

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

**4th Implementation Status of National Action Plan (NAP) on the Labour Sector of
Bangladesh (2021-2026)**

1. During the 9th session of the EU-Bangladesh Joint Economic Commission held in October 2019, the Government agreed to develop a National Action Plan (NAP) on the Labour Sector of Bangladesh (2021–2026). The Action Plan was developed in consultation with the European Union (EU) and was shared with 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 through its implementation process; 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 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 Roadmap shared with ILO; and (2) Provide overall directions for the implementation of both the documents. In the meantime, 7th meetings of the TIMC have been held so far. The last meeting was held on 11 September, 2023.

3. NAP Actions and Progress Made

The 1st, 2nd and 3rd updates on the implementation status of the NPA were published in the MOLE website on 13 April 2022, on 23 October, 2022 and on 18 April 2023 respectively. The 4th implementation status was discussion with the tripartite constituents in the TIMC meeting held on 11 September, 2023 under the Chair of Secretary, Ministry of Labour and Employment (MOLE).

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

- The amended Bangladesh Labour Rules, 2015 have been published through gazette notification on 1 September 2022. (S.R.O No.-284-Law/2022).

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

- After thorough discussion of amendment proposals received from 17 government, employers' and workers' organizations the Tripartite Working Group (TWG) for

amendment of Bangladesh Labour Act (BLA) 2006 submitted its recommendations to the Tripartite Labour Law Review Committee (TLRC) on 8 August 2023. During the work of the TWG, several workshops were organized where the ILO Country Office for Bangladesh shared some good practices to align the BLA with the International Labour Standards.

- After reviewing the recommendations of the TWG in three meetings, the TLRC submitted the draft amendment proposals to the National Tripartite Consultative Council (NTCC) on 11 September, 2023.
- In a meeting on 13 September 2023, the NTCC reviewed and finalized the draft BLA amendment proposal.
- The amendment proposals were submitted to the Cabinet for approval.
- On 7 October, 2023, the Cabinet Meeting headed by the HPM has approved the proposals.
- After vetting from the ministry of Law, Justice and Parliamentary Affairs the amendment proposals have been sent to the Parliament.
- MoLE is optimistic that the law amendment will be passed by the present parliament.

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

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

1.4 Adoption of Export Processing Zone (EPZ) Labour Rules

- The Bangladesh EPZ Labour Rules, 2022 has been published in the Bangladesh Gazette on 4 October, 2022 (S.R.O No-295).

1.5 Amendment of Bangladesh EPZ Labour Act, 2019

- A Tripartite Standing Committee was formed for amendment of the EPZ Labour Rules. The same committee will work for amendment of Bangladesh EPZ Labour Act, 2019. The amendment process has already started through analysis of the impact of the EPZ Labour Rules. It is envisaged that the whole exercise will be completed by June 2025.

Action 2 Eliminate child labour in all its forms by 2025

Action2.1 Regulatory and policy framework for the elimination of child labour

Action2.1.1Ratification of ILO Convention 138

- Bangladesh has ratified the ILO Minimum Age Convention, 1973 (No. 138) on 22 March 2022.

2.1.2 Modification of the National Plan of Action to Eliminate Child Labour

- The modified National Plan of Action (NPA) to Eliminate Child Labour (2021-2025) was published on 12 December 2021. The document is being translated in Bangla.

2.1.3 Updating the List of Hazardous Jobs

- The list of hazardous work has been updated with five new sectors which are: (1) Work related to fish drying, (2) Street-based informal work, (3) Work related to production, collection and transportation of bricks or collection and transportation of stone, (4) Informal /local tailoring and clothe making (5) Garbage and waste management related work.
- The updated list of 43 sectors has been published through a Gazette Notification on 29 April, 2022.

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

- To improve the labour inspection capacity the number of labour inspectors is being increased gradually which is provided in detail under Section 7.
- Special Yearly Plan of Action is being implemented since 2022 to eliminating child labour from Keraniganj area.
- As of September, 2023, for employing child labour 571 cases have been filed to the Labour Court. Of them 205 cases have been resolved.
- Regular training courses are being organized for the Labour inspectors by the DIFE. In 2022-23 Financial Year, 40 training courses and 7 workshops were arranged for the labour inspectors. In addition, 14 training courses organized by GIZ.

2.2.2 Cooperation with different public authorities

- There are National and Divisional Councils as well as District and Upazila (Sub-district) level committees to streamline collective efforts to eliminate child labour. These councils and committees, comprising representatives from NGOs and CSOs, hold regular meetings to take account of and follow up on the progress achieved.
- As of September, 2023, 11 meetings of National Child Labour Welfare Council (NCLWC), 68 meetings of Divisional Councils and 177 meeting of District Level Committees were organized.

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

2.3.1 Implementation of a Government funded project

- The implementation of the government own funded project “Eradication of Hazardous Child Labour from Bangladesh (4th Phase)” will be completed in December 2023. By this time through this project 100 thousand children have been withdrawn from hazardous work.

- The project provided 6 months' non-formal education and 4 months' skill development training and monthly stipend of Taka 1000 for 10 months to each child through mobile banking system. Taka 13 thousand per child has been provided as seed money to setup small business.

2.3.2 Conduct a child labour survey by Bangladesh

The provisional report of the National Child Labour Survey 2022 conducted by the Bangladesh Bureau of Statistics (BBS) with the support from ILO has been published on 19 July, 2023. According to the provisional report of the survey the number of hazardous child labour in the country has reduced from 1.280 million (3.2%) in 2013 to was 1.068 million (2.7%) in 2022. However, the number of children aged 5-17 engaged in child labour has slightly increased from 1.698 million (4.3%) in 2013 to 1.776 million (4.4%) in 2022. The final report is expected to be published by December 2023.

2.3.3 Design and implement programmes of action

- In order to undertake a project to eliminate child labour from all sectors of the economy, a feasibility study has been completed in June 2023 and the findings was disseminated in a workshop in 19 July 2023. We have planned to implement a mega project entitled 'Elimination and Rehabilitation of Child Labour' to eliminate child labour from Bangladesh by 2025. A DPP has already developed amounting 25000 million BDT. Required documents of the project has been developed and administrative process has been initiated for approval of the project.
- The ILO has also initiated a new project "Advancing Decent Work in Bangladesh", a component of which will contribute reducing child labour with priority to hazardous forms.
- Other concerned Ministries and Departments are also implementing supportive programmes which are directly and indirectly contributing elimination of child labour.

2.3.4 Enhance Child Labour Unit of MOLE

- The Child Labour Unit of MOLE has been strengthened with additional manpower headed by a Deputy Secretary along with required support staff.

2.4 Awareness raising action and process

- All awareness raising activities are being implemented on regular basis.
- Financial allocation is being made from the regular revenue budget of MOLE to Divisional and District level committees to organise meetings, seminars and workshops.
- A workshop supported by UNICEF was held on 5th December, 2022.
- UNICEF is planning to organize a workshop on rolling work plan to eliminate child labour in November 2023.
- The Government is preparing the Bangla Version of NAP on Elimination of Child Labour.

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

- The ILO has initiated a new project “Advancing Decent Work in Bangladesh”. The project will develop tools to improve functionality of enforcement in addressing Anti-Union Discrimination and Unfair Labour Practices and capacitate government enforcement officials and social partners for improved functionality.

Action 3.1 Preventive measures

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

DoL

- From July 2020 to 30 September 2023, DOL has trained 32385 workers, management staff, and government officials through its four Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs), with nearly 40% of female participants.
- On 24 January 2023, a day-long workshop was organized on remediation of unfair labour practices/anti-trade union discrimination for the representatives of workers, employers and various government departments including Industrial Police, Labour Courts and Labour Appellate Tribunals.
- On “Gender sensitive facilitation skills” a residential training session for 25 DoL officials was organized during 10-13 March, 2023.

Industrial Police:

- In November 2022, the 3 IRIs of DoL conducted three batches of training exclusively for the industrial police officials (105 Industrial Police personnel) on workers’ rights at work places.
- On 9th August 2023 a sensitization workshop was organized on the use of minimum force and respect of workers’ rights during labour protests for 30 IP officials from Narayanganj, Gazipur and Dhaka.
- During January 2021 to June 2023, the Industrial Police organized 7,496 hours of training courses which were participated by 5,972 males and 638 female members of the Industrial Police. Curricula and other details of such training programme are available at <https://iphq.police.gov.bd/training>.

BEPZA

- BEPZA is conducting regular trainings and awareness programmes for workers, employers/ personnel in charge of management, security staffs and Industrial Police on Bangladesh EPZ Labour Act, 2019, Bangladesh EPZ Labour Rules, 2022, Unfair Labour Practices, Decent Work, Prevention of discrimination against anti-Workers’ Welfare Association (WWA) activities, Prevention of Violence and Harassment, Social Dialogue, Effective Workplace Co-operation, Fire Safety etc.

- During June 2021 to July 2023, BEPZA organized three training programmes for 5,017 participants. In collaboration with the ILO Better Work Bangladesh, a training programme was also organized for 25 EPZ Labour Inspectors.

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

- Database on training is being maintained/managed by DoL, BEPZA and Ministry of Home Affairs. Particulars in this regard are given below:
- A database for training related information has been developed and linked with the DoL's website. All Industrial Relations Institutes (IRIs) and the Labour Welfare Centres (LWCs) are regularly updating the database with participants' information segregated by name, designation, factory/trade union, age, sex and so on.
- In March 2023, the BEPZA established an online database to record the information of the trainees segregated by name, designation, factory/ WWA, age, sex etc. Besides, the record of trainings is maintained manually.
- The Ministry of Home Affairs is maintaining a separate database on the training being imparted to the Police personnel including the Industrial Police which may be accessed at web-link:<https://iphq.police.gov.bd/training>.

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)

- On 12 September 2023, the Ministry of Home Affairs officially approved a compendium in native language (Bangla) of all existing and relevant laws, rules and regulations on the use of minimum force and applicable sanctions or penalties for any proven violation. This will naturally make the laws, rules and regulations easily understandable to the personnel of the Industrial Police and LEAs who are in charge of their application on the ground.

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

- As a regular activity, the DoL and the Ministry of Home Affairs are regularly imparting training to the industrial police and relevant LEAs on the use of minimum force, respect for human rights and labour rights as well as on trade union rights and civil liberties during labour protests.
- These IRI have also conducted another three batches of training for members of industrial police along with other law enforcing agencies in October 2023.
- DoL has organized a sensitization workshop on the use of minimum force and respect of workers' rights during labour protests for Industrial Police members on 9th August 2023 at dhaka. Around 30 Industrial Police personnel ranked from Superintendents of Police

(SP) to Assistant Sub-Inspector of Police (SI) from three different industrial zones (Dhaka, Gazipur and Narayanganj) have attended the workshop.

- The sensitization workshop aims to improve the participants' knowledge of fundamental principles and rights at work which will help those taking actions for labour conflict prevention and management.
- During January 2023 to August 2023, the Industrial Police organized 2674 hours of training courses which were participated by 1192 males and 188 female members of the Industrial Police. Curricula and other details of such training programme are available at <https://iphq.police.gov.bd/training>.

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

- Regular training and instructions are being provided to the DOL staff handling complaints related to anti-union discrimination and unfair labour practices against workers.
- On remediation of unfair labour practices/anti trade union discrimination a workshop has been conducted for the officials of DoL DIFE, BEPZA and Industrial Police Judiciary from Labour Courts and Labour Appellate Tribunals on 24 January, 2023.
- Three sessions of a day-long In-House training programme on the SOPs for Unfair Labour Practices and Anti-Union Discrimination has been organized in September 2023 at Head Office, DoL for all DoL officials.

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 the workers on labour rights during the Trade Unions' general meetings. Such information include ways and means to lodge complaints and legal redress in case of alleged violation/ abuse.
- On remediation of unfair labour practices/anti trade union a workshop for workers' representatives from IBC, NCCWE and National Sramik League has been organized in on Aug 2022 and January 2023.
- In addition to the above, the DoL continues to train workers on the lodgment of complaints and remedial issues under the aegis of the SoP on Unfair Labour Practices and Anti-Union Discrimination.

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

- The managers and security personnel are regularly being sensitized on how they can support investigation of complaints through trainings at IRIs and LWCs and

workshop organized by DOL. Such a training includes basic information concerning complaint management and investigations.

- The Industrial Police continues to engage with the employers and the factory management to sensitize their respective security personnel about prevention of violence and supporting investigations in case of alleged violence and harassment.

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

- The concerned Ministries including Ministry of Labour and Employment, Ministry of Home Affairs and Ministry of Law, Justice and Parliamentary Affairs continue to provide instructions to their subsidiary agencies regarding handling of cases, including those involving alleged acts of violence and harassment against workers.
- The judiciary, prosecutorial services and LEAs receive regular training on the above matters that helps them to efficiently handle the relevant cases/complaints. ILO's technical support for further customized training in this regard will help enhance the efficiency of the personnel in charge of addressing such complaints.

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

- A CFA Case Monitoring Committee had also been formed by on 23 January 2023. The Committee will identify the long pending cases to be expedited which will be placed before the Secretary, Ministry of Labour and Employment and the Minister for Law, Justice and Parliamentary Affairs for necessary direction and guidance or expiatory follow-up. Regular meetings of the Committee is being organized.

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

3.3.1 Review for possible upward revision of fines for employers for anti-union discrimination and unfair labour practices in the BLA

- The issue was considered during the ongoing legal amendment process.

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

- The full record of proceedings of the cases/complaints on unfair labour practices and anti-union discrimination is maintained in the publicly accessible database being managed by the DoL at <http://103.48.18.197/en/antiunion>.
- According to SOPs on unfair labour practices/anti-union discrimination, DOL recommends solutions to be complied by employers.
- From January 2020 to 30 September 2023, a total of 67 complaints on anti-union discrimination and unfair labour practices were submitted to DOL. Of all the complaints, 46 have been settled (44 complaints have been amicably disposed of, and 2

cases were filed in Labour Courts). Investigations are ongoing on the remaining 21 complaints. All complaints of Anti-Union Discrimination and Unfair Labour Practice were duly addressed.

Action 3.4 Promoting Social Dialogue

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

- Self-assessments for the NTCC and the RMG-TCC were organized respectively from 5 to 8 February 2023 and on 9 February 2023. In the workshop, a report on “The Assessment on the Effectiveness and Inclusiveness of the National Tripartite Consultative Council (NTCC)” along with some recommendations and an “Action Plan to Enhance Effectiveness and Inclusiveness of the National TCC” was prepared and submitted. The ILO Country Office is planning to mobilize technical assistance to the Government of Bangladesh to implement the Action Plan.
- From January 2022 to September 2023 seven meetings of NTCC has been organized. During May 2021 to September 2023, seven meetings of RMG TCC have also been organized.

3.4.3 Develop and implement a roadmap on social partners’ awareness and capacity building for social dialogue and collective bargaining at all levels, including sectoral and national levels

- The DoL has been in discussion with the ILO to develop a roadmap on social partners’ awareness and capacity building for social dialogue and collective bargaining at all levels. The roadmap will include training sessions, workshops, focus group discussions, information sessions etc. for which a comprehensive project has been designed by the ILO. In line with that roadmap, awareness-raising and capacity building events will be held in tripartite settings with the support of ILO.

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

- The ILO has also initiated a new project “Advancing Decent Work in Bangladesh”. The project will develop a collaborative action plan on Freedom of Association (FoA) and Collective Bargaining (CB) followed by a system for monitoring and evaluating the effectiveness of the traditional and online Trade Union registration system.

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 online trade union registration process has been fully functional since October 2022 (<https://www.mygov.bd/>).
- The concerned DoL Officials have been trained on digitized systems.
- Moreover, DoL has organized 3 days long In- House training on uses of myGov platform for online trade union registration for all DoL officials in collaboration with ICT ministry.

- The user friendly versions of the relevant Forms have been linked with the online system.
- All trade union registration applications are being processed through online system.

Statistics on number of applications received for online registration of trade unions (November 2022 to September 2023)

Number of previous pending applications	Months	Number of applications for registration received	<u>Number of registered unions</u>	Number of Rejected applications	Number of Filed Applications (Nothijat)	Number of Under processing applications
164	November-2022	39	31	01	08	228
	December-2022	82	19	02	04	
	January-2023	49	45	07	18	
	February-2023	49	28	05	12	
	March-2023	60	44	24	51	
	April-2023	26	31	09	43	
	May-2023	48	27	08	17	
	June-2023	68	11	19	19	
	July-2023	58	25	05	16	
	August-2023	92	15	05	21	
	September-2023	114	17	06	29	
	Total	685	293	91	338	

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 the DoL in January 2021 to ensure smooth registration through quality applications. The service is now functional and has been strengthened to provide technical support to the applicants to facilitate the submission of their applications through the online registration portal.

4.1.3 Continuing with the provision for offline registration system

- Parallel to the online system, the provision of the offline registration system remains functional at all registrars of the trade union offices under the Department of Labour as instructed by the BLA. Moreover, the DOL is running awareness activities and providing support to the applicants to promote submission of online registration.
- Up to 31 September 2023, 9398 trade unions have been registered covering about 3.086 million trade union members.
- In the RMG sector, the number of trade unions has been increased from 132 in January 2013 to 1256 on 30 September 2023.

Action 4.2 Training workers and employers on Trade Union Registration Process

- Training to the workers and employers in all sectors on trade union registration process is one of the regular activities of the DoL through its four Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs).
- The DoL registrars and the officers of the divisional and the regional offices are regularly providing training through their in-house training programs with an annual target given by the MoLE. The programs cover, inter-alia, lessons on how to efficiently handle registration application process in both offline and online platforms.
- On 23 January 2023, a day long workshop on online trade union registration process through myGOv platform was organized for the workers representatives from IBC, NCCWE and National Sramik League.
- From July 2020 to 30 September, 2023, DoL has trained 32385 workers, management staff, and government officials through its 4 Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs), with nearly 40% of female participants. The Workers' Education and Industrial Relations courses cover training on trade union registration process, among other issues.

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

- The Publicly Accessible Online Database (<http://103.48.18.197/en>) has been activated on 30 September 2021. Since then, to regularly update the database, designated officials are assigned from all registrars of the trade union offices under Department of Labour. They are trained well for efficiently managing the database.
- The statistics along with the relevant statements on the trade union applications granted, filed and rejected are being updated on a regular basis in the publicly accessible online database.
- Orientation for the trade unions (NCCWE and IBC affiliates) on publicly accessible database also took place on January 2023.

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

- In order to expedite the labour related cases as well as to clear the backlogs of such cases, in addition to seven existing labour courts, three new Labour Courts were established in 2019 in Sylhet, Barishal, and Rangpur. For these newly established courts, judges have been recruited and representatives of the employers' and workers' groups have been nominated. Now the new courts are functional.
- For the employees of the Labour Courts, a two-day long training course was organized during 30-31 May 2023 which was attended by the registrars and support staffs of all Labour Courts. The issues of case file management and the procedures to handle the

cases were covered in the training course.

- It may be flagged here that ILO's support in facilitating training courses for the judges and the lawyers at the International Training Centre of ILO in Turin, Italy would help build capacity of the institutions which in turn would be useful in efficiently handling the cases.

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

- After the offices of the new labour courts had been set up, judges were recruited, and representatives from the employers' and the workers' groups were nominated. Currently, the new courts are functional.
- The proposal on setting up of a full-fledged Labour Court in Faridpur is awaiting approval. The concerned authorities are sincerely working to expedite the process.
- For the employees of the Labour Courts, a two-day long training course was organized during 30-31 May 2023 which was attended by the registrars and support staffs of all Labour Courts. The issues of case file management and the procedures to handle the cases were covered in the training course.
- It may be flagged here that ILO's support in facilitating training courses for the judges and lawyers at the International Training Centre of ILO in Turin, Italy would help build capacity of the institutions which in turn would be useful in efficiently handling the cases.

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

- On 31 August 2022, the Ministry of Public Administration sanctioned the post of an additional Judge (Member) for the Labour Appellate Tribunal along with other support staffs. The administrative process for deploying the stated Additional Judge (Member) and recruiting official support staffs, including approval from the concerned Ministries, is in progress. The offices for the newly created post of the Additional Judge (Member) will be established after completion of the recruitment process.

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 was organized on 13 August 2022 to discuss the issue of piloting the classification of cases in the Labour Courts. The Judge of Labour Appellate Tribunal and 13 Judges of the Labour Courts attended the workshop. The workshop generated a number of recommendations which are being put into practice gradually by all the Labour Courts. Classification of cases is at the final stage. Such classification will help increase the speedy trial of cases.
- A software for 'Management and Monitoring of Courts Cases (MMCC)' has been developed in which details of all cases with the Labour Courts as well as with other courts will be maintained. A workshop on using the MMCC software by the DoL officials was organized on 17 July 2023. Similar type of workshop will also be organized also for the DIFE officials.
- According to statistics from August, 2023, 1406 cases have been disposed 674 new cases filed, bringing total pending cases down to 22,424.
- The ILO has also initiated a new project "Advancing Decent Work in Bangladesh". The

project will develop tools and processes for improved efficiency of judicial bodies to conduct and resolve cases. In collaboration with ILO, development of an Online Case Management System to monitor the cases and capacity building of the courts through further training are being actively considered.

Continue to work on improving the court facilities and premises

- All the Labour Courts are now located in hired premises/structures that limits the scope for major renovation work. Hence, the MoLE is exploring options to improve the court facilities as well as to provide space for the Courts in Dhaka and Chattogram in the existing office spaces of the DoL and the DIFE. The facilities of these courts have been enhanced.

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

- The ILO has also initiated a new project “Advancing Decent Work in Bangladesh”, a component of which will carry out specific activities for improved efficiency of ADR bodies to conduct and resolve cases through developed tools and processes.

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

- A three-member Conciliation and Arbitration Cell has been established at DoL on 29 September 2021. The Cell stands ready to extend secretariat service to the conciliators and the panel of arbitrators.
- During 2013 to 31 August 2023, a total of 114 conciliation applications have been submitted to the DoL. Of these, 106 industrial disputes have been settled through DoL’s conciliation mechanism, 05 industrial disputes have been ceased according to BLA, 2006 and only 03 conciliation applications remained pending.

5.5.2 Develop an SOP for conciliation system through tripartite consultations

- The SoP for Conciliation has been approved finally by MoLE on 16 July, 2023.
- Prior to that, the SoP for Conciliation has been finalized and approved by NTCC at its latest meeting on 2 February, 2023. a series of tripartite consultation meetings and workshops were held through 2021-22 with the support from ILO

5.5.3 Appointment of conciliators through gazette notification

- On 10 March 2022, the MOLE, through a gazette notification, assigned 15 conciliators to 15 specific areas/ jurisdictions of DOL with a view to settling industrial disputes.

5.5.4 Develop an SOP for arbitration system through tripartite consultations

- A workshop on industrial dispute settlement, focusing on developing an SoP for arbitration, was organized by DoL on 25 January 2023 with the representatives from workers, employers and government.
- The SOP on arbitration will be developed in consultation with the arbitrators. The recruitment of the arbitrators is under process (Please see section 5.5.5).

5.5.5 Establish an arbitrators' panel

- DoL has prepared the draft guideline for appointment of independent arbitrators through discussion with field offices of DoL. The draft guideline for appointment of independent arbitrators has been sent to MoLE on 25 July 2023 for finalizing through tripartite validation. MoLE arranged a tripartite meeting to validate draft guideline for appointment of independent arbitrators in September 2023. After compiling the comments from associated stakeholders, the draft will be tabled in national TCC for getting its approval.

5.5.6 Promote conciliation and arbitration system as ADR

- In collaboration with the ILO, the DoL conducted a day-long training session for 15 designated conciliators (Please see 5.5.3 above) on Dispute Resolution and Conciliation on 31 August 2022.
- On 25 October 2022, a self-assessment of existing dispute resolution mechanism/services was conducted by the ILO through which an Action Plan was outlined aiming to improve the effectiveness mechanism/services. The findings of the self-assessment mission were finalized in a tripartite workshop which was held on 26 October 2022.

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

- A number of workshops and consultation sessions for the tripartite constituents has been conducted in this regard (see Action Point 5.5.2, 5.5.4 and 5.5.6).

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

- The ILO has also initiated a new project "Advancing Decent Work in Bangladesh", a component of which will carry out specific activities for improved function of workers' helpline.

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

- The helpline established in June, 2020 continues to operate and receive complaints. The number of Labour Inspectors assigned to attend the helpline has been increased from three to six. From July 2022 to June 2023, a total of 1,307 complaints were received through the helpline of which 1,210 were settled. 97 of them are awaiting necessary actions within a course of reasonable time.

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

- A Complaint Management Cell had been established at the DIFE on 21 December 2020. Eight Labour Inspectors are assigned with the Cell to monitor the progress of resolution of the complaints received. The Cell is in charge of arranging training for the assigned Labour Inspectors. In the meantime, 2(two) trainings have been organized by the Cell.

6.3 Develop a database of the complaints covering relevant information

- A database of complaints received via the helpline has been developed in December 2021.
- During July 2022 to June 2023, a total of 6,842 complaints have been received. Of which 3,561 complaints were received through the online website, helpline and emails, while the remaining 3,281 complaints were received through the conventional process. A total 6,705 were resolved. The rest are under process.
- During July 2023 to September 2023, a total of 2,041 complaints have been received. Of which 1,507 complaints were received through the online website, helpline and emails, while the remaining 534 complaints were received through the conventional process. A total 1,428 were resolved. The rest are under process

6.4 Organise regular training programme for all service personnel/officials receiving complaints via the helpline on SOP on grievance handling

- Regular trainings are being provided as per training need assessment.

6.5 Establishment of the Helpline for all workers in EPZs

- On 28 March 2021, the Hon'ble Minister of Law, Justice and Parliamentary Affairs inaugurated the BEPZA Helpline 16128 to strengthen the existing grievance redressal system as well as to ensure prompt services for the workers of enterprises in the eight EPZs under BEPZA. The helpline is providing 24/7 hours services to the workers/employees in the EPZs. As of July 2023, total 7,192 calls were received since the launching of the helpline. Among them, 7,174 complaints have been resolved. The remaining 18 are progressing well for a speedy/timely resolution.

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

7.1 Filling vacant posts of Labour Inspectors by recruitment and promotion

- Since the submission of the roadmap, an additional 95 labour inspectors has joined DIFE through recruitment by the Bangladesh Public Service Commission (BPSC) And 21 staffs has been promoted to Labour Inspectors. This additional human resource has increased the number of inspectors to 398 from 314 against the previously sanctioned 575 posts of inspectors.
- A requisition has been sent to BPSC on 30 November 2022 for recruitment of 197 labour inspectors from 40, 41 and 46 Bangladesh Civil Service (BCS). The BPSC has published circulars for recruitment of 93 labour inspector and one law officer from 40th BCS. In September 2023 selection of 93 labour inspector and one law officer has been completed. After police verification and other relevant process 93 labour inspectors and one law officer would join in DIFE shortly. The BPSC also has published circular for direct

recruitment of 41 labour inspectors(Safety).

- On 24th August 2023, 37 AIG (Assistant Inspector General) promoted to DIG(Deputy Inspector General) and 5 DIG promoted to JIG(Joint Inspectors General).

7.2 Creation of new posts and recruitment of Labour Inspectors

- DIFE's sanctioned manpower has now increased to 1,156 out of which the posts of inspectors are 711.
- The process for recruitment of 97 Labour Inspectors has been completed by the competent authority. For recruiting 134 labour inspectors, administrative process has been initiated.
- In addition to the above, 13 posts have been primarily approved for the National Occupational Health and Safety Training Research Institute (NOHSTRI). The proposal in this regard was sent to the Cabinet Division on 2nd August 2023 for approval of the Secretaries' Committee.
- Meanwhile, the MoLE is sincerely working with the Ministry of Public Administration with a view to increasing the number of sanctioned posts. After the proposal is approved, the matter will be referred to the concerned government authorities for initiating the recruitment process. It may be mentioned here that the current fiscal constraints, which started aggravating owing to the outbreak of the Ukraine war, are now posing practical challenges to such considerations.
- Newly established field level offices of DIFE in eight districts are functional now.

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

- As reported earlier, the Labour Inspection Management Application (LIMA) system has been made fully functional with the support from the ILO and the GIZ. All 31 district offices of DIFE have gradually started using the LIMA system for inspection, licensing and other pertinent issues.
- It may be mentioned here that in the Fiscal Year 2022-23 (July, 2022 to June, 2023), a total of 24,810 inspections were carried out 5,107 new licenses were issued and 7,313 licenses were renewed through LIMA.
- On the other hand, In the Fiscal Year 2023-24 (July, 2023 to September, 2023), a total of 11,107 inspections were carried out, 1770 new licenses were issued and 9487 licenses were renewed, 524 lay-out plans have been approved through LIMA.
- The ILO has also initiated a new project “Advancing Decent Work in Bangladesh”, a component of which will carry out specific activities to improve functioning of LIMA.

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

- To develop competencies of the labour inspectors, regular training programmes are being conducted. During July 2021 to June 2023, the government provided fund for 67 training programmes, 14 workshops and 4 (four) Foundation Training Courses which were organized for the Labour Inspectors. In total, 2,665 participants took part in those trainings. It is worth noticing, in some cases, the inspectors availed more than two trainings.

7.5 Promote an effective sector-specific labour inspection approach

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

- In December 2021, the 9 (nine) priority sectors including readymade garments, tannery, chemical, plastic and rubber, jute and textiles, engineering workshop and automobile, rice mills, brickfields, and cement industries were identified. It may be noted here that depending on different safety issues, accident rates and other relevant factors, each district offices of the DIFE develop yearly Strategic Inspection Plan (SIP) targeting 5 to 8 of the priority sectors.

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

- The database is an internal tracking mechanism that connects all DIFE offices for the purpose of obtaining and collating information. It has been maintained in the Excel Format since December 2021. During July 2021 to June 2023, a total of 63,363 inspections were carried out following the yearly sector-specific Labour Inspection Plan.

7.5.3 Taking effective measures to ensure sufficiently dissuasive penalties and ensuring that the DIFE legal unit responsible for the follow-up of labour law violations creates nine new posts of law officers

- The Bangladesh Public Service Commission on 20 September, 2023 has recommended for appointment of one Legal Officer.

7.6 Formulating DIFE inspection modalities for EPZs

- The modality of DIFE inspection in EPZs has been incorporated in the newly formulated EPZ Labour Rules, 2022. The Inspection Checklist in this regard has been finalized in collaboration with the DIFE. It may be highlighted here that the DIFE is carrying out inspections within EPZs.
- As of September 2023, DIFE has inspected 58 factories within EPZs.
- During such inspections, the overall compliance of the factories concerned has been found to be satisfactory in general.

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

- The matter is being looked into as part of BLA, 2006 amendment process.

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

The ILO has also initiated a new project “Advancing Decent Work in Bangladesh”, a component of which will carry out specific activities to establish an Industrial Safety Framework, to expand ISU to prioritized sectors and to ensure Fire and Chemical safety in logistics and storage.

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 planning process was completed on 10 February 2021 by RCC, DIFE. The Total No was 1549 Factories.

Category-1: : Remediation of factories easily possible by factories owner considering their technical capacity 173 Factories

Category-2: Remediation of factories possible 375 factories

Category-3: Remediation of factories challenging 1001 factories

8.1.2 Implement the business plan on remediation of factories

- This plan is implemented through motivational seminar, Drawing/Design Approval, Continuous Follow-up, Technical Discussion with consulting Firm and Implement of Escalation process.
- As of September 2023, the Industrial Safety Unit has already visited 173 factories of category 1 for taking interim and final decision about these factories. DIFE have already issued 46 initial CAP completion certificate, and UD cancellation letter to total 54 factories. 44 factories are closed or shifted to new locations.

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

Now, 375 Factories of Category 2 and 240 factories of category 3 are in operation and followed up regularly. Total 886 out of 1549 factories has been closed considering all category.

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 has done this action. Risk Ranking of all NI factories has been completed.

8.2.2 Ensure full application of Remediation Tracking Module (RTM)

RTM was revised with the technical support of ILO. Information of NI factories are uploaded in RTM.

8.3 Establishing a transition plan to graduate RCC to ISU

8.3.1 Upon project completion, RCC to handover the remediation work to DIFE Safety Unit

- This action was completed in December 2021.

8.3.2 Post Creation and Deployment of Labour Inspectors for the ISU

GoB has Created dedicated ISU Organogram with 9 posts in DIFE.

- Presently 9 Engineers of DIFE are working in ISU.

8.3.3 Upon establishment of ISU, DIFE Safety Unit to handover the responsibility to ISU

- Completed. Please refer to Action 8.3.2.

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

- Apart From Covid 19 Pandemic Situation, DIFE safety units consists of 24 Engineers Capacity building training has ended on 28 November 2021 in First Phase. Second Phase training also ended in June 2022 consisting 23 Engineers.
- Those Engineers also taken special Master Training about Structural, Fire and Electrical Safety Issues with the help of ILO.

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

- The RSC was officially registered by the Office of the Registrar of Joint Stock Companies and Firms, Bangladesh on 20 May 2020.
- To ensure effective coordination with DIFE and RSC, a Government Coordination Council (GCC) has been formed under the Ministry of Commerce.
- A Framework for coordination with the RSC has been approved GCC on 20 October, 2022.
- A 10-member Review Panel for RSC has been formed.
- Since 23 December 2021 six meetings of GCC have been organized including the last one held on 25th October 2023.
- The representatives of RSC are also attending the GCC meeting.

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 protocol of ILO Convention 29 on 20 January 2022. It has entered into force for Bangladesh on 20 January 2023.

9.2 Ratify ILO Convention 138 on minimum age (C138)

- Bangladesh has ratified the ILO Minimum Age Convention 138 on 22 March 2022 and has set the minimum age of 14 for admission to employment.

- With this, Bangladesh has reached the milestone of ratifying eight ILO Fundamental Conventions of ILO.
