

Terms of Reference – Trade union research project Bangladesh

Purpose:

The primary focus of this research will be to prove the scale and severity of the violation of ILO Conventions in the workplaces across different sectors of the Bangladeshi economy. Special focus will be placed on female workers and those in the Special Economic Zones.

The scope of research will involve both in-country documentation of workers testimony as well as a thorough analysis of the shortfalls of Bangladeshi labour law and EPZ law exposing workers to acts of anti-union discrimination, unfair labour practices and violence including matters related to minimum wage fixing and social protection for workers.

Relevance:

As part of an ITUC triggered article 26 complaint filed during the 108 ILC in June 2018, the Government of Bangladesh in consultation social partners have adopted a roadmap to address the concerns raised in the complaint.

The roadmap will among others address acts of anti-union discrimination/unfair labour practices and violence against workers including matters on wages determination and social protection.

This research will assist in assessing the current situation of workers regarding anti-union discrimination and violence, denial of the right to form or join unions and dispute settlement mechanisms as well as wage determination in order to effectively assess progress made on the roadmap and in addressing the article 26 complaint.

Any progress or not, in the implementation of the roadmap will be made to the Governing Body of the ILO. We expect a report in November 2021.

Coverage and scope of the research:

Part 1: This section is interviews with workers (10 women, 10 men with 1/3 from EPZs, shipbreaking, garment making) documenting their testimony regarding anti-union discrimination, unfair labour practices and violence including matters related to minimum wage fixing and the lack of social protection for workers. and accompanying photography of workers (where faces cannot be shown, a photo of hands can be used).

Part 2: This section will be based on case studies illustrating the effects ineffective legislation, minimum wage fixing machinery and trade union discrimination are having on workers in several economic sectors.

Part 3: This section will provide data analysis of the number, type, and situation of workers across several sectors of particular concern including shipbreaking, garment making, and the EPZs. This should include data on their access to health and safety protections, the efficacy of labour inspection, wage compliance, access to justice, and ability to take part in trade union activity.

Part 4: This section will provide legal analysis of the EPZ (amendment law) and the EPZ rules (if available) including labour inspections in the EPZ and the mechanisms for addressing workers disputes.

Part 5: This section will cover major impacts of Covid-19 on employment contracts in key sectors such as shipbreaking, garment making and EPZs.

Proposed working methods:

The FES in Bangladesh will appoint a researcher with the requisite language skills (English and Bengali) to conduct the research.

The ITUC will appoint a coordinator to coordinate with the FES Office in Bangladesh on the research. The research will be delivered to the ITUC by September 2021 under time lines indicated below.

Research questions and interview questions for worker case studies will be developed for in-country researchers in consultation with the coordinator ITUC Legal Department. (together with ITUC Economic and Social Policy and Campaigns and Communications).

Sample Questions:

- Are workers able to freely form trade unions and carry out activities without fear of retaliation?
- What are the practical obstacles to the exercise of the right to freedom of association?
- What obstacles are specific to women, in particular in special economic zones?
- Are effective labour inspections carried out?
- How is the independence of the labour inspectorate safeguarded in practice and where are the deficiencies?
- Do workers have access to the justice system where they are facing violations? What are the obstacles?
- What are the conditions of work (hours, wages, social security, maternity protection)?

Key Dates

Month	Action Items	Key Dates
June	Make contact with FES Bangladesh with the ToR. Reach out to lead researcher candidates.	
July	FES Appoint Researcher to commence research by 1 August 2021.	
August	Project under way. 20 days of commissioned work	
September	Project to be delivered by end of month.	
November	Use research to assess implementation of roadmap and concerns in article 26 complaint and report to the ILO Governing Body meeting to convene. Research findings to be presented.	343rd Session of the Governing Body Geneva 1-11 November (to be confirmed) Workers' symposium 17-19 November

Submission of the Application

- Interested researcher/s (individual/organisation) shall respond to the Terms of Reference (ToR) and demonstrate that they are qualified to perform the services;
- Researcher/s shall submit technical and financial proposal along with a CV/s and a copy of TIN and VAT after short listing;



Budget

The amount envisaged in €10.000.00.

Contact Information

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