

STANDARD OPERATING PROCEDURES FOR THE REGISTRATION OF TRADE UNIONS

May 2017



**Ministry of Labour & Employment
Government of the People's Republic of Bangladesh**

Preamble

Just after the glorious liberation war, in 1972 Bangladesh became the member state of International Labour Organization (ILO). Along with many important ILO Conventions, Bangladesh ratified the Convention no. 87 & 98. As per our Constitution, Right to Organize & Right to Speak are the fundamental rights for the citizens of the country.

In details provisions of Trade Union formation & Trade Union activities are described in the Bangladesh Labour Act, 2006. In order to visible the transparency & accountability of the Trade Union Registration activities, Ministry of Labour & Employment incorporated this Standard Occupational Procedures.

The designated Officials of the Department of Labour are required to comply with these procedures in considering applications for registration of trade unions.

These standard operating procedures are intended to ensure the following in the process of considering union registration applications:

- i) consistency;
- ii) efficiency;
- iii) transparency; and,
- iv) fairness.

STEP	ACTIVITIES	RESPONSIBILITY	TIME FRAME
PHASE 1: RECEIPT, CONSIDERATION AND DECISION ON APPLICATION (TOTAL ALLOCATION OF 12 DAYS)			
A. RECEIPT AND RECORDING OF THE APPLICATION	i) Application receipt: Application submitted using Form 56(A), 56(B)and 56(C)	PA to the Registrar of Trade Unions	03 days
	i) File creation: a) File opened. File is to include the following information: 1. the file number. 2. the name of the trade union (proposed). 3. the address of the trade union (proposed); 4. the date of the application's receipt. 5. Submission of the file to the Registrar of Trade Unions, with a note stating the date of submission to the Registrar of Trade Unions.	Head Assistant	

STEP	ACTIVITIES	RESPONSIBILITY	TIME FRAME
B. PROCESSING OF THE APPLICATION	<p>iii) Application Processing:</p> <p>a) Using the Application Checklist, verify that the application complies with the statutory requirements of the Bangladesh Labour Act, 2006 and the Bangladesh Labour Rules, 2015 and is in a form which is suitable for submission for consideration by the Registrar of Trade Unions.</p> <p>b) Prepare a draft Letter of Requirements that provides the applicants with details in respect of any additional information and other requirements in respect of the application, and stipulates a date (15 days from receipt of the Letter of Requirements) within which to address the requirements.</p> <p>c) Forward the application file to the Registrar of Trade Unions, including as a file note the time and date that the file has been forwarded.</p>	Registrar of Trade Unions	02 days

STEP	ACTIVITIES	RESPONSIBILITY	TIME FRAME
C. DECISION ON THE APPLICATION BY THE REGISTRAR OF TRADE UNIONS	<p>The Registrar shall consider the application, and initiate one of the following actions:</p> <p>i) Registration:</p> <p>After lawful verification, if the Registrar is satisfied that an application for trade union registration has complied with all application requirements, he or she shall register the trade union and issue a registration certificate to the applicant. The applicant will become a registered trade union upon the date of issue of the registration certificate.</p> <p>ii) Issuing the Letter of Requirements :</p> <p>a) If the application is non-compliant with the statutory requirements, the Registrar shall sign a letter describing the shortage of the statutory requirements and shall request to the applicants to fulfil the requirements within 15 days of Requirements drafted by the Registrar of Trade Unions, after any identified amendments have been made.</p> <p>b) The applicant shall have 15 days from the date of receipt of the Letter of Requirements, despatched by Registered Mail/Online, to fulfil the requirements in the application.</p>	Registrar of Trade Unions	07 days

STEP	ACTIVITIES	RESPONSIBILITY	TIME FRAME
PHASE 2: REPLY ON THE LETTER OF REQUIREMENTS HAVING BEEN ISSUED BY THE REGISTRAR OF TRADE UNIONS (TOTAL ALLOCATION OF 25 DAYS)			
A. TO RECEIVE THE LETTER OF REQUIREMENTS	The letter of requirements shall be received by the Trade Union	Postal Department	05 days
B. RECTIFICATION OF APPLICATION	Applicant to rectify the application as stipulated in the Letter of Requirements	Applicant	15 days
C. TO REACH THE RECTIFIED APPLICATION	Rectified application to be submitted to the Registrar of Trade Unions	Postal Department	05 day

STEP	ACTIVITIES	RESPONSIBILITY	TIME FRAME
PHASE 3: VERIFICATION (ALLOCATION OF 15 DAYS)			
A. VERIFICATION OF THE APPLICATION	In the application is deemed to require verification, the Registrar shall form a Verification Committee. This Committee shall: a) obtain a list of workers and staffs; b) if necessary the Committee shall conduct physical verification; c) verify membership numbers of the proposed trade union; d) verify the percentage of workers and staffs that are members; and e) verify the percentage of the total working force who are women; After verification, if the application is compliant with requirements, the Registrar shall register the trade union.	Verification Committee comprising at least 02 staff (Deputy Director/Assistant Director and a Labour Officer)	15 days

STEP	ACTIVITIES	RESPONSIBILITY	TIME FRAME
PHASE 4: CONCLUDED DECISION BY THE REGISTRAR OF TRADE UNIONS (ALLOCATION OF 03 DAYS)			
A. FINAL DECISION OF THE REGISTRAR OF TRADE UNIONS	<p>Issuing of final decision by the Registrar of Trade Unions:</p> <ol style="list-style-type: none"> 1. The Registrar shall consider the application, and initiate one of two actions: <ol style="list-style-type: none"> a) Registration: <p>If the Registrar is satisfied that an application for trade union registration has complied with all application requirements, he or she shall register the trade union and issue a registration certificate to the applicants. The applicants will become a registered trade union upon the date of issue of the registration certificate.</p> b) Refusal of Application: <p>The Registrar shall issue a Letter of Refusal should the application remain non-compliant with the stipulated requirements. Detailed reasons for the refusal shall be provided to the applicants, which may be appealed to competent courts in accordance with the law.</p> 2. Update of application status on the Department of Labour’s website: <p>The status of the application on the website shall be updated to reflect the status of the application. In the event of an application being refused, then the website shall include details of the reasons for the refusal.</p> 	Registrar of Trade Unions	03 days

