

Training in the National Legislative Framework and Role of an Association of Recruitment Agents for the Bangladesh Association of International Recruiting Agencies (BAIRA)

Session I:



The session I had three dimensions, the first of which, was training. The training was narrower in focus and aimed at explaining and analysing the provisions of the proposed Overseas Employment and Migrant Workers Bill 2013. The second dimension of this session involved a comparative review of the earlier draft and a more recent draft of the Overseas Employment and Migrant Workers Bill 2013. The third dimension of this session was more at addressing questions that BAIRA

had.

During the discussions, BAIRA stressed that the status quo as given in the Rule on Recruitment



(2002) and Overseas Employment Policy (2006) should be maintained by the government. It also raised reservations about provisions related to licence renewal which is on year to year basis and issues of regulation. It suggested if the proposed Bill were to proceed, it must be applicable in the same measure to the public sector institutions like BMET and BOESL who are also recruiting workers for overseas employment.

A comparative review of the draft that the Ministry finalized and the one obtained by BAIRA from the mid-legislative process showed that some Articles were missing from the more recent draft.

Session II:



The session II built from the session I and looked at the existential questions by engaging BAIRA Executive Members in thinking through the roles and responsibilities of an Association of the recruitment agencies/agents.

During this session, the ILO shared information about the Convention 181 on the Regulation of the Private Employment Agencies and also the Convention 87 on the Freedom of Association and Protection of the Right to Organize. During this session, some of the BAIRA Executive Committee members felt that unless they are given power by the proposed Bill, their members would not listen to them.

ILO's points included that the BAIRA needs to revision its roles and responsibilities as well as adapt itself to the changing labour market situation and immigration laws of the countries of destination. The ILO further clarified the difference between the recruitment agents and BAIRA as an association.



The ILO pointed out that the recruitment agencies/agents are obligated to protect their workers from all forms of discrimination, physical and sexual abuse and other forms of exploitation. The agencies/agents are duty-bound to clarify worker and employment rights, and expected functions at the very beginning.



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The ILO also pointed out the need for well informed, well educated and ethical recruitment agents who could help the workers and employers (and also the agents of the employers who operate in the countries of destination) to their rights and obligations.

The ILO stressed that as an association, BAIRA should help their members move in this direction, provide value added services and improve its provide so the recruitment agencies/agents see value in seeking its members voluntarily and the government sees value in maintaining good relationship with it.

Session III:

The Session III was focused on a review of the Code of Conduct prepared by the BAIRA and submitted to the Ministry of Expatriates' Welfare and Overseas Employment. The review covered positive and negative aspects of various Articles and which Article would qualify as a code of conduct and which would not.



The ILO appreciated the initiative taken by BAIRA to develop its Code of Conduct but pointed out that the BAIRA should also consult the NGOs, community groups, business organizations, government and the media to improve the quality. BAIRA was advised to take responses and concerns raised by civil society, migrant workers associations seriously and ensure that Code of Conduct responds to those points.

The event was closed by a statement from Mr. Ali Haider Chowdhury, Secretary General, BAIRA and a vote of thanks by Ms. Nisha.