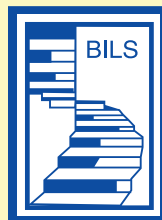


Impact of the COVID-19 on the **LABOUR** Market

Policy Proposal for Trade Union on
Employment, Gender and
Social Security for
Sustainable Recovery

Khondaker Golam Moazzem
Taslima Taznur



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1. Introduction and Objectives

After the profound impact of the COVID-19 pandemic on the global economy, particularly on the world of work during the first half of 2020, a major part of the global economy since then has been struggling for rebounding and recovery.¹ The key stakeholders in the labour market - most importantly, trade unions of different countries have been playing an active role throughout the crisis period, particularly addressing the challenges of the labour market and those of the workers (ILO, 2021). The most vulnerable among the workers were regular, temporary or casual workers, self-employed and small entrepreneurs of different sectors, including Micro Small and Medium sized Enterprises (MSMEs), construction, road, commerce, tourism, and other informal sectors (ILO, 2021).² Bangladesh being a labour-abundant Least Developed Country (LDC), confronted the adversity to a large extent (ADB, 2020). With a GDP growth rate of 5.2 per cent per cent in FY2020 (official estimates)³, an estimated 11 million job loss was estimated during the early phase of the first wave (April-May 2020), which has not fully recovered in the following period. Even the recovery would be further delayed due to the late attack (from March 2021) of the second wave of the COVID in the country.

The public policies and employers' actions in dealing with challenges concerning the world of work and workers have been largely influenced by the active participation of the trade unions. According to ILO, (2021), 108 out of 133 countries have used social dialogues as a key instrument to address the concerns of workers. Trade unions have been involved in tripartite and bipartite dialogues, bilateral negotiations and protesting violations against workers' rights and trade union rights.⁴ Like other countries, trade unions in Bangladesh have played an active role both in humanitarian issues and workers' rights issues during this crisis period. A detailed review of their activities would help understand the nature and extent of their engagement, their capacities in influencing national and international policies and employers' activities, as well as the gaps in activities where further engagement is expected in the future.

Trade unions in Bangladesh need to revisit their activities and engagements during the pandemic period and take lessons from trade unions' activities in other countries to identify the areas of future engagement during the process of sustainable recovery.⁵ Based on that review, a detailed policy

¹ The global job loss is accounted for 71 per cent (ILO, 2021) where female workers job are 1.8 times more vulnerable compared with a male worker (McKinsey & Company, 2020). The decline in global GDP by 4.4 per cent in 2020 has caused a decline of global labour income by 8.3 per cent.

² Among them, women, young people, migrant workers and people with disabilities were disproportionately impacted mainly because of not having employment opportunities, social protection and for exclusion from social support measures (ILO, 2021).

³ According to the estimates of GDP growth of different national and international organizations for FY2020, the rates were much lower- 1.5 per cent was estimated by the World Bank, 2.5 per cent by the CPD, 3.6 per cent by the IMF. However, the estimates of ADB provided a better scenario – 7.7 per cent in FY2020.

⁴ Key areas where global trade unions have made important contribution includes health care, income protection, sickness benefits, old age, survivors and disability benefits, family leave and care benefits, social assistance, provision of in-kind benefits, temporary flexible working arrangements, dispute resolution, financial support to enterprises, strengthening of existing national OSH legislation, enactment of OSH protocols, monitoring of compliance with OSH regulations and ensuring safety and health at workplace.

⁵ The review exercise has been undertaken based on the analysis of secondary data and information on the world of work and workers, information collected through two FGDs with trade union representatives, a number of KIIs with representatives of employers' association, trade union representatives and workers and debriefing session with an ILO representative.

proposal for trade union would be formulated with a special focus on employment, social security and gender-related issues. Such a policy proposal will consider the long-term policies and strategies, including Eighth Financial Year Plan, national jobs strategy and national social security strategy, etc.

2. COVID-affected Sectors and Worker-groups and Public Policy Responses Targeting Workers

2.1 Vulnerabilities against Workers and Presence of Trade Unions

Being the highest densely populated country in the world (1,265/sq. km.) with a large pool of labour force (63.5 million in FY2017), the risks of contamination and casualties of the covid virus among the workers are likely to be high⁶. Yet, the average rate of infection (almost 1,600 per day)⁷ and the casualties (almost 24 per day) in Bangladesh is relatively low, which reduced the workers' health hazards. However, the workers could not avoid the consequences of economic vulnerabilities – both formal and informal sector workers. The majority of the employment is informal in nature – 85.1 per cent are informal employment where the share of the male is 82.1 per cent, and that of the female share is 91.8 per cent. These informal sector workers have almost no protection against lay-off, retrenchment, reduction in wages and no social safety nets.

Trade unions are likely to play a crucial role in addressing workers' concerns. Unfortunately, the majority of workers are not unionised – only 4.2 per cent of the total labour force are active trade union members. Trade union activities are observed in few sectors, including transport (35.2 per cent of total workers involved in trade union-related activities), RMG (11.6 per cent), construction (6.9 per cent) and jute (4.6 per cent). During the covid pandemic, trade union activities are largely reflected in these sectors, mainly through basic trade unions and federations.⁸ Such a segmented form of trade union activities was unable to address the concerns of workers who are mostly un-unionised.

The profound impact of the covid pandemic in the world of work of Bangladesh was the loss of jobs (Table 1). The high level of job loss occurred during the immediate period when the estimated job loss between 11.1 million to 20.5 million.⁹ According to that estimates of the Access to Information (a2i), the official agency, the overall job loss was the highest during the immediate pandemic period (March-June 2020) with a loss of 20 million jobs which would gradually decline in the following periods – 2.8 million in August 2020, 2.74 million jobs at the end of 2020 and 2.5 million at the end of 2021. The highest amount of job loss would be in the SMEs and informal sector till the end of 2021 – this indicates a slower recovery in terms of creating jobs. According to Islam (2020), the loss of jobs was over 3 per

⁶ According to the labour Force survey 2016-17, Bangladesh comprises 63.5 million labour force of which 43 million are male (67.7 per cent) and 20 million are female (31.5 per cent) workers. Majority of these labour force are based in rural areas (71.9 per cent). About 60.8 million are employed labour force; of which, 40.6 per cent in agriculture, 20.4 per cent in industry and 39.0 per cent in service-related activities. Youth labour force who are within the age group of 15-24 years comprises 11.0 million (17.3 per cent) of total labour force.

⁷ As of 3 April 2021

⁸ There are as many as 8551 trade unions, most of which are basic trade unions (DoL, 2021).

⁹ The a2i, an official agency provided estimates of job loss of 20.2 million based on the discussion with the concerned stakeholders. Islam, (2020) on the other hand estimated a job loss of 11.1 million during April-May 2020 based on the LFS 2017.

cent of the total labour force, where the loss was higher for the service sector, followed by the manufacturing sector. The urban informal economy lost 6.78 per cent of jobs. In the case of overseas employment, the loss of jobs estimated in the form of returnee migrants were 0.4 million during March-September 2020. According to the Asia Foundation (2021) women-led enterprises were more vulnerable during the crisis period, which forced them to laid-off of workers more – about 50 per cent of enterprises have reported laying off 76-100 per cent of their workers.

Table 1: Job Loss in Different Sectors at Different Phases of the COVID-19 Pandemic (mil. jobs)

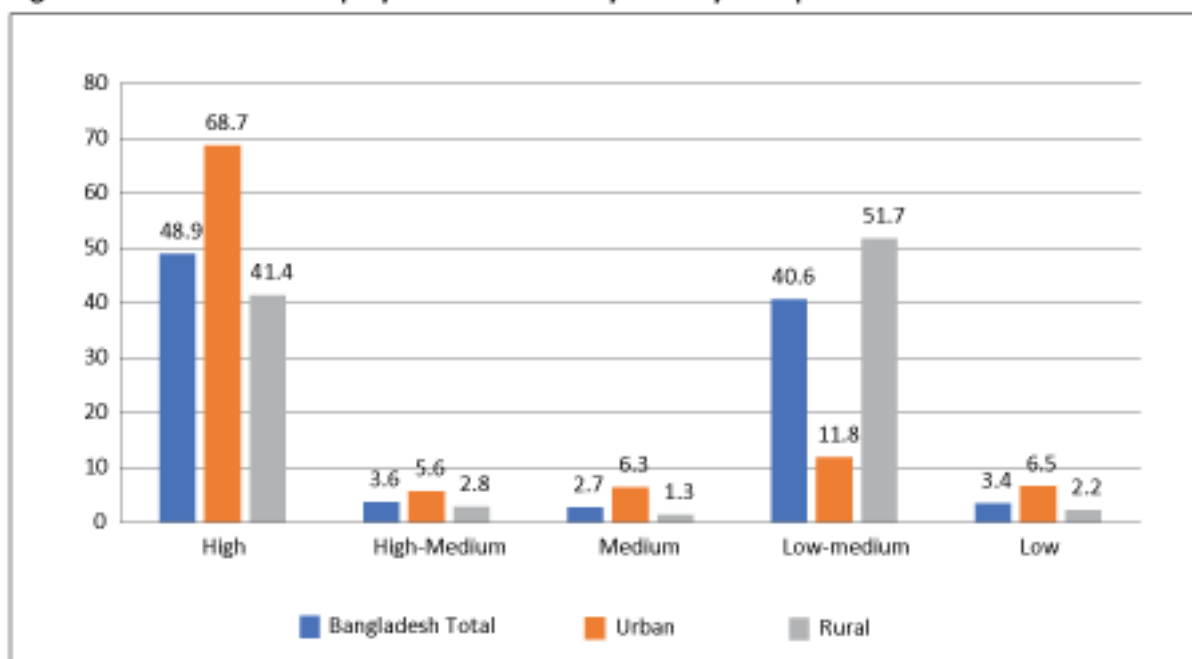
Sector	March-June 2020	August 2020	End of 2020	End of 2021
SME and Informal sector	10	2.0	1.5	0.8
Transport	7	0.1	0.01	0.009
Construction	1	0.05	0.1	0.03
Furniture	0.6	0.1	0.3	0.1
RMG and Textile	0.5	0.1	0.1	0.07
Leather goods and footwear	0.41	0.05	0.04	0.02
Tourism and Hospitality	0.32	0.25	0.5	0.9
Light engineering	0.3	0.05	0.02	0.01
Migration sector	0.3	0.06	0.14	0.3
Real estate and housing	0.015	0.01	0.03	0.02
Ceramic sector	0.004	0.006	0.003	0.003
Total	20.449	2.776	2.743	2.532

Source: a2i

2.2 Most Affected Sectors

Major sectors have experienced disproportionate adverse impact due to the shutdown of economic activities both nationally and globally. Based on the level of risks and severity of impact, BILS, (2020) has categorised the sectors into three groups (Figure 1). These include- *a) high risk and severity impact sectors* such as manufacturing, construction, transport, wholesale and retail trade, food and accommodation services and personal services; *b) medium-high risk and severity of impact sectors* include finance, domestic service, retail estate and education; and *c) low-risk and severity of impact sectors* include agriculture, health, information and communication. About 69 per cent of the employed population in urban areas were in high-risk states where the economy's share was 49 per cent.

According to the Access to Information (a2i) (2020), most workers lost jobs in different manufacturing and service sectors, including the informal sector, SMEs, transport, construction, furniture, RMG, leather goods and footwear, tourism, hospitality, light engineering, migration, real estate, housing, ceramic. BILS, (2020) reported that the loss of jobs in the RMG sector was about 0.35 million, which was about 13.9 per cent of the total employed labour force in the RMG sector during the pre-COVID period (December 2020). The loss of jobs in case of overseas employment was difficult to estimate – during April-September 2020, about 0.27 million overseas employed workers returned home after losing their jobs.

Figure 1: Distribution of Employed Labour Force by Severity of Impact of Shutdown

Source: BILS Database, 2020

The pandemic has opened up business opportunities in few sectors, which include e-commerce and health and pharmaceuticals. Different types of online-based platforms such as Daraz, Pathao, Chaldal, Food Panda etc., have expanded their businesses across the country. These enterprises have recruited workers to meet the growing demand for service delivery. According to the Bangladesh Employers Federation (BEF), about 30,000 workers have been recruited by these online-based platforms during 2020, particularly in Dhaka.

2.3 Most Affected Worker Groups

The most affected workers' groups during the time of the covid pandemic include urban-based day labourers mainly working in construction, informal services and transport workers (e.g. private car drivers, rickshaw pullers, launch and boat drivers). These also include workers working as petty self-employment in retail trade (e.g. street vendors, hawkers, tea sellers etc.), food service and repairs etc. The urban informal sector has lost jobs by about 1.08 million, which was over 8per cent of total urban employment in 2016-17. According to the World Bank, (2020), 76per cent of jobs were lost in Dhaka, while 59per cent were in Chattogram. Higher rates of jobs lost in slum areas (71per cent) followed by non-slum areas (61per cent in non-slum areas). Moreover, about 40per cent of SMEs would be out of business due to a lack of business operations during the shutdown period (Access to Information, 2020). Female entrepreneurs were one of the most affected categories, which badly affected due to the COVID. According to Asia Foundation (2020), 17per cent of female enterprises were completely closed during the pandemic. In some instances, workers of the tannery and leather sector were forced to work longer hours without sufficient or no remuneration. In every two years, workers of the tannery and leather sector usually place 'charter of demands to their employers, which could not be placed in 2020 due to the crisis.

2.4 Real Wages of Workers

Workers' real wages have been adjusted downward due to less demand for workers and a lower level of inflation. Workers' overall wages had declined by 37per cent, whereas, it was declined by 42per cent in Dhaka and 33per cent in Chattogram (World Bank 2020). The real wage of workers fell sharply in the following months after the immediate crisis period (April-May 2020), where a decline in nominal wages was much sharper compared to the rise in inflation, resulting in a decline in real wages (Islam, 2020). According to Moazzem et al. (2021), RMG workers' nominal wages declined by 8 per cent in September 2020 compared to that in December 2019. The decline in income of salaried workers was much higher (49per cent) due to a sharp reduction in demand for those services (World Bank, 2020). The loss of income of the enterprises was much dipped –SMEs estimated to lose their revenue by 66per cent during the covid pandemic period compared to that of the pre-covid period (BIDS, 2020). According to BBS, the income of all the families, including migrants' dropped by 20per cent during the period of the covid pandemic (BBS, 2020). The majority of the families (61per cent) did not receive remittances during the pandemic period; on average migrant workers' families received 33per cent lower remittances during this period (RMMRU, 2020).

2.5 Workers' Income and Poverty

Due to the fall in income, the incidence of poverty is likely to increase in the country. According to CPD (2020), the head-count poverty rate has increased from 20.0per cent in FY2017 to 33per cent in FY2020. Sen, (2020) indicated that if the income of working people in urban and rural areas declined by 80per cent and 20per cent, respectively, the poverty level is likely to increase by 9.1per cent, which caused a generation of new poor by 16.38 million to join in the second quarter of 2020. SANEM estimated that 20.4 per cent; BIGD and PPRC(2020) estimated that 21.7 per cent of the new poor added to the national economy.

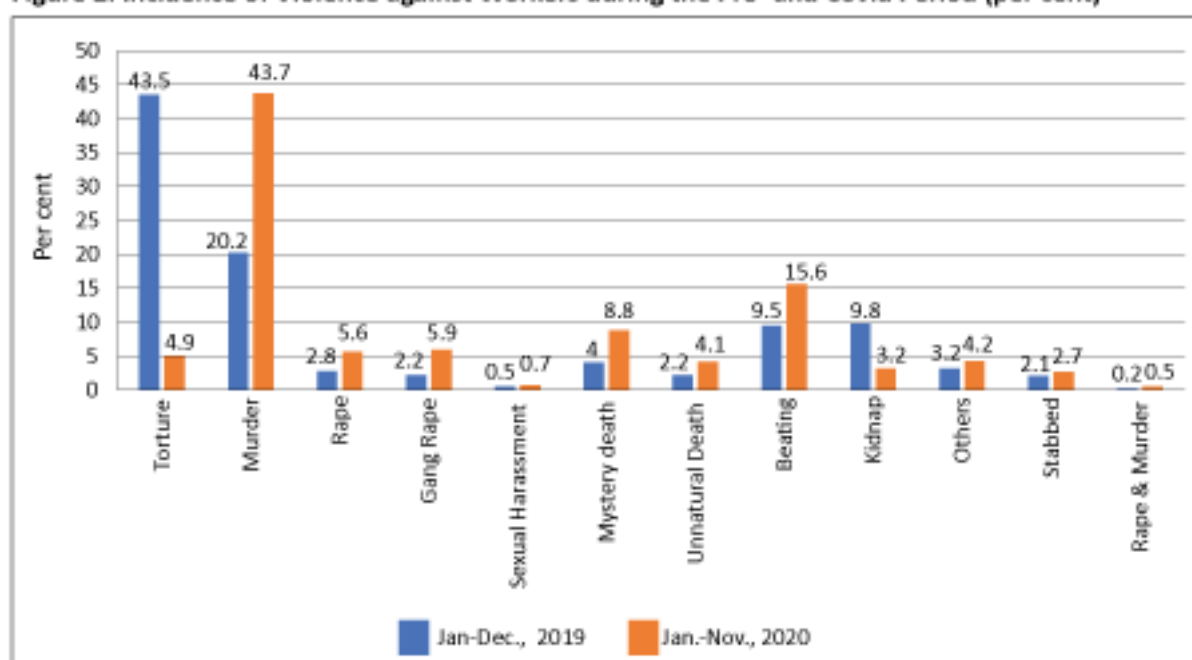
The income of the workers' families has dropped sharply, although most workers' families have more than one earning member (New Age, 2020). A survey conducted by BRAC (2020), found a drop of 76per cent family income of the respondents. According to the survey conducted by BIGD, (2020), the food intake of the urban poor has dropped by 28per cent; most importantly, the nutritional level has dropped significantly in the case of female workers and female members of the family (CARE, 2020). According to the survey conducted by CPD, (2020), about 35per cent of spouses of RMG workers did not have any job during the lockdown period. Consequently, the income of these families has dropped significantly. According to CPD, (2020), low-income workers' families confronted different types of financial difficulties, including the inability to pay house rent (63per cent of surveyed workers), unpaid utility bills (39per cent of surveyed workers), unpaid school fees (36per cent) and inability to send money back to the village (57per cent). The majority of workers sought loans from different sources (average BDT3,765 for the first fifty days of lockdown). Consequently, the nutrition level of the working population has significantly dropped during the lockdown period, which is yet to return to a normal state. BILS, (2020), found 47per cent of urban slum residents and 32per cent of total residents reported having reduced food intake. Similarly, 67per cent of urban slum dwellers and 32per cent of rural residents have used a part of their savings to meet the needs of the family. About 59per cent of female entrepreneurs were forced to use their savings to maintain livelihood; 23per cent depended

on other sources for a loan, and 16per cent pursued alternate sources for earnings (Asia Foundation, 2021).

2.6 Harassment against Workers

Harassment against workers marginally declined due to the closure of the workplace and limited movement of people during the first half of 2020. However, some types of violence against workers had increased particularly murder, rape and spousal violence against workers. In other words, gender violence was likely to increase during the COVID pandemic period. Figure 2 shows a comparative scenario of violence against workers both at the workplace and outside the workplace during January-December, 2019 and January-November, 2020.

Figure 2: Incidence of Violence against Workers during the Pre- and Covid Period (per cent)



Source: BILS Database, 2020

2.7 Policy Support for Workers in addressing the Vulnerabilities

Out of the total stimulus package of BDT.126,853 crore, only BDT44,973 crore is allocated for workers, entrepreneurs of SMEs, low-income farmers and small traders, targeted marginal people and unemployed and poor workers (Table 2). While the majority of packages were announced in 2020, two new packages - amounted BDT2,700 crore - were announced in January 2021 targeted to the cottage, small and medium scale enterprises.¹⁰ Out of this, 10.6per cent was a fiscal stimulus, and the rest 89.4per cent is liquidity support. Till October 2020, a total of BDT 25,457 crores had been disbursed, which was 56per cent of the total allocated fund under the stimulus package. Given the huge non-disbursed amount of allocated funds, a large pool of workers groups, self-employed, and

¹⁰ Government has recently signed an agreement with AIB for US\$300 million to provide support micro, small and medium sized enterprises (CSMEs) as working capital with a view to financing employee wages, inventory and payment of short-term debts. Another agreement was signed with World Bank for US\$250 million to support workers' wages and micro enterprises to support in their resilience and recovery.

small-scale entrepreneurs could not benefit from it. However, the allocated amount was not sufficient against the requirement of support from the workers and entrepreneurs.¹¹

Table 2: Liquidity Support and Fiscal Stimulus for Workers

Name of the Package	Type	Total allocated amount (BDT crore)	Total disbursed amount (BDT crore)	Share of funds disbursed (in per cent)
Special fund for salary support to export-oriented manufacturing industry workers	Liquidity support	10,500	10,500	100per cent
Providing working capital facilities to small (including cottage) and medium enterprises	Liquidity support	20,000	12,400	62per cent
Refinancing scheme for low-income farmers and small trades	Liquidity support	3,000	660	22per cent
Creation of jobs through loans (through VSB, Emp. Bank, Expatriates Welfare Bank, PKSf)	Liquidity support	3,200	992	31per cent
Credit guarantee scheme for small and medium enterprise sector	Liquidity support	2,000	-	NA
Support to cottage industries (through SME Foundation, BSCIC, Joyeeta Foundation, NGP Foundation, Social Dev. Foundation, Palli Daridro Foundation, Small Farmers Dev. Foundation)	Liquidity support	1,500	-	NA
Distribution of cash among the targeted population	Fiscal stimulus	1,258	880.6	70per cent
Increase the coverage of the allowance programme	Fiscal stimulus	815	24.45	3per cent
Social safety net programme for unemployed and poor workers of export-oriented and ready-made garments workers, leather and footwear sectors	Fiscal stimulus	1,500	-	NA
Support to disadvantaged elderly, widows, female divorcees	Fiscal stimulus	1,200	-	NA
Total support for workers and small enterprises		44,973	25,457	56.6per cent

Source: CPD, (2021) and the Byron RK,, (2020)

¹¹ According to CPD, (2020), the liquidity support of BDT20,000 crore for SMEs would cover only 5-6per cent of total SMEs operate in the country.

Female entrepreneurs have received targeted support under the stimulus package of BDT20,000 crore for small, cottage and medium-sized enterprises. According to the daily Financial Express (2021), female entrepreneurs received over the targeted amount (5.7per cent) over the 12,400 crores disbursed so far under that package. Similarly, a special fund for salaries for workers of export-oriented factories covered 65per cent of gross wages for four months for the factories that are members of the respective associations (i.e. BGMEA, BKMEA). According to CPD-MIB Survey conducted in October 2020, about 17per cent of factories did not receive support because of not being members of the associations. Such salary support was not available for workers in domestic market-oriented enterprises – in other words, most workers were outside the government's support facilities BIGD and PPRC, (2020). On the other hand, the cash transfer support was mainly received by the urban poor (25per cent) compared to that of the rural poor (18per cent). Overall, the stimulus package reached only 8per cent of the country's total employed population during the crisis period.

3. Trade Union Responses to the COVID Crisis

3.1 Workers as Active Players in Social Dialogues

Various forms of social dialogues were found operational during the time of the covid crisis. These social dialogues are in the forms of tripartite, bi-partite discussion and negotiation at national, sectoral and regional levels. Besides, workers and trade unions organised demonstration with various demands.

Trade-union led initiatives: One of the major organised efforts from the workers and trade unions of different sectors was placing nine points demand to the Ministry of Labour and Employment (MoLE).¹² These nine points include-

- a) Cancelling the decision to close the nationalised jute mills and clearing the payment of all dues of workers for jute mills that have been reacquired by the government;
- b) Modernising state-owned sugar mills in consultation with the workers' representatives and by involving them in the process of modernisation and ensuring full payment of all workers;
- c) Making airline, railway and other nationalised companies people-centric by shifting from wrong policies, and by reducing corruption;
- d) Taking measures for reducing the complicity for payment of retrenched/laid-off of workers from closed mills and organisations due to covid pandemic; in this case, all workers should get appointment and identity cards as per articles of 5 and 19(4) of the Labour Act;
- e) Establishing one corona testing centre, isolation and quarantine facilities for workers in places where at least one lakh workers are working or staying;
- f) Establishing social safety net for workers' health and social welfare;
- g) Taking special initiatives and monitoring measures for operationalising workers' welfare fund and central fund to provide support for the retrenched workers of garments and other sectors;

¹² The Sramik Karmachari Oikko Parishad (SKOP) has proposed nine points demand to the Ministry of Labour and Employment (MoLE).

- h) Taking special measures to include foreign buyers to use their contribution in the central fund.; considering the provision of 50per cent fund of the central fund to be allowed for emergency use, the government should allow using those funds for the well-being of the workers;
- i) Addressing the complexity of compiling a list of workers in the informal sector; Tea and rubber plantation workers must be guaranteed a living wage, quality rations, medical facilities and land rights; planned measures should be taken to protect the leather industry and its products;
- j) Ensuring the safety of doctors, nurses, medical personnel, all media personnel, law enforcement personnel, security services, cleaners, road and water transport operators, sailors, helpers, and haulage workers;
- k) Ensuring all private institutions and informal sector workers, employees getting unusual disaster/risk allowances;
- l) Stopping laying-off of or retrenchment of workers in industrial factories; and
- m) Making a list of returning migrant workers and taking steps to help and rehabilitating them.

Overall, those nine point-demands have covered largely the concerns of workers related to the covid-19 pandemic.¹³ However, the nine-point demands have been made public after six months (in September 2020) since the pandemic was detected in September 2020.¹⁴ Such proposals should be placed to the government much earlier during the pandemic's early phase (April-May 2020). Not many visible initiatives have been undertaken based on the nine point-demand except preparing and circulating a report by the DIFE regarding the state of workers working in different industrial clusters.¹⁵

Several workers organisations – such as IndustriALL Bangladesh Council (IBC), National Garment Workers Federation (NGWF) - organised procession, blockade, and demonstration favouring different demands of workers, including no harassment of workers during the crisis period. These organisations attended meetings organised by public organisations Ministry of Labour and Employment (MoLE) and Ministry of Home Affairs (MoHA) and private organisations (BGMEA). In some instances, representatives of workers organisations boycotted the meetings when the decisions taken against the workers. Besides, these local organisations participated in meetings with international trade unions such as Global Union, international brands and expressed their protest against the cancellation of orders made by the buyers/brands. Special discussion sessions were arranged with the participation of 60 female workers about ILO conventions 190 on anti-harassment. Trade unions, along with workers, protested the government's decision to shut down the state-owned jute mills without proper consultation with the workers during the pandemic. Trade unions tried to work with the MoLE with the demand for the jute mills' opening; however, the ministry did not emphasise the trade unions' demand.

Worker-organization led initiatives: Besides the trade union-led initiatives, the organisations working on workers and labour rights issues, such as the Bangladesh Institute of Labour Studies (BILS), have arranged a number of discussion meeting with different public and private organisations, including the Ministry of Labour and Employment (MoLE), Ministry of Commerce (MoC), Ministry of Food (MoF)

¹³ Some of the demands particularly related to workers of state-owned enterprises did not emerge during the covid-19 pandemic but have consequences for some actions undertaken by the government during the time of the crisis.

¹⁴ The trade unions of the inland cargo services placed eleven point demand to the government.

¹⁵ The SKOP requested the DIFE to publish a report about the state of employment in major industries particularly the state of retrenched workers.

and Ministry of Finance (MoF). These meetings were attended by representatives of employers and different workers organisations and discussed various worker related concerns such as reduction of workers' wages, laying off of workers and retrenchments of workers. With the ILO's support, a common position paper was prepared with the demands of the workers and was distributed to the government and the private sector. A series of webinars were arranged on key issues in the labour market, such as employment, Occupational Safety and Health (OSH), and the challenges of migrant workers. By attending meetings organised by the government, the job security of workers has been strongly raised.

Government-led Tri-partite Initiatives: The Ministry of Labour and Employment (MoLE) has formed sixteen Crisis Management Committees (CMC) by including representatives of different government offices Department of Inspection for Factories and Establishments (DIFE), Department of Labour (DoL), representatives of workers' organisations and employers' associations. The CMC was instructed to visit factories where different kinds of irregularities have been reported and were given the responsibility to solve those issues. However, the CMC was found active at the initial phase of the crisis period. In some instances, the committee could not solve the problem due to a lack of contact with the owners or their representatives. Sramik Karmachari Oikya Parishad (SKOP) representatives met with the CMC to ensure taking measures in support of workers by putting pressure on the owners to clear the dues of workers.¹⁶ DIFE officially announced that about 30,000 workers were laid off, although the government has instructions for not laying off/retrenched workers while availing the subsidised credit support.

According to a number of respondents of the KIIs, except 2/3 CMC, most of the CMC was not effectively functional during the crisis period. Trade Unions' representatives were not included in the process of selecting potential recipients of public support, distributing the support among the recipients and monitoring the function of the distribution-related activities. The role of the CMC was frustrating in the sense that it could not ensure support to the eligible workers in some cases. According to the DIFE representatives, the organisation has tried to ensure compliance standards in the factories during the crisis period through undertaking inspections as much as possible.

The MoLE has organised a number of tri-partite discussions to fix workers' wages considering the challenges confronted by the enterprises during the crisis period. Based on the discussion, the wages were fixed to be 60-65 per cent of gross wages for 4 months when factories received subsidised credit support from the government. The guideline for maternity benefit for eligible workers has been set by the DIFE. However, the guidelines were not properly implemented.

The allocation of BDT1,258 crore to distribute among fifty lakh households who are marginalised was well-appreciated. The distribution programme faced a number of difficulties in terms of lack of a comprehensive database, poor detection process, poor administration and monitoring (KhatunF, 2020). As a result, about 30 per cent of the allocated amount remains undisbursed.

The crisis of returnee migrant workers has been discussed at the tri-partite level. In partnership with ILO, Bangladesh Employers Federation (BEF) has been working with National Skill Development

¹⁶ SKOP with the support of the CMC ensured dues of workers of a factory (Dragon Sweaters Company).

Authority to provide skill development training to returnee migrants. In case of potential migrants, BEF proposed to the NSD to sign a "G to G" agreement with the sourcing countries for mutual recognition of local skill development training certificates – so that locally trained workers with their certificates would be able to get skill-oriented jobs in those countries.

Overall Observations: Major progress in the social dialogue process includes- income protection for workers by undertaking quick action through crisis management committees, putting pressure on factories not to harass or retrench workers, particularly pregnant workers, and jointly monitoring factories where crisis emerged.

A major challenge in the case of Bangladesh's trade unions is that most trade unions are non-functional- out of 8,000 trade unions registered at the DoL, most of these trade unions have expired, and only 2,000 trade unions are currently in operation. Despite the rise in workers' employment, trade union activities either stalled or declined in different sectors. Activities of the trade unions have further confined to humanitarian issues. Activities related to workers' entitlements and rights were very few. It is alleged that government officials were not fully cooperative in the tripartite discussions to provide sufficient attention to workers' demands. Consequently, the factory management was not duly taken into consideration and enforced.

It is alleged that the space for undertaking activities by trade unions has narrowed down during the COVID period. Lack of cooperation from government authorities and employers has constrained trade unions to work on their right-based activities. Moreover, the official decisions have been taken without much consultation and discussion with workers; rather, those were enforced through official announcements.

3.2 Bipartite Social Dialogue between Trade Unions and Employers and their Organisations

Trade unions and workers organisations have organised bi-partite social dialogues with employers and their organisations during the covid-pandemic period.

Bipartite discussion between trade unions and employers organisations: Since March, 2020, over 30 bipartite discussions took place, which was arranged by employers' organisations (BGMEA/BKMEA) and different workers organisations. The major agenda of those meetings were to ensure timely payment of workers' dues and payment of their festival bonuses etc. Employers requested the workers' representative to be supportive as employers were in difficulties due to a lack of production orders. Workers' organisations such as the National Garment Workers Federation (NGWF) negotiated with the employers' Association (BGMEA) to ensure unpaid salary and compensation for workers. IndustriALL Bangladesh Council (IBC) attended meetings with employers' organisation such as BGMEA regularly with the demand for ensuring full payment for workers during the lockdown period. IBC, in collaboration with BGMEA, put pressure on the factory management and thereby pursued them to take initiatives against harassment of female workers and retrenchments of pregnant workers. A number of complaints have been made from the workers' side, which includes retrenchment of more female workers, disruptions in accessing maternity benefits and pressurised the workers to receive a

lower level of wages in case of reemploying at the same factory. While admitting the weaknesses, BEF indicated that those incidences did not take place across the board rather, they happened randomly.

Bangladesh Employers Federation (BEF) usually organises networking meetings with workers and trade union representatives to discuss worker-related issues and challenges and try to find out possible way out. Unfortunately, such events did not occur during the crisis period due to difficulty arranging the event physically and organising online activities. Employers positively acknowledged the role of trade union during the covid pandemic to improve understanding between employers and workers. Workers like employers took into cognisance the challenges of employers due to the cancellation of orders and lack of cash in hand.

Employers extended support to workers and small entrepreneurs: BEF, BGMEA, and BKMEA have encouraged their member enterprises to take positive measures by not laying off/retrrenched workers, paying salaries etc. Similarly, employers of the leather sectors have been encouraged to pay salaries to wages. Employers of the garments sector have been a major partner in implementing the European Union's cash support (BDT 3,000 per worker per month for three months). However, the list of unemployed workers could not be prepared properly due to lack of cooperation from the employers as well as technical difficulties in identifying retrrenched workers (e.g. lack of having an original NID to some workers, reemployed a section of unemployed workers etc.). While the actual unemployment from the garments factories was rather high (3.5 lakh according to CPD, (2021)), only 27,000 were reported to be listed, of which only 7.5 thousand received the support. According to the stakeholders, the support of BDT 3,000 under the social safety net programme for the RMG workers is a positive contribution from the German/EU countries. BEF requested international NGOs to extend support during the crisis period; however, the response was quite modest. Even the ILOs' global call for action arranged partial support during November-December 2020 when the initial crisis period was ended.

It was reported in the discussion that about 26,500 workers had been reemployed in the RMG factories either earlier or in new factories. However, the majority of workers were reinstated in the job at lower wages compared to the earlier wages; only in few cases workers reinstated in their earlier wages. NGWF, in a number of instances, protested against such a situation, although the success from such initiatives was very few. IBC had arranged a discussion with BGMEA on similar issues along with pressing to recruit new workers.

With regard to workers safety in the workplace, SKOP demanded an isolation centre for workers in each factory and necessary health measures. Regular health updates of covid patients among workers were also demanded. However, such demands have not been addressed by the employers or employers' association. NGWF arranged a discussion meeting with BGMEA and placed a number of proposals which include maintaining social distance in the workplace by placing machineries with sufficient spaces, workers should be disinfected at the entrance of the factories, recruitment of one doctor and two nurses in each factory to monitor the covid incidences and to take measures for the covid affected patients, ensuring availability of medicine at the factory premises and introducing three different time periods for entering the factory premises– a) 7.30 am – 4.30 pm; b) 8.00 am- 5.00 pm and c) 8.30 am – 5.30 am. IBC demanded providing the death record of workers from the associations (i.e. BGMEA and BKMEA).

Unlike the positive incidences observed at the global level at the bipartite discussion between workers and employers, the success in the case of Bangladesh is limited only to better understanding between the two parties in terms of raising demands from the workers' end. On the other hand, the success observed in other countries such as joint statements and proposals to lobby government on various issues, joint requests to governments, enhanced measures discussed and implemented by social partners to ensure the safety and health of workers, additional benefits have been granted to specific categories of workers, memorandums of understanding and collective bargaining agreements etc. were largely absent in Bangladesh.

3.3 Bilateral Interactions between Governments and Trade Unions

Enforcement of labour laws properly: Workers raised nine-points demand on different issues where specific demand was raised on Sections 5 and 19 (4) (5) of the Labor Act in order to ensure providing all the workers, including the transferee, the identity card stating the date of appointment. Such a measure would help retrenched/laid-off workers to get their dues without any complexity. One of the demand was to undertake special support measures for the unemployed workers based on workers' welfare fund and central fund. A number of sections under the labour act need to be repealed, which does not allow the workers to organise and protest any unlawful activities, including the section on responsibility for doing unlawful activities or disorderly activities which are not properly defined.

Workers' health safety guideline prepared by the DIFE: Considering the health emergency of RMG workers, DIFE, with the support of the ILO, prepared the health safety guideline and provided necessary training for workers in different industrial clusters. While the factories trained their workers about the guideline, its implementation at the factory level was limited. Moreover, over time health and safety measures maintained by factories have declined (Moazzem et al., 2021). BILS kept a record of the number of casualties among RMG workers due to the covid pandemic. The NGWF proposed that workers who died for the pandemic should receive compensation similar to that received by the Rana Plaza victims' families, which should be paid by employers, buyers, and the government. However, those demands were not followed up later, particularly due to a lack of casualties among the workers. IBC sent letters to Workers Welfare Foundation to support the families of the covid victims.

Workers raised their demands through procession: SKOP made public procession by arranging human chain, rallies across the country with the demand of workers' health and safety in the workplace. However, those demands had little influence on the government in taking positive decision.

Government took support from the workers organisations: To build awareness among the workers across the country, both DIFE and DoL took support from the workers' organisations. The government provided two-point instructions regarding ensuring workers safety, which includes factories maintaining proper safety protocol in case of opening and operating factories and providing the necessary number of masks and arrangement of hand sanitiser for the workers. However, trade unions, in a number of incidences, complained about a lack of cooperation from the employers as well as from the government's side in enforcing those measures.

Capacity building and awareness-raising programmes are arranged: BILS arranged four webinars on four issues: employment-related, occupational safety and health-related, migrant worker-related.

Along with ILO, a virtual training manual for ensuring workplace safety has been related. The DIFE has undertaken a project called "Gender Equality and Women Empowerment" in 2009 with a view to building awareness against gender-based violence, especially in tea gardens, leather and RMG factories. A total of 200 such training sessions were organised, which ended in 2020.

3.4 Trade Union Activities in Other Countries

Trade unions across the world have been active in undertaking various initiatives in addressing issues and concerns related to workers. According to ILO, (2021), 108 countries out of 133 countries applied different types of social dialogue instruments as a mechanism to address the covid pandemic in achieving consensus on targeted measures to protect workers and enterprises. These are either tripartite, bipartite or bilateral in nature. While Asian countries are ahead in terms of undertaking tripartite, bipartite and bilateral dialogues, these countries are also ahead of violating workers/trade union rights (ILO, 2021). In other words, the higher rates of violations might cause a higher number of social dialogues in Asian countries.

Trade unions of different South Asian countries have taken initiatives considering their capacity and areas of priority during the pandemic. However, most of those initiatives have been undertaken from a humanitarian point of view compared to that from a rights point of view. Different forms of social dialogue mechanisms had been functioning for different issues in these countries.

In India, the tri-partite discussion had taken place on several important issues; however, most of the discussions did not come out with concrete deliverables, particularly the demands raised by the trade unions. The discussion had been confined to humanitarian and workers' entitled benefit issues, including ensuring workers' wages, opening up factories, addressing the challenges confronted by the MSMEs. The discussion lacked focus on the sustainable recovery of businesses and workers. Unlike other developing countries, no agreement is signed between the government, employers and workers on any issue. Bipartite discussion took place between employers and the government concerning opening up factories and legally enforceable payment to workers. The High Court of India provided directives in favour of employers that no pressure to be created to employers concerning opening up factories and payment of workers' wages in case those are legally binding. Trade unions arranged procession across the country where senior political leaders and worker leaders participated, and even a number of trade union leaders were arrested who were later released.

In Sri Lanka, trade unions were able to sign a contract with the government under which no workers were forced to be retrenched. As per the agreement, workers will receive 50per cent of their usual gross wages during the crisis period. No workers were forced to work more during the covid pandemic period. A major drive undertaken by the government was to ensure the livelihood need of workers during this crisis period by creating employment opportunities through alternate means. Pakistan, likewise India, organised bipartite and tripartite discussions between workers, employers and government on different worker-related issues.

Unlike other South Asian countries, trade unions in Bangladesh were relatively less vocal about the demand of the workers. Trade unions took much time to set their strategies which reflects their deficit in taking prompt action. At least three weaknesses have been identified as regards trade union-related

activities during this crisis period. *First*, local trade unions did not pay sufficient attention to the global contexts particularly there are limited knowledge and exercise at the local level about the global level preparations and initiatives regarding workers' rights. Often the demands raised, procession arranged, and initiatives undertaken were particularly focused on local/sectoral perspectives. *Second*, the nine-point demands made by the SKOP could not make enough traction to local stakeholders, including the government and the employers. Trade unions should followup their demands by creating committees/sub-committees with representatives of different government offices and employers organisations. *Third*, trade unions were not able to create adequate linkages with workers regarding worker-related demands and to undertake activities and create pressure on the government and the private sector with the support of mass-scale workers. Hence, trade unions need to revisit their strategies, approaches and activities while formulating future policies and strategies.

4. National Policies on Employment, Gender and Social Safety Net and Role of Trade Unions

Trade unions need to appreciate the focus and strategies of the medium and long-term policies to design the policy proposals. The important policy documents that need to be consulted in this regard include the Eighth Five Year Plan, National Jobs Strategy, National Social Security Strategy (NSSS), and National Priority Targets (NPTs) of the SDGs. The key analytical perspective in preparing a trade union policy proposal is how employment, gender and social security issues are addressed in those documents and, based on that, how trade unions prioritise their initiatives and activities and which types of social dialogues would be effective in these regards.

4.1 Eighth five-year plan on Employment, Gender, Social Security

The 8th FYP, which will be implemented during 2021–2025, put special focus on employment, gender and social security issues. Under the broad theme of making the growth pro-poor and inclusive, the plan projected an 8.0% GDP growth over the period of FY2021–25. According to the plan, a pro-poor and inclusive growth during this period will depend on three factors such as: a) growth in employment; b) improvement in labour productivity; and c) increase in real wages. Thus, the critical areas will be to stimulate labour-intensive and export-oriented manufacturing-led growth, promote agriculture diversification, infuse dynamism in CMSMEs, strengthen the modern service sector, and promote non-factor services that encourage ICT-based entrepreneurship and strengthen overseas employment. The projected employment will accommodate the total additional labour force to join the labour market during FY2021–25 (7.81 million) with excess employment of 3.52 million. The policies to be highlighted in this regard include macroeconomic stability, fiscal policy for equitable growth, savings and capital accumulation-driven growth model, knowledge-based economy, trade-led growth, exchange rate policy, safety net and social protection programme and the critical role of the governance.

The addressed issues of the 8th five-year plan aim to enhance employment, 4IR, the role of the service sector (especially transport and health sectors), and gender strategy and so on. Based on such initiatives, the 8th FYP proposed strategies such as improving the incentive policies for boosting private investment, increasing public sector investment for infrastructure development, completing all ongoing major transport and communication-related projects located in urban centres, especially

Dhaka and Chittagong, upgrading and expanding district tertiary public health care facilities and increasing women's economic benefits, and creating an enabling environment for women's advancement etc.

While the 8th FYP stipulates targeted sectors and specific strategies for private sector investment and entrepreneurship development, there is little mention about their implications on workers. Given the high level of informality in the MSMEs, formalization of MSMEs should be one of the priority which would make the enterprises compliant with labour related issues. It is important to ensure that workers in priority sectors should get decent wage and these sectors should be included under the Minimum Wage Board in order to ensure minimum wage of workers, workers' organisation and trade union related activities need to be promoted in the priority sectors in order to ensure better industrial relations for the country. These sectors should not encourage child labour and as part of compliance with ILO convention, government should ratify ILO convention 138 on minimum age of workers in case of entry into the labour market.

As part of productivity enhancing measures government's investment for training and skill development should include the targeted sectors, and workers should get priority in these programmes. In this connection, ICT related basic training need to be built in the course modules for workers, apart from that ICT based specialized training on different modern machineries will also be required for workers, targeted training programmes for female workers for different sectors will be required, workers need to be encouraged in working as self-employed for involving in the online based different services, given the limited scope of unskilled and semi-skilled workers in the overseas job market workers need to be encouraged to get trained to get jobs as skilled workers and professional categories, since low level of academic qualification would be a major hindrance for getting competitive jobs, and workers need to upgrade their academic qualification and to be adequately trained for specific jobs.

Public policies such as fiscal policies, safety-net and social protection programme need to protect workers. Thus the fiscal policies should not only promote production, export and investment but also should protect workers' rights such as employment opportunities, specialized training for female workers, no scope for child labour and promoting female workers. In case of safety-net and social protection programmes, government should take measures for unemployment benefit and unemployment insurance for workers who got retrenched from the job.

The above-mentioned issues indicate that there is ample scopes for intervention of the trade unions in order to ensure workers' wellbeing. Based on the scopes for intervention trade unions should prepare their policy strategies with effective engagement with the concerned ministries and departments and with the private sector in undertaking targeted measures with a view to achieving a significant outcome. These policy strategies of trade unions have been discussed in detail in section 5. In case of gender point of view, five strategic areas have been identified in the 8th FYP. These include- (a) improvement of women's human capabilities through extending a number of services; (b) increasing women's economic benefits by enhancing their participation and ensuring economic benefits; (c) enhancing women's voice and agency by promoting their leadership in public and private sphere; (d) creating an enabling environment for women's advancement by strengthening gender equity; and (e) enhancing mother and child benefit programmes through provisioning cash and in-kind

transfer. These would require actions in the areas of – (a) creating short- and long-term opportunities for decent employment; (b) generating employment in public and private sectors at home and abroad; (c) expanding employment opportunities both at home and abroad; (c) creating opportunities for higher value self-employment; (d) promoting business development services for entrepreneurs and (e) improving financial inclusion; (f) improving work environment; (g) addressing violence and sexual harassment; (h) ensuring access to local, national and international markets; (i) promoting higher value activities in agro- and industrial value chains; (j) accessing technology and information on upcoming opportunities in ICT; (k) establishing a conducive legal and regulatory environment for gender equality; (l) providing Infrastructure and communication services for women; (m) improving institutional capacity, accountability and oversight; and (n) increase protection and resilience from crisis and shocks.

‘Gender-sensitive’ employment and working environment should be the prime focus of the above-mentioned activities. In order to ensure women’s equal representation in the workplace, corporate sector should announce their commitment for gender equality in all areas of work in the enterprises, women representation should be ensured in all discussion and decision making bodies including boards, workers’ participation committees, trade unions, safety committees etc. and they should encourage raising their voices for women’s rights and representation, to create enabling environment in the workplace for female workers employers must ensure separate facilities including toilets with necessary facilities, child care facility, breast-feeding room, maternity leave with due benefits, to reduce sexual harassment in factories must form ‘anti-sexual harassment committees’ in the workplace, to ensure equal pay and equal access to jobs corporate sector should announce their plan for how to do that in gradual manner, proper training facilities need to be ensured for female workers in order to ensure their competitive position in the job market, female need to be educated more given the higher academic qualification and higher level of skill requirement are required.

From policy point of view, government should ratify the ILO convention 190 which focuses on anti-harassment in the workplace. Ministry of Labour and Employment (MoLE) should provide necessary directives to respective business bodies to form anti-harassment committees in the workplace, workers participation committees (WPCs) should also put emphasis on harassment-free workplace for female workers and business associations should encourage their member factories not to recruit children in the factories.

The above discussion highlights the gaps in the policies and operations of the 8th FYP related to its gender strategies. The trade unions should take into account of those gaps and should design its policy strategies according to that line. Detailed policy strategies have been made put forward in section 5. Social safety net and social protection programmes, according to the 8th FYP, will be continued through safety nets, social funds, microcredit and targeted cash and in-kind programmes, especially in health and education. Given the weaknesses in the programmes in the past, the safety-net programmes will be enforced through better governance by strengthening democratic accountability and transparency. The targeted strategies include- (a) enhanced social protection system allocation in view of COVID 19; (b) expanding mother and child benefit programmes (MCBP); (c) implementation of NSSS recommendation on school stipend; (d) intervention for the betterment of adolescent girls; (e) expansion of the VGD programme; (f) expansion of programmes for the disabled citizen; (g) allowances for freedom fighters; (h) reaching out to the socially excluded population; (i) introducing

social insurance programmes; (j) introducing insurance for working-age people; and (k) introducing contributory pension programme.

National social safety net and social protection schemes are yet to include formal sector workers. Given the adversity caused to workers during COVID pandemic particularly large scale lay-off and retrenchment without providing due benefits, long period of unemployment during pandemic, lack of financial support for maintaining minimum livelihood requirement, the coverage of social safety net programmes needs to be extended to cover workers especially under unemployment benefit, unemployment insurance and social insurance.

The above-mentioned issues indicate that there are areas of further refinement of the social safety net strategies in order to ensure workers' participation. Based on the above-mentioned areas, the trade unions should set their strategies with regard to social safety-net and social protection. These issues have been discussed in section 5.

4.2 National Jobs Strategy

The draft National Jobs Strategy has designed employment-related initiatives under a three-pillar approach at macroeconomic and sectoral levels. The 1st pillar titled 'boosting jobs that result from output growth' focuses on – (a) more inclusive monetary policy for job growth in every sector that implies easy access to credit for the agriculture sector, SME sector etc.; (b) restructuring the discriminatory fiscal incentive policies that can improve the other sectors as well as RMG and export-oriented sector; and (c) boosting up the government policy implementation process. The 2nd pillar, titled 'active labour market policies (ALMPs) for boosting job growth' focuses on - (a) emphasising and enhancing labour-related policies through training and skill development; (b) the effectiveness of training and skill development programmes; and (c) enriching women employment opportunities. The 3rd pillar, titled 'strategies for safe migration at low cost and for reintegrating returning workers' aims at– (a) bilateral contract with the destination countries; (b) reduction of cost of migration; and (c) preparing database on returnee migrants.

A major challenge for National Jobs Strategy is to address a large number of unemployed people who lost their jobs during the COVID pandemic and those who need employment on a priority basis. Unlike creating opportunities for the newly recruited people in the labour force, this strategy will address jobs of people, including those of returnee migrants, through decent jobs. These people include both low-skilled people working in different informal services and manufacturing activities; at the same time, these people include educated professionals involved in different formal service sector related activities. Accommodating these people in jobs on a sustained basis is a daunting task. According to the trade union representatives, job creation would not meet the purpose rather focus should be made on creating decent work. Skill gap, particularly maintaining international standards is a major challenge that could be difficult to fill up by vocational training only.

During the period of covid-pandemic and the post-covid period, creating jobs should get a major priority particularly to avert the rising poverty owing to new poor added in the labour market. Given the low level of growth of private investments during the pandemic period, the government should take a major role in creating more employment for those who lost their jobs as well as those who

joined the labour market in the recent past. In this context, the government should undertake different types of employment-generating projects under different ministries and departments. For example, undertaking rural infrastructure development programme by targeting to fulfill its electoral pledge to transform the village into town with basic infrastructure and amenities under the programme 'My Village, My Town'. Undertaking employment-generating programmes under the local government institutions. Similar role could be played by NGOs which provide both financial and non-financial technical support to the people of the community for enhancing employment opportunities. Local trade unions could jointly work with local government institutions as well as government offices so that employment of local people is ensured by undertaking those projects. Besides, trade unions could monitor the quality of implementation of different local level projects with a view to ensure that the targeted projects will create jobs for the locality. Trade union could raise voice for further rise in public works programme under vulnerable group feeding (VGF), Gratuitous relief (GR) and test relief (TR) and other social safety net programmes in the regions where people of different vulnerabilities live.

The National Jobs Strategy related activities need to be customised by the trade unions according to their strategies and modalities of dialogues for immediate, short, medium and long term period. These activities need to be customised into two categories – first, by addressing immediate challenges and helping workers towards rebound and recovery and second, by supporting the workers towards long term development.

4.3 National Social Security Strategy

By taking a lifecycle approach, the national social security strategy delineates five different types of strategies. These include – (a) consolidating a lifecycle system of social security which covers support for children, working-age people, the pension system for elderly, social security for disabilities and affordable health care; (b) social security for the socially excluded groups, which include social security for excluded groups, social security for urban poor; (c) consolidation of food transfer programme; (d) consolidation of special programme and small schemes; and (e) strengthening resilience in the face of covariate shocks.

The pandemic recalls that social security programmes currently being implemented are inadequate to meet different target groups' needs. Special focus should be made on the immediate introduction of social insurance/unemployment insurance for retrenched and laid-off workers during the crisis period. Bangladesh needs to take measures to ratify ILO conventions 102 and 190 which are related to the minimum age of workers and anti-harassment to the workers.

Trade unions should take initiatives in consultation with the government and the private sector to make the social security programmes legally binding. The unions could formulate their strategies considering the social safety net programmes that match the needs of the workers and their families. Such initiatives of consultation could be undertaken both at a bilateral level between government and workers organisations and at the tri-partite level.

4.4 National Priority Targets (NPT) under SDGs

The government has set 39+1 national priority targets out of 169 SDG targets which will get special focus in terms of implementation of SDGs. Among those, a number of the indicators are directly related to employment, gender and social security point of view. The relevant indicators include NPT 14, NPT 15, NPT16, NPT 21, NPT 22 and NPT 23.¹⁷ Gender-related indicators focus on rising female labour force participation to 50per cent, reducing married women who are aged below 15 years (to 0per cent) and aged below 18 years (to 10per cent). In the case of decent employment point of view, the key indicators are reduction of the unemployment rate (below 3per cent) and reduction of youth population not in education, employment or training (10per cent). Since the government is prioritising those indicators, the trade union could strategise those issues through necessary initiatives with the government, employers and workers.

5. Trade Union Policy Strategies

It is experienced that the global crisis in the past caused basic structural deficits which had a detrimental effect on industrial relations, production management, labour relations, the relation between state, private sector and workforce and thereby tri-partite relations (Webster et al., 2011). Most importantly, the 'decent work deficit' further widened during the crisis period, and it was observed during this crisis as well. Labour institutions and instruments should take initiatives beyond 'business as usual' initiatives to handle these unusual challenges –traditional strategies of organising, bargaining and regulation would not be sufficient in these regards (Conor Cradden, 2011). Not cited in reference Trade unions should not only focus on collective bargaining as the means to address the decent work deficit; rather, they should combine their activities on other advocacy tools for policy reforms at the national and international levels. Better tax regulations, greater transparency and public reporting requirements, and state protection of workers alongside the pursuit of traditional unions strategies of organising, collective bargaining, information and consultation (Thomas, 2011) Not cited in reference are found to be essentials tools. Transnational enterprises have a major role to play in this context – signing Transnational Framework Agreement (TFAs) in promoting labour rights found to be better functioned when national-level rules are weakly enforced (Schomann, 2011). Not cited in reference

In Bangladesh, workers across all economic activities have been worst affected due to the COVID pandemic. However, the high risk and severity impact sectors are those which are relatively labour-intensive in nature, such as manufacturing, construction, transport, wholesale and retail trade, food and accommodation services and personal services. An overwhelming share of workers working in these sectors is unorganised and not being part of any trade union-related initiatives and activities. With the rebounding and resilience, a large section of these workers has been able to recover through their employment and income. However, the recovery level was highly uneven where informal sector

¹⁷ **NPT 14:** Reduce the proportion of women aged 20-24 years who were married before age 15 to zero (SDG Indicator 5.3.1) ; **NPT 15:** Reduce the proportion of women aged 20-24 years who were married before age 18 to 10per cent (SDG Indicator 5.3.1) ; **NPT16:** Increase the female labor force participation rate to 50per cent; **NPT 21:** Increase annual growth rate of GDP to 10per cent (SDG Indicator 8.1.1); **NPT 22:** Reduce unemployment rate below 3per cent (SDG Indicator 8.5.2) ; and **NPT 23:** Reduce the proportion of youth population (15-29 years) not in education, employment or training to 10per cent (SDG Indicator 8.6.1).

workers, self-employed, and SMEs were slow. Moreover, the second wave of the covid-19 pandemic is likely to delay these sections of workers and enterprises' recovery. Thus, trade union policy strategy should focus on the world of work, particularly highlighting the workers of those who are organised as well as those who are unorganised. The achievements in the form of different types of social dialogues in the country are rather limited compared to the overall performance of trade unions in other countries (ILO, 2021).

The trade unions should set their strategies on three areas: (a) Addressing the policy-gaps; (b) Addressing short and medium term challenges; and (c) Strengthening trade union related activities across different sectors.

5.1 Addressing the policy-gaps through trade union led initiatives

Better clarity and understanding about long term policies and possible areas of engagement of trade unions: Most of the economic and social policies have specific provisions which are related to the world of work and especially with workers. These policies include National Jobs Strategy, 8th FYP, SDGs and National Social SafetyNet Strategy (NSSS) etc. Often these policies presented the issues in a manner from where worker-related issues need to be extracted for proper interpretation and understanding. Moreover, a number of policy issues have implications and impact on workers and the world of work indirectly, such as macroeconomic and fiscal measures mentioned in the 8th FYP and National Jobs Strategy. Trade unions need to take an interest in these issues and ensure their deeper understanding of related issues – how different strategies of each of the long-term policies could influence the world of work, what are the possible initiatives that requires to be undertaken from trade union's side in order to protect workers' interest including jobs, wages, benefits, entitlements and gender equality and gender harassment etc.

Tripartite discussion and joint statement on ensuring the interest of workers through implementing the long-term policies: Usually, policy papers are prepared taking input from different stakeholder through a number of consultation meetings, including those with employers and workers. However, implementation of these policy documents often found to be difficult due to a lack of action plan and lack of clarity about assigned authorities to undertake those actions. In case of the policy documents mentioned above, no specific action plan is stipulated (except NPTs of the SDGs). Thus, it is important to discuss at the tripartite level on issues related to workers and the world of work and thereby identify a plan of action how those could be implemented by different public organisations with the support of private and workers organisations. These discussions could take place at the sectoral level. Therefore, respective sectoral level joint statements could be announced, focusing on sustainable development, decent employment, OSH, workers' rights, and gender rights.

Addressing the policy-gaps related to the 8th FYP: While the long term policies such as 8th FYP and National Jobs Strategy have provided broader strategies on enhancing investment, employment generation, gender equality and social protection, there are dearth of specific mention about how those policies will function at sectoral and enterprise levels. This study has identified a number of policy gaps on related issues. It is expected that trade union will design their strategies taking these policy gaps into account. First, trade union should promote formalization of MCSMESs which largely operate informally. In this context, trade union should work with small scale enterprises and their

workers to aware them about formalizing their enterprises; it should also work with local government offices to facilitate formalization of enterprises. Second, trade union should work with the MoLE and particularly wage board to ensure that all targeted sectors and other sectors are gradually included in the minimum wage board and the wages have been set as per the Bangladesh Labour Act. Third, no child labour should be encouraged in factories and it should work with respective ministries and departments to abolish child labour by 2025-2030. A broad-based campaign will be required to discourage employers to recruit children in the workplace; in the same way, campaign for discouraging parents to send their children in work should be arranged. In this case, government need to extend support to the poor families. Fourth, trade unions should put pressure to the government to take necessary measures to sign the ILO convention 138 on minimum age for workers to entry in the job market. Fourth, trade union should encourage self-employed and workers to get necessary training on basic IT related issues and specialized IT training for professional work. In this connection, trade union should work with the government to ensure necessary funding for IT related training for workers. It should encourage business associations and employers to provide necessary IT training to workers. Fifth, it should work with private training firms, NGOs and government training institutes to arrange specialize training on computer and IT related issues for prospective migrant workers. Sixth, trade union should work with ministry of finance particularly NBR to justify that fiscal incentive structure should be pro-worker and needs necessary modification in terms of encouraging employment and discouraging child labour, harassment of workers, promoting female employment etc.

Trade union should formulate its strategies targeting 'gender-sensitive' employment and working environment. First, Trade union should work with large group of companies to encourage them to make their gender related policies and plan public particularly how it would make their workplace gender sensitive. Second, it would create awareness among the workers of different factories for the need of different kinds of basic facilities in the workplace including child care, breast feeding, and separate toilet facilities. Third, it should make workers aware the demand for anti-harassment committee. It should work with WPCs and basic trade unions on gender related issues – how workers could raise related issues to the management and get the work done.

Trade union should take a strong stance regarding inclusion of workers in social safety net and social protection programmes. Trade union should work with ministry of planning about how workers' could be properly included in those programmes. It should propose inclusion of unemployment benefit for retrenched workers and introduction of unemployment insurance for workers.

Addressing the policy-gaps related to the National Jobs Strategy: Under national jobs strategy, trade unions should put focus on creation of more employment across the country. This could primarily happen by the government where private sector will join later. Trade union should consult with local level communities about the demand for infrastructure for facilitating production, employment, marketing and export of products. Those demands should be placed to local government institutes and also to different ministries particularly to the ministry of planning. Second, trade union along with local community leaders could form committees to set up monitoring committees in order to ensure timely implementation of different employment and labour related projects with quality and standards.

Addressing the policy-gaps related to the National Social SafetyNet Strategies: Based on the national social SafetyNet strategies, trade unions need to identify various support measures required for workers and their families under the provisions of social security for the working-age people, socially excluded groups, a food transfer programme, security for disabilities and affordable healthcare. Trade unions should negotiate with the government for unemployment insurance, employment injury insurance (EII) and health insurance programmes. Based on the discussion, the government will announce a time-bound action plan for introducing/implementing those programmes among the target groups of workers. In case of employment-related insurance schemes (social insurance, employment injury insurance), in-depth discussion and consultation with employers' associations, including Bangladesh Employers' Federation (BEF), will be required for further progress, thereby ensuring effective implementation.

5.2 Addressing short-medium term challenges through trade union led initiatives

Tri-partite discussion and agreement for job and income security: Different tripartite discussions and negotiations that have been undertaken during this crisis period have ensured limited success in favour of workers and MSMEs regarding coping with the risks and rebounding and recovery from the crisis. As a result, the workers, self-employed and MSMEs were disproportionately rebounded and lagged behind compared to those of other categories. The second wave of the covid pandemic is likely to delay their recovery further. In this backdrop, trade unions should strengthen their tri-partite discussion and negotiations with employers and government with regard to retaining the jobs and ensuring workers' wages. In this context, the modality of negotiation and bargaining will put pressure through 'insider bargaining' as well as the 'concessional bargaining' approaches. Such tri-partite discussion should take place more at the sectoral levels, particularly those where workers' concentration is high, including RMG, transportation and construction. Joint statements could be released with the agreement on protection of jobs, income and prohibition of lay off.

Tri-partite discussion and agreement for health care and workplace safety: Workers' health and safety are in a vulnerable state due to the second wave of the pandemic. The health and safety protocol prepared by the DIFE with the ILO's support has been weakly maintained in factories. Trade unions should take a proactive role with regard to organising a tri-partite discussion with the lead of the MoLE for proper monitoring and enforcement of OSH protocol. Such a discussion will come with an understanding of how factories will ensure workplace safety and workers health. The trade unions should create pressure for introducing punitive measures for factories where health protocols are not maintained properly. It is important to ensure free testing facilities for workers with cough, fever and flu-like symptoms at the nearby localities. Workers who are detected as covid positive should get leave from the factories with eligible benefits. Based on that discussion, the MoLE/DIFE will circulate necessary instructions for workplace safety for different sectors.

Tripartite discussion and joint statement on job-security for youth, female, disabled and marginal groups: The COVID crisis has disproportionately affected youth, female, disabled and marginal groups in terms of securing their jobs, income, social safety net support and treatment facilities for covid patients. Trade unions should put forward issues and challenges of the above-mentioned vulnerable groups with concerned ministries such as the Ministry of Youth and Sports, the Ministry of Women and Child Affairs, the Ministry of Social Welfare, the Ministry of labour and employment, the Ministry

of Commerce and departments such as DIFE and DoL. Joint statements should be released on how the interests of the different marginal groups will be ensured. In this context, various policy documents such as 8th FYP, national jobs strategy, national social SafetyNet strategies could provide necessary policy directions. Trade union will put forward suggestions for the requirement of training and capacity development and requirement of necessary budgetary allocations.

Tripartite discussion and joint statement on financial support for enterprises: Different categories of enterprises, particularly those MSMEs, need targeted support to cope with the risks and rebound from the crisis. Given the difficulties confronted by these enterprises in accessing the monetary policy support, innovative modalities and instruments need to be suggested by the entrepreneurs and trade unions. It is also important to provide estimates of financial support required by different categories of enterprises. Trade unions should place concrete proposals about alternate mechanisms and modalities for disbursing financial supports to these enterprises. In this connection, a technical discussion needs to be carried out with other important stakeholders, including bankers, business associations, NGOs, etc. Based on discussion at tri-partite levels, a joint statement could be issued as regards the urgency of support and modalities of extending those support to the enterprises.

Tripartite discussion and agreement on dispute resolution: The crisis management committees which are formed to address the concerns related to workers' jobs, wages, laid off and retrenchment etc., need to be made functional. The limited success of CMCs in dispute resolution indicates that a large section of workers has been deprived of getting the support of these committees. In this context, a joint statement could be released, which will assure public reporting of the role and activities of CMCs with regard to dispute resolution. The activities of the CMC should be reported publicly on a regular basis.

Bipartite social dialogues between trade unions, employers and their organisations: Trade unions and employers of different sectors will discuss at bipartite level with regard to the demands of the workers, workplace safety and avoiding laying off/retrenchment of workers. Both the parties will jointly make a request to the government about different support required for SMEs and workers, including subsidised credit support under the stimulus package and infrastructure and logistic facilities for testing of vaccines etc. Joint request should be made to the government for an arrangement of support for workers under social safety net programme mainly for workers of different industrial clusters. Trade unions and employers could jointly undertake measures for raising awareness among workers' health and safety protocol in the factories and workers. In this context, workers' participation committees (WPCs) could be effectively used for better understanding of workers' challenges and undertake awareness-raising measures. Both the parties agree to ensure the effective operation of trade unions in the factories.

Bilateral interactions between government and trade unions: Trade unions should further engage with the government on worker-related priority issues. The priority should be given on issues that are related to union members of different sectors. Given the crisis caused major damage to workers who are unorganised and work under different informal sectors, trade unions should prioritise their issues. Since a large part of informal and marginal workers fell below the poverty line, ensuring support under the social safety net needs to be ensured. Given the challenges confronted by the government in extending cash support to those informal and marginal workers earlier, trade unions should suggest

an innovative, effective and transparent mechanism for the distribution of cash support to those segments of the workers.

Bilateral understanding on taking measures against violations of labour laws, ILO conventions and other rights: Since workers have been suffering from an increasing number of violations of labour rules, international labour standards, non-compliance with labour regulations related to lay-offs, working hours and payment wages etc., it is important for trade unions to get an understanding from the government about the actions to be taken in these regards. These incidences need to be reported publicly and the actions taken by the government need to be made public for ensuring better transparency and accountability. Similarly, trade union needs to discuss with the government how factories should maintain OSH standards and protocol and how it is to be reported publicly. The government will need to ensure that necessary measures have been taken against those who violate the compliance standards and that information will be reported on a regular basis. Gender and sexual harassment-related issues need to be addressed through affirmative actions. In this context, BILS could provide necessary technical support to the DIFE and DoL in extending information on where different types of violations happened.

Bilateral discussion between governments and trade unions and official announcement against lay-off and retrenchment of workers: Trade unions will discuss with the government, particularly with the MoLE, regarding the protection of workers' jobs and income. Based on that, it will request the government to make an official announcement regarding the protection of employment, workers' rights and ensured entitled benefits. In cases, entrepreneurs find it difficult to accommodate the entitled benefits of the workers, enterprises would be advised to ensure workers' jobs and a part of their income for a specified period.

5.3 Strengthening trade union related activities across different sectors

Working with government, employers and other stakeholders for signing agreements related to international labour and human rights: Bangladesh government needs to take proactive measures with regard to signing agreements on important human labour rights issues, which include convention on minimum wage for entrance in the job market (C138) and convention on anti-harassment (C190). The government needs to take necessary measures to establish anti-harassment committees in factories as per the High Court's directives. The trade unions rights need to be ensured at the factory level under the Bangladesh Labour Act. Necessary initiatives need to be taken to set up an industrial safety unit to address workplace safety-related issues for all sectors.

Government will need to extend necessary support to broaden the trade union activities: Trade union-related activities need to be widened both in sectors where it is available and need to be introduced where it is at a very limited scale. Both formal and informal sectors need to be targeted in order to widen these activities. National trade unions (i.e. federations) should design and develop an activity plan for gradually extending trade union activities across major sectors and activities. Government should support unionisation activities in the country. In this context, employers should come forward to facilitate setting up more trade unions in different sectors- Bangladesh Employers Federation (BEF) should take a positive move in this case. However, further discussion would be

required about which issues will be dealt with at what levels, including wage-setting issue. The issue of collective bargaining needs to be structured properly.

Effective institutional mechanism is required to protect workers from violation of workers and trade union rights: Workers are often deprived of getting proper treatment through an in-house grievance system available in the factories or the formal complaint mechanism available at the association level for dispute settlement. The labour courts, which are the last resort for workers, often found inadequate in meeting the workers' demands due to lengthy process. Since violation of workers' rights has increased during the covid pandemic, which would rise further in the coming days, ensuring effective operation of grievance mechanism within the factory, at the association level and at the labour courts have become critically important. Trade unions should raise these issues to the enterprises, associations, crisis management committees, and the MoLE.

Trade Unions should focus on returnee migrant and migrant workers: Although the migrant workers are one of the major working population of the country which contributed significantly to the economy through sending remittance, they are found to be the most vulnerable due to an absence of voice under trade unions. Returnee migrants who lost their jobs have been suffering the most without adequate support. Trade unions should raise their voice in their favour of signing a bilateral agreement with destination countries to ensure legal support for aggrieved workers. Ensuring social SafetyNet support for returnee migrant workers. The subsidised credit support under the stimulus package for returnee migrants and their family members need to be distributed without major hassles – trade unions should raise voice in these regards.

Facilitating registration and functioning of trade unions at the factory levels: Often, trade unions complained about a lack of cooperation from the Department of Labour in the process of registering new trade unions. Despite developing standard, operating procedure and online-based follow-up mechanism, applicants often complained about a weak governance system. DoL needs to make the process transparent and make the responsible officers accountable. In this context, regular reporting of application status submitted, applications in the process of review, and those that get registered need to be reported. Trade unions should closely work with the MoLE as well as ILO in order to make the process functional and effective.

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