

University Doctoral (PhD) Dissertation Abstract

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Chapter 1

Research Background, Development and Methodology

1 Research Abstract

The doctoral dissertation titled "Enhancing Labour Protection in the Ready-Made Garments Industry of Bangladesh: A Legal Perspective and Economic Growth" provides an analysis of Bangladeshi labour laws in relation to international regulations. It examines labour rights within the global supply chain of the apparel manufacturing industry, particularly focusing on the Ready-Made Garment (RMG) sector in Bangladesh. The RMG industry is a crucial component of the Bangladeshi economy, contributing 80% of foreign exports and employing over 4 million workers across more than four thousand factories registered with the Bangladesh Garment Manufacturers and Exporters Association (BGMEA). The dissertation addresses various labour rights issues present in the RMG industry, including wage levels, gender-based discrimination, and workplace harassment.

2 Research Background

In today's rapidly evolving fashion industry, clothing functions not only as a medium of self-expression but also as a crucial element of individual identity and self-esteem. Fashion has significant economic ramifications, creating a global network that connects producers with consumers. However, a pressing concern within this system is the often-neglected labor conditions faced by workers in developing countries, particularly in the fast-fashion sector.

The gap between consumer awareness in developed nations and the realities of garment manufacturing in countries like Bangladesh raises essential questions regarding workforce remuneration, occupational safety, and the enforcement of labour rights throughout the global supply chain. Bangladesh is a major player in the international Ready-Made Garments (RMG) sector, making substantial contributions to global apparel markets. As a native of Bangladesh, I have witnessed both the considerable economic benefits derived from the RMG industry and the numerous challenges encountered by its workers, including inadequate infrastructure, poor working conditions, and limited legal protections.

These observations have sparked my interest in exploring the legal frameworks and economic factors that influence labour protection within the RMG sector. By addressing these critical issues

through informed advocacy and policy reform, I aim to promote positive change and foster sustainable economic development in Bangladesh.

Further, the prevailing labour unrest and unsafe working conditions in the RMG industry compel me to research and highlight the pressing challenges workers face in this sector. However, the list of labour rights violations is more extensive. I have chosen to focus on three specific issues: low wages, gender-based discrimination, and workplace harassment. These issues transcend national boundaries and are integral to the global discourse on labour rights and economic progress. The inadequacy of wages serves as a crucial factor contributing to various labour rights violations, particularly gender discrimination and harassment. Chapters two, three and four illustrate the issues as mentioned above, with legislative gaps and recommendations.

Moreover, Bangladesh's ineffective national labour laws provide insufficient protection as the country's labour law is comparatively new. Through my research, I aim to make meaningful contributions towards enhancing labour laws and economic circumstances for RMG industry workers in Bangladesh and enrich broader academic and policy dialogues in this domain.

From a global perspective, every worker should have equal opportunities and social protection and be free from workplace discrimination, which is of utmost importance as it upholds their labour rights¹. It is integral to human rights, ensuring respect for human dignity and social justice². However, in practice, these rights are often violated by employers who fail to uphold standards such as providing minimum wage and benefits, timely payment of wages, safety regulations, and non-discrimination³. This violation of labour rights is unacceptable and must be addressed through continuous improvement of legislation and increased workers' or employees' awareness of their rights and obligations⁴. Businesses and the government must also take responsibility for promoting social accountability to ensure that all workers enjoy fair and equal working conditions⁵.

¹ Yang, Y., 2022, March. The Human Rights of the Labour Workers in the MNES. In *2022 7th International Conference on Financial Innovation and Economic Development (ICFIED 2022)* (pp. 125-129). Atlantis Press.

² N., B., Kalkayeva. (2023). Legal mechanisms for protecting social and labour rights of citizens The study is funded by the Scientific Committee of the Ministry of Education and Science of the Republic of Kazakhstan (No. AP09259109 grant)). *Habarşy - Āl-Farabi atyndagy azaq memlekettik latty universiteti.Za serisy*, 106(2) doi.org/10.26577/JAPJ.2023.v106.i2.09

³ Князева, Н., & Knyazeva, N. (2016). Labours' Right Protection of the Groups of Workers. *Journal of Russian Law*, 4(11), 0. doi.org/10.12737/22200

⁴O'Brien, R.(2023). *Labor*. *Routledge eBooks*, Informa, pp.393–406. doi.org/10.4324/9781003266365-34.

⁵ N. B. Kalkayeva. (2023). Legal mechanisms for protecting social and labor rights of citizens The study is funded by the Scientific Committee of the Ministry of Education and Science of the Republic of Kazakhstan (No. AP09259109

Enhancing labour protection is essential to the sustainable development of enterprises, particularly in labour-intensive sectors, like Bangladesh's Ready-made garments (RMG) industry. It is crucial to recognise that the protection of labour rights is an independent institution of labour law, encompassing various forms and methods of protection. Judicial protection is widely regarded as the most effective way to safeguard violated labour rights, as it helps restore and protect those rights⁶.

The Universal Declaration of Human Rights (UDHR) in 1948 first acknowledged the global importance of safeguarding worker rights. These rights included the prohibition of slavery, the entitlement to employment, the protection of fair and favourable working conditions, and the preservation of trade union rights⁷. Subsequently, the International Covenant on Economic, Social and Cultural Rights (ICESCR) enacted in 1966 also has comparable labour rights like right to work, fair and equal wages and forming and joining a trade union⁸.

In addition, the International Labour Organisation (ILO) was founded in 1919 to advance workers' rights and improve working conditions worldwide. The ILO Declaration, rooted in fundamental rights, seeks to prevent further decreased labour standards and promote social justice. The organisation's primary goal is to establish international standards and norms to enhance labour conditions worldwide, acknowledging that the absence of humane conditions might obstruct other nations' endeavours to improve conditions inside their own country⁹. The ILO is responsible for setting and applying these standards for protective trade purposes. The conventions encourage member countries to update their labour rights mechanisms and initiatives, motivating non-ratifying countries to join.¹⁰

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doi.org/10.26577/JAPJ.2023.v106.i2.09/1

⁶Tetiana, L., Syroid., Lina, O., Fomina., Pavlo, Fomin. (2022). Protection of labour rights of employees of international intergovernmental organizations: theory and practice. Analitično-porivnâl'ne pravoznavstvo, doi: 10.24144/2788-6018.2022.05.82

⁷ Universal Declaration of Human Rights (1948), Article 4,23 and 24. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

⁸ International Covenant on Economic, Social and Cultural Rights (1966), Article 6,7 and 8.
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

⁹ Chowdhury, M.S., 2017. compliance With core international Labor standards in National Jurisdiction: evidence from bangladesh. *Labor Law Journal*, 68(1), p.78.

¹⁰ UDDIN, M., Islam, M.Z. and Uddin, M.S., 2022. The implementation of the core international labour rights regime in Bangladesh garments industries and its challenges. *Journal of Asian and African Social Science and Humanities*, 8(3), pp.42-54.

The world of work has changed because of various reasons. One of the significant causes is Globalization; it is a global trend that involves the liberalisation of trade, the expansion of foreign direct investment (FDI), and large cross-border financial flows. It has both positive and negative effects. On the one hand, it increases efficiency, innovation, and consumer choice. On the other hand, it has a negative impact on the labour market and labour rights violations like job losses, wage adequacy, income inequality, discrimination and financial crises¹¹.

Globalisation leads to the spread of global supply chains. It is an interconnected network of global organisations, suppliers, and manufacturers that produce and distribute goods and services¹². The global apparel or ready-made garment (RMG) industry is the most dynamic and complex example of the global supply chain. It includes brands and retailers in the Western world, as well as the consumer market and production of products in many developing Asian countries¹³. Outsourcing products to countries with lower labour costs and weak labour laws leads to violations of labour rights.

In this supply chain, Bangladesh plays a vital role in the production of garments. Bangladesh is the world's second-largest garment exporter after China. However, the working conditions in the country's RMG industry have been a matter of concern for various reasons. The sector often faces labour unrest because of low wages and long working hours, contributing to job dissatisfaction among workers. Other factors include arrear salary, deprivation of benefits and bonuses, lack of work motivation, and a lack of a safe working environment¹⁴. Furthermore, most workers in the garment sector are women, and they face additional challenges and discrimination due to their gender and apprehend sexual harassment¹⁵.

¹¹Hendrickx, F., Marx, A., Rayp, G. and Wouters, J., 2016. The architecture of global labour governance. *International Labour Review*, 155(3), pp.339-355.

¹² Gilbert, Dirk Ulrich and Huber, Kristin, Labour Rights in Global Supply Chains (December 10, 2022). Rasche, Andreas/Morsing, Mette/Moon, Jeremy/Kourula, Arno (Eds.): Corporate Responsibility, Second Edition, Cambridge University Press, 2023, Chapter 18 pp. 451-472, Available at SSRN: <https://ssrn.com/abstract=3517235> or <http://dx.doi.org/10.2139/ssrn.3517235>

¹³ Karina Fernandez-Stark et al, "The Apparel Global Value Chain," Duke Center on Globalization, Governance & Competitiveness (2011), accessed on November 14, 2013, http://www.cggc.duke.edu/pdfs/2011-1111_CGGC_Apparel-Global-Value-Chain.pdf

¹⁴ Choudhury, S. and Rahman, M. H. (2017) "Labor Unrest in the Ready-Made Garment Industry of Bangladesh: Causes and Consequences", *European Scientific Journal, ESJ*, 13(34), p. 87. doi: 10.19044/esj.2017.v13n34p87.

¹⁵ Solaiman, S.M. (2013). Unprecedented Factory Fire of Tazreen Fashions in Bangladesh: Revisiting Bangladeshi Labor Laws in Light of Their Equivalents in Australia. *Hofstra Labor & Employment Law Journal*, [online] 31(1). Available at: <https://scholarlycommons.law.hofstra.edu/cgi/viewcontent.cgi?article=1567&context=hlelj>.

In order to ensure the protection of workers' rights, it is crucial to tackle these issues and strive towards establishing a working environment that is fair, equitable, and secure for all. These involve formulating and enforcing strong labour laws and regulations within Bangladesh, ^{as} labour law is a significant component of labour rights protection. It also involves creating awareness and monitoring supply chains to ensure compliance with international labour standards, preventing exploitation, and promoting sustainable economic growth.

The study will examine the history of the global and Bangladeshi apparel industry. It will evaluate the extent to which the Bangladesh Labour Acts comply with international standards established by the ILO. Additionally, it will explore how the gap in implementation and inadequacies in national labour laws have impacted the rights of RMG workers mentioned above.

3. Research Question

This research aims to answer several questions but focuses on addressing the primary question that forms the study's basis.

"How can Bangladesh benefit from complying with International labour standards to improve labour law, protect RMG workers, and promote economic growth"?

Further research associate questions will be as follows.

How will the reform and implementation of minimum wage regulation ensure equitable wages for RMG workers?

How can reforming Bangladesh's labour laws on gender-based discrimination safeguard female workers in the RMG sector?

In what ways will the integration of workplace harassment protection laws into national regulations, aligned with international standards, create a safer working environment for female RMG employees?

3. Objectives of the study

This research conducts an in-depth examination of Bangladesh's national labour legislation, specifically tailored to the context of the Ready-Made Garments (RMG) sector, while also juxtaposing these laws against relevant international benchmarks. The primary aim of this study is to formulate comprehensive policy recommendations designed to enhance the protection, rights,

and overall empowerment of workers, with a significant focus on women, who comprise a large portion of the RMG workforce.

To achieve this objective, the study will trace the historical evolution of labour laws in Bangladesh, providing a critical analysis of how these laws align with international labour standards established by organisations such as the International Labour Organization (ILO). This analysis will not only review the text of the laws. Still, it will also scrutinise their practical application and enforcement mechanisms within the RMG industry, assessing the degree to which these laws protect workers' rights in real-world scenarios.

Furthermore, this investigation aims to pinpoint the various barriers that hinder the effective enforcement of labour rights in Bangladesh. These may include systemic issues such as a lack of resources for labour inspections, widespread fear of retaliation among workers, and inadequate training for enforcement personnel. Based on the findings, the study will propose actionable strategies aimed at mitigating these violations and improving compliance with labour regulations.

Ultimately, this comprehensive approach aspires to foster a more equitable and supportive environment for all workers in Bangladesh's RMG sector, with a particular emphasis on addressing the specific challenges faced by women workers in the industry. By strengthening legal frameworks and ensuring effective enforcement, this research seeks to contribute to the ongoing discourse on labour rights and promote sustainable development within the RMG sector in Bangladesh.

4 Methodology

This study presents a thorough and nuanced exploration of the intersection between law and economics, particularly concerning the working conditions and labour rights violations within the Ready-Made Garment (RMG) sector in Bangladesh. By employing a mixed-methods and comparative approach that integrates both qualitative and quantitative research methodologies, the inquiry seeks to derive a comprehensive understanding of the legal frameworks impacting all stakeholders involved.

The analysis was informed by a diverse array of data sources, including international legislation, academic literature, and relevant statistical evidence. This research's innovative aspect lies in the rigorous application and interpretation of existing data to illuminate key issues.

Initially, secondary data was collected from a range of reputable sources, encompassing previous studies, scholarly articles, and reports from international organisations and NGOs. Notable contributors to this body of work included the Fair Wear Foundation (FWF), Better Work (BW), Manusher Jono Foundation (MJF), Action Aid, Kormojibi Nari (KN), Clean Clothing Campaign (CCC), alongside various journalistic accounts. This foundational data aimed to elucidate the labour conditions and rights infringements experienced by RMG workers.

In parallel, the research examined national labour legislation, International Labour Organization (ILO) standards, the Universal Declaration of Human Rights, and EU directives utilizing a comparative analysis framework to address the central research question. The author collected primary data. Self-survey collection included a survey of one hundred female workers across five factories located in the Badda area of Dhaka city. This survey incorporated semi-structured questions aimed at probing issues related to workplace discrimination and facility conditions. Interviews were conducted during these workers' training sessions, facilitated by the Bangladesh Centre for Workers' Solidarity (BCSW), an organization dedicated to advocating for the rights of RMG workers. The data collection spanned from September to October 2021, encompassing a broad group of approximately 1,400 to 1,500 workers, with over 60% being female. Due to constraints related to the COVID-19 pandemic and logistical limitations, a selective sample of twenty groups from each factory was chosen for interviews, ensuring a representative exploration of the subject matter.

5 Research Development

To create a thorough context for the thesis, I have conducted an in-depth review of the evolution of the Ready-Made Garment (RMG) industry in Bangladesh. This encompasses a critical assessment of labour rights violations that have occurred in this sector. Additionally, I have explored the historical development of labour legislation in Bangladesh, seeking to emphasise the possibility of enhanced regulatory frameworks that could more effectively safeguard workers' rights and encourage sustainable practices within the industry.

A. Evolution of Bangladesh RMG industry

The globalisation and relocation of garment manufacturers created employment opportunities for millions of workers and contributed to economic development in Bangladesh. The origins of the ready-made garment (RMG) industry in the country can be traced back to the early 1970s, with

the establishment of the first RMG company, Reaz Garments, in Dhaka. Initially operating as a small tailoring shop known as Reaz Store, the company focused solely on the domestic market for the first 15 years. In 1973, it rebranded as M/s Reaz Garments Ltd and began exporting to international markets.¹⁶

Later, in partnership with *Daewoo*, a South Korean company, *Desh* Garments established Bangladesh's first joint venture garment factory in 1977 and began production in the early 1980s. During the 1980s, a local enterprise named *Trexim Ltd* partnered with *Youngone Bangladesh* and established the country's first garment factory. Over the next decade, the 1980s to the 1990s, the RMG industry in Bangladesh experienced significant growth.¹⁷ When the Bangladesh government authorised the duty-free import of clothing machinery, it boosted the country's garment manufacturing industry and exports. Afterwards, the number of factories increased significantly over time. The number of factories rose from 134 in 1983-84 to 632 in 1984-85; by 1999, it had reached 2900¹⁸.

Bangladesh's economic liberalisation, privatisation, and investor incentives have attracted significant Foreign Direct Investment (FDI) levels. The government created the Export Processing Zone (EPZ) in 1983 in Chittagong to attract more FDI, and a second EPZ was set up in Savar near the capital city of Dhaka in 1993. As a result, the country has become a significant manufacturing hub in the developing world, particularly in the RMG sector. To create and manage Export Processing Zones (EPZs) in Bangladesh, the government established the Bangladesh Export Processing Zones Authority (BEPZA) in 1980. Bangladesh's total exports from 456 operational

¹⁶ Monir Hossen, M. and Miazee, Md.H. (2016). Industrial Disputes at Ready Made Garments in Bangladesh: An Analysis. *International Journal of Business and Economics Research*, 5(6), p.210. doi.org/10.11648/j.ijber.20160506.14.

¹⁷ Rahman, M., Muzib, S. and Chaity, R. (2018). READY-MADE GARMENTS OF BANGLADESH: AN OVERVIEW. *Barishal University Journal Part*, [online] 1(1&2), pp.59–122. Available at: <https://bu.ac.bd/uploads/BUJ1V5I12/5.%20M%20Hasinur%20Rahman.pdf> [Accessed 15 Nov. 2023].

¹⁸ Islam, M. (2021). *Bangladesh RMG Industry's Robust Growth and Challenges*. [online] Business Inspection BD. Available at: <https://businessinspection.com.bd/rmg-industry-of-Bangladesh> [Accessed 25 Feb. 2023].

enterprises in 8 EPZs reached \$96 billion, with 5,02,365 employees as of June 2022¹⁹. Two-thirds of workers in these EPZs are engaged in garments.²⁰

Bangladesh's RMG industry has been the country's primary export business for 30 years, contributing to 80% of export earnings. From 2022 to 2023, Bangladesh earned \$55.55 billion from exports backed by the export of RMG products. The RMG industry is the highest contributor to total export earnings, \$46.99 billion, or 84.58% of total exports.²¹

Along with being a significant contributor to export earnings, the RMG sector also provided jobs to 4.1 million people in 4,600 plus factories, according to the Bangladesh Garment Manufacturers and Exporters Association (BGMEA). Women make up 80% of the workforce in this industry, and the United States (US), United Kingdom (UK), and European Union (EU) are the major importers of RMG products. Bangladesh is the second-largest exporter of garments in the world after China. Although it lost its top position to Vietnam in 2020, it regained it by exporting \$35.81 billion, while Vietnam exported \$32.75 billion in 2021²². Bangladesh's Ready-Made Garments (RMG) industry has a competitive advantage due to its low labour costs and high returns on foreign investment in the Export Processing Zones (EPZ)²³.

B. Labour Rights Crisis in Bangladesh RMG Industry

The ready-made garment (RMG) sector in Bangladesh has been a crucial contributor to Bangladesh's economy and society. This industry has provided employment opportunities for an estimated 4 million individuals, including young, impoverished, and illiterate women. Despite the industry's progress, labour practices and rights violations remain a persistent concern.²⁴ The RMG

¹⁹ www.bepza.gov.bd. (2022). *BEPZA registers record growth in export, investment and employment in FY 2021-22*. [online] Available at: <https://www.bepza.gov.bd/recent-activities/bepza-registers-record-growth-in-export-investment-and-employment-in-fy-2021-22> [Accessed 5 February. 2023].

²⁰ Export processing zone workers see over 50% hike in minimum wage. (2023). <https://asianews.network>. [online] 11 Dec. Available at: <https://asianews.network/export-processing-zone-workers-see-over-50-hike-in-minimum-wage/> [Accessed 12 Jun. 2024].

²¹ The Financial Express. (2023). *Exports from vast sectors save RMG stagnate*. [online] Available at: <https://thefinancialexpress.com.bd/economy/exports-from-vast-sectors-save-rmg-stagnate> [Accessed 13 Aug. 2023].

²² Bangladesh RMG export exceeds Vietnam again. (2022). *Textile Today*. [online] 13 Dec. Available at: <https://www.textiletoday.com.bd/bangladesh-rmg-export-exceeds-vietnam> [Accessed 21 Apr. 2023].

²³ Ashik-Uz-Zaman, S. and Abdul Mannan Khan, M. (2021). Minimum Wage Impact on RMG Sector of Bangladesh: Prospects, Opportunities and Challenges of New Payout Structure. *International Journal of Business and Economics Research*, 10(1), p.8. doi.org/10.11648/j.ijber.20211001.12.

²⁴ Chowdhury, M.S., 2017. compliance with core international Labor standards in National Jurisdiction: evidence from Bangladesh. *Labor Law Journal*, 68(1), p.78.

sector has undergone significant advancement in the global supply chain since the 1990s, primarily due to the abundance of low-cost labour. These workers have proven dependable, flexible, and receptive to training.²⁵

Bangladesh has faced severe violations of workers' labour rights during the Multi Fibre Agreement (MFA) and since gaining quota-free access to foreign markets in 2005²⁶. The RMG industry in Bangladesh is plagued with long working hours, excessive overtime, and illegal pay deductions, which are common violations²⁷. Workers also face issues like informal recruitment, wage discrimination, irregular payment, and short-term service contracts²⁸. Since a majority of the workforce is women, they suffer from discrimination in terms of maternity benefits and promotions and are subjected to harassment²⁹. Workers also face unsafe working conditions, closed environments³⁰, and a lack of basic facilities such as a canteen, lunchrooms, clean drinking water, and separate toilets for female workers³¹. These are significant concerns regarding labour unrest in the RMG industry in Bangladesh. As a result, workers in this sector have engaged in disputes and violent protests, leading to disruptions in the production process³². In 2006, a major labour movement took place, which aimed to demand a higher minimum wage, weekly holiday overtime

²⁵ Dean, S (2001). The WTO, ATC and Textiles and Clothing in a Global Perspective: What's in it for Bangladesh? / CPD. [online] *Centre for Policy Dialogue (CPD)*. Available at: <https://cpd.org.bd/publication/the-wto-atc-and-textiles-and-clothing-in-a-global-perspective/>.

²⁶ Bhattacharya, D. and Rahman, M., 2000, January. Bangladesh's apparel sector: Growth trends and the post-MFA challenges. In *Proceedings of a national seminar on the Growth of the Garment Industry in Bangladesh: Economic and Social Dimensions*, BIDS and Oxfam Bangladesh, Dhaka.

²⁷ Kaniz Marium Akter, Subrata Banik. Factors Affecting the Quality of Working Life: An Enquiry into the RMG Industry of Bangladesh. *Journal of Human Resource Management*. Vol. 6, No. 1, 2018, pp. 26-36. doi: 10.11648/j.jhrm.20180601.14

²⁸ Chowdhury, M., Ahmed, R. and Yasmin, M., 2014. Prospects and Problems of RMG Industry: A study on Bangladesh. *Research Journal of Finance and Accounting* Vol 5, pp.103-118. ISSN 2222-2847 (Online)

²⁹ Rock, M. (2001). Globalisation and Bangladesh: The case of export-oriented garment manufacture. *South Asia: Journal of South Asian Studies*, 24(1), 201–225. <https://doi.org/10.1080/00856400108723430>

³⁰Rakib, M.A. and Adnan, A. (2015) Challenges of Ready-Made Garments Sector in Bangladesh: Ways to Overcome. *BUFT Journal*, Vol 3. pp77-90

³¹Morshed, M.M. (2007). *A study on labour rights implementation in readymade garment (RMG) industry in Bangladesh: Bridging the gap between theory and practice*. [online] *University of Wollongong Thesis Collection 1954-2016*. Available at: <https://ro.uow.edu.au/theses/40/>.

³²Hossan, C.G., Sarker, M.A.R. and Afroze, R., 2012. Recent unrest in the RMG sector of Bangladesh: is this an outcome of poor labour practices?. *International Journal of Business and Management*, 7(3), p.206.

payment, and public holidays and to protest repression. Unfortunately, during the protest, three individuals lost their lives, more than 3,000 were injured, and several thousand were imprisoned³³.

Later, in 2010, the industry experienced massive unrest, with five significant incidents. For instance, on 11th January, 40 workers were injured during a violent demonstration. On 28 April, workers again became aggressive, demanding an increase in their monthly wage rate from US\$25 to US\$70. This incident impacted more than 22 RMG factories and resulted in 30 injuries and more³⁴.

Workplace safety has been a significant concern in the Bangladesh RMG industry, along with labour rights violations and oppressive situations. On 24th November 2012, a fire broke out at the Tazreen Fashions factory in Bangladesh, resulting in the death of 112 workers and injuries to over 200 others. The incident unveiled the unsafe working conditions of Bangladesh workers. A short circuit caused the fire due to poor-quality electrical wiring, and the workers could not escape as there were no proper fire exits.³⁵ In Bangladesh, from 1990 to 2012, at least 1,000 workers were killed and 3,000 injured in garment factory incidents, with no punishment for those responsible.³⁶ Soon after the Tazreen Fashion incident in April 2013, the Rana Plaza incident caused the collapse of a building in Bangladesh that housed five garment factories, resulting in the death of 1,129 workers, adding more number to the death toll of the garment workers, which grabbed global attention.³⁷ The non-implementation of the Bangladesh Labour Act (BLA) 2006 and non-compliance with the ILO conventions and standards in the RMG sector are the leading causes of labour unrest and labour rights violations.³⁸

³³ Akter, P. (2020). An Overview of the Ready-made Garment (RMG) Sector of Bangladesh: From Origin to the Current State of Pinnacle. *Kyushu Daigaku Daigakuin Keizaigakukai*, 167(167), pp.1–18. doi: <https://doi.org/10.15017/4067129>.

³⁴ Islam, M.S. and Ahmad, S. (2010). Contemplating sustainable solutions to garments sector unrest. *The Daily Star*. [online] 10 Jul. Available at: <https://www.thedailystar.net/news-detail-146098> [Accessed 12 Jun. 2024].

³⁵ *Case study: Tazreen fashions (Bangladesh) (2017) Worker-Driven Social Responsibility Network*. Available at: <https://wsr-network.org/what-is-wsr/csr-and-msis/csr-case-study-tazreen-fashions-bangladesh/> (Accessed: 04 February 2020).

³⁶ Solaiman, S. M. (2013) "Unprecedented Factory Fire of Tazreen Fashions in Bangladesh: Revisiting Bangladeshi Labor Laws in Light of Their Equivalents in Australia," *Hofstra Labor & Employment Law Journal*: Vol,31 Iss, 1 Art 3. Available at: <https://scholarlycommons.law.hofstra.edu/hlelj/vol31/iss1/3>

³⁷ *ibid*

³⁸ Hossan, C.G., Rahman Sarker, Md.A. and Afroze, R. (2012). Recent Unrest in the RMG Sector of Bangladesh: Is This an Outcome of Poor Labour Practices? *International Journal of Business and Management*, 7(3). doi.org/10.5539/ijbm.v7n3p206.

Notably, workers in the Export Processing Zones (EPZ) are not protected by BLA 2006. These workers face various issues, such as low wages, limitations on forming trade unions, and lack of freedom of association. Additionally, women also face discrimination and harassment due to the absence of strong labour regulations, and two different legislations for the same industry workers create discrimination between workers.

C. Development of Bangladesh Labour Law:

It is worth noting that the labour law system in Bangladesh has a long history, dating back over a century. The earliest legislation regarding labour laws was enacted during the British colonial period in the Indian subcontinent, specifically in 1881. Several significant labour laws were established during the British period, including the Factory Act (1881), Workmen's Compensation Act (1923), Trade Unions Act (1926), Trade Disputes Act (1929), Payment of Wages Act (1936), Maternity Benefit Act (1939), and the Employment of Children Act (1938)³⁹. Following the partition of the Indian subcontinent in 1947, most of these laws were retained with some modifications and amendments, and the government of Pakistan has implemented them as administrative rules.⁴⁰

After its independence in 1971, the government of Bangladesh (GoB) retained the previous laws through the Bangladesh Laws Order (President's Order No. 48). Later, the National Labour Law Commission was established in 1992 to reform and modernise industrial relations in Bangladesh. The commission developed a Draft Labour Code in 1994⁴¹.

Further, Bangladesh responded to the evolving demands of the working class and introduced a new, revised Bangladesh Labour Act (BLA) on 11 October 2006. It consolidates and updates 25 separate acts into one comprehensive piece of legislation⁴².

³⁹ Begum, N. (2016). *Maintenance of health and safety of women garment workers: a study of South East Textile (Pvt.) Limited*. [online] *dspace.bracu.ac.bd*. Available at: <https://dspace.bracu.ac.bd/xmlui/handle/10361/6518> [Accessed 13 Jun. 2022].

⁴⁰ Rahman, M., Ullah, M., Ali, A. and Phil, M. (2003). *LABOUR LAW RESEARCH FOR BANGLADESH* - . [online] Oxfam BD. Available at: https://www.hdrc-bd.com/wp-content/uploads/2018/12/0.-Research-for-the-Labour-Wedge-of-the-OI-Trade-Campaign-_Labour-Law-Research-for-Bangladesh.pdf [Accessed 13 Mar. 2023].

⁴¹ *ibid*

⁴² en.banglapedia.org. Labour Law *Banglapedia*. [online] Available at: https://en.banglapedia.org/index.php?title=Labour_Law.

The BLA 2006 is an all-encompassing legislation that applies to the entire country and the working class. This Act covers various aspects of labour management, including compensation, employment terms, workplace safety and security, trade unions, labour management relations, and social laws. It is of great significance for the country's workforce. The social rules outlined in the Act, such as minimum wage regulations, maternity benefits, compensation for work-related accidents, and profit-sharing arrangements, aim to protect the working class's rights and define their workplace responsibilities. The primary objective of these legal instruments is to make a safe and equitable work environment that safeguards the interests of both employers and employees alike.

Moreover, to supplement the BLA 2006, the government introduced the Bangladesh Labour Rule (BLR) in 2015. Since the introduction of the BAL in 2006, it has been amended thrice: in 2013, 2018, and November 2023. On 1 September 2022, the BLR (2015) was amended.

Other than this law, workers under EPZs labour rights are regulated by the Bangladesh Export Processing Zone Act 2019, which came into action on 28 February 2019, and the act is in the review process of incorporation with ILO for future amendment expected in 2026. Further to supplement the act new Export Processing Zones Labour Rule (EPZ Labour Rule), which came into enforcement on 4 October in 2022⁴³.

Previously, the EPZ workers' rights were regulated by the Bangladesh Export Processing Zones Authority Act (BEPZA) 1980 and the EPZ Workers Welfare Association and Industrial Relations Act (EWWAIRA) 2010⁴⁴. This outlines the authority's powers, functions, and responsibilities in managing and regulating EPZs. Further, the 1989 Bangladesh Export Processing Zone Authority (BEPZA) introduced Bangladesh Export Processing Zones Authority Instruction No # 1 and 2.

Research Findings

Chapter 2: Minimum Wage Fixing Regulation

The chapter presents the following findings to address the question of how the reform and implementation of minimum wage regulation will ensure equitable wages for RMG workers. The

⁴³ Ibid

⁴⁴ The EPZ Workers Welfare Association and Industrial Relations Act (EWWAIRA) 2010. Available at: <http://bdlaws.minlaw.gov.bd/upload/act/2022-01-31-10-58-25-50.The-EPZ-Workers'-Welfare-Association-and-Industrial-Relations-Act,-2010.pdf>

Ready-Made Garments (RMG) industry in Bangladesh is facing significant challenges, particularly regarding low wages and labor-intensive practices. The Minimum Wage Board (MWB) is responsible for ensuring fair wages for workers; however, the current wage level is considered insufficient to meet the basic needs of workers and their families. Established at 8,000 Tk in November 2018, the minimum wage for lower-grade RMG workers has remained unchanged for five years. The financial strain on workers has worsened due to the COVID-19 pandemic and rising inflation, raising concerns about the adequacy of the minimum wage policy. In response, the government has formed a new wage board to recommend adjustments to the minimum wage, with an announcement expected by the end of 2023.

Globally, minimum wage regulation is a vital aspect of labor markets, with 90% of the International Labour Organization's (ILO) 187 member states implementing minimum wage laws. Despite this, the minimum wage levels in Bangladesh are still viewed as inadequate. Ongoing crises, including the COVID-19 pandemic and geopolitical tensions from the Russia-Ukraine conflict, have exacerbated these challenges.

In Bangladesh, wage disparities exist between RMG workers in Export Processing Zones (EPZs) and those outside these zones, primarily due to differing compensation structures. Non-EPZ workers receive additional allowances for transport and food, while EPZ workers benefit from festival bonuses and subsidized education for their children. Since 2013, house rent has increased by 10% for both groups, yet wage increments have stagnated at 5% for non-EPZ workers and 10% for EPZ workers.

A grading system established in 2013 has led to confusion regarding wage distribution, indicating a need for a revised system that better categorizes roles based on their responsibilities. From 2013 to 2018, minimum wage increases significantly impacted the gross compensation of grade 7 employees. During this period, the basic wage constituted a smaller percentage of total gross wages, decreasing from 56.6% in 2013 to 51.25% in 2018.

The MWB, established by the Pakistani government in 1959, is the primary wage-setting authority in Bangladesh, determining minimum wages for 42 different industries. The minimum wage rate varies between urban and rural areas and within export zones. The "Payment of Wages Act" of 1936 regulates wage payments across various sectors, later unified into the Bangladesh Labour Act (BLA) 2006 with amendments.

The MWB is mandated under Section 138 of the BLA and comprises four permanent members, including government-nominated representatives from both employers and workers. The MWB recommends new minimum wage rates based on socio-economic conditions, cost of living, production costs, and other factors. These recommendations are published in the official gazette, allowing stakeholders to raise objections, which can be reconsidered within 45 days.

The Export Processing Zones Authority oversees RMG factories within EPZs, following the EPZ Act of 1980. The last minimum wage revision for EPZ workers occurred in 2018, setting entry-level positions at 6,250 Tk. Future wage declarations will align with the EPZ Labour Act 2019, which mandates the MWB to fix minimum wage rates for EPZ workers.

The MWB has the authority to add members and re-establish the Wages Board, with the government approving minimum wage recommendations. However, challenges arise from undefined parameters in the EPZ Labour Act 2019. Suggestions have been made to align wage-fixing processes with the ILO's Minimum Wage Fixing Convention of 1970, emphasizing clear communication and thorough economic assessments.

The lack of a universal definition for "minimum wage" leads to inconsistencies, with the ILO stressing that wages should meet workers' basic needs. Effective implementation and enforcement of minimum wage laws are crucial, requiring an impartial MWB. Despite an increase in membership, the MWB faces challenges in selecting worker representatives who are essential for advocacy in the RMG sector.

Notifying workers of minimum wage rates is critical, as many, particularly uneducated women, remain unaware of their rights. Current communication methods are inadequate; thus, more accessible strategies, like community meetings and awareness campaigns, are necessary. Inspection is vital for enforcing minimum wage compliance; however, the Department of Inspection for Factories and Establishments (DIFE) in Bangladesh is under-resourced. Regular inspections and accountability measures are necessary to uphold labor laws.

Incorporating penalties for non-compliance with minimum wage regulations is essential. Current laws allow for compensation claims and potential imprisonment for employers who fail to pay the minimum wage. Strengthening these provisions and ensuring proper enforcement will help protect workers' rights and improve their welfare in the RMG sector. Overall, addressing these challenges is crucial for the sustainability and ethical operation of the RMG industry in Bangladesh.

Chapter 3: The Legal Framework to Eradicate Gender-Based Discrimination

Wage and payments

The chapter addresses the issue of gender-based discrimination (GBD) against women in Bangladesh's ready-made garment (RMG) sector, where women constitute 80% of the workforce. Despite their significant economic contributions, female workers contend with insufficient working conditions, low wages, limited opportunities for advancement, and instances of harassment. The chapter aims to evaluate existing laws and policies related to gender disparity, their effectiveness, and propose potential reforms.

Key factors contributing to GBD include female workers' socioeconomic background, lack of education, and insufficient awareness of labour rights. Many women occupy low-paying, low-skilled positions with minimal representation in management. Reports indicate notable gender wage gaps and restrict career progression for women.

International frameworks such as the Universal Declaration of Human Rights and ILO agreements advocate for gender equality, which Bangladesh has ratified. Nevertheless, gaps in implementation persist, indicating a need for further actions to ensure equitable working conditions for women in the RMG sector. The Bangladesh Labour Act 2006 (BLA) and the EPZ Labour Act 2019 address wage discrimination and mandate timely payments; however, delays in wage payment remain a substantial issue. Surveys conducted by Karnojibi Nari (KN) indicate that while wage structures are designed to prevent discrimination, late payments are common. The BLA and EPZ Labour Act provide mechanisms for workers to claim unpaid wages, detailing different compensation amounts.

The chapter also examines the EU's legal framework for gender pay equality, which includes directives that promote transparency in pay structures and annual reporting of gender pay gaps by larger employers. Eastern European countries have aligned their laws with these directives, resulting in progress toward pay equity.

To mitigate gender pay gaps in Bangladesh's RMG sector, the chapter suggests adopting strategies inspired by EU policies. These include implementing pay transparency measures, enhancing enforcement of existing laws, instituting sector-specific reforms, and empowering workers through

training on labour rights. The implementation of these strategies could assist in addressing gender disparities in the RMG sector, where current gender pay gaps in Eastern Europe range from approximately 8.5% in Poland, 12% in Romania, and 17% in Hungary.

Maternity protection

Maternity protection in Bangladesh is a crucial labour and human right, aiming to safeguard the health of mothers and newborns while supporting women's professional and reproductive lives. The ILO has focused on maternity protection since 1919, introducing Conventions to enhance maternity leave rights. Convention No. 183 (2000) extends maternity leave to 14 weeks, mandates cash benefits, and emphasises health and safety for pregnant workers. In Bangladesh, the Labour Act (2006) provides 16 weeks of maternity leave, with employers responsible for maternity benefits. However, challenges remain, including ambiguity in job security and discrimination protections. The EPZ Labour Act (2019) aligns with these provisions but has faced criticism for potentially reducing benefits for female workers.

The analysis of maternity protection in Bangladesh's Ready-Made Garment (RMG) industry reveals significant gaps in implementation and awareness. Data from various surveys indicate that while a majority of women receive maternity leave, awareness of entitlements is low, and access to daycare and breastfeeding facilities is inadequate. The Bangladesh Labour Act (BLA) 2006 mandates 16 weeks of paid maternity leave, but compliance is inconsistent, with many factories providing less than the required leave and failing to offer adequate benefits. Recommendations for improvement include ratifying international conventions, extending maternity leave, raising awareness among workers, and enhancing workplace conditions.

Family Responsibility

The International Labour Organization (ILO) has recognised the challenges faced by working women in balancing their work and family life as a critical issue. In Bangladesh's garment industry, long working hours, inflexible schedules, and insufficient childcare facilities hinder female workers' ability to meet family responsibilities and balance work and life. Addressing these issues is essential for improving their quality of life and the industry's productivity.

The International Labour Organisation (ILO) has introduced Convention 156 and Recommendation 165 to combat workplace discrimination related to family responsibilities,

promoting gender equality for both men and women. Parental leave, which follows maternity leave, is essential for parents to care for their young children. The ILO calls for reasonable parental leave periods in line with national laws. However, Bangladesh's Labour Act does not include provisions for parental or care leave, which poses challenges for workers, particularly female employees in the ready-made garment sector, leading to financial stress and difficulties in balancing work and family responsibilities.

The ILO's conventions emphasise the importance of reasonable working hours, overtime compensation, and adequate rest periods, which are fundamental human rights. Specific guidelines protect women and adolescents from non-standard working conditions, especially concerning night work. Implementing national regulations that support female workers, promote gender equality, and provide opportunities for career advancement is crucial to fostering a constructive work atmosphere.

The European Union (EU) has actively pursued measures to address gender-based discrimination and improve workplace equality, exemplified by recent labour code reforms in Poland, Romania, and Hungary. These countries have adopted new work-life balance laws in line with the EU's Work-Life Balance Directive, enhancing parental leave and family support. For instance, Poland now offers extended parental leave and paternity leave options that promote gender equality in caregiving. Significant changes in Romania include the introduction of 10 days of paternity leave and up to two years of paid parental leave, with extensions for families with disabled children. These reforms aim to reduce barriers for women in the workforce.

Similarly, Bangladesh's Ready-Made Garment (RMG) sector could benefit from adopting work-life balance initiatives inspired by these EU countries. Implementing shared parental leave, flexible work hours and childcare services might improve conditions for RMG workers, especially women. However, challenges remain, including cultural norms that often place caregiving responsibilities on women and employers' reluctance to embrace these changes due to financial and legal enforcement concerns.

Working Hours

The International Labour Organization (ILO) recognises the challenges that working women face when trying to balance their jobs and family lives, especially in Bangladesh's garment industry. Long working hours and a lack of adequate childcare make this balance incredibly tough. Although

the ILO has set international standards for working hours, there's still a lot more that needs to be done to support work-life balance truly.

In Bangladesh, the Labour Act and the EPZ Act of 2019 lay down rules about working hours, rest periods, and leave entitlements, which are meant to promote gender equality. According to the Labour Act, the maximum is 8 hours a day and 48 hours a week, with some provisions for overtime. Unfortunately, these rules aren't enforced well, leading to many workers in the garment sector clocking in over the legal limits. While both acts prohibit women from working at night without their consent, there's a significant gap between the regulations for workers in Export Processing Zones (EPZ) and those outside of them. Non-EPZ workers often have longer hours, which can further strain their ability to maintain a healthy work-life balance. By contrast, some European countries, like Hungary and Romania, have stricter rules regarding night work and working hours. These regulations give better protection to vulnerable groups such as pregnant women and single parents.

In summary, even though Bangladesh has laws designed to protect workers, reality in the garment industry often contradicts these intentions. This situation illustrates a pressing need for better enforcement of existing laws and additional measures to support work-life balance for female workers.

The labour laws in Bangladesh, particularly the Bangladesh Labour Act (BLA) 2006 and the EPZ Labour Act 2019 aim to ensure fair working conditions, including regulated working hours, leave entitlements, and provisions for night shifts, with a focus on promoting gender equality. Key provisions include working hours, overtime pay, breaks and leave, and night shift regulations. However, compliance with these laws is often inadequate in the Ready-Made Garment (RMG) industry, where surveys indicate that many workers, particularly women, frequently work longer hours than legally permitted, often without proper consent for night shifts.

A comparative analysis with EU labour standards reveals that while both regions have frameworks to protect workers, EU regulations tend to offer more stringent protections, particularly for vulnerable groups such as pregnant women. Enforcement of labour laws in Bangladesh remains a challenge, especially in the informal sector, where many workers lack adequate protection. Overall, the findings highlight the need for improved enforcement of labour laws in Bangladesh,

particularly in the RMG sector, to ensure the rights and well-being of workers, especially women, are adequately safeguarded.

Gender-based welfare facilities.

In Bangladesh, having access to basic welfare facilities such as toilets, canteens, and restrooms is seen as a fundamental labour and human right. This is especially important for women, who often face unique challenges related to hygiene and safety. Gender-segregated facilities are crucial for ensuring women's privacy and minimising the risk of harassment. Unfortunately, many current shared provisions do not meet their specific needs, particularly during menstruation. It is the responsibility of employers to provide clean, well-maintained, and private sanitation facilities for female workers to foster a safer and more equitable workplace.

The Bangladesh Labour Act (BLA) of 2006 and the Bangladesh EPZ Labour Act of 2019 clearly outline the requirements for these facilities, including access to clean drinking water, separate toilets for male and female workers, and sufficient canteen space. However, enforcing these regulations remains a challenge, leading to potential health risks for female workers due to insufficient toilet access. In stark contrast, the European Union (EU) has taken significant steps to promote gender equality in the workplace through comprehensive directives, including the provision of childcare and breastfeeding facilities. This has resulted in positive changes in women's participation in the workforce.

While the EU mandates supportive facilities like breastfeeding rooms and childcare assistance, adherence to these guidelines varies greatly among member states. Countries such as Romania and Poland have made noticeable progress in helping working mothers through supportive legislation, but enforcement can still be inconsistent, especially among smaller businesses.

In response to the implementation challenges, an action plan has been proposed to improve gender-sensitive amenities in Bangladesh's ready-made garment industry. This includes initiatives for on-site childcare and dedicated breastfeeding rooms to meet international labour standards. Successful implementation of this plan relies on collaboration among multiple stakeholders and funding from corporate social responsibility programs for ongoing monitoring and support.

In summary, though Bangladesh's labour laws emphasise the need for welfare facilities for women, challenges in enforcement and compliance remain prevalent. Conversely, while the EU's approach

offers a more structured framework for gender equality, it too grapples with implementation issues. Both situations underline the critical importance of providing adequate facilities to support women's active participation in the workforce.

Worker's organisation

The involvement of women in trade unions is crucial for advancing gender equality in the workplace, especially in Bangladesh's Ready-Made Garment (RMG) sector. Trade unions play a vital role in improving working conditions and safeguarding the rights of female workers, allowing them to stand up against discrimination and enhance their work environments. Although the number of unions has grown from 136 in 2012 to 434 in 2016, they still represent only a small portion of the more than four million workers in the RMG sector.

International conventions like Conventions 87 and 98 highlight the necessity of freedom of association and collective bargaining, which are essential for achieving fair working conditions. Unfortunately, the EPZ Labour Act 2019 restricts workers in Export Processing Zones (EPZ) from forming trade unions, which undermines their rights to organise and advocate for themselves. Women, in particular, encounter numerous obstacles to union participation, such as social stigma, safety concerns, and a lack of awareness about their rights.

Despite existing legal frameworks that support collective bargaining, many female workers are still underrepresented in decision-making bodies. Surveys show that union membership and participation in committees remain low among women. The absence of effective collective bargaining agreements only worsens the challenges these workers face.

To promote gender equality, Bangladesh's labour laws must be revised to clearly define and prohibit all forms of discrimination, especially gender-based discrimination at workers' organisations. Establishing independent labour monitoring organizations, raising awareness, and providing training for all parties involved can foster a more inclusive workplace. Additionally, encouraging women's leadership through mentorship programs and adopting gender-sensitive policies can help create a culture that values inclusivity.

In summary, while Bangladesh has made progress in acknowledging women's rights within its labour laws, there is still a long way to go to ensure that female workers can fully engage in trade

unions and reap the benefits of collective bargaining. By tackling these challenges, Bangladesh can move toward a fairer and more supportive work environment for all its employees.

Chapter 4 Laws to Combat Harassment in Bangladesh RMG Industry

The garment sector in Bangladesh is a significant source of employment for women, with about 60 to 75 million workers worldwide as of 2014. However, many female workers in the Ready-Made Garment (RMG) industry face serious issues, including verbal, physical, and sexual harassment, which disproportionately affects women. Reports indicate that around 80% of female workers encounter verbal and physical harassment, and approximately 22.4% experience sexual harassment in factories.

Several factors contribute to this harassment, such as mistakes made at work, being late, participating in unions, and the pressure to meet production targets. The existing labour laws in Bangladesh, like the Bangladesh Labour Act 2006 (BLA) and the Bangladesh Labour Rule 2015 (BLR), offer limited protections, especially concerning sexual harassment. The BLA addresses inappropriate behaviour towards women only vaguely, and the penalties for violations are minimal.

While Bangladesh is a signatory to the International Labour Organization (ILO), it has not ratified Convention No. 190, which focuses specifically on workplace harassment. This lack of comprehensive legislation and enforcement leaves many women vulnerable. Although the High Court issued guidelines in 2009 to tackle sexual harassment, their implementation has been lacking.

The need for reform is clear. This includes ratifying ILO conventions, providing clearer definitions of sexual harassment, and setting up effective complaint mechanisms. Training for both factory management and workers about harassment policies and the establishment of anti-harassment committees in factories would be beneficial.

Looking at international examples, many countries, particularly those in the EU, have developed solid legal frameworks to combat workplace harassment. Bangladesh could learn from these models to enhance protections for female workers in the RMG sector. Collaboration among the government, factory owners, and international buyers is essential to create a safe and fair working environment and ensure that harassment issues are effectively addressed.

In conclusion, addressing harassment in Bangladesh's RMG industry involves a multifaceted approach that includes legal reforms, effective enforcement, and awareness programs. Implementing these measures is key to protecting the rights and dignity of female workers, which can lead to a more productive and equitable workforce overall.

Chapter 5 Conclusive Remarks and Future Prospects

Bangladesh's labour laws are currently evolving, particularly in terms of protecting workers in the Ready-Made Garment (RMG) sector. There is a significant distinction between the Bangladesh Labour Act (BLA), which applies to various industries, and the Export Processing Zones (EPZ) Labour Act, which is specifically designed for those working in EPZs. This separation means that workers performing similar jobs may receive different legal protections depending on their workplace.

In November 2023, the Bangladeshi government announced a substantial 56.25% increase in the minimum wage for RMG workers. However, when the EPZ minimum wage board set the new minimum wage at 12,800 Taka (approximately 117 USD) in December, many workers were left dissatisfied. This unrest triggered labour demonstrations that resulted in property damage, injuries, and even fatalities, highlighting the ongoing struggles faced by these workers.

The challenges for RMG workers extend beyond wages. Many, especially women, experience serious violations of their labour rights, including a heightened risk of harassment and exploitation. The pressure to work overtime often makes it difficult for them to organise and advocate for better conditions through unions. Addressing these complex issues requires a comprehensive approach that not only raises wages but also improves working conditions and ensures effective enforcement of labour laws. Furthermore, the availability of gender-segregated facilities in factories varies widely, particularly in smaller operations, indicating that additional support and resources are needed to meet legal requirements.

Sexual harassment remains a significant issue in the RMG industry, and recent changes in labour laws aim to address this problem. However, their success depends on proper implementation and raising awareness among female workers about their rights. The introduction of digital machines in factories could help management monitor worker performance and skills more effectively, potentially reducing instances of harassment. Regular inspections of factories are essential to ensure compliance with labour laws, which include timely wage payments and gender equality

standards. However, the Department of Inspection for Factories and Establishments (DIFE) is understaffed, which hampers the inspection process and allows labour rights violations to persist.

The regulations governing union formation under the Bangladesh Labour Act (BLA) and the EPZ Labour Act present significant challenges for workers in these sectors. Weak enforcement mechanisms and loopholes in the legal framework expose workers to exploitation. To address these issues, the Bangladeshi government has implemented a National Action Plan (NAP) aimed at improving workers' rights and safety by aligning labor laws with International Labour Organization (ILO) standards by 2025. This initiative focuses on reducing the backlog in labor courts, increasing the number of labor inspectors, and fostering collaboration among various stakeholders to enhance compliance with labor regulations.

Recent amendments to the BLA have introduced provisions for longer maternity leave and simplified the requirements for establishing trade unions, representing positive steps toward improving workers' rights. The government is also developing new labor regulations specifically for Export Processing Zones (EPZs) to protect workers from unfair treatment and violence, particularly female workers. Training programs for workers, management, and law enforcement have been launched to raise awareness about labor rights and improve the handling of complaints. Moreover, a workers' helpline and a complaints database have been established to address grievances and enhance the accountability of labor inspectors.

The European Union plays a significant role in the Ready-Made Garment (RMG) sector as a primary buyer and has implemented the Corporate Sustainability Reporting Directive (CSRD), which emphasizes the need for transparency and accountability in labor practices. While aligning with the CSRD presents both challenges and opportunities for Bangladesh, the country must update its labor laws to meet international standards while addressing concerns such as inadequate living wages and the limited rights of workers to unionize. The CSRD also underscores the importance of gender equality in advancing workers' rights globally.

As Bangladesh prepares to transition from Least Developed Country status by 2026, it faces challenges in negotiating Free Trade Agreements and satisfying EU sustainability criteria. Achieving Generalized Scheme of Preferences (GSP) Plus status will be crucial for maintaining lower tariffs on exports to the EU, which means labor laws and the EPZ Labour Act will need to be revised to align with international standards. Continuous efforts to enhance labor rights and

improve working conditions in the RMG sector will be vital for Bangladesh, ensuring it retains a competitive edge in the global market while promoting fair and just working conditions for all workers.



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