Urgent Call for Proposal

Bangladesh Institute of Labour Studies-BILS

Terms of Reference (ToR)

For

"Develop Training Module on Labour law & Collective Bargaining Agreement*"*

Introduction

This Terms of Reference details working modalities of a consultancy on "Develop Training Module on Labour Law and Collective bargaining agreement in Context of labour standard situation of RMG Sector in Bangladesh". Bangladesh Institute of Labour Studies- BILS is the commissioning authority of this consultancy. This consultancy constitutes an essential part of a partnering project between BILS and CARE Bangladesh titled 'Women Thrive in Bangladesh Activities".

Background

Status of Women's Economic Situation in Bangladesh Only 4.6% of women work in the formal sector, meaning that nearly all women who work do so without legal and socio-economic protections. With a female labor force participation rate of 36% and a female unemployment rate of 6.6%, women lack the economic opportunities to sustainably secure their livelihoods. With a poverty rate of 20.5% and extreme poverty of 5.6%, it is clear that women's economic potential is not fully utilized, and women are not able to act as full contributors to the economy.

Women in the RMG Sector, the ready-made garment sector is one of the largest formal sectors of employment employing 3.2 million women in Bangladesh. While the sector has created a regular income source for women workers, with wages at the entry-level being BDT 12,500 (approx. USD 113.6), it is yet to emerge as a sector that is consistently complying with standards of decent employment particularly concerning worker's rights and well-being and empowering women to grow within the sector. Women workers in almost all factories have limited opportunities for growth due to systemic barriers and lack of gender responsiveness in the sector.

The key challenges facing women workers in Bangladesh are:

Gender Gap: The gender gap in income at operator levels is significant. On average income increases for males and females due to promotion from operator to supervisor are 89% and 54% respectively. Gender gaps are prevalent at all levels of the RMG workforce, with men holding the majority of managerial positions and women disproportionately represented in the lowest-paying roles.

Human Resource policies and systems: The current HR policies and systems of most factories in the RMG sector are not accommodative of gender-specific concerns such as maternity leave and family leave time. They also tend to overlook women on issues such as promotion,

performance measurement, and training. In practice, men tend to be chosen over women for promotions and career advancement.

Stereotyped perception of management: Myths about women not being fit to perform managerial roles and only being suitable for lower-level or low-skilled roles are very prevalent in the RMG sector and society more generally. These gendered norms constrain women's opportunities. It is a common consensus within the RMG industry that good managers need to exercise masculine notions of power to get the work done. Despite these perceptions, the expectations and competency level of women as supervisors often exceed those of men.

Lack of aspiration for a greater leadership role: Women see their roles as supplementary income earners and, therefore, are reluctant to take on a role that requires more responsibility or often perceive themselves as "not good" or "qualified enough" to perform higher roles. They lack long-term aspirations in careers and life as they struggle with multiple demanding roles, including as primary caregivers to children and other family members outside of the workplace. Lack of support and encouragement for women: Support systems needed for women to play a greater role in the workplace are absent and there is no role model or mechanism to draw support and encouragement from other women.

Vulnerable to exploitation: With little education, women find themselves in vulnerable situations, both at work and in their new living situations. Entering the workforce with little to no experience, and limited communication, planning and organization skills, leaves them vulnerable to exploitation and poor working conditions including low wages and irregular payment, forced overtime, and inhospitable and dangerous working environments where physical and sexual harassment are routine.

Regarding the issues, BILS and CARE Bangladesh have been implementing the project on Thrives in Bangladesh Activities through Evidence-Based Approaches for Women's Empowerment, Cascading and multi-pronged capacity-building strategy, and Gender-Transformative approaches among others. Regarding the approaches, BILS is the Advocacy partner of CAREBD for national-level advocacy through the national Trade Union federations.

Advocacy is one of the core approaches of the project aiming to advocate with national and local stakeholders. The initiative will be collaboratively working with organizations working to establish worker's rights, particularly the rights of women workers, trade unions, BGMEA/BKMEA, and relevant ministries and government departments. It will employ successful advocacy tools such as studies, policy briefs, campaigns, and lobbying to surface issues of women workers that require policy attention, to strengthen implementation of existing policy provisions, and to build a movement for ratification of C-190 and incorporation of its principles in the national legislation. The project will dedicate its efforts to strengthening the implementation of an anti-sexual harassment policy at both factory, employer, and national levels to safeguard women's rights to enjoy a life free of violence.

The design of the project is innovative in that it creates an enabling environment for women to exercise their rights and contribute to their families and communities. It does so simultaneously in both communities as well as in workplaces. The project will be creating and facilitating opportunities for women to participate in the empowerment processes through platforms that provide the space for women to voice their issues and contribute to the solutions of such. It also facilitates a more gender-transformative labor movement. The project activities combine

the needs of personal and professional lives into a single curriculum which helps to foster women's leadership comprehensively and minimizes harm and risk for participants.

The W-GDP THRIVE project combines three main expected results, which are mutually reinforcing and work together in the achievement of the program's goal. But as an Advocacy partner, BILS will be following the below-expected result.

Enhanced skills, leadership, and collective action for greater security of life and livelihoods: activities under this result are designed to facilitate women's aspirations and visions for their career and leadership development, and then provide them with the tools to achieve such both in their workplaces as well as in their communities. These activities will also include elements of community organization and creating linkages between women's groups at the community level and trade unions.

In the above-mentioned circumstances, BILS is going to develop a Training manual on "Labour law and Collective bargaining agreement" for trade union leadership in RMG in Bangladesh aiming to enhance the knowledge and capacity on labour law, collective bargaining tools and techniques, and the collective bargaining agreement. The training module will create an opportunity to establish rights and decent work in the RMG sector in Bangladesh.

Objectives:

The overall objective of the consultancy is to Develop a Training Module to facilitate training on Labour Law and collective bargaining Agreements for the Trade Union Leadership in RMG in Bangladesh.

Scope of Work:

Design and develop a comprehensive outline, and content areas to be covered by the Module. The Module shall be structured in such a way that will cover not less than the following areas-

- Short Introduction of Labour Law in Bangladesh
- Significant Clauses of Labour Law to protect the workers' rights in RMG (Appointment letter & Identity Card, Service book, Overtime, Wages, Casual Leave, Maternity leave, OHS, Social Security and Welfare, provident fund, Compensation, Retirement benefits, Equal Opportunities)
- Labour law and Collective Bargaining (Collective Bargaining Process, Fundamental Rules and Stakeholders, Collective bargaining agent)
- Collective Bargaining Agreement

Deliverables:

The consultant is expected to deliver the following under the agreed contract;

- A draft outline and list of contents of the resource for the Module
- Upon approval and finalization of the outline, a draft Module will be developed comprising contents mentioned herein before

- Upon submission of the draft Module, it will be reviewed by BILS and the comments made will be incorporated
- After the revised submission, further comments/revisions (if any) will be suggested by BILS, and the final Module will be developed after incorporating those

Competencies and Expertise Requirement:

a) The Consultant shall have very sound, profound, and comprehensive knowledge of Labour and collective bargaining agreements of Trade union leadership of RMG in Bangladesh perspectives
b) He/ She must have previous experience and expertise in working on Module development on such kind of issues
c) He/ She must have previous experience development of Module development and the consultant must have a precise legal perception of the National and international instruments regarding Workers' rights and decent work issues.

Timeline:

The Consultant shall commence the services on 13 June 2024 and will complete the task by 25 June 2024.

Mode of Payments:

Based on submitting the satisfactory completion of Module, BILS pay the total amount to the Consultant according to TOR at a time by 01 (One) account paycheck

Income Tax:

The consultant has to pay necessary income taxes as per government rules.

Proposal submission Procedure:

Interested consultants are requested to submit a short proposal to the **Executive Director, Bangladesh Institute of Labour Studies –BILS, House -20, Road-11 (new) 32(old), Dhanmondi R/A, Dhaka-1209** or through email: bils@citech.net. The consultant must submit the following documents along with the Technical & Financial Proposal:

- CV of the consultants who will undertake the assignment
- Work schedule.
- Budget

Last date of Submission:10 June 2024