



INTERNATIONAL LABOUR ORGANIZATION PROGRAMME DOCUMENT

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հորlementing Partners։	 National Tripartite Committee on Fire and Building Safety Ministry of Labour and Employment (and Agencies) Ministry of Housing and Public Works (and Agencies) Ministry of Home Affairs (and agencies) Employers' and Workers' Organizations (BGMEA, BKMEA, BEF, NCCWE, IBC) Bangladesh University of Engineering and Technology
Contact person:	Srinivasa B. Reddy, Country Director, Email: reddy@ilo.org
Management unit:	ILO Country Office for Bangladesh House 12, Road 12 (New), Dhanmondi R/A Dhaka
Country:	Bangladesh
Title:	Improving Fire and General Building Safety in Bangladesh

Md. Ashadul Islam Additional Secretary Economic Relations Division (ERD) Ministry of Finance, Govt. of Bangladesh

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Srinivasa B Reddy
Country Director
ILO Country Office for Bangladesh

Date: 7/5/2014

Introduction

Ready-Made Garment (RMG) is a strategic sector for the Bangladeshi economy, with an estimate of 3,500 export factories in operation, providing a source of employment for over 3.5 million workers. The industry exports totalled \$19 billion in 2011-2012, which makes Bangladesh the world's second-largest apparel exporter. However, repeated massive industrial accidents put in evidence precarious working conditions in the sector, and made clear that building safety and occupational safety and health (OSH) need urgent attention.

Key contributors to the problem are: multiple responsibility for town planning, weak enforcement of standards for construction, insufficiently developed inspection systems, absence of collaboration among authorities at the different levels, chronic lack of adequate numbers of trained staff in both the building and factory approval and inspection processes, and lack of a culture of compliance. At the factory level, there is a tragic lack of awareness among workers, supervisors and mid-level managers on working conditions and OSH issues. As a result, managers are not able to handle crisis situation. Moreover, production incentive systems and attendance bonus systems put pressure on workers who are regularly compelled into going to work when safety conditions are not met.

Recent tragedies such as Rana Plaza spurred the Bangladeshi tripartite partners into taking a series of steps to improve fire safety and structural integrity in the RMG sector. International multi-stakeholders initiatives also emerged such as the Accord on Fire and Building Safety, and the Alliance for Bangladesh Worker Safety led by American brands and suppliers. The ILO has been requested by constituents in the RMG sector to support and coordinate these efforts, and has already allocated substantial resources and expertise in this respect.

This project comes in support of these actions, with the overall aim of improving fire and building safety in Bangladesh's RMG sector. To this end, the ILO proposes, in close collaboration and coordination with relevant national and international stakeholders and partners, to (1) enhance national enforcement of relevant fire and general building safety laws and regulations consistent with international labour and fire and building standards and good practices. To this end, it is proposed to: i) support the process to review and upgrade the current fire and safety building regulatory framework and strengthen coordination mechanisms among relevant Government institutions; ii) support the process to review and upgrade specific labour inspection tools and procedures related to fire and building safety issues; iii) enhance the capacities of inspectors from MoLE and other relevant entities to conduct fire and building safety inspection visits, iv) support fire and building assessment of RMG factories in Bangladesh; and v) establish a fire and building safety data system.

The project will also seek to (2) improve representation and protection of workers in the RMG sector, as well as dialogue among tripartite constituents regarding fire and safety issues. It will do so by: i) implementing a comprehensive Information, Education and Outreach campaign on fire and building safety issues; ii) establishing, training and supporting the functioning of mandated bipartite factory-level OSH committees; and iii) promoting effective bi-partite and tripartite dialogue on fire and safety related matters at factory and sector levels.

By implementing this strategy, the immediate risks of further fires and building collapses will be minimized, and, in the long term, the capacity of the industry to enable further growth in a manner that safeguards the rights and safety of workers will be built and sustained.

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LIST OF ACRONYMS

BEF Bangladesh Employers Federation

BGMEA Bangladesh Garment Manufacturers and Exporters Association

BKMEA Bangladesh Knitwear Manufactures and Exporters Association

BUET Bangladesh University of Engineering and Technology

BUILD Business Initiative Leading Development

CB Collective bargaining

DWCP Decent Work Country Programme

FOA Freedom of Association

GoB Government of Bangladesh

GSP Generalized System of Preferences

IBC IndustriAll Bangladesh Council

ILAB Bureau of International Labor Affairs

IEO Information, Education and Outreach

IFC International Finance Corporation

ILO International Labour Organization

ILS International Labour Standards

IRI Industrial Relations Institute

ITC International Training Centre

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Ю	Immediate Objective
KAB	Knowledge Attitude and Behaviour
M&E	Monitoring and Evaluation
MoLE	Ministry of Labour and Employment
NCCWE	National Co-ordination Committee Workers Education
NGO	Non-Governmental Organisation
NPC	National Project Coordinator
NTPA	National Tripartite Plan of Action on Fire safety in the RMG Sector in Bangladesh
NTPA ¹	National Tripartite Plan of Action on Fire Safety and Structural Integrity in the Ready-Made Garment Sector in Bangladesh
OSH	Occupational Safety and Health
PD	Project Director
RMG	Ready-Made Garmont
RAJUK	Rajdhani Unnayan Kartripakka (Capital Development Authority of

Bangladesh)

ToT Training of Trainers

United Nations UN

United States Department of Labor US DOL

¹ Throughout the project proposal the ILO refers to the NTPA which has evolved from a pure focus on fire safety to a focus on both fire safety and structural integrity in the RMG sector. The ILO will use the more comprehensive NTPA as a guideline.

PROJECT DESIGN NARRATIVE

1) Buckground and Problem Statement

Project rationale

Bangladesh has experienced rapid economic growth, with an average annual rate of about 6% in the last two decades. In particular, the Ready-Made Garment (RMG) industry in Bangladesh has grown exponentially since the 1980s. The number of export-oriented garment factories has grown from 9 in 1979 to about 5200 factories in 2013. Out of the 5200 factories registered with Bangladesh Garment Manufacturers and Exporters Association (BGMEA) and Bangladesh Knitwear Manufactures and Exporters Association (BKMEA), an estimated 3500 factories are in operation today, providing a source of employment for some 3.5 million workers, mostly women. The industry exports totalled \$19 billion in 2011-2012. Bangladesh is now the world's second-largest apparel exporter, just behind China, 60% of the export contracts of western brands are with European buyers and about 30% with North American buyers. Only 5% of textile factories are owned by foreign investors, with most of the production being controlled by local investors.

Despite the significant contribution it made to the overall Bangladeshi economy, the RMG sector is also known for its poor working conditions, and concerns about labour standards compliance are widespread. While child labour has diminished in recent years due to concerted efforts of the government and international community including the ILO, substantial challenges remain with regard to other core international labour standards (ILS), as highlighted by the ILO Committee of Experts on the Application of Conventions and Recommendations. Freedom of Association (FOA) and the right to Collective Bargaining (CB), labour relations, social protection standards, and occupational safety and health (OSH), are among the main labour issues that need to be addressed urgently. On July 15, Parliament adopted amendments to the 2006 Bangladesh Labour Act. The ILO has provided an official statement on the amendments indicating that an initial review suggests that the amendments did address some of the ILO's specific concerns, while falling short of several important steps called for by the ILO supervisory system to bring the law into conformity with ratified international labour standards.

Over the past decade, the RMG sector of Bangladesh has witnessed a number of industrial accidents which culminated with the Tazreen Fashions fire and the collapse of the Rana Plaza building (see Table 1 below). These tragedies prompted an intense international debate about precarious working conditions in the Bangladeshi RMG sector. At national level, these events have also resulted in massive workers' demonstrations and disruption of work in hundreds of factories. This is causing long-term damage to the reputation of the RMG sector and the country as a whole. One such example is the decision of the US President to suspend the eligibility of Bangladesh for tariff benefits under the Generalized System of Preferences (GSP) programme.³

² http://www.bgmea.com.bd/home/pages/AboutGormentsIndustry#.Uff16axEHnM

http://www.ustr.gov/about-us/press-office/press-releases/2013/june/michael-froman-gsp-bangladesh

Table 1: Overview of recent industrial accidents affecting workers in the RMG sector

Name of Factory	Event	Date	No. of casuattics
Tazicen Pashions 14d	Fire	24 Nov 2012	112
Smart Export Garments	Fire	26 Jan 2013	8
Rana Plaza (housed 5 garment factories)	Building Collapse	24 Apr 2013	1,127 (not all RMG workers)

It is clear that OSH and building safety need urgent attention. This series of tragic events spurred the tripartite partners into the development of a National Tripartite Plan of Action on Fire Safety in the Ready-Made Garment Sector in Bangladesh, as well as the adoption of a Joint Statement containing commitments focusing more on improving structural building integrity and dealing with the aftermath of the Rana Plaza collapse. On July 25, these two documents were merged into the National Tripartite Plan of Action on Fire Safety and Structural Integrity in the Ready-Made Garment Sector. This Plan, which has recently been endorsed and signed by the tripartite partners, forms the basis for action and coordination with third-parties in improving fire safety and structural integrity in the RMG sector. In the short term, addressing these issues will minimize the immediate risks of further fires and building collapses, and, in the long term, will build capacity to enable further growth of the industry in a manner that safeguards the rights and safety of workers.

Problem analysis

Weaknesses and gaps in the regulatory system are a key contributor to the problem. Responsibility for town planning is currently divided between the Ministry of Housing and Public Works and the Ministry for Local Government, and under the Municipality Act of 2009 each municipality has been responsible for its own planning. The National Building Code of 1993/2006 and Building Construction Guidelines of 2008 establish appropriate standards for construction, but on the ground enforcement is weak to non-existent. Responsibility for approving building plans, issuing permits and granting occupancy certificates in principle is the responsibility of the Ministry of Housing and Public Works, implemented through the development authorities of the four largest cities (Dhaka, Chittagong, Rajshahi and Kulna). In Dhaka, Rajdhani Unnayan Kartripakka (RAJUK) is the development authority overseeing greater Dhaka. However, the separate municipalities of Dhaka (including Savar) continue to have authority over planning and may also issue building permits and occupancy certificates.

Building permits are issued based on submission of plans meeting minimum requirements (such as fire exits). Permits for buildings above 10 storeys must also be approved by the Ministry of Environment. At RAJUK, building plans are assessed by a professional team including an engineer, architect and planner. Once a permit is granted, the construction is monitored by RAJUK's building inspectors. They make unscheduled visits any time between sunrise and sunset, and are able to stop construction, require demolition or alteration. RAJUK approves plans for 5-6,000 new buildings each year, but has only four officers to monitor construction. It is understood that the Government is considering recruiting 20 more officers.

6 http://www.rajukdhaka.gov.bd/rajuk/webHome

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See analytical report in IRIN http://www.irinnows.org/report/97987/analysis-wake-up-call-for-hangladesh-s-building-industry

http://buildingcode.gov.bd/bnhc-19932006

The owner of a building is required to hire an engineer or architect to assess and provide a report to attest to the quality of construction in their application for an occupancy permit, but professional standards are low and poorly enforced. Owners are normally liable for any deficiencies. According to ILO Dhaka Office information, the new regulations being introduced will require an architect or engineer to report to RARJK if they become aware of any irregularities. If they do not do so, they may lose their ficense to practice.

Occupancy permits are granted based on completion of construction following the approved plan, the owner's assurance of quality and for some buildings, certification from the Fire Safety and Civil Defence authority. All industrial buildings and all buildings over 10 storeys must have a fire certificate.⁷

Once a building has been completed and an occupancy certificate issued, use of the building for factories is regulated by the Department of Chief Inspector of Factories and Establishment under the Ministry of Labour and Employment (MoLE), which registers factories and approves them for operation. Approval is based on review of OSH and fire safety minimum requirements as specified in the legislation such as staircases, fire extinguishers, etc. Applications include the workflow of the proposed operation, equipment layout and floor plans. No structural or building assessment is done, and there is no requirement for proof of such inspection to be included with the application for a factory license.

The pressure to find space during the rapid expansion of the RMG industry over the past 10 years has led to improper use of buildings, and to unpermitted extensions to buildings such as Rana Plaza⁹, where three unauthorized stories were added to the originally approved five. Each building typically houses more than one factory. The Bangladesh University of Engineering and Technology (BUET) estimates that 600 buildings house around 3,000 factories.

Inspection systems in Bangladesh are not sufficiently developed and there is no real compliance culture at technical and labour law level. Inspection bodies have no clear procedures and there is not collaboration among authorities at the different levels. Even without the chronic lack of adequate numbers of trained staff in both the building and factory approval and inspection processes, the implementation of the regulatory system is weak and highly vulnerable to manipulation and corruption, ¹⁰ Seven members of the Factories Inspection Department were suspended in June 2013 in part due to findings that they had renewed licenses of garment factories in Rana Plaza prior to the collapse without having conducted an inspection.

Finally, workers' rights are insufficiently protected despite some progress. In mid-July, the Government of Bangladesh passed amendments to the labour law that show modest progress with regard to reforms on FOA and CB issues, and some improvements with regards to OSH. Some of the key issues that had been addressed were the ones that the trade unions in Bangladesh considered most important, in particular the banders toward FoA in the RMG sector. This includes the role of the Directorate of Labour in registering unions and resolving disputes. In the last year, some 30 unions have registered. However, many of them are yet to

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² Information from interview with RAJUK officials, 11 June 2013

http://www.mole.gov.bd/index.php?eption=com_content&task=view&id=427&Itemid=489

http://www.thedaitystar.net/beta2/news/rana-plaza-was-built-peorly/

To See analytical report in IRIN http://www.irinnews.org/report/9798//analysis-wake-up-call-for-bangtadesh-s-building-industry

engage in collective bargaining. Violations of FoA (difficulties in union registration, union husting, anti-union dismissals), the lack of capacity of sectoral and national union federations, and the virtual absence of industrial relations in the RMG sector result in the absence of workers' organizations and collective voice, consultation and cooperation between employers and workers at factory level. There is a tragic lack of awareness among workers, supervisors and mid-level managers on working conditions and OSH issues and fundamental principles and rights at work. Similarly, managerial staff generally do not have the capacity to handle crisis situations and take swift decisions in the interest of safety and protection of workers. Last but not least, production incentive systems and attendance bonus systems are present and these may put pressure on workers to deliver at the cost of safety. In this context, garment workers are regularly compelled into going to work when safety conditions are not met, sometimes at the cost of their lives, as was the case in the Rana Plaza tragedy.

Current response

Following recent events, different stakeholders pledged to take action. Some of the major developments to improve safety at work in Bangladesh include Government led initiatives ((1)-(3)) and key stakeholder initiatives ((4) and (5)):

(1) National Tripartite Plan of Action on Fire Safety in the RMG Sector in Bangladesh (NTPA)

Following the fire at Tazreen Pashions Limited, the Tripartite Partners adopted a Statement of Commitment during a meeting organized jointly by the MoLE and the ILO on January 15, 2013. With the adoption of the Statement, the Tripartite Partners committed to work together to develop a NTPA, with a view to taking comprehensive action aimed at preventing any further loss of life, limb and property due to work place fires and fire-related accidents and incidents. To ensure the timely development of the NTPA, the MoLE established a Tripartite Committee, which has so far met four times with the assistance of the ILO. The NTPA was signed off on by the MoLE on 24 March 2013.

(2) Joint Statement adopted by the national tripartite constituents as a result of the Highlevel ILO Mission during 1-4 May 2013¹¹

Following the collapse of Rana Plaza, a high-level ILO mission was undertaken to convey the sympathy of the organization to the victims, the social partners and the country, as well as to work with the social partners in identifying how the ILO could provide support for addressing identified challenges. As a result of the mission, the Government and social partners adopted a Joint Statement containing a time-bound six point agenda and committed to develop an action plan identifying actions to be undertaken in the short and medium term to avoid further incidents. The six point agenda includes:

a. Submission of labour law amendments to Parliament during its next session (June/July 2013); b. Assessment of all the active RMG factories for fire safety and structural integrity by end 2013 and initiate remedial measures; c. Recruitment and training of 200 inspectors (within six months, with the aim of increasing that number by an additional 800 inspectors) and strengthening the labour inspection system; d. Expanding and fully implementing the Fire Safety Tripartite Plan of Action to include structural integrity of buildings; e. Launching a skills training programme for workers rendered disabled and redeployment of workers who

trhum://www.ifo.org/global/about-the-ifo/activities/stotements-speeches/WCMS_212463/lang--en/index.htm

were rendered unemployed due to the recent events; f. Consider launching a Better Work Programme upon satisfactory completion of labour law reform;

(3) The National Tripartite Plan of Action on Fire Safety and Structural Integrity in the Ready-Made Garment Sector in Bangladesh

The NTPA and the commitments made in the Joint Statement were then merged into one document. The NTPA is now referred to as "The National Tripartite Plan of Action on Fire Safety and Structural Integrity in the Ready-Made Garment Sector in Bangladesh". It calls for both policy changes and immediate action to review the fire safety and structural integrity of buildings housing RMG factories. Six relevant commitments are:

- Review and, where necessary, adjustment of factory licensing and certification procedures concerning fire safety, including electrical, chemical and environmental safety. The factory fire safety licensing system, including electrical, chemical and environmental safety, is divided between several government authorities. It is considered that the relevant procedures need to be reviewed to ensure they are up to date and any gaps and/or overlap in legislation and administrative authority are identified and addressed. This work is currently taking place in the context of the IFC-supported initiative called BUILD that reviews Bangladesh's end-to-end business start-up process with a view to facilitate doing business. Any recommendations for building permit and factory licensing should support a streamlined process while guaranteeing safety to workers.
- Consideration of the establishment of a one-stop shop for fire safety licensing and certification. Within the framework of the mandate of the Cabinet Committee, it is felt necessary to consider whether or not the establishment of a one-stop shop for fire safety licensing and certification would improve administration and monitoring of fire safety at factory level.
- Development and introduction of unified fire safety checklist to be used by all relevant government agencies. Fire safety inspection is currently undertaken by several government agencies. It is considered that the development and use of a single fire safety checklist would improve the quality, transparency and consistency of fire safety inspection services.
- Factory level fire safety needs assessment. Following the Tazreen Fashions fire, the BGMEA initiated a pilot needs assessment programme within which members of the Alumni Association of Architects of BUET are undertaking a comprehensive fire safety review of 10 garment factories. The BGMEA has committed to publish the findings.¹²
- Development and implementation of a factory fire safety improvement programme.
 Based on the findings and recommendations from the needs assessment as well as other sources of information, the BGMEA intends to take the lead in the development and implementation of a tripartite+ fire safety improvement programme.
- Assess the structural integrity of all active RMG factories. To minimize the risk of further factory collapse, it is considered that an assessment of all active export-oriented, RMG factories will be conducted with the objective of identifying factory buildings posing a high risk of collapse, so that timely remedial actions, including relocation of unsafe factories, can be taken.

(4) Accord on Fire and Building Safety

¹² The BGMEA has 4,000 members and is an influential advocate of employers' interests in the sector. BKMEA has 1,200 members.

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In order to promote a safe and sustainable Bangladeshi RMG industry, a number of NGOs, local and global workers' organizations, and different buyers and brands committed, on 15 May 2013, to sign the Accord on Fire and Building Safety (the "Accord'). The Accord seeks to establish a fire and building safety programme in Bangladesh and to support the NTPA. The Accord welcomes a strong role for the ILO, both at international and national level. As of mid-July 2013, 81 brands had signed the Accord. The ILO is responding to requests for support by Accord signatories and will play the role of neutral chair of the Steering Committee and provide further appropriate support by ensuring effective coordination with the activities of the NTPA.

(5) The Alliance for Bangladesh Worker Safety

Eighteen North American brands and suppliers that had declined to sign the Accord have recently developed their own initiative known as the Safer Factories Initiative. The 5-year proposal brings together workers, factory owners, buyers and the Bangladeshi government to develop an industry standard on fire and building safety.

Based on these various documents, and the role it has been called to play by the national and international stakeholders, the ILO recently developed a comprehensive proposal to improve Working Conditions in the Ready-Made Garment Sector (2013-2016). While this proposal is being discussed with international donors, and in order not to delay matters, the ILO has allocated US\$ 2 million from its own resources to support the tripartite constituents in Bangladesh in responding to their commitments. These funds are being used to establish and implement a system for undertaking preliminary assessments of all RMG factories that are not covered by the Accord and the Alliance, including the purchase of the necessary building safety assessment equipment for use by BUET, which will lead the assessment teams.

Strategic fit and ILO involvement to date

The proposed project is well-aligned with the ILO Bangladesh Decent Work Country Programme (DWCP 2012-15) and will contribute to achievement of two country programme outcomes: BGD 104: Working conditions improved and BGD 227 - Capacities of labour administration and institutions improved. It falls within the comprehensive proposal framework aiming at improving working conditions in the RMG sector under component i "Technical support to building and fire safety assessment and remediation".

This project is also in support of and clearly aligned with ILAB's Performance Goal 1.6 "improve worker rights and livelihoods for volnerable populations."

The ILO has a long term role in Bangladesh with extensive involvement in the RMG sector, among others its major programmes include: Promoting National Occupational Safety and Health Policy Framework; Technical and Vocational Education and Skills Development; Fundamental Principles and Rights at Work; Migration Management; and support to Informal Economy. It is also considering the establishment of a Better Work programme. The ILO has also been for a long time active in promoting the revision of labour legislation to bring it into conformity with ILS and will continue to do so, in strengthening social dialogue at national and sectoral levels, and in building the capacities of the tripartite constituents with a strong emphasis in the recent past on the union structures in the RMG sector.

http://www.just-style.com/analysis/who-has-signed-the-bangladesh-safety-accord-update_id117856.gspx (accessed on 30 July 2013).

ILO has responded rapidly to the requests for support from constituents in the RMG sector following the Tazreen and Rana Plaza incidents. Even before these events and beginning in January 2012, the ILO has allocated substantial resources and expertise to issues such as technical assistance to labour law reform and the coordination of multi-stakeholder initiatives in the RMG sector, including now acting as the chair of the steering committee for the Accord on Fire and Building Safety and assisting the tripartite partners in the implementation and coordination of the NTPA. The central role the ILO is playing with all the current initiatives places it in a unique position to coordinate activities and support the constituents.

2) Objectives and Expected Outcomes

Development objective

The development objective of this project is to contribute to improve fire safety and building safety in Bangladesh's RMG sector.

Expected outcomes

Based on the problem analysis above, the overall objective of the project can only be achieved if:

- (1) Relevant Bangladeshi authorities are able to enforce a fire and building safety framework that is consistent with relevant international standards and good practices;
- (2) Social partners and workers in particular, are able to play a more active role in the promotion of OSH and protection of workers in the RMG sector.

In this respect, the ILO has developed one Immediate Objective:

(1) Immediate Objective: The Government of Bangladesh (GoB) enforcement of fire and general building safety laws and regulations in the RMG sector, consistent with international labour and fire standards and good practices, is enhanced:

The proposed project objective can only be reached if key necessary and positive conditions that are outside the control of the project are met. Critical assumptions for the successful implementation of the project have been identified both at development and immediate objective/outcome level (see table 2 below). Before the project starts, a detailed risk analysis including mitigation strategy will be developed and presented to the donor.

Table 2: Project objectives and critical assumptions

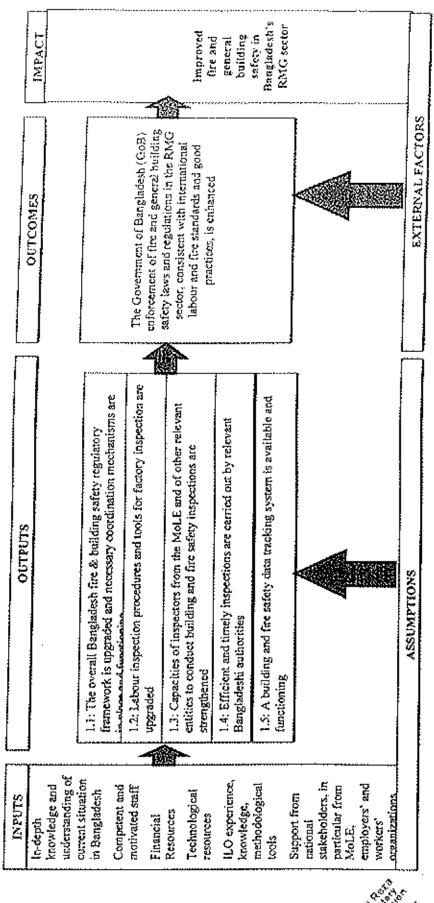
PROJECT OBJECTIVES	ASSUMPTIONS
Development Objective	The main economic actors (garment manufacturers and buyers) will continue to support investment in worker safety after the immediate period of attention has passed
	 Training and support interventions will be sufficient to build competent, professional staff Government and industry are able to make the investments required to improve the regulatory system
Immediate Objective	 GoB and in particular MoLE priorities will remain unchanged over the implementation period The Tripartite Committee will function as the main coordinating body as expected

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Moreover, good performance indicators are critical to inform decision making for ongoing project management, to ensure legitimacy and accountability to all stakeholders by demonstrating progress, and ultimately to measure progress and achievements of the project. A series of critical indicators at immediate objective/outcome level, as well as at output level, have been developed (see section 5) if Outcome Indicators and their Measurement). They are a combination of qualitative and quantitative indicators to better capture the essence of the change taking place. They also include both process and result indicators so as to show whether the completed outputs are bringing about intended changes. Whenever possible, data will be disaggregated by gender and/or other relevant category to identify potential disparities and address these. This is of particular importance in the case of training activities.

For a graphic illustration of the project's logic, please see the Logic Model on the next page. It includes a clear causal description of the inputs, outputs, outcomes and the project impact.



- · The main economic actors (garment manufacturers and buyers) will continue to support investment in worker safety after the immediate period of attention has passed
 - Training and support interventions will be sufficient to build competent, professional staff
- . Covernment and industry are able to make the investments required to improve the regulatory System

Political willingness of relevant Government institutions to coordinate and cooperate

Political, social and economic stability

ø,

Target groups

Direct beneficiaries:

Various categories of recipients will be directly targeted by the activities of the project;

- Staff from relevant Ministries and State institutions playing a role in fire and building safety. In particular, staff from the Ministry of Labour and Employment, Ministry of Housing and Public Works, LGED and Fire Safety and Civil Defence, will participate in the various training schemes that will be implemented by the project in order to increase their knowledge and skills to undertake factory/building inspections.
- Social partners will participate in labour inspection trainings to increase knowledge and facilitate dialogue.

Indirect beneficiaries:

The ultimate beneficiaries and thus the target population of this project intervention are the workers of the RMG sector, 80% of whom are women and currently employed in dangerous factories. To ensure that the target group is as large as possible, the project will link itself to already existing projects and initiatives as outlined in the section 1) iii. Current response. Activities will be integrated to ensure synergy with existing initiatives designed to address similar objectives, such as the Accord, the Alliance for Bangladesh Worker Safety, and the IFC funded BUILD programme.

In addition, and by improving the fire and building safety of the RMG factories in Bangladesh, the project will contribute to a safer and more attractive environment for international buyers to invest in and thus indirectly benefitting the growth of the industry and the economy. This in turn would have an impact on the livelihood of the population in Bangladesh.

Key stakeholders

In the implementation of this project, primary partners of the ILO will be:

- For the Government side:
 - Ministry of Labour and Employment and its two agencies namely: Department of Labour and Chief Inspector of Factories and Inspections. It is expected that a coordination unit will be established in the MoLE, acting as the government focal point of the project. This unit will coordinate between the MoLE and its agencies and other government departments;
 - Ministry of Housing and Public Works, responsible authority for the Bangladesh National Building Code, including its Housing and Building Research Institute;
 - Development authorities, including RAJUK under the Ministry of Housing and Public Works, responsible for authorizing and inspecting building construction and

- LGED, Paurashava, Municipality under the Ministry of Local Government and cooperatives for licencing;
- Fire Safety and Civil Defence, responsible for fire safety inspection and licensing;
- Workers' organizations: National Co-ordination Committee of Workers Education (NCCWE) and Industrial Bangladesh Council (IBC).
- Employers' organizations: Bangladesh Employers Federation (BEF), BGMEA and BKMEA.
- Other collaborating organizations include Bangladesh University of Engineering and Technology (BUET), the Industrial Relations Institute (IRI) of the MoLE, and training providers.
- At international level, the ILO International Training Centre based in Turin will be collaborating with the project in the development of e-training modules for factory inspectors.
- Local suppliers, international buyers, international unions, development partners and civil society.

4) Project Interventions (Strategy, Outputs, Activities)

Guiding principles

The project strategy is based on ILO's tripartite principles, technical expertise, and its ability and willingness to work with all stakeholders, including the Government of Bangladesh, employers and workers organizations, the local suppliers, international buyers, international unions, development partners and civil society.

Overarching guiding principles to be adopted within this strategy are:

- Integration with the overall ILO programme of assistance to the RMG sector in Bangladesh;
- Integration of activities to ensure synergy with existing initiatives designed to address similar objectives, such as the Accord, the Alliance for Bangladesh Worker Safety, and the IFC funded BUILD programme;
- Ensuring the strengthening of the capacity of government agencies to improve governance and enforcement of labour legislation and the national building code as a medium to long term sustainable goal;
- Effective participation of all stakeholders to ensure a coordinated response;
- Ensuring the active role of workers to defend their rights in relation with working conditions including OSH issues.

Strategic components

The longer term sustainability of Bangladesh's export oriented RMG sector is dependent on its continuing acceptance by major global brands as a reliable sourcing country, and this in turn is dependent on Bangladesh's government and manufacturers being able to demonstrate that they are capable of establishing, implementing and enforcing a credible building and fire safety inspection programme.

Promoting transparency and accountability are important for the success of this project. To this end, the project will promote the active participation of all key stakeholders in the design, implementation and monitoring of project interventions. In order to build trust and credibility, the project will conduct various public events. The aim will be to secure a high level of involvement so as to facilitate the transfer and sustainability of project initiatives. To ensure access to information and lessons learned once the project is completed, project progress and achievements will be posted on the fbO website.

This project therefore proposes to implement the following strategy:

Immediate Objective: GoB enforcement of fire and general building safety laws and regulations in the RMG sector, consistent with international labour and fire safety standards and good practices, is enhanced

This component of the strategy supports the commitments made by the Tripartite Partners under the National Tripartite Plan of Action on Fire Safety and Structural Integrity in the Ready-Made Garment Sector in Bangladesh to make a preliminary assessment of all active export-oriented RMG factories by the end of December 2013. In order to assist the GoB achieve this immediate task, and put in place a sustainable and effective mechanism for ensuring fire and general building safety, several actions will be undertaken by this project, namely:

 Support the process to review and upgrade the current fire and safety building regulatory framework and strengthen coordination mechanisms among relevant GoB institutions.

This project will contribute to the efforts being undertaken to review and make recommendations regarding changes to the building permit, occupancy and licensing process to improve oversight, as well as enforcement of relevant legislation.

The NTPA calls for a review of the fire safety licensing system, with consideration of a 'one stop' approach to licensing and certification. Now that building safety has been added to the agenda, a more comprehensive review of the building permit and factory licensing system is required to address the gaps and shortfalls in the present legislative and policy framework and to recommend changes, including those that can be implemented without legislative change, as there may not be an opportunity to amend legislation in the immediate term. This work will take place in the context of the IFC-supported initiative called BUILD that reviews Bangladesh's end-to-end business start-up process with a view to facilitate business. Any recommendations for building permit and factory licensing should support a streamlined process while guaranteeing safety to workers.

With this in mind, the ILO, which has the technical expertise and mandate to assist in the review and improvement of the policy and legislation underpinning safety in factories, will be fully engaged in this process through this project.

A joint working group (sub-committee) of responsible Ministries (Ministry of Housing and Public Works, Ministry of Labour and Employment, Ministry of Environment) related Agencies and Offices, supported by technical expertise from the ILO would be able to review and develop recommendations for Cabinet on an

and develop recommendations

improved regime for building pennits and licensing, incorporating but expanding on the review called for in the NTPA.

Given that there will be a number of initiatives addressing the building and fire safety assessments in Bangladesh, it is crucial that the National Tripartite Committee takes leadership in defining the minimum common standards for assessment and the mechanism for ordering and enforcing follow up. The ILO, as secretariat to the Tripartite Committee and Chair of the Accord, is best placed to ensure communication and coordination of effort.

(2) Support the process to review and upgrade specific labour inspection tools and procedures related to fire and building safety issues

Under the current framework, the MoLE has no direct mandate when it comes to assessing the structural integrity of buildings. However, it has an early-warning responsibility which requires certain basic skills so that labour inspectors can refer cases to relevant authorities when they detect risks. In order to enhance their capacities, the project will support current efforts undertaken by ILO-Dhaka to review existing operating procedures for factory inspections (including the selection of the inspection sites, planning and preparation, conduct of the inspection, reporting and recording the inspection) in relation to OSH and fire safety issues by the relevant inspectorate (including actions for Directors, Managers and front line Inspectors), Procedures should also cover investigation of cases (including evidence collection documentary and testimonial - and continuity of evidence, as well as investigational reviews). Based on these reviews, recommendations for improvement will be made, and a toolkit for labour inspectors will be developed, including fire and building safety. The toolkit will cover: Purpose of the intervention, Key messages, Legal requirements, Enforcement Management Model (guidance as to expected actions, verbal or written advice to prosecution etc., when certain conditions encountered). Inspection guidelines and tips, Risk control indicators and criteria. The toolkit should also include a template for recording inspection and a method to rate the premises on risk control indicators. The Labour inspectorate will be trained on these tools as indicated below.

(3) Enhance the capacities of inspectors from MoLE and other relevant entities to conduct fire and building safety inspection visits

Considering that the labour inspectors of the MoLE do not have the direct mandate to assess the structural integrity of buildings, it is of critical importance for this project to work directly with and enhance the capacities of the staff of other government institutions and agencies that play a central role in this process, i.e. the Ministry of Housing and Public Works, responsible authority for the Bangladesh National Building Code; the Development authorities, including RAJUK, under the Ministry of Housing and Public Works, responsible for authorizing and inspecting building construction; and the Fire Safety and Civil Defence, responsible for fire safety inspection and licensing.

To this end, training needs assessments will be carried out for the staff of these various institutions and good practices for conducting fire and building safety inspections will be identified. Based on the collected information, a training course

for trainers will be designed and implemented. These trainers will then conduct training courses for staff of the various institutions. An on-line training course will be designed in collaboration with the ILO International Training Centre (ITC) based in Turin. All training materials will be translated into Bangla and placed electronically in the public domain.

The practical and technical assistance provided by this project will develop muchneeded capacity and experience among government personnel and technical expertise in Bangladesh.

(4) Support fire and building assessment of RMG factories in Bangladesh

Under the NTPA, a preliminary visual assessment of all active export-oriented, RMG factories in Bangladesh is to be completed by 31 December 2013. The assessment will identify factory buildings with a high risk of collapse so that timely remedial actions can be taken as soon as possible. Three main parties are expected to be supporting such assessments: the "Accord", the non-Accord buyers "Alliance" initiative, and the Government of Bangladesh with the Tripartite Committee. The following table illustrates the number of factories, workers and buildings estimated to be included:

Table 3: Estimated number of factories, workers and buildings to be assessed by Dec. 201314

	Estimated # of factories	Estimated # of workers	Estimated # of buildings
Total number of "active, export oriented garment factories"	3,500	3,500,600	750
Number to be assessed by the Accord	1,300	1,300,000	305
Number to be assessed under the "Affiance" initiative	450	450,000	100
Number to be assessed with assistance of ILO	1,750	1,750,000	345

Assessing the fire safety and structural integrity of all active factories by December 2013 is beyond the current capacity of the responsible government institutions in Bangladesh. Additional technical, human and logistical resources will be required to complete the assessments by the target date. Beyond this date an on-going capacity to maintain a minimum acceptable level of inspection and to ensure that recommended/required remediation is also required. This calls for a commitment from Government (to staff and adequately budget for operations) and partners, to provide technical assistance, training and equipment. The Ministry of Housing and Public Works, and its Housing and Building Research Institute, are key partners in the process, as the Building Code falls under the responsibility of the Ministry, and the Institute is the lead technical agency for the Government.

The Tripartite Committee agreed to establish a Technical Sub-Committee on Safety Measures in Garment Industry to focus on "the structural integrity of buildings and fire safety, including practical details of how inspections will be carried out, the

¹⁴ Due to the overlapping supply chain of the Accord and Alliance, it is estimated that the combined supply chain is at 1,750 factories. There is currently a review undertaken by BGMEA on the number of buildings and it is expected that the numbers could be higher than what is in the above table.

parameters of such inspections, and co-ordination with other assessments such as those planned by European and US buyers and brands^{11,15}. The Technical Sub-Committee will also develop Terms of Reference for consultants conducting any part of the assessments.

Assessments directly under the authority of the National Tripartite Committee will be carried out by a lead implementing Partner with the necessary technical expensive to create and manage expert teams, oversee the quality of their work and compile final reports recommending remedial action.

The project will support the efforts of the GoB in assessing the factories by providing technical support to BUET as required in reviewing the risk assessments in selected garment factories and identifying needs to be addressed, and in developing the overall design and management of the process, including the development of a targeted assessment strategy. Pilot assessment visits will be carried out and the strategy will then be adjusted as required before it is rolled out to all factories.

(5) Establish a fire and building safety data system

In order to monitor and keep track of the fire and building safety assessments that will be carried out by the GoB, it is important to develop a comprehensive and sustainable data system. A review will be made of existing systems with a view to consolidating the information into one single register. The system could be hosted by the Ministry of Public Works but all alternatives will be envisaged in consultation with the relevant partners before a final decision is made. Depending on the capacities of the institution, the system could be computerized or paper based. The system will be piloted before it is rolled out to register information of all assessed factories.

The Logical Framework on the next pages outlines the project's objective, outputs and activities.

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¹⁵ http://www.ito.org/asia/info/public/pr/WCMS_215293/lang--cn/index.lsm

Logical Framework (logframe)

5) Monitoring and Evaluation (M&E)

The progress of work and achievements of the Project will be closely monitored and reported through the implementation of the M&E system and approach used throughout ILO projects, ensuring timely and regular reporting on ILAB's Performance Goal 1.6 to improve worker rights and livelihoods for vulnerable populations and in line with ILAB's performance goals.

Work Plan and Progress Reporting

The project will develop a detailed Work Plan at the beginning of each year, which will be monitored and adjusted during the course of the year in full consultation with the stakeholders and the USDOL. Performance monitoring will be done through quarterly progress reports which outline activities carried out against the Work Plan. The quarterly progress reports will follow the USDOL Management Procedures & Guidelines and will report on the work and achievements of the project.

Implementation Evaluations

An external independent mid-term evaluation and a final external independent evaluation will be carried out. The project team will work with USDOL to develop and implement both external evaluations as required, in line with the Management Procedures and Guidelines and the requirements of ILO evaluation policy with independent management of evaluation.

As per existing rules and procedure of the Government the project will be under regular/periodic monitoring and evaluation of IMED, ERD, Planning Commission and Ministry of Labour and Employment as appropriate. The Project will be audited by internal audit team of ILO.

Outcome Indicators and their Measurement

As required by the SCA, the project will develop a Performance Monitoring Plan within 60 days of project document approval by USDOL which will define the data collection process, ensure data comparability and guide data analysis. The below table provides indicators and their measurement for all outcomes and outputs as outlined in the Logic Model and as further developed in the theory of change and logframe in the project document.

Table 4: Project indicators and measurement

OUTCOMES & OUTPUTS	INDICATORS	MEASUREMENT
Immediate objective: The Government of Bangladesh (GoB) enforcement of fire and general building safety laws and regulations in the RMG sector, consistent with international labour and fire standards and good practices, is enhanced	# of assessments completed % of total factories covered	Assessment reports Data from assessment tracking system
Output 1.1 The overall Bangladesh fire & building safety regulatory framework is upgraded and necessary coordination mechanisms	 Progress made in apgrading the regulatory framework # of institutional partners adopting common standards 	 Reports from MoLE organizing mutti-stakeholders meetings (in its roles of Secretariat of the Tripartite National Committee of the Plan of Action on Fire Safety and Structural Integrity for the

are in place and functioning		RMG Sector in Bangladesh, and of Chair of the Accord) Record of Technical Sub-Committee establishing common reporting and monitoring framework Records from institutional partners
Output 1.2 Labour inspection procedures and tools for factory inspection are upgraded	# of toolkits available % of labour inspectors who received copy	· Data from Mol.E
Output 1.3; Capacities of inspectors from the MoLE and of other relevant entities to conduct building and fire safety inspections are strengthened	 # of inspectors trained (by gender, type, level, and institution) % of inspectors trained who demonstrate improvement in relevant skill areas after completing a module (by gender, type, level, and institution) 	List of participants Training reports Pre- and post-test results accompanying each training module
Output 1.4: Efficient and timely inspections are corried out by relevant Bangladeshi authorities	# of inspection visits carried out	Assessment / inspection reports Data tracking system
Output 1,5: A Building and Fire Safety data tracking system is available and functioning	Data tracking system	Process documenting the IMS Archive/ Database (as relevant)

Impact Evaluation

The possibilities for an Impact Evaluation or another form of outcome-based research to document the impact of specific interventions of the project will be considered. The most appropriate methodology based on ILO experience with statistical impact evaluation, other forms of impact assessment, good practices and models of intervention studies will be used. Based on the strong Logic Model developed for this project (page 14) and on an assessment of an appropriate, rigorous and credible approach the ILO is proposing to implement an analysis of impact which will be based on the theory of change.

Given the context of the project, and the fact that this and many other interventions (i.e. but not limited to Accord and Alliance) together aim to cover, over the long term, most if not all of the exporting factories, it may be challenging to identify a suitable control group, under IO1.



A possibility to do so would be identifying a control group outside the RMG sector. Criteria for selecting such a control group would include geographic proximity, export-processing sector, similar working conditions and similarity in the constitution of the work force. The ILO would engage in further detailed discussions with the USDOL concerning impact evaluation, and should a decision be taken to carry out an impact evaluation the appropriate personnel will be engaged.

Data Requirements

The Performance Monitoring Plan will set targets per each indicator and through the data collection plan to be developed as part of the project document, indicate the frequency of data collection, responsibility and data storage, the baseline, the level of disaggregation envisaged, the process for validation and verification and the use of the data for monitoring, reporting and evaluation purposes.

ORGANIZATIONAL CAPACITY

The ILO is a United Nations (UN) specialized agency with 185 member States and rich history of almost 100 years developing and promoting the application of internationally recognized human and labour rights. The ILO is the only tripartite UN Agency, bringing together representatives of governments and employers' and workers' organizations to shape policies and programmes that impact on the working lives of people globally. The promotion of decent, safe and healthy working conditions and environment has been a constant objective of the ILO action since its creation. A significant body of international instruments and guidance documents has been developed by the ILO over years to assist constituents in strengthening their capacities to prevent and manage workplace bazards and risks. The ILO is mandated to adopt and supervise the application of ILS ratified by member States, raise areas of non-compliance, and recommend improvements. This is achieved through social dialogue, research, technical advice and guidance, and technical assistance. The ILO has an active portfolio of over 700 projects with a total budget of almost US\$900 million. The ILO employs approximately 2,700 officials from 150 nations, including in 40 field offices around the world.

The ILO has a comparative advantage in addressing OSH issues, social dialogue and industrial relations through years of experience generated by policies and programmes. ILO provides technical assistance to its member states with the goal of ratifying and implementing ILS. Several standards directly or indirectly address safety and health protection at the workplace level and the improvement of compliance and enforcement systems. Among these are ILO Convention Nos. 81¹⁶, 155¹⁷ and 187¹⁸ – none of which are ratified by Bangladesh.

Specifically, the ILO Labour Inspection Convention, 1947 (No.81) gives the ILO the mandate to support the Ministry of Labour in "promoting: (a) effective co-operation between the inspection services and other government services and public or private institutions engaged in similar activities; and (b) collaboration between officials of the labour inspectorate and employers and workers or their organisations." This coordinating role of the labour administration has recently been highlighted in the report by the Labour Administration Committee (International Labour Conference, 2011), which states: "To cope with challenges in a rapidly changing world of work, labour administrations must continuously adapt and modernize. They should explore efficient and effective methods of governance and management and build tripartite partnerships as well as partnerships with other institutions and actors." (p. 90). The ILO is therefore fulfilling its role when supporting the collaboration of the labour administration with other relevant state or private partners in order to address specific issues, such as fire and building safety.

1) International and U.S. Government Grant and/or Contract Experience

Since 2000, the ILO has received over US\$ 657 million from the US Government for 334 technical cooperation projects to promote Decent Work and Social Justice. US Department of State granted over US\$ 25 million of this amount, USAID granted over US\$ 13 million, the remaining over US\$ 619 million was provided by US Department of Labor. The thematic

C155 - Occupational Safety and Health Convention, 1981 (No. 155)

¹⁸ C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

tonal Satety and Health Convention, 2006 (No.)

¹⁶ C081 - Labour Inspection Convention, 1947 (No. 81)

scope of the projects are standards and fundamental principles and rights at work; employment, social dialogue and social protection.

2) Country Presence and Host Government Support

The ILO has a Country Office in Dhaka since 1973 which currently works on 22 active projects that either fully or partially cover Bangladesh. The ILO has a Host Country Agreement with GoB which grants privileges and immunities needed to carry out its work. Due to the ILOs strong physical presence, the project is in a strong position to provide services, advice and guidance to national counterparts on improving fire and general building safety. The Office provides a strong base for project staff and consultants. The Office Director provides official representation and support to the Project vis-à-vis national stakeholders. One of the Annexes clearly illustrates ILO country presence and contains letters of support.

3) Project Management Plan

The project will establish its office in Dhaka, in premises provided by the ILO Country Office for Bangladesh at no rental charge to the project.

The project will be an important pillar in the overall ILO programme of technical assistance for the RMG sector in Bangladesh. It will receive direction from the ILO Bangladesh Office Director and the manager of the overall ILO programme for the RMG sector. Direct responsibility for implementing the objective, outputs and activities of this project will rest with the highly technical international Fire Safety Expert who will also assume the project coordinator functions. The Fire Safety Expert is committed to start working within 45 days of the award of the grant. The terms of reference and selected qualifications for the proposed candidate are presented in the Annex for job description, CV and letter of commitment.

The Fire Safety Expert will report to the Director of the ILO Country Office for Bangladesh. He will have the lead responsibility for overall project management, implementation and supervision of staff. He will ensure delivery of activities and outputs in line with the project proposal and budget, ILO procedure and financial regulations, and the requirements of the grant agreement. He will prepare all reports required by the USDOL as per the agreement and the Management Procedures and Guidelines. The Fire Safety Expert will maintain close working relationship with the GoB, the workers' and employers' organizations, training institutions and universities, etc. He will represent the project in meetings and maintain a high-visibility of the project and its activities.

The project will be supported by a financial and administrative assistant who will be responsible for maintaining the records, making contractual arrangements and payments and ensuring that all financial transactions are in accordance with the ILO rules and regulations.

The above are the project staff that will be covered by the project budget. In addition, the project will benefit from the staff of the overall programme of the ILO to the RMG sector. These would include highly experienced international and national staff, as well as support staff at no cost to the project budget including:

- Secretarial support
- Driver (the vehicle will also be provided by the ILO at no cost to this project).

The Project will benefit from the financial and administrative support of a well-established ILO Office in Bangladesh since 1973. The Project will also benefit from the ILO technical experts working in the same Office who are all reporting to the Director of the ILO Country Office, thus ensuring the maximum benefit from the wealth of experience available and avoid duplication of efforts and resources.

The ILO Decent Work Office in New Delhi, with its team of eleven senior specialists is responsible to provide technical advice and support for the project. The project will benefit from these specialists without having to incur any fees for their expertise. In addition, the technical departments in ILO headquarters in Geneva, and in particular the Governance and Tripartism Department, are responsible for backstopping the project activities and providing technical advice as and when needed.

ILO global guidelines will be followed to recruit the project staff.

Uses of electricity, fuel, communication, cleaning suppliers, postage and miscellaneous will be proportionately shared with other ILO projects on the basis of manpower of each project situated in the same building. The fuel cost could be calculated on the basis of using vehicle maintaining the logbook.

The Project steering committee will be constituted by the representatives of the Planning Commission, IMED, ERD, Ministry of Home Affairs, Ministry of Housing and Public Works, Ministry of Commerce, Local Government Division, Department of Fire Service and Civil Defence, PWD, LGED, BGMEA, BKMEA, BUET, NCCWE and ILO. Secretary, MOLE will chair the steering committee.

This is a supplementary project of the Improving Working Condition in the RMG Sector in Bangladesh. The Improving Working Condition in the RMG Sector in Bangladesh project has already been launched. Hence, no inception workshop is required for this project.

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Proposal submitted by the ILO in response to SCA 13-08

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Proposal submitted by the LLO in response to SCA 13-08

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Proposal submitted by the ILO in response to SCA 13-08

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