

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

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

INFORMATION ON IMPLEMENTATION OF THE NAP

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 Final 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 NAP has been developed under nine broad areas with a series of specific actions set against timelines, which are as follows:

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

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

Action 2 Eliminate child labour in all its forms by 2025¹

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

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

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

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

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

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

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

- 4.1 Explore and implement ways of further simplifying the registration process;
- 4.2 Giving training to the workers and employers on Trade Union Registration Process (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;
- 4.3 Publicly accessible online database to be made fully operational and regularly updated by providing sufficient human and financial resources;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. NAP Actions and Progress Made

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

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

association and collective bargaining

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

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

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

- For further amending the Bangladesh Labour Act, 2006 (amended up to 2018), a Tripartite Labour Law Review Committee (TLRC) was formed on 20 December 2020, while a Tripartite Working Group (TWG) along with a legal expert was formed in the first meeting of the TLRC held on 11 February 2021.
- TWG continues to work on compiling the amendment proposals received so far from eleven Government, employers' and workers' organisations.
- TLRC will have further discussions on the compiled recommendations to be forwarded to it by TWG.

- Upon completion of the work by TWG and TLRC, NTCC will be in a position to take up the issue of the BLA, 2006 amendments.
- It is envisaged that the national consultations on the draft amendments will be held during the May-June 2022 period.

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

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

1.5 Amendment of Bangladesh EPZ Labour Act, 2019

- Following the work on the Bangladesh EPZ Labour Rules and its impact analysis, the work on amending the Bangladesh EPZ Labour Act, 2019, will start in July 2023. It is envisaged that the whole exercise will be completed by June 2025.
- The Tripartite Standing Committee (reference Action 1.4 above) is also expected to work

on the Bangladesh EPZ Labour Act, 2019. It will initiate the preparatory work soon after the adoption of the EPZ Labour Rules (as stated above).

Action 2 Eliminate child labour in all its forms by 2025

Action 2.1 Regulatory and policy framework for the elimination of child labour

Action 2.1.1 Ratification of ILO Convention 138

- After approval of Cabinet on 24 February 2022, the instrument of ratification of the Minimum Age Convention, 1973 (No. 138) was deposited by the government with the International Labour Office on 22 March 2022 and was registered by ILO on the same day. The relevant details concerning the process is furnished under Action 9.2 below.

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

- A revised draft National Plan of Action (NPA) to Eliminate Child Labour (2021-2025) was prepared, and opinions were taken from the relevant Ministries/ agencies of the government. Moreover, Divisional level workshops, inter-ministerial meetings and a series of GO-NGO consultations were conducted. The draft was also placed before the National Child Labour Welfare Council (NCLWC) Conference for the views and opinions of its members.
- A national-level workshop was held on 16 November 2021 to exchange views among all concerned stakeholders on the draft NPA. Subsequently, the draft was placed at NTCC where it got approved at its meeting held on 13 December 2021.
- After final editing, the NPA has been sent to the press for publication.

2.1.3 Updating the List of Hazardous Jobs

- A Committee was formed, headed by the Inspector General, Department of Inspection of Factories and Establishment (DIFE) and with tripartite representation, to update the existing list of hazardous jobs for child labour.
- Based on recommendations of the Divisional consultations held in January, February and March 2021 and the national workshop held on 16 November 2021, a list of six additional sectors was prepared for inclusion in the list of hazardous jobs for child labour. However, as the list was placed before NTCC for its consideration, the latter approved five additional sectors at its meeting held on 13 December 2021.
- The newly included sectors are:
 1. Dry-fish;
 2. Street-based work;
 3. Stone collection, carrying and crushing;
 4. Informal/ local tailoring and clothing; and,
 5. Garbage-picking and waste disposal.

- On 4 February 2021, an additional six formal sectors had been declared to be free of child labour, among which five were enlisted as hazardous for children. These sectors are
 1. Tannery;
 2. Glass;
 3. Ceramic;
 4. Ship recycling;
 5. Export oriented leather goods and footwear;
 6. Silk.
- Prior to the declaration, the Employers' Associations of the respective sectors certified that there was no child labour in those sectors. Following that, DIFE Inspectors randomly visited the relevant factories and confirmed that no child labour was found in those. Subsequently, MOLE formed a 'National Monitoring Core Committee' with social partners, ILO, NGOs, and randomly visited the factories to ascertain the elimination of child labour from those sectors.

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

- As a first step, initiatives are underway to increase the number of labour inspectors, which is detailed under Section 7. The issue of allowing labour inspectors to impose administrative fines is projected to be placed before TLRC for consideration during the further amendment process of the Bangladesh Labour Act, 2006.
- In the meantime, MOLE and DIFE prepared an annual plan of action on 3 March 2021 towards eliminating child labour in hazardous jobs in Dhaka Division. This plan has also been extended up to 2022. Another special annual plan of action was formulated with a view to eliminating child labour in the Keraniganj area.
- DIFE has so far resolved 200 cases out of 532 lodged in connection with child labour up to March/2022. DIFE has also removed a total of 5088 child labour in 2020-21 fiscal year and also removed 3140 child labour between July/2021 and March/2022 including from hazardous jobs.
- Regular training activities for labour inspectors have been conducted in this connection in 2020-21. 25 training sessions were organised with 436 inspectors (one inspector attending two training sessions was counted separately). In addition, twelve in-house training programmes were held with 301 inspectors (one inspector attending two training sessions was counted separately).

2.2.2 Cooperation with different public authorities

- There are National and Divisional Councils as well as District and Upazila 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.

- There is a National Monitoring Core Committee responsible for formulating national level policies to eliminate child labour, with representations from NGOs and CSOs. In addition, relevant Ministries and Departments also hold inter-ministerial coordination meetings on issues under their respective mandate.

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

2.3.1 *Implementation of a Government funded project*

- The government has funded a project titled “Eradication of Hazardous Child Labour from Bangladesh (4th Phase)”, initially for the duration from January 2018 to December 2021. According to the work orders issued on 17-22 October 2021, a total of 112 NGOs were designated for area-specific work under the project. Later, in presence of the Hon’ble State Minister for Labour and Employment, agreements were signed with all the NGOs on 26 October 2021.
- Afterwards, MOLE sent a proposal to the Planning Commission to extend the project duration by two years till December 2023, which has now been revised accordingly. It is expected that by the end of its duration, the project will be able to relieve 0.1 million children from child labour.

2.3.2 *Conduct a child labour survey by Bangladesh*

- MOLE held meetings with the Bangladesh Bureau of Statistics (BBS) and ILO regarding the child labour survey, and accordingly BBS commenced its work on the same. It is expected that the survey report will be made available by June 2022.

2.3.3 *Design and implement programmes of action*

- With the publication of NPA, the planned actions/ projects are expected to gain traction, including through inter-ministerial coordination and NGO consultations as well as necessary budgetary allocation.

2.3.4 *Enhance Child Labour Unit of MOLE*

- Previously an administrative section at MOLE was designated as the Child Labour Unit, headed by a Senior Assistant Secretary/ Assistant Secretary. Recently, a post of Deputy Secretary has been created to lead the Unit where the total manpower has also doubled.

2.4 *Awareness raising action and process*

- As part of awareness raising on child labour, 20,000 posters, large banners, diaries, calendars and other publication materials were prepared and distributed throughout the country.
- Commemorating the World Day Against Child Labour on 12 June 2021, special supplements were published in eleven (11) national newspapers containing the messages from the Hon’ble President and Hon’ble Prime Minister. Text messages were sent through mobile phone operators on 12 June 2021 to build mass awareness against child

labour. In collaboration with ILO and NGOs, ten different types of programmes were organised on the occasion.

- All the television channels (both public and private) were requested through the Ministry of Information and Broadcasting to broadcast the TVC on child labour prepared by MOLE.
- In addition to conducting regular meetings at the national, divisional and district levels, MOLE is mobilizing Upazila Committees for awareness campaign at the grassroot level.
- To celebrate 2021 as the United Nation's Year for Child Labour Elimination, 27 actions were taken by the government.
- Every year, MOLE allocates financial resources from its revenue budget to Divisional and District level committees to organise meetings, seminars and workshops. For the financial year 2021-2022, MOLE has allocated 29,60,400 BDT for the local level committees.

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

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

- From July 2020 to March 2022, DOL has trained 17,768 workers, management staff and government officials through its four Industrial Relations Institutes (IRIs) and 32 Labour Welfare Centres (LWCs), with 7,920 female participants constituting nearly 45% of trainees. The training topics include issues concerning violence, harassment, unfair labour practices and anti-union discrimination in the workplace.
- In 2021, BEPZA has conducted 747 training sessions for workers, management staff and security personnel on the EPZ Labour Act, 2019, anti-union discrimination, human rights, fire safety, health and hygiene, awareness on COVID-19 etc. with about 40,000 participants.
- The Industrial Police has trained 1,389 of its personnel so far concerning prevention of violence, unfair labour practices and anti-union acts as part of its broader training programmes.

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

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

- Once set up, it would be explored if trainings provided by other entities than DOL could also be shared on the database.

3.1.3 Continue to train and provide clear instructions to the industrial police and relevant LEAs on the use of minimum force, respect of human rights and labour rights, including on trade union rights and civil liberties during labour protests

- DOL has been conducting four weeks of industrial relations training in its four IRIs for representatives of workers, management staff and government agencies, including those from Industrial Police and other relevant law enforcement agencies.
- Otherwise, Bangladesh Police provides regular training on these issues to its personnel across the board. Discussions are being launched with MOLE and ILO on further updating the training curricula for Industrial Police, with added features concerning labour rights and trade union activities.

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

3.2.1 Continue to provide regular training and clear instructions (including monitoring of instructions) for all DOL staff handling complaints on how to comply with the SOPs on anti-union discrimination and unfair labour practices against workers

- Last year, DOL organised a training programme on the SOPs on Unfair Labour Practices and Anti-Union Discrimination from 12 to 14 October 2021.
- The three-day intensive residential training programme was attended by 30 DOL officials, with particular focus on facilitating both investigation and resolution of cases related to unfair labour practices and anti-union discrimination.

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

- The DOL officials are responsible for providing regular information to workers on labour rights by attending the Trade Unions' general meetings. Such information includes ways and means to lodge complaints and legal redress in case of alleged violation/ abuse.
- DOL will be further updating its information checklist with ILO's technical support, if required.

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

- DOL has taken the initiatives to provide training to the security staff, managers/ employers of factories through IRIs and LWCs. Such trainings include basic information concerning complaint management and investigations. The number of training programmes conducted by IRIs and LWCs has been furnished above (reference Action 3.1.1).

- In addition, Industrial Police continues to engage with employers and factory management to sensitise their respective security personnel about prevention of violence and supporting investigations in case of alleged violence and harassment.

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

3.3.1 Compile and regularly update statistics on complaints received and of alleged incidents of violence and harassment, their follow-up including remedies for victims and sanctions/ convictions imposed

- The full record of proceedings of unfair labour practices and anti-union discrimination is maintained in the publicly accessible database managed by DOL (reference Action 4.3 below).
- From 2013 to December 2021, a total of 196 complaints on anti-union discrimination and unfair labour practices were submitted to DOL. Of all the complaints, 186 have been settled (173 complaints have been amicably disposed of, and 13 cases were filed in Labour Courts).
- Investigations are ongoing on the remaining complaints. Records of these complaints are available on the database.

Action 3.4 Promoting Social Dialogue

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

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

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

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

4.1.1 Overhaul the existing online Registration System

- The digitisation of the trade union registration process under the Department of Labour (DOL) has been completed on 27 October 2021. This simplification process has been undertaken under myGov Platform, which is an integrated system encompassing a wide range of government or public services. It is expected that the digitised system would be made active for users at an early date, depending on the backup support to be provided from

the a2i (Access to Innovation) Programme, ICT Division, which is in charge of the myGov Platform.

- Meanwhile, DOL is taking preparations for conducting training on the digitised systems for its relevant officials from the headquarters and its regional offices.

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

- A pre-application service desk was established in every office of the Registrar of Trade Unions (RTU) under DOL in January 2021 to ensure smooth registration through quality applications.
- Despite COVID-19 related complications last year, the number of trade unions registered was 472 up to 31 March 2022, while the success rate was 88.72%.

4.1.3 Continuing with the provision for offline registration system

- The offline trade union registration system remains active in full swing.
- The total number of trade union registration accorded under the offline trade union registration system rose to 8,981 up to 31 March 2022.
- In the RMG sector, the number of trade unions rose to 1,126 up to 31 March 2022.
- Based on regular feedback from the social partners, discussions are ongoing to explore the possibility of further simplifying both online and offline registration systems.

Action 4.2 Training workers and employers on Trade Union Registration Process

- The training programmes (Workers' Education and Industrial Relations courses) conducted by DOL include training on trade union registration process, among other issues (reference Action 3.1.1).
- Last year, DOL organised a refreshers' training session for its officials on the SOPs on trade union registration from 27 - 29 November 2021, with support from ILO. Similar training sessions will continue in the coming months and years.

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

- A Publicly Accessible Online Database has been activated on 30 September 2021 on the DOL website (www.dol.gov.bd). The Hon'ble State Minister for Labour and Employment inaugurated the database.
- This database has consolidated 11 areas, namely status of trade union application, registration, rejection, and filing; the number of national and sector-wise Trade Union Federations, Participation Committees, CBAs; and information on unfair labour practices/ anti-union discrimination as well as conciliation of labour disputes. This should enhance transparency with the trade union registration process and will continue

to be updated with relevant information.

- Currently, 32 DOL staff members from the headquarters, 06 Divisional and 09 Regional Labour Offices are engaged in updating the relevant information on the database.

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

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

- To expedite labour related cases and clear backlogs, three new Labour Courts were established in 2019 in Sylhet, Barishal and Rangpur. At present, there are 10 Labour Courts in the country.
- The appointments for the posts of Registrars for the new Labour Courts have also been issued on 16 September 2021. The recruitment of lower-level support staff has been completed through outsourcing. Recruitment of support staff members for Sylhet Labour Court under the revenue budget has been completed, while those for the other two courts in Rangpur and Barishal remain under process.
- For the training of the newly recruited court officials, MOLE is currently working on the administrative procedures for allocating the budget. Training for court officials may be organised abroad as well, with the support of ILO and development partners.
- Previously, 30 judges and 30 lawyers were trained on international labour standards at the International Training Centre of ILO in Turin, Italy.
- In addition, eight different Labour Courts are assigned through Gazette Notification to serve as EPZ Labour Tribunals, while the Labour Appellate Tribunal based in Dhaka functions additionally as the EPZ Labour Appellate Tribunal.

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

- For establishment of new Labour Courts in Narayanganj, Gazipur, Cumilla and Faridpur, the required number of posts, number of vehicles and logistics has been determined by MOPA. Subsequently, the pay structure of the proposed manpower (except Faridpur) was vetted by the Ministry of Finance (MOF).
- On 18 July 2021, the proposal to establish new courts in Narayanganj, Gazipur and Cumilla was sent to the Cabinet Division to place before the "Secretaries' Committee for Administrative Development" for its approval.
- The proposal was approved by the "Secretaries Committee for the Administrative Development" on 15 December 2021.
- Subsequently, the Hon'ble Prime Minister, Government of Bangladesh has given approval to setting up the three new Labour Courts on 1 February 2022.

- The proposal on setting up a full-fledged Labour Court in Faridpur has not been approved at this stage. The matter may be pursued at a later date.

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

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

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

- A workshop involving the Judges of the Labour Courts was slated to be held in the last week of December 2021, but had to be postponed due to the latest wave of COVID-19 infections.

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

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

5.5.2 Develop an SOP for conciliation system through tripartite consultations

- A number of consultation meetings (virtually on 22 August 2021 and 6 September 2021, and in-person on 30 September 2021, 10 October 2021, 27 November 2021 and 13 December 2021) took place between DOL and ILO towards developing a Standard Operating Procedure (SOP) for Conciliation of Industrial Disputes.
- A residential workshop was held on developing the SOP for Conciliation in Sylhet from 22-24 March 2022. A total of 30 DOL officials participated in the workshop organized in collaboration with the ILO's SIDR Project. Another workshop for the employers and workers is scheduled to be held in May 2022. It is projected that the work on the SOP will be completed by June 2022.

5.5.3 Appointment of conciliators through gazette notification

- DOL has prepared a list of 15 conciliators for designated areas and submitted it to MOLE for further consideration. Upon review of the list, MOLE provided its approval. Finally,

in accordance with BLA, 2006, a gazette notification on the appointment of the 15 conciliators for industrial dispute resolution was published on 10 March 2022.

5.5.4 Develop an SOP for arbitration system through tripartite consultations

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

5.5.5 Establish an arbitrators' panel

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

5.5.6 Promote conciliation and arbitration system as ADR

- In general, DOL continues to provide training on conciliation, among other issues, to its pool of master trainers, who in turn disseminate such training to workers, DOL officials, and factory managers.
- Previously, 30 DOL officials were trained as master trainers on Managing Labour Relations. These master trainers provided training to 1,680 workers and management staff on conciliation process, collective bargaining and social dialogue etc. during 2020-2021.
- In continuation of that, DOL will conduct a refreshers' training session for 35 DOL officials on SOPs on conciliation and arbitration system in 2022, with the support of ILO.

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

- Two information sessions/ focus group discussions on conciliation and arbitration for trade union leaders, employers and DOL officials are expected to be conducted in the year 2022. The first session will be expected to be held in June 2022.

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

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

- Since January 2021, a helpline is being operated under the regular revenue budget of DIFE.
- The helpline continues to operate and receive complaints that are now managed through a database (reference Action 6.3.3 below). A pool of three Labour Inspectors are assigned to attend to the helpline.

- From July 2021 to February 2022, a total of 2,788 complaints have been received, of which 393 complaints were received through the online website, helpline and emails. During this period, 2,359 complaints were resolved.

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

- A Complaint Management Cell was established at DIFE, consisting of eight Labour Inspectors to monitor the complaints received and addressed, to update the number of complaints received and resolved, and to arrange training for Labour Inspectors.
- The composition of the Cell was reviewed through an order on 23 January 2022. The Cell is authorised to co-opt additional members based on requirements, and will discharge additional responsibilities as directed by the higher authorities.

6.3 Develop a database of the complaints covering relevant information

- A database of the complaints received via the helpline has been developed in December 2021. The database includes information received both online and offline. As of 31 March 2022, the database contains information on a total of 2,650 complaints. From July 2021 to March 2022, 2,613 (98.06%) complaints have been resolved.

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

- A three-day long training programme was provided to the designated eight Labour Inspectors regarding receiving complaints via the helpline from 26-28 December 2020.
- Moreover, a day-long training programme was organised on 1 February 2022 for 16 Labour Inspectors, including three responsible for receiving complaints via the helpline.

6.5 Establishment of the Helpline for all workers in EPZs

- The 24/7 BEPZA Helpline 16128 was inaugurated by the Hon'ble Minister for Law, Justice and Parliamentary Affairs on 28 March 2021. The helpline has been launched to ensure labour rights and to strengthen the existing grievance redressal system as well as to ensure prompt services for the workers of enterprises in the eight EPZs under BEPZA.
- A total of 2,340 calls (through the EPZ helpline) were received up to December 2021 featuring complaints. Out of these, 2286 have been resolved, while the remaining 54 are in the process of being addressed.
- The complaints so far received via the helpline revolved around issues concerning arrears of wages/ salary, provident fund, earned leave encashment, leave & holidays, etc.

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

7.1 Filling vacant posts of Labour Inspectors by recruitment

- Currently, 311 Labour Inspectors are working at DIFE against a total allocated posts of 575. Among the remaining 264 posts, 140 will be appointed by direct recruitment, 112 will be filled up through promotion and the rest 12 will be reserved.
- For direct recruitment of 140 posts, requisition was sent from DIFE in three phases to MOLE on 31 January 2021, 11 April 2021 and 24 November 2021. MOLE forwarded the requisition to Bangladesh Public Service Commission (BPSC) for recruiting directly or through BCS examination.
- Till March 2022, BPSC has recommended the appointment of 135 Labour Inspectors. Among them, 57 have already joined and the rest will be joining after completion of necessary administrative procedures (medical checkups, police verification etc.).

Filling vacant posts by promotion

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

7.2 Creation of new posts and recruitment of Labour Inspectors

- A proposal for creating new posts in the 2nd phase of DIFE up-gradation was sent to the Ministry of Public Administration (MOPA) on 18 August 2021 for approval. The concerned authorities, i.e., MOLE, DIFE, and MOPA, held a meeting on 31 August 2021 to assess the proposal.
- Recently, MOPA gave its consent to create 345 posts (comprising 175 inspectors) on 28 November 2021. Upon this, MOLE and DIFE started engaging further with MOPA on the additional posts to be created.
- Based on the outcome of these engagements, the matter will be referred to BPSC for initiating the recruitment process.

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

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

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

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

7.5 Promote an effective sector-specific labour inspection approach

- The prioritisation of sectors for the Labour Inspectors, in consideration of safety issues and targeting establishments, was completed in December 2021.
- About five to eight sectors were prioritised depending on different safety issues, accident rates and other factors relevant for each district level office of DIFE.
- In addition, a yearly Strategic Inspection Plan targeting the priority sectors was developed. This will help identify the non-compliance issues in these sectors and monitor the progress of remedial measures on a regular basis.
- For the purpose of monitoring, a database has also been created to track the efficiency

of the labour inspections conducted.

7.6 Formulating DIFE inspection modalities for EPZs

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

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

- This will be done while amending BLA, 2006.

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)

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 three categories are:
 - Category-1: Remediation of factories easily possible by factories owner considering their technical capacity.
 - Category-2: Remediation of factories possible.
 - Category-3: Remediation of factories challenging.

8.1.2 Implement the business plan on remediation of factories

- The remediation of fire, electrical and structural safety issues is a continuous process. To implement the business plan of Category 1, DIFE has formulated a time-bound Action Plan to escalate the process. This plan consists of motivational seminars, drawing/ design approval, continuous follow-up, technical discussion with consulting firms and implementation of the escalation process with the tools available under BLA, 2006.

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

- In view of the medium to long term scope of this work, a new project titled “Risk Assessment and Remediation Implementation in Selected Factories to Reduce Accidents” has been submitted to MOLE. This project is targeted at category 2 and 3

factories for the purpose of technical guidance and remediation.

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*

- At the behest of DIFE, ILO recruited UNOPS in September 2021 to ensure the quality of assessment mechanism for remediation being monitored by RCC. Currently, UNOPS jointly with a consulting firm Bureau Veritas (BV) is doing the data verification and consolidation in order to provide a risk ranking of all active factories as part of the Quality Assurance (QA) process. The risk ranking is expected to be consolidated in a spreadsheet.
- UNOPS will also analyse the competence of 24 Labour Inspectors being trained on building safety (reference Action 8.3.4 below), along with the scope and quality of their training, towards making recommendations to DIFE on developing an SOP on building safety issues.
- These activities are slated to be completed by June 2022.

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

- RTM is linked with LIMA which has been developed with the assistance of ILO and GIZ. The Module is expected to go live in a short time (reference Action 7.3 above).

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*

- As a medium-term measure, an Industrial Safety Unit (ISU) has been set up at DIFE headquarters with six engineers assigned to it. The Office Order issued on 21 March 2022 in this connection also contains the Term of Reference (ToR) for the ISU up to 2023.
- As a long term measure, DIFE has made a proposal for setting up ISUs at eight Divisional Offices with 192 earmarked posts (including 80 engineers). The proposal remains under submission with MOPA.

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

- 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.)*

- At present, DIFE has drawn up a pool of 24 engineers for capacity building and training on building safety issues. As part of this exercise, two training sessions have been organized, with the first one having completed on 28 November 2021 and the second one continuing up to 14 May 2022.
- Training of Trainers (ToT) is included in the training module in the second phase of the training. In addition, structural, fire and electrical safety related issues according to national and international standards are also incorporated. Moreover, participants are given hands on trainings through factory visits, along with theoretical classes. Total training duration for each participant is 59 working days.

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

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

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's decision to ratify P29 was confirmed through an instrument of ratification submitted with ILO through the Bangladesh Permanent Mission in Geneva.
- The ratification was registered by ILO on 20 January 2022. It will enter into force for Bangladesh on 20 January 2023.

9.2 Ratify ILO Convention 138 on minimum age (C138)

- MOLE had sought the views and opinions from 20 Ministries/ agencies of the government on 26 November 2020 regarding ratification of C138. The views from all concerned government entities were received by November 2021.
- The proposal for ratification of C138 was placed before NTCC at its meeting on 13 December 2021, where it unanimously adopted the proposal.
- The ratification proposal was then sent to the Ministry of Law, Justice and Parliamentary Affairs for vetting on 14 December 2021. Subsequently, the Ministry gave its favourable

opinion on 30 December 2021.

- In light of these positive recommendations, a summary was sent to the Cabinet Division on 27 January 2022 under the signature of the Hon'ble State Minister for Labour and Employment.
- The Cabinet approved the summary at its meeting on 28 February 2022.
- Accordingly, the instrument of ratification was deposited by the government of Bangladesh with ILO on 22 March 2022, and was registered by the Office on the same day. The link on this follows:

https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/WCMS_840125/lang--en/index.htm

- Bangladesh has determined 14 years as minimum age for admission to employment.
- By this, Bangladesh has now completed ratification of all eight ILO Fundamental Conventions.
