



Governing Body

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Report by the Government of Bangladesh on progress made on the implementation of the road map taken 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 had before it a report of the Officers regarding 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 of the Governing Body (March 2020), a meeting which was further postponed due to the COVID-19 pandemic.

¹ GB.337/INS/13/1.

3. At its 340th Session (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 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, the Governing Body took note of the road map of actions submitted by the Government in May 2021,² 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. It also took note of the report on progress made in its implementation, submitted in September 2021; requested the Government to inform it of the progress made in the implementation of the road map at its 344th Session (March 2022) and deferred the decision on further action in respect of the complaint to its 346th Session (October–November 2022).³
6. At its 344th Session (March 2022), the Governing Body took note of the report on progress in the implementation of the road map submitted by the Government in February 2022 and requested the Government to report on further progress made at its 346th Session and deferred the decision on further action in respect of the complaint to that session.⁴
7. On 9 September 2022, the Government submitted a progress report on the implementation of the road map (see the appendix), providing updates on the four priority areas of the road map. The report noted the adoption, in September 2022, of the amended Bangladesh Labour Rules and the finalization of the Export Processing Zones Labour Rules, to be published shortly. It also highlighted, among others, advances in tripartite discussions for the amendment of the Bangladesh Labour Act, activation of the digitalized system for trade union registration, continued recruitment and training of labour inspectors, continuing increase in the number of safety committees in factories across the country, appointment of judges to newly-established labour courts and ongoing discussions on processes to address case backlogs, as well as appointment of conciliators and progress in the development of standard operating procedures on conciliation and arbitration, as a form of alternative dispute resolution and the launching of an Employment Injury Insurance Scheme (EIIS) on a pilot basis in the ready-made garment sector. The Government indicated that the progress report had been shared with tripartite constituents for discussion at the Tripartite Implementation and Monitoring Committee (TIMC) meeting in August 2022.

² GB.342/INS/INF/2(Rev.1).

³ GB.343/INS/10(Rev.2) and GB.343/PV, para. 343.

⁴ GB.344/INS/13(Rev.1) and GB.344/PV, para. 433.

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 submitted by the Government on progress made with the implementation of the road map of actions, the Governing Body, on the recommendation of its Officers, decided to:**
 - (a) **request the Government of Bangladesh 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 347th Session (March 2023); and**
 - (b) **to defer the decision on further action in respect of the complaint to that session.**

▶ Appendix

Report of the Government of Bangladesh on progress made (as of 8 September 2022) with the timely implementation of the road map developed in response to the decision made by the Governing Body at its 344th Session (March 2022)

Background

1. The road map on the Labour Sector in Bangladesh (2021–2026) is a commitment of the Government of Bangladesh to uphold labour rights and workplace safety in the country. The road map contains specific actions on legal and administrative reforms as well as enforcement of laws and training and promotional activities.
2. Accordingly, the road map had been developed under four priority areas with a series of specific actions set against timelines. These four priority areas are: (1) labour law reform; (2) trade union registration; (3) labour inspection and enforcement; and (4) addressing acts of anti-union discrimination/unfair labour practices and violence against workers.
3. Pursuant to the decisions of the ILO Governing Body at its 341st Session (March 2021), the final 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).
4. The first progress report on the road map was submitted to the ILO on 30 September 2021 and was discussed at the 343rd Session of the ILO Governing Body on 6 November 2021. The second progress report on the road map was subsequently submitted to the ILO on 4 February 2022 and was discussed at the 344th Session of the ILO Governing Body on 21 March 2022. The report presented below highlights the progress made since the submission of the road map to the ILO. The report was shared with tripartite constituents for discussions at the Tripartite Implementation and Monitoring Committee (TIMC) at its meeting held on 24 August 2022 under the chair of the Secretary, Ministry of Labour and Employment (MOLE).

Progress made on the actions under each priority area of the road map

Action point 1. Labour law reform

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

- Since the submission of the second report, upon recommendations by the Tripartite Working Group (TWG) and the Tripartite Committee, the draft amendment proposals of the BLR were finally endorsed by the National Tripartite Consultative Council (NTCC) on 3 March 2022. After that, the Ministry of Law, Justice and Parliamentary Affairs vetted the draft on 20 March 2022.
- Later, the MOLE requested the re-consideration of an amendment proposal. Final vetting by the Ministry of Law, Justice and Parliamentary Affairs was received on 8 August 2022.
- The amended Rules have been published through gazette notification on 1 September 2022.

Action point 1.2. Amend the Bangladesh Labour Act, 2006 (as amended in 2018)

- While submitting the second report, amendment proposals were received from 11 government, employers' and workers' organizations.
- Later, the timeline to receive amendment proposals and recommendations was extended up to 7 July 2022. By this time, amendment proposals had been received from 17 stakeholders. The working group will compile and send the proposals to the Tripartite Committee by 30 October 2022.
- The Tripartite Labour Law Review Committee (TLRC) will have further discussions on the compiled recommendations to be forwarded to it by the TWG.
- Upon completion of the work by the TWG and the TLRC, the NTCC will be in a position to take up the issue of the BLA, 2006 amendments.
- A meeting of the TWG was held on 23 August 2022. The next meeting was on 14 September 2022.
- The MOLE is engaged with the ILO to align the Bangladesh Labour Act with relevant international labour standards. In a meeting on 7 September 2022 at a MOLE stakeholders' meeting/consultation workshops on gap analysis were agreed during 25–29 September 2022. This will be facilitated by experts from the ILO, New Delhi.

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

- After the amendment of the BLA in 2022, further new amendments to the Bangladesh Labour Rules will be considered through the tripartite mechanism.

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

- Since the submission of the second report, the draft was forwarded to the Legislative and Parliamentary Affairs Division, Ministry of Law, Justice and Parliamentary Affairs for vetting on 6 March 2022.
- The proposed draft Rules contain 15 Chapters, 319 Rules, 4 Schedules and 106 Forms. It includes, among other issues, provisions related to the prevention of discrimination and conducting investigations against anti-Workers' Welfare Association (WWA) activities, formation of workers' federations, procedure of formation of employers' associations, modalities of the Department of Inspection for Factories and Establishments (DIFE) inspection in EPZs, and preventing misconduct against female workers including sexual harassment and violence etc.
- The final vetting of the EPZ Labour Rules by the Ministry of Law, Justice and Parliamentary Affairs has been received on 10 August 2022.
- The gazette notification of the vetted EPZ Labour Rules is in the process of being published and it will be effective from the date it is published.

Action point 1.5. Amendment of Bangladesh EPZ Labour Act, 2019

- Following the work on the Bangladesh EPZ Labour Rules and its impact analysis, the work on amending the Bangladesh EPZ Labour Act, 2019, will start in July 2023. It is envisaged that the whole exercise will be completed by June 2025. Previously it was proposed to be completed by December 2026.

- The Tripartite Standing Committee (reference action 1.4 above) is also expected to work on the Bangladesh EPZ Labour Act, 2019. It will initiate the preparatory work soon after the adoption and publication of the EPZ Labour Rules (as stated above).
- The Bangladesh Export Processing Zone Authority (BEPZA) is closely engaged with the ILO for improvement of labour standards in Export Processing Zones (EPZs). On 4 August 2022, a meeting was held between the ILO, Dhaka, and BEPZA regarding amendment of the EPZ Labour Act, 2019 among other issues that were discussed.
- Following the same, a review discussion meeting was held on 7 September 2022 with ILO officials in Dhaka in this regard. Accordingly, the next meeting will be held by the end of September 2022 with officials of the ILO including an ILO expert from New Delhi.

Action point 2. Trade union registration

Action point 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 in order to provide trade union registration facilities to the doorstep of the workers. This simplification process has been undertaken under the myGov Platform which is an integrated system encompassing a wide range of government or public services. With backup support provided by the a2i (Access to Innovation) Programme, the ICT Division of the Government of Bangladesh, which is in charge of the myGov Platform, the digitized system was made active for users **on 1 April 2022**. This comprehensive online trade union registration system will be regularly reviewed and updated based on stakeholder feedback.
- Meanwhile, the DOL has undertaken the necessary preparations for conducting training on the digitized systems for its relevant officials from the headquarters and its regional offices.
- In collaboration with the ILO, the DOL conducted training on the online trade union registration system for representatives of the Workers Resource Centre (WRC), a platform of the IndustriAll Bangladesh Council (IBC) and the National Coordination Committee for Workers Education (NCCWE), on 8 August 2022.

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

- A pre-application service desk was established in every office of the Registrar of Trade Unions (RTU) under the DOL in January 2021 to ensure smooth registration through quality applications.
- In collaboration with the ILO, the DOL arranged a knowledge-sharing workshop on pre-application services regarding application submissions for the representatives of the WRC, a platform of the IBC and the NCCWE, on 8 August 2022.
- Despite COVID-19 related complications last year, a good number of trade unions have been registered after submission of the road map and the success rate has also increased which is presented below:

Year	Registration accorded	Success rate (Average)
2020	290	88.69%
2021	380	89%
As of 4 September 2022	198	90.41%

2.1.3. Continuing with the provision for offline registration system

- The offline trade union registration system is active and in full swing. Up to 4 September 2022, 9,088 trade unions have been registered covering about 2.985 million trade union members.
- In the ready-made garment (RMG) sector, the number of trade unions has increased from 132 in January 2013 to 1,172 on 4 September 2022.
- The number of national trade union federations and sector-wise trade union federations is 36 and 191 (including 56 garment sector federations) respectively.
- Based on regular feedback from the social partners, discussions are ongoing to explore the possibility of further simplifying both online and offline registration systems.

Action point 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

- Regular trainings are provided to workers, management staff and government officials by the DOL through its four Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs).
- The DOL has organized a refresher training session for its officials on standard operating procedures (SOPs) on trade union registration from 27 to 29 November 2021, with support from the ILO. A training course on SOPs on trade union registration for a new batch of 30 DOL officials will be conducted from 27 to 29 August 2022.
- In collaboration with the ILO, the DOL has arranged knowledge-sharing workshops on SOPs for trade union registration for the representatives of the WRC, a platform of the IBC and the NCCWE, on 8 August 2022
- From July 2020 to June 2022, the DOL has trained 19,939 workers, management staff, and government officials through its 4 IRIs and 32 LWCs, with nearly 45 per cent of female participants.
- The Workers' Education and Industrial Relations courses cover training on the trade union registration process, among other issues.

Action point 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 has been activated on 30 September 2021 on the DOL website (www.dol.gov.bd). The Honourable State Minister for Labour and Employment inaugurated the database.

- This database has consolidated 11 areas, namely status of trade union application, registration, rejection, and filing; the number of national and sector-wise trade union federations, participation committees, collective bargaining agents CBAs; and information on unfair labour practices/anti-union discrimination as well as conciliation of labour disputes. This should enhance transparency with the trade union registration process and will continue to be updated/renovated with relevant information.
- In collaboration with the ILO, the DOL has organized a tripartite consultative workshop on the publicly accessible database and its function, scope and renovation on 7 August 2022. The aim of this workshop was to disseminate necessary information to make the best use of this database while noting the recommendations from its users on any renovation that may be required.

Action point 3. Labour inspection and enforcement

Action point 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

- Upon requisition of 140 inspectors, the Bangladesh Public Service Commission (BPSC) recommended 85 inspectors for DIFE of which 59 new inspectors joined DIFE. Eleven existing staff of DIFE were promoted as Labour Inspectors (General).
- With this, at present a total of 366 inspectors are working in DIFE (up to 30 June 2022).
- Police verification and medical check-ups of recommended candidates for 54 new posts is ongoing and hopefully these inspectors will join within a short time.
- In addition, DIFE will send a requisition to the MOLE very soon to recruit 46 inspectors by the BPSC.
- Meanwhile, gradation of Joint Inspectors General (JIGs) got finalized and the gazette notification was circulated by the MOLE on 6 January 2022.
- Gradation of Deputy Inspectors General (DIGs) has been prepared in May 2021 and the process is going on for hearing. After the hearing, it will be sent to the MOLE for approval and gazette notification. Gradation of Assistant Inspectors General (AIGs) is currently in process.

3.1.2. Creation of new posts and recruitment of labour inspectors

- A proposal for creating new posts for DIFE was sent to the Ministry of Public Administration (MOPA) on 18 August 2021 for approval. The concerned authorities, i.e. MOLE, DIFE and MOPA, held a meeting on 31 August 2021 to assess the proposal.
- The creation of 345 posts including 175 posts for inspectors was recommended by the MOPA on 28 November 2021.
- Of the 345 posts recommended by the MOPA, the creation of 192 post including 136 posts for inspectors and 1 post for Legal Officer has been approved by the Finance Division on 19 April 2022 and 24 May 2022 in two different orders. After approval by the secretariat committee, the final office order for the creation of 136 posts has been issued by the MOLE.
- Establishment of 8 new field level offices in 8 districts has also been approved.

- Meanwhile, the MOLE remains in communications with the MOPA regarding the possibility of increasing the number of sanctioned posts. The current fiscal constraints, aggravated since the outbreak of the Ukraine war, poses practical challenges for such reconsideration.
- Based on the outcome of these engagements, the matter will be referred to the BPSC for initiating the recruitment process.

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

- Under the supervision of a Committee and with the support from the ILO and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), the technical issues involving SMS and Automated Payment Integration within the Labour Inspection Management Application (LIMA) have already been resolved.
- The User Acceptance testing has been completed on 11 January 2022 and 12 January 2022. Five workshops on factories facing module have been organized with the support of the GIZ.
- Online Licensing and OSH Modules are ready in the present system. E-nothi (e-file) integration has also been completed. In addition, complaint information can be stored by district offices in the latest version.
- All the 23 district offices of DIFE have been gradually using the LIMA system for inspection, licensing and other issues. In the fiscal year 2021–22 (July 2021 to June 2022), a total of 8,149 inspections were carried out, 1,199 new licences issued and 58 licences renewed through LIMA. On the other hand, from July 2022 to 8 September 2022, a total of 3,031 inspections were carried out, 898 new licences issued and 340 licences renewed through LIMA.

Details of training on LIMA is presented below:

Training Date	Trainee Type
6 March 2022	Facing module workshop (Dhaka)
7 March 2022	Facing module workshop (Dhaka)
27 March 2022	Facing module workshop
23–24 March 2022	All DIGs of all district offices of DIFE attended the training course
18–19 June 2022	Administration panel training (10 inspectors)
17–18 July 2022	TOT training (46 inspectors from 23 DIG offices)
30 July 2022	Rajshahi area training (30 inspectors from Rajshahi, Dinajpur, Bogura, Sirajgonj and Pabna district offices)
31 August–1 September 2022	Dhaka area (50 inspectors from Dhaka, Narayanganj, Gazipur, Munshigonj, Tangail, Norshingdi district offices)
8 March 2022	Remediation Tracking Module (RTM) training

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

- Regular training activities are ongoing. In the fiscal year 2021–22, 27 training programmes involving 761 inspectors and staff and seven workshops comprising 197 inspectors and staff

(one inspector attending two or more trainings counted separately) were conducted through Government of Bangladesh funding.

- In addition, 25 training programmes involving 555 inspectors were conducted with support from the GIZ. Moreover, the ILO organized a special master training for 23 DIFE engineers about fire, electrical and structural safety.
- In addition, two foundation training courses with 60 inspectors were completed in the fiscal year 2021–22.

Please see action 3.1.2 regarding creation of senior positions.

3.1.5. Implement and promote effective labour inspection processes

3.1.5.1. Prioritization of safety issues, targeting establishments to be inspected and monitor progress on remediation of non-conformity on priority issues identified by labour inspection

- The prioritization of sectors for the labour inspectors, in consideration of safety issues and targeting establishments, was completed in December 2021.
- About five to eight sectors were prioritized depending on different safety issues, accident rates, and other factors relevant for each district level office of DIFE.
- In addition, a yearly Strategic Inspection Plan targeting the priority sectors was also developed. This will help identify the non-compliance issues in these sectors and monitor the progress of remedial measures on a regular basis.
- A database has been developed (please see action 7.5.2) factoring in information on prioritization of safety issues along with child labour issues.

3.1.5.2. Creating a database for monitoring of efficiency of labour inspections through a yearly strategic labour inspection plan (upgradation of existing inspection plan, if needed)

- This action has been completed in December 2021. The database is maintained in Excel format. This is an internal tracking mechanism connecting 23 DIFE offices for the purpose of obtaining and collating information.
- For the year 2022, a total of 31,459 inspections have been targeted as per the yearly sector-specific Labour Inspection Plan. From January 2022 to June 2022, a total 14,943 inspections have been done with more than 17,000 safety-related violations identified. In addition, 930 child labour cases have been found during this period of inspection.

3.1.5.3. Taking effective measures to ensure sufficiently dissuasive penalties and ensure that the DIFE legal unit responsible for the follow-up of labour law violations by creating nine new posts of law officers

- One post of Legal Officer has been approved by the Finance Division. Please see action 3.1.2.

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

- Modalities of DIFE inspection have been incorporated in the draft EPZ Labour Rules.
- An inspection checklist was prepared and shared with DIFE on 1 December 2021.
- On 16 May 2022, a review meeting was held between BEPZA and DIFE (under the chair of the Honourable Minister, Ministry of Law, Justice and Parliamentary Affairs) regarding a transparent and accountable inspection mechanism.
- In parallel, DIFE is carrying out inspections within EPZs, including by the DIFE Inspector General himself in one instance. As of August 2022, DIFE has already inspected 25 factories

within EPZs. During such inspections, the overall compliance of the factories concerned have been found to be satisfactory in general.

- Two district offices of DIFE, Rangpur and Khulna, inspected EPZ factories as per labour law

3.1.7. Incorporate the standard operating procedure on labour complaints and investigation in the BLA

- Necessary steps will be taken during amendment of the BLA, 2006.

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 quite effectively. To date, 11 meetings of the Council have been held under the chair of the Honourable State Minister, MOLE.
- In parallel, the number of Safety Committees formed in factories across the country has increased to 5,959 as of 30 June 2022.
- In order to monitor the effective functioning of the Safety Committees, a special checklist developed by DIFE was sent out to all its district-level offices on 30 September 2021.

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

- As per the conditions stipulated in the licence issued in favour of the RSC as well as in article 41 of the RSC's Articles of Association, a Government Coordination Council (GCC) has been formed under the Ministry of Commerce.
- The GCC is headed by Additional Secretary (Export), Ministry of Commerce, and comprises representatives from the MOLE, the Ministry of Foreign Affairs, the Ministry of Textiles and Jute, the Ministry of Industries, BEPZA and the Bangladesh Economic Zones Authority (BEZA).
- The GCC held its first meeting on 23 December 2021 and discussed its future course of action. The second meeting of the GCC was held virtually on 1 February 2022, where representatives from the RSC and DIFE also attended.
- A Draft Framework has been developed by DIFE for RSC coordination/monitoring based on the terms and conditions of the licences given to RSC by the Ministry of Commerce. The draft remains under consideration of the Ministry of Commerce following a meeting with the MOLE.
- In addition, a ten-member Review Panel for the RSC headed by the Inspector General, DIFE, consisting of technical experts along with RSC representatives, has been formed on 1 March 2022 to address appeal applications received from the people who are aggrieved by the activities of the RSC and for taking necessary actions as per laws.

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

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

- The helpline activated in June 2020 continues to operate and receive complaints that are now managed through a database (please see action 3.3.3 below). A pool of three labour inspectors are assigned to attend to the helpline.

- From July to August 2022, a total of 662 complaints have been received. Among these, 115 complaints were received through the online website, helpline and emails, while the remaining 547 complaints were received through the conventional process.
- 640 complaints have been resolved by 31 August 2022. The rest of the complaints were under process.
- The officials dealing helpline are being trained regularly. The helpline officials were training in Denmark from 20 August to 27 August 2022.

3.2.2. Establishment of a Complaint Management Cell to follow up the cases directly by the labour inspectors

- A Complaint Management Cell has been established at DIFE on 21 December 2020, with an update on 23 January 2022, consisting of eight labour inspectors to monitor the complaints received and addressed, update the number of complaints received and resolved, and to arrange training for labour inspectors.
- The Cell is authorized to co-opt additional members based on requirements, and continues to carry out responsibilities as directed by the competent authorities.
- Tripartite meetings are arranged by the Cell for disposal of the cases.

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 has been developed in December 2021. The present database system covers all complaint information including the number and nature as well as resolved/follow-up cases. The database includes information on complaints received both online and offline.

In the fiscal year 2021–22 (July 2021 to June 2022), a total of 3,593 complaints have been received, out of which 601 complaints were received via the helpline.

- During July to August 2022, a total of 662 complaints have been received. Among these, 115 complaints were received through the online website, helpline and emails, while the remaining 547 complaints were received through the conventional process. Of the complaints 640 have been resolved by 31 August 2022. The rest of the complaints were under process.

3.2.4 Organize regular training programmes for all service personnel/officials receiving complaints

- Regular trainings are being provided as per training needs assessment.
- A three-day long training has been provided to eight labour inspectors regarding receiving complaints via the helpline from 26 to 28 December 2020.
- A day-long training programme was organized on 1 February 2022 for 16 labour inspectors including 3 responsible for receiving complaints via the helpline.
- Five labour inspectors of DIFE have been to Denmark in August 2022 for 7 days special training on complaint management.
- Five high level officials from the MOLE and DIFE participated in a study tour related to complaint management in Denmark from 15 to 21 May 2022 and in a strategy meeting with ILO experts in Switzerland from 22 to 25 May 2022.

- Two officials from DIFE would participate in a TOT training on “Building Modern and Effective Labour Inspection System” from 10 to 21 October 2022.

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 has been launched to ensure labour rights and to strengthen the existing grievance redress system as well as to ensure prompt services for the workers of enterprises in the eight EPZs under BEPZA.
- The services that EPZ workers can get through the helpline are:
 - to inform officers of any complaint or grievance and to get prompt service or advice or information from the concerned EPZ officers/inspectors;
 - to receive immediate legal service/advice;
 - to get clear and transparent ideas about their legal rights and responsibilities etc.
- From 28 March 2021, the helpline is providing services 24/7 to the workers/employees in EPZs. The calls so far received through helpline are for various purposes such as arrears of wages/salary, provident fund, earned leave encashment, leave and holiday and information regarding plots, investments, etc.
- Up to July 2022, a total of 4,241 calls have been received out of which 4,202 have been resolved and the remaining 39 are in the process of being addressed.

Action point 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

- There were ten Labour Courts in the country. To expedite labour-related cases and clear backlogs, three new Labour Courts were established in 2019 in Sylhet, Barishal and Rangpur.
- Following the setting up of offices, recruitment of judges, and getting nominations of representatives from employers and workers, the new courts are functional now. The issue of recruiting support staff remains under process.

3.3.1.1. Set up offices in three different locations

- For the Labour Court, Barishal, office space was initially provided by DIFE from 16 October 2019. A private premise has been rented for this Labour Court on 15 March 2021.
- Separate private premises were rented on 1 October 2020 for the Labour Court, Sylhet, and on 1 April 2020 for the Labour Court, Rangpur.

3.3.1.2. Deployment of judges by Ministry of Law, Justice and Parliamentary Affairs

- Being appointed (on deputation) on 19 January 2020 by the Law and Justice Division, Ministry of Law, Justice and Parliamentary Affairs Division, the Chairman for the Labour Court, Sylhet, joined on 6 February 2020.
- The Chairman for the Labour Court, Rangpur, was appointed (on deputation) on 19 January 2020 and joined on 29 January 2020.
- The Chairman for the Labour Court, Barishal, was appointed (on deputation) on 8 May 2019 and joined on 20 May 2020.

3.3.1.3. Recruit registrar by PSC

- The Registrars for Sylhet, Barishal and Rangpur Labour Courts were recommended by the Public Service Commission (PSC) on 5 January 2021. The gazette notification for appointment of Registrars for these three Labour Courts was issued by the MOLE on 16 September 2021.

3.3.1.4. Recruit other official support staff

- Recruitment of support staff members under the revenue budget for Sylhet Labour Court has been completed on 8 November 2021 while those for the other two courts in Rangpur and Barishal remain under process.
- Recruitment of other support staff on an outsourcing basis has been completed on 6 December 2020, 1 November 2020 and 2 November 2020 for Labour Courts in Barishal, Sylhet and Rangpur, respectively.

3.3.1.5. Select representatives from employers and workers

- The representatives of employers and workers for the Labour Courts in Barishal, Sylhet and Rangpur were appointed through a gazette notification on 18 October 2020.

3.3.1.6. Training of labour court officials

- Previously, 30 judges and 30 lawyers were trained on international labour standards at the International Training Centre of the ILO in Turin (Turin Centre), Italy.
- For the training of the newly recruited court officials, the MOLE is currently working on the administrative procedures for allocating the budget. Training for court officials may be organized abroad as well, with the support of the ILO and development partners.
- The ILO may continue providing training of judges and lawyers on international labour standards at the Turin Centre.

3.3.2. Establish new Labour Courts in Narayanganj, Gazipur, Cumilla, and Faridpur districts

3.3.2.1. Post creation by the Ministry of Public Administration, Ministry of Finance and the MOLE

- The proposal for the establishment of Labour Courts in Narayanganj, Gazipur and Cumilla was approved by the “Secretaries Committee for the Administrative Development” on 15 December 2021. Subsequently, the Honourable Prime Minister, Government of Bangladesh, has given approval to set up the three new Labour Courts on 1 February 2022.
- The proposal on setting up a full-fledged Labour Court in Faridpur has not been approved at this stage. The matter may be pursued at a later one.

3.3.2.2. Set up offices for the newly establishment Labour Courts

- Will be established when required.

3.3.2.3. Deployment of judges by Ministry of Law for new Labour Courts

The Law and Justice Division, Ministry of Law, Justice and Parliamentary Affairs has appointed the Chairmen (on deputation) for the Labour Courts in Narayanganj, Cumilla and Gazipur on 26 July 2022. The Chairmen for the concerned Labour Courts joined on 2 August 2022, 1 August 2022 and 26 July 2022, respectively.

3.3.2.4. Recruit registrar by PSC and other manpower for official support

- The process will be initiated at an appropriate time.

3.3.2.5. Select representatives from employers and workers

- The process will be initiated at an appropriate time.

3.3.2.6. Training of labour court officials

- This will remain an ongoing process.

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

3.3.3.1. Creation of one post of Additional Judge (Member) to the Labour Appellate Tribunal and official supporting staff

- Consent has been received from the Law and Justice Division, Ministry of Law, Justice and Parliamentary Affairs, on 29 November 2021 regarding the creation of a post of a Member of the Labour Appellate Tribunal. The MOLE is working on further administrative processes regarding this issue.

3.3.3.2. Set up offices for the newly created post of Additional Judge (Member)

- Will be established when required.

3.3.3.3. Deployment of Additional Judge (Member)

- Will be deployed after completion of the administrative processes.

3.3.3.4. Recruit other manpower for official support

- Will be recruited as and when required.

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

- Initially a workshop involving the judges of the Labour Courts was slated to be held in the last week of December 2021, but had to be postponed due to the subsequent waves of COVID-19 infections.
- However, the workshop was organized on 13 August 2022. The Honourable Minister for Law, Justice and Parliamentary Affairs, the Honourable State Minister for Labour and Employment, the Attorney General of Bangladesh, 2 Secretaries of the Ministry of Law, Justice and Parliamentary Affairs, and the Country Director of the ILO were present. The Judge of the Labour Appellate Tribunal and 13 Judges of 13 Labour Courts attended the workshop.

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

- All the Labour Courts are now located in hired premises/structures, thus limiting the scope for major renovation work. The MOLE is therefore exploring options to improve the court facilities and to provide space for the courts in Dhaka and Chattogram in the existing office spaces of the DOL and DIFE. The issue has also been discussed in the aforementioned workshop held on 13 August 2022.

Action point 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 DOL to provide secretarial service and monitor individual cases:

- A three-member Conciliation and Arbitration Cell has been established by the DOL on 29 September 2021. The Cell stands ready to extend secretariat service to the conciliators and the panel of arbitrators.
- Since 2013, a total of 111 conciliation applications have been submitted to the DOL. Of these, 104 industrial disputes have been settled through DOL's conciliation mechanism, 5 industrial disputes have ceased according to the BLA and only 2 conciliation applications remained pending.

3.4.2. Develop an SOP for conciliation system through tripartite consultations

- Since the submission of the road map, a number of consultation meetings (virtually on 22 August 2021 and 6 September 2021, and in-person on 30 September 2021, 10 October 2021, 27 November 2021, and 13 December 2021) took place between the DOL and the ILO towards developing a SOP for Conciliation of Industrial Disputes.
- Subsequently, in collaboration with the ILO, a three-day workshop with DOL officials on the development of the SOP for Conciliation has been organized from 22 to 24 March 2022. Through this workshop, an initial draft for the SOP for Conciliation has been prepared and sent to the ILO for comments. After compiling the observations from the ILO, the draft will be sent to the MOLE to facilitate framing and adopting the SOP through tripartite validation.

3.4.3 Appointment of conciliators through gazette notification

- On 10 March 2022, through a gazette notification by the MOLE, 15 conciliators have been assigned 15 specific areas with a view to settling industrial disputes.

3.4.4. Develop an SOP for arbitration system through tripartite consultations

- The DOL has started consultations with the ILO to develop an SOP for arbitration. The provision regarding the arbitration process of the BLA needs to be adjusted to the BLR. Work is in progress for adjustment to the BLR through preparing a zero draft on the arbitration process and its arbitrators' appointment.
- While developing the draft SOP, the DOL and the ILO will jointly consult with the social partners. The final draft will be sent to the MOLE for approval and official notification.

3.4.5. Establish an arbitrators' panel

- Tripartite consultative sessions will be organized with a view to establishing an arbitrators' panel comprising experienced lawyers and retired judges, among others, by December 2022.

3.4.6. Promote conciliation and arbitration system as alternative dispute resolution

- In general, the DOL continues to provide training on conciliation, among other issues, to its pool of master trainers, who in turn disseminate such training to workers, DOL officials, and factory managers.
- In collaboration with the ILO, the DOL conducted a day-long training session for 15 designated conciliators (please see 3.4.3 above) on Dispute Resolution and Conciliation

on 25 August 2022. The Turin Centre will also facilitate a three-day training session with the conciliators in September 2022.

- Upon finalization of the SOP on conciliation, a refresher training session for the conciliators will also be conducted with ILO support.
- In June 2022, the issue was discussed with ILO headquarters experts for self-assessment of the existing dispute resolution system in Bangladesh. The mission is scheduled for 24–27 October 2022. During this mission the constituent members will be consulted to diagnose the weaknesses of the existing dispute resolution system with the aim to adopt a self-developed work plan to remediate the gaps or weaknesses.

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

- The DOL, with the ILO's support, will conduct information sessions/focus group discussions on conciliation and arbitration for trade union leaders, employers and DOL officials during the rest of 2022. In collaboration with the ILO, the DOL conducted a day-long training session for 15 DOL officials assigned as conciliators along with another 15 senior officials of the DOL (please see 3.4.3 above) on Dispute Resolution and Conciliation on 31 August 2022.

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

Action Point 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 training programmes mentioned under action point 2.2.1 above generally include topics such as (but not limited to) violence, harassment, unfair labour practices and anti-union discrimination in the workplace.
- From July 2020 to June 2022, the DOL has trained 19,939 workers, management staff, and government officials through its four IRIs and 32 LWCs, with nearly 45 per cent of female participants.
- From January 2021 to July 2022, the Industrial Police has conducted 3,738 hours of training for its personnel. Among them, 1,985 were male and 175 female. All training courses included, among other issues, the Labour Act, 2006, human rights, labour rights and other topics concerning industrial relations management.
- From January 2020 to June 2021, BEPZA conducted training for workers, management, and security personnel on the EPZ Labour Act, 2019, prevention of discrimination against anti WWA activities, fire safety, health and hygiene, nutrition, awareness on COVID-19, and related topics where a total 40,000 participants attended.
- Between June 2021 and July 2022, BEPZA has trained 3,752 participants including workers, management, and security personnel on EPZ Labour Act, 2019, prevention of discrimination against anti WWA activities, human rights, effective workplace cooperation, and awareness of safe pregnancy.
- From May to August 2022, BEPZA, in collaboration with the Ministry of Commerce, conducted skills development training programmes for female workers/employees in four EPZs wherein 225 participants have been trained.

- On 4 August 2022 a meeting was held between the ILO, Dhaka, and BEPZA wherein regarding training, the following issues among others have been discussed:
 - workplace cooperation and communication;
 - grievance handling procedures at factory-level;
 - collective bargaining and best industrial relations practices;
 - awareness on international labour standards;
 - promotion of occupational safety and health (OSH) management systems;
 - prevention of gender-based violence (GBV) at workplace, etc.
- On 7 September 2022, the follow-up meeting was held with the Technical Committee of the ILO. In the meeting, the Technical Committee of the ILO has informed that they will design and share with BEPZA the course curriculum, modules, etc. and accordingly the training programmes will be initiated by October 2022.
- On 8 September 2022, BEPZA has exclusively trained 45 participants of the Industrial Police and Security Personnel on the EPZ Labour Act, 2019, prevention of discrimination against anti-WWA activities, human rights and effective workplace cooperation.

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

- The database for training-related information has been developed and linked to the DOL's website. Instructions have been given to the IRIs, LWCs so as to furnish participants' information segregated by name, designation, factory/trade union, age, sex and so on.
- Discussions are being held to explore the possibility of including information on Industrial Police training in the proposed online database.
- The BEPZA is working to establish an online database with relevant information of the trainees (segregated by name, designation, factory/WWA, age, sex etc.) and the same will be completed within the stipulated timeline in 2023. At present, information on training is being maintained manually.
- A separate database is being maintained by the Ministry of Home Affairs (MOHA) and the Ministry of Law, Justice and Parliamentary Affairs.

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)

- The MOHA has entrusted the Industrial Police authorities to carry out this task. A mapping exercise has been initiated to identify the relevant laws, rules and regulations available in the Bangla language as a first step towards developing the proposed compendium. In this regards a meeting was held 7 July 2022 at the MOHA

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 has been conducting four weeks of industrial relations training in its four IRIs (Gazipur, Chattogram, Rajshahi and Khulna) for representatives of workers, management and government agencies, including those from the Industrial Police and other relevant law enforcement agencies.
- In collaboration with the ILO, the DOL will organize training for 90 Industrial Police personnel ranked from Superintendents of Police (SP) to Sub-Inspector of Police (SI) in the third quarter of 2022.
- The Bangladesh Police also provides regular training on these issues to its personnel across the board. Further upgradation of training curricula for Industrial Police, with added features concerning labour rights and trade union activities, is being discussed with the Industrial Police and the ILO.

Action Point 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

- Training programme on the SOPs on unfair labour practices and anti-union discrimination was organized from 12 to 14 October 2021.
- The three-day intensive residential training programme was attended by 30 DOL officials, with particular focus on facilitating both investigation and resolution of cases related to unfair labour practices and anti-union discrimination.
- Again, a three-day second round training on the SOP for unfair labour practices and anti-union discrimination has been held from 20 to 22 August 2022.

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

- The DOL officials are responsible for providing regular information to workers on labour rights by attending the trade unions' general meetings. Such information include ways and means to lodge complaints and legal redress in case of alleged violation/abuse. The DOL will be further updating its information checklist with ILO technical support, if required.
- The DOL has already initiated the system of submitting complaints and suggestions through a web portal.
- If the employer does not comply in a timely manner with the resolution recommended by the DOL regarding unfair labour practices and anti-union discrimination, the DOL will lodge a case before the Labour Court on behalf of workers.
- In collaboration with the ILO, the DOL has provided training on the SOP for unfair labour practices and anti-trade union discrimination for the representatives of the WRC, a platform of IBC, and the NCCWE, on 9 August 2022.

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

- The DOL has been providing training to the security staff, managers/employers of factories through IRIs and LWCs. Such training includes basic information concerning complaint management and investigations. The number of training programmes conducted by IRIs and LWCs have been furnished earlier.
- In every complaint of unfair labour practices/anti-union discriminations, the DOL notifies both employer and complainant in writing seeking their cooperation in the investigation process.
- The Industrial Police also continues to engage with employers and factory management to sensitize their respective security personnel about prevention of violence and supporting investigations in case of alleged violence and harassment.

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, i.e. MOLE, Ministry of Home Affairs and Ministry of Law, Justice and Parliamentary Affairs, continue to provide instructions to their subsidiary agencies regarding the handling of cases, including those involving alleged acts of violence and harassment against workers.
- The judiciary, prosecutorial services and law enforcement agencies receive regular training on these issues as part of their mandate. Further customized training may be provided based on specific needs and with the ILO's technical support.
- In collaboration with the Industrial Police, the DOL will provide a Training of Trainers workshop on preventing unfair labour practices, violence and harassment by September 2022.
- Both the DOL and DIFE are entrusted with monitoring the case proceedings and management, including for those concerning alleged acts of violence and harassment against workers.

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

- It remains under consideration to set up a dedicated committee within an appropriate ministry/agency to ensure and monitor proper investigation of such alleged cases as part of yet another confidence-building measure.

Action Point 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

- The issue is being actively considered as part of the ongoing legal amendment process.

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

- The full record of proceedings of unfair labour practices and anti-union discrimination is maintained in the publicly accessible database managed by the DOL.
- According to SOPs on unfair labour practices/anti-union discrimination, the DOL recommends solutions to be complied by employers.
- From 2013 to August 2022, a total of 199 complaints on anti-union discrimination and unfair labour practices were submitted to the DOL. Of all the complaints, 186 have been settled (173 complaints have been amicably disposed of, and 13 cases were filed in the Labour Courts). Investigations are ongoing on the remaining complaints.

Action Point 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

- An initial tripartite consultation meeting for the purpose was organized on 2 September 2022, under the chair of the Secretary, MOLE.

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

- The Bangladesh Government has formed a 60-member NTCC with equal representation from workers, employers and government to deal with the national level labour issues through meetings at regular intervals. In 2021, three meetings of the Tripartite Consultative Council (TCC) were held while four meetings have already been organized in 2022.
- Moreover, an RMG TCC has been formed with equal representation from workers, employers and government in order to address various issues related to the country's RMG sector with a special focus on industrial relations. From May 2021 to June 2022, five meetings of the RMG TCC have been organized.
- The Government is working to further develop institutional mechanisms and capacity-building for national and sectoral TCCs, with ILO technical support as required.

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 issue is being discussed 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 will include training sessions, workshops, focus group discussions, information sessions etc.
- The awareness-raising and capacity-building events will be held in tripartite settings with the support of the ILO.
- In June 2022, initial discussions were held with ILO headquarters for an assessment mission of social dialogue mechanisms/institutions (SDI). The mission is expected to take place on 16–20 October 2022. Through this mission a work plan will be developed by the constituents with recommendations to strengthen the practices of social dialogue after conducting a self-diagnosis engaging the self-assessment method for social dialogue institutions (SAM-SDI) tool/methodology developed by the ILO.

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

- To finalize the project design, scope and financing for piloting of the Employment Injury Insurance Scheme (EIIS), a 14-member Tripartite Technical Committee, with a representative from the ILO, was formed on 18 February 2021. The first meeting of the Technical Committee was held virtually on 6 July 2021.
- Subsequently, a ten-member Tripartite Working Group (TWG), along with one representative each from the ILO Country Office and GIZ, Bangladesh, was formed on 29 September 2021.
- On 2–4 December 2021, a tripartite workshop was held to discuss the framework of EIIS. Based on the discussion in the workshop, the draft framework was revised.
- In June 2022, the employers' representatives of Bangladesh signed a letter of endorsement to implement the EIIS. A meeting with ILO headquarters officials were also held to discuss the way forward.
- To implement the EIIS on a pilot basis, a project document to be signed between Bangladesh and the ILO has been prepared. The document has been shared with the concerned ministries of the Government, including the Economic Relations Division (ERD) for approval. The project is being supported by the Netherlands.
- The GIZ has also come forward to support implementation of the EIIS. For this purpose, a project document has been prepared and shared with the ERD.
- The piloting of the EIIS in the RMG sector has been launched on 21 June 2022. For the purpose of separate accounts and governance structure, necessary amendments have been proposed in the Bangladesh Labour Rules.
- The 2022 amendment of Bangladesh Labour Rules, 2015 has been published in the gazette notification on 1 September 2022.
- A draft of the Governance Structure for the EIIS piloting scheme has been prepared which will be notified soon. In the meantime the ILO and GIZ have started initial works with the Central Fund.
- A Government of Bangladesh funded “Bangladesh Labour Information Management System (LIMS) Project” will also be implemented.

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)”

- The Government of Bangladesh has adopted a “Policy to Implement Social Protection Programme for Retrenched and Destitute Workers of RMG, Leather and Footwear Industries, 2020”. Under this policy, the social protection programme will be implemented for two years in 2020–21 and 2021–22 on a pilot basis. Based on the outcome of the pilot, initiatives may be taken to implement the programme on a permanent basis.
- Sickness and maternity benefits are provided as per the provisions of the Bangladesh Labour Welfare Foundation.

Supplementary information

- As reported in the first progress report, the MOLE set up six subcommittees on six thematic areas to monitor implementation of the present road map and corresponding commitments.
- 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. The Secretary, MOLE, will act as the advisor to the RICU, while an Additional Secretary will remain in charge of overall coordination. The MOLE is in touch with the ILO for the effective functioning of the RICU.