



Governing Body

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Report by the Government of Bangladesh on progress made in the implementation of the road map to address all outstanding issues mentioned in the article 26 complaint concerning alleged non-observance of Conventions Nos 81, 87 and 98

1. At its 337th Session (October–November 2019) the Governing Body examined a report of the Officers on a complaint concerning non-observance by the Government of Bangladesh of the Labour Inspection Convention, 1947 (No. 81), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), submitted under article 26 of the ILO Constitution by several Workers' delegates to the 108th Session (June 2019) of the International Labour Conference.¹
2. Having considered that the complaint was receivable insofar as it met the conditions established in article 26 of the ILO Constitution, the Governing Body requested the Director-General to forward the complaint to the Government of Bangladesh, inviting it to communicate its observations on the complaint by 30 January 2020, and to include this item on the agenda of the 338th Session (March 2020) of the Governing Body, a meeting which was further postponed due to the COVID-19 pandemic.²

¹ GB.337/INS/13/1.

² GB.337/PV, para. 525.

3. At its 340th Session (October–November 2020), in view of the information communicated by the Government of Bangladesh on the situation of freedom of association in the country and taking due note both of its commitment to continue to further improve the overall situation and to address the outstanding issues before the supervisory bodies, the Governing Body requested the Government to develop, with the support of the Office and of the secretariat of the Workers' and Employers' groups, and in full consultation with the social partners concerned, a time-bound road map of actions with tangible outcomes to address all the outstanding issues mentioned in the complaint submitted under article 26 to the 108th Session (2019) of the International Labour Conference.
4. At its 341st Session (March 2021), the Governing Body took note of the progress made by the Government with regard to the development of a time-bound road map and requested the Government to submit the final road map for the information of the Governing Body in June 2021. It also requested the Government to report on progress made with the timely implementation of the road map to its 343rd Session (November 2021) and deferred the decision on further action in respect of the complaint to that session.
5. At its 343rd Session (November 2021), the Governing Body took note of the road map of actions submitted by the Government in May 2021,³ which was developed around four priority areas: (1) labour law reform; (2) trade union registration; (3) labour inspection and enforcement; and (4) addressing acts of anti-union discrimination/unfair labour practices and violence against workers, as well as of the report on progress made in its implementation, submitted in September 2021. It then requested the Government to inform it of the progress made in the implementation of the road map at its 344th, 346th, 347th, 349th and 350th Sessions (March and October–November 2022, March and October–November 2023 and March 2024).⁴ In March 2024, the Governing Body called on the Government to pursue tripartite consultations on the labour law reform with a view to bringing about all necessary reforms as a matter of priority, requested it to report on further progress at its 352nd Session (October–November 2024) and deferred the decision on further action in respect of the complaint to that session.⁵
6. On 24 September 2024, the Government again reported on progress made in the implementation of the road map, in line with the decision of the Governing Body at its 350th Session (March 2024), providing updates on the four priority areas of the road map and informing about recent political changes in the country (see appendix). In particular, the Government indicated that a student-led movement which started in July 2024 and later turned into a nationwide movement, led to a change of government in August 2024. The country is now headed by an interim government, for which a comprehensive labour sector reform is one of the major areas of action. The progress report reiterated previously provided information on the continuation of the process of amendment of the Bangladesh Labour Act, 2006 (as amended in 2018) (BLA) and the Bangladesh Labour Rules (BLR); establishment and reforming of a Tripartite Standing Committee to work on the amendment of the Bangladesh Export Processing Zone (EPZ) Labour Act, 2019; increase in the number of registered trade unions; continued compilation of statistics on complaints of alleged acts of anti-union discrimination and unfair labour practices; planned establishment of new labour courts and continuation of the process of deployment of one additional judge to the Labour Appellate Tribunal; continued

³ GB.342/INS/INF/2(Rev.1).

⁴ GB.343/INS/10(Rev.2); GB.343/PV, para. 343; GB.344/PV, para. 433; GB.346/PV, para. 420; GB.347/PV(Rev.), para. 694 and GB.349/PV(Rev.1), para. 543.

⁵ GB.350/INS/14(Rev.1)/Decision; GB.350/PV, para. 601.

treatment of complaints received through the Department of Inspection for Factories and Establishments (DIFE) helpline and through the helpline for EPZ workers; enhancement of the capacity of the legal unit of the DIFE; continued recruitment of labour inspectors; progress made in the development of the standard operating procedure (SOP) on arbitration and the draft “Guidelines for appointment of Arbitrator for Industrial Dispute Settlement”; and various trainings and awareness programmes for workers, employers, State officials and Industrial Police officials, as applicable, on registration requests, assessment of workers’ complaints, prevention of anti-union acts, the use of minimum force and respect for trade union rights and civil liberties during labour protests. The Employment Injury Scheme (EIS) Pilot Governing Board Rules for the Management and Operation of the Scheme and the Modalities for calculation of the EIS and pilot top-up benefits have been developed and approved and workers have started receiving long-term top-up compensation benefits.

7. The report provided updated statistics in relation to some of the above issues (number of trade unions, workers’ complaints, trainings conducted, labour inspections and so on) and added that by virtue of amendments to the Bangladesh Economic Zones Act, 2010 (BEZ Act), the BLA is now applicable in special economic zones. Finally, the Government informed that its progress report was thoroughly discussed at the Tripartite Implementation and Monitoring Committee (TIMC) of the Ministry of Labour and Employment in September 2024.
8. In accordance with article 26 of the Constitution, it is for the Governing Body to take the necessary decisions concerning future action on this complaint.

► Draft decision

9. **Taking note of the report on progress made with the implementation of the road map of actions to address all outstanding issues mentioned in the article 26 complaint concerning the alleged non-observance of Conventions Nos 81, 87 and 98, and mindful of the recent political changes which led to an interim Government, the Governing Body:**
 - (a) **urged the Government to fully commit to a timely implementation of its road map of actions and take all necessary action to that effect;**
 - (b) **welcomed the commitment expressed by the Government to a labour reform agenda and called on the Government and the social partners to reinforce their tripartite consultations on the labour law reform in a constructive manner with a view to bringing about all necessary reforms as a matter of priority, with the ILO technical assistance and the support that could be provided by the secretariats of the Employers’ and Workers’ groups;**
 - (c) **requested the Government to report by 15 January 2025 on further progress made in the implementation of the road map of actions to address all the outstanding issues mentioned in the article 26 complaint for transmission to the Governing Body at its 353rd Session (March 2025);**
 - (d) **deferred the decision on further action in respect of the article 26 complaint to that session.**

► Appendix

Report of the Government of Bangladesh for the Governing Body's 352nd Session (October–November 2024) on the progress made in implementing the ILO road map

Introduction

1. The road map on the Labour Sector in Bangladesh (2021–2026) is a sincere commitment of the Government of Bangladesh to ensure labour rights and workplace safety in the country. The road map encompasses specific actions related to legal and administrative reforms. It also encompasses actions in enforcing laws, and enhancing training and promotional activities for entities and personnel responsible for implementing legal measures and receiving services. It has been structured under four priority areas, each with a set of specific actions and timelines. These priority areas are: (1) labour law reform; (2) trade union registration; (3) labour inspection and enforcement; and (4) addressing acts of anti-union discrimination, unfair labour practices, and violence against workers.
2. Pursuant to the decisions of the ILO Governing Body at its 341st Session (March 2021), the road map was submitted by Bangladesh on 23 May 2021. The ILO Secretariat published the road map for the information of the Governing Body at its 342nd Session (June 2021). Subsequently, six progress reports on the said road map were discussed at the 343rd, 344th, 346th, 347th, 349th and 350th Sessions of the ILO Governing Body.
3. After the 350th Session of the Governing Body, Bangladesh went through massive political changes. A student-led government service quota reform movement commenced in July 2024 with demands to reform recruitment to public sector jobs on the basis of merit. Subsequently, the student-led movement was joined by people from all walks of life turning it into a mass movement to topple the then incumbent Government. This led to the fall of the previous Government and a new interim Government led by Nobel laureate Dr Mohammad Yunus was formed in August 2024. The interim Government is only 42 days old as this progress report is being submitted. Yet it has already charted its course of action prioritizing broad-based reform of key sectors of the Government. As a part of that, Bangladesh acceded to the International Convention for the Protection of All Persons from Enforced Disappearance, on 29 August 2024. This signifies the Government's rights-based reform agenda. Comprehensive labour sector reform has also been one of the major areas of action for the new Government.
4. Given the above backdrop, the following progress report, containing notable recent progress in the labour sector marked by administrative, legal and policy reforms, is being presented below. It is worth mentioning that this report is a result of thorough discussions held during the meeting of the TIMC of the Bangladesh Ministry of Labour and Employment on 18 September 2024.

Action point 1. Labour law reform

Action 1.1. Amendment of Bangladesh Labour Rules (BLR), 2015

The Bangladesh Labour Rules, 2015, has been amended and published through a gazette notification on 1 September 2022 (Statutory Regulatory Order (SRO) No. 284-Law/2022). The amendment process took into consideration the recommendations made by the ILO Committee of Experts on the Application of Conventions and Recommendations.

Action 1.2. Amendment of Bangladesh Labour Act, 2006 (as amended in 2018)

To make the Bangladesh Labour Act, 2006 (as amended in 2018) (BLA), more in line with the international labour standards, the amendment proposals, approved by the Cabinet, were sent to Parliament in 2023 after consultation with the relevant stakeholders. The Parliament approved the Bill and it was sent to His Excellency President of the People's Republic of Bangladesh for his consent. The President sent back the Bill with certain observations. As advised by the President, the Tripartite Law Review Committee (TLRC) discussed the scope for further improvements and finalized its recommendations in January 2024. Meanwhile, the ILO Labour Standards Department met online with the Ministry of Labour and Employment (MoLE) and the Ministry of Law, Justice and Parliamentary Affairs on 6 February 2024 and suggested they take time to accommodate more amendments. Subsequently, the Labour Law Working Group of the MoLE met several times with ILO experts in May 2024, which generated more recommendations. Based on those, the preparation of a draft is in progress. The proposed amendments will soon be discussed in the TLRC and will be placed before the National Tripartite Consultative Council (NTCC). After the approval of the NTCC, the amendment proposal would be sent to the Cabinet.

Action 1.3. Amendment of Bangladesh Labour Rules, 2015, after BLA amendment

Further amendments to the Bangladesh Labour Rules, 2015 (as amended in 2022) have been initiated in light of the proposed amendment of the BLA, 2006.

Action 1.4. Adoption of Export Processing Zone (EPZ) Labour Rules

The Bangladesh EPZ Labour Rules, 2022, had been published through a gazette notification on 4 October 2022 (SRO No. 295-Law/2022 dated 4 October 2022). It contains provisions for:

- preventing discrimination and conducting investigation against anti-Workers Welfare Association (WWA) activities and collective bargaining rights;
- formation of federation;
- formation of employers' associations;
- Department of Inspection for Factories and Establishments (DIFE) inspection in EPZs; and
- preventing misconduct against female workers, i.e. sexual harassment and violence.

Since August 2023, the Bangladesh Export Processing Zone Authority (BEPZA) arranged tripartite consultation on "Labour rights in the EPZs and international best practices, the EPZ Labour Act, 2019, and the EPZ labour Rules, 2022" to analyse the impact of the law and provisions in light of international best practices.

Action 1.5. Amendment of Bangladesh EPZ Labour Act, 2019

A Tripartite Standing Committee had been formed to work on the amendment proposals. The Committee started working in July 2023. On 26 December 2023, the Tripartite Standing Committee was reformed. The first meeting of the Committee was held in February 2024.

The BEPZA works closely with the ILO for improvement of labour standards in EPZs. From August 2022 to December 2023, the BEPZA conducted several stakeholders' meetings and exchanged views with the ILO on the "Technical Note and Global Good Practices to Align Bangladesh Labour Laws with Selected International Labour Standards". As of 10 May 2024, the BEPZA has conducted 20 consultations with the representatives of WWAs/workers. These consultations will be continued in eight EPZs. The BEPZA expects that the whole process will be completed well ahead of the time frame set as June 2025.

Bringing Special Economic Zones under Bangladesh Labour Act, 2006

According to section 34 of the Bangladesh Economic Zones (BEZ) Act, 2010, the Bangladesh EPZ Labour Act, 2019 was applicable for the Special Economic Zones (SEZs). To bring the SEZs under the BLA, 2006, it was required to amend the BEZ Act, 2010. Although the issue was not included in the road map, in January 2014, the BEZ Act was amended by repealing section 34 of the Act. For this amendment, the BLA, 2006, will be applicable to SEZs under the BEZ Act.

Note that the BEZ Act is endeavouring to establish economic zones (EZs) in potential areas of the country with a view to achieving rapid economic development through diversification of industries and augmentation of employment, production and export. With that target, the BEZ Act has till now got approval to establish 97 EZs countrywide comprising 68 government and 29 private EZs. Therefore, with the application of the BLA in SEZs, a huge number of workers will be brought under the BLA thereby ensuring their labour rights including the right to form trade unions, bargaining collectively and labour inspection by the DIFE. It is a milestone achievement for workers in Bangladesh.

Action point 2. Trade union registration

Action 2.1. Explore and implement ways of further simplifying the registration process through tripartite consultations

2.1.1. Overhaul the existing online Registration System

The digitization of the trade union registration process under the Department of Labour (DoL) was completed on 27 October 2021. It was introduced to provide trade union registration facilities to the doorstep of the workers. Of late, this simplification process has been undertaken under the myGov platform (<https://www.mygov.bd/>), an integrated system encompassing a wide range of government services. The required registration forms have been linked to this platform to make them user-friendly. The formation of a technical working group with ILO support is under way to further simplify the process. From January 2021 to July 2024, 1,218 applications were processed. Among those, 1,026 applications for unions have been registered. One hundred and ninety-two applications have been rejected.

2.1.2. Establish a pre-application service at the Department of Labour (DoL)

A pre-application service desk was established in the offices of the Registrar of Trade Unions (RTU) under the DoL in January 2021 to ensure smooth registration. Pre-application service had been extended to 1,218 applicants from January 2021 to July 2024.

2.1.3. Continue with the provision for offline registration system

The provision of the offline registration system remains functional in parallel to the online system at registrars of the trade union offices. The DoL is running awareness activities and providing support to the applicants to promote submission of online registration. Up to 31 August 2024, 9,508 trade unions have been registered covering about 3.195 million trade union members. In the ready-made garment (RMG) sector, the number of trade unions has increased from 132 in January 2013 to 1,318 on 31 August 2024. Trade union registration has increased from 60 per cent in 2013 to 89.82 per cent in August 2024.

Action 2.2. Training to the workers and employers in all sectors on the trade union registration process (including online registration system) and providing regular training to relevant officials (DoL, registrar, divisional and regional officers) on the handling of registration applications to ensure rapid and efficient handling and to avoid arbitrary denial of applications

Training to the workers and employers on the trade union registration process is one of the regular activities of all training institutions that belong to the DoL. Through industrial relations courses and workers education courses, four Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs) are imparting training to both workers and employers on a regular basis. From July 2020 to 31 August 2024, the DoL has trained nearly 41,000 personnel including workers, employers and government officials.

The DoL arranged a four-day workshop on the online registration system from 23 to 26 June 2024, where all DoL officials participated. The DoL registrars and the officers of divisional and regional offices attend regular in-house training programmes with an annual set target given by the MoLE. The programme covers, inter alia, lessons on how to efficiently handle the registration applications process on both offline and online platforms.

Action 2.3. Publicly accessible online database on registration to be made fully operational and regularly updated by providing sufficient human and financial resources (include number of applications submitted, granted, filed and rejected)

The Publicly accessible online database on registration has been operational since September 2021. Designated officials were assigned from RTU offices under the DoL to regularly update the database. They were trained in efficiently managing the database. The statistics along with relevant statements on trade union applications granted, filed, and rejected are being updated on a regular basis on the publicly accessible online database.

Two tripartite consultative workshops on the publicly accessible database in relation to registration and its function, scope and renovation were organized on 7 August 2022 and 23 January 2023, respectively.

Action point 3. Labour inspection and enforcement

Action 3.1. Provide for new labour inspectors and ensure full functionality of labour inspectorate

3.1.1. Filling vacant posts of Labour Inspectors in consultation with the Bangladesh Public Service Commission and through promotion by MoLE

Since the submission of the road map, 152 labour inspectors have been recruited and 21 staff have been promoted to the post of labour inspector. The total number of approved posts of inspector is now 711 against 575 at the outset of the road map. In a similar vein, the number of inspectors working at present is 450 against 314 during that time.

The Bangladesh Public Service Commission (BPSC) has recommended 16 posts of labour inspectors on 7 December 2023. Their verification and medical tests are ongoing. Moreover, requisition for 87 inspectors has been sent to the BPSC to recruit from 46 Bangladesh civil servants and a non-cadre recruitment process. Furthermore, 37 Assistant Inspectors General (AIGs) were promoted to the post of Deputy Inspector General (DIG) and five DIGs to the post of Joint Inspector General on 24 August 2023.

3.1.2. Creation of new posts and recruitment of Labour Inspectors

Since submission of the road map, eight new DIG offices, 99 Labour Inspectors and 13 new posts for the National Occupational Health and Safety Training and Research Institute (NOHSTRI) have been created.

3.1.3. Full application of Labour Inspection Management Application digitalized labour inspection system (all offices)

The Labour Inspection Management Application (LIMA) system has been made functional with the support from the ILO and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ). The district offices of the DIFE are using the LIMA system for inspection, licensing, and other pertinent issues. From July 2023 to June 2024, a total of 44,700 inspections were carried out and 5,879 new licences were issued. In addition, 20,663 licences were renewed and 2,235 layout plans were approved through LIMA.

3.1.4. Developing competencies of labour inspection staff through regular trainings and capacity-building measures and creating more senior positions

To develop the competencies of the labour inspectors, regular training programmes are being conducted. From July 2021 to December 2023, 67 training programmes, 14 workshops and four foundation training courses were arranged. In total, 2,665 participants took part in those training programmes. In some cases, inspectors attended more than two training programmes.

For the financial year 2023–24 (July 2023 to June 2024), in 28 training programmes 906 officials were trained and 571 officials attended 18 workshops (one inspector attended two or more training programmes and workshops, which were counted separately), which were conducted through Government of Bangladesh funding. In addition, one foundation training course with 25 inspectors was completed in the financial year 2023–24.

3.1.5. Implement and promote effective labour inspection processes

In May 2022, the nine priority sectors including ready-made garments, tannery, chemical, plastic and rubber, jute and textiles, engineering workshop and automobile, rice mills, brickfields, and cement industries were identified. Depending on safety issues, accident rates and other relevant factors, the district offices of the DIFE develop a yearly Strategic Inspection Plan (SIP) targeting five to eight priority sectors.

To ensure efficient labour inspection, an internal tracking mechanism was developed. It has connected all DIFE offices for the purpose of obtaining and collating information. From July 2023 to June 2024, a total of 34,432 inspections were carried out following the yearly sector-specific Labour Inspection Plan.

One Legal Officer (Law Officer) was recruited on 28 December 2023 to enhance the capacity of the legal unit of the DIFE. This initiative would ensure dissuasive penalties and would follow up labour law violations.

3.1.6. Formulating DIFE inspection modalities for EPZs in collaboration with the BEPZA

The modality of DIFE inspection in EPZs has been incorporated in the newly formulated EPZ Labour Rules, 2022. The Inspection Checklist has been finalized in collaboration with the DIFE. The DIFE is now carrying out inspections within EPZs. As of July 2024, the DIFE has inspected 145 factories within EPZs. The Inspector General, DIFE, has conducted inspections in six instances.

3.1.7. Incorporate the Standard Operating Procedure (SOP) on labour complaints and investigation in the BLA

The required provision has been made in the ongoing BLA, 2006 amendment process.

3.1.8. Promote effective functioning of National Occupational Safety and Health Council and of Safety Committees

The National Occupational Safety and Health Council has been functioning. As of 22 January 2024, the Council has convened 12 meetings. In parallel, the number of Safety Committees in the factories has increased to 7,638 as of June 2024 across the country.

3.1.9. Development of a framework for RMG Sustainability Council (RSC) coordination and monitoring in consultation with the Ministry of Commerce

A Framework for coordination between the DIFE and the RSC, based on the terms and conditions of the licence given to the RSC, had been approved and endorsed by the Ministry of Commerce on 20 October 2022. As of 4 April 2024, the Government Coordination Council (GCC), formed to coordinate the activities of the RSC and the DIFE, has convened seven meetings.

The Review Panel, formed to examine operation of risky factories, assessed a ten-storey building in December 2023. The structure was modified in line with the instruction of the Review Panel. In addition, three bilateral meetings took place between the DIFE and the RSC to settle issues on remediation of factories.

Action 3.2. Set up an efficient system to follow-up on worker's complaints received through the helpline

3.2.1. Continuation of the helpline (16357) under revenue budget of the DIFE

The helpline, established in June 2020, continues to operate and receive complaints. A pool of six labour inspectors are assigned to attend to the helpline. From July 2023 to June 2024, a total of 2,371 complaints were received through the helpline. Of those, 2,124 were settled and 247 of them are awaiting necessary actions within a reasonable course of time. The DIFE strives to increase the remedy rate, while also ensuring the quality of redress that sometimes incurs a longer time.

3.2.2. Establishment of a complaint management cell to follow up the cases directly by the labour inspectors

According to organogram a monitoring and evaluation unit had been established at the DIFE in September 2022. Three labour inspectors and another two officials are assigned with the unit to monitor the progress of resolution of the complaints received. In the financial year 2023–24, two workshops were conducted on the DIFE helpline and data management system to follow up the cases directly by the labour inspectors.

3.2.3. Develop a database of the complaints covering information including information on the number and nature of the allegations and nature of the follow-up to calls

A database of the complaints received via the helpline was developed in December 2021. This database covers information related to the complaints and cases as well as resolution/follow-up. The database includes information on complaints, received both online and offline. The information on all complaints (mentioned in Action 3.2.1) is maintained in this database. From July 2023 to December 2023, a total of 2,626 complaints have been received. Of these, 1,835 complaints were received through the online website, helpline and emails, while the remaining 791 complaints were received through the conventional offline process. A total of 2,199 were resolved. The rest are under process.

3.2.4. Organize regular training programmes for all service personnel receiving complaints

Requisite training, including training abroad, is being organized on a regular basis for the inspectors assigned to receive the complaints. A day-long workshop programme on "Assessment on DIFE helpline (16357)" was organized, consisting of 25 labour inspectors, in September 2023. A three-day workshop was held on "data management system and helpline" consisting of 23 labour inspectors on 5–7 March 2024.

3.2.5. Establishment of the helpline for all workers in EPZs

On 28 March 2021, the Honourable Minister, Ministry of Law, Justice, and Parliamentary Affairs, inaugurated the BEPZA helpline 16128. The helpline was to ensure labour rights and to strengthen the existing grievance redressal system as well as to ensure prompt services for the workers in the eight EPZs under the BEPZA. The helpline provides 24/7 services to workers and employees in the EPZs. The calls received so far through the helpline relate to arrears of wages, provident funds, earned leave encashment, leave and holiday, and information regarding plots, investments, and so on. As of July 2024, a total of 10,381 calls have been received, of which 10,341 have been resolved and the remaining 40 are in progress.

Action 3.3. Eliminate the backlog of cases at labour courts

3.3.1. Take steps to make the three newly established labour courts fully functional

In addition to the seven existing labour courts, three new labour courts were established in Sylhet, Barishal and Rangpur in 2019 to expedite the labour-related cases as well as to clear the backlogs of such cases. For these newly established courts, judges have been recruited and representatives of employers' and workers' groups have been nominated. A two-day training course, organized from 30–31 May 2023, was attended by the registrars and support staff of all labour courts. The issues of case file management and the procedures to handle the cases were covered in the training course.

3.3.2. Establish new labour courts in Narayanganj, Gazipur, Cumilla and Faridpur districts

After the offices of the new labour courts had been set up, judges were recruited, and representatives from employers' and the workers' groups were nominated. Currently, the new courts in Narayanganj, Gazipur and Cumilla are fully functional. The previously proposed labour court in Faridpur was not viable. However, although it was not a commitment through the road map, a new labour court in Mymensingh is in progress and a new initiative was taken to establish a new labour court in Cox's Bazar.

3.3.3. Deployment of one additional Judge (Member) to the Labour Appellate Tribunal

On 31 August 2022, the Ministry of Public Administration sanctioned the post of an additional Judge (Member) for the Labour Appellate Tribunal along with relevant support staff. The administrative process for deploying the stated additional Judge (Member) and recruiting official support staff is in progress. The offices for the newly created post will be established after completion of the recruitment process.

3.3.4. Establish pilot processes to classify cases in consultation with the judges of the labour courts with a view to addressing case backlogs

A software for "Management and Monitoring of Courts Cases (MMCC)", developed previously, was updated with the support from the ILO.

3.3.5. Continue to work on improving the court facilities and premises

The labour courts are now located on separate premises with adequate facilities.

Action 3.4. Promoting effective conciliation and independent arbitration system as a means of Alternative Dispute Resolution (ADR)

3.4.1. Establish a Conciliation and Arbitration Cell at the DoL to provide secretarial service and monitor individual cases

A three-member Conciliation and Arbitration Cell was established by the DoL on 29 September 2021. The Cell stands ready to extend secretariat services to the conciliators and the panel of arbitrators. From 2013 to 31 August 2024, a total of 114 conciliation applications have been submitted to the DoL. Of these, 106 disputes have been settled through the DoL's conciliation mechanism, five were terminated and three conciliation applications remained pending.

3.4.2. Develop a SOP for conciliation system through tripartite consultations

After several tripartite consultation meetings and workshops held between 2021 and 2023 with support from the ILO, the SOP for conciliation was finalized by the NTCC on 2 February 2023. It was then notified by the MoLE on 16 July 2023.

3.4.3. Appointment of conciliators through gazette notification

On 10 March 2022, the MoLE, through a gazette notification, assigned 15 conciliators with a view to settling industrial disputes.

3.4.4. Develop a SOP for arbitration system through tripartite consultations

After a series of tripartite consultation meetings and workshops with stakeholders, the SOP for an arbitration system has been prepared and shared with the ILO Country Office, Dhaka, for comments and suggestions. The ILO has given its opinion on 29 May 2024 providing technical inputs on the SOP. Now the MoLE is further reviewing the SOP which will soon be placed before the NTCC for approval.

3.4.5. Establish an arbitrators' panel

The "Guidelines for Appointment of Arbitrator for Industrial Dispute Settlement" were developed by the DoL in discussion with its field offices. The said draft was discussed in the tripartite meeting on 19 September 2023. The draft has been shared with the ILO Country Office, Dhaka, for comments and suggestions. The ILO has given its opinion on 29 May 2024 providing technical inputs on the Guidelines. Now the MoLE is further reviewing the Guidelines which will be soon placed before the NTCC for approval. After the approval of the Guidelines, necessary steps will be taken for appointing the arbitrator's panel.

3.4.6. Promote conciliation and arbitration system as alternative dispute resolution

In collaboration with the ILO, the DoL conducted a one-day training session on 31 August 2022 for 15 designated conciliators (see Action 3.4.3 above) on Dispute Resolution and Conciliation. On 25 October 2022, a self-assessment of existing dispute resolution mechanisms was conducted by the ILO. An action plan was outlined aiming to improve the effectiveness of the mechanism. The findings of the self-assessment mission from the ILO were finalized in a tripartite workshop held on 26 October 2022.

3.4.7. Provide information sessions on the conciliation and arbitration system to workers, employers and DoL officials

Several workshops and consultation sessions for the tripartite constituents were conducted in this regard (see actions 3.4.2, 3.4.4 and 3.4.5).

Action point 4. Addressing acts of anti-union discrimination/unfair labour practices and violence against workers

Action 4.1. Preventive measures

4.1.1. Conduct regular training for awareness-raising for responsible factory security staff, police and employers to prevent violence, harassment, unfair labour practices and anti-union acts

DoL: From July 2020 to 31 August 2024, the DoL has trained 40,924 workers, management staff and government officials through a five-day "Workers' Education" and a four-week

“Industrial Relations” courses by its four IRIs and 32 LWCs. Nearly 40 per cent of the participants were female. On 24 January 2023, a one-day workshop was organized on remediation of unfair labour practices and anti-trade union discrimination for the representatives of workers, employers and various government departments including the Industrial Police, labour courts and Labour Appellate Tribunals.

Industrial Police: The Industrial Police trained 868 of its personnel from January 2024 to 30 May 2024.

BEPZA: The BEPZA conducts regular training and awareness-raising programmes for workers, employers/management, security staff and Industrial Police on the Bangladesh EPZ Labour Act, 2019, Bangladesh EPZ Labour Rules, 2022, unfair labour practices, decent work, prevention of discrimination against anti-WWA activities, prevention of violence and harassment, social dialogue, effective workplace cooperation, fire safety, health and hygiene, nutrition, skill development, and so on. From January 2024 to July 2024, the BEPZA provided training to 2,418 participants.

With a view to promoting decent work and ensuring the labour rights in the EPZs, the BEPZA in collaboration with the ILO’s Better Work Bangladesh programme, trained 25 Inspectors (social and environmental, doctors and engineers and industrial relations officers) on a training of trainers basis on the Workplace Cooperation and Communication, Grievance Handling procedures at Factory-Level and Collective Bargaining with the best industrial relations practices, and promotion of occupational safety and health management systems. The trainers will continue the ILO’s Better Work programme at enterprises in the EPZs.

4.1.2. Develop and regularly update (online) databases to provide an overview of the number and nature of training programmes as well as the number of trainees among factory security staff, police, employers and workers

A database for training related information has been developed and linked with the DoL’s website (<https://lw.orionisbd.com/certificate-database>). All IRIs and LWCs regularly update the database with participants’ information segregated by name, designation, factory, trade union, age, sex and so on.

In March 2023, the BEPZA established an online database (<https://www.bepza.gov.bd/training>) to record the information of the trainees segregated by name, designation, factory, WWA, age, sex and so on. Simultaneously, the record of training is maintained manually.

The Ministry of Home Affairs maintains a database (<https://iphq.police.gov.bd/training>) on the training being imparted to police personnel including the Industrial Police.

4.1.3. Develop a compendium in Bangla language of all existing and relevant laws, rules and regulations (including the use of minimum force and applicable sanctions or penalties for any proven violation) in order to train and raise awareness among Industrial Police and relevant law enforcement agencies (LEAs)

On 1 December 2023, the Industrial Police officially published a compendium in the native language (Bangla) of all existing and relevant laws, rules and regulations on the use of minimum force, applicable sanctions and penalties for any proven violation. This compendium helps in developing better understanding on the normative measures by the Industrial Police and LEAs

4.1.4. Continue to train and provide clear instructions to the Industrial Police and relevant LEAs on the use of minimum force, respect for human rights and labour rights, including on trade union rights and civil liberties during labour protests

The DoL and the Ministry of Home Affairs regularly impart training to the Industrial Police and relevant LEAs on the use of minimum force, respect for human rights and labour rights, including on trade union rights and civil liberties during labour protests.

The DoL's Industrial Relations Institutes (IRIs) in Gazipur, Khulna, and Chattogram have conducted nine batches of training exclusively for 105 Industrial Police officials on workers' rights in the workplace during 2022–23. These IRIs also conducted another four batches of training for members of the Industrial Police along with other LEAs from January to August 2024. The IRIs continue the training on labour law and other laws related to human rights.

The DoL has been providing sensitization seminars on the use of minimum force and respect for workers' rights during labour protests for Industrial Police members. Industrial Police personnel from three different industrial zones (Dhaka, Gazipur and Narayanganj) attend the seminars regularly. The DoL conducts such training, workshops, seminars and focus group discussions to better facilitate investigation and remediation of violence, harassment, unfair labour practices and anti-union acts against workers.

A sensitization workshop for 30 Industrial Police members was organized on 9 August 2023 in Dhaka. Between January 2021 and June 2023, the Industrial Police organized 7,496 hours of training courses which were attended by 5,972 male and 638 female members of the Industrial Police. Curricula and other details are available at <https://iphq.police.gov.bd/training>.

Action 4.2. Investigation of violence and harassment against workers, anti-union discrimination and unfair labour practices

4.2.1. Continue to provide regular training and clear instructions (including monitoring of instructions) for all DoL staff handling complaints on how to comply with the SOPs on anti-union discrimination and unfair labour practices against workers

Two rounds of three-day training on the SOP for unfair labour practices and anti-union discrimination for 30 DoL officials were organized in October 2021 and August 2022 in collaboration with the ILO. A four-day in-house training on the SOP for unfair labour practices and anti-union discrimination was organized in May 2024 for all DoL officials.

4.2.2. Continue to provide regular information to all workers on their rights and to complain and access legal support in case those rights are violated/abused

The DoL officials provide regular information on labour rights during trade unions' general meetings. Such information includes ways and means to lodge complaints and seek legal redress in cases of alleged violation or abuse. If an employer does not comply in a timely manner with the remedial actions recommended by the DoL, a case is filed with the labour court on behalf of the workers concerned. In addition, the DoL continues to train workers on complaints and remedial issues under the aegis of the SOP on unfair labour practices and anti-union discrimination.

4.2.3. Continue to sensitize managers/employers, security staff on how they can support the investigations

The DoL provides training to the security staff, managers/employers of factories through IRIs and LWCs. Such training includes basic information concerning complaint management and investigations. The number of training programmes conducted by IRIs and LWCs were furnished earlier in actions 2.2 and 4.1.1 above. For every complaint on unfair labour practices and anti-union discriminations, the DoL notifies both the concerned employer and the complainant in writing seeking their cooperation in the investigation process.

The Industrial Police continues to engage with the employers and factory management to sensitize their respective security personnel about prevention of violence and supporting investigations in cases of alleged violence and harassment. The data in this regard are provided in action 4.1.4 above.

4.2.4. Continue to provide regular training and clear instructions (including monitoring of instructions) for all personnel handling cases of alleged acts of violence and harassment against workers, including in cases of protests

The concerned Ministries including the MoLE, the Ministry of Home Affairs and Ministry of Law, Justice and Parliamentary Affairs monitor the subsidiary agencies regarding handling of cases, including those involving alleged acts of violence and harassment against workers. The judiciary, prosecutorial services and LEAs receive regular training on these matters helping them to efficiently handle the relevant cases and complaints.

4.2.5. Rapid and thorough investigation of alleged cases of violence and harassment by the police against workers, including in cases of legal protests

Any complaints filed related to anti-union discrimination are addressed following a SOP that follows a stipulated time frame. The Ministry of Home Affairs imparts training to the Industrial Police and relevant LEAs to sensitize them to the issue of violence and harassment against workers. It is also working to ensure proper investigation of alleged cases of violence and harassment by the police against workers, including in cases of legal protests. A CFA Case Monitoring Committee, formed on 23 January 2023, identifies the long-pending cases to expedite remedies. Till now, the Committee has held four meetings. Furthermore, the Ministry of Law, Justice and Parliamentary Affairs has also been working on expediting the resolving of pending cases.

Action 4.3. Ensure timely and dissuasive sanctions/convictions and related information

4.3.1. Review for possible upward revision of fines for employers for anti-union discrimination and unfair labour practices in the BLA

Ensuring dissuasive measures against anti-union discrimination and unfair labour practices has been of paramount importance to the Government of Bangladesh. Therefore, after an extensive debate and discussion in the TLRC, a consensus was reached to amend the relevant section 294(2) of the BLA, 2006. Fines for employers have been increased from existing 5,000 taka to 20,000 taka.

4.3.2. Compile and regularly update statistics on complaints received and of alleged incidents of violence and harassment, their follow-up including remedies for victims and sanctions/convictions imposed

All complaints of anti-union discrimination and unfair labour practices are duly addressed following a time frame stipulated in the SOP. From January 2020 to 31 August 2024, a total of 88 complaints on anti-union discrimination and unfair labour practices were submitted to the DoL. Of the 88 complaints, 52 have been settled; investigations are ongoing into the remaining 36 complaints. The full record of proceedings of the cases/complaints on unfair labour practices and anti-union discrimination is maintained in the publicly accessible database managed by the DoL at <http://103.48.18.197/en/antiunion>.

Action 4.4. Promoting social dialogue

4.4.1. Work on developing an evidence-based National Wage Policy through tripartite consultations and exchange of views with other relevant stakeholders

A tripartite consultation meeting for developing an evidence-based National Wage Policy (NWP) was organized on 1 September 2022 under the chair of the Secretary, MoLE. On 19 October 2022, a ten-member committee headed by the Additional Secretary (Labour) was formed to craft the draft NWP. The committee convened four meetings to develop the draft, with the latest meeting on 30 January 2024. The draft NWP will be shared with the ILO Country Office, Dhaka soon.

4.4.2. Developing institutional mechanism and capacity-building for national and sectoral Tripartite Consultative Councils (TCCs)

Self-assessments for the NTCC and the RMG-TCC were organized from 5 to 8 February 2023 and on 9 February 2023, respectively. In the workshop, a report on “The Assessment on the Effectiveness and Inclusiveness of the National Tripartite Consultative Council (NTCC)” along with recommendations and an “Action Plan to Enhance Effectiveness and Inclusiveness of the National TCC” was prepared and submitted. The ILO Country Office is planning to mobilize technical assistance to implement the Action Plan.

4.4.3. Develop and implement a road map on social partners’ awareness and capacity-building for social dialogue and collective bargaining at all levels, including sectoral and national levels

The DoL has been in discussion with the ILO to develop a road map on social partners’ awareness and capacity-building for social dialogue and collective bargaining at all levels. The road map is expected to include training sessions, workshops, focus group discussions, information sessions and so on. To this end, a comprehensive project has been designed by the ILO.

4.4.4. Work on finalizing the project proposal on introducing the Employment Injury Scheme (EIS) through tripartite consultations and piloting the project in collaboration with ILO towards possible scaling up at the national level

The piloting of the Employment Injury Scheme (EIS) in the RMG sector was launched on 21 June 2022 with the support from the ILO. To provide overall guidance and a subcommittee for selecting beneficiaries a Governing Board has been formed.

The EIS-Pilot Governing Board Rules for the Management and Operation of the Scheme and the modalities for calculation of the EIS and pilot top-up benefits have been developed and

approved. The workers have started receiving long-term top-up compensation benefits under the pilot EIS scheme.

With the support from ILO, a project titled “Implementation of a Pilot of an Employment Injury Scheme in Bangladesh” has been implemented from March 2023 to June 2024 to support the EIS piloting.

4.4.5. Continue to work under the framework of the Cabinet Division’s National Social Security Action Plan (2021–26) towards “Introducing Unemployment, Accident, Sickness and Maternity Insurance under the National Social Insurance Scheme”

Unemployment Benefits: To provide cash support to the workers of export-oriented industries who became unemployed due to the COVID-19 pandemic the Government of Bangladesh, adopted a “Policy to Implement Social Protection Programme for the unemployed and destitute workers of the export-oriented RMG, leather goods and footwear industries, 2020” on 7 October 2020. This pilot social protection programme will continue till June 2024 and is expected to be extended after the end of the tenure. The EU is providing budgetary support to the Government of Bangladesh to implement the programme.

Initially, the unemployed and destitute workers from export-oriented RMG, leather goods and footwear industries were receiving cash benefits. On 19 June 2023, the policy was revised to cover all export-oriented sectors for unemployment benefit. Under the programme, unemployment benefit of 3,000 taka is provided for three months. As of 5 December 2023, 90,315,000 taka has been paid to 10,035 workers from three export-oriented sectors. As of December 2023, a digital database of 408,787 workers from 1,000 operational RMG, leather goods and footwear factories has been developed in order to provide unemployment benefits to the workers.

Unemployment Insurance: The unemployment insurance scheme, conceived under the coverage of the second Action Plan (2022–26) of the National Social Security Strategy, is currently passing through a feasibility study. With the assistance of the ILO, the Government has arranged several consultation workshops to explore options for the unemployment insurance scheme. A consultation workshop entitled “Towards an Unemployment Insurance Scheme in Bangladesh: A Preliminary Feasibility Assessment” was organized on 31 March 2022. The consultation was attended by the tripartite-plus stakeholders. The ILO has been assisting in designing a framework for an unemployment insurance scheme in Bangladesh.

Accident: The piloting of the EIS in the RMG sector was launched on 21 June 2022 as mentioned in action 4.4.4 above.

Sickness and Maternity Benefits: Sickness and maternity benefits are provided as per the provisions of the Bangladesh Labour Act, 2006 and Bangladesh Labour Welfare Foundation.

Supplementary Information: As reported earlier, the MoLE has set up six subcommittees on 28 September 2021 on six thematic areas to monitor implementation of the present road map. On 1 February 2022, the MoLE issued a notification concerning the formation of a 12-member Reform Implementation Coordination Unit to support the work of the TIMC and the six subcommittees mentioned above.