



Governing Body

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Institutional Section

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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 and 349th Sessions (March and October–November 2022 and March and October–November 2023).⁴ In November 2023, the Governing Body requested the Government to report on further progress at its 350th Session (March 2024) and deferred the decision on further action in respect of the complaint to that session or any subsequent session.⁵
6. On 29 January 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 349th Session (October–November 2023), providing updates on the four priority areas of the road map (see the appendix). The report informed the Governing Body on the continuation of the process of amendment of the Bangladesh Labour Act, 2006 (as amended in 2018) (BLA); the initiation of further amendments to the Bangladesh Labour Rules (BLR) in light of the proposed amendments to the BLA; the establishment and reforming of a Tripartite Standing Committee to work on amendment proposals concerning the Bangladesh Export Processing Zone (EPZ) Labour Act, 2019; the increase in the number of registered trade unions; the increase in the number of active labour inspectors and the continued recruitment of more inspectors as well as the enhancement of the capacity of the legal unit of the Department of Inspection for Factories and Establishments (DIFE); and the continued treatment of the complaints received through the DIFE helpline established in 2020 and those received through the helpline for EPZ workers. The report further referred to the planned establishment of new labour courts in Mymensingh and Cox's Bazar and the continuation of the process of deployment of one additional judge to the Labour Appellate Tribunal, and to the further progress made in the development of the standard operating procedure (SOP) on arbitration and the draft

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; and GB.347/PV(Rev.), para. 694.

⁵ GB.349/INS/PV, para. 542.

“Guidelines for appointment of Arbitrator for Industrial Dispute Settlement” which will be soon submitted to the National Tripartite Consultative Council (NTCC) for approval. The report finally informed the Governing Body on the further training of Industrial Police officials; regular trainings and awareness programmes for workers, employers and Industrial Police officials to ensure respect for labour rights in EPZs; the publication of a compendium in Bangla of all existing and relevant laws, rules, and regulations on the use of minimum force and applicable sanctions and penalties for any proven violation, with a view to improving the Industrial Police and law enforcement agencies’ understanding of the rules; continued compilation of statistics on complaints concerning alleged acts of anti-union discrimination and unfair labour practices; continued work of the committee in charge of drafting a national wage policy; and the extension of application of the “Policy to Implement Social Protection Programme for the unemployed and destitute workers of the export-oriented ready-made garment (RMG), leather goods and footwear industries, 2020” to all export-oriented sectors for unemployment benefits.

7. The Government indicated that from 15 November 2023 when the Bangladesh Election Commission announced the schedule for general elections, until 11 January 2024 when the new Cabinet was sworn in, the Government managed routine affairs but refrained from involvement in substantive aspects of governance, and therefore there was very little room for securing major developments such as legal improvements in this reporting period. However, the new Government has resumed its efforts for administrative and regulatory improvements in the context of the road map which will be covered in future reports.
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 and mindful of its 2021–26 timeline as well as of results yet to be achieved, the Governing Body:**
 - (a) **noted the strong commitment made by the Government of Bangladesh to engage in further tripartite consultations, with the technical assistance of the Office, to address the outstanding issues mentioned in the article 26 complaint concerning the alleged non-observance of Conventions Nos 81, 87 and 98 in the ongoing labour law reform;**
 - (b) **called on the Government and the social partners to pursue 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 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 at its 352nd Session (October–November 2024);**

- (d) deferred to its 352nd Session the decision to consider further action in respect of the article 26 complaint, in light of the follow-up given to paragraphs (a), (b) and (c) above.

► Appendix

Report of the Government of Bangladesh for the Governing Body's 350th Session (March 2024) on the progress made in implementing the ILO road map

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. Bangladesh is pleased to report notable recent progress in the labour and employment sectors, marked by administrative, legal and policy reforms. These reforms specifically target improvements in trade union activities, workplace safety, wages, skills development, and labour welfare. The recently held Governing Body sessions appreciated the Government's efforts in implementing the timebound road map, aligning with its pledge to develop the labour sector in accordance with international norms.
2. The road map encompasses specific actions related to legal and administrative reforms. It also incorporates actions in enforcing laws, 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 include: (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.
3. Pursuant to the decisions of 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, five progress reports on the said road map were discussed at the 343rd, 344th, 346th, 347th and 349th Sessions of the ILO Governing Body.
4. The following progress report was thoroughly discussed at the eighth meeting of the Tripartite Implementation and Monitoring Committee (TIMC) on 22 January 2024, chaired by the Secretary of the Ministry of Labour and Employment (MoLE).

Action point 1. Labour law reform

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

The Bangladesh Labour Rules, 2015 was 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 the Bangladesh Labour Act, 2006 (as amended in 2018)

After consultation with the relevant stakeholders, the amendment proposals, approved by the Cabinet, were sent to Parliament. Parliament, at its last session, approved the Bill and it was sent to His Excellency the President of the People's Republic of Bangladesh for his consent. The President sent back the Bill with certain observations.

Following the general elections of 7 January 2024, the new Government of Bangladesh resumed the amendment process. As advised by the President, the Tripartite Law Review Committee discussed the scope for further improvements and finalized its recommendations on 23 January 2024. The proposed amendments have now been placed before the National Tripartite Consultative Council (NTCC). After approval by the NTCC, the amendment proposal would be sent to the Cabinet. It is expected that the Bill will be passed at the first session of the 12th Parliament that will commence on 30 January 2024.

Action 1.3. Amendment of Bangladesh Labour Rules, 2015, after Bangladesh Labour Act, 2006 (as amended in 2018) (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, was 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 investigations into anti-Workers Welfare Association (WWA) activities and collective bargaining rights;
- formation of federations;
- formation of employers' associations;
- Department of Inspection for Factories and Establishments (DIFE) inspections in EPZs; and
- preventing misconduct against female workers, i.e. sexual harassment and violence.

These provisions are expected to ensure a congenial climate for the right to organize and collective bargaining in the Export Processing Zones across the country.

During August–October 2023, the Bangladesh Export Processing Zone Authority (BEPZA) arranged tripartite consultations 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 was 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 January 2024.

The BEPZA works closely with the ILO for the improvement of labour standards in EPZs. During 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 December 2023, the BEPZA has conducted seven consultations with 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 deadline of June 2025. Now that the Bangladesh Labour Act, the principal legal instrument governing labour relations in Bangladesh, is expected to be amended soon, the process of amending the EPZ Labour Act, 2019 is likely to gain momentum.

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 those user-friendly. The formation of a technical working group with ILO support is under way to further simplify the process.

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

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. The pre-application service was extended to 1,319 applicants during 2020–23.

2.1.3. Continue with the provision of offline registration system

The offline registration system remains functional in parallel to the online system at RTU offices. The DoL is running awareness-raising activities and providing support to applicants to promote the submission of online registration. Up to 31 December 2023, 9,441 trade unions have been registered covering about 3.11 million trade union members. In the ready-made garment (RMG) sector, the number of trade unions has increased from 132 in January 2013 to 1,283 on 31 December 2023 (almost ten times in the last ten years).

Action 2.2. Training 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 workers and employers on the trade union registration process is one of the regular activities of all training institutions that are affiliated with the DoL. Through industrial relations courses and workers education courses, 4 Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs) impart training to both workers and employers on a regular basis. The DoL has trained more than 36,000 personnel including workers, employers and government officials.

The DoL arranged a one-day workshop on the online registration system on 23 January 2023 in which associations such as the IndustriAll Bangladesh Council (IBC), the National Coordination Committee for Workers' Education (NCCWE) and the National Sramik League participated. The DoL Registrars and the officers of divisional and regional offices attend regular in-house training programmes with an annual target given by the Ministry of Labour and Employment (MoLE). The programme covers, inter alia, lessons on how to efficiently handle the registration application 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 in 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 inspectorates

3.1.1. Filling vacant posts of labour inspectors in consultation with 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 implementation of the road map. In a similar vein, the number of inspectors working at present is 450 against 314 during that time (increased by 43.3 per cent in the last 30 months).

Following the recommendation of the Bangladesh Public Service Commission (BPSC), 16 labour inspectors will be appointed very shortly as their recruitment process is at the last stage. The Government has requested the BPSC to recruit 87 more labour inspectors following the quickest process of recruitment. Furthermore, 37 Assistant Inspectors General were

promoted to the post of Deputy Inspector General (DIG) and 5 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 the submission of the road map, 8 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 December 2023, a total of 20,719 inspections were carried out and 2,941 new licences were issued. In addition, 12,907 licences were renewed and 969 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 labour inspectors, regular training programmes are being conducted. From July 2021 to December 2023, 67 training programmes, 14 workshops and 4 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.

3.1.5. Implement and promote effective labour inspection processes

In December 2021, the nine priority sectors including ready-made garment, 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 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 2021 to December 2023, a total of 81,210 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 will ensure dissuasive penalties and will follow-up labour law violations.

3.1.6. Formulating DIFE inspection modalities for EPZs in collaboration with 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 December 2023, the DIFE has inspected 78 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 factories has increased to 7,174 across the country as of 31 December 2023. Safety Committees are being gradually introduced into all factories with proper participation of the tripartite partners.

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 RMG Sustainability Council (RSC) based on the terms and conditions of the licence given to the RSC, was approved and endorsed by the Ministry of Commerce on 20 October 2022. As of 23 December 2023, the Government Coordination Council (GCC), formed to coordinate the activities of the RSC and the DIFE, has convened six meetings.

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

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

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

The helpline established in June 2020 continues to operate and receive complaints. A pool of six labour inspectors are assigned to attend the helpline. Between July and December 2023, a total of 1,163 complaints were received through the helpline. Of those, 957 were settled and 206 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 entails a longer waiting time.

3.2.2 Establishment of a Complaint Management Cell for labour inspectors to follow up cases directly

A Complaint Management Cell was established at the DIFE on 21 December 2020. Eight labour inspectors are assigned to the Cell to monitor the progress of resolution of the complaints received. The Cell arranges training for the assigned labour inspectors. Two training programmes have been arranged by the Cell so far.

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 any 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 to December 2023, a total of 2,626 complaints were 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

The requisite training, including training abroad, is being organized on a regular basis for the inspectors assigned to receive complaints.

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 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 holidays, and information regarding plots, investments, and so on. As of December 2023, a total of 8,201 calls have been received, of which 8,181 have been resolved and the remaining 20 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, the establishment of 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 package 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 court facilities and premises

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 December 2023, 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, 5 were terminated and 3 conciliation applications remain pending.

3.4.2. Develop an 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 approved 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 an 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 draft SOP for arbitration 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” was 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 ILO Country Office, Dhaka, for comments and suggestions. The draft Guidelines will soon be placed before the NTCC for approval. After 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 above).

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

The Government is implementing comprehensive training for all relevant government officials, workers and their trade union personnel, and employers and their respective organization's personnel to cover all the areas under this action point.

DoL: From July 2020 to 31 December 2023, the DoL trained 36,213 workers, management staff and government officials through a five-day "Workers' Education" course and a four-week "Industrial Relations" course by its four IRIs and 32 LWCs. Nearly 41 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 2,907 of its personnel from January 2023 to November 2023.

BEPZA: The BEPZA conducts regular trainings and awareness-raising programmes for workers, employers/management, security staff and Industrial Police on the Bangladesh EPZ Labour Act, 2019, the Bangladesh EPZ Labour Rules, 2022, unfair labour practices, decent work, prevention of discrimination against WWA activities, prevention of violence and harassment, social dialogue, effective workplace cooperation, fire safety, health and hygiene, nutrition, skills development, among other things. From January to December 2023, the BEPZA provided training to 3,396 participants.

With a view to promoting decent work and ensuring labour rights in the EPZs, from 28 May to 25 July 2023, 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 (ToT) 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 (OSH) 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 etc. Simultaneously, the record of training is maintained manually.

The Ministry of Home Affairs maintains a database 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 law enforcement agencies

4.1.4. Continue to train and provide clear instructions to the Industrial Police and relevant LEAs on the use of minimum force, respect of 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 provide training to the Industrial Police and relevant LEAs on the use of minimum force, and 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 three batches of training exclusively for 105 Industrial Police officials on workers' rights in the workplace in November 2022. These IRIs also conducted another six batches of training for members of the Industrial Police along with other LEAs in October and November 2023. The IRIs continue their training on labour law and other laws related to human rights.

The DoL has been organizing 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 to redress the 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 males and 638 female members of the Industrial Police.

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 September and November 2023 for all DoL officials.

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

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 will continue 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 and 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 discrimination, 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 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 the 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 an SOP that follows a stipulated time frame. The Ministry of Home Affairs provides 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 Tripartite Law Review Committee, a consensus was reached to amend the relevant section 294(2) of the BLA, 2006. Fines for employers have been increased from 5,000 Bangladeshi 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 December 2023, a total of 68 complaints on anti-union discrimination and unfair labour practices were submitted to the DoL. Of the 68 complaints, 47 have been settled; investigations are ongoing into the remaining 21 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 three meetings to develop the draft. The next meeting is scheduled for 30 January 2024 to discuss the preliminary draft. The draft NWP will be shared with ILO Country Office, Dhaka, soon.

4.4.2. Developing institutional mechanisms 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 etc. To this end, a comprehensive project has been designed by the ILO.

4.4.4. Work on finalizing the project proposal on introducing Employment Injury Scheme 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 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 Employment Injury Scheme (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.

To support the EIS piloting, ILO has come up with a project entitled "Implementation of a Pilot of an Employment Injury Scheme in Bangladesh" from March 2023 to June 2024.

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 NSIS (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 the 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 in the sum 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 (NSSS), is currently passing through a feasibility study. With the assistance of 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 Employment Injury Scheme (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 the 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 (RICU) to support the work of the TIMC and the six subcommittees mentioned above.

After the 349th Session of the Governing Body and 5th reporting on progress of the road map on 9 November 2023, the Bangladesh Election Commission announced on 15 November 2023, the schedule for general elections. Accordingly, a general election was held on 7 January 2024 and a new Cabinet was sworn in on 11 January 2024. As per the laws of the land, the Government managed routine affairs and refrained from being involved in substantive aspects of governance during this election period. As such, there was little room for securing major development such as undertaking legal improvement in the labour domain in this reporting period. However, the new Government has resumed its efforts for administrative and regulatory improvements, anticipated in the context of the road map which will be covered in future reports.