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**TRADE UNION ORGANIZING IN BANGLADESH'S
READY-MADE GARMENT SECTOR AMIDST COVID PANDEMIC:
STATUS, CHALLENGES, AND SCOPE**

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FORWARD

The Workers Resource Centre (WRC) has initiated to study on the Trade Union organizing situation amid COVID-19 in two mostly RMG dense Industrial hub at Gazipur district and Ashulia under Dhaka District. The Study was a part of the WRC's routine programme under the Social Dialogue and Industrial Relation-SDIR Project of the ILO.

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We hope that the finding & recommendations of this study will help the countries labour movement & other stakeholders to way forward to do the best for the workers in any crisis.

Ruhul Amin
Chairman

Abul Kalam Azad
Vice Chairman

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Jakir Hossain
Afroza Akter

ACRONYMS

BLA	Bangladesh Labour Act
BGMEA	Bangladesh Garment Manufacturers & Exporters Association
BKMEA	Bangladesh Knitwear Manufacturers & Exporters Association
CMC	Crisis Management Committee
BSCI	Business Social Compliance Initiative
CSO	Civil Society Organization
CB	Collative Bargaining
CBA	Collective Bargaining Agent
DoL	Department of Labour
DIFE	Department of Inspection for Factories and Establishments
EPZ	Export Processing Zone
ETI	Ethical Trading Initiative
FGD	Focus Group Discussion
FWF	Fair Wear Foundation
FLA	Fair Labour Association
FoA	Freedom of Association
ILO	International Labour Organization
IBC	IndustriALL Bangladesh Council
ICCPR	I nternational Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ITUC	International Trade Union Confederation
ITF	International Transport Workers Federation
JO-IN	Joint Initiative on Corporate Accountability and Workers' Rights
JDL	Joint Director of Labour
KII	Key Informant Interview
NCCWE	National Coordination Committee for the Workers Education
PC	Participation Committees
SAI	Social Accountability International
SBGSKF	Shadhin Bangla Garment Sramik Karmachari Federation
TU	Trade Union
TCC	Tripartite Consultative Council
UDHR	Universal Declaration of Human Rights
RMG	Ready-Made Garments
WRC	Workers Resource Center
WRAP	Worldwide Responsible Apparel Production
WFTU	World Federation of Trade Unions
WPC	Workers Participation Committee

SUMMARY

The ready-made garment (RMG) sector, in spite of having significant contribution to economy, is still beset with widespread workers' rights violations particularly in areas of freedom of association and trade union organizing. The poor state of organizing through trade unions at the enterprise level is the weakest part of the worldwide competitive RMG value chain, yet a continuous effort to hold back trade union activities is evident. The situation of trade union organizing has not improved even after undertaking various initiatives *i.e.* amendment of Bangladesh Labour Act (BLA) 2006, approval of Bangladesh Labour Rules, 2015, emphasis given on formation of elected participation committees (PCs) and providing registration to a considerable number of enterprise level trade unions during the post-Rana Plaza phase. It is therefore evident that workforce of this sector is mostly unorganized, and they face many barriers in their efforts to organize themselves. Practice of collective bargaining process is hardly seen at factory level, and even workers rarely get scope to bargain with the authority through formal channels.

Workers are the ultimate victims. Denial of timely wage payment, termination, layoff, more workload, and extended working hours are reportedly common in the sector. Further, Bangladesh along with its largest export-oriented sector is now trapped by the worst hit of COVID-19. The national economy is largely affected, and the global supply chain is largely disrupted. Rampant order cancellation during the initial phase of COVID led country-wide shut-down and the changed business approach of the international brands/buyers caused millions of jobs cut. In these underlying circumstances of above, this research explores the scope of and roles in trade union organizing in the neo-normal COVID situation by making a pre and during COVID 19 comparative analysis on the status and challenges of trade union organizing in RMG sector.

In Bangladesh's garment sector, the multiplicity of unions is an important feature, yet is one of the great weaknesses in representing workers' interests. Yet, the non-representative character of the unions at the plant level, the ever-growing organizational multiplicity suffers from poor organizational strength caused by lack of membership.

Further to the wide representation gap, RMG sector unions lack female membership. Low female membership of the trade unions highly contrasts to the overall percentage of women employed in Bangladesh's ready-made garment sector. This reveals that men disproportionately occupy membership of trade unions, percentage of women joining trade unions remains generally lower than the percentage for men.

Unions along with their members are highly politicized. Most trade unions are linked with political parties—both financially and through networks. The ruling party's federation usually has the most affiliated unions. Due to the ideological divide along with factional split, trade union strengths have become fragmented and disjointed.

The RMG sector trade unions suffer heavily in terms of finance in representing employees' interests. The average income of most of the unions has been low and inadequate to carryout regular advocacy through direct and indirect means. Under condition of competitive multiplicity, most of the unions are interested in increasing their membership figures rather than collection of subscription regularly. The insufficiency of funds, while adversely affects low-coverage unions' ability to represent, it too compels others to depend on the blessings of the government, donations

from political parties, employers, and international NGOs rendering their positions vulnerable to manipulation even against the interests of workers.

In terms of leadership, unions have adopted three means in the process of their leader choice—election, selection, and co-opt. They are holding meeting of executive committees on regular basis and prepare and preserve the meeting resolution regularly.

Not all of the unions have been acting as CBA. Not all of the CBAs have submitted charter of demands. Unions are not being operated based on strategic plan, rather on short-term and day-to-day issues/demand. Although the unions have both national and international network with national and global federations they still lack organized communication strategy/policy.

The changing legal and policy environment has created wider opportunities for the unions to be functional at workplace. Amendment of labour act, formulation of labour rule, and adoption of national occupational health and safety policy and industrial policy have widened the scope for unions' activities. The international cooperation and multi-stakeholder initiatives (the Accord, Alliance, the Compact) and the bilateral cooperation (especially with Germany, Denmark and Sweden) have been instrumental to the unions to work in a comparatively better environment/condition, though not fully conducive yet.

Unions' ability to communicate and share information is limited. Unions lack well planned and developed communication mechanism. Due to the lack of communication the workplace issues often are not communicated properly with the workers and even with union members. Therefore, unions often cannot act as the as a source of information and advice. Union are responsive to members' problems. Many unions have submitted COD incorporating the common workplace issues such as occupational safety, leave, timely wage payment, fixing overtime rate according to the law, regular weekly holiday, and maternity leave, arrangement of safe drinking water, ensure sufficient toilet and its cleanliness.

Unions are facing membership challenge, organizational challenge, bargaining challenge and employer challenge. In order to fulfill the legal bindings all of the unions showed one-third membership of all workers of their respective factory. However, unions generally have not been able to increase the membership. Even in the post-Rana Plaza period workers still fear to join unions. The newly formed trade unions show a slight difference from the national trend in the context of payee/contributing member. Many unions save payee members contributing Tk. 10 monthly.

Workplaces lack a structure where union representatives can frequently contact the members. Union are also facing the asymmetric power relations at workplace. Employers have close ties with politically influential persons, police and local administration. They use these powers to prevent union activities at workplace. Lack of adequate leadership skill and lack of appropriate preparation for union formation has also been highlighted by others.

The bargaining challenges that the unions are facing is the outcome of many other interrelated factors—absence of communication strategy, weak workplace structure, power imbalances, and the weak leadership skills. Challenges and obstacles from the employers has remained same even after 2013, but the tactics and strategies of employers have changed. Employers offer illegal/discriminatory benefits for union leaders.

The weaknesses the ready-made garment sector unions span from autonomy— independence of the representative mechanism from the employer and government, to legitimacy—relationship of the representatives to the constituency represented, and to efficacy— articulation of a coherent workers' voice by filtering multiple, fragmentary and often contradictory interests. Proliferation and fragmentation of trade unions have been widespread, and have badly undermined their efficiency, representativeness and credibility.

To address the issues of efficiency, representativeness and credibility of the unions, the following strategic directions are put forward.

- Free, independent, strong and representative organizations are prerequisites for effective social dialogue. The trade union should focus on the condition/situation of dialogue and the role of the actors involved in this process, emphasizing free, independent, strong and representative organizations.
- The power of trade unions depends on the rate of union membership. Union density is also one of the crucial determining factors of bargaining power as well as bargaining outcomes. In order to increase the bargaining power and make employers more responsive to workers' issues, unions must prioritize enlisting/recruiting more members.
- Unity and coherence in trade union policies and solidarity are essential for closing the representation gap. Bangladesh's trade unions face the difficult task of adapting their roles, strategies, and even structures towards collective voice would determine the contribution of the revitalized unions in promoting and defending rights and conditions of workers.
- Efforts are needed to enhance union strengths and capacities by ensuring member' contribution to the unions. In responses, unions need to provide timely and adequate services. Unions need to realize and assess the needs of members to design activities/services and acquire skills on communication, leadership, and collective bargaining process.
- Needs to engage proactively in enforcement of labour law- considering the pandemic-induced changed realities in industrial and labour relations, new strategies should be adopted by trade unions to support stakeholders enforce the labour law effectively. Active enforcement efforts should include proactive "investigation driven" enforcement rather than reacting to complaints.
- Considering the financial crisis of the unions, the check-off system may be introduced so that management deduct the union fees from the workers; salary and transfer to the CBA's account.
- Internationalization of union activity, and alliances with civil society groups- trade unions need to emphasis and have strategies to bring their activities/policies into the international arena. Initiatives must be taken to develop a partnership with the national level federation and global unions. At the same time, collaboration is needed with civil society groups and labour and human rights organizations. As a whole, a more robust network and solidarity would contribute to enhancing unions' strength.

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1. INTRODUCTION

The ready-made garment (RMG) sector is the leading export earner sector and the key contributor of Bangladesh economy. The sector grew primarily as an export-oriented industry in the period of early 1980s, and has boomed over last four decades. From just fifty factories in 1980 the RMG industry has now leapt to thousands of factories. According to the Department of Inspection of Factory and Establishment (DIFE), about 5115 factories are currently running in the country.¹ In addition, 144 garments factories operate in the 9 export processing zones (EPZs). Export volume of this sector has mounted from USD 31.57 million in 1983-84 to USD 21.53 billion in 2012-13, and the export has crossed USD 28 billion mark in 2015-16. It is the largest formal sector in Bangladesh, which currently employs about 4.5 million workers (60 percent of them are women),² and about 49 percent of total formal sector employment. Another estimate of BGMEA shows that there were 4.1 million workers employed in this sector before the COVID-19 Pandemic.

In spite of having significant contribution to economy, the sector is still beset with widespread workers' rights violations particularly in areas of freedom of association and trade union organizing. The poor state of organizing through trade unions at the enterprise level is the weakest part of the worldwide competitive RMG value chain of Bangladesh. From the beginning of the industry to date, it is evident that trade union is hardly been allowed in RMG sector and there has been a continuous effort to hold back trade union activities. The first TU federation in the RMG sector was registered in 1983 and five federations were registered in the following two years. No new federation was registered in the next decade (from years 1986 to 1994). Enterprise-level unions in the RMG industries were hardly allowed up to 1997. Only three basic trade unions existed in the RMG sector until 1997.³ A new window in the TU organizing was opened with the enactment of Bangladesh Labour Law 2006. The Act deals with the rights of freedom of association and collective bargaining, though it does not meet all the international standards and there is lack of institutional capacity to implement law provisions. Therefore, only 132 trade unions have been formed in the RMG industries by the end of 2012.

The situation of trade union organizing has not improved even after undertaking various initiatives *i.e.* amendment of Bangladesh Labour Act (BLA) 2006, approval of Bangladesh Labour Rules, 2015, emphasis given on formation of elected participation committees (PCs) and providing registration to a considerable number of enterprise level trade unions during the post-Rana Plaza phase.⁴ The RMG sector has 54 industrial federations and 945 basic trade unions until August 2020.⁵ It is therefore evident that workforce of this sector is mostly unorganized, and they face many barriers in their efforts to organize themselves. Practice of collective bargaining process is hardly seen at factory level, and even workers rarely get scope to bargain with the authority through formal channels.

¹ Jakir Hossain and Afroza Akter (2021), Mapping Social Dialogue in Apparel: Bangladesh, Cornell University School of Industrial and Labor Relations & The Strategic Partnership for Garment Supply Chain Transformation.

² Bangladesh Bank, Quarterly Review on RMG: April-June FY'20, Research Department External Economics Division, (2020). Retrieved on 5 November, 2020, from: <https://bb.org.bd/pub/quarterly/rmg/apr-jun2020.pdf>

³ Fair Wear Foundation (2016), Bangladesh Country Study, (2016), 12. Retrieved from <https://www.fairwear.org/wpcontent/uploads/2016/06/BangladeshCountryStudy2016.pdf>

⁴ Jakir Hossain And Afroza Akter, *ibid*

⁵ Department of Labor (DoL), Ministry of Labor and Employment, (Dhaka, 2020).

Bangladesh is now trapped by the worst hit of COVID-19. The national economy is largely affected, and the global supply chain is largely disrupted. Rampant order cancellation during the initial phase of COVID led country-wide shut-down and the changed business approach of the international brands/buyers caused millions of jobs cut. Workers are the ultimate victims. Denial of timely wage payment, termination, layoff, more workload, and extended working hours are reportedly common in the sector.

In these underlying circumstances of above, this research is prepared for the Workers Resource Center (WRC)—a joint platform of the National Coordination Committee for the Workers Education (NCCWE) and the IndustriALL Bangladesh Council (IBC) and ILO SDIR project—for identifying challenges and scopes of trade union organizing. With the mission of promoting and protecting the rights of workers of both the formal and informal sectors by ensuring freedom from all forms of exploitation and discrimination through equal opportunity to ensuring better livelihoods, the WRC builds the capacity of trade unions to operate more efficiently and to provide better services to its members and workers alike. To support the work of the WRC, this research explores the scope of and roles in trade union organizing in the neo-normal COVID situation by making a pre and during COVID 19 comparative analysis on the status and challenges of trade union organizing in RMG sector.

The specific objectives of the study are: (a) Status of trade union organizing: To what extent RMG workers are able to form or Join in trade unions as well as unions' effort to organize and represent workers pre and during COVID-19 pandemic? (b) Challenges and opportunities in trade union organizing in RMG sector: What are the strengths and weakness in organizing TU activities in this sector and particularly what challenges TU face in organizing workers? (c) Scope of organizing and roles of stakeholders: What are the roles and responsibilities of different stakeholders such as government, employers, buyers/brands, political parties and CSOs in promoting freedom of association as well as TU organizing? and (d) Advocacy pointers for trade union organizing: What initiatives or advocacy agenda should be taken to ensure FoA and TU organizing in RMG sector?

The research has had three distinguished phases. The first phase has been comprised of inception brainstorming session between research team and Workers' Rights Centre programme team for reviewing programme documents, finalizing data collection tools and bringing about clear understanding of the envisaged research issues involved. The second phase was the implementation phase, which included data collection and analysis based on secondary literature review, focus groups discussions (FGDs) with workers, in-depth interviews with plant level TU leaders and key informant interviews (KIIs) with government officials, employer association leader, labour rights and legal expert, and national level sector-wide trade union leaders. This research employed qualitative research approach, and triangulated data gathered from different sources including secondary literature review, focus group discussions (with plant level union leaders in Gazipur and Ashulia – a list of participants is annexed as Annex 1.1), and key-informant interviews. The second phase also involved intensive discussion with the WRC programme team in order to identify scopes and opportunities of trade union organizing. The third phase is the validation phase, which incorporated comments from WRC on draft research paper and inputs from validation workshop participants—senior trade union leaders across national and sectoral federations (see the list of participants in Annex 1.2) for finalization of the report.

The report is structured in three core sections. The following section is an account of legal and institutional framework supporting trade union organizing. The section draws current opportunities and challenges for workers' representation and participation in terms of legal and institutional framework. The third section provides the state of organizing of ready-made garment sector trade unions. The obstacles and opportunities of organizing are explored in the fourth section. The final section identifies the strategic direction required for ensuring efficiency, representativeness, and credibility of the unions.

2. REGULATORY FRAMEWORKS OF WORKERS' REPRESENTATION

A range of factors determines workers' representation and participation in Bangladesh. These include the institutional mechanisms in the regulatory framework, the efficacy of the labour administration system, operation of various bipartite and tripartite institutions, the capacity and role of representative employers' and workers' organizations, and industrial and labour relations norms and practices. Bangladesh's labour regulatory framework recognizes the indirect form of workers' representation through trade union(s). Bangladesh labour Act 2006 (BLA 2006) also provides provisions of both bipartite collective bargaining, and tripartite negotiations involving not only employers and employees as in bipartite negotiations but also the state representatives. By the process of bargaining, trade unions and workers are allowed to engage in joint regulation of workplace affairs with the employers. The tripartite structures allow workers to participate in information and problem sharing, consultation and negotiation along with the employers and government representatives.

Legal Provisions for Workers' Representation and Participation

Bangladesh's Obligations to Workers' Representation and Participation

Bangladesh has ratified 33 of the Conventions of the ILO including the Conventions 87 and 98: freedom of association and the effective recognition of the right to collective bargaining. The ILO Convention (ILO Con. 87) has laid down that workers without distinction whatsoever have the right to establish and join organizations of their own choosing without previous authorizations, and each member countries obliged to undertake all necessary and appropriate measures for ensuring free exercise of workers right to organize.⁶ Workers' rights to affiliate with federations and alliances are also proclaimed.⁷ The rights to draw up union constitutions and rules, elect representatives in full freedom, and organize administration and activities and formulate programs are part of the ILO Convention 87. Safeguards against victimization and discrimination in joining and forming union are afforded through the ILO Convention 98. It declares that workers have the right to enjoy adequate protection against acts of anti-union discrimination in respect of their employment, and the protections bar employers to make employment and/or the dismissal of or otherwise prejudice a worker by reason of union membership and participation in union activities outside working hours.⁸ It too provides protection to workers and to both workers' and employers' organizations against any acts of interference by public authorities, or by workers and employers or by their agents.⁹

The country is also obliged to uphold workers' rights through numerous other international human rights instruments, particularly under the aegis of the United Nations. The international standards on the freedom of association are broad-based covering features like right to form and join association, freedom to elect union representation, protection against

⁶ ILO Convention 87, Art.2 and 11.

⁷ *ibid*

⁸ ILO Convention 98, Art. 1

⁹ ILO Convention 98, Art. 2

victimization and discrimination when joining and forming union, and protection against interference. The international human rights covenants—International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR)—proclaim that everyone has the right to freedom of peaceful assembly and association, and also has the right to form and to join trade unions (ICCPR, and ICESCR).

The other important standard is collective bargaining (CB)—recognized as one of the basic rights of the workers by different international instruments. The ILO has obliged member countries to take appropriate measures “to encourage and promote the full development and utilization of machinery for voluntary negotiation between employers or employers’ organizations and workers’ organizations, with a view to the regulation of terms and conditions of employment by means of collective agreements”.¹⁰ According to ICESCR the states are obliged to ensure the right to strike, in conformity with the laws of the country.¹¹

Bangladesh’s export-oriented industries are too subject to various forms of labour standards in the form of corporate codes—rules and guidelines imposed by buyers upon themselves and along their supply chains. Generally, adherence by a particular garment manufacturer to a given standard or code of conduct is verified through periodic audits/inspections often carried out by buyers and /or third-party auditors nominated by the buyers. The seven most widely used codes of conduct in Bangladesh’s garment sector are: (a) Social Accountability International (SAI) – SA8000; Ethical Trading Initiative (ETI); Fair Labour Association (FLA); Fair Wear Foundation (FWF); Business Social Compliance Initiative (BSCI); Worldwide Responsible Apparel Production (WRAP); and Joint Initiative on Corporate Accountability and Workers’ Rights (JO-IN).¹²

These voluntary codes include Bangladesh’s export-oriented industries’ obligation to adhere to freedom of association and collective bargaining. The core aspects are: (a) recognizing and respecting right of all workers to form or join trade unions of their choice and to bargain collectively (all codes); (b) recognizing the trade union(s) of the workers’ choice (Jo-In), where rights restricted by law, employer facilitates, and does not hinder development of parallel means for independent and free association and bargaining (FWF, ETI, FLA, BSCI); (c) adoption of a positive approach towards the activities of trade unions and organizational activities of workers (Jo-In); and (d) non-discrimination against workers’ representatives in carrying out functions in workplace (SAI, FWF, Jo-In, BSCI).

Bangladesh’s Legal Provisions on Representation and Participation

Bangladesh’s labour regulatory framework recognizes the indirect form of workers’ representation through trade union(s). The Bangladesh Labour Act 2006 (BLA 2006) provides for a framework for freedom of association and collective bargaining. It accordingly incorporates sections dealing with rights to associations, scope and procedures of bargaining, and settling industrial disputes. It, in addition to CB, incorporates provisions of other indirect forms.¹³

¹⁰ Ibid, Art. 4

¹¹ Ibid, Art. 8.1d

¹² Chowdhury and Denecke 2007

¹³ For factories outside of the EPZs two forms include (a) Participation Committee; and (b) Canteen Management Committee. Workers Welfare Association (WWA) is recognized to be the only indirect form for factories within the EPZs. While the legal provisions related to first two instruments are elaborated in the BLA 2006, the provisions related to EPZs enterprises are within the EPZ Workers Association and Industrial Relations Act (2019) (EWAIRA

Right to Form and Join Association

BLA 2006 provides the right of workers to form and join trade union by their own choice. BLA 2006 declared that every worker employed in any establishment is entitled to form and join trade union, by their own choice to regulate the relations between workers and employers or workers and workers and subject to the constitution of the respective trade union. But, the person who has been convicted of an offence involving moral turpitude and unless two years have beyond from the date of his discharge shall not be entitled to be, or to be elected as a member or an officer of the trade union.¹⁴ The amendment of 2013 and 2018 has not brought any change to this provision and thus the earlier provisions are still valid in the country.

BLA makes specific bindings on employer or trade union of employers, and on the person acting on their behalf for protection against victimization and discrimination. These include (a) protection for workers during trade union formation—barred employers to terminate workers while they are in the process of establishing trade union at their workplaces; and (b) strict restriction of transfer of trade union officials—the provision of not transferring the president and secretary of trade union from one place to another without their consent has been extended and made specific.

Trade Union Formation Process: Labor Act of the country not only recognizes trade union rights but also prescribes a systematic procedure of trade union formation including its registration. According to the provision of the Act, any trade union can apply for its registration to the register of trade unions of the concerned area under the signature of the President and Secretary of the respective trade unions after fulfilling the following requirements:¹⁵

- name and address of the trade union;
- purpose of the formation Trade union;
- manner in which a worker may become a member of the trade union;
- sources of the fund of union and the purposes such fund shall be applicable;
- manner in which the constitution shall be amended, varied or rescinded;
- safe custody of the funds of trade union, its annual audit, the manner of audit and adequate facilities for inspection of the account books by the officers and members of trade union;
- manner in which the trade union may be dissolved;
- manner of election of officers by the general members of trade union;
- numbers of the executive member which should be five to thirty-five; and
- Procedures for expressing ‘no confidence’ to the executive member.

However, conditionality has been imposed in the Act for trade union registration. In order to be registered, a trade union must have a minimum membership of 30 percent of the total number of workers employed in the establishment or group of establishments.¹⁶ Though the latest amendment (BLA 2006 amended in 2018) has reduced the conditionality. It includes 20 percent number of workers as a prerequisite for getting registration of a trade union.

2019)—a separate instrument for the EPZs. The differential law regime in Bangladesh’s export processing zones (EPZs) poses significant restrictions and delays in relation to the right to organize and collective bargaining.

¹⁴ BLA 2006, Section 176 (A) & 180 (1)

¹⁵ BLA 2006, section 179(1)

¹⁶ BLA 2006, Section 179 (2)

Freedom to elect union representatives: A change has taken place in this regard through the Labor Act amendment in 2013. Generally, trade unions have the right to draw up their own constitution and rules, to elect their representatives in full freedom and organize their administration and activities and formulate their programs.¹⁷ A restriction is also imposed in case of selection of union representatives. The Act declared that a person would not be eligible to be a member or be selected as officer of a trade union if he is not employed in that establishment.¹⁸

Through the amendment of 2013 this ban has been relaxed to some extent. Now workers of public sectors shall have the right to choose leaders even from outside of own establishment – “for public industrial sectors, if the members of the unions desire, 10% of the officials to the executive committee of the union could be elected from persons who are not employed in the establishment concerned”.¹⁹ This change is discriminatory again, since private sector workers have not been provided with the same opportunity of selecting union representatives from out their own establishment.

In another move the new amendment has tried to increase female participation in the executive committees of the trade unions. Before this amendment the Act had no provision on participation of women workers in trade unions’ executive committees. According to BLA 2006, in the executive committee of a trade union at least 10 percent members would be female if they constitute 20 percent of the total workforce of the establishment where the union would be formed.²⁰ Therefore, this amendment would be helpful to increase representation of the female workers in union leadership.

Protection against victimization and discrimination: No employer or trade union of employers and no person acting on their behalf shall - (a) impose any condition in a contract of employment seeking to restrain the right of a person who is a party to such contract to join a trade union or continue his membership of a trade union; or (b) refuse to employ or to continue to employ any person on the ground that such person is, or is not, a member or officer of a trade union; or (c) discriminate against any person in regard to any employment, promotion, condition of employment or working condition on the ground that such person is, or is not, a member or officer of a trade union ; or (d) dismiss, discharge, remove from employment or threaten to dismiss, discharge or remove from employment a worker or injure or threaten to injure him in respect of his employment by reason that the worker is or proposes to become, or seeks to persuade any other person to become a member or officer of a trade union, or participates in the promotion, formation or activities of a trade union.²¹The new amendment of the Act has retained these protections same as these were before the amendment.

However, workers’ protection in this regard has been expanded further by the amendment of 2013. Before this amendment the Act prohibited the transfer of President, General Secretary, Organizing Secretary or Treasurer of any trade union from one district to another without his consent. Other office bearers of a trade union were out of this protection. The new amendment extends this protection coverage for all the office bearers of any trade union – “Along with

¹⁷ BLA 2006, Section 176D

¹⁸ BLA 2006, Section 180

¹⁹ BLA 2006 amended in 2013, Section 180

²⁰ BLA 2006 Amended in 2013, Section 176

²¹ BLA 2006, Section 95

President, General Secretary, Organizing Secretary and Treasurer, any office bearer of the unions should not be transferred without consent.”²²

Right to affiliate with federations and alliances: The trade unions of workers have the right to form and join in a federation of their trade unions and such unions and federations are permitted to affiliate with any international organization and confederation of trade unions.²³ This provision of the Labor Act is facilitative for expanding the network of trade unions and bringing and expanding collaboration among the unions.

Formation of Trade Union Federation and Confederation: The latest amendment of the labor act has brought changes and made addition in the precondition of trade union federation formation process. Before the amendment, according to BLA 2006, any two or more registered trade unions were allowed to form a Federation. The Act also allowed that at least 20 trade unions formed in different types of industries to jointly constitute a federation on national basis.²⁴ However formation of trade union federation at industry/sector level has become tougher after the amendment of 2013. Instead of ‘two or more’ at present at least five or more trade unions are required to form a federation.

The new amendment has not brought any changes in the prerequisite number of unions required to form a national level federation. Furthermore, requirement for formation of national confederation, which was not mentioned in the Act earlier, has been added. According to this addition, at least ten nation federations together could form a national confederation.²⁵

On the whole, the standards on FoA are well elaborated and reflect the international standards in terms of availability of similar provisions. There is also some step forward provisions in the law in comparison with those of the previous laws. The advancement relates to: (a) protection for workers during trade union formation—barred employers to terminate workers while they are in the process of establishing trade union at their workplaces; (b) extended coverage—protection to person during trade union formation and selection of officials has been extended to the group of establishments;²⁶ and (c) strict restriction of transfer of trade union officials—the provision of not transferring the president and secretary of trade union from one place to another without their consent has been extended and made specific. The effectiveness criteria, however, show that the standards have hardly translated. This is due to number of reasons.

First, there is a contradiction with international norms. To form a trade union, there is a pre-requisite of 20 percent of the total number of workers employed in any establishment or group of establishments which does not correspond to norms on all workers’ rights to form and join trade union, especially with the ILO convention 87 to which Bangladesh is a signatory. This numerical binding excludes large majority of employees since it causes obstacles to their freedom to form and join unions. Second, the FoA and CB rights in the BLA are exclusionary as well as discriminatory. The requirement of mandatory support of 20 percent workers for trade union applies to workers, but similar condition is not applicable to organizations of the employers. Third, obstacles to representation make the rights provisions ineffective. A person

²² BLA 2006 Amended in 2013, Section 202.

²³ BLA 2006, Section 176 C

²⁴ BLA 2006, Section 200)

²⁵ BLA 2006 Amended 2013 Section 202

²⁶ Group of establishments is defined as more than one establishment under different employers, carrying on the same, similar or identical industry (Art 2 xxxii).

is not entitled to be elected as a member or an officer of a trade union if the person is not employed or engaged in that establishment in which trade union is formed.²⁷ The provision bars employees in choosing their own representatives in full freedom.

Collective Bargaining

On the right to collective bargaining, BLA provides a number of provisions including on rights to bargaining, scope and procedures of bargaining, procedures of settling industrial disputes, right to strike, workers' protection during lay-off, and tripartite consultation.

Rights and scope of bargaining: A trade union is allowed to work as a collective bargaining agent (CBA) in any establishment.²⁸ CBA is authorized to (a) undertake collective bargaining with the employer or the employers on matters connected with the employment, non-employment or the conditions of employment; (b) represent all or any of the workers in any proceedings; (c) provide notice of and declare a strike in accordance with the provisions of the law; (d) nominate representatives of workers on the board of trustee of any welfare institution or provident fund and workers participation fund constituted.²⁹ Through the amendment an addition has been made in the Act. At present each employer is required to provide an office-room in his establishment for the elected Collective Bargaining Agent (CBA) as per provisions prescribed by the Rule.³⁰ Therefore this is a positive initiative to facilitate practice of collective bargaining at factory/establishment level.

Procedures of bargaining: A well-structured/designed procedure had been prescribed in the labor Act 2006. This process is valid and effective as well since the amendment of 2013 brought no modification in this regard. If industrial disputes are raised, the employer or collective bargaining agent can settle it by the processes of negotiation, conciliation, and arbitration. Each of these processes is very much time-bound.

- **Negotiation:** At first the collective bargaining agent shall communicate with other party in writing. Then the recipient party shall take initiative to arrange a meeting for negotiation within fifteen days of the receipt of the communication. If the both parties make a positive solution on the disputed issues, a deed of settlement shall be recorded and signed by the both parties and the copy of the deed shall be forward to the government and the conciliator thereof. ³¹
- **Conciliation:** If the negotiation fails within a period of one month from the date of the first meeting of negotiation, it shall be forward to the conciliator for the process of conciliation. If the dispute is settled through conciliation the Conciliator shall report it to the government along with the settlement deed but if not settled within 30 days of initiation of conciliation it will be treated as to have failed. However, the consultation may be extended after the period if both parties agree in writing. ³²

²⁷ Sec. 180.1b

²⁸ Sec. 202

²⁹ BLA 2006, Section 202 (1), (2), (24)].

³⁰ BLA 2006 Amendment 2013, Section 202

³¹ BLA, Section 210 (1,2,3)

³² BLA, Section 210 (4-b)

- Arbitration: If the conciliation also turns into fails, the Conciliator shall try to influence the parties to agree to refer the dispute to an arbitrator. When both parties agree, then the conciliator shall forward the matters to an arbitrator chosen by both parties. Arbitrator shall present an award within thirty days or they may agree upon such further period after the dispute is received. After making award the arbitrator shall forward a copy of it to the parties and to the Government.³³

Rights to Strike: The scope of practicing the rights of calling strike has become easier after the latest amendment. As per provision of BLA 2006, the CBA may provide a notice of strike or lock out to the other party within fifteen days of the getting of failure certificate from the councilor to mention the date of commencement not to be earlier than seven days and not later fourteen days of serving such notice. But no CBA can serve any notice of strike or lockout if three-fourths of its members do not support it.³⁴ The Bangladesh Labor Act Amended 2013 made easier the pre-condition, which was to call a strike two-third members' support would be needed. The latest Amendment (BLA 2006 Amended in 2018) has changed the provision. According to the Amendment, a notice of strike can be provided with the support of 51 percent members.³⁵

Labor Act of the country not only provides workers with right to strike, but also ensures their right to get protection during strike. The Act prohibits employer or trade union of employers and person acting on their behalf to recruit any new worker during the period of strike.³⁶

On the right to CB, BLA provides a number of provisions including on rights to bargaining, scope and procedures of bargaining, procedures of settling industrial disputes, right to strike, workers' protection during lay-off, and tripartite consultation. A trade union is allowed to work as a collective bargaining agent (CBA) in any establishment.³⁷ CBA is authorized to (a) undertake collective bargaining with the employer or the employers on matters connected with the employment, non-employment or the conditions of employment; (b) represent all or any of the workers in any proceedings; (c) provide notice of and declare a strike in accordance with the provisions of the law; (d) nominate representatives of workers on the board of trustee of any welfare institution or provident fund and workers participation fund constituted.³⁸

The current law has extended the possibilities of including non-CBA unions in participation committee which can be formed by equal number of representatives of employers and workers.³⁹ Despite this advancement, there is pre-condition for a trade union to act as CBA—if more than one trade union exists and election is not held, then a trade union will act as CBA if it enlists membership of at least one-third of the total workers of the institution. Calling a strike is also dependent on the support of pre-requisite number of members for the CBA—support of at least three-fourth members of the CBA is necessary.

The BLA has provided elaborated procedures to settle industrial disputes by the employer or CBA through processes of negotiation, conciliation and arbitration.⁴⁰ If industrial disputes are raised, at first, the CBA shall communicate with other party in writing. The recipient

³³ BLA, Section 210 (4-b)

³⁴ BLA, Section 211(1)

³⁵ BLA 2006 Amended in 2018, Section 211

³⁶ BLA, Section 195 H

³⁷ BLA, Sec. 202

³⁸ BLA, Sec. 202.1, 202.2, 202.24

³⁹ Hossain, Ahmed and Akter 2010

⁴⁰ BLA, Sec. 210

party shall take initiative to arrange a meeting for negotiation within fifteen days. If the negotiation fails, it shall forward to the conciliator. If the dispute is settled through conciliation within 30 days, the conciliator shall report it to the government. If the conciliation turns into fails, the conciliator refers the dispute to an arbitrator. Arbitrator shall present an award within thirty days or period agreed by both parties after the dispute is received.

The CBA may provide a notice of strike or lock-out. The BLA defines lock-out as the “closing of a place of employment or part of such place, or the suspension, wholly or partly, of work by an employer, or refusal, absolute or conditional, by an employer to continue to employ any number of workers employed, where such closing, suspension or refusal occurs in connection with the industrial dispute or is intended for the purpose of compelling workers employed to accept certain terms and conditions of or affecting employment” (Chap. 1). There is however no specific provision on protection of workers during lock-outs of factories.

The specific time-limit for every stage of dispute settlement is a positive aspect of the law in comparison with that of previous laws.⁴¹ However, within the process, the right to strike has been weakened due to the necessity of the pre-requisite support for action. No CBA can serve any notice of strike or lock-out unless three-fourths of its members support it.⁴²

Furthermore, the law has imposed three years ban on strike (continued in several phases) in newly established industries, and industries established or supported by foreigners. The ban on strike in many of the garment and electronics industries falling within the above category is not only contradictory with the workers’ rights to strike but also has made rights provision ineffective.

The BLA provides protection to workers during lay-offs⁴³ but not during lock-outs. Protection during the lay-off is also subject to time bindings and in effect exclusionary for many of the workers. Entitlement to such protection requires enlistment of worker in master-role, and at least one-year continuous service under the employer. Hence, on CB, rights provisions in terms of availability fully reflect those of the similar international standards, but on effectiveness, standards have hardly translated to rights provisions.

Labour Administration

At the center of Bangladesh’s labour policy formulation and implementation is the Ministry of Labour and Employment. Department of Labour (DOL) as one of its implementing agencies is responsible for overall administration and implementation of policies and programs. The department too acts as conciliation machinery, and deals with labour disputes including strikes and lockouts. The inspection of factories and prosecution against violations of labour laws in courts are prerogatives of the Department of Inspection for Factories and Establishments (DIFE).

The other formal national tripartite institution that provides representative participation opportunities for workers is the Tripartite Consultative Council (TCC). It recommends on formulation of labour policy, amendment of the existing labour laws, improvement of industrial relations, and adoption of ILO Conventions and Recommendations

⁴¹ Hossain, Ahmed and Akter 2010

⁴² BLA, Sec. 211.1

⁴³ Lay-off’ means the failure, refusal or inability of an employer on account of shortage of coal, power or raw material or the accumulation of stock or the break-down of machinery to give employment to a worker, according to the BLA 2006 (Chap.1). The protection to workers during lay-off is for all days except weekly holydays but not for more than 45 days in a calendar year (Sec. 16.1).

by the Government. It currently accommodates twenty members each from workers, employers and government.

In March 2017, the government formed a 20-member tripartite consultative council with representatives from workers, employers and the government for the country's RMG sector. The council reviews the labor situation and its development time to time in the country's RMG sector. It also advises the government to take different measures for developing RMG employers-workers relations and increasing productivity considering the country's existing overall socioeconomic situation. It recommends to the government about the laws, rules and regulations, policies and plans relating to the labor of the RMG sector.

Despite the presence of institutional mechanisms for enforcement of regulation relating to work and workplace, the effectiveness of those institutions is often in question. Reasons to that are numerous; nonetheless, two of those stand out. The First of the two core reasons are that it lacks resources to adequately inspect and carry out labour law enforcement. This includes not only lack of human resources but also shortage of transportation vehicles and inspection equipment.

The second core reason of weak enforcement is that the labour administration is plagued by discretionary scopes. Investigation into any complaint, and subsequent (in)action largely depend upon the discretion of the Inspector due to lacking detailed rules on what and how to inspect and to resolute. There is no mechanism in-built to listen to voices of the employees in cases of work and workplace law violations. Indeed, inspection is rarely a regular event for the sector.

The enforcement mechanisms are further hampered by the low administrative status of the inspectors in Bangladesh's overall administration hierarchy. This is a case of acts of commission by the government. Knowingly the obligation from the ILO Convention 81 to ensure that the status and conditions of service of inspection staff are such that they are assured of stability of employment and are independent of changes of government and of improper external influences (ILO Convention 81, Art 6), to which Bangladesh is a signatory, the government has not accorded sufficient status and power. In effect, the decisions of the inspectors remain mostly unimplemented at the workplaces.

Again, the legal provision pertaining to penalties for labour law violations have made the existing enforcement institutions ineffective. The BLA 2006 provides numerous provisions on penalties—both financial and imprisonment—for the violation of labour law. These penalties are truly not at all severe. Some of these penalties are: (a) imprisonment for a term which may extend to one year or fine which may extend to five thousand taka, or both for the payment of wage at a rate below than the rate of minimum wage; (b) fine up to three thousand taka and imprisonment up to six months, or both, based on the severity of accidents, for failure to give notice of accidents; (d) maximum fine ten thousand taka and imprisonment up to two years for unfair labour practices; and (e) one year imprisonment and fine up to five thousand taka, or both for illegal strike or lock-out.⁴⁴ The current penalty system does not consider the need for striking a balance between savings accrued by violating labour law provisions and cost of compliance. Yet, for numerous types of law violations, in an effort to change the provision of punishment for the labour law violating employers, the penalty has been reduced to a financial meagre BDT 5000 waiving imprisonment provision (BLA 2006, Art. 307). This move has indeed

⁴⁴ BLA 2006, Section -289, 290, 291, and 294

favoured the employers, further weakening the effectiveness of the enforcement system in turn leading to pile-up individual grievances and industrial disputes.

The labour courts deal both industrial disputes and individual grievances. A dispute may be referred to labour courts by the employers, the workers or by the government. Besides access to the Court and Tribunal, the law allows workers' access to the criminal court for offence of criminal nature. But there is also time limitation, six months, to file criminal case against employer. In addition, the jurisdiction of the High Court Division can be invoked on the grounds of violation of fundamental rights or any procedural error committed by the Labour Courts. Workers' access to justice, however, is time-bound. A worker is required to apply to the court within twelve months from the day of incidence. There is also thirty days' time limit to appeal if the application to register trade unions is rejected. Any party aggrieved by an award, decision, sentence or judgment given by a Labour Court may proceed with an appeal to the Tribunal within sixty days of the judgment, and the decision of the Tribunal is final.⁴⁵ While for workers filing a case at the labour courts is subject to time-limits, the time taken to settle a case is rather long. Most labour courts fail to dispose the cases within the statutory time limit of 60 days.

The long time-period for settling disputes through labour courts is due to number of reasons. Two of which are paramount in terms of government's acts of omission in prioritizing resources to make the labour judiciary functional. First, on the account of adequacy of courts: the coverage of labour courts is low due to the inadequate number of courts. Currently, there are nine Labour Courts. The only appellate tribunal with only two Benches is in Dhaka. The inadequacy looms large against the vested power of the government. The government has according to the BLA 2006 the power to establish as many Labour Courts as it considers necessary.⁴⁶

Second, on the count of composition of the courts: the BLA 2006 provides that a Labour Court shall consist of a chairman and two members—one of which is the representative of employers and the other is the representative of workers. This representative character of the labour courts is not extended to cases related to wage and payment, and to workers' compensation for injury by accident for which the court is constituted with the Chairman only.⁴⁷ The chairmen of the courts are appointed by the government from sitting District or Additional District judges who hardly have prior experience in dealing with labour issues. Remuneration and benefits of the members of the courts are reported to be poor leading to disinterest in attending court sessions. Absence of employers' and workers' representatives is often the caused to delay.

On the whole, the regulatory framework for making the balance between the conflicting interests is weak. The government-initiated framework although incorporates instruments to ensure participation, often fails to provide sufficient leeway to induce cooperation of the conflicting interest holding stakeholders. Both the formal bipartite and tripartite mechanisms suffer in representing workers' interests. Accordingly, the grievances and disputes in the industrial sector are hardly administered through the formal regulatory frameworks.

⁴⁵ Section 217

⁴⁶ BLA 2006, Art. 214

⁴⁷ BLA 2006, Chapters X and XII

3. TRADE UNION ORGANIZING AMIDST COVID PANDEMIC

The participative representation system in Bangladesh's industrial sector to constitute, aggregate, resolve and mediate diverse interests of individuals and groups is a complex one. Currently, three tier of the structure exists i.e. a) Enterprise level b) Industrial level c) National level. According to records of the Register of Trade Unions, there are 32 national-level trade union federations representing workers in various industry including garments. National level federations are combination of basic and industrial federations. According to Article 200(5) of BLA, 2006, not less than 20 trade unions formed in different types of industries may, jointly, constitute a federation on national basis. According to the records of the Register of Trade Unions, these federations include plant level unions in different industrial sectors of Bangladesh.

Trade Unions in Ready-made Garment Sector

In the garment sector itself, there 54 industrial federations and 945 basic trade unions in RMG sector.⁴⁸ According to Article 200 (1) of BLA, 2006, any two or more registered trade unions formed in establishments engaged, or carrying on, similar or identical industry may, if their respective general bodies so resolved can constitute a federation by executing an instrument of federation and apply for the registration of the federation.

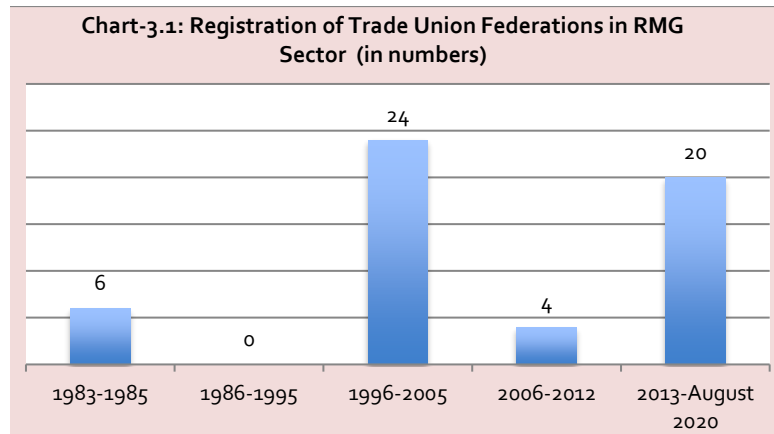
Trade union federation in RMG sector was first registered in 1983. Up to 1985 only 6 trade union federations was formed. No new federation was registered in the next 10 years (1986 to 1995). After a long break, only 24 federations were registered from 1996 to 2005. A dramatical change in trade union organizing and registration in the RMG sector has been observed in the subsequent years of Rana Plaza collapse in 2013, one of the world's worst industrial disasters. After Rana Plaza disaster to August 2020 a total of 20 trade union federations have been registered in this sector (Chart 3.1)

The number of basic unions in RMG industries also noticeably increase in that time. Before the Rana Plaza disaster, there were only 132 basic unions in RMG sector. Total 773 basic unions have been formed during the period of 2013 to August 2020. The highest number of trade union organizing and registration has been observed in 2014. Total 392 basic unions organized and 182 were registered in that year. Though there was a claim that after 2013, majority of trade unions has been formed in small garment factories, not in medium and big factories that have 3,000-20,000 workers. However, about 90 percent of the trade unions formed during that time do not belong to any national trade union federation.⁴⁹

⁴⁸ Department of Labor (DoL), Ministry of Labor and Employment, (Dhaka, 2020).

⁴⁹ Bhuiyan, Md. Mojibur Rahman (2017). Time to Strengthen Trade Unions, Daily Sun, 5 May 2017. Retrieved from <https://www.daily-sun.com/magazine/details/224194/Time-To-Strengthen-Trade-Unions>

A decreasing trend again has been observed in trade union registration from 2017 and very few trade unions have been formed during the COVID 19 period. Only 19 trade unions applied to DoL for registration in 2020 and among them 11 got approval. While, 128, 76 and 44 trade unions

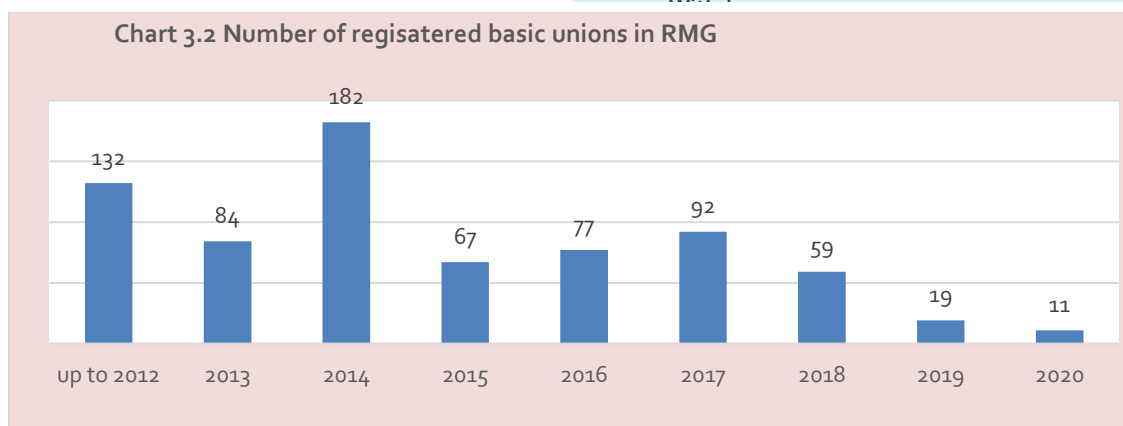


Source: Department of Labor 2020

applied for registration in 2017, 2018, and 2019 and among them 92, 59, and 19 got approval respectively (Chart 3.2).

The evidence reveals that many trade unions have been busted or become inactive due to factory closure during the pandemic.⁵⁰

Chart 3.3: Trade Union Organizing in RMG Sector (2013 to 2020)



Source Solidarity Center, 2021

The trade union rejections is also evident. Reference to Department of Labour, a study shows that about half of the trade union’s applications have been rejected by DoL during 2013 to 2020 (Chart 3.3).

Membership of RMG Sector Basic Trade Unions

Trade unions are based on workers’ membership, and rely on their membership for funding, legitimacy and power.⁵¹ Though the membership is not the single source of trade unions’ strength but remains essential. The membership status of trade union in Bangladesh RMG sector shows that total number of RMG workers involved in trade unions is 286,351 and, the trade union density in this sector is only 7.2 percent.⁵²

Another study reveals that the 21 RMG federations’ members are less than 2000 workers. Worker-members are in the range of 2000 to 4000 and 4000 to 6000 in five and four federations

⁵⁰ FGD with basic union leaders.

⁵¹ Guy Mundlak, Organizing Matters Two Logics of Trade Union Representation, Edward Elgar Publishing Limited, UK, and ILO, Geneva, 2020. [ILERA_Organizing_Matters_TU.pdf](#)

⁵² Hossain and Akter, Mapping Social Dialogue in Apparel: Bangladesh, Cornell University, USA, 2021.

respectively. Three federations in each have 6000 to 10000 members. Noteworthy, eleven federations have over 10,000 members.⁵³

Though the RMG sector is considered as female centered sector, but female participation is not same proportion in comparison to their participation in RMG workforce. A study has reported that over 80 percent of RMG workforce is female, but in trade union membership their share is less than 55 percent. The male workers participation rate in RMG trade union is more than their share in total RMG workforce.⁵⁴ Though the present study reveals that female representation in trade union has slightly increased, however, it is still less than the female participation in RMG workforce. Information received from FGD participants shows that 57 percent members of trade union are female, while a recent study of ILO shows that female participation in RMG workforce is 61 percent.⁵⁵ It is found in FGDs that out of 13 basic unions, four have fewer female members than their male members. Evidence further reveals that except one other union's female representation is less compared to female engaged in RMG workforce (Table-3.1).

Declining membership is considered a problem in union organizing. Decreasing trend of TU membership is evident in the present study. Seven out of 13 trade union leaders confirmed that union membership has been declined during the COVID time and the number is from 20 to 300. As reasons they mentioned retrenchment of workers, factory closure/lay off, and leaving job by workers. A basic union leader claimed that his organization lost 150 members out of total 350 members due to retrenchment of workers by employer (Table 3.1).⁵⁶

Table 3. 1 Membership in basic unions

Name of basic union	Female members	Male members	Total members	Female representation in basic union (%)
Sangkoang Apparels Shromik Kormocari Union	750	500	1250	60
Anjir Apperals Garments Shromik Union	60	90	150	40
Hena Heads and Cap Sromik Union	100	150	250	40
Fashion Samit Sromik Union	300	250	550	55
Fashion Point Shromik Union	296	301	597	50
Anjira Apparels Limited Sromik Union	200	150	350	57
Ratul Febrics Sromik Union	100	250	350	29
Raijy Tex Sromik Union	170	130	300	57
Texi Limited Sromik Union	1500	1000	2500	60
Ever Bright Shromik Union	200	150	350	57
Sky Lax Apperals Shromik Union	400	270	670	60
Romo Fashion Today Limited Shromik Union	650	270	920	71
Daeyu Bangladesh Limited Shromik Union	250	200	450	56
Total	4,976	3,711	8,687	57

Source: FGDs with Basic RMG Unions of Ashulia and Gazipur

⁵³Jakir Hossain and Mostafiz Ahmed, Textile and Garment Sector in Bangladesh: Sectoral Profile and the state of Workers' Rights and Trade Unions, BILS Dhaka 2014.

⁵⁴ Jakir Hossain and Mostafiz Ahmed, Ibid

⁵⁵ ILO, Understanding the Gender Composition and Experience of Ready-Made Garment (RMG) Workers in Bangladesh, 2020. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_754669.pdf

⁵⁶ FGD with trade unions, Ashulia

Evidence is available that the union membership is not so high at the time of their registration.⁵⁷ Moreover, the unions have not been able to recruit more workers after their registration. The startling feature is that some union has fewer members than the number they showed during registration.⁵⁸ Union leaders further explain that even after post-Rana Plaza period in general and during the COVID pandemic period, workers still fear to join unions.

Along with union density, membership challenge has another face—share of payee members. Proportion of payee members of a union is vital for its effectiveness and well-functioning. A union becomes more vibrant when its members pay their contribution regularly. In general Bangladeshi trade unions are generally characterized by its low proportion of payee/contributing members (Table 3.2).

Table 3.2: Paying members in basic unions

Name of basic union	Total members	subscription payee members	
		Number	Percent
Sangkoang Apparels Shromik Kormocari Union	1250	570	46
Anjir Apperals Garments Shromik Union	150	35	23
Hena Heads and Cap Sromik Union	250	140	56
Fashion Samit Sromik Union	550	130	24
Fashion Point Shromik Union	597	148	25
Anjira Apparels Limited Sromik Union	350	50	14
Ratul Febrics Sromik Union	350	350	100
Raijy Tex Sromik Union	300	300	100
Texi Limited Sromik Union	2500	2000	80
Ever Bright Shromik Union	350	120	34
Sky Lax Apperals Shromik Union	670	670	100
Romo Fashion Today Limited Shromik Union	920	340	37
Daeyu Bangladesh Limited Shromik Union	450	330	73
Total	8,687	5,183	60

Source: FGD Dhaka, February 2022

Majority of the federations do not have worker-members who are contributing financially. It has been found that only a little more than one-third (35 percent) of the federation has paid members, and in contrast, about two-thirds (65 percent) of the federations do not have this type of worker-members.⁵⁹ This study with basic trade unions too reveal that number of paying members are fewer than the number of total members. It is observed that except one other 12 basic unions have fewer paying members (Table 3.2).

Trade Union Leadership Status

Following democratic procedure in leader selection is evident in the basic union but not regular. Trade union leaders claim that the regular election and leader selection is the context where basic unions show a relatively positive picture. To their claims, unions are practicing the leadership

⁵⁷ Jakir Hossain and Mostafiz Ahmed, Ibid.

⁵⁸ Ibid

⁵⁹ Ibid.

selection process according to their constitution.⁶⁰ Unions have adopted three means in the process of their leader choice—election, selection, and co-opt. Elections are held for many unions, but election does not hold regularly. Out of thirteen basic union only three unions have held election for second time.⁶¹ A TU leader said, according to law election should be held after two-year interval, but maximum organizations did not follow the regulation.

In case of women participation in leadership position of trade union, it is observed that very few women are in executive committee. There were 26 leaders (president and general secretary) of 13 basic unions participated in the FGDs. Among them only five were female. Out of 13 trade union one has female president and general secretary, and three women were found hold the position of general secretary.⁶² Meanwhile, patriarchy, and lack of skill in union organizing has been identified as the key factor that hinders the women involvement in TU leadership positions.

Financial Status of Unions:

TU rely on their membership for funding. They suffer heavily in terms of finance in representing workers' interests. The average income of most of the unions has been meagre, and inadequate to carryout regular advocacy through direct and indirect means. This is not because of the poverty of the workers but because of certain other factors including workers' apathy and trade unions competition amongst themselves. Trade union leaders are not highly interested in collecting fees from members as the fee payment option drive workers disinterested in unions. The FGD participants felt the need of check-off system of deducting union fees from salaries as most important means to improve the union financial status. To leaders, the absence of direct fee deduction from workplace has led to the unions exploring alternative means of funding by charitable means.

Trade Union Initiatives

Undeniably, the lacking of the collective strengths of the trade unions in its role to negotiate, promote and defend rights and conditions weaken workers' position vis-à-vis employers. The trade unions' role is much more profound in its ability to channel both individual and collective interests without fear of management retaliation. Unions in Bangladesh as the historical form of worker representation have developed a variety of social functions including representing the aspirations and claims of a relatively homogenous social group, creating its identity, framing its solidarity and integrating its members into the society by transforming individual interests into collective one.

Yet, the lack of initiatives and capabilities of the unions/ associations came to the fore, as another of the important reasons for the ineffective collective bargaining rights. The growing emphasis upon enterprise flexibility in management practice has weakened trade unions roles in industry-wide participation of workers.

⁶⁰ FGD with basic unions of Ashulia and Gazipur

⁶¹ FGD with union leaders.

⁶² Ibid.

Two issues are particularly highlighted as the main reasons for ineffectiveness. First, lack of representation: workers perceive many of the labor leaders have no link with them and thus unable to understand, prioritize, and channel their interests. Second, lack of united voice: workers observe lacking unity amongst employees' associations/ trade unions have led to inability to establish common demand, and accordingly their demands often are used to buy favor for the leaders themselves.

Communicating and Information Sharing

A union's organizational strength largely depends on its ability to communicate with its members and share information among them. Communication is necessary because it helps members to understand properly the union and its activities. Communication is necessary because it enables union members to raise their voice and concerns over issues relating to their workplaces. Further, union members can express, through communication, their views on what unions can do in overcoming those issues. Communication is treated as a mechanism that contributes to the development of relationship structure within the union. It has been observed that the trade unions in RMG lack that well planned and developed communication mechanism. In a study the representatives of trade union (interviewed) claimed that no communication strategy has been formulated in their respective union. They have not been able to develop communication tools also. They often even face the difficulties to make their existence visible/tangible to other workers of their factories due to the attitudes of the employers.⁶³

Information sharing, along with communication mechanism, is also important for union effectiveness. The activities, missions of the union are not properly understood by the workers in the factory due to lack of information sharing. Sometimes general workers come to know the existence of a union only after an unusual incident, such as expulsion of union representative from the factory.

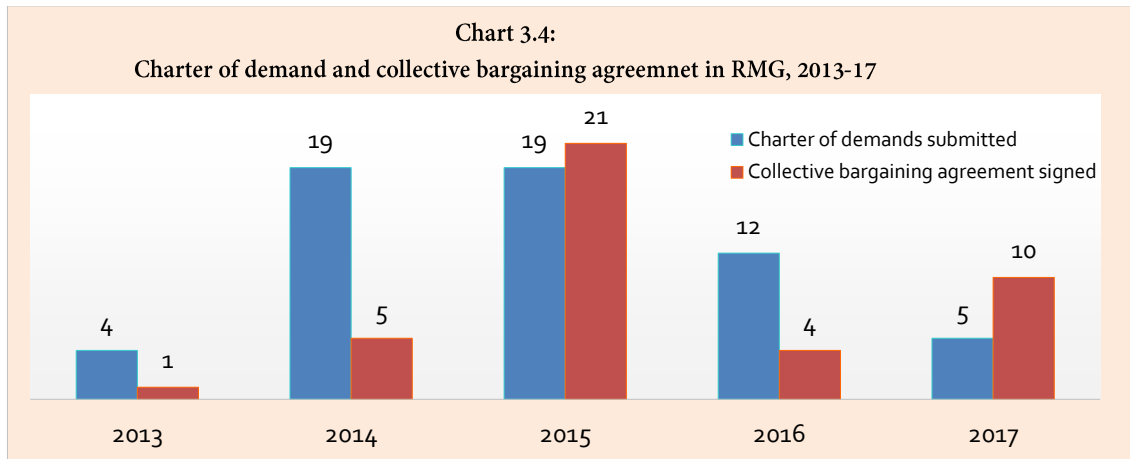
Response to Members' Problems and Complaints

Trade unions' one of the important functions is to perform role to solve the member's problem and deal with their complaints. Worker of RMG sector of Bangladesh face various workplace related problems—violations of garments workers' rights including unfair labour practices, anti-union discrimination, unsafe work place, violence against workers and non-payment of wage and benefits.⁶⁴ Low rate of wage is the most significant issue in this regard. The amount of wage, the workers are getting now are not sufficient to maintain a minimum standard of livelihood considering the rate of inflation and other socio-economic context of the country. Along with poor wage, there are also instances of irregularity in timeliness of wage payments that makes the life of the RMG workers and their family members more vulnerable economically. Long working hour is another important workplace issue for them. The workplaces of RMG workers are also not free from discrimination, nor provide safe working conditions in terms of occupation safety and health, and work environment. Physical conditions of the workplace are also often are to work under conditions that is completely uncongenial. Workplaces often lack safety measures against occupational risks and accidents. Consequently, minor accidents and injury are common at workplaces. And even sometimes workers lost their lives due to lack of workplace safety. Workers

⁶³ Hossain and Ahmed, 2017

⁶⁴ ITUC, press release, Bangladesh: New evidence of systematic violations of workers' rights exposes inaction of government, 17 March, 2022

do not have a safe complaints mechanism, and calling for grievances to be resolved often results in verbal and physical abuse from the employer and dismissal.⁶⁵



Source: Department of Labour, Ministry of Labour and Employment, 2018

Trade unions are required to respond to these issues by including them in the charter of demand. Trade unions' one of the key roles is to submit demand to the employers. Amount of demand (charter of demand) submitted and its coverage (scope and types) denotes the dynamic and vibrant nature of a union. Over the last five years the unions have submitted several Charters of Demand and have signed more than forty collective bargaining agreements (Chart 3.4) that shows the trade unions are capable to respond to their members' problems. But it does not mean all the trade unions have ability to submit their demands to the authority.

A federation leader claimed in a study that in 2013, seven basic unions got registration under his federation. Only two of those have submitted 'charter of demand' to the authority. However, the outcomes of these submissions are not same always. In one of these two cases, union has been able sign collective bargaining agreement with the employer.

Existing literature shows that unions are most successful when they can address a broad bargaining agenda and establish a virtuous circle of effectiveness. It is observed that the trade union in RMG sector particularly the newly formed unions are facing difficulties and challenges in this regard. The bargaining challenges that the unions are facing are the outcome of many other interrelated factors. The absence of sound communication strategy, weak workplace structure for interaction between union representatives and members, power imbalances, and the weak leadership skills together affect the bargaining capacity of the unions. Moreover, multidimensional nature of the problems and difficulties that the workers are facing and its diverse implications is a challenge for union to determine the priority in their bargaining agenda.

Collaboration and Affiliation

The RMG sector basic unions through their federations collaborate with both the National Coordination Committee for Workers' Education (NCCWE) as well as the IndustriALL Bangladesh Council (IBC). The NCCWE is a united platform of 13 major national trade union federations in Bangladesh. It is affiliated with International Trade Union Confederation (ITUC) and World Federation of Trade Unions (WFTU), as well as global union federations of the International

⁶⁵ Ibid

Transport Workers Federation (ITF) . Meanwhile the IndustriALL Bangladesh Council has a strong presence in the ready-made garment sector and is affiliated with the IndustriALL Global Union.

ILO is providing technical assistance for trade union organizations to improve the capacity of workers to organize through a worker's education programme organized in collaboration with the NCCWE and the IBC under coordination with IndustriAll and ACTRAV. The program aims at creating an enabling environment for worker organization and collective bargaining at factory level that would lead to workers participating in occupational health and safety as well as participation committees. Recognizing that the majority of garment workers are women, special emphasis is being placed on training women trade union leaders and organizers on key labor rights. Efforts are also being made to provide unions with the skills to establish collective bargaining agreements for the improvement of working conditions in the RMG sector. ILO is furthermore providing substantial strategic support to build the institutional capacity of NCCWE.

Another collaborative effort is the Workers Resource Center (WRC)—a joint platform of the National Coordination Committee for the Workers Education (NCCWE) and the IndustriALL Bangladesh Council (IBC) and ILO SDIR project. The WRC was founded in 2017 with the aim to build the capacity of trade unions to operate more efficiently and to provide better services to its members and workers. The mission of the WRC is to promote and protect the rights of workers of both the formal and informal sectors including RMG, other sectors, and migrant workers by ensuring freedom from all forms of exploitation and discrimination through equal opportunity to ensure better livelihood. The WRC with the SDIR project of ILO is working to enhance workplace rights and industrial relations in the Bangladesh ready-made garment (RMG) sector. The project intervention is primarily facilitating improved dialogue between employers and workers, particularly at workplace level. Different trainings on grievance handling, collective bargaining, women leadership, and trade union organizations and administrations are provided to the workers representatives from National Coordination Committee on Workers Education (NCCWE), IndustriALL Bangladesh Council (IBC), and representatives from employers' associations (BEF, BGMEA, and BKMEA).

Union Activities

The ultimate goal of a trade union is to ensure welfare of its members. To this end union takes various initiatives to make workplace better for workers. Union wage mark-up is an important indicator to evaluate union's power. The union wage premium is one way of measuring the value of union membership to employees. It is observed that the role of trade union is remarkable to increase the minimum wage in 2010, 2013 and 2018 though the plant level union's contribution and success to increase pay of their members is not much notable in this regard. Moreover, many of the plant level unions also has contributed to ensure timely payment of wage, and OT allowance (twice of the normal hourly rate) set in the law.

Union's ability to protect its members from unfair treatment is another key attribute of effective union. While evaluation the union's capacity to protect workers from unfair treatment, it is found that trade union contributed significantly in this regard. A study reveals that the issue of verbal abuse has reduced in their factories after union formation. In the same study, the FGD participant reported that the union also to some extent, to modify the attitudes of the supervisors

and the incidences of using ‘slang words’ to the workers have reduced significantly. Some of the unions even have achieved more, have been successful to stop unfair dismissal.⁶⁶

The union also can influence the attitudes of the management and make them responsive to the employees. A union that understands worker needs, but cannot shift employer behaviour, is ineffective; a sign of an effective union is its ability to improve employees’ working environment by encouraging employers to be more responsive to employees. Many of the RMG unions have not been able to increase managerial responsiveness. Generally, the small unions having limited network cannot influence the employers’ behavior to the workers. On the other hand, there are example of incidences where unions contributed to change employers’ attitude and behaviour and consequently improving the workplace conditions.

COVID Pandemic led Crisis and Trade Union Organizing Context

The country’s largest export earning sector—ready-made garments—has dealt a devastating blow. An estimate by the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) shows that, due to cancellation of orders and delayed payments, the industry lost \$4.33 billion worth of exports between March and June.⁶⁷ This extensive cancellation or suspension of orders by international buyers and brands has pushed millions of garment workers—many of whom are women—into dire financial situations. The unforeseen crisis of COVID, and the subsequent reactions by international buyers, led to factory closures, lay-offs, workers’ termination, and delays in wage payment. According to a report by the Centre of Policy Dialogue (CPD), 3,57,450 workers were laid off or terminated due to COVID.⁶⁸ A study by Penn State University’s Center for Global Workers Rights and the Worker Rights Consortium reported that more than one million garment workers were fired or furloughed, 72 percent without severance pay.⁶⁹

The official statistics differ. The Department of Inspection for Factories and Establishments (DIFE) prepared crisis report which provides information on the number of RMG factories shutdowns and terminated and lay-off workers during the COVID-19 crisis (from mid-March till September 17, 2020) (see Table 3.4). According to the report, 90 thousand workers lost their jobs as a result of order cancellation or delayed payment; among them 43,049 workers (in 117 factories) have lost their jobs due to factory shutdown, 23,560 workers have been terminated from 75 factories, and 23,523 workers of 26 factories have been laid off.⁷⁰ Nevertheless, the loss of income has been devastating, pushing many further into poverty.

Table 3.4: Area wise RMG Factories shut-down, and terminated and lay-off workers

Area	Factory shut down		Terminated		Lay-off	
	Factories	Workers	Factories	Workers	Factories	Workers
Dhaka	41	11,568	18	5,111	7	11,944
Gazipur	25	18,892	48	17,162	14	7,983

⁶⁶ Ibid

⁶⁷ The Financial Express, RMG export earnings in July 1-18 total \$1.57b, (20 July 2020). Retrieved from: <https://thefinancialexpress.com.bd/economy/rmg-export-earnings-in-july-1-18-total-157b-1595218398>

⁶⁸ CPD *Vulnerability, Resilience and Recovery in the RMG Sector in view of COVID Pandemic: Findings from the Enterprise Survey* Retrieved from <https://cpd.org.bd/wp-content/uploads/2021/01/Presentation-on-Vulnerabilities-Resilience-and-Recovery-in-the-RMG-Enterpsies-.pdf>

⁶⁹ Anner, Mark, Abandoned? The Impact of Covid-19 on Workers and Businesses at the Bottom of Global Garment Supply Chains, Center for Global Workers Rights, Penn State University, and the Worker Rights Consortium, 2020. Retrieved from: <https://www.workersrights.org/wp-content/uploads/2020/03/A-banded-Penn-State-WRC-Report-March-27-2020.pdf>

⁷⁰ Crisis report September 17, prepared by the Department of Inspection for Factories and Establishments. (DIFE), 2020

Narayanganj	11	2,180	6	698	2	1,229
Chottogram	24	3,955	-	-	1	1,100
Mymensingh	13	6,000	-	-	2	1,267
Cumilla	1	250	-	-	-	-
Narsingdi	2	564	3	589	-	-
Total	117	43,049	75	23,560	26	23,523

Source: DIFE 2020.⁷¹

The crisis led factory shutdown, lay-off, workers' termination, and delay in wage payment resulted in labor unrest in the sector. According to DIFE, from early March to 17 September 2020, labor unrest happened in 90 factories.⁷² As all labor unrests are not reported to the DIFE, the print media reported cases are higher. During the early COVID period (from March to June 2020), a total of 93 cases of labor unrest arose in the RMG sector, of which the highest number of such cases was reported in May 2020 (57 such cases in May, while labor unrest in March, April, and June were 11, 7, and 18 respectively).⁷³ The most common form of labor unrest included rallies, demonstration, human chain, roadblock, absent from work, confinement of authority, and hunger strike. An analysis of causes of labor unrest during the corona crisis reveals that most of the unrest was for either linked to demands of due wage and allowances (53 % of unrest) or against factory shut down, lay-off and termination (18%).⁷⁴

The COVID led crisis in Bangladesh's apparel sector too brought government, employers, and workers together in promoting measures to protect enterprises/ business and workers. In response to crisis, the social dialogue partners (i.e. trade unions, employers' associations, and government) have had discussions on work arrangements and various other work-related issues. The meetings were both bipartite and tripartite in nature, and focused on issues related to factory closure and lay-off, workers' termination, wage payment, work related benefits, and health safety measures.

Trade Unions Responses amidst Livelihood and Health Crisis:

Bangladesh's national along with sectoral trade unions have had several bipartite meetings with the government. On 22 March 2020 at the onset of the COVID crisis around 70 trade union leaders in the meeting chaired by the State Minister of Labour and Employment, demanded that the government ensure health and safety at workplace, free treatment of corona infected workers, full wage payment and festival (Eid) bonus, and zero termination during crisis period.⁷⁵ The IndustriALL Bangladesh Council (IBC) appealed to the government to protect workers from the impact of COVID-19.⁷⁶ Their demands included— (a) no workers can be laid off, or terminated or retrenched during corona crisis; (b) treatment have to be ensured free of cost to corona virus infected workers; (c) all workers must be paid in full wages without any deduction; (d) festival (Eid)

⁷¹ Crisis report till September 17, prepared by the Department of Inspection for Factories and Establishments. (DIFE), 2020

⁷² DIFE 2020, Ibid

⁷³ BILS database on labor related media reports, 2020

⁷⁴ Ibid

⁷⁵ The Financial Express, 23 March 2020. "Govt sticks to its decision to keep factories open". Retrieved on 10 September, 2020: <https://today.thefinancialexpress.com.bd/first-page/govt-sticks-to-its-decision-to-keep-factories-open-1584896463>

⁷⁶ IndustriALL, *Bangladeshi government must protect workers from impact of Covid-19*, (May 2020). Retrieved on 8 September 2020: <http://www.industriall-union.org/bangladesh-government-must-protect-workers-from-impacts-of-covid-19>

bonus should be paid by 15 May; (e) consult unions and set up a tripartite committee to monitor the situation and recommend steps needed; (f) ensure that factory owners provide hand sanitizers, soap, and PPEs for workers; and (g) to avoid the humanitarian crisis, the government, brands and employers should take shared responsibility to ensure workers' wages and benefits, jobs security and social protection.

Similar demands were placed with RMG employers and their associations. In few cases, commitments of the employers towards ensuring health and safety measures at factory levels and timely wage payment and bonus of workers were made. Shadhin Bangla Garment Sramik Karmachari Federation (SBGSKF) reported that it along with several other unions negotiated in around 20 factories in Gazipur on the retrenchments of workers, and had been successful in stopping workers' termination.⁷⁷ The meeting of IndustriAll Bangladesh Council (IBC) with the BGMEA on 07 May 2020 led to signing of the memorandum of understanding (MoU) on not to lay-off factories and retrench workers, on the due payment of salaries, and formed of a joint monitoring committee addressing the agreement.⁷⁸ The IBC, in line with the employers' urges, also called on the brands and buyers not to cancel their work orders.

The tripartite meetings have also been held to address the COVID related crisis at workplaces particularly in the apparel sector. The first tripartite meeting held in March 2020, decided that garment production units to be kept open with adequate safety measures as per government's health safety guidelines.⁷⁹ The decision was hardly enforced in factories.

Trade union leaders reported that most of the owners were indifferent to enforce health and safety measures at their factories; neither the rules for using facemasks and hand gloves, as well as social distancing were followed in most of the factories nor adequate number of hand sanitizers and hand wash facilities were made available.⁸⁰ Though a large number of factories arranged hand wash facilities in the factory entrance, the number was not adequate against the number of workers and safe distancing was not maintained in most of the factories on the working floor and factory entrances, increasing the risks of coronavirus infections. The trade union leaders report that health and safety measures like hand wash, personal protective equipment, and temperature check has not been followed in maximum factories. Reference to workers, the Guardian reported that the only new measure was hand washing at the factory entrance, and that no physical distancing measures had been enforced inside the factories. Overcrowded buses were bringing workers into work that worried them about returning to the factories, but had no choice.⁸¹

The payment of wages and benefits was core of the discussions in three consecutive tripartite meetings (22 April, 25 April and 4 May 2020). Initially it was decided that workers of the factories that remained closed during corona period public holidays would receive 60% of wages

⁷⁷ Maheen Sultan, *COVID-19 Crisis Implications for the RMG Sector: Trade Union Responses*, (Dhaka: BRAC Institute of Governance and Development, BRAC University, April 2020), 8. Retrieved on 10 September 2020: https://bigd.bracu.ac.bd/wp-content/uploads/2020/06/Final_Report-COVID-19-Crisis-Implications-for-the-RMG-Sector-Trade-Union-Responses.pdf

⁷⁸ ILO, *COVID-19 and the world of work- Country policy responses Bangladesh*, (2020). Retrieved from ILO: <https://www.ilo.org/global/topics/coronavirus/regional-country/country-responses/lang--en/index.htm#BD>

⁷⁹ Star Business report, "Garment factories to stay open", *The Daily Star*, 23 March 2020. Retrieved from: <https://www.thedailystar.net/business/news/garment-factories-stay-open-1884538>

⁸⁰ Iffat Jahan Antara., August 2020, *Ibid*. Covering the media reports on the corona crisis in RMG sector during the period 16 April – 9 May 2020, this study identified the roles of different actors including trade unions and workers' rights activists as they navigate the crisis by dealing with international buyers, RMG owners, and the Government.

⁸¹ Hannah Ellis Petersen and Redwan Ahmed, "Bangladesh garment factories reopen despite coronavirus threat to workers", *The Guardian*, 11 May, 2020. Retrieved from The Guardian: <https://www.theguardian.com/global-development/2020/may/11/bangladesh-garment-factories-reopen-despite-coronavirus-threat-to-workers>

for the month of April,⁸² but then in subsequent meeting decided that the payment would be 65% of regular wages.⁸³ The decision led the government to declare that the workers of garment factories that were closed during public holidays would receive 65 % of workers' gross monthly wages for the month of April, and the workers who worked during the public holidays would receive full payment for the days they worked in. In another tripartite meeting (16 May, 2020), it was decided that 100 percent bonus would be paid to workers, albeit in two phases—50 percent of basic salary as festival (EID) bonus before the festival and another 50 percent after. The government too declared a stimulus packages worth of TK. 10,500 for export- oriented industries including garments to pay wages for the month of April, May, and June.⁸⁴

Despite the government support, workers of many factories did not get wages and bonus on due time. The daily *Prothom Alo* reported that about 1175 (25% of factories) factories did not pay wages of the month of June up to 21 July.⁸⁵ A report of Clean Clothes Campaign estimated that the RMG workers of Bangladesh received 29.5 percent less wages in March to May than the regular times. According to the report, the garment workers lost wages worth around \$501 million for three months.

It was decided in tripartite consultations (held on April 28-29, 2020) that owners of garments factory would not declare lay off of any factory and terminate any workers during the corona period and the decision was circulated by DIFE.⁸⁶ The decision on factory closure, factory lay off and terminations of workers were the hardly implemented issues.⁸⁷ Despite the government declaration, there is evidence that the decisions taken in the different tripartite meetings were not implemented properly;

Data from industrial police show that 29,369 workers had lost their job in May to June and most of them were from RMG factories.⁸⁸ DIFE in its crisis report covering till 17 September 2020, reports that 26 factories have been laid off in which 23523 workers were engaged, and 23560 workers of 75 RMG factories terminated (Table 4.3). The trade union leaders however alleged that the number of laid off and terminated workers is much higher than the official data, may have crossed hundred thousand workers.⁸⁹ According to the announcement of BGMEA, those who do not join within the deadline⁹⁰ will lose job. Following the deadline of BGMEA for joining the job, according to DIFE only 15 lakh workers joined before June 1, 2020. It indicates that the 26 lakh

⁸² Monira Munni, "RMG workers to get 60pc of April wages", *The Financial Express*, 30 April 2020. Retrieved from: <https://thefinancialexpress.com.bd/trade/rmg-workers-to-get-60pc-of-april-wages-1588217153>

⁸³ Staff Correspondent, "RMG trade bodies ask owners not to pay more than 60pc of April wages", *NewAge*, 4 May 2020. Retrieved from NewAge: <https://www.newagebd.net/article/105693/rmg-trade-bodies-ask-owners-not-to-pay-more-than-60pc-of-april-wages>

⁸⁴ Star Online Report, "Impact of coronavirus: PM announces Tk 5,000cr stimulus package for export-oriented industries", *The Daily Star*, 25 March 2020. Retrieved from Daily Star: <https://www.thedailystar.net/coronavirus-deadly-new-threat/news/pm-announces-tk-5000cr-stimulus-package-export-oriented-industries-1885813>

⁸⁵ Desk report, "Following wages RMG workers will get less bonus too (In Bengali)", *Prothom Alo*, 21 July 2020. Retrieved from: <https://www.prothomalo.com/business/মজুরির-পর-বোনাসও-কম-পাবেন>

⁸⁶ Mirdha, *The Daily Star*, 8 June 2020

⁸⁷ DIFE, September 2020, *Apparel Sources*, 1 October 2020

⁸⁸ Opinion Report, "Continued layoffs, despite govt warning, unacceptable", *NewAge*, 14 July 2020. Retrieved from NewAge: <https://www.newagebd.net/article/111076/continued-layoffs-despite-govt-warning-unacceptable>

⁸⁹ Antara, August 2020, *Ibid*

⁹⁰ Most of the country's apparel industries have announced re-opening of their units from May 17 before the government's announcement of further extension of general holidays till May 30. According to RMG insiders, most factories compelled their workers to start work from May 26, 2020.

workers have had lost their jobs for not joining within the deadline even after government decision of no termination to be allowed during the crisis.⁹¹

There were indeed differences between unionized and non-unionized enterprises to ensure government decisions during the corona crisis. In the unionized factories, union leaders with workers have negotiated with employers to ensure their workplace rights like wage payment and health and safety measures. Former IBC General Secretary Chaina Rahman claimed, “Workers of non-unionized enterprises have terminated more workers than unionized factories.” She also reported that factory lay off or closure was more in the B or C categories of factories where plant level trade union activities are totally absent.

The outcome of the both bipartite and tripartite meetings does reveal that the statutory social dialogue mechanism did not work properly during the COVID crisis. Nor the statutory bipartite forums— Workers Participation Committee (WPC) (outside EPZ), neither the regular tripartite institution— Tripartite Consultative Council (TCC) had any convening/negotiations among social dialogue partners. Despite having formal tripartite forum for RMG – Tripartite Consultative Council for RMG that works for developing harmonious industrial relation in RMG sector, another ad-hoc based tripartite forum—“Tripartite Crisis Management Committee (CMC) has been formed.

The ad-hoc committee was entrusted to: (a) monitor the timely payment of wages/salaries, arrears, bonuses and other applicable benefits; (b) address the issues of unfair labor practices including anti-union discrimination and unlawful dismissals; (c) conduct joint tripartite inspection/investigation of factories in the event of labour unrest; (d) settle labor unrest through tripartite consultation; and (e) ensure compliance with COVID-19 related hygiene and safety at the workplace (in line with the MOLE’s OSH guidelines) including transport to and from workplace.⁹² From March to July 2020, the committee held several meetings and took decisions to protect RMG workers from COVID impact, however, labor leaders allege that the opinion of workers representatives had been neglected in many cases. Active participation of trade union representatives was too prohibited due to short notice of meetings, lack of information, and influential power of employers’ associations and the predominant role of government.⁹³

⁹¹ Mohosinul Karim, “Over 26 lakh RMG workers lost jobs, BGMEA claims 55,549”, *The Daily Observer*, 11 June 2020. Retrieved from: <https://www.observerbd.com/news.php?id=259900>

⁹² (ILO, *Ibid*).

⁹³ KII with Razekuzzaman Ratan, General Secretary, Sramik Front. His claim is also reflected in a report of ILO which reveals that Ministry of Labour and Employment called a tripartite meeting where IBC leaders were invited specially to discuss the employers’ proposal to pay 60% of workers salary for the month of April 2020 and no consensus was made in the meeting as the TU representatives demanded for 100% salary for workers. But the media announced that the decision was taken in the meeting to pay 65% salary for the month of April 2020. In response, IBC issued a press release protesting the media announcement demanding 100% workers salary for the month of April 2020.

4. OBSTACLES OF AND OPPORTUNITIES IN TRADE UNION ORGANIZING

The ultimate goal of a trade union is to ensure workers' rights and their wellbeing. The trade union work for workers wellbeing in different ways like information sharing, communication and networking with different stakeholders, and negotiate and bargain with employers and government for improving workplace situation e.g., increase of wage, ensuring safe work environment, and protection against unfair treatment and equal opportunity. But it is observed that the unions of RMG sectors faces various challenges in performing their role. Different conditions, situations, factors are impacting the overall performance of unions. This section has analyzed the challenges face by trade union and opportunities available in union organizing in RMG sector.

Legal and Institutional Barriers

There remain many restrictions in the Bangladesh Labour Act 2006 to the freedom of association and collective bargaining. According to the Bangladesh labour (Amendment) Act 2018, minimum 20 percent workers support to be needed to form a trade union in any establishment and can be dissolved if its membership falls below this level It is a great barrier to form trade union in RMG sector. But the ILO Convention prescribes that even if only 10 workers want to form a trade union, they have to be granted permission.

The Labour Act 2006 also provides that unions must have government approval to be registered, and no trade union activity can be undertaken prior to registration. There can be no more than three registered trade unions in any establishment. Membership in a union is restricted only to workers currently working at an establishment, meaning that severance from employment also results in the cessation of a worker's membership in the union. Candidates for union office have to be current or former employees of an establishment or group of establishments. There are also barriers to right to strike: no CBA can serve any notice of strike or lockout if 51 percent of its members do not support it.⁹⁴ Prior the pre-condition was to call a strike two-third members' support would be needed.⁹⁵

The legal restrictions make it difficult for workers to effectively participate in the governance of their workplace. Workers are often disproportionately victims of acts of intimidation and abuse. Labour leaders cited cases of garment enterprises' managers conducting acts of intimidation and abuse in the wake of labour unrest, including arbitrarily locking-out employees, and firing workers.

Registration challenge

It is mentioned in the above discussion that according to labour law minimum 20 percent workers support to be needed to form or apply for a trade union in any establishment. It is the main challenge in case of TU registration in RMG industries. A basic union leader said that there are

⁹⁴ Section 59, BLA Amendment 2018

⁹⁵ Ibid

number of factories those have 8 thousand or more workers. It is difficult to collect support of 20 percent of them.⁹⁶ However, getting registration from government is another challenge in formation of trade union in an establishment. It is found that a significant number of trade unions' application has been rejected from Department of Labour in each year (Table 4.1). The number of rejections may be higher than reported because registration/rejection information was not available from all federations.⁹⁷

As reasons of rejection of trade union applications, DoL highlights on—shortage of 20 percent workers/employees' consent, use of fake workers name, dual and repetition of membership, and fraudulent practice etc. The trade unions leaders mentioned to influence of employers as the main reason of not getting approval from Department of Labour.

Table 4.1: RMG sector Union application approved and rejected by DoL

	# of union applied for registration	# of unions approved by DoL	# of unions rejected by DoL/JDL	% of rejection case
2013	158	84	44	27.8
2014	392	182	155	39.5
2015	150	67	148	98.7
2016	133	77	49	36.8
2017	128	92	33	25.8
2018	76	59	22	28.9
2019	44	19	15	34.1
2020	19	11	8	42.1
Total	1,100	591	474	43.1

Source: Solidarity Center⁹⁸

Leadership Challenges

The quality of leadership among union leaders is one of the most important factors in trade union organizing. Majority of the RMG workers are from the poorer parts of the country with lack of formal education and prior experience or training. They join trade unions with insufficient knowledge about the organizations. Subsequently, leaders from this working class generally lack the effective bargaining capacity with factory owners who are educated, experienced and have close connections with government agencies. In this industry, owners leverage their networks, power and the vulnerability of labourers to buy off or victimize union leaders, create inter- and intra-union rivalries, boost opportunism among trade union leaders, and undermine the capacity of experienced trade union leaders.⁹⁹ Affiliation to political parties, which is prevalent in the majority of federations in this sector, often hinders the natural development of leadership qualities as it restricts leaders' capacity to pursue issues that are genuinely related to workers' "well-being": Affiliation to political parties sometimes prevents labour unions from becoming formal collective

⁹⁶ FGD with trade unions of Ashulia and Gazipur

⁹⁷ Solidarity Center, Retrieved from <https://www.solidaritycenter.org/wp-content/uploads/2021/03/Bangladesh.Union-registration-information.December-2020.pdf>

⁹⁸ Ibid

⁹⁹ Clean Clothes Campaign, 2017; ETUC, 2017.

bargaining agents.¹⁰⁰ ¹⁰¹Even some times they are very much interested to serve the purpose of the parties than the interest of workers. A survivor of Rana Plaza disaster claimed, “We are often called over to attend political rallies on Independence Day or Victory Day, more than we are called to take part in genuine workers’ protest.”¹⁰²

Membership Challenges

Trade unions have limited membership during the registration. Moreover, the unions face problems to recruit more workers after their registration.¹⁰³ A study reveals that among the five unions of Mirpur area only one has reported increasing membership after registration. Some unions have reduced number of members that they showed during registration.¹⁰⁴ Even post-Rana Plaza, unions have not been able to exert much influence in creating a conducive environment where workers feel safe to join and participate in union activities. Workers still fear to join in union. A Key interviewee said that “Many workers do not join trade union due to fear of losing job. They think that if they join in trade union employer will expel them.” Other factors of membership decreasing includes factory closure or lockouts.¹⁰⁵

Exceptional example is evidence in this regard. A study found a basic union had been functioning and received more members when the authority retrenched a union member worker.¹⁰⁶ The underlying reason behind this incident was the perceived benefit. Due to initiative of union authority, employers paid the retrenched worker's his due benefits. The general workers therefore thought that if they become member of the union, it would not be possible for employers to discharge/retrench them without giving due benefits and they joined in trade union.¹⁰⁷

However, the evidence shows that massive job losses of workers during the COVID pandemic have affected trade union membership. Majority of the FGD participants claimed that membership has decreased in their organization due to factory closure and retrenchment of worker during pandemic.

Another challenge related to union membership is low share of paying members. Proportion of paying members of a union is vital for its effectiveness and well-functioning. A union becomes more vibrant when its members pay their contribution regularly. Bangladeshi trade unions are generally characterized by low proportion of paying members. A forbidding scenario is observed in terms of paid worker-membership under the federations. Majority of the federations all members are contributing financially.¹⁰⁸ It is also evident in case of basic union (discussed in the previous section). But members' contributions are considered as one of the main sources of income/funding for trade unions.

¹⁰⁰ Ibid

¹⁰¹ Md Abu Taher, Politicization of trade unions: issues and challenges in Bangladesh, IJIR Vol. 34, No 4. <https://www.jstor.org/stable/27767614>

¹⁰² Nadim Zawad Akil, Dhaka Tribune, 1st May 2017

¹⁰³ KII

¹⁰⁴ Jakir Hossain, Mostafiz and Ahmed, Scope and Efficacy of Recently Formed Trade Union in Ready-Made Garment Industry, Dhaka: Safety and Rights Society (SRS) and Action Aid Bangladesh, 2017

¹⁰⁵ FGDs with basic union leaders

¹⁰⁶ Ibid

¹⁰⁷ Ibid

¹⁰⁸ Ibid

Political affiliations and political engagement

Political nexus is a common feature of trade unions. The RMG sector unions are affiliated with federations, and majority of the federations are affiliated with the Government and the opposition parties. Some are involved with left political parties due to some class characters. Some federations are also found independent.

The -mentioned political ally is based on the close links with the party in question not of formal ties, as trade unions cannot be directly affiliated with political parties as per law. There are now 31 federations with 1,393 trade unions and 17, 60,180 members. Interestingly, almost half of trade unions are affiliated to the two political parties - Bangladesh Awami League and Bangladesh Nationalist Party. Ruling party AL's associate organization Jatio Sramik League patronizes 305 unions which represents 5,34,463 workers, which is over half of unionized workers while BNP has 279 trade unions under its wings, with its associate organization Bangladesh Jatiyatabadi Sramik Dal representing 2,47,454 workers.¹⁰⁹

It is very difficult to distinguish between trade unions and political parties and also between trade union leaders and politicians. Political party affiliated trade unions are very much interested to serve the purpose of the parties even at the expense of the interest of workers. A survivor of Rana Plaza disaster claimed, "We are often called over to attend political rallies on Independence Day or Victory Day, more than we are called to take part in genuine workers' protest."¹¹⁰ In many cases, a trade union leader and a politician was one and the same person. Many of the prominent politicians were veteran trade union leaders and vice –versa.

Unequal power relation

Unions are also facing the asymmetric power relations at workplace. Organization activities of the unions are often bared due to the unequal power relations. Employers have close ties with politically influential persons, police, and local administration and even with local *mastans*. They use these powers to prevent union activities at workplace. This power imbalance very often results in anti-union discrimination against the union leaders and committee members. However, threats, kidnappings and physical violence from state security forces and gangs working on behalf of companies discourage workers involvement in trade union activities. For example; Biplob, a 40-year-old ready-made-garment worker, was one of eleven union members blindfolded and kidnapped days after union registration was obtained; the kidnapping was an attempt to intimidate workers in the newly formed union.¹¹¹

Trade union initiatives

The lack of initiatives and capabilities of the unions/ associations came to the fore, as another of the important reasons for the ineffective CB rights. Two issues were highlighted as the main reasons for such a dismal perception. First, lack of representation: employees perceive many of the labor leaders have no link with employees and thus unable to understand, prioritize, and channel their interests. Second, lack of united voice: employees observe lacking unity amongst employees' associations/ trade unions have led to inability to establish common demand, and accordingly their demands often are used to buy favor for the leaders themselves.

¹⁰⁹ Dhaka Tribune, 1st May 2017

¹¹⁰ Ibid

¹¹¹ ITUC, ibid

Bargaining challenge

It is evident in existing literature that unions are most successful when they can address a broad bargaining agenda.¹¹² It is observed that the trade union in RMG sector are facing difficulties and challenges in this regard. The bargaining challenges that the unions are facing is the outcome of many other interrelated factors. The absence of communication strategy, weak workplace structure for interaction between union representatives and members, power imbalances and the weak leadership skills all together affecting the bargaining capacity of the unions. During the pandemic it is observed that several bipartite and tripartite meetings have been held to address the crisis in RMG sectors in COVID period. The trade unions' representation was evident in the meetings, but the active participation of trade unions was prohibited due to lacking bargaining power, lack of information, influential power of employers' associations and the predominant role of government.¹¹³

Moreover, multidimensional nature of the problems and difficulties that the workers are facing and its diverse implications is a challenge for union to determine the priority in their bargaining agenda.

Financial and management Issues

Financial problem is the most important factor in case of trade union organizing. Due to a smaller number of subscription paying members with minimum amount of fees trade unions earn very few amounts from the members' contribution.¹¹⁴

Positive attitude of the employer is crucial for effective trade union. Majority of employers/management in the RMG industry are hostile towards the activities of the union, and creates different obstacles to union activities. Challenges and obstacles from management includes expel or discharge of workers who show interest in trade unions or try to organize workers. In many cases, factory management has formed trade union with the participation of their loyal workers. Sometimes employers/management offer illegal/ discriminatory benefits to union leaders to use them for their own benefit.¹¹⁵

¹¹² Ibid

¹¹³ Hossain and Akter, Ibid

¹¹⁴ FGDs and KIs

¹¹⁵ FGDs, Ibid

5. CONCLUSION AND STRATEGIC DIRECTIONS

Key Findings

In Bangladesh's garment sector, the multiplicity of unions is an important feature, yet is one of the great weaknesses in representing workers' interests. Four of the following factors are indicative of its failure to be truly representative of employees' genuine interests.

First, along with the non-representative character of the unions at the plant level, the ever-growing organizational multiplicity suffers from poor organizational strength caused by lack of membership. The official statistics on membership vary with the claims of leaders of respective trade union. Even if one takes into account the testimony of the labour leaders, there remains a wide representation gap.

Second, the female membership in trade unions varies widely, but low. Low female membership of the trade unions highly contrasts to the overall percentage of women employed in Bangladesh's ready-made garment sector. This reveals that men disproportionately occupy membership of trade unions, percentage of women joining trade unions remains generally lower than the percentage for men.

Third, unions along with their members are highly politicized. The multiple national and sectoral level federations are mainly the result of political outsider wanting to establish unions of their own with a view to increasing their political influence. The different political views among the workers and their unions and also opportunism of trade union leadership is largely responsible for the multiplicity. Indeed, most trade unions are linked with political parties—both financially and through networks. The ruling party's federation usually has the most affiliated unions. True, not all unions explicitly claim to be affiliated with a political party. The reluctance to identify allegiance is, however, due to either fear of repressive measures against the leaders by the regime in power or possible gains from incumbent or future regime. The strengths of these 'independent' unions are rather weak. Indeed, due to the ideological divide along with factional split, trade union strengths have become fragmented and disjointed.

Fourth, the trade unions suffer heavily in terms of finance in representing employees' interests. The average income of most of the unions has been low and inadequate to carryout regular advocacy through direct and indirect means. This is not because of the poverty of the workers but because of certain other factors including workers' apathy towards trade unions, and trade unions' competition amongst themselves. Under condition of competitive multiplicity, most of the unions are interested in increasing their membership figures rather than collection of subscription regularly. The insufficiency of funds, while adversely affects low-coverage unions' ability to represent, it too compels others to depend on the blessings of the government, donations from political parties, employers, and international NGOs rendering their positions vulnerable to manipulation even against the interests of workers.

In terms of leadership, unions are practicing the leadership selection process according to their constitution. Unions have adopted three means in the process of their leader choice—election, selection, and co-opt. They are holding meeting of executive committees on regular basis and prepare and preserve the meeting resolution regularly.

Not all of the unions have been acting as CBA. Not all of the CBAs have submitted charter of demands. Unions are not being operated based on strategic plan, rather on short-term and day-to-day issues/demand. Although the unions have both national and international network with national and global federations they still lack organized communication strategy/policy.

The changing legal and policy environment has created wider opportunities for the unions to be functional at workplace. Amendment of labour act, formulation of labour rule, and adoption of national occupational health and safety policy and industrial policy have widened the scope for unions' activities. The international cooperation and multi-stakeholder initiatives (the Accord, Alliance, the Compact) and the bilateral cooperation (especially with Germany, Denmark and Sweden) have been instrumental to the unions to work in a comparatively better environment/condition, though not fully conducive yet.

Unions' ability to communicate and share information is limited. Unions lack well planned and developed communication mechanism. Due to the lack of communication the workplace issues often are not communicated properly with the workers and even with union members. Therefore, unions often cannot act as the as a source of information and advice. Union are responsive to members' problems. Many unions have submitted COD incorporating the common workplace issues such as occupational safety, leave, timely wage payment, fixing overtime rate according to the law, regular weekly holiday, and maternity leave, arrangement of safe drinking water, ensure sufficient toilet and its cleanliness.

Unions are facing membership challenge, organizational challenge, bargaining challenge and employer challenge. In order to fulfill the legal bindings all of the unions showed one-third membership of all workers of their respective factory. However, unions generally have not been able to increase the membership. Even after post-Rana Plaza period workers still fear to join union TU. The newly formed trade unions show a slight difference from the national trend in the context of payee/contributing member. Many union save payee members contributing Tk. 10 monthly.

Workplaces lack a structure where union representatives can frequently contact the members. Union are also facing the asymmetric power relations at workplace. Employers have close ties with politically influential persons, police and local administration. They use these powers to prevent union activities at workplace. Lack of adequate leadership skill and lack of appropriate preparation for union formation has also been highlighted by others.

The bargaining challenges that the unions are facing is the outcome of many other interrelated factors—absence of communication strategy, weak workplace structure, power imbalances, and the weak leadership skills. Challenges and obstacles from the employers has remained same even after 2013, but the tactics and strategies of employers have changed. Employers offer illegal/discriminatory benefits for union leaders.

The weaknesses the ready-made garment sector unions span from autonomy— independence of the representative mechanism from the employer and government, to legitimacy—relationship of the representatives to the constituency represented, and to efficacy— articulation of a coherent workers' voice by filtering multiple, fragmentary and often contradictory interests. Proliferation and fragmentation of trade unions have been widespread, and have badly undermined their efficiency, representativeness and credibility.

Strategic Directions

To address the issues of efficiency, representativeness and credibility of the unions, the following strategic directions are put forward.

Free, independent, strong and representative organizations

Free, independent, strong and representative organizations are prerequisites for effective social dialogue. The goal of social dialogue is to promote effective consensus-building among the key stakeholders. It ultimately depends on mutual trust and respect among the actors of dialogue. How the actors are selected for the dialogue and how independently they could perform their roles are essential since the actors' level of representativeness influences exerting due functions and the outcomes of the dialogue. Therefore, for effective social dialogue, the trade union should focus on the condition/situation of dialogue and the role of the actors involved in this process, emphasizing free, independent, strong and representative organizations.

Closing the representation gap and increased member reach

The power of trade unions depends on the rate of union membership. Union density is also one of the crucial determining factors of bargaining power as well as bargaining outcomes. In order to increase the bargaining power and make employers more responsive to workers' issues, unions must prioritize enlisting/recruiting more members.

Unity and coherence in trade union policies and solidarity

Unity and coherence in trade union policies and solidarity are essential for closing the representation gap. Whether and how Bangladesh's trade unions face the difficult task of adapting their roles, strategies, and even structures towards collective voice would determine the contribution of the revitalized unions in promoting and defending rights and conditions of workers.

Enhancing union strengths and capacities

- Efforts are needed to ensure member' contribution to the unions. In responses, unions need to provide timely and adequate services. Unions need to realize and assess the needs of members to design activities/service
- Union's success depends on its organizational strength. Therefore, unions must concentrate on enhancing its organizational capacities.
- Many of the union representative lack required skills on communication and leadership. Knowledge about the collective bargaining process is also inadequate. It is thus a dire need to equip the union representatives with the necessary skills.
- Unions and federations need to develop the strategic planning. This plan should incorporate the vision and mission of the unions. And accordingly, goals and targets are to be fixed. The plan should also delineate, considering the obstacles and limitations, the activities and strategies required to achieve the targets.
- Unions should take initiatives to develop their communication strategy. The strategy should incorporate direction on information collection and sharing. This strategy will cater the need that union performs its appropriate role a source of information and advice to the workers.

Extend coverage for Freedom of Association and Collective Bargaining

Due to the pandemic, new issues and concerns have emerged in the world of work. Social distancing at the workplace, emphasizing sanitary practices at the workplace are newly emerged concerns. Besides, the pandemic has also exposed the already existed vulnerabilities more openly, e.g., employment insecurities, income uncertainties, absence of social protection. Under these circumstances, TUs should rethink and broaden their existing activities/ programmes/ policies and bargaining agendas. At the same time, they should focus on new programmes/ policies and identify new issues for bargaining in the changing context.

Enhance unions influence in bargaining

Unions must engage their effort to increase their capacity to influence policies and desiccations. Unions' inherent strength is vital in this regard. Weak unions cannot exercise an influential role in the social and economic life of a society. On the other hand, a union's strength depends on its membership, members' role, organizing strategy, extend of activities and services, and its network and solidarity partnership. Participating in different capacity building training of different national international organizations help to strengthen TU's bargaining capacity which ensures effective participation in social dialogue bipartite and or tripartite regarding workers' rights related issues. However, TUs must pressurize and negotiate with government for labour law reform to overcome the TU registration challenges.

Engage proactively in enforcement of labour law

Considering the pandemic-induced changed realities in industrial and labour relations, new strategies should be adopted by trade unions to support stakeholders enforce the labour law effectively. Active enforcement efforts should include proactive "investigation driven" enforcement rather than reacting to complaints.

Advocacy for check-off system

Considering the financial crisis of the unions, the check-off system may be introduced so that management deduct the union fees from the workers; salary and transfer to the CBA's account.

Internationalization of union activity, and alliances with civil society groups

Despite exceptions, the issues of the workers have similarities all over the world. On the other hand, international and supra-national bodies and the stakeholders abroad often influence domestic policymaking. Therefore, TUs should emphasise and have strategies to bring their activities/policies into the international arena.

Solidarity is strength. TUs must prioritize to extend their collaboration with other unions. Initiatives must be taken to develop a partnership with the national level federation and global unions. At the same time, collaboration is needed with civil society groups and labour and human rights organizations. As a whole, a more robust network and solidarity would contribute to enhancing unions' strength.

Collaboration with broader actors to address post-pandemic challenges

Tackling the neo-normal (post-COVID) challenges regarding trade union organizing and workers' rights related issues, trade unions should extend their collaboration with other actors like national level federations and global unions, employers and employers' associations, government, and civil society organizations. Initiatives must be taken to develop a partnership with the national level federation and global unions to continue advocacy and support the adoption and Implementation

of ILO Conventions, i.e. C 189, C-190, C-87, C-98, C-121, and as such. One of the main challenges identified during the post COVID period is declining of TU membership. To overcome this challenge social dialogue between TU and employers may be an effective way.¹¹⁶

¹¹⁶ ILO, **Trade unions in transition: What will be their role in the future of work?, 2021.**
[https://www.ilo.org/infostories/en-GB/Stories/Labour-Relations/trade-unions#trade-unions-during-the-covid-19-pandemic-\(1\)](https://www.ilo.org/infostories/en-GB/Stories/Labour-Relations/trade-unions#trade-unions-during-the-covid-19-pandemic-(1))

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ANNEXES

Annex 1.1: FGD Participants

Name	Trade Union	Designation
Md. Hamidul Islam	Fashion Samit Ltd Sramik Union	General Secretary
Abdur Rahim Badsha	Anjir Fashion Ltd Sramik Union	Assistant General Secretary
Mst. Tanjila	Haney Hats and Cap Sramik Union	President
Mst. Jannat	Haney Hats and Cap Sramik Union	General Secretary
Mahmud Hasan	Sangkoa Apperals Ltd. Sramik Union	Organizing Secretary
Md. Alamin	Sangkoa Apperals Ltd. Sramik Union	President
Fojle Kayum	Fashiont Point Ltd. Sramik Union	President
Ujjal Hossain	Fashiont Point Ltd. Sramik Union	General Secretary
Sneha Islam	Ever Bright Sramik Union	Assistant General Secretary
Md. Hossain Sarker	Rumo Fashion Today Sramik Union	Vice President
Md Buddut Hasan	Rumo Fashion Today Sramik Union	General Secretary
Lutfar Rahaman	Doa Bangladesh Ltd. Sramik Union	President
Monir Hossain	Doa Bangladesh Ltd. Sramik Union	General Secretary
Milon Mia	Anjir Apparels Sramik Union	President
Md. Anarul	Texi Group Tex Europe Ltd Sramik Union	Member
Md. Shakil	Texi Group Tex Europe Ltd Sramik Union	Member
Md. Alamgir	Skylax Apparels Sramik Union	Publication Secretary
Md. Najmul Haque	Skylax Apparels Sramik Union	President
Md. Amjad Hossain	Ratul Fashion Sramik Union	General Secretary
Md. Alam	Raising Tex Sramik Union	Vice President
Md. Mokarram Hossain	Ratul Fashion Sramik Union	President
Md Abdus Salam	Ever Bright Sramik Union	President
Mst. Mollika Jaman	Raising Tex Sramik Union	Assistant General Secretary
Md. Rabiul Islam	Anjir Apparels Sramik Union	Vice President
Md. Imran Hossain	Anjir Apparels Sramik Union	General Secretary

Annex 1.2: Study Validation Workshop Participants

Name	Designation and Organisation/Federations
Ruhul Amin	Chairman, WRC
Abul Kalam Azad	Vice Chairman, WRC
Chowdhury Ashiqul Alam	General Secretary, Bangladesh Trade Union Shangha & Member, BoT, WRC

Anwar Hossain	President, BJSJ & Member, BoT, WRC
Quamrul Ahsan	President, Jatiya Sramik Federation, Member, BoT, WRC
Shah Md. Abu Zafar	President, Bangladesh Labour Federation-BLF
Md. Abdul Wahed	Working President, JSJ & Member, BoT, WRC
Pulak Ranjan Dhar	BFTUC & Member, BoT, WRC
Kutubuddin Ahmed	President, BGTLWF & Ex-Chairman, WRC
China Rahman	Member, BoT, WRC
Shamim Ara	President, BJSF
Rashadul Alam Raju	G.S. BIGUF & Member, BoT, WRC
Shahinur Rahman	Consultant, MONDIAAL-FNV
Md. Rafiqul Alam	Programme coordinator, IndustriAll Global Union, Bangladesh.
Naimul Ahsan Jewel	GS, JSJB & Member, BoT, WRC
Z.M. Kamrul anam	Member, BoT, WRC
Salauddin Ahapon	President, BRGWF & Member, BoT, WRC
Towhidur Rahman	President, BAWF & Member, BoT, WRC
Babul Akhter	GS. BGIWF
Mir Abul Kalam Azad	GS, SBGSKF & Member, BoT, WRC
Kjhandaker Shafin Habib Shan	Programme Office, Solidarity Centre, Bangladesh CO
Md. Sabbir Ahmed	National Consultant, SDIR, ILO
Jamil Ansar	National Programme Officer, SDIR, ILO
Shamsun Nahar Bhuyan, MP	Acting President, Women Sramik League, JSL
Happy Begum	PA to MP Shamsun Nahar Bhuyan
Srabani Nahar	Legal coordinator, IndustriAll Global Union, Bangladesh.
Hedayetul Islam	President, BJSKP
Kamrul Hasan	GS. AGWF
Md. Jahid Hasan	Joint Secretary, BGTLWF
Razequzzaman Ratan	President, SLF