

Government of the People's Republic of Bangladesh
Ministry of Labour and Employment

Progress Report on National Action Plan (NAP) on the Labour Sector of Bangladesh (2021-2026) (Up to 09/01/22)

INFORMATION ON IMPLEMENTATION OF THE NAP

1. During the 9th session of the EU-Bangladesh Joint Commission held in October 2019, the Government agreed to develop a National Action Plan (NAP) on the Labour Sector of Bangladesh (2021–2026). The Final Action Plan was developed in consultation with the European Union (EU) and was submitted to the EU on 1 July 2021. The NAP is a commitment of the Government of Bangladesh to uphold labour rights and workplace safety in the country. The NAP contains specific actions on legal and administrative reforms as well as enforcement of laws, capacity building and promotional activities. There will be a strong engagement of the tripartite constituents and, where appropriate, the International Labour Organization (ILO) and other development partners will be engaged in implementing the specific actions of the NAP.

2. The NAP has been developed under nine broad areas with a series of specific actions set against timelines which are:

Action 1 Bring Bangladesh labour laws in compliance with ILO standards on freedom of association and collective bargaining

- 1.1 Amendment of the Bangladesh Labour Rules (BLR), 2015;
- 1.2 Amendment of the Bangladesh Labour Act, 2006 (as amended in 2018);
- 1.3 Amendment of Bangladesh Labour Rules, 2015 after 2022 amendment BLA;
- 1.4 Adoption of EPZ Labour Rules;
- 1.5 Amendment of Bangladesh EPZ Labour Act, 2019.

Action 2 Eliminate child labour in all its forms by 2025¹

- 2.1 Regulatory and policy framework for the elimination of child labour;
- 2.2 Strengthen investigations and increase the number of convictions for child labour;
- 2.3 Projects on (hazardous) child labour/child labour survey²;
- 2.4 Awareness raising action and process.

Action 3 Combat violence against workers, harassment, unfair labour practices and anti-union discrimination

- 3.1 Preventive measure;
- 3.2 Investigation of violence and harassment against workers, anti-union

¹ The Government of Bangladesh will continue to implement the action points regarding school participation and quality of education (annexure 02 as furnished by EU) under its Education Sector Plan as a means to combat child labour, with the support of relevant international development partners including EU.

² EU has expressed interest in supporting new projects to continue work on elimination of child labour.

- discrimination and unfair labour practices;
- 3.3 Ensure timely and dissuasive sanctions/convictions and related information;
- 3.4 Promoting Social Dialogue.

Action 4 Increase the success rate of application for trade union registration (paper and online)

- 4.1 Explore and implement ways of further simplifying the registration process;
- 4.2 Giving training to the workers and employers on Trade Union Registration Process
- 4.3 Publicly accessible online database to be made fully operational and regularly updated by providing sufficient human and financial resources;
- 4.4 Establish a pre-application service at the Department of Labour.

Action 5 Eliminate the backlog of cases at labour courts, including in the Dhaka Metropolitan Area

- 5.1 Take steps to make the three newly established Labour Courts fully functional;
- 5.2 Establish new labour courts in Narayangonj, Gazipur, Cumilla and Faridpur districts;
- 5.3 Deploy one Additional Judge (Member) to the Labour Appellate Tribunal;
- 5.4 Establish pilot processes to classify and reduce cases in consultation with the Judges of the Labour Courts;
- 5.5 Independent conciliation and arbitration system as a means of Alternative Dispute Resolution (ADR);

Action 6 Set up an efficient system to follow-up on worker's complaints received through helpline

- 6.1 Continuation of the helpline (16357) under revenue budget of DIFE;
- 6.2 Establish a complaint management cell to follow up the cases directly by the labour inspectors;
- 6.3 Develop a database of the complaints covering relevant information;
- 6.4 Organize regular training programme for all service personnel/officials receiving complaints via the helpline on Standard Operating Procedure of grievance handling;
- 6.5 Establishment of the Helpline for all workers in EPZs.

Action 7 Provide for new labour inspectors and ensure full functionality of labour inspectorate

- 7.1 Filling vacant posts of Labour Inspectors by recruitment;
- 7.2 Creation of new posts and recruitment of Labour Inspectors;
- 7.3 Full application of Labour Inspection Management Application (LIMA) digitalized labour inspection system in 23 DIFE offices;
- 7.4 Developing competencies of Labour Inspection staff through regular trainings and capacity building measures and creating more senior positions;
- 7.5 Promote an effective sector-specific labour inspection approach;
- 7.6 Formulating DIFE inspection modalities for EPZs;
- 7.7 Incorporating the Standard Operating Procedure (SOP) on Labour complaints and investigation in the BLA.

Action 8 Ensure proper work for the Remediation Coordination Cell and transition to Industrial Safety Unit (ISU) /Ensuring close cooperation of the RCC/ISU with the RMG Sustainability Council (RSC)

- 8.1 Remediation of factories under the national initiative for fire, electrical and structural safety;
- 8.2 Enhancing quality control and transparency of the RCC;
- 8.3 Establishing a transition plan to graduate RCC to ISU;
- 8.4 Development of framework for RSC coordination/monitoring.

Action 9 Ratify ILO Convention on minimum age and Forced Labour Protocol

- 9.1 Ratify Protocol of 2014 to ILO Convention on forced labour (P29);
- 9.2 Ratify ILO Convention 138 on minimum age.

3. Subsequently, the Ministry of Labour and Employment (MOLE) has formed a 'Tripartite Implementation and Monitoring Committee' (TIMC) by a circular dated 11 August 2021. The responsibilities of the TIMC include: (1) Monitor the progress of implementation of the time-bound actions contained in the National Action Plan (NAP), shared with the European Union (EU) as well as road map submitted to ILO; and (2) Provide overall directions for the implementation of both the documents. In the meantime 3 (three) meetings of the TIMC were held.

4. Operationally, to support the implementation process, six thematic sub-committees have been formed on 28 September 2021 with responsibilities to implement the actions in specific thematic areas under the National Action Plan (NAP)/ Road Map. The sub-committees are: (1) Labour Law Sub-Committee, (2) Export Processing Zones (EPZ) Labour Law Sub-Committee, (3) Social Dialogue and Labour Administration Sub-Committee, (4) Labour Inspection and Industrial Safety Sub-Committee, (5) Social Protection Sub-Committee (only for the Road Map), and (6) Child Labour Elimination Sub-Committee. ILO may provide technical assistance for the work of the TIMC and sub-committees, as required and mutually agreed.

5. For effective coordination and to support the work of the TIMC and six thematic sub-committees, a Reform Implementation Coordination Unit (RICU) within MOLE has been set up.

6. The implementation of the NAP will impact all economic sectors of Bangladesh and involve a wider engagement of stakeholders across all industrial sectors.

7. Technical assistance of both the ILO and development partners is crucial to ensure the successful implementation of the NAP/road map over a period of time. The Government of Bangladesh has started engaging with ILO and the EU in this regard.

8. NAP Actions and Progress Made

The following progress report was shared with tripartite constituents and subsequently discussed at TIMC at its meeting on 2 February 2022.

Action 1 Bring Bangladesh labour laws in compliance with ILO standards on freedom of

association and collective bargaining

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

- An 11-member Tripartite Committee for Amendment of Bangladesh Labour Rules, 2015 (Tripartite Committee) was formed on 01 October 2019. The committee had its first meeting on 17 November 2019, but could not function subsequently due to the COVID-19 pandemic during which two of its members also passed away (who have now been substituted).
- As per the decision of the Tripartite Committee, relevant stakeholders had been requested to submit amendment proposals. Till date, amendment proposals have been received from six Government, employers' & workers' organizations.
- A 6-member Tripartite Working Group was formed on 31 January 2021 along with a legal expert to prepare draft proposal for the amendment of Bangladesh Labour Rules, 2015. The Working Group in its six meetings, prepared the draft amendment proposal and submitted it to the Tripartite Committee on 04 March 2021. In the process, the observations of the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) were taken into due consideration.
- The draft amendment proposals of the Bangladesh Labour Rules were placed before the meeting of the National Tripartite Consultative Council (NTCC), held on 13 December 2021 under the Chair of the Hon'ble State Minister in charge of the Ministry of Labour and Employment.
- At the NTCC meeting, the social partners asked for further discussions on the draft amendment proposals within the Tripartite Working Group (TWG). Accordingly, the amendment proposals were discussed in TWG on 20 January 2022.
- Upon receiving the draft amendment proposals from the TWG, the Tripartite Technical Committee transmitted the same to NTCC for its endorsement. In the NTCC meeting held on 9 February 2022, it was decided that 24 rules will be again placed before TWG and TWG will again recommend before the TCC. Upon recommendations by the TWG and the TC, the draft amendment proposals of BLR has been endorsed by the NTCC on 3 March 2022. Not it will go through the vetting by the Ministry of Law, Justice and Parliamentary Affairs.

Action 1.2 Amendment of the Bangladesh Labour Act, 2006 (as amended in 2018)

- For further amending the Bangladesh Labour Act, 2006 (amended up to 2018), a Tripartite Labour Law Review Committee (TLRC) was formed on 20 December 2020, while a tripartite Working Group along with a legal expert was formed in the first meeting of the TLRC held on 11 February 2021.

- The Tripartite Working Group (TWG) under the Tripartite Labour Law Review Committee (TLRC) continues to work on compiling the amendment proposals received so far from eleven Government, employers' and workers' organizations.
- TLRC will have further discussions on the compiled recommendations to be forwarded to it by TWG.
- It is expected that upon completion of the work by TWG and TLRC, NTCC will be in a position to take up the issue of the BLA, 2006 amendments.
- It is envisaged that the national consultations on the draft amendments will be held during the May-June 2022 period.

Action 1.3 Amendment of Bangladesh Labour Rules, 2015 after 2022 amendment BLA

- After the amendment of BLA in 2022 new amendment of Bangladesh Labour Rules will be adopted.

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

- An initial draft on the Export Processing Zone (EPZ) Labour Rules has already been prepared. Discussions on the initial draft with the concerned stakeholders, including investors, workers' associations and relevant government authorities have started in July 2021. Till date, seven meetings have taken place in this regard.
- Meanwhile, a 9-member Tripartite Standing Committee was formed under the Chair of Member (Investment), Bangladesh Export Processing Zone Authority (BEPZA), on 10 November 2021.
- Later, the Tripartite Standing Committee co-opted three additional members each from employers' and workers' to work on the draft Rules.
- All amendment proposals were discussed in two meetings of the Tripartite Standing Committee, held on 07 December and 23 December 2021, where consensus was reached on most part of the proposed Rules.
- A final meeting of the Tripartite Committee was held on 16 January 2022, where consensus was also reached on the remaining two issues of the proposed Rules. The Executive Chairman, BEPZA presided over this meeting.
- The proposed draft Rules contain 15 Chapters, 319 Rules, 4 Schedules and 106 Forms. It includes, among other issues, provisions related to anti-union discrimination and investigation on anti-union activities, formation of Workers' Federation, formation of Employers' Association, DIFE inspection in EPZs and gender-based violence and harassment.
- The draft Rules has been forwarded to the Legislative and Parliamentary Affairs Division, Ministry of Law, Justice and Parliamentary Affairs for vetting on 6 March, 2022.

Action 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
- The Tripartite Standing Committee (reference Action 1.4 above) is also expected to work on the Bangladesh EPZ Labour Act, 2019.

Action 2 Eliminate child labour in all its forms by 2025

Action 2.1 Regulatory and policy framework for elimination of child labour

Ratification of ILO Convention 138

On 28 February 2022 the Cabinet approved the ratification proposal. Please see details of the process followed in section 9.2.

Revision of the National Plan of Action

- A revised draft NPA already prepared and taken opinions from relevant Ministries. Moreover, Divisional level workshops, Inter-Ministerial meeting and series of GO-NGO consultations have been done already. The draft also has been placed before last National Child Labour Welfare Council (NCLWC) Conference to collect valuable opinions of the NCLWC members.
- A National Level Workshop has been held on last 16 November, 2021 to discuss about the draft NPA. Finally, the draft' has been placed at Tripartite Council and it is approved by the TCC.
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- After final editing the content of the NPA has been sent to press and it has just been waiting to be published.

Updating the list of hazardous jobs

- Based on recommendations of divisional consultations in January, February and March of 2021 and national consultations on 16 November 2021 a draft of additional 6 sectors were prepared and which has been approved by the TCC on 13 December 2021. The sectors are 1. Domestic child worker 2 .Child Labour in dry-fish sector 3 .Street based Work of children 4. Stone Collection, carrying and crushing 5. Child Labour in Informal/Local Tailoring and Clothing Sectors, and 6. Children working in garbage picking and waste disposal) in the hazardous list.
- Currently there are 38 works in the list of Hazardous Woks for children which had been published in 2013 by the Government of Bangladesh.
- A Committee was formed headed by IG, DIFE on the basis of tripartite representation including the ILO for updating the hazardous child labour list.
- Based on recommendations of divisional consultations in January, February and March of 2021 and later on a national consultation on 16 November 2021, a draft of additional

6 sectors were proposed, however, being the supreme body the TCC approved 5 sectors to be newly included in the older list on 13 December 2021 in the last TCC meeting.

- The newly included sectors are: (1) Child Labour in dry-fish sector (2) .Street based Work of children (3) Stone Collection, carrying and crushing (4) Child Labour in Informal/Local Tailoring and Clothing Sectors, and (5) Children working in garbage picking and waste disposal.

2.2 Strengthen investigations and increase the number of convictions for child labour

2.2.1 Improve the labour inspectorate/other public authorities who investigate cases of child labour and ensure convictions

- Initiative has been in progress to improve the labour inspectorate/other public authorities to investigate cases of child labour and ensure convictions. This includes increase the number of labour inspectors. The proposal to allow labour inspectors to impose administrative fines should be placed before the TLRC.
- In the year 2021, Child Labour has been eliminated from six (06) more formal sectors; among them five (05) sectors are enlisted as hazardous for children. The Employee Associations of the respective sectors certified that there is no child labour in those sectors. After getting the certificate, DIFE Inspectors randomly visited the respective factories and informed the MoLE that no child labour has been found in those factories. Next, the MoLE formed a ‘National Monitoring Core Committee’ to randomly visit the sectors all over the country and take necessary steps to make free the sectors from child labour. The ‘National Monitoring Core Committee’ consist of the representative s from the Ministry of Commerce, the Ministry of Industries, ILO, Trade Unions, Employers’ Associations and NGOs and leaded by the Ministry of Labour and Employment. In spite of the COVID-19 Pandemic, the ‘National Monitoring Core Committee’ visited the factories of respective six sectors spreading all over the country. After performing the necessary all activities, the Ministry of Labour and Employment declared the 6 sectors (1. Tannery 2. Glass 3. Ceramic 4. Ship recycling 5. Export oriented leather goods and footwear 6. Silk) as Child Labour Free Sectors in a press conference at Sromo Bhaban on February 4, 2021.
- MoLE and DIFE prepared an annual action plan in 3 march, 2021 to eliminate child labour in hazourdous area in Dhaka division and this plan extended upto 2022. Another special annual plan has been taken to eliminate all sorts of child labour in Keraniganj area.
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- Total 4028 child labour elimination has been done by DIFE from July 2020 to May 2021.
- Regular training activities are going on. Regular training activities are going on. In FY 2020-21. 25 training session have been organized accompanied with 436 inspectors (one inspector attended two training counted separately). Beside this one foundation training course with 30 inspectors completed in FY 2020-21. Moreover, another

foundation training program with 30 inspectors completed in FY 2021-22. Similarly, 12 in house training program with 301 inspectors (one inspector attended two training counted separately) have already accomplished.

2.2.2 Cooperation with different public authorities

- In order to continue cooperation with different public authorities that engage in elimination of child labour, the NGOs and CSOs are included in the National and Divisional level Councils, and District and Upazila Level Committees. The meeting of the councils/committees are being conducted regularly. Inter-Ministerial Coordination meeting are being organized for better coordination of the Ministries. Meetings of National Monitoring Core Committee are held regularly. Representatives of NGOs and CSOs are also members of National Monitoring Core Committee.

2.3 Projects on (hazardous) child labour/child labour survey

2.3.1 Implementation of a Government funded project

- The NGOs are being recruited under the GoB funded project "Eradication of Hazardous Child Labour from Bangladesh" project (4th Phase). The work orders were issued to 112 NGOs during 17-22 October 21. The agreements with all NGOs was signed on 26 October, 21 in ceremonial manner. The Hon'ble State Minister has inaugurate the agreement signing ceremony. The mole has sent the proposal to planning commission to extend the project period by two years up to December 23. Original: Jan 2018 to December 21. Revised: up to December, 2023. By December, 2023 the project will withdraw 0.1 million children from child labour.

2.3.2 Conduct a child labour survey by Bangladesh

- MoLE did meeting with BBS and ILO regarding child labour survey. The BBS has started the survey. Hope we will get the survey report within June 2022.

2.3.3 Design and implement programmes of action

- Inter-Ministerial discussion and NGO consultation are going on. NPA publication will speed up these activities as some actions/projects are pointed out there including tentative budgetary planning

2.3.4 Enhance Child Labour Unit of MOLE

- MoLE is working on it.

2.4 Awareness raising action and process

- 20000 posters, Large banners, Diaries, Calendars, Stand Banners are made and distributed throughout the country.
- Special Supplements are published on 12 June World Day Against Child Labour in eleven (11) National Newspapers containing the message from Honorable President of the Country and Honorable Prime Minister of the Government. Text messages have been circulated to all mobile phone consuetudes on 12 June to build mass awareness.

- All the TV channels (both govt. and non-govt.) are requested through the Ministry of Information and Broadcasting to broadcast the TVC prepared by MoLE.
- Conducting regularly in National, Divisional and District levels meetings. However, Upazila Committee should be more active.
- World Day against Child Labour-2021 observed successfully having ten (10) different kinds of programmes with a team work with **ILO and NGOs.**

2021 as the United Nation's Year for Child Labour Elimination:

- To celebrate 2021 as the United Nation's Year for Child Labour Elimination, 27 actions are taken by the Government of **Bangladesh.**

National, Divisional and District level Committees:

- National, Divisional and District levels meetings are being regularly conducted. District Child Labour Monitoring Committee (DCLMC) has been reformed to make it more active. The reformed DCLMC will be gazette notified from the Bangladesh Government's (BG) press. However, Upazila Committee should be more active. To make all the committees active, the Hon'ble Secretary of MoLE sent DO letters to all Divisional Commissions and Deputy Commissions who are the Chair respectively of the Divisional and District Committee, and the controlling authority of Upazila committee.

Budget Allocation

- Every year MoLE allocates money from its revenue budget to Divisional and District level committees to organize meetings, seminars and workshops. This Financial Year (2021-2022) the MoLE has allocated 29,60,400 BDT for the Committees.

Action 3 Combat violence against workers, harassment, unfair labour practices and anti-union discrimination

Action 3.1 Preventive measures [SMK->Cross check Action 3.1.1]

3.1.1 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

- From July 2020 to December 2021, DOL has trained 15,339 workers, management staff, and government officials through its 4 Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs), with nearly 45% of female participants. The training topic includes (but not limited to) violence, harassment, unfair labour practices and anti-union discrimination in the workplace.
- In 2021, BEPZA has conducted training (747 sessions) for workers, management, and security personnel on the EPZ Labour Act, 2019, Anti-union discriminations, Human Rights, Fire Safety, Health & Hygiene, Awareness on COVID-19 etc with participants

of about (40) forty thousand.

- The Industrial Police has trained 1389 of its personnel so far concerning prevention of violence, unfair labour practices and anti-union acts as part of its broader training programmes.

3.1.2 Develop and regularly update (online) databases to provide an overview of number and nature of training programs as well as number of trainees among factory security staff, police, employers and workers

- DOL has had preliminary discussions with an ICT service vendor to develop a publicly accessible database on training, incorporating relevant information of the trainees (segregated by name, designation, factory/ trade union, age, sex etc.) to be collected from the IRIs and LWCs.
- Further discussions are required to explore the possibility of including information on Industrial Police training in the proposed online database.

3.1.3 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

- DOL has been conducting four weeks of IR training in its four IRIs (Gazipur, Chattogram, Rajshahi and Khulna) for representatives of workers, management and government agencies, including those from Industrial Police and other relevant law enforcement agencies.
- Otherwise, Bangladesh Police provides regular training on these issues to its personnel across the board. Discussions may be held with MOLE and ILO on further updating the training curricula for Industrial Police, with added features concerning labour rights and trade union activities.

Action 3.2 Investigation of violence and harassment against workers, anti-union discrimination and unfair labour practices

3.2.1 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

- DOL has organized a training programme on the SOPs on Unfair Labour Practices and Anti-Union Discrimination 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.

3.2.2 Continue to provide regular information to all workers on their rights and 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.
- DOL will be further updating its information checklist with ILO's technical support, if required.

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

- DOL has taken the initiatives to provide 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 above.
- In addition, Industrial Police 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.
- From July 2020 to **December**, 2021, DOL has trained **15,339** workers, management staff and government officials through its four Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs) including **6,850** female participants. The training topic includes (but not limited to) violence, harassment, unfair labour practices and anti-union discrimination in the workplace.

Action 3.3 Ensure timely and dissuasive sanctions/convictions and related information

3.3.1 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 DOL.
- From 2013 to December 2021, a total of 196 complaints on anti-union discrimination and unfair labour practices were submitted to DOL. Of all the complaints, 186 have been settled (173 complaints have been amicably disposed of, and 13 cases were filed in Labour Courts).
- Investigations are ongoing on the remaining complaints. Records of these complaints are available in the database.

Action 3.4 Promoting Social Dialogue

3.4.1 Developing institutional mechanism and capacity building for national and sectoral Tripartite Consultative Councils (TCCs)

- The Government is working for further developing institutional mechanisms and capacity building for national and sectoral TCC with the support from ILO.

- The Bangladesh Government has formed a 60-member National Tripartite Consultative Council (NTCC) with equal representation from workers, employers and Government to deal with the national level labour issues through meetings at regular intervals. Moreover, an RMG Tripartite Consultative Council (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.
- The Government is working to further develop institutional mechanisms and capacity building for national and sectoral TCCs, with ILO's technical support as required.

Action 4 Increase the success rate of application for trade union registration (paper and online)

Action 4.1 Explore and implement ways of further simplifying the registration process through tripartite consultations

4.1.1 Overhaul the existing online Registration System

- The digitization of the trade union registration process under the Department of Labour (DOL) has been completed on 27 October 2021. This simplification process has been undertaken under myGov Platform, which is an integrated system encompassing a wide range of Government or public services. It is expected that the digitized system would be made active for users at an early date, depending on the backup support to be provided from the a2i (Access to Innovation) Programme, ICT Division, which is in charge of the myGov Platform.
- Meanwhile, DOL is taking preparations for conducting training on the digitized systems for its relevant officials from the Headquarters and its regional offices.

4.1.2 Establish a pre-application service at the Department of Labour (DOL)

- A pre-application service desk was established in every office of the Registrar of Trade Union (RTU) under DOL in January 2021 to ensure smooth registration through quality applications.
- The number of trade unions registered increased from 209 up to September 2021 to 376 up to December 2021, while the success rate increased from 88.19% to 92.38% during the same period.

4.1.3 Continuing with the provision for offline registration system

- The offline trade union registration system is active in full swing.
- The number of trade union registration accorded under the offline trade union registration system increased from 8710 up to September 2021 to 8951 up to 10 March 2022.
- In the RMG sector, the number of trade unions increased from 1045 up to August 2021 to 1111 up to 10 March 2022.

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 4.2 Training workers and employers on Trade Union Registration Process

- From July 2020 to December 2021, DOL has trained 15339 workers, management staff, and government officials through its four Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs), with nearly 45% of female participants.
- The Workers' Education and Industrial Relations courses include training on trade union registration process among other issues.
- DOL has organized a refreshers' training session for its officials on SOPs on trade union registration from 27 to 29 November 2021, with support from ILO. Similar training sessions will continue in the coming months and years.

Action 4.3 Publicly accessible online database on registration to be made fully operational and regularly updated

- A Publicly Accessible Online Database has been activated on 30 September 2021 on the DOL website (www.dol.gov.bd). The Hon'ble 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, 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 with relevant information.
- Currently 32 DOL staff members from DOL Headquarters, 06 Divisional and 09 Regional Labour Offices are engaged in updating the relevant information on the database.

Action 5 Eliminate the backlog of cases at labour courts, including in the Dhaka Metropolitan Area

5.1 Take steps to make the three newly established Labour Courts fully functional

- To expedite labour related cases and clear backlogs, 3 (three) new Labour Courts were established in 2019 in Sylhet, Barishal and Rangpur. At present, there are 10 (ten) Labour Courts in the country.
- The appointments for the posts of registrar have also been issued on 16 September 2021. The recruitment of lower-level support staff has been completed through outsourcing. Recruitment of support staff members for Sylhet Labour Court under the revenue budget has been completed, while those for the other two courts in Rangpur and Barishal remain under process.
- For the training of the newly recruited court officials, 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 ILO and development partners.

- In addition, eight different Labour Courts are assigned through Gazette Notification to serve as EPZ Labour Tribunals, while the Labour Appellate Tribunal based in Dhaka functions additionally as the EPZ Labour Appellate Tribunal.
- Previously, 30 judges and 30 lawyers were trained on international labour standards at the International Training Centre of ILO in Turin, Italy.

5.2 Establishment of new labour courts in Narayanganj, Gazipur, Cumilla and Faridpur districts

- For establishment of new labour courts in Narayanganj, Gazipur, Cumilla and Faridpur, the required number of posts, number of vehicles and logistics has been determined by MOPA. Subsequently, the pay structure of the proposed manpower (except Faridpur) was vetted by the Ministry of Finance (MOF).
- On 18 July 2021, the proposal to establish new courts in Narayanganj, Gazipur and Cumilla has been sent to the Cabinet Division to place before the "Secretaries' Committee for Administrative Development" for its approval.
- The proposal was approved by the "Secretaries Committee for the Administrative Development" on 15 December 2021.
- Subsequently, the Hon'ble Prime Minister, Government of Bangladesh has given approval to setting 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 date.

5.3 Deployment of one Additional Judge (Member) to the Labour Appellate Tribunal

- On 11 August 2021, a proposal was sent by MOLE to the Law Ministry for Law Minister's opinion.
- 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.

5.4 Establish pilot processes to classify cases in consultation with the Judges of the Labour Courts with a view to addressing case backlogs

- 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 latest wave of COVID-19 infections.

5.5 Independent conciliation and arbitration system as a means of Alternative Dispute Resolution (ADR)

5.5.1 Developing a SOP for conciliation and arbitration system

5.5.1.1 Develop an SOP for conciliation system through tripartite consultations

- 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 DOL and ILO towards developing a Standard Operating Procedure (SOP) for Conciliation of Industrial Disputes.
- Moreover, DOL and ILO will jointly consult with social partners upon preparing the initial draft of the SOP on Conciliation. The final draft will be sent to MoLE for approval and official notification.

5.5.1.2 Appointment of conciliators through gazette notification

- DOL has prepared a list of 15 conciliators for designated areas and submitted it to MOLE for further consideration. Upon review of the list, MoLE will arrange for its final approval and gazette notification.

5.5.1.3 Develop an SOP for arbitration system through tripartite consultations

- DOL has started consultations with ILO, Bangladesh to develop an SOP on arbitration by the 2nd quarter of 2022.
- While developing the draft SOP, DOL and ILO will jointly consult with the social partners. The final draft will be sent to MOLE for approval and official notification.

5.5.1.4 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.

5.5.2 Establish an arbitration cell in DOL and develop an arbitrator's panel following the SOP

5.5.2 Establish a Conciliation and Arbitration Cell at DOL to provide secretariat service and monitor individual cases as need be

- Since 2013, 101 conciliation applications have been submitted to the DOL. Of these, 94 industrial disputes have been settled through DOL's conciliation mechanism, 05 industrial disputes have been ceased according to BLA and only 02 conciliation applications remained pending.
- A three-member Conciliation and Arbitration Cell was established by DOL on 29 September 2021. The Cell stands ready to extend secretariat service to the conciliators and the panel of arbitrators.

5.5.3 Promote conciliation and arbitration system as ADR

- In general, 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.
- Previously, 30 DOL officials have been trained as master trainers on Managing Labour Relations and these master trainers provided training to 1680 workers and management staffs on conciliation process, collective bargaining and social dialogue etc. in 2020-2021.
- In continuation to that, DOL will conduct a refreshers' training sessions for 35 DOL officials on SOPs on conciliation and arbitration system in March 2022 with the support of ILO.

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

- The COVID-19 situation permitting, two information sessions/focus group discussions on conciliation and arbitration for trade union leaders, employers and DOL officials are expected to be conducted in the first and third quarters of 2022.

Action Point 6 Set up an efficient system to follow-up on worker's complaints received through helpline

6.1 Continuation of the helpline (16357) under revenue budget of DIFE

- Since January 2021, a helpline is being operated under the regular revenue budget of DIFE.
- The helpline continues to operate and receive complaints that are now managed through a database (reference Action 3.3.3 below). A pool of 3 (three) Labour Inspectors are assigned to attend to the helpline.
- From July, 2021 to February 2022 a total of 2788 complaints have been received of which 393 complaints were received through the online website, helpline and emails. During this period 2359 complaints were resolved.

6.2 Establishment of a complaint management cell to follow up the cases directly by the labour inspectors

- As mentioned in the first report, a Complaint Management Cell has been established at DIFE, 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 authorised to co-opt additional members based on requirements, and will execute additional responsibilities as directed by the higher authorities.
- The Labour Inspectors received two-day training on receiving complaints via the

helpline.

6.3 Develop a database of the complaints covering relevant information

- A database of the complaints received via the helpline has been developed in December 2021. The database includes information, received online and offline. As of 31 January 2022, the database includes relevant information concerning 47 complaints.

6.4 Organize regular training program for all service personnel/officials receiving complaints via the helpline on SOP of grievance handling

- A three-day long training program has been provided to eight labour inspectors regarding receiving complaints via helpline on 26-28 December 2020.
- Moreover a day-long training program was organized on 1 February 2022 for the 16 Labour Inspectors including three responsible for receiving complaints via the helpline.

6.5 Establishment of the Helpline for all workers in EPZs

- The 24/7 BEPZA Helpline 16128 was inaugurated by the Hon'ble Minister for Law, Justice and Parliamentary Affairs on 28 March 2021. The helpline has been launched to ensure labour rights and to strengthen the existing grievance redressed system as well as to ensure prompt services for the workers of enterprises in the 8 (eight) EPZs under BEPZA. The services that EPZ workers can get through the helpline are:
 - To inform any compliant or grievance and to get prompt legal supports or services or advices in resolving the problem/ legal rights/information from the concerned EPZ Officers/ Inspectors;
 - To receive immediate legal services/advice;
 - To get clear and transparent idea about legal rights and responsibilities etc.
 - The call(s) so far received through helpline are for various purposes such as arrears of wages/salary, provident fund, earned leave encashment, leave & holiday and information regarding plots, investments, etc.
 - Till December'2021 total 2340 calls have been received since the helpline was launched of which 2286 have been resolved and rest 54 are in resolving process.
- A total of 2340 calls through the EPZ helpline detailing complaints were received up to December 2021. Out of these, 2286 have been resolved, while the remaining 54 are in the process of being addressed.
- The complaints so far received via the helpline revolved around issues concerning arrears of wages/ salary, provident fund, earned leave encashment, leave & holidays, etc.

Action 7 Provide for new labour inspectors and ensure full functionality of labour inspectorate

7.1 Filling vacant posts of Labour Inspectors by recruitment

- Out of 575 inspectors, currently 311 inspectors are working at DIFE. Posts will be filled up by direct recruitment (total no. 140) or promotion (total no. 112) and rest will be reserved.
- The recruitment of labour inspectors is made through the Bangladesh Public Service Commission (BPSC). In June 2021, against a requisition of 108 vacant posts, BPSC has recommended 54 labour inspectors for the Department of Inspection for Factories and Establishments (DIFE) from the candidates of the 38th Bangladesh Civil Service examinations.
- In addition, on 16 September 2021, BPSC has recommended 35 Labour Inspectors (LIs-Engineers) to join DIFE through a direct recruitment process.
- A total of 85 labour inspectors-designate, recommended for the Department of Inspection for Factories and Establishments (DIFE) by the Bangladesh Public Service Commission (BPSC) were undergoing police verification and medical checkups towards their final appointment. Of which 44 inspectors have already joint.
- In parallel, the process for recruiting another 54 labour inspectors against the vacant posts is continuing.

Filling vacant posts by promotion

- Meanwhile, work is ongoing towards filling up a fixed number of vacant posts through promotion, i.e.:
 - The gradation list for promotion to the posts of Joint Inspector General was finalized and then circulated through a Gazette Notification issued by MOLE on 6 January 2022;
 - Simultaneously, the gradation list for promotion to the posts of Deputy Inspector General was prepared on 19 May 2021. After holding a hearing on the draft within DIFE, the gradation list will be sent to MoLE for approval and circulation;
 - Likewise, DIFE is processing the gradation lists for promotion to the posts of Assistant Inspector General;
 - Proposal for promotion of 11 staff members to the posts of Labour Inspector (General) has already been sent to BPSC by MOLE.

7.2 Creation of new posts and recruitment of Labour Inspectors

- A proposal for creating new posts in the 2nd phase of DIFE up-gradation 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.
- Recently MOPA gave its consent to create 345 posts (comprising 175 inspectors) on 28 November 2021. Upon this, MOLE and DIFE started engaging further with MOPA on additional posts to be created.

- Based on the outcome of these engagements, the matter will be referred to BPSK for initiating the recruitment process.

7.3 Full application of Labour Inspection Management Application (LIMA) digitalized labour inspection system in 23 DIFE offices

- All the 23 district offices of DIFE are now using the Labour Inspection Management Application (LIMA) system.
- Under the supervision of a Committee and with the support from ILO and GIZ, the technical issues involving SMS and Automated Payment Integration within LIMA have already been resolved.
- The User Acceptance testing continues to be carried out.
- Starting from March 2018 up to 31 January 2022, a total of 29,288 inspections were carried out using LIMA system. From 1 January 2021 to 31 December 2021, a total of 7,268 inspections were carried out using this web-based application system.

7.4 Developing competencies of Labour Inspection staff through regular trainings and capacity building measures and creating more senior positions

- Regular training activities are going on to develop competencies of the labour inspectors. A total of 988 trainees have attended 47 in-house training programmes for labour inspectors during 2020 to 2021.
- Moreover, a total of 700 trainees have attended 22 different training programmes for labour inspectors, organized by national and international partners, during 2020 to 2021.
- A Foundation Training program for 30 inspectors has been completed during 2021-2022.
- In addition, 12 in-house training programs with 301 inspectors (each inspector attended more than one training program) were also conducted.
- A proposal recommending the creation of four Additional Inspectors General (Add IG), 12 Joint Inspectors General (JIG), 51 Deputy Inspectors General (DIG), and 288 Assistant Inspectors General was submitted to MOPA. If approved, this will create more promotion opportunities for Labour Inspectors and make the profession as a viable career option.
- The creation of a legal wing is also part of the proposal for creation of new posts for DIFE, as submitted to MOPA.

7.5 Promote an effective sector-specific labour inspection approach

- 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.
- For the purpose of monitoring, a database has also been created to track the efficiency of the labour inspections conducted.

7.6 Formulating DIFE inspection modalities for EPZs

- Development of DIFE inspection modalities for EPZs is progressing.
- The issue of DIFE inspection in EPZs has been incorporated into the draft EPZ Labour Rules (reference Action 1.4 above).
- Meanwhile, as mentioned in the last report, BEPZA and DIFE had another round of meeting on 30 November 2021 to discuss the DIFE inspection modalities for EPZs.
- In parallel, DIFE is carrying out inspections within EPZs, including by the DIFE Inspector General himself in one instance.

7.7 Incorporating the Standard Operating Procedure (SOP) on Labour complaints and investigation in the BLA

- **Will be done while amending the BLA.**

Action 8: Ensure proper work for the Remediation Coordination Cell and transition to Industrial Safety Unit (ISU) /Ensuring close cooperation of the RCC/ISU with the RMG Sustainability Council (RSC)

8.1 Remediation of factories under the national initiative for fire, electrical and structural safety

8.1.1 Complete development of a business plan outlining three categories of factories including timelines for remediation

- This process was completed on 10 February 2021 by RCC, DIFE.

8.1.2 Implement the business plan on remediation of factories

The Remediation of Fire, Electrical and Structural safety issues is a continuous process of factories owner. To implement the business plan of category 1, DIFE has formulated a time bound Action plan to escalate the process. This plan consists of Motivational seminar, Drawing/Design Approval, Continuous Follow-up, Technical Discussion with consulting Firm and Implement of Escalation process with highest escalation Tools of closure of

Factories production operation as per Labour Act.

8.1.3 Continue to work on remediation of factories under category 2 and 3, including with support from relevant international development partners:

This is a long-Term target as the factories are very weak in resources, located in Rented building, very small and Subcontract factories. However, A new Project named “Risk Assessment and Remediation Implementation in selected factories to reduce accidents” has been submitted to ministry. This Project Cover category 2 and 3 factories follow-up for remediation and Technical Guidance.

8.2 *Enhancing quality control and transparency of the RCC*

8.2.1 Develop a quality assessment mechanism for remediation being monitored by RCC and apply it.

ILO recruited UNOPS in September 2021 to ensure the quality of assessment mechanism for remediation being monitored by RCC. Currently UNOPS jointly with BV is doing the data verification and consolidation in order to provide a risk ranking of all active factories as part of the QA process.

UNOPS will analyse and review completeness of the Curricula (content of the trainings delivered/to be delivered by BV) for the 24 DIFE engineers. They will produce advice and recommendations for training. They will also assess the current and forecasted capacity of the 24 DIFE engineers. The observation of training material and recommendations for improving the training scheme for the 24 DIFE engineers is another QA activity that feeds into their assessment of the capacities of LIs on building safety issues. That will inform their recommendations for an SOP. They will provide DIFE with recommendations on the development of SOPs.

In a nutshell, the following deliverables will be provided in connection with 8.2.1:

- Spreadsheet capturing consolidated data to provide a risk ranking of factories
- Report on recommendations for DIFE to develop an SOP for LIs on building safety issues.

These aforementioned activities will be completed in June '22; but the first deliverable could be provided by 28 Feb 2022

8.2.2 *Ensure full application of Remediation Tracking Module (RTM)*

This issue is linked with LIMA (Action 7.3). Technical Work is completed with SMS and Automated Payment Integration. User Acceptance testing is going o

8.3 *Establishing a transition plan to graduate RCC to ISU*

8.3.1 *Upon project completion, RCC to hand over the remediation work to DIFE Safety Unit*

- This action was completed in December 2021.

8.3.2 Post Creation and Deployment Labour Inspectors for the ISU

In the proposed new organogram of DIFE with 1791 posts there are 192 (80 dedicated Engineer) posts of ISU in 8 divisional office. A meeting among MOLE, MOPA & DIFE has been held on 31 August, 2021. The MOPA Consent to create 345 posts (175 inspectors) on 28 November, 2021. This number is not in Final. Now the Process is in ministry of Finance. In the meantime, DIFE plans to set up an ISU at DIFE head quarter with existing manpower in an alternative way and sent a letter to MoLE to dedicate some engineers for ISU.

8.3.3 Upon establishment of ISU, DIFE Safety Unit to hand over the responsibility to ISU.

Please see 4.3.2.

8.3.4 Capacity building and training of DIFE's existing Engineers on building safety (fire, structure, electrical, chemical, boilers, etc.).

- Apart From the COVID-19 pandemic situation, DIFE safety units consists of 24 engineers. Capacity building training has ended on 28 November in First Phase. Second Phase training will be completed within June 2022.

8.4 Development of a framework for coordination with RMG Sustainability Council (RSC):

- As per the conditions stipulated in the License issued in favour of RSC as well as Article 41 of RSC's Articles of Association, a Government Coordination Council (GCC) has been formed under the Ministry of Commerce.
- GCC is headed by Additional Secretary (Export), Ministry of Commerce, and comprises of representatives from MOLE, Ministry of Foreign Affairs, Ministry of Jute & Textile, Ministry of Industries, BEPZA and Bangladesh Economic Zones Authority (BEZA).
- GCC held its first meeting on 23 December 2021 and discussed its future course of action. The second meeting of GCC was held virtually on 1 February 2022, where representatives from RSC and DIFE also attended.
- MOLE and DIFE will hold separate meetings with the RSC management soon to further discuss the operational coordination issues.

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Action 9 Ratify ILO Convention on minimum age and Forced Labour Protocol

9.1 Ratify Protocol of 2014 to ILO Convention on forced labour P29

- Bangladesh has ratified the Protocol (P29). A letter was been sent to the Ministry of Foreign Affairs on 21 November 2021 for conveying the ratification updates to ILO, Geneva.
- **Subsequently, a letter of ratification of the protocol was transmitted to the ILO** by the Ministry of Foreign Affairs through the Bangladesh Permanent

Mission in Geneva.

- **The ratification was registered by ILO on 20 Jan 2022. It will enter into force for Bangladesh on 20 Jan 2023.**

9.2 Ratify ILO Convention 138 on minimum age

- Following existing tradition, opinions from 20 Ministries/ Divisions/Departments of the Government were sought on 26 November 2020 regarding ratification of the convention. Opinions from all the concerned offices were received by 26 November 2021.
- The issue was discussed in the sub-committee on Preferential Market Access and Trade Agreement headed by the Secretary, Ministry of Commerce, on 9 September 2021. The PMO formed the committee for proration to cope up with probable challenge of graduation of Bangladesh from LDCs. The sub-committee decided from the ratification of ILO convention 138 within the shortest possible time.
- The proposal for ratification of C138 was placed in the meeting of the **Tripartite Consultation Council-TCC consisting of government, employers and workers** on 13 December 2021, which unanimously recommended its ratification.
- The ratification proposal was sent to the Ministry of Law, Justice and Parliamentary Affairs for vetting on 14 December 2021, which gave an opinion for ratification on 30 December 2021.
- Based on all recommendations for ratification of the convention, a summary was prepared for the Hon'ble State Minister for Labour and Employment. Upon approval of the proposal by the Hon'ble State Minister, it was sent to Cabinet Division on 27 January 2022 for Cabinet's approval for the convention's ratification.
- **On 28 February 2022 the Cabinet approved the ratification proposal.**
- **Now the ratification letter is being prepared which will hopefully be submitted to ILO for its registration.**
- **By this Bangladesh has completed ratifications of all eight ILO Fundamental Conventions and relevant protocols.**
- Bangladesh has fixed 14 years as **minimum age for admission to employment.**
