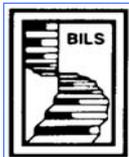


**WOMEN'S PARTICIPATION IN TRADE UNIONS IN BANGLADESH:
STATUS, BARRIERS AND OVERCOMING STRATEGIES**

**Submitted to
ILO Area Office, Dhaka**

Submitted by



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SECTION ONE: INTRODUCTION

1.1 Background

The widely held consensus in development praxis is that the world cannot afford to do without women's full contribution at every level of social, economic and political activity. The empowerment of women is an end in itself, because it is a question of basic human rights. It is also a means to an end: the transformation of social structures so that they serve the needs of people and society. Along this line, there is continued search for solutions to overcome the barriers that limit and undervalue women's participation in the world of work. Women's participation in trade union had long been one of the important areas for promoting and protecting workers' rights in general and women's empowerment in particular.

Despite that, women in Bangladesh quite often encounter more obstacles than men in workplaces, and are treated unequally in their terms and conditions of employment. The unequal as well as disempowering environment is explicit both in women's participation in labour market and also in trade unions. This is true even during this globalised era, while a large number of women in Bangladesh have entered the labour force in recent years. The influx of large number of women from the rural areas into the urban formal and informal sectors of employment have increased manifold. Based on the official record of the Bangladesh Bureau of Statistics, civilian labour force of the country is 49.5 million of which 47.4 million are currently employed. The approximate ratio of formal and informal sector in Bangladesh is 15:85 and the ratio between public and private sector is 30:70. Among 47.4 million employed workforces, male are 36.1 million, while females are 11.3 million¹. While the influx was accelerated by the emergence of the Ready Made Garments (RMG) sector in the country during the last two decades, the workforce participation of women has changed in numerous ways - some of them affording new opportunities; for others, it is reinforcing pervasive trends.

Indeed, in spite of the growing number of women labour force in the country, they are being deprived and exploited in both formal and informal workplaces. They also face wage discrimination, health hazards and sexual harassment. Women working in the informal sector are unorganised and without any legal protection, more deprived of human rights, live vulnerable lives and represent poorest of the poor. Any form of social safety net is virtually absent for the informal workers. Most of the women workers work without maternity benefits, retrenchment benefit, provident fund money, health facilities. On the other hand, in formal sectors that have legal protection in Bangladesh Labour Act 2006, on many occasions, however, women are deprived of their minimum rights and benefits. In addition, women lack voice in the trade unions to ensure rights, and to fight against continued discrimination and patriarchal attitudes prevalent in the workplaces. In reality, out of the total workforce of the country, only a few are involved in trade union. In case of women workforce, the rate of unionized workers is much smaller than that of male counterparts. Active involvement of women in their workplace governance is hardly taken into consideration by the employees, and also little reference is made to such needs in the policy agenda of the country.

¹ Bangladesh Bureau of Statistics (2008). Labour Force Survey 2005-06.

The lacking priorities of the need for active involvement of women in their workplaces have given credence to the assertion that issues of workplace governance in Bangladesh are rarely treated from the gender point of view. This contrasts the changing societal outlook of the capabilities of the woman expressed through higher female labour force participation, and their significant contribution to the development process. We hardly have any studies using gender as a socio-economic variable in understanding developments in the workplace governance, nor do we have clear understanding on how the workers' representatives perceive the issue of women's participation in trade union. It is in this sense that this report which treats women as a theme central to the understanding of issues in labour unionism from the perspectives of trade union leaders in Bangladesh is significant. Its expositions of the barriers to women in their bid to participate actively in the process of workplace governance through representation and leadership for creating a society conducive to the industrial growth and healthy industrial and labour relations are crucial to understanding their role in the development process of Bangladesh.

This report aims to highlight the underlying reasons that limit and undervalue women's participation in the world of work in general and trade union in particular. The specific objectives of this study are twofold: first, to review the current gender equality situation in trade unions in Bangladesh by assessing progress of women's participation in trade unions; and second, to identify barriers of women workers to join trade unions and possible remedy in promoting women's participation and gender equality in trade unions in Bangladesh.

The current report is based on secondary literature review, key informant interviews and focus group discussions. A number of key informant interviews were done as part of the study with the members of federations of National Coordination Council for Workers Education (NCCWE), Bangladesh Jatiyo Sramik Jote and Jatiyo Sramik Party to identify the barriers of women workers to join trade unions, and remedy for overcoming barriers to women's participation in trade unions (a list of key informants is attached as Annex A). Two focus group discussions among members of 8 federations (a list of participants is attached as Annex B) were done to consolidate key issues in identifying barriers to women workers joining trade union and possible way out in promoting women's participation and gender equality in trade unions in Bangladesh.

1.2 Methodology

Given the above objectives of the study, both qualitative and quantitative approaches have been adopted. Qualitative data have been collected through Key Informant Interviews (KIIs) and Focus Group Discussions (FGDs). A number of key informant interviews were done with the members of 17 federations i.e. National Coordination Council for Workers Education (NCCWE), Bangladesh Jatiyo Sramik Jote and Jatiyo Sramik Party. Only two FGDs were done with the female members of NCCWE and Bangladesh Jatiyo Sramik Jote and Jatio Sramik Party. Two participants from each federation were selected for FGDs. Both KII and FGDs participants were nominated by the respective trade union federations. On the other hand, quantitative data have been collected from the selected trade union federations through the registers of respective federations. While quantitative data have revealed the present gender equality situation in trade unions and identified the barriers to and possible remedy for promoting women's participation in trade unions in Bangladesh, qualitative analysis accumulated the complexities around it. Thus the methodology of the study depends on

information collected from both primary and secondary sources. The secondary sources which have been reviewed are books, journals, reports, and data from various sources. Focus Group Discussions and Key Informant Interviews have been conducted with trade union leaders, government officials and employers. Data of BBS, LFS, BLS and Department of Labour have been extensively used for the purpose of this study.

SECTION TWO: STATUS OF WOMEN'S PARTICIPATION IN TRADE UNIONS IN BANGLADESH

2.1 Female Membership in Trade Unions

In Bangladesh, there are three-tiers of trade union levels, which are (a) basic unions at the establishment level; (b) industrial unions at the sectoral level; and (c) national unions. According to the Register of Trade Unions, in Bangladesh, there is a total of 32 national federations which has 6,967 unions and a membership of 21,56,307. The membership numbers widely contrasts with the claims of leaders of respective trade union. We present below the number of total trade union membership and also gender segregated data presented by the respective trade union's leaders.

Table 1: Female Membership in Trade Unions

Name of National Centres	Total Membership	Female Membership	Percentage of Female in Total Membership
Jatiya Sramik Federation – JSF	38,000	12,500	32.9
Bangladesh Trade Union Kendra - BTUC	80,970	9,000	11.1
Bangladesh Sanjukta Sramik Federation - BSSF	249,616	4,999	2.0
Bangladesh Trade Union Shangha - BTUS	150,000	300	0.2
Jatiya Sramik Jote – JSJ	45,000	2,000	4.4
Bangladesh Jatiyatabadi Sramik Dal – BJSD	220,000	32,000	14.5
Bangladesh Mukto Sramik Federation – BMSF	205,007	65,000	31.7
Jatiya Sramik Federation, Bangladesh - JSF,B	20,000	1,000	5.0
Jatiya Sramik League –JSL	215,000	10,000	4.7
Bangladesh Free Trade Union Congress – BFTUC	106,150	22,650	21.3
Bangladesh Sramik federation - BSF	5,989	593	9.9
Bangladesh Labour Federation - BLF	102,000	20,000	19.6
Bangladesh Jatiya Sramik Federation - BJSF	10,050	1,250	12.4
Shamajtantrik Sramik Front - SSF	22,000	1,300	5.9
Jatiya Sramik Jote Bangladesh – JSJB	65,000	6,500	10.0
Bangladesh Jatiya Sramik Jote - BJSJ	82,000	35,000	42.7
Jatiya Sramik Party – JSP	110,000	25,000	22.7
Total	17,26,782	2,49,092	Average =14.42

Source: Interviews of Respective Trade Union Federation's

The information collected from the 17 trade union federations above as part of the study reveals that the female membership in trade unions varies widely in different federations, ranging from as low as 0.2 percent to around 43 percent. The average rate of female participation in the selected federations is around 15 percent. This is, however, due to fact that three federations namely Bangladesh Jatiya Sramik Jote - BJSJ (43 percent) Bangladesh

Mukto Sramik Federation–BMSF (31.7 percent) and Jatiya Sramik Federation – JSF (32.9 percent) exhibit higher percentage average female participation as members in the respective federations. While these three federations average female participation rates seem to be outliers in comparison with number of other federations in the table, five federation’s namely Bangladesh Sanjukta Sramik Federation – BSSF, Jatiya Sramik League –JSL, Jatiya Sramik Federation, Bangladesh - JSF,B, Trade Union Shangha - TUS and Shamajtantrik Sramik Front - SSF female participation as members are very low representing 2.0, 4.7, 5.0, 0.2 and 5.9 percentage points respectively.

Out of all the selected trade union federations only BJSJ, BMSF and JSF have basic unions in women concentrated sectors like garments, tea garden, manufacturing etc. where the maximum workers are women available to organize and form the unions. Since the numbers of women workers have been enrolled in the particular federations namely BJSJ, BMSF and JSF through their respective unions, the rate, ultimately, of women participation meet the higher percentage than that of other federations which do not have unions in women concentrated sectors as a whole.

The findings above highly contrasts with the overall percentage of women employed currently in Bangladesh, estimated at around 24 percentage of the workforce. This reveals that women in Bangladesh disproportionately occupy membership of trade unions, percentage of women joining trade unions remains generally lower than the percentage for men.

While, an under representation of women in trade unions is explicitly visible, trade union leaders agreed that the number of women members in trade unions has not increased in accordance with increase of female labour force participation in the country. They also felt that the current number of women membership has in fact increased over the years. Trade union leaders sharing the membership status of their own federations during last couple of years to a decade, all claimed that the number was on the rise, despite a slow growth in comparison with that of men. The slow but a steady rise of the female membership which partly can be explained by the growing proportion of women in the labour market, particularly in the ready-made garments sector, is indeed a positive sign in terms of women’s participation and representation.

2.2 Representation of Women in Trade Union Decision-making Bodies

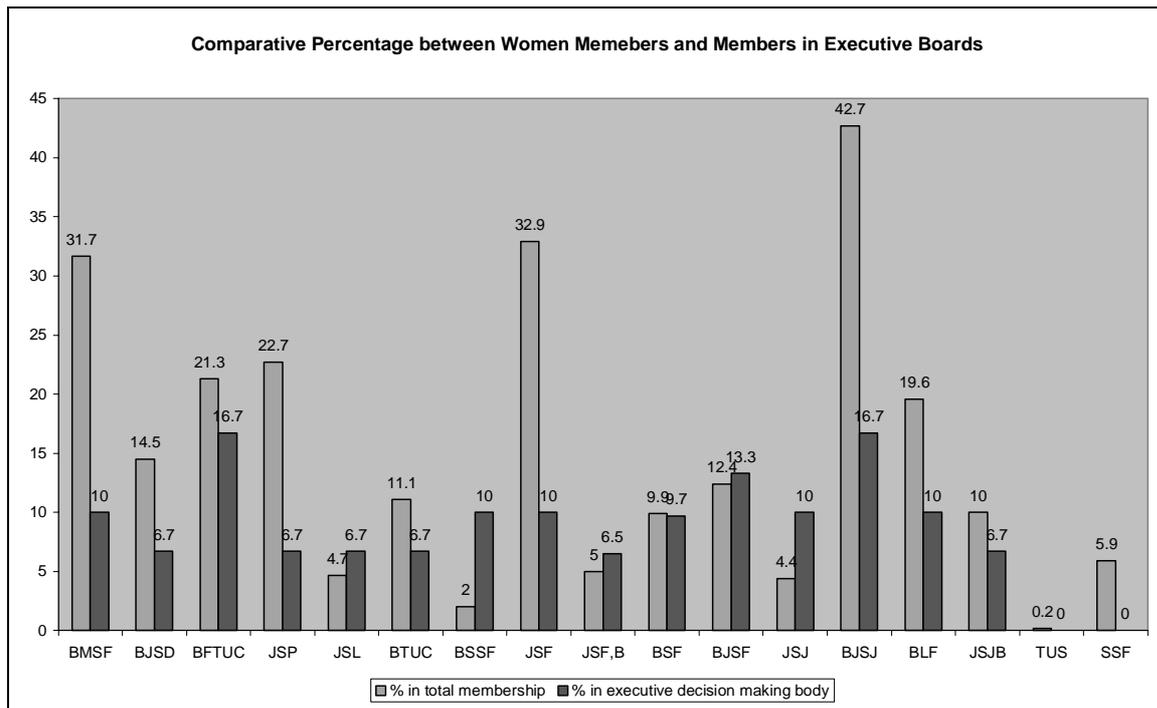
Ensuring a balanced representation of women in trade unions’ decision-making bodies is an important indicator for women’s involvement. This is more so in Bangladesh, since the overall trade union representation is low and much lower for women. All the federations under this study were asked to provide gender segregated information of the membership in their respective decision making bodies. The information provided below reveals further the marginalisation of women within the trade union decision making bodies.

Table 2: Representation of Women in Trade Union Decision-making Bodies

Name of National Centres	Total Executive Members	Total Female Membership	Percentage of Female Membership
Jatiya Sramik Federation – JSF	30	3	10.0
Bangladesh Trade Union Kendra – BTUC	30	2	6.7
Bangladesh Sanjukta Sramik Federation – BSSF	30	3	10.0
Bangladesh Trade Union Shangha - BTUS	30	0	0.0
Jatiya Sramik Jote – JSJ	30	3	10.0
Bangladesh Jatiyatabadi Sramik Dal – BJSD	30	2	6.7
Bangladesh Mukto Sramik Federation – BMSF	30	3	10.0
Jatiya Sramik Federation, Bangladesh – JSFB	31	2	6.5
Jatiya Sramik League –JSL	30	2	6.7
Bangladesh Free Trade Union Congress - BFTUC	30	5	16.7
Bangladesh Sramik federation – BSF	31	5	9.7
Bangladesh Labour Federation – BLF	30	3	10
Bangladesh Jatiya Sramik Federation – BJSF	30	4	13.3
Shamajtantrik Sramik Front - SSF	30	0	0.0
Jatiya Sramik Jote Bangladesh – JSJB	30	2	6.7
Bangladesh Jatiya Sramik Jote – BJSJ	30	5	16.7
Jatiya Sramik Party – JSP	30	2	6.7

Source: BILS Database and Interviews of Respective Federations' Senior Leaders

Overall, women are under-represented in executive bodies. This is evident not only by the number of women members and its attendant percentage of total executive body members, but also in comparison with the percentage of women members in the respective trade union federations.



Source: Interviews of Respective Federations' Senior Leaders

While for number of federations including the Bangladesh Free Trade Union Congress – BFTUC, Jatiya Sramik League–JSL, Bangladesh Trade Union Kendra–BTUC, Bangladesh Sanjukta Sramik Federation–BSSF, Bangladesh Jatiya Sramik Jote–BJSJ, Trade Union Shangha-TUS and Shamajtantrik Sramik Front-SSF the difference in the comparative percentage between total women members and members in executive board are not that large, there are a number of organizations which include Jatiya Sramik Federation – JSF , Bangladesh Mukto Sramik Federation – BMSF, Jatiya Sramik Party – JSP, and Bangladesh Labour Federation – BLF show a higher percentage difference. A positive sign in incorporating women members in the decision making bodies, however, is seen for a number of federations. Jatiya Sramik League –JSL, Bangladesh Jatiya Sramik Federation – BJSF, Jatiya Sramik Jote – JSJ have incorporated more members, albeit a small percentage in comparative terms in their executive bodies, and Bangladesh Sanjukta Sramik federation – BSSF has to a large extent outperformed in a positive term in accepting more women in its decision making body.

2.3 Women in Leadership Positions in Trade Unions

The number of women in leadership positions is an indicator of women’s representation in decision making process. The women’s active participation in leadership positions allow women to become role models for workers at large and women workers in particular, in effect encouraging other women workers to participate in the trade union activities.

Table 3: Women Leadership Roles and Positions in Trade Unions

Name of National Centres	Number of women in Leadership Roles	Gender of persons in Leadership Positions		Positions of leadership occupied in female members
		President	General Secretary	
Jatiya Sramik Federation – JSF	15	Male	Male	Law Secretary, Cultural Secretary, Member
Bangladesh Trade Union Kendra – BTUC	30	Male	Male	Office Secretary, Women Secretary
Bangladesh Sanjukta Sramik Federation – BSSF	50	Male	Male	Member
Bangladesh Trade Union Shangha - BTUS	0	Male	Male	N/A
Jatiya Sramik Jote – JSJ	20	Male	Male	Member
Bangladesh Jatiyatabadi Sramik Dal – BJSD	20	Male	Male	Vice President , Women Affairs Secretary
Bangladesh Mukto Sramik Federation – BMSF	30	Male	Male	Women Affairs Secretary, Assistant Welfare Secretary, Assistant Education and Research Secretary
Jatiya Sramik Federation, Bangladesh - JSF,B	5	Male	Male	Member
Jatiya Sramik League – JSL	30	Male	Male	Women Affairs Secretary
Bangladesh Free Trade Union Congress – BFTUC	50	Male	Male	Cultural Secretary
Bangladesh Sramik federation – BSF	20	Male	Male	Assistant General Secretary, Member
Bangladesh Labour Federation – BLF	50	Male	Male	Vice President, Women Secretary
Bangladesh Jatiya Sramik Federation – BJSF	50	Male	Male	Women Affairs Secretary, Office Secretary, Member
Shamajtantrik Sramik Front - SSF	0	Male	Male	N/A
Jatiya Sramik Jote Bangladesh – JSJB	5	Male	Male	Member
Bangladesh Jatiya Sramik Jote – BJSJ	20	Female	Male	President, Law Secretary, Training Secretary, Member
Jatiya Sramik Party – JSP	20	Female	Male	President, Member

Source: BILS database and Interviews of Respective Federations' Senior Leaders

While a good number of women are active in trade unions as leaders in organising workers and carrying out different functions of the trade unions, only a very small number of women do in fact hold high positions in the trade union organization ladder. Only two organisations out of 17 trade union federations have women as their presidents. None of the federation's general secretary is women. In only few federations, women hold positions of vice presidents. The major positions in leadership for women in these organizations are mostly secretary of women affairs, cultural, and education and training.

Table 4: Representation of Women through Women's Committees

Name of National Centres	Existence of Women committee	Total no. of members of Women Committee
Jatiya Sramik Federation – JSF	Yes	11
Bangladesh Trade Union Kendra – BTUC	Yes	16
Bangladesh Sanjukta Sramik Federation - BSSF	Yes	26
Bangladesh Trade Union Shangha - BTUS	-	-
Jatiya Sramik Jote – JSJ	Yes	21
Bangladesh Jatiyatabadi Sramik Dal – BJSD	Yes	51
Bangladesh Mukto Sramik Federation - BMSF	Yes	30
Jatiya Sramik Federation, Bangladesh - JSF,B	Yes	11
Jatiya Sramik League –JSL	Yes	35
Bangladesh Free Trade Union Congress - BFTUC	yes	30
Bangladesh Sramik federation – BSF	Yes	25
Bangladesh Labour Federation – BLF	Yes	47
Bangladesh Jatiya Sramik Federation - BJSF	Yes	21
Shamajtantrik Sramik Front - SSF	-	-
Jatiya Sramik Jote Bangladesh – JSJB	Yes	15
Bangladesh Jatiya Sramik Jote – BJSJ	Yes	21
Jatiya Sramik Party – JSP	-	-

Source: BILS Database and Interviews of Respective Federations' Senior Leaders

While few women are in real leadership positions, though as claimed by the trade union leaders that a good number of women ranging from 5 to 50 are involved in active leadership roles. The positions which are occupied by women in trade union are mostly subordinate to men. More profound is that the issue of incorporating women's concerns in the trade union decision making body is done through a separate body. 14 out of 17 federations have their women's committees having women members ranging from 11 to 51 (Table 4).

2.4 Trade Union's Proactive Actions to Increase Representation of Women

Over the years, it is only in a few cases that the increase in the number of women in the trade unions' ranks has been accompanied by a parallel rise of the number of women in trade unions' decision making bodies or in posts of responsibility within the federations. For this reason, it is essential to take a closer look at the measures that the unions have been implementing in order to enable women access to the higher levels of organisations. A good number of federations have mentioned that they have adopted numerous specific measures in order to increase the numbers of women at positions of responsibility within trade unions. A wide range of initiatives were reported. This included training to prepare women in carrying out their trade union activity, campaigns to encourage women workers to join unions, awareness raising interactions among trade unionists. Most prominent of the measures is that most respondents said that their respective federations try to follow a 30 percent women participation rule in all aspects including participation in programmes by the federations and beyond. They however said that they did not have any specific policy to that end yet, but they aspire to follow a 30 percent participation of women in the programmes so that women within the trade unions can be capable to organise more women in the unions.

Trade union leaders recognize the needs for enhancing women participation and representation. A number of federations had taken proactive action to that end. As informed, one of the federations (BJSJ) has specific policy to ensure equal rights and dignity for women at work. This federation collects information on women in workplaces and sectors and on the basis of that, it undertakes programmes highlighting the rights of the women workers. The leaders of TUC informed that prioritising women is its commitment and it undertakes programmes that especially concentrate on organising women. The Women Committee of the federation undertakes training and campaign programmes targeting women workers. Participation of male in such programmes is also a strategy of the federation, so that they can understand the problems of the women workers and a supportive environment is created. JSFB informed that it had a resolution for advancing women. It wants to flourish women leadership and for that matter, it tries to give opportunities to its female members. Another federation, JSL, has directed its women leaders and activists to organise more and more women in trade unions. New sectors are given more importance while the committee meets every week on a regular basis to discuss the development. The women leaders of the federation have prepared a proposal for organising more women and the federation to follow that. SSF strategically concentrates on organising more women in trade union which it believes will ensure a stronghold of women within the federation as well as in trade union in future.

Bangladesh Jatiotabadi Sramic Dal (BJSD), one of the federations holding members of women committee, has given tremendous preference and taken strategy and policy to increase women participation in trade unions. The reason why the federation has been able to be exemplary for other federations and unions in enhancing women participation in their respective ones has been explored. A case of success story is illustrated in the box.

A Case Study of Union Proactive Action in Increasing Women Participation in Trade Union

Sonali Bank Employee’s Association (SBEA) is a large union but the matter of concern is that from the very beginning of inception in 1958 till date there was no remarkable consideration for women involvement at all. After being enrolled in Bangladesh Jatiotabadi Sramic Dal (BJSD), the union SBEA felt that the values and importance of sustainable contribution by women in trade union. On a priority basis, for women empowerment and capacity building, SBEA has been organizing training sessions from time to time with the active initiative of male counterparts. Besides, the organization took some proactive initiatives to increase the women participation in its union. The union included women in various committees to empower and increase women participation of like minded unions. Being involved in its collective bargaining committee, women can raise their voices on women related issues and problems so that the barriers can be solved quickly and ethically. It is mention worthy that women, in general meeting, play the leading roles and responsibilities to organize & conduct the sessions independently. SBEA greatly perceived that not only the amelioration of women’s ‘condition’ but also ‘position’ enhancement was much more pragmatic step to promote the women participation in all spheres. A constitution of SBEA itself plays an effective role among the legislative, executive and judiciary functions which included women. This organization has a gender policy to ensure maximum women interests regarding legal, social, economic and political aspect. Apart, the union in collaboration with BJSD takes time worthy initiatives every year to observe the International Women Day with inclusion of women on this occasion. This organization is not merely thinking about increasing participation of women in the country, it also aims to influence and encourage women participation in international events, seminars, workshops in other countries. So a good number of women have been participating in national and international seminar, workshop as well as social dialogues organized internationally. To increase the women participation one of the remarkable proactive initiatives of the union is to inspire female family members by male counterparts helping their children with education, medical and other facilities. The SBEA has a vision to place women in vital positions and to ensure work recognition for their success for more participation in the future.

SECTION THREE: BARRIERS TO PARTICIPATION OF WOMEN IN TRADE UNIONS

Workers' particularly women workers' hurdles in participating in trade union activities and leadership ranges from issues that are legal, social and economic. Many of the barriers women face are in fact the extensions of the problem they face in the labour market. A large majority of barriers are attributable to the lack of enabling environment in the workplaces for women to contribute to the workplace governance. Key interviews and focus group discussion participants felt that the lack of enabling environment for enhancing women participation and representation was one of the important reasons for the under-representation and marginalisation of women in trade union membership and in positions of responsibility within the trade union. However, three important aspects of enabling environment were highlighted. The first relates to legal provisions inhibiting women workers disproportionately than men. The second is about the structure and policies of the union themselves. The third is about hostility of male counterparts and male family members. Other important dimensions highlighted as inhibiting factors for women is the lack of their capacity and awareness on underlying value of trade unions.

3.1 Extensions of Obstacles of Labour Markets

The obstacles to women's participation in unions are quite often the extensions of the obstacles they face on the labour market. Informal sector workers do not have any legal coverage, and union formation is difficult for them under the existing law. For the formal sector, while the freedom of association and collective bargaining principles are in place in national labour law, in practice, however these are muddled with several phases of implementation, with complicated and cumbersome procedures to be followed at each stage posing significant restrictions and delays in relation to the right to organise. The sectors and occupations where most women work e.g. teaching, domestic work are the least organised, and their part-time and temporary work contracts have also made them more difficult to reach trade union.

3.2 Disproportionate Legal Barriers

Women often face disproportionate legal barriers to entry to trade union activities. There remain many restrictions for the realization of the rights to organise and bargain collectively. There are clear barriers to freedom of association. Before a union can be registered, 30 per cent of workers in an enterprise have to be members and the union can be dissolved if its membership falls below this level. Unions must have government approval to be registered, and no trade union activity can be undertaken prior to registration. Unions can only be formed at the factory/establishment level, with some exceptions (such as private road transport, private inland river transport, tea, jute bailing, *bidi* production) where union formation can take place based on geographic area. There can be no more than three registered trade unions in any establishment. Membership in a union is restricted only to workers currently working at an establishment, meaning that severance from employment also results in the cessation of a worker's membership in the union. Candidates for union office have to be current or former employees of an establishment or group of establishments.

Workers in the public sector and state enterprises may not belong to a trade union, with the exception of railway, postal and telecommunications workers. Members of the security forces are also denied the right to form unions. Teachers, a large number of whom are female at the primary level, are also forbidden to form trade unions, in either the public or private sector. Managerial and administrative employees can form welfare associations, but they are denied the right to join a union. There are also barriers to right to strike: three quarters of a union's members must agree to a strike before it can go ahead. The government can ban any strike if it continues beyond 30 days (in which case it is referred to the Labour Court for adjudication), if it involves a public service covered by the Essential Services Ordinance or if it is considered a threat to the national interest. Strikes are not allowed in new establishments (owned by foreign investors or joint-ventures in collaboration with foreign investors) for a period of three years from the date the establishment begins commercial production.

The trade union leaders while highlighted the number of above predicaments applicable to both men and women workers willing to join trade unions, they were of the view that the procedures set for the right to organise and strike provide a bold signals for women not to take rights issues beyond their workplaces. Women quite often get discouraged by the sheer complexity of the rules that forbid them more than men to join associations and be in the leadership positions. While in the Bangladesh Labour Act 2006, the right to associations is accepted as principles to be upheld and practiced, a vast number of establishments remain beyond the purview of that law. The sectors which are excluded e.g. domestic work, teaching in the Bangladesh Labour Act 2006 are those where women form a large part and often a majority.

The cabinet has recently approved the EPZ Workers Association and Industry Relations (Amendment) Bill 2009 changing the name of the Export Processing Zone Workers Organisation to the EPZ Workers Welfare Society. This left all other provisions of the ordinance issued during the last caretaker government to extend the duration of the EPZ Workers Associations and Industrial Relations Act, 2004 up to October 31, 2010 intact. The EPZ Workers Association and Industrial Relations Act (2004) provided for the formation of trade unions in EPZs from 1 November 2006, and now the date is extended till 2010. The law however set out several phases for implementation, with complicated and cumbersome procedures to be followed at each stage posing significant restrictions and delays in relation to the right to organise in EPZs. With this extended timeline, it will continue to deny workers rights' in the EPZs by keeping the EPZ and its workers majority of whom are women outside the purview of the Bangladesh Labour Act 2006, and also does not conform to the core ILO conventions, particularly on freedom of association and collective bargaining, to which Bangladesh is a signatory.

The overall complicated and cumbersome procedures set out for establishments in EPZs and many restrictions under the current labour law, while make it difficult for both men and women to effectively participate in the governance of their workplaces, the process is more disempowering for women in comparison. The dis-empowering process becomes starker for women with the actual practice in and around enterprises. Women are often disproportionately victims of acts of intimidation and abuse. Labour leaders cited cases of garment enterprises' managers conducting acts of intimidation and abuse in the wake of labour unrest, including arbitrarily locking-out employees, and firing workers.

3.3 Unfavourable Trade Union Structures and Policies

The current trade union structures and policies are not geared towards empowering women to participate more in numbers and also effectively. Although trade union leaders highlighted the number of proactive actions taken and are underway in promoting women's interests in trade union policies, they agreed that the current policies fall short of their expectation too.

The trade union leaders argued that they in principle try to incorporate at least 30 percent women in any of their programmes. A number of organizations also have claimed that they are trying to bring more women into their leadership positions over the years. Indeed, as they claim, the number of women in their leadership positions has increased over last couple of years. In few of the organizations as many as 30 to 50 women are taking the lead in organising and carrying out trade union activities. A few of the FGD participants felt that the trade union environment is yet to be women friendly. Yet there is no specific policy within trade unions albeit overwhelming interests in promoting women's issues and concerns. Most of the organizations still deal with women's issues through the women's committees, which in itself remain marginalised from the overall trade union structure. However, the participants felt that still overall structure and policies of the union, venues and times of the meetings, and lack of women in authority are favouring men's priorities and working patterns, and in effect marginalise, disfavour or put off women to a large extent.

The FGDs participants opined that male agreed to include women in trade unions in general but not in positioning them in the vital positions of trade unions in particular. That means the male counterparts are not beyond patriarchal attitudes. On the other hand, many of female counterparts themselves are not eager for holding the highest position of federations as it demands more time, labour and efforts influencing upon family life.

3.4 Overright Hostility of Societal Actors

The acts of intimidation and abuse by the employers are paramount for women willing to join trade unions. This is more profound for women workers who have little social ties in the urban centres and whose economic security solely depends on the job. A number of cases of women being harassed by the employers for keeping contacts with the trade unions were cited by the trade union leaders. Many women do not want to risk their jobs for joining unions. This follows from their disproportionate sufferings in terms of insecurity in their workplaces. This is also due to the fact that most of them are first generation industrial workers (e.g. garments) and migrants from remote rural areas in need of survival.

Women lack voice in the trade unions to ensure rights and to fight against continued discrimination and patriarchal attitudes prevalent in the workplaces. Women workers also face hostility from their male partners and male family members. In Bangladesh society, women often face pressures from their family not to be involved in activities outside the work. Trade unions in most enterprises where women constitute the majority are not functioning. Moreover, there is little role model for them to be inspired. Overall, trade union activities in the society are not taken as prestigious undertakings, in contrast, women involved in trade union activities are often looked down upon. Many of the workers feel intimidated how society perceives them. The lacking economic security and dependence on male counterparts and other male family members for livelihood makes it complicated further. The societal perception of women's work in industrial enterprises though positively set in a process of change, still at large, the social context is yet to be favourable for their joining unions.

3.5 Lacking Capacity and Awareness on Underlying Values

Women participants in the focus group discussions highlighted the fact that even the male trade union members are not so cooperative in bringing women to leadership positions. Much of this lack of interests though attributable to general social perceptions of women's role in the development process, some participants even felt that the under-representation of women in trade unions were due to low capacity of women in trade unions activities.

The under-representation and marginalisation of women are quite often attributed to their lack of understanding on underlying values of trade unions. A good number of participants felt that overall women workers are not aware of the trade union values and its activities. A senior labour leader in the key interview claimed that they are less informed and knowledgeable about trade unions, and also less interested to join trade unions. Indeed, most participants in the FGDs agreed to the fact that the scope for women to be knowledgeable on trade unions had been till date limited. Women to a large extent, due to fear of intimidation from the employers and male family members, are reluctant to join unions. Independent decision making becomes difficult for them due to the reliance on male partners. Added burden to them is also the domestic responsibility. Women's domestic responsibilities to many, already represent a second shift on top of the working day, so union meetings and activities make a third shift as opined by trade union leaders.

SECTION FOUR: STRATEGIES TO ENHANCE WOMEN'S PARTICIPATION IN TRADE UNIONS

The question we posed in the previous section is that whether the lower rate of trade union participation and representation of women can be explained by the fact that women are less inclined to join trade union or other legal, social and economic reasons are at play to keep women on the margin. The study reveals that the workers', specifically women workers' hurdles in participating in trade union activities and leadership ranges from issues that are legal, social and economic. The under-representation and marginalisation of women are best explained by two major factors. First, it is the hurdles of the labour markets that extend its grip in terms of enhancing women's participation in trade unions. The second inhibiting factor is the lack of enabling environment for women in the country. Amongst those issues, we highlighted three important aspects: legal provisions, structure and policies of the trade unions, hostility of male counterparts and male family members. Other important points raised are lack of women capacity and awareness on underlying value of trade unions. Since, the study points to all of these as the overwhelming hurdles for gender equality in trade unions, accordingly, strategies to enhance women's participation should be geared to that end.

4.1 Enhancing Women's Participation in Labour Markets

The obstacles to women's participation in labour markets need to be removed. Unless women feel empowered working in the sectors, there is little possibility of encouraging women to be part of trade union. The sectors and occupations where most women work are least organised. Their part-time and temporary work contracts have also made them more difficult to reach trade union. For the formal sector, where the freedom of association and collective bargaining principles are in place, need to be enforced. The complicated and cumbersome procedures followed for the rights to organise need to be made women friendly. Workers at large and women workers in particular need to be made aware of the rights of the workers as well as responsibilities of the workers. The industrial and labour relations logic need to go beyond the narrow idea of industrial peace, rather need to focus on equitable returns to labour and production, system of social transfer and protection, skill enhancement opportunities, occupational health and safety, and individual and collective representation provisions.

Since the problems faced by women in their participation in trade unions are extensions of the barriers they face in the labour markets, the overcoming strategies to those hurdles must build on workers' rights from a gender perspective. These include, *right to work* calling for provision of access to employment opportunities, which are fair and equal without discrimination and that workers know their rights under the law and are able to establish it. Second, *right at work* that calls for promoting just and favourable conditions of work, to ensure sanitary, healthy and safe working conditions for all workers. Third, *right through work* calls for rights of everyone to an adequate standard of living. This means ensuring that no discrimination takes place in terms of hiring and of wages, and enable job creation as needed with equal access to employment. The ILO decent work agenda indeed brings in all these issues for the promotion and protection of workers' rights. On this line, *Common Minimum Demand* for women workers prepared by Bangladesh Institute of Labour Studies in consultation with trade union leaders and other stakeholders (attached as Annexure C) should be popularized in the country for their decent living.

4.2 Creating Enabling Environment for Freedom of Association

It is generally agreed that currently, workers' representation is weak, limited, ineffective and inefficient and has created a representation gap. There is an urgent need to promote participation of workers including women to fill the representation gap. This has been true for women too as explicit in this study. For equitable outcome for workers, institutional mechanisms has to be put in place and enforced for serving workers interests in general and women in particular. The institutional mechanisms i.e. trade unions need to take into considerations the socio-economic, political and legal hurdles that women face in participating and to proactively set rules and procedures for enhancing their participation. The disproportionate legal barriers women face in the access to trade unions and other positions of representations in and beyond enterprises need to be removed.

4.3 Extending Coverage of National Labour Law

Currently, a number of sectors and occupations which employ a large majority of women workforce are beyond the purview of national labour laws. The coverage of the Bangladesh Labour Act 2006 needs to be extended to bring women particularly teachers and domestic workers within the purview of legal protection.

4.4 Proactive Trade Union Structures and Policies

The proactive actions on part of trade union in promoting women's interests in trade union policies are fundamental. The current trade union policies fall short of gender focus promotion and protection. The trade union leaders need to incorporate specific women policies in the federations to encourage women. Women trade union leaders' trajectories to the positions of responsibility and their roles need to be highlighted. Trade union structures need to be more women friendly in encouraging women. The women concerns need to be mainstreamed and women leaders needed to be encouraged in a broader position of responsibility. Places can be reserved for women with voting rights in decision-making bodies. Women engaged in leadership, particularly engaged in organising activities needed to provide with more responsibilities to enable them to work independently. All trade unions should gear towards establishing 'organising cells' for integrating women's concerns in trade unions, and building pool of women organisers. The capacity building of the existing women committees are also important in promoting women's rights.

4.5 Gender Focused Analysis, Awareness Raising and Capacity Building

Gender focused analysis of trade union membership and representation is required. The status of representation and participation of women in sectors where women are the majority of workers, need to be a focus of attention to learn the barriers they face in participating in trade unions federations and also in unit level trade unions. Detailed research to better understand the motivation for and barriers against joining, participating in and progressing through unions would provide future guidelines and action agenda for trade unions.

Women awareness on the value of trade unions and its role in promotion and protection of rights need to be within the agenda of trade unions. Much of the hostility of the male partners and male family members can be reduced with enhanced awareness on the trade unionism. Unless a higher level of awareness is created on the positive aspects of trade unionism within the workforce and public in general, hostility of male workers and family members would continue. Regular campaigns to raise awareness among trade unionists and managers on equal opportunities and campaign to encourage women candidates in decision making bodies could provide a better opportunity for women.

The enhancement of capacity of women in promoting and protecting workers rights from a position of responsibility is important. This brings in the need for much more proactive action on parts of trade unions to render awareness and training on issues germane to rights of workers and women to enhance women's participation and representation. Training to prepare women in carrying out their trade union activity: training in negotiation skills, human resources management skills, etc. can form part of regular trade union activities.

SECTION FIVE: CONCLUSION

Overall, the awareness amongst the trade union leaders on the need to include women in their organization's decision making bodies or in posts of responsibility within the federations is paramount. However, despite the increasing number of female labour force in the economy and also the increasing awareness on the part of the trade union representatives about the need to enhance opportunity for women in trade union memberships and in organisation's decision making bodies, the reality is stark. Women in Bangladesh disproportionately under-occupy membership of trade unions and leadership positions. The slow rise of the female membership while partly can be explained by the growing proportion of women in the labour market, particularly in the ready-made garments sector, the overwhelming paradox remains why the rate of women participation in trade union, especially in sectors where women are majority did not commensurate in the same pace.

The study, exploring underlying reasons of under-representation and marginalisation of women in trade unions, revealed that the lower rate of trade union participation and representation of women can not be explained by the fact of women being less inclined to join trade union. It takes into consideration other reasons of legal, social and economic dimensions that keep women at the margin. The under-representation and marginalisation of women are best explained by the hurdles of the labour markets that extend its grip in terms of enhancing women's participation in trade unions, and as well as lack of enabling environment for women in their work place. Few aspects of those reasons as barriers highlighted are legal provisions, structure and policies of the trade unions, hostility of societal actors, and lack of women's capacity and awareness on underlying value of trade unions.

In order to overcome these overwhelming hurdles for gender equality in trade unions, accordingly, this study identified strategies to enhance women's participation and representation. These include strategies to enhance women's participation in labour markets, creating enabling environment for freedom of association, extending the coverage of Bangladesh Labour law 2006 and proactive trade union structures and policies. The need for gender focused analysis, awareness raising and capacity building has also been emphasized as part of the overcoming strategy to dismantle the barriers to women's participation in trade unions.

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ANNEXES

Annexure A: List of Participants of Key Interviews

Organisation	Name of the Persons
JSF	a) Shahida Sarkar
BTUC	a) Shahida Parvin Shikha b) Dr. Wazedul Islam Khan
BSSF	a) Rina Reza b) Mukhlesur Rahman
BTUS	a) Chowdhury Ashiqul Alam
JSJ	a) Monira Begum b) Mesbah Uddin Ahmed
BJSD	a) Anwar Hossain
BMSF	a) Dolly Hossain b) Khaleda Anwar
JSFB	a) Shafiur Rahman
JSL	a) A. Matin Master b) S. Nahar Bhuiyan
BFTUC	a) Abdul Mukit Khan b) Chaina Rahman
BSF	a) Minara Begum b) Shehabuddin Ahmed
BLF	a) Gulshan Akter b) Shakil Akter Chowdhury
BJSF	a) Shamim Ara
SSF	a) Rajekuzzaman Ratan
JSJB	a) Abdul Kader Hawlader
BJSJ	a) Shirin Akhter b) Umme Hasan Jholmol
JSP	a) Syeda Azizun Nahar b) Shamsul Huda Mamun

Annexure B: List of Participants in Focus Group Discussion

Place: BILS's Conference Room

Date: 6 July 2009

Name	Organization
Helena Karim	JSL
Hamida Khatun	BJSD
Sultana Akter	JSF
China Rahman	BFTUC
Asma Akter	JSF
Shamsun Nahar Bhuiya	JSL
Ramiza Begum	BJSD
Rashida Akther	JSF
Promila Poddar	JSL

Place: BILS's conference Room

Date: 7 July 2009

Name	Organization
Dolly Hossion	BMSF
Samsun NAhar	BMSF
Shamim Ara	BJSF
Basirun Akther Sima	JSJ
Najma Akther	JSFB
Nurun Nahar Khanam	JSFB
Salma Akther	BJSF
Salma Parvin	BMSF
Nasrin Islam	BJSF
Hajera Sultana	JSFB
Hena Choudhury	JSJ
Monira Begum	JSJ

Annexure C: List of issues demanded for the working women irrespective of their workplace, occupation and status

1. Assurance of Appointment and Employment

- a) To provide appointment letter and identity card to every women worker/employee according to article 5 of Labour Law 2006 should be ensured.
- b) Law should be enacted and executed properly to ensure that the women workers of informal sector, domestic aid and other workers of this type are provided with written appointment letter/evidence paper citing appointment terms and duration of work at the time of appointment.
- c) Provisions should be introduced to take prior consent of women workers regarding their transfer who are engaged in section or division or sector based organizations so that their family activities or rearing children or education are would not hampered.
- d) Temporary or contract basis appointment should be stopped in permanent jobs as well as employees appointed on temporary basis should be considered as core staff after certain period.

2. Ensuring Working Hour, Rest and Leave

- a) Law should be enacted to ensure the facility of eight hours work, time fixation for proper rest and to determine weekly leave and other reasonable leave for all women workers engaged in every sector irrespective of formal or informal sectors.
- b) Women workers should not be engaged in overtime work or night duty without their consent, especially night duty should be prohibited unless proper steps are taken to protect women workers from indecent behaviour, teasing and insecurity in transportation.
- c) Law should be enacted including provision of granting two-day paid leave for women workers during their monthly period.

3. Wages and Social Security

- a) Women workers engaged in formal and informal sectors should be provided wages to serve their family needs with dignity and on equal pay for equal work basics.
- b) Law should have the provisions that the women workers are equally paid in piece rate and part-time jobs and get special consideration not to carry heavy materials during pregnancy.
- c) Central provident fund should be established like tea garden in all women oriented industries including garment factories to implement proper compensation, gratuity and provident fund.
- d) Rationing system should be introduced and shops of fair price should be set up in workplace and residential areas where mainly women workers reside.
- e) Ensure ample opportunity for women workers in the informal sector by introducing government social security programmes. New scheme of social security can be taken under Labour Welfare Foundation 2006, especially health, unemployment, and insurance scheme in period of old age; and old age home should be set up.

4. Enabling Work Environment and Ensure Health and Security in Work Place

- a) Labour Law 2006 should be amended and executed in accordance with related clauses of ILO Conventions to ensure a secure and hygienic work environment. Factory Inspection Department should be made more active by ensuring appointment of 30 per cent women inspectors.
- b) Law should be enacted to set up appliance in workplace and other working instruments and patterns of work should be determined befitting women workers.
- c) Separate and hygienic toilets with separate garbage box and separate bathrooms should be set up in every workplace in proportion to number of women workers.
- d) Adequate health care service should be ensured in every workplace including emergency and first aid.
- e) Secure transportation should be ensured for women workers in workplace.
- f) Safe residence, medical services and child care should be ensured in the place where there are more women workers.
- g) Women workers hostel should be established in district towns of the country and residential colony should be set up for low-income earners in Dhaka and Chittagong.

5. Ensure Protection during Maternity

- a) All women workers engaged in formal and informal sectors or part time work should be provided at least 5 months paid maternity leave.
- b) Women workers should be refrained from doing work which are harmful for physical and mental health such as to carry excessive weight, long time work, working in excessive heat or cold, working in the sun and rain and work in which poisonous chemicals are used. Sacking during pregnancy needs to be prohibited.
- c) Child care centre should be set up in every work place and mother should be allowed time so that they can breast feed their new born children.

6. Immigrant Labour:

- a) Women workers who work abroad, concerned Bangladeshi missions should take initiatives to ensure their security and dignity. They should ensure that they get their dues according to agreement.
- b) Proper steps should be taken to send women to Europe, America and other countries as there are job opportunities.

7. Protection against Discrimination, Indecent Behaviour and Harassment

- a) According to the Constitution, it should be ensured that women workers will not face discrimination in wages, appointment, training, promotion, transfer, responsibility and work allocation and equal participation in all spheres.
- b) Steps should be taken to protect women workers from indecent behaviour and sexual harassment by some of the male staff, high officials and owners.
- c) Proper administrative direction and steps should be taken to protect women workers from disturbance of miscreants and harassment of police when they return from work at night.
- d) Adequate safeguard should be established in service based and commercial institutions to stop indecent behaviour of subscribers to women workers.

8. Organize and Bargain

- a) Every worker should have the right to form trade union or join trade union according to own will without any discrimination. It will be performed in accordance with concerned union's constitution with a view to maintain employers and employees relationship as well as relation ship among employees.
- b) Every worker should have the right to form trade union or join in trade union according to his own will without any discrimination. It will be performed in accordance with concerned union's constitution with a view to maintain employers and employees relationship as well as relation ship among employers.
- c) The trade unions of employers and employees also should have the right to form a federation and to join it. The union or federations also have the right to build up relationship with international organizations or federations.
- d) Trade unions and associations of employers should have the right to frame a constitution or rules, to elect their representatives with complete freedom and to formulate programme, activities and administration.

9. Inclusion under Labour Law and Ensure Legal Protection

- a) Women oriented organizations such as education and research organizations, NGOs, domestic aid and other sectors which are excluded from Labour Law 2006 should be brought under Labour Law 2006 through required amendments.
- b) Initiatives should be taken by Ministry of Labour to enact a gender policy that will be applicable to workplace and should be publicized and implemented.