

# Promoting Labor Rights in Bangladesh

The Asia Foundation supports Bangladeshi workers to know and understand their rights, fosters more effective representation of workers, and helps connect workers to legal aid.



The Asia Foundation is committed to work inclusively with workers, owners, labor unions, and government to increase awareness and implementation of the Bangladesh Labor Act, enhance conditions for workers through advocacy and collective bargaining, and ensure access to legal assistance, including alternative dispute resolution (ADR).

## SUPPORTING WORKERS' REPRESENTATION IN THE TEA SECTOR

Bangladesh is the tenth largest producer of tea in the world with 172 tea gardens. The country's more than 140,000 tea workers, 75 percent of whom are women, are among the most marginalized groups in the country, virtually isolated within the tea estates. The Bangladesh Cha Sramik Union (BCSU) is the only labor union representing these workers, but low capacity and political and financial constraints have hindered its ability to effectively represent its members. To overcome these challenges, The Asia Foundation is working to increase understanding about labor rights and responsibilities among the BCSU, workers, tea garden owners, and government representatives through training and other awareness-raising forums.

The Foundation is providing technical support to BCSU leaders on financial management with the

aim of increasing the effectiveness of BCSU utilization of membership dues, as well as communications with its members and others about its activities. For the first time, the Foundation successfully brought BCSU leaders, the Bangladesh Tea Association, which represents tea garden owners, officials from the Labor and Commerce Ministries, and experts together around one discussion table to discuss workplace issues in a moderated session intended to reduce barriers between these groups. Through a series of workshops, the Foundation has increased awareness about the labor law, elevating workers' confidence in protecting their rights. The Foundation's inclusive approach has begun to shift workers' and owners' perceptions of each other's actions and contributions in the tea sector. The Foundation is currently exploring the feasibility of establishing a common platform for workers and owners in order to raise tea workers' collective bargaining capacity and effectiveness and reduce further workers' disputes.

## INCREASING AWARENESS OF LABOR RIGHTS AND ACCESS TO LEGAL AID

Since the 1980s, Bangladesh's readymade garments (RMG) industry has become the most significant catalyst for the country's economic development, now generating more than 80 percent of the coun-



### LABOR RIGHTS

Since 1954, The Asia Foundation has been working in Bangladesh to bring together government, the private sector, and civil society groups to address critical issues.

Through an integrated approach informed by local context and voices, we address critical issues of governance and law, economic development, women's empowerment, environment, and regional cooperation.

try's export income and employing more than four million, a majority of whom are women, in more than 5,000 garment factories. Unfortunately, lack of understanding about labor rights and awareness about legal aid support have left many RMG workers vulnerable to mistreatment and unfavorable working conditions and at risk of being unemployed. Despite local and international pressure and assistance to improve working conditions and environmental standards and to strengthen awareness about and compliance with labor regulations, progress has been slow, even in the wake of deadly factory disasters in 2012 and 2013.

The Asia Foundation has partnered with the Bangladesh Legal Aid Services Trust (BLAST) to build awareness among RMG workers about their rights, how to access legal aid, and workplace conflict resolution methods. Under this initiative, the Foundation is bringing RMG workers together with civil society groups, trade unions, factory owners, and lawyers to discuss critical issues facing workers, including the role of employers and employees. The initiative is helping to identify challenges and formulate practical solutions to improve workers' access to legal services, while improving coordination among lawyers, trade unions, and civil society activists.

Morjina Begum, working for same garment factory for more than 5 years, was not aware of her legal rights, benefits entitlements, or work hour limits and overtime rules. Out of fear of losing her job, she accepted what her owner offered, and she was often not paid for working extra hours. After attending an awareness session on May 27, 2016, Morjina expressed her gratitude for the information and outreach materials shared during the session, "I am more confident to know and talk about my rights with my owner. Now I will talk if I am deprived from my rights."

## PROMOTING MEDIATION FOR DISPUTE RESOLUTION

To avoid and resolve disputes between employers and workers, The Asia Foundation is playing a vital role in fostering relationships with RMG factory owners and management to increase understanding about mediation and alternative dispute resolution by strengthening relationships with lawyers and trade union activists and alliances with NGOs to

improve service delivery and advocacy. Meetings organized by the Foundation are also addressing challenges in building better relationships among workers and supervisors, who act as a bridge between employers and workers. As a result of this intervention, both workers and employers are leaning toward such effective dispute resolution as it provides benefits to both parties without any unexpected occurrence.

### Making Voices Heard Through Mediation and Alternative Dispute Resolution

Ms. Y, age 63, from Faridpur district, had been working as a Welfare Officer at a readymade garment factory named Nidol Works Ltd. in Dhaka from January 2006 to May 2015. On May 2015, she submitted her resignation on the grounds of family problems (following the death of her only son and illness of her husband). The factory authority accepted her resignation but refused to pay and ousted her from the factory when she went to claim her arrears of wages. Before she resigned, she heard about the Foundation's initiative to strengthen legal support for RMG workers, which accelerated her decision to seek legal services from BLAST. In July 2015, BLAST sent a letter to the managing director and factory manager suggesting mediation to resolve the dispute. The factory agreed to mediation, and ultimately offered a settlement of TK.144,900 (USD 1,823) in arrears of wages and service benefits.

## PROMOTING WOMEN'S ECONOMIC LEGAL RIGHTS

From 1997 to 2001, The Asia Foundation advanced the rights of women workers to equitable wages and safe working conditions through public interest litigation, legal aid, and other support services, combined with advocacy campaigns targeting law and policy makers, employers, and associations of women workers. The Foundation facilitated legal assistance to women workers, with 444 successful court cases, and negotiations with employers for payment of regular salaries and benefit. Through this initiative, the Foundation helped to unite women workers into associations to claim their rights from employers and contractors in order to improve their working conditions.

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*The Asia Foundation is a nonprofit international development organization committed to improving lives across a dynamic and developing Asia. Headquartered in San Francisco, The Asia Foundation works through a network of offices in 18 Asian countries and in Washington, DC. Working with public and private partners, the Foundation receives funding from a diverse group of bilateral and multilateral development agencies, foundations, corporations,*



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