

Terms of Reference (ToR)

Study on “Access to Remedy for Garment Workers in Bangladesh: Assessing the Effectiveness of Judicial and Non-Judicial Grievance Mechanisms and Development of Policy Briefs”

Problem Statement

The Ready-Made Garment industry is Bangladesh’s largest export-oriented industry. The industry serves as a vital economic engine, driving industrial development, export earnings, and massive employment. The RMG industry is the country’s single largest employer of women workers.

This pivotal economic role, however, contrasts sharply with the ongoing labour rights infractions experienced by its workforce. Garment workers frequently contend with wage-related disputes, unfair termination, denial of legal benefits, workplace harassment and discrimination. They also face hazardous environments leading to occupational injuries, anti-union practices, restrictions on freedom of association and collective bargaining, and other workplace grievances. Ensuring access to timely and effective remedies for such violations is essential for protecting workers' rights, promoting decent work, maintaining industrial harmony, and strengthening labour governance.

The Bangladesh Labour Act, 2006 (as amended up to 2026) provides a range of judicial and non-judicial mechanisms for addressing individual and collective labour disputes. Judicial mechanisms include Labour Courts and Labour Appellate Tribunals; however, certain cases may also escalate to the High Court Division. Non-judicial mechanisms include factory-level grievance redress mechanisms, conciliation and mediation processes, arbitration procedures, negotiations through trade unions, Alternative Dispute Resolution (ADR) processes introduced through recent amendments, interventions facilitated by employers' associations such as BGMEA and BKMEA, and various brand-based complaint and remediation mechanisms, including Fashion Checker, the Ready-Made Garment Sustainability Council (RSC) complaints mechanism, Urgent Appeal systems, and other worker complaint channels.

While these mechanisms are legally recognized and institutionally established, workers and labour rights organizations frequently report challenges in obtaining redress. Concerns often center on undue delays, inadequate enforcement of decisions, limited worker awareness, fear of retaliation, high costs, complex procedures, limited institutional capacity, and systemic barriers to justice. Consequently, many workers remain unable to secure timely and effective remedies despite the existence of formal pathways.

Access to effective remedy is a fundamental component of labour rights protection and responsible business conduct. Accordingly, international labour and human rights standards increasingly emphasize the necessity of ensuring that workers have access to effective, timely, predictable, equitable, transparent, and rights-compatible grievance and remediation mechanisms.

As Bangladesh advances toward sustainable economic development and post-LDC graduation competitiveness, strengthening access to remedy and labour justice systems is imperative to ensure

compliance with international labour standards, foster responsible business conduct, and secure ongoing market access.

Despite the growing importance of access to remedy within national and international labour governance frameworks, a significant research gap persists regarding the effectiveness, accessibility, strengths, weaknesses, and practical outcomes of the judicial and non-judicial remedy mechanisms available to garment workers in Bangladesh.

To access and analyse the gap and effectiveness of existing legal mechanisms, the Bangladesh Institute of Labour Studies - BILS, with support from the Clean Clothes Campaign (CCC), intends to undertake research under the project “Fabric of Fairness: Upholding Workers' Rights in the Garment Industry”. This project seeks to promote the full enjoyment of labour and human rights both at work and within the community, while strengthening the capacity of garment and sportswear workers to advocate for and claim these rights. To achieve this, the initiative encompasses research, capacity-building programs, paralegal support, networking opportunities, workshops, conferences, advocacy and campaigns, and the publication of evidence-based knowledge products.

The findings of this research will provide empirical evidence for policy dialogue and advocacy initiatives aimed at strengthening workers' access to effective remedies. Leveraging these insights, policy briefs will be developed to support advocacy and engagement with government agencies, employers, employers' associations, international brands, trade unions, labour rights organizations, and development partners.

Purpose of the Assignment

The purpose of this consultancy is to conduct a comprehensive assessment and analysis of judicial and non-judicial remedy mechanisms available to garment workers in Bangladesh and to develop evidence-based policy recommendations and advocacy-oriented policy briefs to strengthen workers' access to effective remedies.

Objectives of the Study

General Objective: To assess the effectiveness, accessibility, strengths, limitations, and practical outcomes of judicial and non-judicial remedy mechanisms available to garment workers in Bangladesh.

Specific Objectives:

1. To map and analyse existing judicial and non-judicial remedy mechanisms accessible to garment workers in Bangladesh.
2. To evaluate the accessibility, affordability, timeliness, transparency, and effectiveness of these mechanisms, prioritizing workers lived perspectives.
3. To examine the practical experiences of key stakeholders, including workers, trade unions, employers, legal practitioners, government officials, and labour rights organizations in engaging with these mechanisms.

4. To identify the systemic, procedural, and institutional gaps that impede workers' access to justice, while evaluating the extent to which existing mechanisms provide effective redress and protect labour rights.
5. To document good practices, lessons learned, and scalable remediation models of remediation.
6. To benchmark existing mechanisms against international standards and frameworks, such as UN Guiding Principles on Business and Human Rights, ILO standards, and OECD Due Diligence Guidance.

Scope of Work

The consultant shall:

Desk Review and Legal Analysis

- Review relevant literature, research studies, reports, and policy documents.
- Review the Bangladesh Labour Act, 2006 (Amended 2026), Bangladesh Labour Rules, 2015 (Amended 2022), ADR provisions, and other relevant legal frameworks.
- Review international standards and frameworks related to access to remedy and responsible business conduct.

Mapping of Remedy Mechanisms

- Map existing judicial and non-judicial remedy mechanisms available to garment workers.
- Identify institutional actors involved in grievance handling and dispute resolution.

Field Research

- Develop a detailed research methodology and sampling framework.
- Design and finalize data collection tools.
- Conduct field-level research in selected garment-producing areas.
- Collect quantitative and qualitative data from relevant stakeholders.

Stakeholder Consultation

- Conduct Interviews.
- Conduct Focus Group Discussions (FGDs).
- Document case studies of workers seeking remedies.
- Consult with workers, trade unions, employers, labour lawyers, labour inspectors, labour administration authorities, employers' associations, brands representatives, grievance mechanism representatives, and labour rights organizations.

Assessment and Analysis

- Assess effectiveness, accessibility, timeliness, transparency, and outcomes of various mechanisms.
- Assess alignment with international standards and effectiveness criteria under Principle 31 of the UNGPs.
- Identify systematic and procedural gaps, institutional and operational barriers to effective remedy.
- Analyse strengths, weaknesses, opportunities, and challenges of existing systems.

Policy Development

- Develop practical recommendations for strengthening access to remedy.
- Facilitate a validation workshop.
- Incorporate stakeholder feedback.
- Develop advocacy-oriented policy briefs based on study findings.

Key Research Questions

In alignment with the research objectives, this study seeks to address the following six sets of research questions:

- What are the most prevalent labor rights violations and industrial disputes faced by the RMG workers in Bangladesh? What are the existing judicial and non-judicial remedy mechanisms available to garment workers in Bangladesh? How are they structurally and legally organized? What are the workers' perceptions of these different remedial pathways?
- How do garment workers in Bangladesh experience and perceive the accessibility, affordability, timeliness, transparency, and overall effectiveness of existing judicial and non-judicial remedy mechanisms? What financial, geographical, institutional, or social barriers do workers face when attempting to file a complaint? How long do remediation processes typically take, and do workers feel adequately informed about the status of their cases? To what extent do the final settlements achieved through these mechanisms actually resolve workers' grievances and restore their rights?
- What are the distinct operational experiences, challenges, and perspectives of various institutional and grassroots stakeholders (workers, TUs, employers, legal practitioners, government officials, and labor rights organizations) when interacting with Bangladesh's labor remediation frameworks? What specific challenges do workers and TUs face when initiating, maintaining, or resolving disputes through these mechanisms? How do factory employers and government officials view their roles and responsibilities within these remediation processes? How do legal practitioners and labor rights organizations evaluate the institutional responsiveness and fairness of these mechanisms?
- To what extent do existing judicial and non-judicial remedy mechanisms secure effective redress and labor rights protections for garment workers in Bangladesh? Among different remedial mechanisms, which mechanism do workers consider the most effective, and why? What primary systemic, procedural, and institutional bottlenecks within these frameworks prevent workers from seeking justice?
- What specific operational features or strategies have proven most successful in resolving workers' grievances efficiently? What critical operational challenges or past failures offer valuable lessons for designing future remediation frameworks? To what extent can these identified best practices and promising models be structurally replicated, scaled up, or institutionalized across the wider garment industry?
- What are the key areas of convergence between Bangladesh's garment sector remediation frameworks and globally recognized international standards on access to remedy? What are

the key compliance gaps? What structural modifications are required to harmonize Bangladesh's domestic labor remediation frameworks with these international benchmarks?

Methodology

Given the scope of this study, a qualitative research paradigm is highly recommended to generate comprehensive, triangulated evidence. The consultant will propose a robust, mixed-methods research design, which may incorporate the following:

- Literature review;
- Legal and policy analysis;
- Interviews;
- Focus Group Discussions (FGDs);
- Case studies;
- Stakeholder consultations;
- Validation workshop.

The methodology must ensure comprehensive representation across the following groups:

- Women and men garment workers;
- Trade union representatives;
- Participation Committee representatives;
- Factory management;
- Employers' associations
- Labour lawyers;
- Labour inspectors and government officials;
- Labour rights organizations;
- International brands and grievance mechanism representatives (where feasible).

Expected Deliverables

Deliverable	Timeline
Inception Report including methodology, work plan, sampling framework and data collection tools.	Within 2 weeks of contract signing
Draft Research Report	Within 8 weeks
Presentation of Preliminary Findings	Within 8 weeks
Validation Workshop and Stakeholder Consultation	Within 10 weeks
Final Research Report	Within 12 weeks
Advocacy-Oriented Policy Briefs	Within 12 weeks
Final Presentation of Findings and Recommendations	Within 12 weeks

Final Research Report Should Include:

- Executive Summary;
- Background and Context;

- Methodology;
- Mapping of Remedy Mechanisms;
- Findings and Analysis;
- Comparative Assessment against International Standards;
- Case Studies;
- Conclusions;
- Policy and Legal Reform Recommendations;
- Advocacy Roadmap and Stakeholder-Specific Recommendations.

Duration of Assignment

The consultancy is expected to be completed within 12 weeks from the date of contract signing.

Qualifications and Experience

The consultant or consulting team should possess:

- Advanced degree in Labour Studies, Law, Industrial Relations, Development Studies, Social Sciences, Public Policy, or related disciplines;
- Minimum five (5) years of experience in labour rights, labour law, industrial relations, legal research, or social policy research;
- Proven experience conducting labour-sector research in Bangladesh;
- Strong understanding of Bangladesh labour law and industrial relations systems;
- Demonstrated expertise in qualitative and quantitative research methodologies
- Experience in policy analysis and policy brief development

Reporting and Coordination

- The consultant shall work under the overall supervision of BILS and maintain close coordination with the Executive Director of BILS.
- All research tools, methodologies, reports, policy briefs, and communication materials shall be reviewed and approved by BILS before proceeding to subsequent stages of the assignment.

Intellectual Property, Copyright, and Confidentiality

Ownership of Data and Intellectual Property

- All data, information, interview records, transcripts, survey datasets, research instruments, analyses, reports, policy briefs, presentations, graphics, photographs, audio recordings, and any other outputs generated under this consultancy shall remain the sole property of Bangladesh Institute of Labour Studies - BILS.
- The consultant shall transfer all intellectual property rights arising from this assignment to BILS upon completion of the consultancy and settlement of contractual obligations.

Copyright

- The copyright of all deliverables produced under this assignment shall exclusively belong to BILS.
- The consultant shall not:
 - Publish, reproduce, distribute, or disseminate any part of the research findings without prior written approval from BILS;

- Use the outputs for commercial purposes;
- Submit the work, in whole or in part, to another organization, institution, publication, or funding agency without written authorization from BILS.
- The consultant shall ensure that:
 - All deliverables are original works;
 - Proper citation and acknowledgment are provided for any secondary sources used;
 - No copyrighted material is reproduced without necessary permissions;
 - Deliverables do not infringe upon the intellectual property rights of any third party.

Confidentiality

- The consultant shall maintain strict confidentiality regarding all information collected during the study.
- Personal information and identities of workers, complainants, respondents, and stakeholders shall be protected in accordance with ethical research standards and applicable legal requirements.
- No confidential information shall be disclosed to any third party without prior written approval from BILS.

Acknowledgement

- BILS may acknowledge the contribution of the consultant in future publications and dissemination activities. However, publication, dissemination, advocacy, communication, and editorial decisions shall remain the sole responsibility of BILS.

Application Procedure

Interested consultants or consulting firms are requested to submit:

- Technical Proposal demonstrating understanding of the assignment, methodology, work plan, and timeline;
- Financial Proposal;
- Updated CV(s) of consultant(s);

The consultant is requested to submit a financial and technical proposal to BILS by June 21, 2026 (CoB). Submission should be sent through email: bils@citech.net.

For any query, please contact: Nazma Yesmin, Director, BILS, Email: nyesmin83@yahoo.com

Evaluation Criteria

Criteria	Weight (%)
Understanding of Assignment	20
Proposed Methodology and Research Design	30
Relevant Experience and Track Record	25
Qualifications of Consultant/Team	15
Financial Proposal	10
Total	100%

Application Deadline: 25 June 2026

For any further queries, please contact bils@citech.net.