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ENFORCEMENT OF LAWS TOWARDS HAZARDOUS CHILD LABOR: A STUDY ON WELDING WORKSHOPS AT SYLHET CITY IN BANGLADESH

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ABSTRACT

Present study aims to explore the inefficiency to enforce the existing laws and rules relating to hazardous child labor. This study focuses on the current situation and condition of child labor in welding workshops in Sylhet city and find out the sustainable reasons behind it. This large number of child labor is deprived of education and other rights. Enforcement of law are very weak in case of employ them and to provide legal issues like safety and security. Therefore amendment of different acts and rules regarding child labor has been suggested for the overall improvement of children. It is also recommended to take measures to increase awareness of the common people to eliminate the worst forms of child labor.

KEYWORDS

Child labor Act, enforcement of laws, hazardous work, welding workshop.

INTRODUCTION

Every child has born with rights. Our future stands on the proper development of each and every child. That's why the different countries of the world and organizations enshrined the rights regarding children for their proper development as instance ILO. But it's a matter of regret that like all other countries Bangladesh faces many worst forms of child labor which are barrier for the children growth and development. Poverty, illiteracy, unconsciousness, huge number of population are main reasons to engage children often in hazardous and low wage jobs such as constructions, welding, brick carrying, waste picking. In our study signifies the child labor in welding workshop in Sylhet city which is also hazardous for child. In Sylhet there are two types of welding workshop- Grill welding workshop and auto mobile workshop. Each workshop employs 2-6 children. Welding flame known as oxy acetylene flame is chemical toxic which is harmful for all type of men and women especially for children.

Recently emphasize has been given to reduce the proportion of child labor by UNICEF, UNDP, Save the Children of UK, Australia & Sweden and so many NGOs in Bangladesh like Prodiapon and so on. World Vision is also working for the street children. In Bangladesh, total number of children aged 5-14 years is about 35.06 million among which working children is approximately 5.05 million (BBS, 2003).

Basically IPEC & ILO have worked vastly on the dangerous situation of the violations and terrible things of child labor. Recently, ILO estimates that 218 million children worldwide aged 5 to 17 are involved in work of which 126 million works in hazardous conditions. The highest numbers of working children, 122 million, are in the Asia pacific region (ILO website, 2006).

So it is the burning question that how we can save children from the worst and hazardous forms of child labor.

OBJECTIVES

The objectives of the research include:

- To describe the working and living conditions of children working in welding workshop.
- To identify the factors that affect the development of children, including education, health and safety of the children in welding workshop.
- To analyze reasons why employers hires children.
- To analyze reasons why parents allow their children to work in welding workshops.
- To provide recommendations about eliminating the worst forms of child labor in welding workshops.
- And to enforce the existing laws.

LITERATURE REVIEW

Child work is considered acceptable only when it is not hazardous to their health and psychological development (ILO, 1999) *. Frequently, many Children who work usually do not go to school. ILO Convention 182 states that child Labor that interferes with children's schooling is considered as the worst forms of child labor (ILO, 1999). ILO Convention 182 calls for the prohibition and elimination of the worst forms of child labor, child labor that violates rights to development of children.

According to ILO Convention 182, the worst forms of child labor comprise (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children (ILO, 1999).

Afzal (2012), who observed the socio economic condition of children in Rajshahi City Corporation and also give suggestive recommendation to develop their physical condition.

Bunnak (August 2007), who studied worst form of child workers in Cambodia in his study he described the working and living conditions, factors affecting the development of children and recommended how to eliminate the worst form of child labor in brick factories.

Meerza and Biswajit(Feb 2011), They found the main reasons named poverty and illiteracy leading child labor.

Unicef (June 2010), explained the background, issues, impact of child labor in Bangladesh.

Brown, he builds a linkage between child labor and educational disadvantages. This study expressed that strategies for the eradication of child labor have to tackle the problem in an integrated fashion, combining more stringent enforcement of rules and incentives to combat poverty with improved education provision internationally.

METHODOLOGY

The study was based on a survey, developed to collect descriptive data on the background characteristics of child workers who work in welding workshops, reasons for engaging in work, types of jobs children perform, exposure to hazardous work conditions, and child workers' knowledge and awareness about hazardous jobs, their workplace, and work safety measures in their work place.

In this study, child workers refer to those who are under 18 years of age. A sampling technique was initially designed to use to select a number welding workshop from which 410 child respondents would be selected based on a systematic random selection.

The purposive technique allowed for a visit to every workshop and each workshop became included in the primary sampling unit if at least one child worker is found working in the workshop. This technique resulted in the collection of data from 150 workshop in the area of Kanishile, Nobab Road, Amberkhana, Sheikhghat, Zindabazar, Pathantula, Mirabazar, Modina market, Kodomtoli busstand and other places in Sylhet which covers the whole of Bangladesh. There are semi structured questionnaire are provided to the children.

FINDINGS

1. AGE OF CHILDREN

Most of the children are between in 8 to 16 years old. But interestingly it is found that only 8 years old child are also giving their labor frequently in some welding workshop.

TABLE 1: AGE OF THE CHILDREN

Age	Frequency = 410	Percentage
6-10 Years	80	19.51
11-15 Years	240	58.54
15 & above	90	21.95
Total	410	100

Source: Field survey, 2013.

2. LIVING ARRANGEMENT

Most of the child though living with their parent but it is also found that some of them live with other relative and workshop owner.

*ILO. 1999. Convention on the worst forms of child labour. Geneva: ILO.

TABLE 2: LIVING ARRANGEMENT OF THE CHILDREN

Living arrangement	Frequency = 410	Percentage=100
With parent	300	73.17
With workshop owner	50	12.20
With other relatives	60	14.63

Source: Field survey, 2013.

3. BIRTH ORDER AND NUMBER OF SIBLINGS

Most of the working children are first in birth order and their siblings are also large. Large number of siblings and first birth order influenced them to work.

TABLE 3: NUMBER OF SIBLINGS AND BIRTH ORDER OF CHILDREN IN THEIR FAMILY

Number of siblings	Frequency=410	Percentage=100
1-3	51	12.44
4-5	289	70.50
More than 5	70	17.07
Birth order		
Being the first child	299	73
Not first child	111	27

Source: Field survey, 2013.

4. SCHOOLING STATUS

Many child workers in welding workshop are not in school. Among them only 30 percent are going to school and 40 percent never attend school and 30 percent quitted school.

TABLE 4: SCHOOLING STATUS OF THE CHILDREN

Schooling status	Frequency=410	Percentage=100
Currently in school	123	30
Never attended school	164	40
Number of quitted school	123	30

Source: Field survey, 2013.

5. REASONS FOR WORKING WELDING

When asked why they worked in this hazardous work, child workers provided with a variety of family, school and personal reasons. Among the family reasons the family economy hardship is the primary reason among child workers (48 percent). 12% of all child said that their families were too poor to afford their schooling. Several child workers wanted to make money or wanted to stay away from parents due to frequent quarrels.

TABLE 5: REASONS OF DOING WELDING WORKSHOP

Reasons	Frequency=410	Percentage=100
Family related		
Family not have money to buy food	198	48.3
Help the family to make money	89	21.6
Family forced to work	14	3.4
Family is in debt	10	2.5
School related		
No money for school	51	12.5
Teacher spans	14	3.4
School is far	4	1.1
Personal reasons		
Want to make money	25	6
Quarrel with parents	4	1.2

Source: Field survey, 2013.

6. TASKS PERFORMED BY CHILD

Most common task under taken by children in welding workshop, namely carrying, cutting, coloring, welding to the iron sheet which are hazardous to them.

TABLE 6: TASKS PERFORMED BY CHILD

Tasks performed	Frequency = 410	Percentage=100
Cutting iron sheet	112	27.4
Coloring iron sheet	90	22
Carrying iron	101	24.6
Connecting electricity	50	12.3
Welding iron sheet	40	9.6
Linking jacks and screw	17	4

Source: Field survey, 2013.

7. WORKING HOURS

Their usual working hours range from minimum hours 4-10 hours. They have to work also in weekend and holidays.

TABLE 7: WORKING HOURS OF THE CHILDREN IN A DAY

Working hour	Frequency = 410	Percentage=100
Bellow 6	57	14
6-8	107	26
8-10	246	60

Source: Field survey, 2013.

8. EARNINGS

Though they worked hardly and hazarously but their earnings very low compared with their hard labor. Maximum children earn 50-60 taka in a day.

TABLE 8: MONTHLY EARNINGS OF THE CHILDREN

Earnings (monthly)	Frequency = 410	Percentage=100
Bellow 1200	74	18
1200-1800	164	40
Above 1800	172	42

Source: Field survey, 2013.

9. INJURY

As the welding is hazardous task so most often children faced minor or serious injury.

TABLE 9: INJURY OF THE CHILDREN

Injury (last one year)	Frequency = 410	Percentage=100
Minor cut	132	32.4
Serious cut	64	15.6
Broken bones	18	4.3
Sprain	14	3.5
Minor burn	117	28.2
Serious burn	51	12.5
Others	14	3.5

Source: Field survey, 2013.

10. SICKNESS

Welding Flame affected the child health and the environment of the is not suitable for them. Most of the children suffered in difficult breathing, eye watery, skin rashes etc.

TABLE 10: SICKNESS OF THE CHILDREN

Sickness	Frequency = 410	Percentage=100
Chest pain	37	9
Back aches	28	7
Body or muscle aches	33	8
Difficult breathing	121	29.5
Headache	12	3
Fever	35	8.5
Cough	41	10
Stomach ache	21	5
Skin rashes	37	9
Eye watery	45	11

Source: Field survey, 2013.

11. PROTECTION

Every workshop doesn't provide work safety to children. Maximum children wearing only protecting glass and other protecting measures are almost absent in workshop.

TABLE 11: PROTECTION OF THE CHILDREN:

Wearing	Frequency = 410	Percentage=100
Working gloves	41	10
Mask	41	10
Safety helmet	82	20
Working shoes	0	0
Protecting glass	246	60
Protecting uniform or dress	0	0

Source: Field survey, 2013.

LEGISLATION

Article 20 of the Constitution refers to work as a right and a duty and a matter of honor of every citizen who is capable of working. Article 28 of the Constitution empowers the State to make special provisions for the benefit of children.

The Government of Bangladesh through the Ministry of Labor and Employment has reviewed all fragmented laws related to child labor with a view to fixing a uniform age for admission to work and to prohibit their engagement in hazardous occupations. According to the Labor Act (2006) the minimum age for admission to work is 14 years and 18 years for hazardous work. Further, light work for children between the ages of 12 - 14 years is defined as non-hazardous work that does not impede education.

Other laws that define the rights and protections due to children are:

- The Children Act (1974) and the Children Rules (1976);
- The Bonded Labour Act, 2006;
- The Suppression of Violence against Women and Children Act (2000); and
- The Compulsory Primary Education Act, 1990.

ILO AND UN CONVENTIONS

Bangladesh has ratified:

- UN Convention on the Rights of the Child;
- ILO Convention on the Worst Forms of Child Labour (No. 182);
- ILO Night Work of Young Persons (Industry) Convention, (No. 6);
- ILO Night Work of Young Persons (Industry Revised) Convention (No. 90);
- ILO Minimum Age (Trimmers and Stockers) Convention (No. 15);
- ILO Minimum Age (Industry Revised) Convention (No. 59);
- ILO Forced Labour Convention (No. 29);
- ILO Abolition of Forced Labour Convention (No. 105);

ANALYSIS AND DISCUSSIONS

According to legislation, the welding workshop of Sylhet violates the rules regarding hazardous child labor consciously as well as unconsciously.

Bangladesh enacted the Labor Act in 2006, which includes a chapter on child labor. This new law prohibits employment of children less than 14 years of age, as well as prohibiting hazardous forms of child labor for persons under age 18. However, children who are aged 12 and above may be engaged in "light work" does not impose a risk to their mental and physical development and does not interfere with their education. The law does not provide a strong enforcement mechanism for the child labor provisions. Additionally, the vast majority of children (93 per cent) work in the informal sector⁶ which makes enforcement of the relevant legislation challenging. The Ministry of Labor and Employment has recently adopted a National Child Labor Elimination Policy 2010, which provides a framework to eradicate all forms of child labor by 2015. UNICEF was one of many stakeholders to provide feedback on this policy. Its aims include: withdrawing children from hazardous jobs; improving income generating opportunities for parents so they're not so reliant on child income; offering incentives for working children to attend school; enacting laws and improving law enforcement to eliminate child labor. A Child Labor Unit has been established as part of this policy, which will have responsibilities including collecting and disseminating data relating to child labor. According to this policy, the criteria for defining hazardous work for children includes: working more than five hours a day; work that creates undue pressure on physical and psychological wellbeing and development; work without pay; work where the child becomes the victim of torture or exploitation or has no opportunity for leisure.

RECOMMENDATIONS

Though the child labor Act exists in our country but we do not enforce these laws towards the children.

The followings are recommended to enforce the law:

- The law authority in appropriate form must have to take proper steps to implement existing laws regarding hazardous child labor. For example, if anybody violates rules relating to the hazardous child labor then the person must be taken under prosecutions system and also ensure the proper punishment and penalty to the offender.
- According to Article 28 of the constitution of Bangladesh, the State shall take special provisions and measures to eliminate hazardous child labor from the country.
- Steps should be taken by the government, the NGOs and other organizations to remove the reasons behind the child labor.
- Lots of national programs and projects should be taken to eradicate hazardous child labor.
- Above all to make awareness regarding the impact of hazardous child labor should be created in the general mind of all class of people as well as in the mind of parents and employers.
- Special programs should be providing to educate the children about their rights and privileges.
- Improving working conditions for children like as provide continued education, benefits leave when sick, need protection device, increase wages, reduce workloads.

CONCLUSION

It is important to note that welding workshops in Sylhet have several unique features that allow children to come to work. They include high demand of child labor, easy getting a job, no required skills or experience, no strict regulations, easy money. From the employers point of view, the availability of child labor force, their generosity, parents demand for hiring children, children are easy to be managed and children's capability to work (punctual, independent, hard working) are their reasons for hiring children.

From our discussion it is concluded that a huge number of children are engaging in hazardous work day by day. This study also found that most of them never attend to school and a few of them go to school but irregular in their attendance. At the same time children's mental and physical health breaks down steadily due to injury and sickness. This scenario creates a negative impact largely to health and education and also entire development.

That's why Government should make necessary amendments for updating existing child labor laws and policies. In addition, the Government should make concrete laws for removing enforcing weakness regarding hazardous child labor in Bangladesh.

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