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# Labour Rights and Decent Work Status of Working Women in Bangladesh

## Research Report

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# 1 Introduction

## 1.1 Study Background

With a population of over 160 million, Bangladesh is the eighth most populous country in the world. Still considered a “least developed country”, it has developed drastically within the last 20 years, but the majority of its population still lives in poverty: 76.5 percent live under the poverty line of US\$ 2 per day. Its development is often linked to its booming export-oriented garment sector, which is second largest in the world after China. However this sector contributes just 12 percent to its gross domestic product (GDP). In fact, Bangladesh’s economy is heavily reliant on its informal economy, where up to 89 percent of its labour force is engaged, and which contributes around 30 percent of GDP.<sup>1</sup>

According to the most recent data available, in 2010, 92.3 percent of working women were in the informal sector.<sup>2</sup> They are concentrated in agriculture, manufacturing (mostly garments), and other services. The working situation for most informal women workers in Bangladesh is far from decent and dignified: the work is insecure and unstable, the incomes are low and irregular, the working hours long, the conditions are unsafe and unhealthy, and there is a lack of access to information, markets, finance, training and technology.

Female participation in the labour force has increased three times faster than for their male counterparts from 2000 to 2010.<sup>3</sup> Despite the rapid inclusion of women into the labour force, the majority of the women workers are not covered by the protections offered by the labour law, and even the women who are covered, i.e. workers in the formal sector such as garment workers and public sector workers, suffer from atrocious working conditions and low wages. Laws, standards and protections are routinely ignored and enforcement is lax to non-existent.

Furthermore, women workers continue to be deprived of their basic rights due to the limited space available where they could exercise and demand their political and socio-economic rights. The inclusion of women cannot merely be represented by numbers and it should emphasise women’s participation in decision making processes. But many barriers exist for women workers to participate as equals and make themselves heard. The social division of gender and gender roles in society affect the organising of women workers. Many factories, for example, have women as the majority workforce and they play a crucial role in organising, however the leadership of the unions to which they belong is often dominated by men, who may not be willing to take women’s specific demands into consideration when bargaining on their behalf.

A large amount of research has been done on the garment workers of Bangladesh (of which there are now over 4 million), exposing their difficult working conditions and poverty level wages. However recognising that the women in the garment sector represent only a fraction of the working

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<sup>1</sup> ILO, Decent work profile Bangladesh 2013, p93

<sup>2</sup> Bangladesh Labour Force Survey 2010

<sup>3</sup> The number of men increased from 22.7 million to 32.4 million from 1999/2000 to 2010 (an overall increase of 42.7% or an average increase of 4.27 percent per year), whereas female workers has increased from 6.6 million to 14.9 million in the same period (an overall increase of 125.7% over 10 years, or an average of 12.5% per year).<sup>3</sup>

women in Bangladesh and in an attempt to understand the broader situation, we include informal workers in the study to draw comparisons across sectors. This study is an attempt to explore the situation of the working women of Bangladesh more broadly.

We hope this comparative study will allow us to understand which sectors are most precarious and lacking in terms of decent work, and how we can include the perspectives of the most marginalised women workers in our objective of improving the conditions of working women more generally. We hope the findings of the research and the recommendations made from them will guide trade unionists, development activists, the Government of Bangladesh or NGO workers to further their work ensuring that all women in Bangladesh, especially the most marginalised, are able to live and work in dignity. This report is the result of a co-operative and mutually supportive working relationship among the researchers, Asia Monitor Resource Centre (AMRC) and the Labour at Informal Economy (LIE) team.

## 1.2 Organisation of the Report

The report is organised into four sections. **Section One** is the introductory section, and focuses on the background of the research, objectives, methodology and limitations of the study. **Section Two** provides background information and a profile of the working women of the different sectors studied, in terms of occupation, age, marital status and educational qualifications, skills, family size and income, etc. The conditions of the working women are then analysed in **Section Three**, loosely using the framework of Decent Work used by International Labour Organization (ILO). We consider whether marginalised women are more empowered through working, whether they have access to decent employment opportunities; whether they earn an adequate income for a decent standard of living; whether the working conditions are decent; whether they are afforded equal opportunity and treatment; whether they face harassment and discrimination, whether they have access to social protection; and finally whether they are able to challenge their conditions through social dialogue mechanisms such as organising, and bargaining with employers and institutions etc. Finally **Section Four** concludes by comparing across sectors and assessing in which women are most vulnerable and exploited. With this we then provide a set of recommendations for improving the conditions of the working women and ensuring decent work for them.

## 1.3 Research Methodology

The present study is explorative in nature. Information was collected from both primary and secondary sources, and both quantitative and qualitative techniques were used. The field research comprised of focus group discussions (FGD) and individual interviews with working women and leaders of trade unions and federations, in-depth interviews with the key stakeholders and observation of working environment in Dhaka, Sylhet and Chittagong. Secondary information was collected through reviewing existing literature. The research and analysis was undertaken between April and December 2014.

**Inception Workshop:** A workshop was conducted by LIE, OSHE and AMRC to conceptualise the issues to be covered in this research and to determine the overall strategy. The research specialist of OSHE, trade union leaders, hawkers' leaders, informal sectors representatives participated in the

workshop. More meetings/workshops were organised afterwards to generate ideas, and take particular decisions concerning places of research, sample size, methods etc.

**Document Review:** The documents reviewed for secondary information include press clippings, research reports, academic literature, newsletters, annual reports, relevant policy documents on labour rights issues; documentation on informal economy, governmental documents, the Bangladesh Labour Act-2006 (Amendment 2013 & 2015), National Labour Policy 2012, National Occupational Health and Safety Policy 2013, Judgment of High Court Division on sexual harassment (2009), etc.

**Questionnaire development and interviewee selection:** Our survey targeted the most marginalised class of women workers, and not the professional, middle or upper class women. Many marginalised women work in the garments sector, public sector, as agricultural day labourers, urban street vendors or self-employed, domestic workers, home based workers, waste pickers, tea garden workers etc.



**In-depth interview with respondents**

**Table 1: Respondent sample size by sector**

| Formal   |                   | Informal  |                   |
|--|-------------------|---|-------------------|
| Sector   | # of interviewees | Sector  | # of interviewees |
| Garments (Dhaka and Chittagong)  | 35                | Homebased workers ( Dhaka)  | 10                |
| Public sector (Dhaka and Chittagong)                                       | 6                 | Domestic workers (Dhaka)  | 10                |
| Tea plantations <sup>4</sup> (Srimongal uazila under Moulvibazar district) | 14                | Waste pickers (Matuail Sanitary land fill area, Jatrabari, Dhaka) | 10                |
|  |                   | Construction workers (Dhaka district)                             | 9                 |
|  |                   | Street vendors (Gazipur and Dhaka District)                       | 6                 |
| <b>Total</b>   | <b>55</b>         | <b>Total</b>  | <b>45</b>         |

The research was conducted among 100 women in different locations in three districts: Dhaka, Sylhet and Chittagong. Information was collected by administering an interview schedule comprised of a combination of closed- and open-ended questions. Before finalising the interview schedule, it was pre-tested on 5 interviewees. The respondents were also selected based on their availability, accessibility and willingness to participate in the survey.

A team of 7 field enumerators (5 female and 2 male) with guidelines from one data collection supervisor undertook field surveys. The enumerators followed the methodology of research and were trained through mock sessions prior to starting fieldwork. They personally contacted the respondents and obtained the desired information fairly and accurately by explaining the

<sup>4</sup> The tea plantation sector is part of the formal sector but its grassroots workers (e.g. leaf collector) do not have any appointment letters or written contracts. Each day, an official notes the workers' attendance when they deliver the collected leaves.

objectives of the study and confidentiality to the respondents. When needed, the team also carried out wider discussions on issues that could not be captured in the pre-set questionnaires.

**Focus Group Discussion (FGD):** 7 FGDs were conducted in Dhaka, Sylhet and Chittagong with 48 working women from the formal and informal sectors. The participants of the FGDs talked about different aspects of their jobs, types of harassment, their benefits and allowances, rights and social views; sexual harassment and reproductive health, organising and leadership, collective bargaining and representation etc. They also shared about expenditure; family demand and needs for capacity building. One FGD was conducted with 5 women activists of national trade unions engaged in both formal and informal sectors. All the sessions were structured and followed a set of questions targeting the nature of work place harassment, discrimination, promoting women empowerment, organising the unorganised. The FGD with garment workers was organised in their residential area at night due to time constraints. Garments workers work from 8am to 6pm without overtime, and almost every woman worker is responsible for house work, so they do not have much time.

**Table 2: Composition and location of FGDs**

| Location                  | Profile of participants  | # of participants |
|---------------------------|--|-------------------|
| Dhaka                     | RMG Workers - Mirpur Area  | 10                |
|                           | RMG Workers - Shewrapara Area  | 10                |
|                           | Street Vendors- Tongi, Gazipur, Dhaka                                | 15                |
|                           | Domestic Workers- Uttara, Dhaka                                      | 9                 |
| Chittagong                | Mixed group (garments, private & public sector, domestic workers)    | 12                |
| Sylhet                    | Tea garden workers   | 10                |
| FGD with National Leaders | Transport sector, Garments sector, Public sector, HBW sector leaders | 6                 |

**Key Informant Interviews (KII):** Five interviews with key informants were conducted with:

- Kazi Rahima Sathi - Jatio Sromik League
- Kamal Siddiki - President, Bangladesh Chinnomul Hawkers Samity
- Pulak Ranjan Dhar - Secretary - Bangladesh Free Trade Union Congress
- China Rahman – General Secretary – Federation of Garments Workers
- Gita Goswami – Bangladesh Tea Worker

## 1.4 Limitations of the Report

There are many limitations in this research that should be considered, especially in terms of the quality of the data collected and in the accuracy of the comparative analysis derived from it.

The sample sizes for each sector are too small to form a complete understanding of the conditions and challenges experienced by the workers. For example, in the garments industry alone, there are an estimated 3.6 million directly employed workers. There would be a huge disparity in the working conditions of these workers across such a massive industry, which would be difficult to document through interviews with only 35 individuals. The same applies for the other sectors covered in this study. In addition, because of the small sample sizes, comparisons between the conditions of workers in different sectors may not be accurate, as the picture given by such a small sample size would not accurately reflect the actual range of disparities within a sector. We

nevertheless attempt to compare across different sectors to find commonalities and differences, which we believe will help us identify further areas for study and advocacy.

Apart from this, some questionnaires were filled incorrectly, as most of the respondents have limited education and awareness of rights and laws knowledge. Having observed this problem, the researchers changed their techniques, which made the data collection more time consuming.

Regarding the topic of sexual harassment, the sensitive nature of the subject matter required specific data gathering techniques. The stigma attached to sexuality makes the task of bringing out the information about harassment difficult as well as time-consuming. In addition, in Chittagong and Hobiganj, LIE did not have any female staff member or organizer, so the male enumerators – supported by local women leaders - conducted the field work, which might have influenced the respondents' willingness to speak about such sensitive issues. Moreover, the respondents were not familiar with the term sexual harassment (*jounohoirani/jounonipiron*).<sup>5</sup> Open-ended questions, interviews without specific limitations on time, and informal conversations and group discussions offered the most effective methods of data collection.

Key informants from trade unions and federations were generous in meeting us and offering details about their gender-related initiatives, but we were limited by time and unable to properly document the meetings. The interviews with key informants lasted more than an hour, but follow-up meetings were not possible due to time constraints. The researchers' limited access to communication at Sylhet and Chittagong was also a barrier for quality research. The research teams were unable to meet with employers who were unwilling to be interviewed.

## 2 Profiles of women workers in Bangladesh

In this section we combine background information from desk research with data collected in the survey and FGDs to provide a profile and the main characteristics of the women workers we interviewed in terms of socio-economic background and working conditions.

While the respondents were from different sectors and performing very different types of work, we found that they faced common challenges, such as poor housing conditions, low wages, long working hours, discrimination, and restrictions on their freedom of movement. In short, most were deprived of basic human needs and were not able to enjoy their basic rights.

The families are mostly dependent on the women's income, which is their primary source of household income, as the research revealed that most of the women's husbands—especially for the construction workers, hawkers, and waste pickers—were engaged in informal work and irregular jobs, such as rickshaw pullers, day labourers or hawkers. This is common scenario in Bangladesh. While the women have various reasons for choosing a type of work, for most the main reason was poverty.

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<sup>5</sup> See 'The Sexual Harassment of Industrial Workers: Strategies for Intervention in the Workplace and Beyond', Dina M. Siddiqi (2003); and 'Eve teasing is clearly sexual harassment- create social prevention against eve teasing', Department of Gender Justice and Diversity of BRAC, (2012), and 'Sexual Harassment at Work: national and international responses' Deirdre McCann, ILO (2005); Judgment of High court petition on Gender Based Violence (2009)

The research was conducted among women workers currently residing in urban centres in Bangladesh; however we note that almost all the women interviewed are from rural and remote areas of Bangladesh and from poor families. Some are regular workers and a few (especially the homebased workers and construction workers) work on part-time or weekly basis, or as seasonal workers for particular time periods.

## 2.1 Construction workers

In recent years, because of the increased use of machinery for brick and stone breaking, women's employment in the construction sector has declined in large cities. However, the practice continues in small urban centres and rural areas. In addition, women switching to garment work may also be contributing to the declining trend in women's engagement in this sector. For those still working in this industry, they are likely to be found in relatively unskilled work such as soil-digging, breaking and moving bricks, sand and cement mixing. Some women also fill sand bags with the help of *belchi* (*manual soil digger tool*). The tasks that women perform in this sector do not require any skill or technical knowledge, so women who want to sell their labour can easily enter this sector. This is in contrast to the tasks men perform, which are usually higher skilled and higher paid.

In Dhaka city, most of the construction workers are generally found in labour markets, where every morning workers wait for employers/subcontractors to come and hire them. In some cases subcontractors hire women workers that they know from previous jobs or through introductions.

9 workers were interviewed from this sector and all are contractual workers. These women were relatively older than those in other types of work: four workers were aged between 21-30 years, three were between 31 and 40, and two were over 41. 8 workers are married and one is divorced. Only two of these women had attended primary school.

Before becoming construction workers, most were unemployed, while a few had previously been domestic and garment workers. Poverty pushed them to choose this type of work. The biggest concern for the women is that unlike their male counterparts, who can be promoted to take up other work, women workers' *jogali* (helper) status hardly ever changes.

The average distance from their homes to the worksite is 1.5 km. Most respondents had 2 or more children, and although there is no safe place to keep children at the worksite, many took their children to work, because they do not have anyone to help them look after their children.

The earnings from this work are very low: 5 respondents earned between BDT 1,000 to 5,000 per month and only two respondents earned more than BDT 5,000. Two workers earned less than BDT 1,000, which is very low.

## 2.2 Tea plantation workers

There are over 160 tea estates in Bangladesh, producing around 63.85 million kilograms of tea of tea per year, most of which is consumed domestically. Bangladesh is the 10<sup>th</sup> largest producer of tea in the world. Tea is the second largest export oriented cash crop of Bangladesh. The industry accounts for 1 percent of national GDP. Tea-producing districts include Sylhet, Maulvi Bazar, Habiganj, Brahmanbaria, Rangamati, Chittagong and Panchagarh.

More than 300,000 plantation workers are employed in Bangladeshi tea gardens, and 75 percent are women. Many are descendants of tribal workers brought from central India by the British. Employers prefer to engage women to pluck tea leaves since they do a better job and can be paid less than the men.<sup>6</sup>

The tea plantation workers are isolated, and depend heavily on the employers for basic needs such as food, medicine, accommodation, and education. Most are unaware of their rights and other entitlements under the law. As many belong to different ethnic or tribal communities, their language, customs and cultures are different, they face difficulty interacting with other Bangladeshis and face significant social exclusion and discrimination.<sup>7</sup>

Although the Bangladesh labour law provides some protections to tea workers, in reality implementation and enforcement is severely lacking. As a result, even basic necessities are not properly ensured. For example, the workers do not have contracts with their employers. The labour law requires (articles 95-97) all tea estates to have medical facilities, but these are poorly equipped and do not have good doctors.

In our survey, all 14 women interviewed were employed as tea leaf collectors on a permanent basis around Sylhet, where most of the tea estates are situated in Bangladesh. The tea plantation workers were mostly older women in their 30s or 40s and all are married (2 are widows). All the respondents live 1-2 km away from the plantation, in accommodations provided by the estate owner.

They pluck tea leaves for close to 6 months a year, and the rainy season between mid-April and September is the peak time for tea leaf collection. During the rest of the year, they nurse the plants by trimming them, and cutting away dead or overgrown branches and stems, so as to increase their growth from November to January.

The study reveals the tea plantation workers are less educated than workers in the other sectors: only 3 workers completed classes 6-9, 4 respondents completed primary school and 4 are illiterate. The rest of them did not mention their educational status. Only one respondent did not have children, while the rest had one or more children. The children of 5 tea leaf collectors go to school while they worked and 4 workers keep their children with their mothers or mothers-in-law. 3

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<sup>6</sup> The Bangladesh Tea Board and the Bangladesh Tea Research Institute

<sup>7</sup> 'The plight of tea plantation workers', Mir Raisa Rakiba, Dhaka Tribune, 7 August 2014, <http://www.dhakatribune.com/juris/2014/aug/07/plight-tea-plantation-workers>. See also Haque, Mahfuzul, 'Life in the Labour Lines: Situation of Tea Workers', in Environmental Governance, Emerging Challenges for Bangladesh, AHDPH, Dhaka, 2013

respondents report that their adult children take care of their smaller siblings. One worker kept their child with her while she worked on the plantation.

Before working on the plantations, all the respondents were unemployed and two were students. In contrast to women from other sectors, these tea workers did not choose their jobs, as their jobs are considered to have been “inherited” from generation to generation.

After the workers have collected the leaves, they bring their load to be weighed by a supervisor. If workers meet their daily target, then they are considered to have a full-day’s wages. If they fail to meet the target, their daily wage is calculated according to the weight of collected leaves. The workers’ daily targets can range between 18-25 kg of leaves. The target differs from tea garden to garden, e.g. the daily target of Duncan is 18 kg, while in Finlay it is 25 kg. On average, their daily salary is only around BDT 85 (US\$ 1.10), and they are paid on a weekly basis. (Their monthly salary will around BDT 2,380 and family income will be BDT 4,760=US\$ 61).

### **2.3 Garment workers**

There are more than 5,000 garment factories in Bangladesh employing over 4 million workers, producing clothes for large international brands such as H&M, Walmart, Mango, and many more. 80 percent of Bangladesh’s exports are garments and textiles products, and the annual turnover is over US\$ 20 billion. The readymade garment (RMG) industry is notorious for low wages and appalling conditions, which have led to several large scale industrial tragedies in the recent past, such as the Rana Plaza factory collapse and Tazreen factory fire.

In our sample of the 35 garment workers, 28 are permanent workers, 3 are contractual and 4 are temporary workers. They were employed as sewing helpers (7), sewing machine operators (3) and a floor supervisor. Very few women worked as floor-in-charge or floor supervisor. Most women workers remain engaged as assistant operators or operators, and are rarely given the chance to be promoted, unlike their male counterparts.

The garment workers were relatively younger than the workers we interviewed from other sectors: the majority were under 30 years old, and among them 13 were under 20 years old. 20 workers are married and 15 are unmarried, and 13 of them have children, most of them have more than two. Among the working mothers 7 respondents said that their children were either adult or staying with their siblings or alone, while 4 respondents report that their children are living with their mothers or mothers in law. Only one kept them in the factory day-care centre.

In our sample, the majority of (21) garment workers had enrolled in primary school, 10 had attended classes 6 to 8, and four are illiterate.

Most of the workers interviewed were fairly new to the industry: 22 had been at the job for 1 to 5 years, while the rest over 6 years. Prior to working in the garments industry, all of the respondents were unemployed, housemakers or domestic workers.

Most lived very close to their workplace (under 1 km), while the rest travelled less than 2.5 km. This is because they usually prefer to walk to their workplace to save money. Other reasons why they live so close to their work is to avoid street harassment, and to save time, as garment workers must

start their day very early, e.g. doing household chores from 5 am, and ending their days at midnight.

25 respondents' monthly income with overtime was between BDT 10,000 and 15,000, whereas 10 respondents' had a monthly income between BDT 5,000 -10,000.

Respondents reported that they face difficulties relating to their housing conditions. Nearly all of them live in slums in tin-shed houses, where 4 to 6 families share the use of a gas stove, water supply and a toilet.

## 2.4 Waste pickers

10 waste pickers were interviewed. Most of them were between 30-40 years old and married, while only 2 are unmarried. Four waste pickers have more than 2 children and two have one. Two respondents stated that their child stays alone, while 3 respondents report that their children live with their mother or mother-in-law either in the city or in rural villages, and two are kept at school and the day-care centre supported by the OSHE Foundation.

The study revealed that the waste pickers were generally not educated: most of the waste pickers (7) are illiterate, two had attended primary school and only one attended middle school. The teenagers who work in the landfill are unable to access education, and will probably be illiterate like their parents.

All but one respondent had been picking waste for more than 10 years, and half had been doing it for more than 16 years. Before their current jobs, the waste pickers were unemployed, homemakers, domestic workers, or garment workers. They started this work, as it was easy to enter and they earned more by spending less time compared to garment work.

Compared to other informal workers, waste pickers' occupational safety and health situation is terrible. During working hours, they buy substandard food from vendors and eat it without washing their hands. Their worksite is filled with foul odours and disorder. Their clothes and skin become very dirty, and they often suffer from various ailments such as skin diseases, fever, cold, liver infection, breathing problems, headache etc.

Moreover, they often experience different types of fatal and non-fatal accidents in their workplace. They are seen scavenging around the dumping loaders, bulldozers, and excavators with a cutter in their hands. Sometimes, these loaders and bulldozers cause fatal accidents and even the deaths. They are often injured dreadfully by broken pieces of glass in the waste. When injured, they need Tetanus shots to avoid further severe infections, but they do not have the means to pay for them. The accidents occur frequently because the waste pickers do not have any safety equipment. Moreover, they are not approved or recognised workers by the Dhaka City Corporation (DCC) or other authorities, so there is nobody to take responsibility when the waste pickers fall sick or are



**Women working in Matuail Sanitary Landfill, Jatrabari, Dhaka**

injured. They are often unable to receive medical care for these problems because of their poor economic condition.



“I have seen many accidents and I decided to give up waste picking and joined a garment factory. But my family forced me to do this work again, because I can earn more while spending less time. So I continue this work, mortgaging my life on the mercy of the Almighty.”

*Fatima, Waste picker, Matuail Sanitary Landfill*

Waste pickers sell what they have picked at a piece rate to the local businessmen who sell the waste to the recyclers. They are not paid wages nor do they have a contract, and the Dhaka City Corporation (DCC) does not officially recognise them as employees. Despite the important work that they perform in helping the city reduce the amount of imperishable waste in the landfills, the waste pickers are invisible and unrecognised by the authorities and society.

The waste pickers' income is highest compared to other informal workers: 7 respondents have a monthly income between BDT 10,000 to 12,000 whereas 3 respondents earn between BDT 6,000 and 8,000. Waste pickers do not usually work all day, but they do work more days in a month (20 days).

When asked what they thought about their work, most waste pickers stated that their working environment is good, because this work allows them to earn in order to survive. The waste pickers stated that their co-workers are very well behaved, supportive, and decent, however society treats them badly and stigmatises them. For example, no one usually likes to come close to them because their clothes smell bad. They are not welcomed as neighbours and landlords do not want to lease houses to them. Most waste pickers have to hide their identity from their landlords.

Waste pickers do not know if they can ever bring any positive change in their lives. But they are more confident because they are independent, and a few of them are able to send their children to school. Two of them think that their social acceptance is increasing gradually because they are now financially efficient and capable of taking care of their family. Apart from this, they are able to save money for a better future.

## 2.5 Domestic workers

There are around 2 million domestic workers in Bangladesh, and most are women and girls. Child labour is rampant in this kind of work: the ILO estimates that there are 420,000 child domestic workers in Bangladesh.<sup>8</sup> There are usually three types of domestic workers: workers who are (a) paid wages and living with the employer; (b) working for food and living with employer; and (c) contractual workers who live on their own, who work for particular time in a day and who usually have multiple employers.

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<sup>8</sup> <http://www.dhakatribune.com/op-ed/2015/aug/02/domestic-workers-need-law-their-side>

The working conditions of domestic workers in Bangladesh are among the most indecent and exploitative. They do not have weekly leave or sick leave. For many, they can only dream of earning a living wage, receiving a festival bonus, medical treatment cost, rest time, and even have their own room in the household. Most of the live-in domestic workers sleep on the floor of the drawing room. They very frequently experience physical assault, verbal abuse, threats of being dismissed, stress from overwork and unreasonable amounts of work, mental frustration, lack of recreation, insecurity etc.

The Bangladesh Labour Act of 2006 (amended in 2013) excludes domestic workers from legal coverage and formal recognition. The only legislation that applied to domestic workers is the Domestic Servants' Registration Ordinance 1961, which requires self-registration with local police stations in Dhaka, and which fails to offer any legal rights against abuse and harsh work conditions. In addition, some other national laws and policies, such as the Women and Children Repression Prevention (Amendment) Act 2003 and National Child Labour Elimination Policy 2010, can provide a legal framework to protect the rights of women and children, including those employed as domestic workers. However, most domestic workers are not able to obtain justice when their rights are violated, as they have limited access to remedies.

Domestic workers' issues always receive less attention by the Labour Department, whose priorities lie in issuing labour act implementation rules and promoting decent work conditions in RMG sector. Recently, the cabinet of Bangladesh has approved the 'Domestic Workers Protection and Welfare Policy' on 21 December 2015, which stipulates that children under the age of 14 years shall not be employed in domestic work. The Policy also contains many beneficial provisions including the requirement that contracts must be made between the employer and the parents and guardians of the child domestic workers giving details of the type of engagement, the wages, working hours, rest and recreation time, arrangement for education, type of work, board and lodging etc. There is also suggestion to have an employment identity card containing details of the child, his parents, and address as well as details of the employer, including his age, date of employment, type of work etc. There is also suggestion to have a registration authority who will record details of the domestic workers within the local government setup. It also suggests for complaint procedure for their grievance.<sup>9</sup>

10 domestic workers were interviewed for this study: 9 work on an hourly basis and received payment at the end of every month and one is a contractual worker. None of them had any written contracts—only verbal agreements—with their employers. 6 respondents were live-out workers, living 0.5-1 km from their workplaces, while three respondents were living with house owners.

This group of women had the lowest level of education: only one woman had attended primary school until class 4. The majority of the domestic workers are under 30 years old. Six are married and three unmarried and one is a widow. Of the 5 who have children; all had more than 2 children. Some had adult children, while those who needed childcare had various arrangements: some stayed with the adult siblings, some alone, and another had their mother take care of the child.

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<sup>9</sup> Prothom Alo, 22 December 2015. See also <http://idwfed.org/en/updates/bangladesh-cabinet-clears-draft-policy-to-protect-domestic-workers-rights>

Most of the respondents (7) were previously either unemployed or homemakers and were pushed to enter this work because of poverty. Two were previously street vendors and one was a garment worker. Half the respondents have been doing domestic work for more than 16 years; one between 10 to 15 years, and the rest under 10 years.

3 respondents' monthly income is below BDT 1,000, whereas 7 respondents earned between BDT 1,000 and 5,000. Domestic workers, who live in their employer's house, and in particular child domestic workers, usually receive less payment than contractual workers. Sometimes these type of workers work only for food. Generally a contractual worker works in at least two to four households every day and their average monthly income is around BDT 4,000.

## 2.6 Home-based workers

In Bangladesh, home-based workers (HBWs) are generally tailors, handicrafts workers, *Kerchupi*<sup>10</sup>, handloom artisans, agricultural workers, parlour workers etc. The reasons why women take up homebased work are varied: some do not have enough time to take up other kinds of work and prefer the flexibility that homebased work offers, some do not have permission from family members to work outside their homes or some are scared to go work outside of house. Religious restrictions on women working outside the home are another important reason why women take up homebased work.

In 2009-2010, there were an estimated 2 million HBWs in Bangladesh, of which women represented around 33 percent. According to WIEGO, the number of men in homebased work is growing, while the number of women in home-based work has decreased in rural and urban areas, reflecting the trend that women are increasingly able to enter formal sector work and other types of work that is not confined to the home. Most HBWs were engaged in manufacturing: in 2009, women tended to produce apparel, textiles by handloom and food products; whereas men tended to produce apparel, bamboo and cane products, textiles, and food. There are many more homebased workers in rural areas than urban areas (in 2010 there were 1.5 million in rural areas and 0.4 million in urban areas) and similarly, there are relatively more HBWs in smaller urban centres than in large cities.

WIEGO defines homebased workers as non-agricultural workers who perform remunerative work in their own homes or adjacent grounds or premises. It identifies three categories of homebased workers: (a) self-employed (employers and own account operators or unpaid contributing family workers), or 'homeworkers' who are dependent on contractors who provide them with work on a (b) piece rate basis or (c) paid by the hour. The majority of HBWs in Bangladesh (over 85 percent) are "self-employed," rather than dependent on contractors, and the proportion of women who are "dependent hired" is slightly higher than men.

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<sup>10</sup> A kind of hand stitching embroidery work with stones.

**Table: Number of women Homebased workers by category, rural-urban, 2009-2010**

| Area/<br>Sector | All home-<br>based<br>workers | Homebased<br>workers as %<br>of non-<br>agricultural<br>workers | Home-based<br>workers(Self-<br>employed) | Home-based<br>workers<br>(Self-<br>employed) as<br>% of all HBWs | Home<br>workers<br>(dependent<br>hired) | Homeworkers<br>(dependent<br>hired) as % of<br>all HBWs |
|-----------------|-------------------------------|---|--|--|---|---|
| <b>Women</b>    | 669,152                       | 12.1  | 567,368                                  | 84.8   | 101,784                                 | 15.2  |
| <b>Men</b>      | 1,338,364                     | 5.9   | 1,156,282                                | 86.4   | 182,082                                 | 13.6  |
| <b>Total</b>    | 2,007,516                     | 7.2   | 1,723,650                                | 85.9   | 283,866                                 | 14.1  |

Source: Processed, WIEGO Statistical Brief No12, based on data from Labour Force Survey 2010

In this study, the 10 home-based women workers are all dependent hired/contractual workers. The HBWs, particularly in handicrafts, usually enter into agreements with their contractor verbally. The contractors give orders to them, and after the deadline, collect the finished products. Sometimes the contractors give silly reasons to not pay the workers the agreed amount. The HBWs are generally not able to obtain direct work orders without the contractors.

The HBWs in our sample were a diverse group: Six workers were between 20-30 years, while two were below 20 and two above 40. 8 are married and two are unmarried and most had children. As their home is their workplace, the HBWs can keep their children with them while they work. The education levels of the women were also varied: our sample included women who were relatively more educated, most having studied up to secondary school, while three were illiterate.

5 respondents have been doing this job for 1 to 5 years, 2 respondents have been doing this job for 6 to 9 years. Three have been doing this for over 10 years. Three respondents were previously unemployed or housemakers, and four were previously garment workers and two were students.

8 respondents' monthly income is below BDT 5,000 whereas 2 were able to earn between BDT 5,001 and 10,000. Generally they work on a piece rate, so their monthly income depends on the amount of work.

HBWs in Bangladesh have no social protection and security. Besides the lack of regular work and very low payment, women workers in this sector experience poverty and inadequate food, health, housing and education for the workers' children.

## 2.7 Public sector workers

In Bangladesh, public sector workers are considered to have comparatively better positions and more decent work. However as we shall examine further on, even women in this sector suffer from a lack of basic needs such as separate toilet facilities, safe drinking water etc.

Six women were interviewed: five were permanent workers, and they were field organizers, transport workers in the railway industry, and a cleaner/sweeper; and one was a temporary worker hired as a maid at a government school (the regular maid was on maternity leave).

All were over 40 years old, except for one who is under 30. 4 respondents are married and one is unmarried, and one is a widow. All but the unmarried woman had children. Generally, the mothers kept their children at home as they are adolescents.

Compared to the other sectors, workers in the public sector are more educated. In this sample, two of them had obtained a Master's Degree, two had graduated from university and two had completed Class 8.

“Women are achieving independence gradually. Now they are able to work at night, they move around the city and their purchasing power is increasing too. They also make their own decisions and provide their valuable support to their children and parents.”

*Lovely Yesmin, President, Readymade Garments Workers Federation*

Three respondents had been employed between 10 to 15 years in their current job, and two of them for 5 to 10 years. One of them has worked between one to 5 years. Prior to their employment in this sector, four respondents were students and one was unemployed or a house maker and one was a garment worker.

Two respondents have a monthly income below BDT 5,000, two earn between BDT 10,001 to 15,000 and two earn over 15,000. Besides, they are eligible for government allowances like pension, provident fund, gratuity, maternity leave and benefit (6 months with full payment) etc.

## 2.8 Street vendors

There are nearly 2.5 million street vendors in Bangladesh, and they play a vital role in the economy of Bangladesh. There are four types of street vendors in Bangladesh.

- *Fixed hawkers* have permanent stalls/shops either in the market places, commercial areas, bus stops or under the footbridges in busy public places. Few shops are rented out to the hawkers by the municipal authorities so, most stalls are illegal. Consequently hawkers must pay bribes to local law enforcement personnel or local muscle men, including members and leaders of different political parties.
- *Semi-fixed hawkers* change their locations depending on the availability of customers, the weather and security factors. They usually operate their business in the same location every day but at the end of the day they bring their goods/commodities along with them.
- *Mobile hawkers* sell their goods from door to door. There are different forms of mobile hawking. Some carry their goods as head-loads and others use some sorts of carrying carts. Shoulder-load hawkers sell pottery goods, aluminium-cooking pots and plastic products and sometimes fruits. Young hawkers are often sell goods from a tray hung around the neck. These hawkers sell peanuts, hair accessories, imitation jewellery and other goods in public places. Hawkers who use carts usually sell large and heavy seasonal fruits, cooked foods, variety of vegetables and plastic products. These

“When we had no association, the police or local leaders used to demand bribes at random and anywBut as we formed our own association, the random collection of bribe has been stopped.”

*Sahera Begum, a hawker leader of Tongi, Gazipur*

hawkers operate mainly in the office areas and also near the schools. The customers usually buy from them while going home after office or after collecting the children from school.

- *Seasonal hawkers* come into this occupation to overcome short-term economic crisis or joblessness in rural areas. Some come to urban areas because they want to make sure the proper utilization of their spare time, and after a certain period they return to village for searching new job.

Only 6 street vendors were interviewed in our study. 3 were under 30 years old, and 3 above. Only one is unmarried. Half of them have more than 2 children, who are kept at home, at a neighbour or relative's home.

Street vendors were less educated than the women in the other sectors: two of them are illiterate, and four had received primary education. The women turned to street vending as a secondary income source for their family, but over time, their income became the primary source. Four respondents' monthly income is below BDT 5,000 whereas two respondents' monthly income is between BDT 10,001 to 15,000.

### **3 Findings and Analysis of the Situation of Working Women**

According to the ILO, "Decent work sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men." Its concept of decent work has four main components or 'pillars': employment creation, rights at work, social protection and social dialogue, with gender equality as a crosscutting concern.

In this section of the study, the overall situation of our respondents is analysed roughly based on this framework. Firstly, we briefly consider whether our respondents feel empowered by their work, and whether their place in society and within their families has changed as a result. Then, we consider whether: (1) the employment conditions and the jobs that these women are able to access are adequate and why not, (2) the fundamental rights at work of the women in our study are respected and whether the laws provide adequate protection and are properly enforced, (3) social protection measures adequately protect these women workers and ensure that they have a decent standard of living throughout their lives, and (4) the working women are able to engage in social dialogue mechanisms to bargain for their rights and better working conditions.

#### **3.1 Empowerment of women workers**

##### **3.1.1 Social Acceptance**

Bangladesh is a patriarchal society, in which deep rooted social and religious norms prevent women from engaging in paid work outside the home. The rapid expansion of the garment industry over the past three decades has changed this situation to a certain extent, by creating opportunities that allowed women to enter the labour market to participate in a highly segregated

sector, which prefers to hire women for their docility and at a cheaper price.<sup>11</sup> However, broadly speaking, there are still negative attitudes towards women participating in the workforce and the public sphere.

In our study, when respondents were asked what society thinks of them as workers, one third said that views are changing positively regarding women's work. 45 percent of respondents think that society respects them, while 14 percent reports that they are viewed in a positive light for their good behaviour and attitude. 3 percent felt honour in promoting women's empowerment through their leadership. One person said that because she works, her family's status has increased. These responses are encouraging, but on the other hand, many women also reported being discriminated against, treated badly and stigmatised for their jobs, especially domestic workers. A minority of women stated that society does not permit women to work outside their homes.

### **3.1.2 Household Decision Making Power**

The ability to earn an income is often linked to women's empowerment and independence. However our survey shows that despite the contribution of the women to their family's maintenance, the women still have limited decision making power at home. Over half the respondents said they could make decisions only with the consent of their family, while only 15 percent reported being able to make decisions independently. 23 percent reported taking decisions either independently or with family.

Working women may take small decisions independently, on matters such as daily groceries, small family needs, what food will be cooking, etc. But they are generally not able to independently take decisions on property related issues, mobility, children's education, family recreation etc. In a word where they need to spend big amount, the working women need family consultation, especially with a male member of the family. Even in cases where the male family member (spouse for married women and father for unmarried women) does not have job, they take the big decisions.

The women who reported being able to take decisions independently were mostly able to do so because they are the head of the family, either because their husband left them or they are widows, and are living with their small children.

## **3.2 Employment and Income Opportunities**

Women working in Bangladesh are more likely to be engaged in the informal sector than the formal one, as there is a lack of formal sector job opportunities in Bangladesh. The most rapidly expanding sector that employs women is the garments sector, where the majority of women employed in the formal sector are engaged.

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<sup>11</sup> Shaidur Rahman, 'Bangladesh, women and labour activism', in Women and Labour Organising in Asia, Broadbent & Ford, eds., Routledge

### 3.2.1 Reasons for choosing occupation

#### **Poverty**

Poverty is the main reason for women to take up waged work. Bangladesh is an agriculture-dependent country, but women do not generally have ownership over the land and the tools that are necessary for agriculture. Moreover, the decreasing availability of agricultural lands due to over population, natural calamities such as land and river erosion, droughts, increasing salinity in the southern part of Bangladesh have reduced employment opportunities in rural areas. As a result, there is increased mobility towards urban areas. However the cost of living is also increasing rapidly, due to various reasons such as inflation. In this situation, it is very difficult to survive with only one's income in urban areas as one's income does not fulfil all the needs. On the other hand, job opportunities in formal sectors are reducing, so people are getting involved with informal work.

Not surprisingly, the research found that more than half (53 percent) of the respondents identified poverty as the main reason for taking up a job. Besides, 18 percent reported that there was constant demand for workers in jobs in the informal sector, where it is easy to find work.

However there are many barriers to accessing formal (and more secure and high paying jobs) jobs for women workers. The majority of respondents, who are informal workers, said that they are engaged in their present work (construction work, street vending, waste picking, handicrafts, tailoring, parlour and domestic work, etc.) because of the difficulty to enter into formal sector. They claim that it is relatively easier to start and operate in the informal sector, as this sort of work does not require any special technical knowledge or training; requires low capital investment; is easy to enter; local resources are available; and institutional or academic education or skills are not required.

#### **Educational barriers**

Women in Bangladesh still lag behind men in terms of literacy and education attainment. More men are literate (63.9 percent) compared to women (55.7 percent). And in 2010, a higher proportion of boys were attending schools than girls (33.81 percent against 25.30 percent for girls).<sup>12</sup>

In our survey, 11 percent reported that the lack of education is seen as an important barrier to obtain better employment opportunities. Many of the women interviewed were illiterate or were educated to primary level. Only a small fraction had completed secondary school and a handful had university degrees. Women with the lowest educational qualifications tended to be concentrated in the waste picking, construction and domestic work.

While the women with the highest education qualifications in our study were the public sector workers. In contrast to the others, home-based workers did not cite the lack of education as a barrier to gaining better opportunities—in fact, home-based workers were the second most educated group after the public sector workers—but instead cited religious and cultural reasons for taking up homebased work.

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<sup>12</sup>Decent Work Profile Bangladesh 2013

Education and barriers to entry in other sectors were also not cited as factors for tea plantation workers, whose main reason for engaging in their work is because their families traditionally worked in the plantations.

**Table: Education level of respondents by sector<sup>13</sup>**

| Sector (sample size)          | Number of respondents having completed or enrolled in educational institutions |         |                              |            |               |
|-------------------------------|--|---------|------------------------------|------------|---------------|
|                               | No education   | Primary | Secondary & higher secondary | University | Post-graduate |
| Public & transport sector (6) | -  | -       | 2                            | 2          | 2             |
| Homebased workers (10)        | 1  | -       | 9                            | -          | -             |
| Garment workers (35)          | 3  | 21      | 10                           | -          | -             |
| Street vendors (6)            | 2  | 4       | -                            | -          | -             |
| Tea plantation (14)           | 4  | 4       | 3                            | -          | -             |
| Waste pickers (10)            | 7  | 2       | 1                            | -          | -             |
| Construction workers (9)      | 7  | 2       | -                            | -          | -             |
| Domestic workers (10)         | 9  | 1       | -                            | -          | -             |

When asked if they liked or disliked their occupations, most respondents said that they like their work, mainly because they felt that they have no alternatives, cannot access formal jobs and don't have the required education or technical skills to get better work. While informal work is comparatively easier to start in, with low investment. Hawkers, construction workers, waste pickers and homebased workers reported that they like their job because of flexible working hours, and these jobs did not require previous experience. Nonetheless, a many workers mentioned that they liked their work moderately only. Only very few respondents (6 percent) said that they worked for personal fulfilment.

### 3.2.2 Job uncertainty

Women's participation in economic activities in Bangladesh is increasing progressively, though the ratio compared to men's is still very low. The gender gap in employment too, while narrowing slightly, still remains very high. While the majority of Bangladesh's workers—male or female—are in precarious types of work, women are more likely to be concentrated in the lowest paid and more precarious types. Generally there are two types of job uncertainty for the working women: short-term and long-term. Short-term job uncertainty stays for a day or for few days when the employer stops engaging the worker for some immediate reasons, e.g. different occasions or crises. Long-term job uncertainty is for several months or for an indefinite period, especially due to recession or lack of work orders. Shanta from Akik Apparels Ltd. stated that if the companies face any kind of crisis and they need to dismiss workers, women workers are generally first in line for dismissal.

In the study, the women can be classified in four types of working engagements: permanent (50%), temporary or seasonal<sup>14</sup> (14%), contractual workers (19%) and working for food (17%). In our

<sup>13</sup>The formal education system in Bangladesh consists of primary education (eight years), secondary education (two years) and higher secondary education (two years).

<sup>14</sup> Some seasonal workers do street vending or waste picking when they do not have work in rural areas. During the crop cultivation season, a large number of workers are involved in agricultural work, and during the rest of the season they migrate to cities and take up with informal work.

study, the public sector, garments and tea plantation workers were more likely to report that they are permanent workers, the street vendors and waste pickers were mostly temporary or seasonal, while the construction and homebased workers are contractual workers; and those working for food were mostly the domestic workers.

### 3.2.3 Length of employment

According to the study, almost half of the respondents have been in their jobs for less than 5 years, and these were mostly the garment workers. Almost a quarter of respondents reported having worked in their sectors for over 16 years, and these were mostly waste pickers garment workers and construction workers.

**Table: Duration of employment by sector**

| Sector (# respondents)             | 1-5 years | 6-9 years | 10-15 years | over 16 years |
|------------------------------------|-----------|-----------|-------------|---------------|
| Public sector (6)                  | 1         | 2         | 3           | -             |
| Waste pickers (10)                 | 0         | 1         | 4           | 5             |
| Homebased workers (10)             | 5         | 2         | 1           | 2             |
| Domestic workers (10)              | 7         | 2         | 1           | -             |
| Garment workers (35) <sup>15</sup> | 22        | 2         | 1           | 8             |
| Street vendor (6)                  | 3         | 1         | 2           | -             |
| Tea plantation (14)                | 9         | 2         | -           | 3             |
| Construction workers (9)           | 1         | -         | 3           | 5             |
| Total                              | 48        | 12        | 15          | 23            |

## 3.3 Rights at Work

### 3.3.1 Application of labour laws and rights at work

Realising discrimination against women is a serious problem in Bangladesh and leads to squandering half its population's potential, the government and other civil society actors are increasingly focussed on redressing the disadvantages that women face. For example, NGOs are providing education to rural women. Poverty has pushed more and more women to work alongside men in Bangladesh's male-dominated society, but no one is able to ensure their rights at work, and women are still silently fighting for their rights to work in a decent working environment.

Bangladesh has ratified 33 International Labour Organization (ILO) conventions, including 7 out of 8 core conventions. The Bangladesh Labour Act<sup>16</sup> was introduced in October 2006, and amended in 2013 and in September

The leaders of the trade union in Liberty Fashions Ltd say that because all the workers at the factory are female (except for a few male technicians) the owner of the factory doesn't want to increase their wages.

<sup>15</sup> Two workers did not provide answers to this question.

<sup>16</sup> Previously, the industrial and labour relations in Bangladesh were governed and regulated by so many laws. In 2006 Bangladesh has adopted the "Bangladesh Labour Act (BLA 2006)" by compiling the provisions of previous 25 labour laws that were in operation. It was amended in 2013 & September 15, 2015.

2015. A review of current labour laws shows that they still contain many weaknesses and inconsistencies, and are unable to ensure the welfare of the majority of workers. For example, it does not cover women workers in important sectors such as agriculture, domestic workers, day labourers, transport workers, waste pickers, street vendors and others. It clearly needs revision in order to ensure adequate protection of informal worker's rights. The Constitution of Bangladesh also provides a number of guarantees for the protection of workers. Despite these laws, the rights of workers are routinely flouted because they are not enforced by the government, and workers are unable to demand these rights to be protected. Regulation and safety standards are inadequate, and enforcement by the labour department is almost non-existent. The study shows these failures clearly.

It is clear that very few workers in our study had any knowledge of laws regarding work and their rights at work. Only 9 percent of respondents stated that they have some knowledge of the Bangladesh Labour Law (BLA). Only 5 percent knew what types of laws applied at their work place, 3 percent knew that they were entitled to maternity leave and benefits, 1 percent knew that have the right to obtain an appointment letter.

### 3.3.2 Adequate income

The government has declared statutory minimum wages in the RMG sector, as well as in 33 out of 42 major (formal) sectors. However, it has been unable to enforce these standards. In addition, most workers fall outside of the coverage of the minimum wage laws, because they are in informal work.

The Bangladesh Wage Survey of 2007 shows that women in the formal sector earn an average wage of BDT 2,781 per month, around 17 percent more than women in the informal sector. In both sectors, women earn less than men: in the formal, women earn only 71 percent of men's wages, and the gap is more pronounced in the informal economy, where women earn only 66.4 percent of men's wages.

**Table: Formal and informal monthly wages in 2007**

| Formal and informal monthly wages and earnings<br>From Wage Survey 2007 <sup>26</sup> |                    |                    |
|---|--------------------|--------------------|
| 2007 Taka / 2011 US Dollar  |                    |                    |
|   | Median             | Average            |
| <b>Formal wages</b>   |                    |                    |
| Male  | Tk 3,500 / US\$ 55 | Tk 3,906 / US\$ 62 |
| Female  | Tk 2,400 / US\$ 38 | Tk 2,781 / US\$ 44 |
| Both  | Tk 3,200 / US\$ 50 | Tk 3,766 / US\$ 59 |
| <b>Informal earnings</b>  |                    |                    |
| Male  | Tk 3,390 / US\$ 53 | Tk 3,573 / US\$ 56 |
| Female  | Tk 1,826 / US\$ 29 | Tk 2,374 / US\$ 37 |
| Both  | Tk 3,130 / US\$ 49 | Tk 3,417 / US\$ 54 |

Source: Bangladesh Labour Market Profile, DTUCIDC, from BBS Key Indicators from the Wage Survey 2007

In our study, the incomes of respondents vary between sectors. Half of all respondents (53 percent) earn between BDT 1,000 and 5,000 per month, whereas 38 percent of respondents earn between BDT 5,001 to 10,000. Only 2 percent respondents earn between BDT 10,000 and 15,000. The only 2 women

who earn more than BDT 15,000 per month are the government employees who have worked for over 15 years. Only 5 respondents (domestic and construction workers) earn less than BDT 1,000.

**Table: Individual income of respondents by sector**

| Sector<br>(number of respondents) | Individual Income in BDT |             |              |               |          |
|-----------------------------------|--------------------------|-------------|--------------|---------------|----------|
|                                   | <1,000                   | 1,000-5,000 | 5,000-10,000 | 10,000-15,000 | >15,000  |
| Public sector (6)                 | 0                        | 2           | 0            | 2             | 2        |
| Garment workers (35)              | 0                        | 12          | 23           | 0             | 0        |
| Waste pickers (10)                | 0                        | 3           | 7            | 0             | 0        |
| Street vendors (6)                | 0                        | 2           | 4            | 0             | 0        |
| Homebased workers (10)            | 0                        | 8           | 2            | 0             | 0        |
| Tea plantation (14)               | 0                        | 14          | 0            | 0             | 0        |
| Domestic workers (10)             | 3                        | 7           | 0            | 0             | 0        |
| Construction workers (9)          | 2                        | 5           | 2            | 0             | 0        |
| <b>Total</b>                      | <b>5</b>                 | <b>53</b>   | <b>38</b>    | <b>2</b>      | <b>2</b> |

Two-thirds of working women's families has one earning member, most of these women are migrated workers and their parents live in the villages. The study reveals that most of the respondent's income is nearly BDT 5,000. Because of inflation (of over 67 percent from 2007 to 2015)<sup>17</sup>, this income is not sufficient to meet all their needs and to ensure a decent standard of living.

Only 4 percent claim to be able to moderately fulfil their family's needs, whereas the overwhelming majority can only claim to do so occasionally or barely. Only 1 percent of the women interviewed stated that their needs were sufficiently met with their income alone. Consequently during an emergency or in times of need, the women generally need to borrow money from various sources to overcome the crisis, taking loans from micro-finance agencies, or loans from relatives or friends. Similarly, in the FGD, almost all of the women stated that they very often borrow money from relatives at the end of the month, while a few reported taking loans from others, including neighbours and friends, every month.

### 3.3.3 Spending patterns and asset ownership

Working women spent their income on various purposes. When they were asked what they spent their income on, almost all the women listed food, clothing, and housing. However, only 73 percent had spent on medical treatment. Education and recreation were the least prioritised, with only about 50 percent of them having spent their income on these.

Participants of the FGDs report owning a few "productive" assets such as animals (e.g. cow, goat), temporary wooded shop, sewing machines, rickshaw, or van. A proportion of women owned a small piece of land in their village. They also report owning non-productive assets, which varies widely across districts and between urban and rural areas. For instance, in urban areas such as Dhaka city, the central part of Sylhet and Chittagong, almost everyone reports owning a television and/or mobile phone.

<sup>17</sup> Data available at: <http://data.worldbank.org/indicator/FP.CPI.TOTL>

### ***Balanced diet for family***

Despite most respondents choosing to spend their income on food over anything else, ensuring a balanced diet for their family is still a challenge for many of them. Only 7 percent of the respondents are able to provide balanced diet on a regular basis for their families.<sup>18</sup> 38 percent of respondents can have balanced meal sometimes, 23 percent once a week and 23 percent once a month. 4 percent stated that they never manage to provide a balanced meal for their family members. The women cited rising house rents, price of daily commodities sent money for parents who live in the village and the need to pay various bribes in the case of street vendors, as reasons for which they were unable to fulfil the need for a balanced diet within their inadequate incomes.

### ***Housing and living conditions***

Respondents report that they face difficult housing conditions. Almost all live in slums in various types of housing: mostly bamboo fenced housing (43 percent), tin-sheds or brick houses with tin roofs. Due to their low income, almost half of those interviewed live in a single room with their family. Only one respondent has three rooms in her house.

All the respondents desire to live in a healthy environment. Despite living in metropolitan cities, they usually live in areas that lack basic sanitation such as regular cleaning of drainage and garbage collection. Almost all of them have access to electricity, but the availability of an in-house gas stove, water supply and ownership of a toilet is rare. Most women report that they share these facilities with 4 to 6 other families. They complain that the shared toilets are never cleaned. In a few areas, the women who have no bathing facilities at home have to pay BDT 10 per bath, so they can generally only take one bath per week. Women who live in slums with no separate or private bathing facility frequently experience harassment while bathing.

#### **3.3.4 Working Hours**

Article 100 of the Bangladesh Labour Law 2006 provides that workers shall not work more than 8 hours in a day or 48 hours in a week plus 12 hours of overtime, and the Constitution in Article 15(c) also grants the right to reasonable rest. Despite this, our study shows that the women workers work extremely long hours every day, particularly the domestic workers who are live in their employers' house and the street vendors. More than half of the respondents work up to 15 hours daily, and one-third more than 10 hours daily.

In terms of rest periods during working hours, garment workers were usually given time to rest, including during lunch time, though this duration varied depending on the time of year and the season. When the workload is high, the lunch break is reduced but generally factory workers get a one hour lunch break. Some workers reported that before festival days, garment workers are very busy and do not have time to rest and cannot even eat meals on time. Domestic workers and home-based workers, especially the handicraft workers, also have heavy workloads and say they do not have time to rest. Street vendors who sell garments and cosmetics also work long hours. Hawkers,

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<sup>18</sup>“The ability to provide balanced food on a regular basis” in our questionnaire was equated with the ability to provided animal protein every two days

construction workers, tea workers and waste pickers have no designated place to rest (e.g. a shed or shelter) even though they work for 10 to 15 hours every day.

However, it is difficult to quantify the time they spend working, as the respondents and FGD participants revealed that they also spend a significant amount of time on household work and family responsibilities outside of the workplace. Approximately a third of women reported spending over 5 hours on housework and care work every day, 44 percent reported spending 3-4 hours, and 18 percent under 2 hours. Half the respondents, mainly younger and unmarried women who live with their parents, stated that they have 1-2 hours of help for household work because they live with their parents, so they do not have burden of household works. For the majority of respondents, daily housework included cooking, cleaning and shopping for daily necessities, as well as taking care of their children's education and health. Only 29 percent of women had to do the cooking and cleaning only as they do not have children.

The unshared burden of household and care work found among our survey respondents mirrors what has been found in other studies. According to the Center for Policy Dialogue (CPD) on average, a man in Bangladesh (over 15 years old) spends about 2.5 hours on unpaid activities in a typical day. In contrast, a woman (over 15 years old) spends about 7.7 hours on unpaid household activities—about three times more.<sup>19</sup> CPD calculated that if women's household work were valued in monetary terms, it would amount to 76.8 - 87.2 percent of Bangladesh's GDP in fiscal year 2013-14.<sup>20</sup> The economic value of this unpaid work is 2.5 to 2.9 times more than the income that women received from paid services,<sup>21</sup> but this invaluable work is not recognised in the GDP. The present study reveals that the contribution of female labour in different activities as well as toward the total family income was substantial. If their work could have recognition and respect from Bangladesh's patriarchal society, women would have increased self-respect, social respect and be more economically independent, and increase women's participation in decision making processes.

### **Leaves**

Bangladesh Labour Law provides that every worker in the formal sector, having completed one year of service, is entitled to paid leave. The leave entitlements differ according to the sector and age of the worker: for example, an adult tea plantation worker has one day of leave for every 22 days of work, while a factory worker has one day's leave for every 18 days. In addition, every worker is entitled to 11 days of paid festival holidays every year.

The issue of leave was not relevant to most of the survey respondents since most of them are in the informal sector or self-employed. The street vendors, waste pickers, construction workers, and home based workers rest when they have the time as needed. Factory workers get one day of leave in a week. Domestic workers who live with the house owner stated that they generally do not get time to take rest, even when they are sick. Sometimes they do not get festival leave.

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<sup>19</sup> A dialogue program on "How much women contribute to the Bangladesh economy: Results from an empirical study." organized jointly by the Center for Policy Dialogue (CPD) and Manusher Jonno Foundation on 26 October, 2014.

<sup>20</sup> Calculation based on "replacement cost" and "willingness to accept" method respectively. See <http://www.dhakatribune.com/business/2014/oct/26/cpd-count-women-household-works-gdp#sthash.M1rFJZem.dpuf>

<sup>21</sup> Time Use Pilot Survey 2012 (2013), Bangladesh Bureau of Statistics, Statistics Division, Ministry of Planning, Government of Bangladesh

In January 2011, the government increased the maternity leave from 4 months to 6 months, allowing women more time to rest and take care of their babies before returning to work. According to the Bangladesh Labour Act 2006, each worker is entitled to 16 weeks' maternity leave with full salary, but some employers refuse to comply with the law. In fact, the respondents from the RMG sector say that most workers receive only 3 months' salary and leave. However as more workers are demanding their legal entitlements, the situation is now gradually changing. Workers state that factories generally reinstate workers to the same position after maternity leave, but most working mothers are not able to re-join because they need to take care of their new-borns if they are not able to avail of child care facilities.

### 3.3.5 Allowances and others benefits

In our survey, workers in the garment sector, the public sector and tea plantation workers (i.e. the formal sector) receive the most allowances, benefits and access to facilities and services provided by employers. Workers in the other sectors interviewed do not receive any benefits.

**Table: Benefits obtained by workers, informal and formal sectors**

| Benefit                      | Number of informal workers obtaining benefit | Number of formal workers obtaining benefit |
|------------------------------|--|--|
| Festival leave and bonuses   | 0  | 39   |
| First aid                    | 0  | 18   |
| Maternity leave and benefits | 0  | 14   |
| Reproductive health services | 0  | 1  |
| Nursing rooms                | 0  | 1  |

Tea Plantation Workers can take festival leave twice yearly and are paid a bonus of approximately BDT 1,800 (approximately US\$ 23) per year. Tea workers are also able to have 4 months maternity leave with salary equivalent to their average monthly income.

Permanent public sector workers enjoy maternity leave and benefits of 6 months leave with full salary, whereas some garments workers receive 4 months maternity leave with salary. Besides, 18 percent have first aid/nursing facilities in the garments factory. Only 2 percent of them stated that they received maternity leaves, benefits and first aid. Only 1 respondent said that her factory has access to reproductive health services and childcare facilities.

### 3.3.6 Distance between the home and the work place

Most of the workers in the study lived relatively close to their workplaces. Only 10 percent had to travel more than 2 km to their workplaces, usually by rickshaw or bus, while others walked to work.

### 3.3.7 Nature of contract

The Bangladesh Labour Law 2006 requires employers to issue employment contracts to their employees. On the question of what type of agreement existed between the employer and the worker, only half responded, and said that their employment is based on a verbal commitment. Only 5 workers had a written agreement letter and only 3 confirmed that their contract followed the government rules and regulations. Garment workers reported that instead of contracts they usually had a monthly attendance sheet and an identity card.

In the FGDs, nearly all (98 percent) the respondents were waged workers but only 19 percent of them had agreements with their employers. Except for the garment workers, no one was able to show their contract papers.

### **3.3.8 Safe and decent working environment**

Generally in all the sectors, women work in poor conditions and face various types of physical, health and mental hazards. Our survey shows that even the most basic workplace needs, such as clean toilets and drinking water, are not met for the majority of the working women in the study. Very few of the workers we interviewed like their working environment (only 19 percent of them called their environment 'excellent', while the rest expressed varying levels of dissatisfaction.

#### ***Basic facilities***

Approximately 82 percent of respondents said that they have toilets at their workplaces, but they were not adequate. In particular, female garments and construction workers are dissatisfied with toilets that are used by men as well, and find them unhygienic. Some tea workers and street vendors do not have access to toilets and they find it very difficult to work throughout the day, since they come to the workplace early in the morning and leave at night.

About 21 percent of the respondents do not have access to safe drinking water at their workplaces. Some said that water can be purchased, but it is costly considering their small earnings. 15 percent of respondents bring water from their homes. Most women who are provided drinking water at the workplace do not know whether it is safe to drink. Most tea workers have no access to water, but occasionally the tea plantation authorities send a supply of water, which is usually insufficient.

Of the respondents, only street vendors reported problems with lighting, as they work on the street from morning until night (some work until midnight). A large proportion of hawkers have no legal or authorized electricity connection. However, almost all of them have an electric lamp that is connected to electricity from adjacent markets; an illegal connection from a lamp post; or from a shop nearby. Whatever the type of connection, the vendors have to pay BDT 300 per month.

#### ***Occupational Health and Safety***

In regards to occupational health and safety, Bangladesh's Labour Law 2006 (amended in 2013) encompasses three areas of protection: (i) occupational accidents, hazards and diseases; (ii) safety equipment and facilities; and (iii) workplace environment.

The Department of Inspection for Factories and Establishments (DIFE) is responsible for enforcing occupational safety regulations. Employment injury insurance benefits are provided through the Labour Law, which regulates compensation for injured workers. In addition, when accidents at work occur, the worker is entitled to a free medical examination paid for by their employer. The labour law also provides that every workplace should be equipped with first aid boxes (one for every 150 workers), a dispensary with a patient room, and a doctor and nursing staff where 300 or more workers are employed (Section 89), and also has provisions related to the working environment in relation to ventilation, lighting, gender segregated toilets, ergonomics, etc.

Despite all these legal entitlements, workers are seldom able to benefit, as most of these regulations are not implemented and violations are not sanctioned. In addition, no attempt has yet been made to extend the coverage of the law to self-employed workers, let alone to provide injury benefits to workers in the informal sector.

Many of the women workers in our study work in high risk and unsafe places and they do not have appropriate personal protective equipment's (PPE). Different types of health problems are seen among the working women we interviewed. 88 percent of respondents report having experienced various physiological problems. The most frequent problem was headaches (reported by 64 percent of women). There are also specific health issues associated with each sector: 43 percent of the working women who work at the road-side and under the sun without any eye protection report burning sensations in the eyes and a further 51 percent suffer from various skin diseases. The same proportion of women also reported neck aches because they carry heavy loads regularly. Another 23 percent of respondents also reported reproductive health issues such as irregularities in menstrual periods. Overall 25 percent of them face different types of acute and chronic diseases.

**Table: Health problems by sector**

| Sector/industry               | Major types of occupational diseases/accident/injuries   |
|-------------------------------|--|
| <b>Garments sector</b>        | Physiological problems, fatigue, back pain, headache, skin diseases, reproductive health issues, urine infection   |
| <b>Public sector</b>          | Physiological problems, acute and chronic diseases, fatigue , urine infection  |
| <b>Tea plantation workers</b> | Physiological problems, headache, burning sensations in the eyes, skin diseases, neck aches, back pain, Fatigue and non-fatal/small injuries, urine infection  |
| <b>Domestic Workers</b>       | Physiological problems, skin diseases, reproductive health issues, fatigue and non-fatal/small injuries  |
| <b>Home based Workers</b>     | Physiological problems, headache, neck aches, and non-fatal/small injuries   |
| <b>Construction Workers</b>   | Physiological problems, burning sensations in the eyes, skin diseases, neck aches, reproductive health issues, and non-fatal/small injuries, urine infection   |
| <b>Street Vendors</b>         | Physiological problems, headache, burning sensations in the eyes, neck aches, urine infection  |
| <b>Waste Pickers</b>          | Physiological problems, headache, burning sensations in the eyes, skin diseases, Neck aches, reproductive health issues, acute and chronic diseases, loss of appetite, urine infection, indigestion and non-fatal/small injuries |

The women workers report being constantly under a great deal of stress, but mental health issues are always ignored in Bangladesh. For example, male colleagues may disparage female colleagues' work and effort, or women workers are pressured to work in factories on long shifts, have extra workload and perform overtime without full payment. Managers think they are weak, and scold them for silly issues, and sometimes slap them too. Moreover, the low wages they receive also causes them to experience stress.

Street vendors or hawkers experience stress caused by different factors: for example, they are at risk of being harassed by male vendors, who do not allow them to sit on the pavement to sell, or harassed by police or local authorities, or having their wares destroyed by thugs or spoiling. Additionally, street vendors also worry about communication/transportation problems, inflation and price hikes, flooding and political unrest.

For women who work in fixed locations, for example garment factories and public offices, the lack of sex-segregated toilets discourages women from going to the toilet, as they do not feel comfortable going alongside men, and male colleagues may draw indecent pictures, cartoons, slogans on the

walls of the toilet, which makes them feel uncomfortable. As a result they are prone to having urinary tract infections, kidney stones, etc.

21 percent of respondents reveal that there are no initiatives to prevent the hazards at workplace. The waste pickers reveal that they get free medical treatment and free medicines under the project of “Promotion of Rights and Social Protection of the Waste Pickers in Bangladesh”, organised by OSHE Foundation.

### **Harassment and sexual harassment**

There is no sexual harassment law in Bangladesh, except for a high court judgment issued in 2009, which provided a definition of sexual harassment and some guidelines in the absence of legislation. It defined sexual harassment as: “Unwelcome sexually determined behaviour (whether directly or by implication) as physical contact and advances; Sexually coloured verbal representation; Demand or request for sexual favours; Sexually coloured remark or gesture; Indecent gesture, teasing through abusive language, stalking, joking having sexual implication; Insult through letters, telephone calls, cell phone calls, SMS, notice, cartoon, writing on bench, chair, table, notice boards, walls of office, factory, classroom, washroom having sexual implication; Taking still or video photographs for the purpose of blackmailing and character assassination; Making love proposal and exerting pressure or posing threats in case of refusal to love proposal etc.”<sup>22</sup>

Working women are harassed in many ways by employers or management, but it varies from work to work. When asked about “harassment and exploitation” generally, only about 28 percent of respondents reported that they experienced physical and mental harassment, and 12 percent said they are sometimes harassed and forced to work without payment or adequate payment. Male street vendors often evict women hawkers by force, throw and destroy their products.

“Sexual harassment happens regularly to me, especially on the road side. But I do not know the people who tease me, so to whom do I complain and against whom? That’s why I cannot object.”

*Nilu, operator at Liberty Garments Ltd*

Women cited common types of harassment such as bullying with abusive language, sexual jokes by male counterparts, spectators, unwelcome sexual behaviour through physical contact and advances. Respondents said that these behaviours were commonly used by supervisors to make the women work more quickly.

When survey enumerators broached the subject of “sexual harassment,” as mentioned earlier, most respondents were not familiar with the term “sexual harassment” or *hoirani*.

Enumerators explained to respondents that sexual harassment can be broadly defined and can range from rape and sexual assault to unpleasant, lustful, malicious looks or smiles, evocative comments, disrespectful and verbal behaviour from male colleagues, superiors, and employers. A few women stated they had never thought of such behaviour as sexual harassment before. 60

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<sup>22</sup> Barrister Lutfun Nahar, ‘How effective are the laws of Bangladesh in protecting women from sexual harassment?’ Law Journal Bangladesh, August 2015, available at <[www.lawjournalbd.com/2015/08/how-effective-are-the-laws-of-bangladesh-in-protecting-women-from-sexual-harassment/](http://www.lawjournalbd.com/2015/08/how-effective-are-the-laws-of-bangladesh-in-protecting-women-from-sexual-harassment/)>

percent of respondents then answered that they face sexual harassment at their workplace, while 36 percent said that they do not.

When asked what forms the sexual harassment took, half of respondents said they had faced verbal harassment, while 19 percent had experienced physical harassment. The rest stated they had witnessed *hoirani*. Examples cited by the women include: hair pulling, slapping, hitting on the head, pulling the scarf (*urna/dopatta*), stroking, touching the body and kissing workers without their consent. Young female workers report receiving insults through letters, telephone or cell phone calls, SMS etc. Male colleagues often propose to marry them or attempt to establish unwanted sexual relations. Some garment workers mentioned that if the worker refuses proposals from managers or supervisors, they will be punished by having their salary deducted on the premise of having committed a silly mistake. The harassers may also threaten the workers. In garment factories, supervisors and factory officials try to get workers' attention by calling to them, winking, staring, whistling, or they stand very close to the women and pinch them.

Given how often women were confronted with sexual harassment, very few of them took the initiative to stop or challenge the behaviours. When asked why not, the majority of respondents (57 percent) did not provide any answer to this question. For the rest, one major reason why they did not challenge the harassment is the realisation that they have limited alternative livelihood options. Many women felt that if they took action against the harasser, they would lose their jobs. They also feared that they would be socially ostracised and stigmatised. Nearly 27 percent of respondents also claimed that there is no way to obtain justice. A few respondents claimed that because of poverty, they were unable to do anything.

Only a miniscule proportion of respondents (6 percent) reported that they took action to stop the harassment, but these actions were limited, such as complaining to their family and employer, talking to the harasser and changing their mobile SIM-card.

The women hope the situation will change and they think that the government needs to play a vital role to change the situation. In addition, they think their family, the private sector, NGOs, local elites, law enforcement and authorities, civil society, trade unions, human rights activists and mass media can help to change the situation as well.

“No one would believe me. Besides, everyone will find out about my bad side and society will consider me bad. Maybe they will stop me from working. So I stop thinking about my contractor’s attempts to rape me.”

*A Jugalee (helper) on a construction site, in response to a question about sexual harassment.*

### 3.3.9 Equality and Discrimination

Women workers in Bangladesh face many types of discrimination: unequal pay, unequal access to employment and promotion opportunities, segregation into jobs based on gender. Working women lag far behind men in terms of income level: they earn less than half of males' total income and even sometimes less than a child worker, particularly in the informal sector such as construction workers.

According to the BLFS, the average wage of a male casual worker is BDT 1,904 per week, whereas a woman casual worker earns BDT 645.<sup>23</sup> This difference in income levels can be attributed to many factors: firstly, women's confinement to lower paid, lower skilled work and more insecure work. They are usually engaged to do "simple tasks" requiring the least skills. Because of this occupational segregation, women tend to remain unskilled. Like their male counterparts, women also work for long hours but do not receive payment for overtime.

Women also tend to receive lower wages than their male counterparts for the same type of work. A difference of at least BDT 50 is common per day.—In our survey, while roughly half of the respondents reported that they receive the same wages as men for the same work, around 32 percent of the women said that they received less.

HBWs report that sometimes their clients hassle them by providing low payment.

Thirdly, women are frequently denied opportunities for advancement and higher pay. In the garment sector, discrimination is rampant, as men are always preferred rather than women to be promoted or recruited to supervisory positions. In the construction sector, male foremen are not interested in hiring women.

A small proportion of respondents stated that because women are not united, employers do not take their demands as a priority. If there is an opportunity for promotion, males are preferred even though capable women are present. FGD participants mentioned that in the garments sector when dismissals are needed, women are first in line to be fired, even if they are more capable than their male colleagues.

### **3.4 Social Protection**

Social protection mechanisms in Bangladesh are scattered, limited in coverage and administered by different departments and bodies. There are no nationwide social security schemes. The only programme with compulsory contributions is an old-age pension programme for public servants. There are also a number of programmes aimed at providing old age pensions, but a sizeable proportion of private formal sector employees still do not participate fully in the social security system. More importantly, specific programmes to support informal workers are non-existent. In October 2015, a National Social Security Strategy Plan was adopted by the government of Bangladesh, in order to improve the coverage and administration of social protection programmes in Bangladesh. However the plan remains lacking in concrete details and has not been implemented.

The Bangladeshi Government has some social protection initiatives for women. For example, to ensure safe motherhood, the length of maternity leave in the formal sector was extended from 4 to 6 months. Under the "Maternity Allowance Project", a total of BDT 1.61 billion has been distributed to 370,400 mothers. To ensure proper nutrition and livelihoods of the most marginalised, 3.3 million

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<sup>23</sup>Decent work profile Bangladesh 2013, p 34

poor, widow and elderly women receive a monthly allowance. There is also a scheme that provides a loan of BDT 15,000 to poor and vulnerable women.<sup>24</sup>

Bangladesh Labour Law 2006 has some provisions in the area of insurance, compensation and maternity benefits but no specific provisions on pension. The 2013 Amendment has made group insurance mandatory (Section 99). A new provision in the law was enacted to provide financial support to the family members of a deceased worker (Section 155) and increase the amount compensated to the workers for injury, disability and death due to workplace related accidents (Section 151). In cases of permanent injury, the right to compensation in the BLA 2006 are narrowly defined, as well as discriminatory in terms of age. For example, an adult worker receives BDT 125,000 as compensation for complete permanent impairment whereas a child worker receives only BDT 10,000 on the same grounds.<sup>25</sup> The 2013 Amendment has mandated the establishment of provident funds to tea-garden and newspaper industry workers, as well as providing guidelines for provident funds for private sector workers (Section 264).

### ***Access to government-provided social security benefits***

However, there are some problems in the current processes for selecting recipients for these schemes, for example, political leaders can influence who is chosen to receive the benefits. Moreover as most women workers are in the informal sector or self-employed, the common social security benefits that are tied to formal jobs are not available to them (maternity leave, pensions, provident funds and gratuity<sup>26</sup> etc.) Working women frequently face job uncertainty and income uncertainty due to many reasons, but there is no unemployment scheme to protect them if they lose the ability to earn an income.

In addition, almost every respondent and their family did not have access to government safety net schemes, such as the old age allowance, allowances for widows, Vulnerable Group Feeding (VGF), and the maternity allowance for poor lactating mothers. A few of the participants had been

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<sup>24</sup> According to the Ministry of Finance, the top ten programmes in the Social Protection Programme account for some 69% of the total Fiscal Year 2013 SPP Budget. The pensions programme for government employees and their families is the single largest programme accounting for nearly a quarter of all the money allocated for SPP in FY2013. The other nine large programmes in terms of budget share are: Open Market Sales (7.6%), Food for Work (6.5 %), Test Relief (5.5%), Vulnerable Group Feeding (5.2%), Employment Generation Program for the Ultra Poor (5.2%), Primary Education Stipend (4%), Old Age Allowance (3.9%), Vulnerable Group Development (3.7%) and Block allocations for various programs (3.5%). The remaining 18 major programmes defined by the “taka one billion” allocation criteria are still small in terms of budget share, individually absorbing 2.8% or less of the budget and jointly accounting for only 20% of the FY13 SPP Budget. The largest scheme in terms of coverage is the Open Market Sales (OMS), whose beneficiaries account for 28% of total beneficiaries, while the government employees’ pension programme, which accounts for over 24% of the national SPP budget, reaches only 0.5 % of total beneficiaries.

<sup>25</sup> Bangladesh Labour Law 2006 (its amended 20120 & 2013) Bangladesh Labour Rules 2015

<sup>26</sup> Gratuity refers to “means wages payable on termination of employment of a worker which shall be equivalent to not less than thirty days’ wages for every completed year of service or for any part thereof in excess of six months;” according to the Bangladesh Labour Act Amendment 2013.

beneficiaries of the Open Market Sale (OMS) food programme, but claimed it was not adequate at all.<sup>27</sup>

Participants of all the FGDs said that since working women mostly work in the informal sector and their occupation is not recognised by government, they do not get any kind of social protection including life or health insurance.

Working women also claim that they are not able to access bank loans from the national or commercial banks to keep their businesses running or when any emergency arises. They are scared of approaching these institutions, as they find the procedures, such as providing supporting documents or property papers, too complex and intimidating. A common perception is that government agencies are for educated and rich people only. Instead, they tend to take out loans from micro-financing institutions or money lenders (*mahajan*) at high interest rates, because these agencies provide more direct assistance to the women.



Shermin Shanta, Organising Secretary of Federation of Garments Workers (FGW) shared her experience which she gathered from taking initiatives to form a trade union. She said that the main obstacle comes during registration of trade union. There are several issues are important for garments workers such as- unwillingness from fear of job losing and valid ID card and reluctance of authority to provide registration.

### ***Savings for old age or emergencies***

As discussed above, working women are usually unable to completely meet the needs of their family with their small incomes. Consequently having a savings plan is still dream for most. Though 46 percent of respondents reported that they have saved money for the future, the amount saved was small: ranging from BDT 300 to 3,000, with most respondents having saved around BDT 1,000.

### ***Access to health services***

The ILO has noted that the government has increased expenditure on health care, and more formal sector employees are enrolling in health insurance. However, informal workers are still mostly unable to access medical care when they need it. The respondents of the FGD reported that when they are sick, they usually receive medical treatment from either government hospitals or the nearest medicine shop. Some women go to “quack” doctors (*kabiraj*) for treatment. A large number of respondents were unable to receive treatment the last time they were sick, because they were too poor to pay for it.

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<sup>27</sup> The OMS is a seasonal food programme that provides rice to food insecure persons at a subsidized price. Sometimes the OMS authorities create problems by imposing conditions, such as making women buy alternative products that they do not wish to purchase. Working women are also disappointed with OMS because the quality of the products is very poor.

## **Family life**

It is clearly a struggle for workers to balance family life and work life. Working women are still expected to be the primary childminder and housekeeper. Most of the workers in our survey had 1 or more children, which they coped with in different ways. For women who were unable to send their children to school, they sent their children to family members or their mothers (or mothers in law) in rural areas to take care of their children. A significant proportion of them resorted to keeping their children with them while they worked, because they had no family members to help them, no schools or other child care facilities to take advantage of. In particular, the construction workers kept their children at their potentially hazardous worksites. Only 1 factory worker among the 100 stated that she was able to benefit from child care facilities. It is clear that child care facilities and options are severely lacking for working mothers, despite the fact that section 94 of the BLA, stipulates that workplaces employing more than forty female workers must have crèche for children under six years of age.

### **3.5 Women's Participation and Social Dialogue**

Social dialogue according to the ILO refers to the process of negotiation, consultation and exchange of information between key workplace stakeholders, notably the Government, employers and workers, on issues of common interest. In our study, we limit ourselves to focus particularly on the first steps in the process of social dialogue: the women workers' ability to engage in such processes through organising, membership in a trade union or association, influencing and making decisions and getting their specific demands to be taken up as priorities by their representatives.

It is estimated that the overall trade union density in Bangladesh is 3 percent, and 22 percent among waged (formal) workers.<sup>28</sup> A recent amendment of the Labour Law in 2013 made it easier for trade unions to be registered and there are now 7,289 enterprise level unions, and over 32 national union centres. Despite this progress, collective bargaining remains difficult and union repression and anti-union bias is widespread, especially in the garment sector. Unionisation inside the public sector is more prevalent than in other sectors.

In terms of women's participation in unions, countrywide, women comprise only around 15 percent of total union membership. The representation of women in decision making positions in unions or worker organisations is even worse. Women workers, especially informal women workers, have fewer opportunities to join unions and do not feel comfortable raising their specific demands to their unions. They are also underrepresented in the leadership of the trade unions. Consequently, specific issues of women workers are seldom taken up as priorities.

#### **3.5.1 Organising women workers**

In our survey sample, 38 percent of the respondents are not members of any trade union or associations. Union membership was more common in the garment, tea plantation and waste picking sectors (32 out of 35 garment workers, all 14 tea plantation workers and all 10 waste pickers).

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<sup>28</sup>Bangladesh Labour Market Profile 2014, Danish Trade Union Council for International Development Cooperation, available at <[www.ulandssekretariatet.dk](http://www.ulandssekretariatet.dk)>

The leaders of the workers' organisations that we interviewed remarked that the participation of women workers remains extremely low. Mr. Sirajul Islam Rony, President of the Bangladesh National Garments Workers Employee League (BNGWEL) remarked that there is a huge number of women working all over the Bangladesh, but the number of associations or trade unions is insufficient.

Organising in the informal sector presents particular sets of challenges. Mr. Kamal Siddiki, President of Bangladesh Chinnomul Hawkers Samity (BCHS) claims that in Dhaka there are about 2,000 associations of street vendors<sup>29</sup> but only approximately 120 associations are officially registered as trade unions, cooperatives or social welfare associations. These associations have at least 20 members or more, but the participation of female hawkers is very low.



“Our occupation is not recognised by law, so who will help us? This is why we have formed our association to fight for our destiny. Though the association is not doing enough to protect the interests of the working women, it is a way to stop harassment and obtain rights at work.”

*Mrs. Shahinur*

Associations of domestic workers, construction workers and transport workers also exist but the participation of women is similarly very low. HBWs and waste pickers are trying to unite under associations. Most of these associations for informal workers have no proper structure and members of these associations lack adequate education. The members also earn hand to mouth; so they cannot contribute financially to the sustainability of the association. Another challenge is that women members often work long hours and they do not have time to participate in the activities of their associations. In reality, many of these organisations are run thanks to small contributions from those in the leadership, and therefore are unable to meet all the needs of the working women they represent.

The respondents from the informal sector stated that they want to collaborate and share their experiences with trade unions, as they think that trade unions can contribute significantly to formulate a national policy for the informal sector and to include them in national laws. Trade unions can also guide and provide direction to the working women's associations.

### 3.5.2 Motivations to joining or forming workers' organisations

Among those who already belonged to an organisation, around a quarter of respondents stated that they joined a trade union or worker organisation to fight for their rights, 15 percent to contribute to change of social views for women empowerment and 9 percent wanted to have support from the association during bad times.

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<sup>29</sup>Article 38 of the Constitution of Bangladesh guarantees the right to form associations. Section 176 of the Bangladesh Labour Law allows employers and workers to form unions. But informal workers are excluded from this because informal sector are not recognised as workers.

Among the unorganised, some wanted to join an organisation in order to learn about labour law, human rights and gender based violence and to develop self-confidence for future leadership. Most of the informal workers are not willing to form or join an association due to barriers related to the nature of their jobs: the hawkers have no fixed workplace and are mobile; HBWs and construction workers have flexible working arrangements, often migrating with their job. In contrast, garment workers and tea garden workers are comparatively more interested in forming associations. Compared to the other workers, garments workers have more knowledge about unions, its roles, and activities. However, many women workers are not interested in being actively involved with the union because they fear losing their jobs. Another reason why women were not part of union is a lack of awareness of what it is. Only 6 respondents did not want to join any organisation whatsoever.



“If you want to establish a women friendly environment at Union office, you also need to realize that the micro-level association should be more united and they need to increase their women membership. In a word, working women need to be united all over Bangladesh to obtain recognition as a worker or leader and to achieve a decent work for all.”

*Ms. China Rahman, Trade Unionist*

Regarding what is needed to organise unorganised women workers, many stated that that employers should respect workers’ rights to organise (freedom of association). A quarter of respondents wanted awareness raising campaigns and training, and some demanded more women-oriented programmes to ensure women’s participation and to increase local or grassroots communication and a minority demanded that their issues be taken up by social movement at the national level.

### **3.5.3 Women’s leadership: Representation in decision making process**

The issue of lack of women in leadership and decision making positions was raised by our survey respondents and union leaders. Mr. Pulak Ranjan Dhar, Secretary of Bangladesh Free Trade Union Congress (BFTUC) affiliated with International Trade Union Congress (ITUC) stated that they have close to 107,000 general members, with 35,000 women, representing 32.71 percent of the total membership. Women are underrepresented in the BFTUC leadership: in the 31-member decision making committee there are only 4 women (12.9 percent). Ms. China Rahman, General Secretary of Federation of Garment Workers (FGW) affiliated with IndustriAll Global Union, counts about 5,000 members in the federation, 3,500 of which are female members. In the 7-member committee, there are 4 female members.

In the survey, the majority of the respondents (75 percent) observed that very few women were in decision making positions in their trade unions or federations. General members of associations or unions feel encouraged by the presence of women leaders. Almost all (87 percent) agreed that if the leader is female, victims would feel more comfortable to speak to them, and it would be easier to

gain access to them. The female leader would also be able to recognise their problems better than male leaders.

However, women workers expressed the concern that most of their leaders are not from the worker class, and that the leadership is held by an outsider, so the respondents feel that it is important that educated women among them should come forward to lead, in order to organise sensitisation programmes, provide easy access for women workers, ensure that organisational activities are held at women friendly times, so as to increase women's participation.

85 percent of respondents said that more initiatives were needed to promote women's leadership, such as awareness raising and capacity building programmes, trainings and workshops. Some wanted educational or adult literacy programmes, while others expressed the need for programmes focussed specifically on women's issues. A minority needed financial support for crises. In addition, respondents wanted equal opportunity and a women-friendly environment at the trade union or association's office.

#### **3.5.4 Priority bargaining issues for women workers**

In response to the question of what is most immediately needed to improve their conditions, the three most often cited demands from the respondents were: job security and a woman-friendly environment (55%) social protection, recognition and dignity (25%); and adult literacy and awareness raising programmes on rights, laws and regulations (21%). Only 37% stated that the above mentioned issues are currently being prioritised in their organisation and 11% reported that they weren't. In the organisations that did prioritise these issues, the women cited some examples of the current practices in place: e.g. organising women-oriented programmes, ensuring women's participation in various trainings, respecting women's opinions and celebrating International Women's Day, etc. Some respondents observed that employers are not interested in prioritising women's issues because that would result in smaller profits, while others blamed the patriarchal society.

These views are echoed by most of the participants and the leaders of the associations in the FGDs: that existing associations are not playing an adequate role in protecting working women's interests, rights and safety, because at the same time they are also fighting for survival.

In conclusion, the women workers in our study mostly understood the need for worker's associations and to participate in them. However it is clear that in practice it remains difficult for them: informal workers cite many barriers to organising due to the nature of their work. At the same time, informal worker's organisations are also unable to register and reach out to them for lack of resources. For formal workers, repression and retaliation from employers are also major barriers their organising. The women also cited the lack of representation of women in decision making and leadership positions as a significant issue, especially women leaders from their ranks. Another significant barrier to participate in union activities is the lack of time: as found above, women work up to 15 hours a day, and some for 7 days a week and are often solely responsible for child rearing and housework.

## 4 Conclusions and Recommendations

The overall condition of the working women as revealed in the present research indicates that there are many deficits in decent work situation of the working women in the country. Working women in Bangladesh are deprived of many of their rights and are still struggling to achieve a meaningful life. Since working women provide support and services to the people of all classes and contribute through their activities to the society, their rights, work and life should also be protected by the society. This is the time for working women to demand recognition as workers, for their rights to organise and to be included in decision making processes. To this end, the current research recommends some steps to be taken at workplace level, the union level and the national level to ensure decent work for the working women in the country.

### **Employers or authorities: steps necessary at the workplace level**

- Review the current wages provide a living wage for all women workers to ensure their basic needs are met.
- Employers must ensure timely the payment of salaries as per the Bangladesh Labour Act.
- Provide low-cost housing facilities for the women workers.
- Employers must ensure basic facilities at workplaces, such as safe drinking water, separate toilets for women and men and rest room facilities for factory.
- Employers must make basic health services and personal protective equipment available at factories for workers.
- Revise and limit working hours: long working hours and overtime are hazardous to workers' health and detrimental to family life.
- Ensure maternity leave with full payment.
- Establish of child care centres.
- In order to deter and eliminate sexual harassment and torture, to create a safe environment for workers, employers must organize orientation classes on Sexual harassment either monthly or half yearly in all workplaces and institutions. Employers must provide proper counselling for the concerned persons, if necessary.
- Concerned authority of any workplace in both formal and informal sectors will be authorised to take action in case of misconduct.
- Employers must provide training and skill development of the working women.

### **Trade unions, federations, or worker associations**

- Work jointly with the government to bring working women under the coverage of existing social safety net schemes, as well as develop special schemes for them considering the specific characteristics of the informal sector.
- Work with the government and NGOs to organise extensive workers education and training activity in the area of labour law, OHS and reproductive health.
- Prepare and publish booklets/posters/leaflets containing guidelines and provisions of the Constitution and statutes regarding gender equality and sexual offences;
- Workplace harassment should be eliminated. Local administration, employers, police administration and trade unions should work in cooperation with each other and in coordinated manner to protect working women from all sorts of hazards, risks and economic or mental exploitation;

- National trade union centres need to employ different strategic approaches to organise more women under the umbrella of unions. Ensure that they can bargain for their rights and decent working conditions. They can do this by focusing on women-specific issues such as ensuring maternity benefits, reproductive health, OSH, and play a key role in fighting against sexual harassment etc.
- Conduct advocacy at the national level to push employers (e.g. BGMEA, BKMEA, etc.) to comply with national laws and respect international standards on women and children's workers' rights;
- Development of leadership quality and knowledge among them in formal and informal sectors to effectively fight to protect reproductive health rights of women workers.

#### **At the national/societal level**

- The government should recognise women workers as workers and extend protection of the labour law to them, and ensure a women friendly working environment;
- Bringing women workers under the coverage of existing social safety net schemes of the government, develop special schemes appropriate for the informal sector;
- National and private insurance companies should provide special Life Insurance or group insurance schemes tailored to the needs and abilities of the working women;
- The government, NGOs, trade unions and federations need to organize sensitization and awareness raising activities on OSH, prevention of workplace harassment and reproductive health rights issues at workplaces;
- The government must effectively enforce the existing labour code and work place policies to ensure the basic rights of working women
- The government must ensure that workers can exercise their rights to freedom of association and to bargain collectively at the factory level.
- Promote tripartite relations and active social dialogue between the government, employers and trade unions to improve working conditions, OSH status, reproductive health, workplace harassment issues and other basic workers' rights at the factory level of both formal and informal sectors.
- The government should ensure that low-cost housing facilities are available for working women.

## 5 Case study: A struggle to dream

Amena's eyes are searching hope in the sky outside the broken window of her tiny house. Tears fall from her eyes. She had a hidden dream: that after finishing her studies she would become a famous school teacher. But an accident seized her dream and hopes and she lost everything.



Amena has three brothers and one sister. Her mother died when she was 5 years old. Her father was a lowly government employee. When Amena was 10 years old, her father had an accident and he spent his savings on medical treatments, eventually having to take out loans from relatives. He was left unable to walk and work, and Jewel, her elder brother, took up the responsibility of providing for the family. It was quite impossible to fulfil all the demands with his small earnings, so to help, Amena stopped going to school. At the same time, their relatives pressed them to repay the loan. Adding to the family's woes, Jewel got married and refused to help the family after that. Amena, the eldest child after Jewel, was left to take up the responsibility of providing for her family.

Amena took up work as a domestic worker in her neighbour's house, where she stayed for nearly four years. As she became older, her master and his drug addicted son, who was around 20 years old, attempted to sexually exploit her. Her employer tried to have sexual relations with her, and when she refused, he threatened her. Eventually he tried to throw acid on her, but luckily Amena escaped and she stopped working there. Her father suggested that she go to Dhaka to find work. Amena then started living in West Kafrul, Dhaka.

When she was 14 years old, she joined a garments factory<sup>30</sup> as a helper. After a few days, she fell in love with Kamal, the 23 year-old line supervisor on her factory floor. Although she was not ready at that time, Kamal pressured her into marrying him. Despite this, she felt happy to be Kamal's wife. Amena felt that her dreams may come true.

Though everything was going well, she felt a lot of pressure at the factory. At the end of their first year of marriage, Kamal started to treat her badly. At first he scolded her for silly things but later on he started to hassle and fight with her. She became more and more sick but the factory would not grant her leave. Her colleagues would not help her in covering the workload. She found out that she was 4 months pregnant. The doctor refused to perform an abortion because she was too physically weak. Amena became progressively sicker with pregnancy complications. By this time Kamal stopped contributing financially. At the same time she felt so much pressure at work that she was unable to reach the daily target imposed at work. Moreover her supervisor always punished her for silly mistakes.

When she was 6-months pregnant she informed the factory of the pregnancy. Her supervisor became angry after hearing the news and he quickly asked her to leave the job immediately. Amena saw darkness everywhere.

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<sup>30</sup> Amena refused to name the factory.

While Amena was suffering from these struggles, Kamal became involved with another girl. He asked for a divorce. Amena loved her husband, so she tolerated his torture and was unwilling to divorce. In the meantime, the management dismissed her without giving her benefits. Kamal left her and married the other girl. Knowing she needed to care for her disabled father, young sister and unborn baby, and having no money for medical treatment, Amena fell into a deep depression.

Nearly one and half year ago Amena fell in deep mental pressure; at that time Federation of Garments Workers (FGW), one of LIE's local partners came forward to help her with medical support. A doctor referred her to a psychologist and she attended several free counselling sessions on stress management on a regular basis. She also attended regular follow-up programs of LIE. Amena had heard about FGW through Shelly, an organiser. She had approached FGW to receive some support, to know more about stress management, reproductive health and the basic rights of workers at work through awareness raising initiatives. Now she presents all the meetings and initiatives of FGW. When she comes to office she feels happy.

Now Amena has a two-year-old daughter. She works at the MISAMI-BITOPi group garment factory. She takes care of her father, sister and her daughter, and they are happy. Amena is now more mature, but there are still men who proposition her. One of her colleagues, Suman, is waiting for her to accept his marriage proposal. He is willing to accept Amena and her daughter. But now Amena is wiser and more confident after this long journey.

She says: "Now my world is Ankhi, my daughter. One day she will become a school teacher. I have lots of things to do for her." Ankhi was born underweight and malnourished but now she is better, though she needed extra care to recover. Her father needs better treatment and Lotifa needs to marry. "I have a lot of responsibility, so I have no time to get remarried."

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