangla, 'There is no opportunity to deny the issue. Such incidents are happening constantly. Those who come to us to complain, we immediately call the owner. After hearing, according to Labor Act-2006, we try to make a settlement. We arrange paid maternity leave for the workers.'

However, Ashful told this reporter when she returned after filing a complaint that day, 'There is no justice for the poor. There is a cure here, it seems. I worked for so many years. Now in the times of peril, I could not get anything.'

If the complaints to the directorate are not taken care of, some also file a case in the labour court. The Labor Court mainly hears cases related to reinstatement, recovery of dues, breach of employer-employee agreement, wage and salary claims, recovery of compensation and trade union. According to court sources, there are more than 350 pending cases related to maternity leave and dues collection alone. The verdict is taking years.

Labor Appeal Tribunal Chairman Justice M Farooq said, 'The number of labour courts should be increased. Besides, the manpower in the court should also be increased. Another thing is important, there must be goodwill on the part of the employer to enforce the judgment of the Labor Court.'

Taslina Yasmin, Associate Professor, Department of Law of the University of Dhaka, told Dainik Bangla, 'There is no separate punishment for breaking the maternity law, but there is a general punishment for breaking the labour law. Employers will be fined Tk 25,000 if found guilty of violating the law. Apart from this, there is a provision of punishment if someone is seriously harmed due to the employer's negligence at work.'

Registered factories try to comply, but sub-contractors do not care

Readymade garment factories are members of BGMEA. However, there are factories that are not members of this association. They mainly work under sub-contracts against export orders received by large factories. Transparency and accountability are very little in these smaller institutions.

There is no accurate count of how many factories are working as sub-contractors in the country. But according to some organizations concerned, it will exceed 15 to 20 thousand. A draft of 'Sub-contracting Policy 2014' was finalized to bring these institutions under regulations. But it has not yet been implemented. The policy does not clarify anything about women workers and their maternity leave.

Aklima works in a factory named Shakeel Fabrics at the Gazipur Chourasta. She hails from a village in Madhupur, Tangail. Her husband is a rickshaw puller. Aklima told Dainik Bangla that she is now five months pregnant. After three months of pregnancy when her factory authorities came to know, her salary was reduced by Tk 2000 to Tk 6300. The allegation was, as pregnant she would be able to work fewer hours than usual.

When asked about Aklima's issue, the manager of the factory Atiqul Islam said, 'Other factories throw them out of work. We only reduced the salary.' Shakeel Fabrics manufactures clothes for Al-Hamra, a registered factory in Gazipur. Al-Hamra exports clothing to the UK.

Only 3 per cent of women workers get maternity leave and allowance

25-year-old Ayesha Khatun is Six months pregnant. She works as an operator of Standard Group, a 22 storied Garment factory in Mirpur. She will go on maternity leave next month.

The owners have assured her to pay Tk 30 thousand. Although married two years ago, this lady from Habiganj has been working in this garment factory for about four years. Ayesha's husband Zakir also works in this factory.

Ayesha told Dainik Bangla, 'We receive maternity leave along with other benefits here. Many have received it before me. But others I know, who work in other factories, do not get these benefits.'

Ayesha's statement is echoed by a recent study by the Asian Center for Development (ACD) on garment workers. They say that 8.3 per cent of women workers in the garment industry become mothers every year. But among them, only 3.1 per cent of women workers get maternity leave and allowance.

ACDI's research paper suggested being more humane about paid maternity leave. It also suggested that this is a right of women workers. If the garment owners are more careful in this regard, both the workers and owners will benefit.

Research reports justify that work is not lost for vacation by showing that a worker gets 4.7 days off a year. 98.4 per cent of workers enjoy this general leave. But the rest of the six days of the week they work around 9 hours a day. It shows that they work 8 hours and 30 minutes of overtime per week, which is 30 minutes more than a day off. It implies that at the end of the year, 73 per cent of workers work overtime.

Enduring ridicule from colleagues

Investigating the factories revealed that no maternity leaves and benefits were provided as per law. Some organizations provide some benefits, while others do not care at all. If some workers appealed for maternity leave, they often were discharged from their jobs. But, in almost all of the factories, pregnant women had to bear the ridicule of colleagues while working. New mothers were harassed in various ways to work. There was no opportunity to seek redressal in those matters.

Sabuj Mahmud, Inspector of Factory Inspection Department told Dainik Bangla, 'There are many such complaints. When complaints come to us, we take action. Apart from that, we try to maintain a healthy factory environment for the health benefit of pregnant mothers. The directorate always urges regarding these.'

Sahida, who returned to Sirajganj after losing her job six months ago, said that she is not doing well after returning to the village. No one like her should go to Dhaka with big dreams and return empty-handed. She requested the government to take responsibility for the workers of the industry, who are pouring their sweat and blood to keep it functioning.