



Center for Migration Studies (CMS)

Policy Brief 6



Challenges in Protecting the Rights of Workers in Bangladesh

Background

Bangladesh is a small country in South Asia with a huge population of around 170 million. It has tried to rely on its large population for economic development. A large proportion of this population is young. *The Labour Force Survey 2022* indicates that the youth labour force, aged between 15 and 29 years, stands at 26.82 million, or 36.53% of the total labour force, which is 73.41 million, with increasing female labour force participation rates over the years (BBS, 2023). This data indicates that Bangladesh has an unprecedented upsurge of young people in its demography. However, a higher unemployment rate among young people is still a big concern. Many challenges, i.e., inadequate resources, poor-quality education, and substandard vocational and technical training, create obstacles for young people to get employment.

Moreover, many working people in Bangladesh predominantly work in the informal sector, particularly in rural areas. Informal employment is prevalent among the young workers. Usually, people who work in the informal sectors are not registered under specific national legislation. Their working life is marked by instability and insecurity as they lack employment benefits and labour protection. These workers' working lives are marked by various forms of precariousness.

The ready-made garments (RMG) sector is one of the most significant industries in Bangladesh, providing employment for over four million workers (BGMEA, 2020). It has become the primary export-earning sector of Bangladesh. Despite the significant success, the working conditions of the workers in this sector have remained a crucial matter of concern for foreign buyers, international organizations, and labour rights activists.

In addition, migrant workers working abroad have become another primary source of remittance causing the booming economic development for Bangladesh. From 1976 to 2023, more than 16 million Bangladeshi workers migrated overseas, particularly to the Gulf region, Europe, and East Asian countries (BMET, n.d.). These migrant workers face many challenges due to poor working conditions in their destination countries. Additionally, there are many critical issues in protecting their rights abroad.

This policy brief is based on a roundtable discussion titled “*Labour Laws and Challenges in Protecting the Rights of Workers in Bangladesh*” organized by the Center for Migration Studies (CMS) of the South Asian Institute of Policy and Governance (SIPG) at North South University on 30 April 2024. The roundtable drew notable attendance from government officials, employers' associations, labour rights activists, trade unions, and academic researchers who rigorously discussed the effectiveness of labour laws in protecting worker rights in Bangladesh.

Key Challenges in Protecting the Rights of Workers in Bangladesh

Worker rights and labour protection have long been an important agenda for academic researchers, policymakers, practitioners, and other stakeholders in the fields of labour rights. While the workers suffer many challenges in their working lives, the protection of labour rights requires consolidated efforts from employers, trade unions, and policymakers. The following sections outline the major challenges in protecting the rights of workers in Bangladesh.

Challenges for Employers

One of the main challenges for Bangladeshi workers at home is the need for standardized rules and regulations for workers who work in the informal sector. Although around 85% of the total labour force work in the informal sector (BBS, 2023), these workers do not have any job security or employment benefits such as pension schemes, health insurance, and legal protection under the labour laws of Bangladesh, as the informal sector employment is not covered by labour laws. Moreover, workers in the informal sector do not have a platform to bargain with their employer or seek redressal in case of grievance.

sector workers in Bangladesh are, therefore, vulnerable because of the lack of wage structure and legal protection.

The wage structure in Bangladesh does not align with the international standard. Workers in the country live a miserable life due to poor wages. In fact, the major challenge for workers is the absence of a proper wage structure in Bangladesh. The wage rate is still very low. Also, there is no legal minimum wage for workers. This has created a significant income gap across different sectors of the job market.

“The existing wage structure in the country is below the living wage; there is no wage structure for people working in the informal sector, and even many qualified professionals, including doctors and executives in multinationals, struggle to make a decent living.”

Mr. Syed Sultan Ahmed

Executive Director

Bangladesh Institute of Labour Studies (BILS)

Challenges for Workers

“One of the primary challenges we face is the lack of trust. The relationship between workers and employers should be built on solid trust.”

Mr. Fazlee Shamim Ehsan

Vice President

Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA)

There is no specific definition of “worker” in the existing labour law in Bangladesh. Various definitional ambiguities create confusion and, thus, vulnerability among workers regarding their job security. Due to the lack of proper definition, employers often fail to provide the workers with legal benefits. Also, most policies and laws in Bangladesh regarding worker rights are focused on one specific sector, i.e., the RMG sector. Therefore, policy mismanagement in resource allocation often inhibits other potential industries to flourish.

Without ensuring a solid trust relationship between workers and employers, it would be impossible to innovate the most practical measures for worker rights protection. In Bangladesh, the worker-employer relationships have predominantly been focused on wages only.

Skill-specific wage structure is, therefore, a crying need. The linkage between industry and academia is also crucial for ensuring qualification-based job placement for graduates.

As Bangladesh is expected to graduate from its Least Developed Country (LDC) status in 2026, it will gradually lose all of its free and preferential trade benefits that are currently being enjoyed by the country. The cost of production is expected to increase for the employers at that time. It is, therefore, crucial to ensure worker rights by balancing the demands of the workers and employers.

In addition, child labour is a serious matter of concern for Bangladesh. Many employers still recruit underaged workers and keep them cheap, flexible, and unprotected. Many child workers are involved in hazardous employment in Bangladesh. Without eliminating all forms of child labour, Bangladesh will face difficulty in retaining its development in a sustainable manner.

Challenges for Trade Unions

“If there are restrictions in the Export Processing Zone (EPZ) law, the workers can form a Welfare Association rather than a trade union. So far, there has been no collective bargaining agreement which has made the workers unable to exercise their rights.”

Mr. AKM Nasim

Country Program Director
Solidarity Center, Bangladesh Office

“As Bangladesh graduates as an LDC, Bangladesh will gradually lose all the free and preferential trade benefits and must compete alongside all the best countries. Then, the crucial issues will be labour rights diligence, labour governance, and labour administrative system.”

Mr. Mohammad Nazmul Avi Hossain

Senior Program Officer
International Labour Organization (ILO)
Country Office, Bangladesh

The role of trade unions in ensuring the welfare of workers is essential. However, the definitional ambiguities in the labour law of Bangladesh make the functions of trade unions very challenging. As a result, despite being in the formal sector, many workers are being deprived of their legal rights and protections. Workers in Bangladesh find it difficult to exercise their rights by forming trade unions. Even in Export Processing Zones (EPZ), unionism is strictly prohibited. In many situations, social dialogue is preferred over trade unions. In the absence of such opportunities, workers' collective bargaining power is substantially suppressed in Bangladesh. In order to ensure the social protection of workers, unionism should be allowed in all sectors irrespective of their size, status, and location.

Policy Recommendations

Globally, the rights of workers have become a very critical issue. Political leaders have advocated for implementing labour laws to protect workers' rights at home and abroad. Influential political leaders from developed countries along with international organizations are continuously emphasizing protecting worker rights and creating better working conditions for all workers. As Bangladesh will soon develop from the LDC status, policymakers in Bangladesh must ensure effective policy measures to protect the rights of Bangladeshi workers in all sectors.

- Approximately 85% of workers in the informal sector are denied the rights outlined in the Bangladesh Labour Law, with no legal protections against workplace exploitation. Protecting their rights through employment benefits and job protection is crucial for fostering overall economic growth. Furthermore, it is essential to ensure equal social protection for all workers, regardless of their formal and informal status. Policymakers must ensure appropriate policy measures in these areas. Relevant stakeholders should prioritize the welfare of labourers across various sectors instead of solely focusing only on one sector.

- To safeguard workers' rights in Bangladesh, it is crucial to establish universal labour laws and standardized wage systems. When introducing these wage structures, it is important to consider the specific characteristics of different sectors, considering the capacity and productivity of the workers. To address wage disparity in formal and informal sectors, a national minimum wage that aligns with international standards must be implemented. This measure will benefit not only the workers but also contribute to stable economic productivity in Bangladesh.
- Policymakers and stakeholders must come together through a meaningful dialogue to amend the existing version of Bangladesh Labour Law. In particular, the issues related to freedom of association must be addressed. Failure to tackle this issue could result in losing international trade opportunities, especially in the European Union, and North American countries.
- In many cases, the ambiguities in the definition of “worker” are depriving the workers of practicing their rights and responsibilities and receiving benefits and protection at their workplaces. A realistic as well as coherent definition of “worker” must be incorporated into the Bangladesh Labour Law to ensure effective labour management practices in all sectors.

‘The current Bangladesh government is committed to working diligently with labour organizations, trade unions, international development partners, and developed countries as it aims to improve and sustain labour rights in Bangladesh.’

Mr. Mohammad Hossain Sarkar

Joint Secretary (Export Section)

Ministry of Labour and Employment (MoLE)

Government of the People's Republic of Bangladesh

- To ensure the freedom of association for all workers, including those who work in the Export Processing Zones (EPZs), collective bargaining mechanisms should be strengthened in all sectors.
- Due to the prevalence of child labour, a large number of children in Bangladesh are deprived of primary education. In order to achieve the targets of the Sustainable Development Goals by 2025, it is crucial to eliminate all forms of child labour in Bangladesh. Considering the time constraint, reducing the number of child workers should be the primary focus for the policymakers.
- Adequate inspection and monitoring of labour conditions must be ensured by the regulatory authorities.
- In order to meet the demands of the workers as well as the expectations of the employers, meaningful bi-lateral dialogues should be organized on a regular basis.

Conclusion

Protecting the rights of workers is crucial for maintaining the sustainable growth rate of Bangladesh. The dominance of the informal sector, lack of a standardized wage system, and definitional ambiguities of labour laws often create a barrier to ensuring decent working conditions for all. As Bangladesh continues its economic development for the future, it is essential to prioritize the rights of all workers, both formal and informal, and find ways to tackle the existing challenges. In doing this, Bangladesh immediately needs to comply with all international labour protocols. In the end, further research needs to be conducted to understand the existing gaps and find ways to overcome the challenges in protecting worker rights.

References

- Bangladesh Bureau of Statistics (BBS). (2023). *Labour Force Survey 2022*. Retrieved June 02, 2024 from https://bbs.portal.gov.bd/sites/default/files/files/bbs.portal.gov.bd/page/b343a8b4_956b45ca_872f_4cf9b2f1a6e0/2023-10-25-07-38-4304abd7a3f3d8799fbc59ff91007b1.pdf
- Bureau of Manpower, Employment and Training (BMET). (n.d.). *Overseas Employment and Remittances (Country wise—Yearly) From 1976-2023*. Retrieved June 02, 2024, from <https://old.bmet.gov.bd/BMET/viewStatReport.action?reportnumber=16>
- BGMEA. (2020). *BGMEA Sustainability Report 2020*. Bangladesh Garment Manufacturers and Exporters Association. Retrieved June 03, 2024 from <https://download.bgmea.com.bd/BGMEA%20Sustainability%20Report%202020.pdf>

This Policy Brief is prepared by

Dr. Selim Reza

Associate Professor, Department of Political Science & Sociology (PSS) &
Coordinator, CMS, NSU

Email: reza.selim@northsouth.edu

K. M. Noor-E-Zannat Nadi

Research Associate, South Asian Institute of Policy and Governance (SIPG) &
Member, CMS, NSU

Email: noor.nadi@northsouth.edu

Design and layout by

Mahmud Bin Morshad

Research Associate, South Asian Institute of Policy and Governance (SIPG) &
Member, CMS, NSU

Email: mahmud.morshed@northsouth.edu



SIPG



Contact us

Center for Migration Studies (CMS)

South Asian Institute of Policy and Governance (SIPG)

CMS Office-Room 1076, Level 10, North Academic Building (NAC)

North South University

Plot-15, Block- B, Bashundhara, Dhaka-1229, Bangladesh

E-mail: cms@northsouth.edu

Phone: +88-02-55668200 ext. 2164, 6851

Follow CMS: [Facebook](#) • [Twitter](#) • [YouTube](#) • [LinkedIn](#)

Website: <http://www.northsouth.edu/sipg/cms.html>