Terms of Reference (ToR)

Materials development for Capacity Building of Trade Union

1. Summary

This Terms of Reference outlines the scope, objectives, deliverables, timeline, budget, and other relevant details for developing materials for the Capacity Building of Trade Union.

2. Introduction

The textile and apparel sector is associated with high risks of violations of recognized human rights. Bangladesh, the second most important source of garments in Germany after China, is particularly known for worker's rights violations such as freedom of association and the right to collective bargaining, gender discrimination and violence, inadequate wages, lack of social benefits, and excessive overtime. Bangladesh Institute of Labour Studies -BILS with the support of FEMENT e.V. has been implementing a project titled "Strengthening due diligence Implementation in the textile sector in Bangladesh" to reduce these violations and improve the working conditions of RMG workers. A method called Worker-based monitoring is going to be used throughout the project.

Decent Work Check: WageIndicator Foundation has been working, since late 2007, to raise awareness on workplace rights through a unique tool, i.e., Decent Work Check. The Decent Work Check considers different work aspects, which are deemed important in attaining "decent work". The tool makes the rather abstract Conventions and legal texts tangible and measurable in practice. The Decent Work Check employs a double comparison system. It first compares national laws with international labour standards and gives a score to the national regulations. If national regulations in a country are not consistent with ILO conventions its score decreases (and vice versa). It then allows workers to compare their on-ground situation with national regulations. Workers can compare their own score with national score and see whether their working conditions are consistent with national and international labour standards. The Check is based on de jure labour provisions, as found in the labour legislation.

Worker-based monitoring: Regular surveys ***(Decent Work Check)*** of workers on the current state of working conditions (based on national labor law) are made available on a platform (website) where they are visible to all. (example- https://gajimu.com/garmen/perusahaan-garmen/factorypages/3600007130017-acryl-textile-mills).

Below is a sample of factory page -

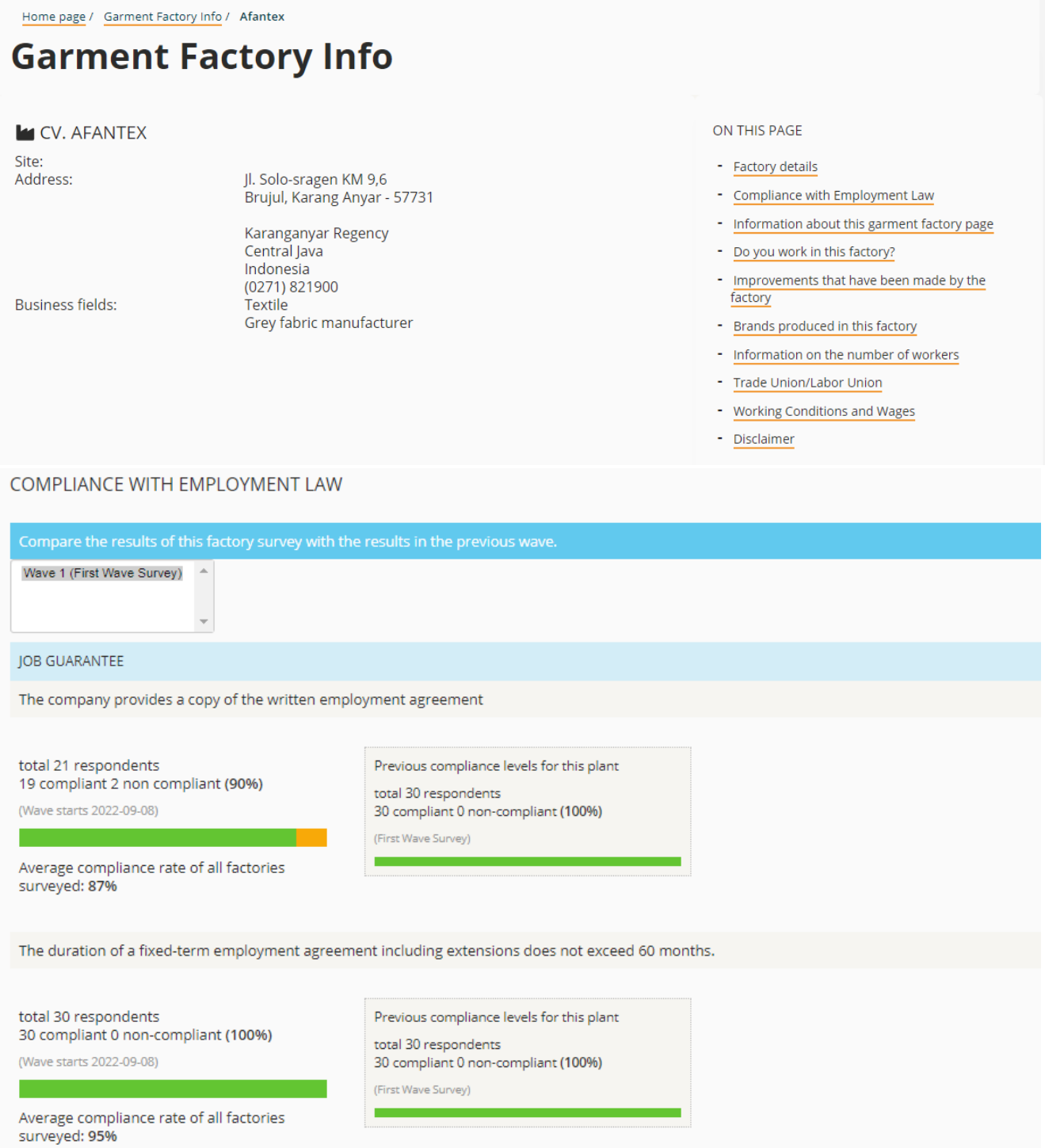

Fig: Factory Page

This data is used to establish an evidence-based dialogue between trade unions and factory management and can also be used by purchasing companies to improve their due diligence.

The first survey data will act as a baseline and the consecutive/final survey will illustrate the result of evidence-based dialogue between trade unions and factory management.

In between the baseline and final survey, trade union's capacity will be built on primarily collective bargaining and negotiation and they will be supported to negotiate with the employers. In this context, BILS seeks to develop easy-to-understand materials to be used for capacity building of trade union; more specifically for supporting the training and further dissemination (physically/virtually).

3. Objectives

The primary objective of the developed materials is to empower workers' representatives and trade unionists with the necessary knowledge and skills to effectively represent and negotiate on behalf of workers in the RMG sector. The materials should be clear, of simple language, suitable to individuals with varying levels of education and familiarity with legal and sound industrial relations concepts.

4. Target Audience

The materials will be developed for two categories of audiences-

1. Trade Unionists working in Ashulia (Sectoral)
2. Factory-level Trade Unionists/Organizers and Worker's representatives

5. Scope of Work

4.1 Contents:

The following contents will be developed as supportive materials for capacity building-

	Contents
For Trade Unionists working in Ashulia	The sectoral and federation-level trade unionists are already aware of Collective Bargaining and Negotiation. Appropriate contents for this group - • Decent Work Check • Trade Union Role and responsibility • Worker Rights in relation to the Environment • Due Diligence • Code and conduct of Buyers
Factory-level Union organizers and Factory Committee members	The Trainings will mostly target this group. The factory-level organizers are less aware of Core Labour Standards, Trade Unions, Collective Bargaining etc. issues. Appropriate contents for this group- • Decent Work Check

	• Important sections of Bangladesh Labour Law, Trade Unions, Collective Bargaining and Negotiation • Trade Union formation process and Role of Trade Union • Collective Bargaining and Negotiation • Role of participation committees according to labour law

4.2 Language and Presentation:

- Ensure the content is in easy-to-understand language.
- The contents could be presented in physical/virtual form using booklets, factsheet, videos (will be finalized after due discussion with Trade Union and BILS)
- In case of physical representation use diagrams, infographics to enhance comprehension.

6. Method of Work

The representation of the materials is flexible and formats will be finalized with discussion with Trade Union and BILS. For this purpose, the consultant will arrange workshops with Trade Union and BILS and engage experts of particular issues as appropriate.

7. Timeline

The consultant will be engaged in this task starting from September 30, 2024 till January 1, 2025.

8. Expertise Required

The consultant should have:

- Trade Union background/experience of working with trade union and worker's issues.
- Demonstrated experience in developing training materials related to labor rights and industrial relations.
- Strong understanding of the RMG sector in Bangladesh.
- Experience in developing user-friendly materials.

9. General Terms & Conditions

- The team will maintain regular communication with BILS focal point to provide updates on progress, discuss emerging issues, and seek guidance as needed.
- Any document, information or data entrusted to or produced by in connection with this assignment, shall be strictly confidential. After completion of this assignment only BILS and the partners of the project shall be eligible to use them. However, in

case of any emerging need to use it or any part of it by any academics or other users, prior informing and written endorsement from all project partners is mandatory.

- The copyright of the final product will be endowed with the BILS and other partners.
- In the event of any emerging priorities and needs, concerned authority at BILS, in consultation with all project partners, shall enjoy the authority to reschedule the operational framework of this research assignment.
- BILS 's Finance section shall follow the country's legal framework to deduct VAT & Tax as per requirements.

10. Communication and Submission of Proposals

Interested parties are requested to submit proposals to Executive Director, Bangladesh Institute of Labour Studies –BILS, Razzak Villa, 8/Ka/A, Dhaka-1209 or through email: bils@citech.net with a copy to nyesmin83@yahoo.com by **September 28, 2024.**