



Support for effective and inclusive Trade Unions in Bangladesh

Trade Union Position Paper

**INDUSTRIAL RELATIONS, SOCIAL DIALOGUE, AND TRIPARTISM
IN BANGLADESH'S READY-MADE GARMENT SECTOR:
POTENTIALS, PERILS, AND ADVOCACY POINTERS**



This position paper is developed by the trade unions with the technical support of the Bangladesh Institute of Labour Studies – BILS. This is the outcome of extensive consultations with stakeholders, including national trade union centers, labour rights support national and international organizations and other social partners. It reflects the collective insights and consensus achieved through a series of discussions.



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I INTRODUCTION

The Bangladesh Labour Act (BLA) 2006 and the Labour Rules 2015 serve as the primary legal instruments regulating employment, industrial relations, and social dialogue, the RMG sector's workforce—particularly women—remains largely unorganized and underrepresented. Trade union organizing continues to face obstacles due to the inbuilt weakness of the Labour Act, lack of institutional enforcement capacity, and employer resistance.

Existing bipartite and tripartite social dialogue mechanisms available at RMG industries¹ often serve as symbolic rather than functional institutions. Barriers include low awareness among workers, weak representation, technical skill gaps, and the dominant influence of employers and government actors. Emerging issues such as digitization, automation, AI, and green factory initiatives further influence and complicate the dimensions of workers' representations, tripartism and social dialogue practices in the RMG sector.

II INDUSTRIAL RELATIONS, SOCIAL DIALOGUE, AND TRIPARTISM: LEGAL FRAMEWORK AND PRACTICES

Legal Framework for Industrial Relations, Social Dialogue, and Tripartism

The Constitution of Bangladesh guarantees citizens the right to freedom of association. The Bangladesh Labour Act 2006 (BLA 2006) is the principal legislation covering labour issues, including trade unions, wages, working conditions, and industrial relations. This is further supported by the Bangladesh Labour Rules 2015. The EPZ Labour Act 2019 is applied in garment industries within Export Processing Zones. Additionally, Bangladesh has ratified ILO Conventions 87 and 98, reinforcing its commitment to freedom of association and collective bargaining.

Trade Union, Trade union Federation, and TU confederation

The International Human rights covenants such as UN Universal Declaration of Human Rights (UDHR).² The UN International Covenant on Civil and Political Rights (ICCPR)³ The International Covenant on Economic, Social and Cultural Rights (ICESCR)⁴ affirm the right to peaceful assembly, association, and to form and join trade unions.

ILO Convention 87 guarantees that workers without distinction whatsoever have the right to establish and join organizations of their own choice and obliges member states to ensure this right.⁵ Both ICESCR and ILO Convention 87 also recognize the workers' right to affiliate with federations and confederations.⁶ ILO Convention 98 protects workers from anti-union discrimination and promotes effective protection of their rights within employment.⁷

¹ The formal channels of bipartite social dialogue at the plant level are Workers' Participation Committee (WPC), and Safety committee outside the EPZ, and workers' welfare committee (WWC) inside EPZs. The formal tripartite channels of social dialogue outside the factories are Tripartite Consultative Council and Minimum Wage Board. Several ad-hoc based tripartite committees/forums have also been formed at different times to address various labor rights issues including labor regulations.

² United Nations, Universal Declaration of Human Rights (UDHR), Article 20(1) & 23(4), 1948, retrieved from <https://www.un.org/en/about-us/universal-declaration-of-human-rights>, retrieved on October 20, 2024.

³ United Nations, International Covenant on Civil and Political Rights (ICCPR), Article-22(1), 1966, retrieved from: <https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>, retrieved on October 20, 2024.

⁴ United nations, International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 8(1-a), 1966, retrieved from: <https://www.ohchr.org/Documents/ProfessionalInterest/cescr.pdf>, retrieved on October 20, 2024.

⁵ ILO Convention 87, Article (2, 11)

⁶ ILO Convention 87, Article (5) & ICESCR Article 8(1-b)

⁷ ILO Convention 98, Article (1-1)

Bangladesh Labour Law 2006 (BLA2006) has provided the right of every worker to form and join trade union by their own choice.⁸ The law also allows workers the right to form and join federation, and confederation.⁹ Trade union formation requires support from a minimum 20 per cent of workers employed in any establishment or group of establishments.¹⁰ BLA also provides protection to the TU members from the anti-union discrimination.¹¹ The EPZ Labour Act allows workers representation through Workers Welfare Associations.¹²

Collective Bargaining

BLA 2006 comprises several provisions 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.¹³ In the EPZ, the elected representatives of any registered Workers' Welfare Association in an industry shall be the Collective Bargaining Agent for that industry.¹⁴

Social dialogue forums: Existence, formation and representation

Participation Committee:

Under the Bangladesh Labour Act (BLA) 2006, establishments employing 50 or more workers are required to form a Participation Committee comprising representatives from both employers and workers, with worker representation not fewer than employer representation.¹⁵ Workers' representatives are to be elected, and in the absence of a trade union, they may engage in activities safeguarding workers' interests.¹⁶ However, if a trade union exists, forming a Participation Committee is not mandatory.¹⁷ In Export Processing Zones (EPZs), such committees may be established where no Workers' Welfare Association exists or if the Association is dissolved.¹⁸

Health and Safety Committee/Safety Committee: The Safety Committee serves as another platform for fostering employer-employee relations at the factory level. Establishing Safety committee with equal representation from both management and union or worker representatives is mandatory for every factory employing 50 or more workers.¹⁹

Anti-harassment Committee/Complaint Committee: Considering the verdict of the High Court in 2009 on Sexual harassment of women, girls, and children in workplaces, educational institutions, and public spaces, Bangladesh Labour Rules 2015(amended in 2022) introduced Rule 361A. The rule stipulates that, each organization must establish a Complaint Committee with at least 5 members, the majority of whom must be women, and chaired by a woman. The committee will receive complaints, conduct investigations, and provide.²⁰ The rule also requires every institution to develop its own guidelines for preventing sexual harassment in the workplace and every office must maintain a visible complaint box where victims can submit their complaints.²¹

Minimum Wage Board: As per BLA 2006, the Government is required to establish a Minimum Wage Board to set minimum wage rates for workers across various sectors. It is a legitimate tripartite social forum of government, employee and workers. The Wage Board consists of a chairperson, one independent member, a member to represent the employers and a member to represent the workers.²² The Government shall appoint the chairman and the other members of the wages board. The labour law stipulates that the minimum declared wage will be revised in every five years.²³

⁸ BLA 2006, Section 176(a)

⁹ BLA 2006, Section 176(c)

¹⁰ BLA 2006, Section 179(2 (amended 2018) & 5)

¹¹ BLA 2006, Section 195

¹² Bangladesh EPZ Labour Act 2021, Section 94(1)

¹³ BLA 2006, Section 202(1 &2)

¹⁴ Bangladesh EPZ Labour Act 2021, Section 119(1)

¹⁵ BLA 2006, Section 205(1, 2 & 3)

¹⁶ BLA 2006, Section 205(6 & 6a)

¹⁷ BLA 2006, Section 205(12)

¹⁸ Bangladesh EPZ Labour Act 2021, Section 122(1)

¹⁹ BLA 2006, Section 90A

²⁰ BLR 2015 (amended 2022) Rule 361Ka(2)

²¹ BLR 2015 (amended 2022) Rule 361Ka(3)

²² BLA 2006, Section 138

²³ BLA 2006, Section 139(6)

Tripartite Consultative Council: The ILO calls for measures to promote effective consultation at the national level between public authorities and employers' and workers' organisations, which results in adoption of Tripartite Consultation Convention, 1976 (No. 144).²⁴ Recognising the importance of tripartite social dialogue Bangladesh has ratified the ILO Convention no. 144, and established TCC following the Labour Act 2006.²⁵ TCC is the apex body for any consultation for labour and industry related issue.

Industrial Relations, Social Dialogue, and Tripartism Practices

Trade Union, Trade union Federation, and confederation

The Department of Inspection for Factories and Establishments (DIFE) reports that there are 6,354 RMG factories currently operating in the country²⁶ and the number of trade union in RMG factories is 1321. It reveals that TUs are available in 21 percent RMG industries. FGDs also reveals high absence of TUs in the factories. According to the data of LIMA, average number of members for the garment sector TU is 456.²⁷ Though in the field survey, a good number of respondents were found unaware about the number of TU in their factory and its member size. The similar picture is evident in an FGD.²⁸

About the reasons of not being member of trade union and found personal factors contribute most in the non-membership of the workers. The most common reason cited for not joining a TU is "No reason or "Not interested."

A president of a TU in an FGD said,²⁹

Absence of workers interest and unity is the main reason of not being able to form a TU.

Previous research also has identified workers' lack of interest as a key factor contributing to low levels of trade union participation.³⁰ Study on social dialogue in RMG sector finds employer unwillingness as the main barrier of trade union formation.³¹

Collective Bargaining

Collective bargaining in Bangladesh's RMG sector is extremely limited, with only 51 agreements reached so far³² and just 65 CBA elections held—only 17 of which were organized by the Department of Labour.³³ collective bargaining in this sector is mainly conducted by the garment federation. However, only 353 of the 1321 registered TUs are affiliated with garment federations.³⁴ This weak institutional framework for bargaining contributes to the prevalence of informal and often disruptive methods of worker protest, such as work stoppages and blockades. The absence of CBA is evident in workers' responses in the field survey (Table 2.2).

Table 2.2 Presence of CBA at workplace by type of factory

Presence of CBA at Workplace	Type of Factory							
	Oven		knit		Composite		Total	
	N	%	N	%	N	%	N	%
Yes	25	12	14	10	2	8	41	11 ³⁵
Don't know	95	45	61	41	9	35	165	43
No	91	43	72	49	15	58	178	46

Source: Field survey 2024

²⁴ ILO, Tripartite Consultation Convention, 1976 (NO. 144), Article 3(1 & 2)
²⁵ BLA 2006 (amended 2018), section 348A
²⁶ Labour Inspection Management Application (LIMA), DIFE, Ministry of Labour and Employment, Bangladesh, Retrieved on October 19, 2024.
²⁷ Authors' own calculation using database of LIMA, retrieved on October 21, 2024.
²⁸ FGD 3, Narayanganj
²⁹ FGD 1, Gazipur
³⁰ A. S. M. Ullah, "Explaining Low Level of Trade Unionism: The Case of RMG Sector in Bangladesh," The Indian Journal of Labour Economics (2024): 1-25.
³¹ Jakir Hossain and Afroza Akter, "Mapping Social Dialogue in Apparel: Bangladesh," Cornell University School of Industrial and Labor Relations & the Strategic Partnership for Garment Supply Chain Transformation (2021).
³² Sarah-Jane Saltmarsh, "Key lessons on collective bargaining in Bangladesh's apparel sector," C&A Foundation (2019)
³³ Department of Labour Database, <http://103.48.18.197/bn/cba>, retrieved on October 22, 2024
³⁴ Department of Labour Database, <http://103.48.18.197/bn/setsector>, retrieved on October 22, 2024.
³⁵ It should be mention here that as 50 percent of the respondents of this study were TU representatives many of them claim the presence of CBA as they have only one TU at their workplaces.

Social dialogue forums: Existence, formation and representation

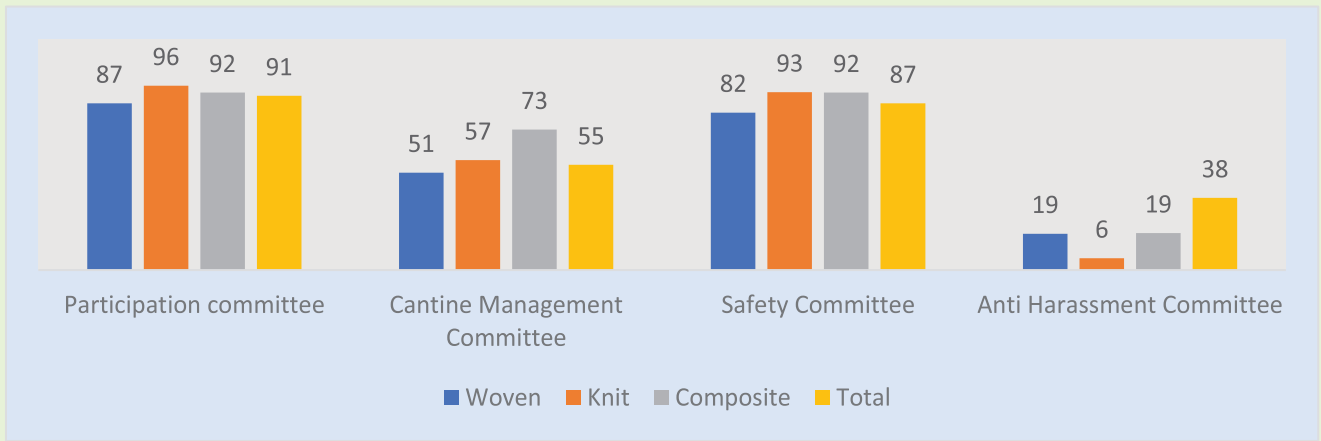
Bipartite social dialogue Forums

Presence of Bipartite Forums: Workers’ participation in workplace governance is legally supported in Bangladesh through bipartite committees such as the Participation Committee (PC), Safety Committee (SC), and Anti-Harassment Committee (AHC), which are mandatory in establishments employing 50 or more workers. However, the actual implementation remains uneven across the RMG sector—Data from DoL (September 2024) reports that 2,887 PCs in RMG factories, covering about 45 percent of the factories.³⁶ According to annual report of MoLE, GoB, the total number of SC in industrial units are 6739 among them 3819 are present in RMG factories.³⁷ The 2024 field survey shows a relatively high presence of PCs (91%) and SCs (87%) in the factories, while AHCs are less common—which exists in only 38 percent of workplaces (Chart 2.1).

In an FGDs, workers acknowledge the presence of bipartite committees in the factories. According to them,³⁸

All committees, such as the PC or SC, are formally present in the factory. It has been observed that HR or administrative staff often act as worker representatives in these committees. Although meetings are reported to be held monthly, they are largely procedural, with meeting documents prepared for buyers, and members' signatures are collected only to fulfill formalities.

Chart 2.1: Presence of bipartite social dialogue mechanism by type of factory (in percent)



Source: Field survey 2024

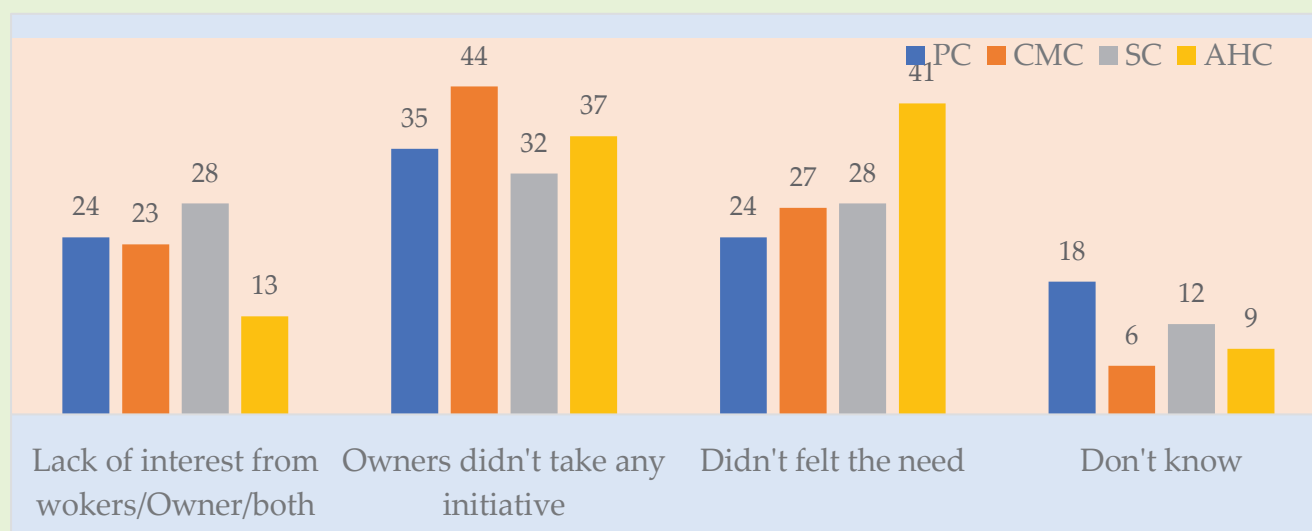
Representation in Forums: According to the Bangladesh Labour Rules (BLR) 2015, Participation Committees (PCs) must have 6 to 30 members, while Safety Committees (SCs) should include 6 to 12 members,³⁹ with worker representation equal to or exceeding that of employers. Field survey data from RMG factories show that the average PC has 11 members (8 workers, 3 employers), though some workers report the absence of any worker representatives. Canteen Management Committees typically have four members, split evenly, while SCs average six worker and three employer representatives. Despite legal mandates for female representation (10%)—based on workforce composition—workers are generally unaware of exact numbers, though over 70% confirm women are included in committees. Only 30 workers acknowledging female representation in the anti-harassment committee.

Reasons for the Absence of Committees: Worker representation in social dialogue is legally mandated through bipartite committees, yet their presence in the industrial sector—especially in RMG factories—remains limited, primarily due to owners’ lack of initiative (Chart 2.2). For Participation Committees (PCs) and

³⁶ Department of Labour, Ministry of Labour and Employment, Government of Bangladesh.
³⁷ Annual Report 2022-2023, Ministry of Labour and Employment, Government of Bangladesh
³⁸ FGD 2, Dhaka Uddyan, Dhaka
³⁹ BLR 2015, Rule 183(2) & Rule 81(2)

Canteen Management Committees (CMCs), both owner and worker disinterest, along with the perception that such committees are unnecessary, contribute to their absence. The Anti-Harassment Committee (AHC) is notably missing due to workers' own belief that it is not needed, despite widespread experiences of workplace harassment. During discussions, workers reported no complaint mechanisms in factories and expressed reluctance to report grievances due to fear of job loss, police harassment through false cases, or attacks by hired goons.

Chart 2.2 Reasons of the absence of bipartite committees



Source: Field survey 2024

Tripartite social dialogue forums

Tripartite Consultative Council: The Bangladesh Government established the 60-member National Tripartite Consultative Council (NTCC) under ILO Convention No. 144 to facilitate regular dialogue among workers, employers, and the government on national labor issues. Its key functions include advising the government on labor laws and policies, reviewing ILO standards, and monitoring sectoral progress. Additionally, a dedicated RMG Tripartite Consultative Committee (RMG-TCC) was formed on 20 April 2017 to focus specifically on industrial relations in the RMG sector, making it one of 11 tripartite committees active in the industry.

Table 2.3: Tripartite committee in RMG sector

Name of the committee	Members	Representation status
Tripartite Consultative Council (TCC)	60	20 each from government, employers, and workers organizations ⁴¹
RMG Tripartite Consultative Council (RMG-TCC)	23	9 from Government (including chairman and member secretary), 7 each from workers and employers' organizations ⁴²
Minimum Wage Board	6	1 Government representative (chairman), 1 independent member, 2 employers' representatives, and 2 workers representatives ⁴³
Monitoring Committee	9	The committee is headed by an Additional Secretary from the Labor Division, includes three labour leaders, two Supreme Court lawyers, and two representatives from employers. The Director of

⁴⁰ Jakir Hossain and Afroza Akter, "Mapping Social Dialogue in Apparel: Bangladesh," Cornell University School of Industrial and Labor Relations & the Strategic Partnership for Garment Supply Chain Transformation (2021).

⁴¹ "Terms of Reference of the National Tripartite Consultative Council, Readymade Garment Sector Tripartite Consultative Council, and the Tripartite Consultative Council's Support Unit", MoLE, Government of Bangladesh (2017), retrieved from <https://bef.org.bd/wp-content/uploads/2021/08/TCCs-Terms-of-Reference-TOR.pdf>.

⁴² Ibid

⁴³ Minimum Wage Board, Government of Bangladesh, Retrieved from <https://mwb.portal.gov.bd/site/view/notices>

		Trade Unions and Arbitration at the Department of Labour serves as the member-secretary. ⁴⁴
Crisis Management Committee	25	Led by minister for MoLE, comprised representatives from home, commerce, industry, and jute and textile ministries, law-enforcement agencies, DoL, and DIFE. Members from Bangladesh Jute Mills Corporation, Bangladesh Employers Association, BGMEA, BKMEA and Jatiya Sramik League ⁴⁵
Social Compliance Forum for RMG	31	Different ministry and department of government-15, workers organizations-4, employers' organizations-4 and from NGOs-3 and International Organizations-4
Task force on Labor Welfare in RMG	11	1 chairman, 5 from Government, 3 from Employers Organizations and 2 from Workers Organizations
Task force on Occupational Safety in RMG	14	1 chairman, 7 from Government, 4 from Employers Organizations and 2 from Workers Organizations
Compliance Monitoring Cell	38	
National Tripartite Committee for the Fire and Building Safety in RMG Sector	16	1 chairman and 5 each member from government, workers and employers
National Industrial Safety and Health Council	22	1 chairperson and 7 each from government, workers and employers' organizations

Adequacy and effectiveness of social dialogue forums

Meeting Regularity and Agenda Setting: The study underscores the importance of regular meetings and transparent agenda-setting for effective social dialogue, as mandated by the Labour Act and Rules.⁴⁶ While nearly 80% of workers in unionized factories reported management engagement with worker representatives, this figure drops significantly in non-unionized or unclear-union settings, with over one-fifth reporting no such discussions. About half of the workers indicated monthly meetings of the PC, CMC, and SC, though irregularities are more frequent in SC, AHC, and TU/CBA meetings (Table 2.4).

Meeting times are mostly decided through consultation with committee members (43%), yet in 31% of cases, management unilaterally sets the schedule. Agenda setting is primarily led by management, especially in woven and knit factories, while in composite factories, committee members play a more active role (Chart 2.3).

Table 2.4: Meeting held in different committees in the last 1 year

	Once in every month		Once in every two months		Irregular		No meetings were held		Twice or more in every month		Do not know	
	N	%	N	%	N	%	N	%	N	%	N	%
Trade Unio/CBA	107	39	33	13	85	31	4	1	4	1	43	16
Participation committee	188	54	29	8	87	25	8	2	2	1	34	10
Cantine Management Committee	100	47	24	11	57	27	4	2	2	1	23	11
Safety Committee	161	48	30	9	101	30	4	1	4	1	33	10
Anti-Harassment Committee	12	22	7	13	24	44	0	0	1	2	10	19

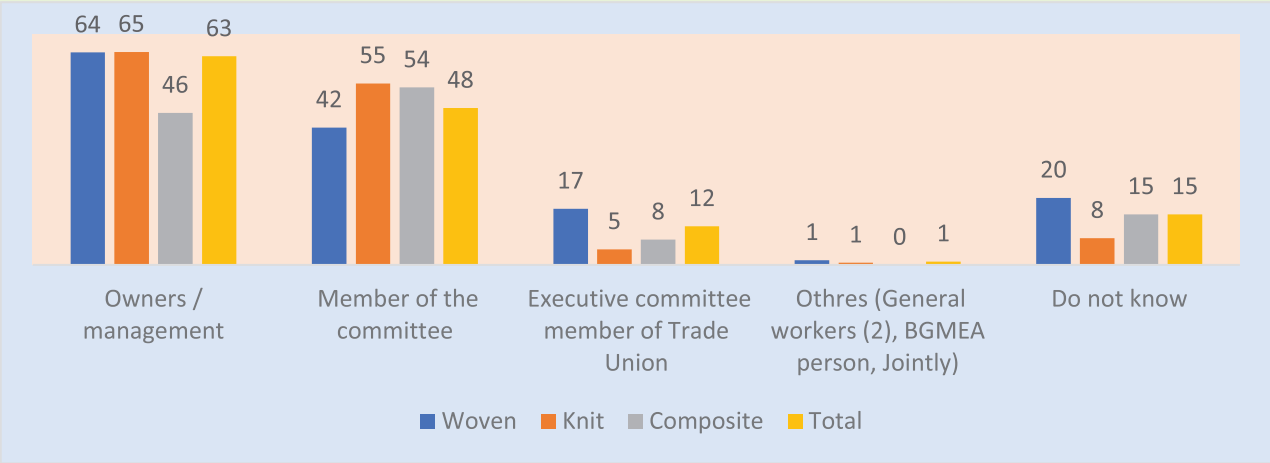
Source: Field survey 2024

⁴⁴ The Daily Star, "Committee to address labour issues formed: Adviser Asif," Published on September 11, 2024, retrieved on <https://www.thedailystar.net/news/bangladesh/rights/news/committee-address-labour-issues-formed-adviser-asif-3700481>

⁴⁵ The Financial Express, "Apparel sector crisis management core committee reorganized," June 09, 2021, retrieved from <https://thefinancialexpress.com.bd/trade/apparel-sector-crisis-management-core-committee-reorganised-1623214159>

⁴⁶ BLA 2006, Section 207(1): PC shall meet at least once in every two months to discuss and exchange views; BLR 2015, Schedule IV (3-a): Meeting of SC shall be convened at least once in every three months, in case of emergency meeting can be convened at any time

Chart 2.3 Determining the meeting agenda by type of factory (multiple response)



Source: Field survey 2024

Notably, over one-fourth of general workers are unaware of who sets the agenda, with TU members having greater knowledge about the process. Meeting agendas are usually communicated verbally (59%) rather than through written notices. Common topics discussed in meetings include wages, arrears, overtime, leave, and service benefits, though many general workers—particularly two-fifths—remain uninformed about the agenda of the last meeting.

Decision Making and Dissemination: Although legal provisions uphold workers' participation in social dialogue, the actual influence of worker representatives on decision-making at the factory level remains limited. A FGD participant says, ⁴⁷

when worker representatives raise an issue during meetings, there is usually no clear decision or timeline established for resolving the problem. The matter is simply recorded as having been discussed, and the meeting minutes are documented, with all members signing off on the proceedings.

Research findings indicate that worker concerns raised in meetings are often not addressed with clear resolutions or timelines, and meeting minutes are largely treated as procedural formalities. While 84% of workers reported receiving meeting decisions, these are mostly communicated verbally, and general workers are less informed than trade union members. In tripartite social dialogue, participation is often non-democratic, with worker representatives appointed by the government, and most meetings are held only in response to emergencies; furthermore, many general workers are unaware of who sets the dialogue agenda.

Participation in Tripartite Social Dialogue: Tripartite forums offer trade unions a platform to influence workplace-related decisions, though awareness and participation vary significantly between trade union leaders and general workers. Nearly 70% of trade union members/leaders reported involvement in tripartite dialogue, while almost half of general workers were unaware of such participation. The selection of worker representatives is often non-democratic, with government-appointed individuals lacking independence, which undermines meaningful bargaining. Additionally, tripartite meetings are irregular and usually government-initiated during emergencies, with many workers (54%) unaware of how meeting agendas are set—most (49%) believing it is determined by owners or management.

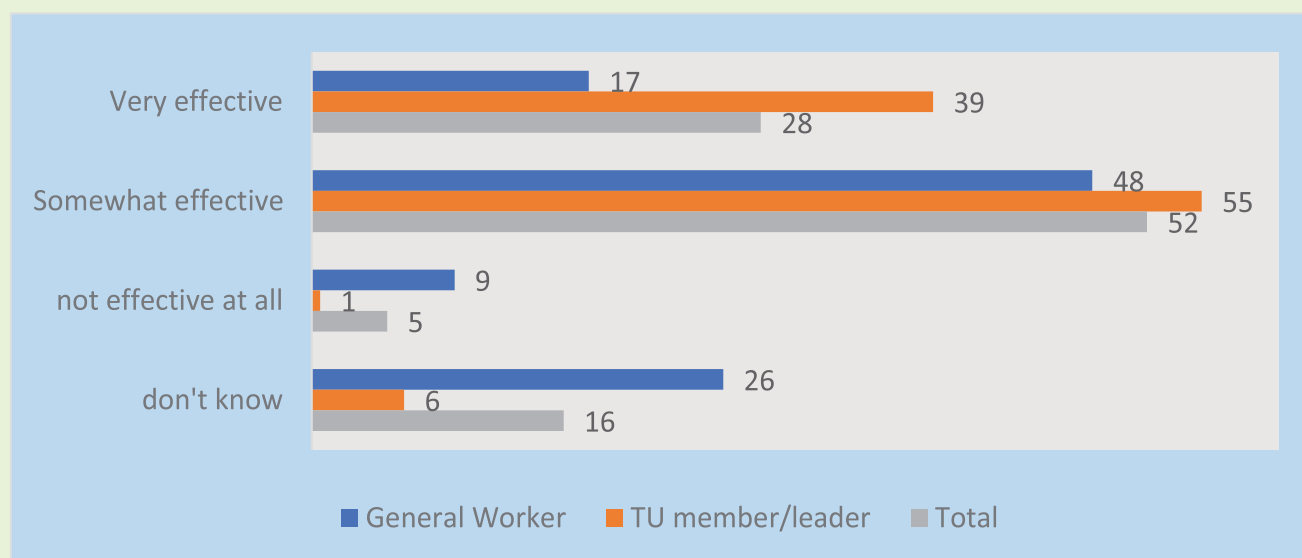
Effectiveness of Social Dialogue:

The effectiveness of social dialogue in Bangladesh's RMG sector is undermined by weak institutionalization of workers' voices and the lack of legal foundation for most tripartite forums. Worker representation is often

⁴⁷ FGD 2, Dhaka Uddyan, Dhaka

politically influenced and lacks genuine advocacy power, as seen in the Minimum Wage Board's decision that favored employers despite workers' demands. Many workers view committee discussions as only "somewhat effective," with limited follow-through on their concerns (Chart 2.4). Additionally, recommendations from participation committees remain non-binding, reducing their practical impact.

Chart 2.4 Effectiveness of the discussion issues to the workers' interest



Source: Field survey 2024

III TRADE UNIONS IN SOCIAL DIALOGUE AND TRIPARTITE MECHANISMS: SCOPE AND CHALLENGES

Scope of Trade Unions

Inclusion, Participation and Representation

Effective social dialogue relies on strong, independent, and representative workers' and employers' organizations.⁴⁸ The current study has observed the existence of workers representation in both the industry and national level bipartite and tripartite social dialogue forums, though they are mainly selected by owners (Table 3.1).

Table 3.1: Workers and Employers Representatives in Bi-partite Committees

Name of the committees	Average number of representatives	
	Workers	Employers
Participation committee	8.4	3.4
Cantine Management Committee	2.5	1.8
Safety Committee	6.2	2.6

Source: Field survey 2024

Inclusion of women and youth in the trade union is evident in the present study, though the women workers' participation in this sector has seen a decline in recent years. A study revealed that about 61percent women workers were employing in 2018 in this sector.⁴⁹ The current study reveals 79 percent women's involvement in the executive body of trade union (chart- 3.3). The youth (18 to 35 years) employment is also evident (81%) in this sector.

⁴⁸ ILO,

⁴⁹ Mostafiz Uddin, Declining female participation in RMG sector: CPD Study, *Dhaka Tribune*, 7 May, 2018.

Table-3.2 Presence of Women Representatives in the TU and Different Bipartite Committee

	Yes		No		Do not know		Total	
	N	%	N	%	N	%	N	%
Trade Union/CBA	210	76.1	2	0.7	64	23.2	276	100.0
Participation Committee	262	75.3	3	0.9	83	23.9	348	100.0
Cantine Management Committee	142	67.6	22	10.5	46	21.9	189	100.0
Safety Committee	251	75.4	19	5.7	63	18.9	333	100.0

Source: Field survey 2024

Table 3.3 Women's representation in the executive body of TUs

	Type of respondents					
	General Worker		TU member/leader		Total	
	N	%	N	%	N	%
Yes	52	61.9	166	86.5	218	79.0
No	2	2.4	17	8.9	19	6.9
Do not know	30	35.7	9	4.7	39	14.1
Total	84	100.0	192	100.0	276	100.0

Source: Field survey 2024

Legislative changes

Recent legal and policy reforms have expanded the scope for trade unions to engage more actively in social dialogue forums in Bangladesh. Amendments to the Bangladesh Labour Law (2006), particularly in 2018, reduced the minimum membership requirement for trade union registration from 30% to 20%, aligning national legislation more closely with international labor standards.

The amended Labour Rules (2015) further enhanced union representation in safety committees by mandating CBA or PC-nominated worker representatives in case of vacancies.⁵⁰ Additionally, the National Occupational Health and Safety Policy recognized trade unions as key stakeholders in raising awareness, forming safety units, and participating in OSH-related bipartite and tripartite discussions.⁵¹

Enhanced multilateral and bilateral relations

Various multilateral and bilateral initiatives have expanded opportunities for trade unions to engage in social dialogue within Bangladesh's RMG sector. Global framework agreements by IndustriALL with brands like H&M and Inditex have facilitated factory-level union formation and collective bargaining, resulting in benefits such as wage increases, bonuses, grievance mechanisms, and financial support through check-off systems. A significant initiative between the Ministry of Labour and Employment and the ILO focused on promoting workplace-level dialogue and strengthening dispute resolution mechanism.⁵² ILO has supported to union capacity-building—especially for women leaders—through training and technical assistance, in collaboration with NCCWE, IBC, IndustriALL, and ACTRAV, to foster collective bargaining and institutional development.⁵³

Rights establishment and conflict resolution

Freedom of association and trade unions (TUs) play a vital role in establishing workers' rights through both advisory and decision-making powers within bipartite and tripartite social dialogue. TUs engage in consultation, negotiation, and collective bargaining to address workplace injustices and promote fair labor practices. Over half of the surveyed workers believe TUs/CBA are effective in securing rights, although not all unions have the capacity to formally submit demands. TUs also play a key role in dispute resolution, addressing issues such as unfair labor practices, anti-union discrimination, unsafe conditions, and wage-related grievances, thus fostering a more harmonious work environment.

⁵⁰ GoB, *Bangladesh Labour Rules 2015 (amended 2022)*, Ministry of Labour and Employment, Rules 82 (1).

⁵¹ Hossain and Ahmed, *Scope and Efficacy of Recently Formed Trade Unions in Ready-Made Garments Industries*, Safety and Rights Society, Dhaka: 2018, P. 9-10.

⁵² (MOLE, Annual report 2022)

⁵³ Hossain and Ahmed, *Ibid*

Challenges faced by trade union

Legal and Organizational Barriers

Despite the recognition of freedom of association and collective bargaining as fundamental rights, Bangladesh's legal framework presents substantial challenges. The requirement of 20% workforce

support to register a trade union, risk of dissolution if membership falls, and the need for government approval hinder

union formation, particularly in large factories. Moreover, only three unions are permitted per establishment, and union membership is restricted to current employees, limiting organizational strength. Legal hurdles also extend to strike procedures, which require 51% CBA member support. Although only 12.5% of workers identified legal barriers as an issue. (Table-3.5).

Table 3.5: Workers' opinion about legal barriers to form trade union at workplace

	Type of respondents					
	General Worker		TU member/leader		Total	
	N	%	N	%	N	%
Yes	9	4.7	39	20.3	48	12.5
No	32	16.7	95	49.5	127	33.1
Lack of knowledge about the law	115	59.9	56	29.2	171	44.5
Do not know	36	18.8	2	1.0	38	9.9
Total	192	100.0	192	100.0	384	100.0

Source: Field survey 2024

Participation and Influence Barriers

Trade unions often struggle to freely exercise their rights due to workplace repression and fear of retaliation. Workers report increased workloads (55%), and fear of job loss (52%) when attempting to join unions. A participant in one of the FGDs claimed—

"If management knows that we have come here (federation office) the management will fire us and they will give us excessive targets to legalise the termination and also abuse us both physically and verbally."

Employers frequently use political, financial, and social influence to suppress union activities, and union leaders have faced harassment and violence. The absence of political will and government manipulation in selecting worker representatives further weakens effective TU participation in policy-making and social dialogue forums.

Unequal Power Relations

A deeply entrenched power imbalance between employers and workers obstructs union activities both inside and outside the workplace. Employers leverage their networks with political actors, police, and local enforcers to suppress organizing efforts. Workers and union leaders are often subject to intimidation, discrimination, and even violence, limiting their ability to advocate for labor rights and participate in social dialogue processes.

The selection of workers' representatives in tripartite forums often lacks transparency and adherence to legal provisions. Government influence frequently overrides democratic processes, with representatives appointed based on political affiliation rather than legitimacy. This undermines the credibility and effectiveness of social dialogue mechanisms.

Bargaining Challenges

Trade unions face significant limitations in collective bargaining due to weak organizational capacity, lack of communication strategies, and poor leadership. The absence of strong workplace structures, limited negotiation skills, and insufficient information access hinder meaningful participation of TUS. Despite TU involvement in dialogue during crises like the pandemic, their influence remains minimal, as evidenced by the extremely low coverage (1%) of CBAs in RMG factories.⁵⁴

⁵⁴ Humayun Kabir, Myfanwy Maple, and Syadani Riyad Fatema. "Vulnerabilities of women workers in the readymade garment sector of Bangladesh: A case study of Rana Plaza." *Journal of International Women's Studies* 19, no. 6 (2018): 232

Training and Development Challenges

Effective social dialogue requires technical competence and informed negotiation. However, most trade union leaders, especially those from factories, lack formal education and access to training. Few training opportunities are available at the workplace or externally. Although some federation-level leaders understand labor rights well, efforts to unify and empower grassroots unionists remain insufficient. The shift toward digitalization, automation, and green production presents new challenges, further complicated by the lack of technical knowledge among trade union leaders.

IV TRADE UNION'S POINTERS OF ACTION FOR HARMONIOUS INDUSTRIAL RELATIONS

Trade unions play a vital role in protecting RMG workers' rights through social dialogue, but face challenges including weak representation, limited bargaining capacity, legal constraints, and emerging issues like automation and green production. Strengthening the capacity of TUs—especially for youth and women—through education, training, and support services is essential for their effective participation in tripartite forums. This section outlines the necessary initiatives for TU capacity building and highlights the roles of various stakeholders in promoting sustainable and harmonious industrial relations in the RMG sector.

Strengthening organizational capacity

Increasing unionization is key to reinforcing trade union strength. Legal reforms should ease registration processes, reduce the required minimum membership threshold, and remove disproportionate restrictions on women's participation. Organizing young workers must also be prioritized to build a stronger, and more inclusive union.

Strengthening Institutional Capacity

Basic unions and sectoral federations need improved support systems and transparent leadership. Democratic practices within dialogue forums are crucial to sustaining sound industrial relations.

Enhancing Leadership Capacity

Strong leadership underpins effective trade unionism. Leaders must be trained in negotiation, decision-making, and gender-sensitive advocacy. Special efforts are needed to empower women leaders to better represent the needs of female workers.

Access to Relevant Knowledge and Information

Unions face significant information gaps that hinder negotiation. Accessing diverse sources, sharing experiences, and encouraging participation in training and workshops—especially for women and youth—can bridge knowledge deficits and improve union performance.

Encouraging Women and Youth Participation in Leadership Positions

Despite their strong presence in the workforce, women and youth remain underrepresented in union leadership. Establishing dedicated women and youth committees, resource allocation, and targeted policies are essential to foster inclusive and democratic trade union structures.

Strengthening Trade Union Unity

Unions must work together to develop joint strategies for organizing and engaging workers. Greater unity enhances their ability to collectively address workers' issues and negotiate with employers and government.

Awareness Building and Increasing Technological Knowledge and Capacity

Wider awareness campaigns can increase union membership and women's advocacy roles. Promoting equal opportunity and educating communities can shift societal attitudes and empower more women to participate in trade unions.

Trade unions should collaborate with expert institutions to enhance their technical skills and stay informed about digital transformation and automation in the labor market.

Improve Collaboration and Network Building

Federations must collaborate on shared worker interests and build networks with global unions, employers' associations, CSOs, and the government.

Administrative Capacity Building

Training in administration and financial management enhances trade union efficiency. Acquiring knowledge from diverse sources can improve internal coordination, strategic planning, and organizational sustainability.

To this end, it is recommended for trade unions to:

Strengthen Union Representation

Promote independent unions through awareness campaigns to ensure genuine worker representation, and prioritize education on workers' rights—especially for women.

Enhance Union Registration

Amend labor laws and rules, particularly reduce worker support requirement for union registration, to align with ILO conventions and ease the process of forming trade unions.

Improve Collective Bargaining

Facilitate regular and streamlined CBA elections to expand genuine worker representation. Strengthen collaboration between trade unions and federations to boost bargaining power and secure better agreements.

Enhance Bipartite Forums

Ensure democratic selection of worker representatives and enforce regular, agenda-driven meetings with transparent communication of outcomes to promote trust and effective participation.

Increase Transparency and Communication

Standardize internal communication using verbal, written, and digital platforms to reach all workers. Empower workers to safely express concerns via anonymous channels and regular feedback systems.

Enhance Tripartite Social Dialogue

Democratize the selection process for tripartite forum representatives to ensure authentic worker voices are heard. Schedule regular, structured meetings to proactively address labor issues.

Strengthen Dispute Resolution Mechanisms

Simplify bureaucratic processes within the Ministry of Labour to resolve disputes more swiftly. Promote mediation training for both workers and management to handle conflicts constructively.

Capacity Building

Provide targeted training for union representatives on leadership, communication, and collective bargaining to address skill gaps and improve their effectiveness in dialogue and negotiation.

Strengthen Collaboration with Broader Actors

Expand partnerships with federations, global unions, employers' associations, government agencies, civil society, and UN bodies to overcome organizing challenges and enhance union capacity.

Ensuring fair treatment and justice for workers

- Trade unions should advocate for stronger legal protections to prevent any kind of unfair treatment, harassment, or discrimination against workers because of their involvement in union activities. This includes protecting the right to organize and participate in union efforts without fear of retaliation from employers or management.
- Trade unions should push for the legal right of workers to appoint their own lawyers when facing disputes or disciplinary actions at the workplace. Having independent legal representation is essential to ensure that workers can defend their rights fairly and without bias.

- Trade unions should ensure that all workers have access to strong representation, whether or not a formal union exists in the factory. In cases where no union is present, elected worker representatives must be given equal authority to represent the interests of their fellow workers in resolving conflicts and addressing grievances.
- Trade unions should demand transparent and democratic election processes for worker representatives. These elections must be free from employer influence or interference to ensure that representatives truly reflect the will and interests of the workers.
- Trade unions should actively work to speed up the resolution of labor disputes by advocating for a maximum 60-day time limit for resolving such cases. This includes using fast-track or summary trials to avoid unnecessary delays that can harm both workers and employers.
- Trade unions should identify and campaign to fix legal loopholes in the right to strike, ensuring that workers can exercise this right without facing undue barriers or punishments. Unions should also push for clearer and fairer legal procedures surrounding industrial actions to make sure workers' voices are heard in a lawful and effective way.

Support for effective and inclusive Trade Unions in Bangladesh



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