



## Bangladesh Institute of Labour Studies-BILS

### Terms of Reference (ToR)

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<b>Assignment:</b>	A case study on 'Industrial Relation & Tripartism, and Identification of Social Dialogue Gaps: RMG sector in focus', and based on which developing 1) a policy brief and 2) a TU position paper
<b>Contract Type:</b>	Individual; Between BILS and the Consultant
<b>Timeframe:</b>	April, 2024 – August, 2024
<b>Location:</b>	Dhaka, Bangladesh
<b>Required languages:</b>	English and Bangla

#### Summary:

The Bangladesh Institute of Labour Studies (BILS), functioning as a project implementing partner of ILO, aims to undertake a case study on the state of industrial relations, structure and representation in the tripartism, and identification of social dialogue gaps in the RMG sector. This case study will lead by an expert or academician. The study will include participation from the BILS Youth Team and BILS Interns as members of the study team. The study team will also be responsible for developing a policy brief and a TU position paper based on the study's findings.

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#### 1. Introduction and Background

This 'Terms of Reference' details the working modalities of the task titled "**A case study on 'Industrial Relation & Tripartism, and identification of Social Dialogue Gaps: RMG sector in focus,' and based on which developing 1) a policy brief and 2) a TU position paper**". Bangladesh Institute of Labour Studies- BILS is the commissioning authority of this research. This consultancy constitutes an essential part of a project titled "**Support for Effective and Inclusive Trade Unions in Bangladesh,**" partnering between the Bangladesh Institute of Labour Studies (BILS) and The International Labour Organization (ILO). The project aims to improve trade unions' capacity through democratic and representative participation for sustainable and effective tripartite social dialogue. More specifically, the project outcome focuses on the development of inclusive and effective trade union organizations through an increased number of women and youth leaders; and improving the collective bargaining capacity of trade unions through effective social dialogues.

This study will focus on the ready-made garments sector (RMG) of Bangladesh, which plays a pivotal role in the country's economy and generates a significant number of jobs, particularly for women. This sector has witnessed several national and international initiatives in the last decade to ensure decent working conditions and the protection of core labour standards like freedom of association and collective bargaining. Evidence shows that the number of sectoral trade unions has increased quantitatively in the last ten years, and a transition in the generation of leadership has also been started already. However, concerns have been raised regarding the effective implementation of labour rights and representation of

the workers, particularly in relation to practicing sound industrial relations with functional tripartism, and utilization of the regular social dialogue for the protection and promotion of workers' rights. Particularly for trade unions, these are most prevalent in the form of a continued lack of Freedom of Association (FoA) and Collective Bargaining (CB) rights, as well as weak national and limited sectoral tripartite institutions for social dialogue. On the enterprise level, generally, low trade union density, lack of workers' voice and representation, and specifically limited labour market mobility for women and persistent pay gaps are significant challenges. These challenges are further amplified for both youth and women with limited access and participation in the labour force.

However, a previous study on the state of tripartism in the RMG sector argued that employers seek industrial stability by resolving disputes through pressure and persuasion to suppress workers' demands and interests mostly by non-institutional means. At the same time, trade unions in the recent era face new challenges and issues in the workplaces like digitization, automation, artificial intelligence, green factories, etc., which may influence the dimensions of workers' representations, tripartism and social dialogue practices in the RMG sector. Hence, the emergence of new challenges and issues in the RMG sector particularly requires stronger organization and an effective representation of the tripartite mechanism by workers affected by these changes. This representation and equal opportunity to contribute to a sustainable industrial relation in the RMG sector can rightly be addressed through a functional tripartite mechanism. Thus, a system of regular social dialogue and functional tripartism is essential to ensure active interactions among the government, workers, and employers as independent and equal partners of the industry.

Underlying this background, the position of trade unions and their challenges, needs, and demands are crucial aspects to explore to support their capacity building and active participation with a core emphasis on the youth and women. From this perspective, this research is expected to explore the current state of industrial relations and tripartism and identify social dialogue gaps in the RMG sector from a trade union perspective.

## **2. Scope and objectives**

This case study primarily intended to gain insight into the current state of industrial relations in the RMG sector of Bangladesh with a particular focus on knowing the scope and extent of workers' representation in the existing tripartite mechanism and social dialogue processes to protect and promote the interest of workers. The challenge and limitations of the trade unions in effective participation in the tripartite mechanism need to be addressed, along with the identification of the areas of interventions for the capacity building of the trade unions, focusing on the issues of youth and women's leadership.

Particularly, the scope of the study should cover but not be limited to the following issues;

- Assessing the current state of industrial relations based on the functionality of the tripartite mechanism and social dialogue processes within the RMG sector of Bangladesh.
- Identification of the gap between legal requirements and empirical practices of the existing tripartite mechanism and social dialogue processes within the RMG sector of Bangladesh
- Find out key factors that hinder and challenge the maintenance of sustainable and harmonious industrial relations in the RMG sector and identify the role of direct stakeholders in overcoming the challenges.
- Assessment of the level of representation of workers within the tripartism and social dialogue processes and identify the challenges and barriers for effective participation.
- Develop a policy brief based on the case study findings

- Develop a TU position paper on the same.

### 3. Methodology:

The lead consultant will design the appropriate methods of the study following the guidelines of social science research. Data should be collected from both primary and secondary sources. Whatever the methods adopted, the consultant may consider the following data collection methods:

**Desk Review and Content Analysis:** Systematic Review of existing literature, reports, and studies related to industrial relations, tripartism and social dialogue in the RMG sector of Bangladesh, national and international legal standards for industrial relations, tripartism and social dialogue, best practices of tripartism and social dialogue, strengthening trade unions for effective representation in the social dialogue, and capacity building of the youth and women leadership for their effective participation in the social dialogue.

**Short survey:** Short survey can be conducted with the RMG sector workers or with worker members of the RMG sector trade union.

**Focus Group Discussions:** Focus group discussions can be organized with the worker members of the RMG sector trade unions.

**Consultation/Meeting:** The Consultant can conduct a single or series of consultation/meeting with the trade union leaders who are experienced and engaged in tripartism and social dialogue mechanism in the RMG industry.

**Interviews:** In-depth interviews can be conducted with key stakeholders, including representatives from trade unions, employers' associations, government agencies, non-governmental organizations (NGOs), and international labor rights organizations working in Bangladesh.

**Stakeholders workshop:** The Consultant can conduct stakeholders workshop (as per requirement) with the trade union leaders based on the preliminary findings to finalize the recommendations and to develop the TU position paper.

### 4. Ethical Considerations:

The study will adhere to the highest ethical principles, ensuring the confidentiality and anonymity of participants. Informed consent will be obtained from all participants prior to their involvement in the study. Any personal or sensitive information collected will be handled with utmost care and discretion.

**Quality Assurance:** The research will be conducted in accordance with best practices and standards of research methodology, ensuring the reliability, validity, and rigor of the findings.

### 5. Timeline:

The total duration of the study is 5 (Five months) commencing from the date of the Contract. The consultant shall commence the services on **1 April 2024 and will complete the task by 31 August 2024.** A detailed timeline outlining the various stages of the research process will be developed and adhered to.

### 6. Deliverables:

The Consultant has to develop and deliver the following outputs;

- a. A detailed inception report with a specific timeline of the assignment.
- b. Research plan detailing data collection tools and plan of fieldwork for approval
- c. A comprehensive research report presenting the findings, analysis, and recommendations of the study will be produced.
- d. Presentation of the research findings to relevant stakeholders, including government agencies, trade unions, employers' associations, and civil society organizations, will be conducted.

- e. A policy brief and
- f. A Trade Union position paper

### **7. Budget and Payment:**

The consultant needs to prepare an operational budget detailing all costs associated with data collection, analysis, dissemination, and other expenses related to the study. BILS will pay the consultancy fee as per the organizational rules. The consultant has to pay the necessary income taxes as per government rules.

### **8. Study Team**

The consultant who will be engaged in this study shall assume leadership responsibilities throughout the research process. The research team shall include representatives from BILS's Youth & Women TU Network and BILS Interns as per following:

#### **Study Team**

Consultant/Lead Researcher	:	1
Youth & Women Trade Unionist	:	4
Academic Interns	:	4

The entire team shall actively participate in the planning and implementation phase under the supervision of the consultant/lead researcher. BILS shall select youth trade unionists and interns from its pre-existing network and intern pool.

### **9. Termination of the Contract:**

The Contract shall be terminated at the expiry of the deadlines mentioned in the Contract. However, before the expiry, BILS may extend or terminate the Contract by giving a short notice explaining the reasonable ground.

BILS may terminate the Contract under the following circumstances –

1. Work negligence/non-compliance to the agreement and scope of work of the Contract.
2. Failure to the submission of the documents within the schedule stated in the Contract.
3. Unsatisfactory Documents.

### **10. Communication:**

On all matters arising from this Contract, the consultant shall deal with 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](mailto:bils@citech.net).

### **11. Deadline for Proposal submission:**

On or before 17.30 hrs. 16 April 2024.