

National Action Plan (NAP) on the Labour Sector of Bangladesh (2021-2026)

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

June, 2021

National Action Plan (NAP) on the Labour Sector of Bangladesh

Background

In continuation of the series of legal and administrative reforms supported by practical activities to uphold labour rights and workplace safety in Bangladesh, the Government has decided to develop the following national plan of action through a consultative process. This also has reference to the outcome of 9th session of the EU-Bangladesh Joint Commission held in October 2019. The specific actions below will be implemented with further engagement of the tripartite constituents and, where appropriate, with the support of the International Labour Organization (ILO) and other development partners.

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

1.1 Amend the Bangladesh Labour Rules (BLR), 2015 (See Annexure 1)

SL	Actions	Timeline	Responsibilities	Resource
1.1.1	Review committee meetings to scrutinize amendment proposals	March 2021	MOLE	
1.1.2	Tripartite Consultative Council meeting	March-July 2021	MOLE	
1.1.3	Placing the amendment proposal to the Cabinet	July-August 2021	MOLE	
1.1.4	Vetting of amendment proposal by Ministry of Law	August-September 2021	Legislative and Parliamentary Affairs Division	
1.1.5	Issuance of SRO by the Ministry of Law/ Gazette notification/BLR applicable	September 2021	Legislative and Parliamentary Affairs Division	

1.2 Amend the Bangladesh Labour Act, 2006 (as amended in 2018) (See Annexure 2)

SL	Actions	Timeline	Responsibilities	Resource
1.2.1	Formation of Tripartite Labour Law Review Committee	July 2021	MOLE	
1.2.2	Receiving amendment proposal from constituents and different ministries	July-September 2021	MOLE	
1.2.3	Meetings of Review Committee	October 2021 - March 2022	MOLE	
1.2.4	National and divisional level consultation on amendment proposals	December 2021 - March 2022	MOLE, ILO	
1.2.5	Tripartite Consultative Council meeting	December 2021- March 2022	MOLE	
1.2.6	Meetings of Review Committee (as required)	March 2022	MOLE	
1.2.7	Examination by the Examination Committee of the Cabinet	April - May 2022	Cabinet Division	
1.2.8	Placing the amendment proposal to the Cabinet for preliminary approval	May - June 2022	Cabinet Division	
1.2.9	Vetting of amendment proposal to Ministry of Law	June - July 2022	Legislative and Parliamentary Affairs Division	
1.2.10	Placing Amendment Proposal to the Cabinet for final approval	July-August 2022	Cabinet Division	
1.2.11	Placing the proposed amendment bill to the Parliament	August-September 2022	National Parliament of Bangladesh	
1.2.12	Scrutinization of by the Parliamentary Standing Committee	August - September 2022	Parliament Secretariat	
1.2.13	Bill passed by the Parliament	August - September 2022	Parliament Secretariat	
1.2.14	Assent by the Hon'ble President/Gazette notification/ Amended BLA applicable	August - September 2022	MOLE	

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

SL	Actions	Timeline	Responsibilities	Resource
1.3.1	Review committee meeting to scrutinize amendment proposal	October - December 2022	MOLE	
1.3.2	Tripartite Consultative Council meeting	January - March 2023	MOLE	
1.3.3	Placing the amendment proposal to the Cabinet	January - March 2023	MOLE	
1.3.4	Vetting of amendment proposal by Ministry of Law	January - March 2023	Legislative and Parliamentary Affairs Division	
1.3.5	Issuance of SRO by the Ministry of Law/ Gazette notification/BLR applicable	March 2023	Legislative and Parliamentary Affairs Division	

1.4 Adoption of EPZ Labour Rules

SL	Actions	Timeline	Responsibilities	Resource
1.4.1	Preparing initial draft of Bangladesh EPZ Labour Rules	May - July 2021	BEPZA	
1.4.2	Discussion with concerned stakeholders, including investors, workers' associations, relevant ministries (as required)	July 2021 - August 2021	BEPZA	
1.4.3	Formation of Tripartite Committee to review and finalize the draft	September 2021-October 2021	BEPZA	
1.4.4	Send final draft to Ministry of Law for vetting	November 2021	BEPZA/ PMO/ Legislative and Parliamentary Affairs Division	
1.4.5	Gazette Notification	December 2021	BEPZA, PMO	

1.5 Amendment Bangladesh EPZ Labour Act, 2019 (See Annex 3)

SL	Actions	Timeline	Responsibilities	Resource
1.5.1	Implementation of EPZ Labour Rules	January 2022- November 2022	BEPZA	
1.5.2	Impact analysis of the adopted EPZ Labour Rules and discussion with concerned stakeholders including investors, workers' associations, relevant ministries (as required) on reviewing EPZ Labour Act	November 2022- July 2023	BEPZA	
1.5.3	Formation of Tripartite EPZ Labour Law Review Committee	July 2023 - August 2023	BEPZA	
1.5.4	Receiving amendment proposals from different relevant stakeholders for onward transmission to the review committee	September 2023 - December 2023	BEPZA	
1.5.5	Meetings of tripartite EPZ Labour Law Review Committee	January 2024 - October 2024	BEPZA	
1.5.6	Discussion & consultation with concerned stakeholders, including investors, employers' & workers' associations, relevant ministries (as required) on reviewing EPZ Labour Act	May 2024 - October 2024	BEPZA	
1.5.7	Tripartite Consultative Council meeting	November 2024 - January 2025	BEPZA	
1.5.8	Meetings of tripartite EPZ Labour Law Review Committee (as required)	December 2023 - February 2025	BEPZA	
1.5.9	Examination by the Examination Committee of the Cabinet	January 2025 - February 2025	Cabinet Division	
1.5.10	Placing the amendment proposal to the Cabinet for preliminary approval	January 2025 - February 2025	Cabinet Division	
1.5.11	Vetting of amendment proposal to Ministry of Law	March 2025 - May 2025	National Parliament of Bangladesh	
1.5.12	Placing Amendment proposal to the Cabinet for final approval	April 2025 - May 2025	Parliament Secretariat	

1.5.13	Placing a proposed amendment bill to the Parliament	May 2025 - June 2025	Parliament Secretariat	
1.5.14	Scrutinization by the Parliamentary Standing Committee	May 2025 - June 2025	Parliament Secretariat	
1.5.15	Bill passed by the Parliament	May 2025 - June 2025	Parliament Secretariat	
1.5.16	Assent by the Hon'ble President/Gazette notification	May 2025 - June 2025	Parliament Secretariat	

Action 2: Eliminate child labour in all its forms by 2025¹

2.1 Regulatory and policy framework for elimination of child labour

SL	Actions	Timeline	Responsibilities	Resource
2.1.1	Complete process of ratification of ILO Convention 138 on minimum age	Please see Action 9.2	MOLE	
2.1.2	Complete revision of the National Plan of Action to eliminate child labour by 2025	December 2021	MOLE	
2.1.3	Updating the list of hazardous jobs in light of the observations of CEACR report of 2017			
2.1.3.1	Formation of a tripartite committee to update hazardous child labour list	Formed	MOLE	
2.1.3.2	National and Divisional level Consultation to update the hazardous child labour list (including CSO).	January - June 2021	MOLE	
2.1.3.3	Receiving comments from concerned ministries/departments on the	January - June 2021	MOLE	

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.

	draft list			
2.1.3.4	Tripartite consultative council (TCC) meeting	April - June 2021	MOLE	
2.1.3.5	Inter-ministerial meeting to consider draft list	July - September 2021	MOLE	
2.1.3.6	Vetting by the Ministry of Law, issuance of SRO and applicability of updated list	October - December 2021	Legislative and Parliamentary Affairs Division	
2.1.4	Adjustment of the national legislative framework after ratification of C138 in consultation with employers and workers on the possibility of increasing sanctions for engaging child labour	Please see Action 1.2	MOLE	

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

SL	Actions	Timeline	Responsibilities	Resource
2.2.1	Improve the labour inspectorate/other public authorities who investigate cases of child labour and ensure convictions	-	-	
2.2.1.1	Increase the number of labour inspectors	Please see Action 7	DIFE	
2.2.1.2	Allow labour inspectors to impose administrative fines and develop clear instruction when these fines should be imposed	Please see Action 1.2	MOLE	
2.2.1.3	Identify risk areas and include them in the labour inspection plan and monitor filing cases against the management of factories/enterprises by the Labour Inspectors	2021-2026	DIFE	
2.2.1.5	Provide capacity building training of all current and future DIFE inspectors including through foundation training	2021-2026	DIFE	
2.2.1.6	Raise the number of Labour Courts	Please see Action 5	MOLE	
2.2.2.	Continue cooperation with different public authorities that engage in elimination of child labour through child labour welfare councils at all levels as well as social partners, NGOs, CSOs etc	2021-2026	MOLE	

2.3 Projects on (hazardous) child labour/child labour survey²

SL	Actions	Timeline	Responsibilities	Resource
2.3.1	Implementation of a Government funded project titled Eradicating Child Labour from Hazardous Work	2021 - 2025	MOLE	
2.3.2	Conduct a child labour survey by Bangladesh Bureau of Statistics (BBS) with technical support from ILO	2021 - 2022	MOLE, BBS	
2.3.3	Design and implement programmes of action, in consultation with relevant government institutions and employers' and workers' organisations and non-government organizations to eliminate child labour, including its worst forms	2021 - 2026	MOLE	
2.3.4	Enhance Child Labour Unit of MOLE with additional human resource and coordination with divisional and district level Departments	September 2021	MOLE	

2.4 Awareness raising action and process

SL	Action	Timeline	Responsibilities	Resource
2.4.1	Include awareness raising measures TV/radio spots, popular theatre, billboards and other activities mentioned in Chapter II, point 4 of the existing National Action Plan	2021 - 2026	MOLE	
2.4.1.1	Telecast TV spots in TV channels	2021 - 2026	MOLE	
2.4.1.2	Meeting of National, Divisional, District and Upazilla Child Labor Welfare Councils and committees	2021 - 2026	MOLE	
2.4.1.3	Observe International Day Against Child Labour	2021 - 2026	MOLE	

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

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

3.1 Preventive measure

SL	Actions	Timeline	Responsibilities	Resource
3.1.1	Conduct regular awareness raising training ³ for factory security staff, police, employers, and workers to prevent violence, harassment, unfair labour practices and anti-union acts	2021 - 2026	DOL, MOHA, BEPZA	
3.1.2	Develop and 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: December 2021 BEPZA: December 2023 MOHA: December 2023	DOL, MOHA	
3.1.3	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)	June 2022	MOHA	
3.1.4	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	2021-2026	DOL, MOHA	

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

SL	Actions	Timeline	Responsibilities	Resource
3.2.1	Continue to provide regular training and clear instructions (including monitoring of instructions) for all DOL staff handling	2021-2026	DOL	

³ Please see Annex 4

	complaints on how to comply with the SOPs on anti-union discrimination and unfair labour practices against workers ⁴			
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	2021-2026	DOL, Legislative and Parliamentary Affairs Division	
3.2.3	Continue to sensitize managers/employers, security staff on how they can support the investigations	2021-2026	DOL	
3.2.4	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	2021-2026	MOHA (PSD), Bangladesh Police	
3.2.5	Investigation of alleged cases of violence and harassment of the police against workers, including in cases of legal protests	2021-2026	MOHA	
3.2.6	Clarifying BLA and EPZ Labour law that blacklisting of current and former workers is prohibited as unfair labour practice	See timelines AP 1.2 and Action 1.5	MOLE, BEPZA	

3.3 Ensure timely and dissuasive sanctions/convictions and related information

SL	Actions	Timeline	Responsibilities	Resource
3.3.1	Review for possible upward revision of fines for employers for anti-union discrimination and unfair labour practices in the BLA	Please See Action 1.2 on BLA amendment 1	MOLE	
3.3.2	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	June 2021 (and then quarterly updates)	DoL, Labour Courts	

⁴ Please see Annex 4

3.4 Promoting Social Dialogue

SL	Actions	Timeline	Responsibilities	Resource
3.4.1	Request technical support of ILO through the following initiatives:	-	-	
3.4.1.1	An assessment on the state of play of social dialogue in BGD (including state of play of collective bargaining agreements) with recommendations	2021	MOLE, DOL	
3.4.1.2	Prepare a position paper on the status of both the National and RMG TCCs	June 2021	MOLE, DOL	
3.4.1.3	Establish a set of clear institutional mechanism for both the National TCC and RMG TCC to improve the functioning of the TCC's	2021	MOLE, DOL	
3.4.1.4	Capacity building of the support staff of the national and sectoral TCCs to make tripartite committees functional	2021	MOLE, DOL	
3.4.1.5	Relaunch of the RMG TCC and use of the relaunch event to provide wider awareness of the RMG TCC and its responsibilities	2021	MOLE, DOL	
3.4.1.6	Awareness session to members on the adopted terms of reference of the RMG TCC	2021 - 2026	MOLE, DOL	
3.4.1.7	Training session of RMG TCC support staff on the adopted terms of reference of the RMG TCC	2021 - 2026	MOLE, DOL	
3.4.1.8	Develop and implement a roadmap on social partners' awareness and capacity building for social dialogue and collective bargaining	December 2021 and following	MOLE, DOL	

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

SL	Actions	Timeline	Responsibilities	Resource
4.1	Explore and implement ways of further simplifying the registration process through tripartite consultations:			
4.1.1	Overhaul the existing online Registration System in line with the latest BLA amendments and through developing a comprehensive system and training relevant officials of DOL and its regional offices	June 2022	MOLE, DOL	
4.1.2	Establish a pre-application service at the Department of Labour to facilitate workers' preparation of registration documents by scrutinizing trade union registration application documents	June 2021	MOLE, DOL	
4.1.3	Continue with the provision for offline registration system in case of limited internet access for the concerned workers	2021-2026	MOLE, DOL	
4.2	Giving training ⁵ to the workers and employers in all sectors on Trade Union Registration Process (including online registration system) and providing regular training to relevant officials (DOL, Registrar, divisional and regional officers) on handling of registration applications to ensure rapid and efficient handling and to avoid arbitrary denial of applications	2021-2026	MOLE, DOL	
4.3	Publicly accessible online database on registration to be made fully operational and regularly updated by provide sufficient human and financial resources (include number of applications submitted, granted, filed and rejected	May 2021	MOLE, DOL	

⁵Please see Annex 4

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

SL	Actions	Timeline	Responsibilities	Resource
5.1	Take steps to make the three newly established Labour Courts fully functional:	-	-	
5.1.1	Set up offices in three different locations	Done	MOLE	
5.1.2	Deployment of judges by Ministry of Law	Done	Law and Justice Division	
5.1.3	Recruit registrar by PSC	December 2021	PSC	
5.1.4	Recruit other official support staff	June 2022		
5.1.5	Select representatives from employers and workers	Done	MOLE	
5.1.6	Training of labour court officials	December 2022	Labour Courts	
5.2	Establish new labour courts in Narayangonj, Gazipur, Cumilla districts and a circuit court in Faridpur district:			
5.2.1	Post creation by the Ministry of Public Administration, Ministry of Finance and MOLE	June 2022	MOPA, MoF, MOLE	
5.2.2	Set up offices for the newly establishment Labour Courts	June 2023	MOLE	
5.2.3	Deployment of judges by Ministry of Law for new Labour Courts	December 2023	Law and Justice Division	
5.2.4	Recruit registrar by PSC and other manpower for official support	December 2023	PSC	
5.2.5	Select representatives from employers and workers	December 2023	MOLE	
5.2.6	Training of labour court officials	June 2024	Labour Courts	
5.3	Deploy one Additional Judge (Member) to the Labour Appellate Tribunal	December 2023	MOLE	
5.3.1	Creation of one post of Additional Judge (Member) to the Labour Appellate Tribunal and official supporting staff	December 2022	Law and Justice Division, MOPA, MoF, MOLE	
5.3.2	Set up offices for the newly created post of Additional Judge (Member)	December 2023	MOLE	

5.3.3	Deployment of Additional Judge (Member)	December 2023	Law and Justice Division	
5.3.4	Recruit other manpower for official support	December 2023	Labour Appellate Tribunal	
5.4	Establish pilot processes to classify and reduce cases in consultation with the Judges of the Labour Courts	July 2021 - June 2022	Labour Courts	
5.5	Independent conciliation and arbitration system as a means of Alternative Dispute Resolution (ADR):			
5.5.1	Establish a Conciliation and Arbitration Cell at DOL to provide secretariat service and monitor individual cases as need be	July 2021	DoL, SDIR, ILO	
5.5.2	Develop an SOP for conciliation system through tripartite consultations	December 2021	DoL SDIR, ILO	
5.5.3	Appointment of conciliators through gazette notification	June 2022	DoL SDIR, ILO	
5.5.4	Develop an SOP for arbitration system through tripartite consultations	June 2022	DoL SDIR, ILO	
5.5.5	Establish an arbitrators' panel	December 2022	DoL SDIR, ILO	
5.5.6	Promote conciliation and arbitration system as ADR	2021 - 2026	DoL SDIR, ILO	
5.5.7	Provide information sessions on the conciliation and arbitration system to workers, employers and DOL officials	2021 - 2026	DoL SDIR, ILO	

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

SL	Actions	Timeline	Responsibilities	Resource
A	DIFE			
6.1	Continuation of the helpline (16357) under revenue budget of DIFE	Completed by January 2021	DIFE	
6.2	Establish a complaint management cell to follow up the cases directly by the labour inspectors	Completed by January 2021	DIFE	
6.3	Develop a database of the complaints covering information including the following elements:	December 2021	DIFE	

	<ul style="list-style-type: none"> information on the number and nature of the allegations information on the nature of the follow-up to calls 			
6.4	Organize regular training programme for all service personnel/officials receiving complaints via the helpline on Standard Operating Procedure of grievance handling	2021 - 2026	DIFE	
B	BEPZA			
6.5	Establishment of the Helpline for all workers in EPZs	Completed on 28th March 2021	BEPZA	

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

SL	Actions	Timeline	Responsibilities	Resource
7.1	Recruit 255 Labour Inspectors in consultation with Bangladesh Public Service Commission (PSC) to complete the filling of 575 posts of labour inspectors	March 2021 - December 2022	PSC, MOLE	
7.2	Establish 942 new posts of Inspector and fill the posts: <ul style="list-style-type: none"> Post creation by Ministry of Public Administration and Ministry of Finance Filling the newly created posts of Labour Inspectors by the Bangladesh Public Service Commission 	December 2023	MOPA, FD, PSC	
7.3	Full application of Labour Inspection Management Application (LIMA) in all (23) DIFE offices	December 2021	DIFE, ILO	
7.4	Developing the competencies of Labour Inspection staff and by creating more senior positions <ul style="list-style-type: none"> Creation of posts of 4 Additional IG, 12 JIG and 51DIG Regular promotion of LIs to AIG, AIG to DIG, DIG, JIG and Additional IG 	Please see Action 7.2	MOPA, FD, PSC	
7.4.1	Regular trainings and capacity building measures <ul style="list-style-type: none"> Each inspector will be given a minimum of 50 man-hour training annually as per the directives of the Cabinet Division 	2021-2026	DIFE	

7.5	Promote an effective sector-specific labour inspection approach	-		
7.5.1	Prioritization of safety issues, targeting establishments to be inspected and monitor progress on remediation of non-conformity on priority issues identified by labour inspection	December 2021	MOLE, DIFE	
7.5.2	Creating a database for monitoring of efficiency of labour inspections through a yearly sector-specific labour inspection plan (upgradation of existing Inspection Plan, if needed)	December 2021	DIFE	
7.5.3	Taking effective measures to ensure sufficiently dissuasive penalties and ensure that the DIFE unit responsible for the follow-up of labour law violations (currently one legal officer) is expanded to the proposed nine legal officers	December 2023	MOPA, Finance Division, MOLE, PSC, DIFE	
7.6	Formulating a DIFE inspection modality in coordination with BEPZA	June 2022	MOLE, DIFE, BEPZA	
7.7	Incorporate the Standard Operating Procedure (SOP) on Labour complaints and investigation in the BLA	December 2022 (Depends on BLA amendment)	MOLE	

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)

SL	Actions	Timeline	Responsibilities	Resource
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: Remediation of factories easily possible (Category 1); Remediation of factories possible with time and resources	June 2021	DIFE, ILO	

	(Category 2); Remediation of factories challenging (Category 3 ⁶)			
8.1.2	Implement the business plan on remediation of factories under Category 1	June 2022	MOLE, DIFE, MOHPW, ILO, FSCD, EACEI, BGMEA, BKMEA	
8.1.3	Continue to work on remediation of factories under category 2 and 3, including with support from relevant international development partners	June 2021- December 2026	MOLE, DIFE, MOHPW, ILO, FSCD, EACEI, BGMEA, BKMEA	
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	January 2022	ILO	
8.2.2	Ensure full application of Remediation Tracking Module (RTM)	December 2021	DIFE, ILO	
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	November 2021/ June 2022	DIFE	
8.3.2	Post Creation and Deployment Labour Inspectors for the ISU	December 2023	MOPA, MOF, BPSC, MOLE, DIFE	
8.3.3	Upon establishment of ISU, DIFE Safety Unit to hand over the responsibility to ISU	December 2023	DIFE	
8.3.4	Capacity building and training of DIFE's existing Engineers on building safety (fire, structure, electrical, chemical, boilers, etc.)	December 2021	DIFE, ILO	
8.4	Development of a framework for RSC coordination/ monitoring in consultation with Ministry of Commerce	September 2021	MOLE	

⁶ Closure notice will be served to the factories under Category 3 by June 2022 and sent to National Tripartite Council (NTC)

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

SL	Actions	Timeline	Responsibilities	Resource
9.1	Ratify Protocol of 2014 to ILO Convention on forced labour (P29):			
9.1.1	Receiving Comments from Different Ministries on P29	December 2020	MOLE	
9.1.2	Inter-ministerial meetings	November 2020 - January 2021	MOLE	
9.1.3	Meeting of the TCC for Consideration of the Ratification	January - March 2021	MOLE	
9.1.4	Vetting of the Law Ministry	April - May 2021	Legislative and Parliamentary Affairs Division	
9.1.5	Placing the Ratification Proposal to the Cabinet	May - June 2021	Cabinet Division	
9.1.6	Issuing Letter of Ratification	June 2021	MOLE	
9.1.7	Alignment of law and practice with the provisions of P29	Please see Action 1.2		
9.2	Ratify ILO Convention 138 on minimum age:			
9.2.1	Receiving Comments from Different Ministries	January 2021 to March 2021	MOLE	
9.2.2	Analysis of legal implications of ratification	January 2021 to June 2021	MOLE, ILO	
9.2.3	Inter-ministerial meetings	April - June 2021	MOLE	
9.2.4	Meeting of the TCC for Consideration of the Ratification	July - August 2021	MOLE	
9.2.5	Vetting of the Law Ministry	August - September 2021	Legislative and Parliamentary Affairs Division	
9.2.6	Placing the Ratification Proposal to the Cabinet	October - November 2021	Cabinet Division	
9.2.7	Issuing Letter of Ratification	December 2021	MOLE	
9.2.8	Adjustment of the national legislative framework in consultation with employers and workers on the possibility of increasing sanctions for engaging child labour	Please see Action Point 1.2 and 2.1.4		

Annex 1 (Please see Action 1.1)

List of Issues regarding Amendment of Bangladesh Labour Rules, 2015

1. Rule 2: include administrative and supervisory officers in the BLA scope
2. Rule 85, schedule IV, sub-rule 1(h): allow members of the Safety Committee to initiate or participate in an industrial dispute
3. Rule 169(4): extend the eligibility to the union executive committee to non-permanent workers
4. Rule 188: limit employer participation in the formation of election committees which conduct the election of worker representatives to participation committees in the absence of a union
5. Rule 190: ensure that no categories of workers are prohibited from voting for worker representatives to participation committees
6. Rule 202: amend to ensure that legitimate activities of trade unions and participation committees are not perceived as interference in the work of the establishment
7. Rule 204: allow all trade union members (not only subscription-paying workers) without distinction or discrimination of any kind, to vote in a ballot to issue a strike
8. Rule 350: limit the powers of inspection of the DoL including as regards unrestricted power to enter any trade unions or households and search for documents and take custody of any file or document (see 2012 General Survey on the fundamental Conventions, paras 112-114 for more details)
9. Provisions should be included providing appropriate procedures and remedies for unfair labour practice complaints
10. Align the relevant provisions of the BLR with the BLA on the issue of the minimum membership requirement for the registration of trade unions
11. Add a provision prohibiting all acts of interference covered by Article 2 of the Convention
12. Amendment of any other Rules be identified in the process as not complying with ratified ILO Conventions

Annex 2 (Please see Action 1.2)

List of Issues regarding Amendment of Bangladesh Labour Act

1. Sections 1(4), 2(49), 2(65) and 175: amend to remove undue restrictions on the right to organize so as to ensure that all workers can establish and join organizations of their own choosing, with the only permissible exceptions of the police and the armed forces
2. Section 179(1): amend to reduce the level of detail in the requirements of a trade union constitution so as to prevent undue interference in the right to draw up constitutions freely
3. Section 179(2) and 183(6): reduce the minimum membership to a reasonable level of “10% or 10 persons whatever is lower”
4. Section 179(5) and 183(1): delete limitations (including a maximum number of trade unions) on registration in any establishment or group of establishments
5. Section 180(1)(a) and (b): amend (a) and delete (b), to ensure that
 - i. a criminal record does not disqualify from trade union office unless, the conviction was for an act which would call into question the integrity of the person concerned
 - ii. to be employed at the establishment is not required to qualify for a trade union office, as it may infringe the right of organizations to elect their representatives in full freedom as it may lead to preventing qualified persons from being elected (for example full-time union officers or pensioners)
6. Section 184 : amend to ensure that workers are able to establish trade unions in civil aviation irrespective of whether or not they wish to affiliate with international federations; international affiliation should not be a requirement to form a trade union, this provision should be amended by deleting reference to international affiliation.
7. Section 185: remove excessive restrictions on organizing of seamen, including trade union monopoly
8. Section 188: amend to restrict the discretion of the DoL to refuse to register an amendment in a trade union constitution so as to prevent any interference in the right to draw up constitutions freely
9. Section 190(1)(c), (e) and (g): amend to avoid cancellation of trade union registration for reasons that do not justify the severity of the act
10. Section 190(1)(f): delete so as to prevent automatic cancellation of registration of trade unions whose membership fall below the threshold
11. Section 192: delete, since the exercise of legitimate trade union activities should not be dependent upon registration
12. Section 193: delete so as to allow free choice of membership to several trade unions
13. Section 196(2)(a)-(b): delete or change wording so as to avoid that trade union activities with the aim of inciting workers to become or not trade union members is not considered as unfair labour practice (unless violence, coercion, intimidation etc.)

14. Section 196(2)(d): delete or change wording so as to avoid that trade union activities aimed at signing an agreement with the employer are not perceived as ULP
15. Section 196(2)(e): remove, as illegal strike should not be considered as ULP, especially considering the severe penalties
16. Sections 202-203: clearly provide a legal basis for collective bargaining at the industry, sector and national levels
17. Section 202(13): Amend to cover all acts of interference in trade union affairs prohibited under Article 2 of the Convention.
18. Section 202(15): amend to ensure that, where no union in a negotiating unit meets the required threshold of representativeness to be able to negotiate on behalf of all workers, the existing unions should be able to negotiate jointly or separately at least on behalf of their own members.
19. Section 202(24)(b)-(c) and (e): delete to remove any excessive preferential rights for collective bargaining agents
20. Section 202A (1): establish a uniform procedure
21. Section 204: amend to enable check-off facilities also for members of trade unions which are not CBA
22. Section 211(3)-(4): amend to remove any excessive restrictions on the right to strike (prohibition if strike lasts more than 30 days or less if serious hardship to public life etc.)
23. Section 211(8): repeal in order to allow strikes in an establishment within the period of three years from the commencement of its production.
24. Section 227(1)(c): remove or change wording to ensure that a strike is considered illegal only if it contravenes provisions which are in line with the Convention (currently not the case since this provision makes reference to sections that need to be further amended)
25. Section 229: remove or amend, this is a matter to be determined by the trade union
26. Section 291(1): raise penalties envisaged for unfair labour practices and acts of anti-union discrimination to a level that is equivalent to 60% of monthly earnings of the respective employer to make the fines against employers dissuasive.³
27. Section 291(2)-(3): eliminate excessive penalties such as prison sentence for participation in trade union activities without the permission of the employer
28. Section 294: remove any severe penalties, including imprisonment, from being imposed for the participation in an illegal strike or lock-out
29. Section 295: remove any severe penalties, including imprisonment, for actions mentioned in 295 in relation to an illegal strike
30. Section 296: remove any severe penalties, including imprisonment
31. Section 299: remove, activities of unregistered trade unions should not be penalized by fines or imprisonment
32. Section 300: delete so as to remove punishment for membership in several trade unions
33. Section 317(4)(d): delete to avoid interference in trade union election
34. Clarify in the BLA that all meetings of a trade union may take place regardless how many members of that trade union participate (A High Court observation was misinterpreted by DOL which resulted in calls for at least one third of members to be present at all meetings; this imposes barriers resulting in impractical organisation of meetings in particular for national unions, federations and confederations (physical presence from members from throughout the country).

Annex 3 (Please see Action 1.5)

List of Issues regarding Amendment of EPZ Labour Act

1. Section 2(48): amend to ensure that the scope is brought into conformity with Convention 87 regarding workers in supervisory and managerial positions
2. Section 93(a) and (b): Amend to include members of the watch, ward, security staff, drivers, confidential assistants, cipher assistants, irregular workers, workers employed by kitchen or food preparation contractors and workers in clerical work in the definition of worker
3. Sections 94(2) and 97(5): amend to reduce the minimum membership to a reasonable level of “10% or 10 persons, whatever is lower” and to allow all workers, not only permanent, to apply to form a WWA
4. Sections 94(6), 97(5) paragraphs 2, 100, 101: Delete to avoid imposition of association monopoly at enterprise and industrial establishment levels
5. Sections 96(2)(e) and (o): Amend to allow WWAs to freely determine these aspects of internal administration, since excessive requirements on the content of the WWA constitution, which go beyond formal requirements, may hinder the free establishment of WWAs and constitute an interference in the right to freely draw up constitutions
6. Remove broad powers of the Zone Authority:
 - i. Section 96(3): Delete to remove the requirement of the Authority’s approval for funds from an outside source
 - ii. Section 99: Amend to remove the requirement of the Authority’s approval to any changes to a WWA constitution or Executive Council
 - iii. Section 103(1): amend to remove the requirement of requesting the Authority to hold an election of the Executive Council of the WWA
 - iv. Section 104: Delete to remove the requirement of the Authority’s approval of the elected Executive Council of the WWA
 - v. Section 127(2): Delete the requirement of an approval by the Authority of the manner a ballot on the vote to call a strike is held, if manner is not prescribed by regulation
 - vi. Section 180(c): Delete to remove the power of the Authority to determine the legitimacy of a WWA and its capacity to act as a collective bargaining agent and
 - vii. Section 191: Delete to remove the power of the Authority to monitoring of any WWA elections
7. Section 102(4): Delete so as to allow affiliation of WWAs within the same Zone, in another Zone and beyond the Zone, thus allow joining federations and confederations outside the zone or associating with international unions

8. Section 102(1)-(2): Amend (1) to allow workers to join several unions and delete (2) to remove restriction of WWA activities to the territorial limits of the enterprise, thus banning any engagement with actors outside the enterprise, including for training or communication
9. Section 102(3): Amend to broaden the functions of WWA members and to allow this matter to be determined by workers' organizations
10. Section 103(2): Amend to ensure coherence between the paragraphs on the issue of members-workers and to allow all WWA members to participate in the election or at least to let the WWA determine this matter.
11. Section 103(2): Amend to remove the prohibition to hold an election for the Executive Council during a period of 6 months, if previous election was ineffective (e.g. no majority of permanent workers voted); the WWA has to have the right to decide on the date of election without interference
12. Section 103(4): Delete to allow all workers (not only permanent workers) to be entitled to vote and be elected to the Executive Council
13. Section 105: Delete to remove the legislative determination of the tenure of the Executive Council Section 107: Amend to remove restrictions on eligibility of workers with former criminal convictions to join the WWA within two years of their release, unless conviction for an act which puts into question the moral integrity of the person
14. Sections 109(b)-(h), 178(3): delete or amend to remove the cancellation of the WWA registration on grounds which do not appear to justify the severity of the sanction (e.g. WWA may be cancelled if it failed to submit its annual report to the Executive Chairman as required under the EPZ Act)
15. Section 111: Delete to remove the prohibition to function without registration and to collect funds for such WWA
16. Section 113(1)-(2): Amend to remove the excessive requirement to form a WWA Federation (more than 50% of WWAs in a Zone have to agree in order to be entitled to form a WWA Federation ; amend to limit interference in internal affairs of a WWA federation by removing the legislative determination of its duration
17. Section 113(3): Delete to remove the prohibition of a Federation of WWAs to affiliate or associate with another federation in another Zone or with any other federation beyond any Zone
18. Section 113(4): Delete to remove the power of the Zone Authority to determine, by regulation, the procedure of election and other details in respect of the Federation of WWAs
19. Remove restrictions on employers' freedom to associate
 - i. Section 114(1): Amend to remove excessive requirements to form an association of employers – requiring majority of employers in any Zone
 - ii. Section 114(2): Delete to remove prohibition of an employer association to associate or affiliate in any manner with another association beyond their Zone

- iii. Section 114(3): Delete to remove excessive powers of interference in employers' associations' affairs
- 20. Sections 115(1) (f) and 116(3): Ensure comprehensive prohibition against interference by workers and employers in each other's internal affairs by covering all acts of interference under the Convention, including prohibitions of interference in each other's establishment, functioning or administration; acts designed to promote the establishment of workers' organizations under the domination of an employer; support for workers' organizations by financial or other means with the objective of placing them under the control of an employer or an employers' organization; or exercising pressure in favour or against any workers' organization.
- 21. Section 115(2): amend to ensure that workers in managerial positions can establish and join their WWAs, even if they can be excluded from WWAs representing other (non-managerial) workers
- 22. Sections 116(1), 116(2)(a) and (f), 151(2)-(3), 155 and 156: Amend to remove from the list of unfair labour practices actions such as participation in any WWA activity during working hours without permission from the employer, persuading a worker to join or refrain from joining a WWA during working hours, and beginning or continuing an 'illegal strike', as well as to remove the imposition of penal sanctions for their violation if unable to pay fine.
- 23. Section 121(3)-(4): amend to restrict the broad power of the Executive Chairperson to rule on the legitimacy of a transfer or termination of a WWA representative
- 24. Section 121(2) paragraph 2: amend to limit the exception to protection against anti-union discrimination, especially given the broad scope of prohibited activities which give rise to the exception
- 25. A provision should also be added to provide for specific measures to remedy acts of anti-union discrimination (currently, such measures are only foreseen for WWA officials covered by section 121)
- 26. Delete excessive restrictions on the right to strike including:
 - i. Section 128(2): amend to remove the power of the conciliator appointed by the Zone authority to decide at his discretion on the validity of a strike notice, without which a lawful strike cannot take place (section 145(a)).
 - ii. Section 131(3)-(4): Amend to remove the possibility of the Zone Authority to prohibit a strike or lockout after 30 days or at any time if the continuance of the strike or lockout causes serious harm to productivity in the Zone or is prejudicial to public interest or national economy
 - iii. Section 131(5) and 144(1): Amend to remove the possibility of unilateral referral of a dispute to the EPZ Labour Court which could result in compulsory arbitration and any strike activity being deemed 'illegal'
 - iv. Section 131(9): Delete so as to remove the prohibition of strike or lockout for three years in a newly established enterprise and imposition of obligatory arbitration
 - v. Section 115(1)(g): Amend to remove the possibility to hire temporary workers during a legal strike in cases where the Executive Chairman of the Zone Authority is satisfied that complete cessation of work is likely to have the risk of causing serious damage to the

machinery or installation of the industry (in the current law, this requirement renders a strike illegal and can thus justify recruitment of temporary workers)

vi. Sections 155 and 156: Amend to delete the excessive penalties, particularly given the barriers and challenges to organising a legal strike under the Act, including imprisonment, for illegal strikes

27. Section 147: Amend to allow WWAs to decide on the appropriate measures in case a refusal of a worker to take part in an illegal strike

28. Sections 151(1) and 157: Raise the fine for unfair labour practices to a level that is equivalent to 60% of monthly earnings of the respective employer to make the fines against employers dissuasive⁴. And raise fines for anti-union discrimination during an industrial dispute

29. Section 151(2)-(3): Amend to delete excessive sanctions for “unfair labour practices” of workers (e.g. organising WWA activities during office hours), including imprisonment

30. Sections 167(2)(b) and 139(2)(e): amend to remove the power of the Executive Director (Labour Relations) and the Inspector-General to supervise any election of WWAs

31. Sections 168 and 180(g): amend to allow independent and unannounced labour inspections of the labour inspectorate (DIFE) without prior approval of the Authority and thus enable supervision of labour standards in EPZs by the DIFE (currently the Chairman retains ultimate supervision which can hinder the independent nature and proper functioning of labour inspection)

32. Section 178(1) - (3): Amend to:

i. Delete the prohibition to engage in activities that are not within the aims and objects of the association as specified in its Constitution

ii. Delete the prohibition to form or maintain any linkage with any political party or any non-governmental organization.

iii. Delete the possible cancellation of such association and prohibition to form a WWA within one year after such cancellations

33. Section 184: Delete to remove the excessive power of the Government to exempt any owner, group of owners, enterprise or worker from any provision or provisions of the Act making the rule of law a discretionary right

34. Section 204: Amend to ensure that any regulations established by the Zone Authority, with the approval of the Government, do not further confine and restrain the rights of workers and their organisations to carry out legitimate trade union activities without interference

35. Include further provisions to remedy acts of anti-union discrimination, except in the case of WWA officials as provided.

Annex 4 (Please see Actions 3.1.1, 3.2.1 and 4.2)

Training Plan of the Department of Labour (DOL)

Department of Labour has been conducting Workers' Education Training for workers through its 32 Labour Welfare Centres and Industrial Relations Training for workers, management staffs and govt. officials and Workers' Education Training for workers through its 4 Industrial Relations Institutes. Besides, DoL will arrange In-House training for Officials of DoL on SOPs on Trade union registration, Unfair Labour Practices/Anti-union discrimination and Conciliation. Moreover, DoL will accomplish Workplace Cooperation Training for workers and management staffs through implementing ILO-DoL Implementation Agreement (Extended upto 31October, 2022) with the assistance of SDIR project.

Forecast of Training Programmes over the next five years

SL.	Training Title	Institute	Training Category	Length of course	Subjects	Participants			Number				
						Workers	Employers	Government	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026
01	Industrial Relations Course	Industrial Relation Institutes	Tripartite Industrial Relation course	4 weeks	BLA, BLR, Labour Administration, ILO, 4 th Industrial Revolution etc. (Including Trade Union Registration Process, Anti-union Discrimination/ Unfair Labour Practices, Conciliation, CBA and so on)	General workers, trade union leaders, PC members, security staffs	Owners, Management etc	DoL officials, DIFE Inspectors, Labour Court, Labour Appellate Tribunal, Minimum wage board, Industrial Police etc.	350	400	450	500	600
02	Workers Education Course	Industrial Relation Institutes	Workers mass education	05 days	BLA, BLR (Including Trade Union Registration Process, Anti-union Discrimination/ Unfair Labour Practices,	General workers, trade union leaders, PC members, security	--	--	2000	2250	2500	2750	3000

					Conciliation, CBA and so on)	staffs								
03	Workers Education Course	Labour Welfare Centers	Workers mass education	05 days	BLA, BLR (Including Trade Union Registration Process, Anti-union Discrimination/ Unfair Labour Practices, Conciliation, CBA and so on)	General workers, trade union leaders, PC members , security staffs	--	--	6000	6250	6500	6750	7000	
04	In house Training on SOPs	DOL HQ, Divisional Labour Offices	Capacity building of DoL officials	08 Hours	Trade Union Registration Process, Anti-union Discrimination/ Unfair Labour Practice and Conciliation			DoL officials	30	60	60	90	90	
05	Training on SOP of Trade Union Registration Process, Anti-union Discrimination & Unfair Labour Practice	ILO (SDIR Project)	Capacity building of DoL officials	--	Trade Union Registration Process, Anti-union Discrimination & Unfair Labour Practice			DoL officials	30	30	--	--	--	
07	Training on Conciliation & Arbitration	ILO (SDIR Project)	Capacity building of DoL officials	--	Industrial Dispute Settlement			DoL officials	30	30	--	--	--	
08	Managing Labour Relations Course/ Workplace Cooperation Training	DoL, ILO (SDIR Project)	Labour Relations	03 days	Labour Relations/Social Dialogue	Trade union leaders, PC members	Managem ent staffs		1000	--	--	--	--	

