



# Step-by-Step guidance

## **Step-by-Step guidance: implementing social dialogue on gender equality and women's empowerment**

This handbook has been produced as part of the Shobola Project. Its main objective is to improve communication between management and workers to create gender equality enabling work environment by supporting the project partners to carry out effective social dialogues in ready-made garment facilities in Bangladesh.

# Preface

In September 2018, amfori launched its Women Empowerment Programme, now part of amfori's Gender Equality and Women's Empowerment Strategy 'Enterprise for Equal'. It serves the goal to help businesses promote gender equality and empower women in their global supply chains and the workplace, as to advance performance, sustainability and fairness.

The programme was initiated with three projects in amfori member's biggest sourcing countries: Bangladesh, India and China. This handbook is produced as part of the Shobola Project in Bangladesh, which was launched by amfori in January 2018 together with its project partners CSR Centre and DBL Group.

The name 'Shobola' translates to 'empowered woman' in Bangla, hence the main objective of the project, which is to empower women working in the Bangladeshi ready-made garment (RMG) sector. Moreover, it highlights the resulting business and operational benefits for amfori members and producers as well as promoting long-term social compliance improvements along the supply chain. It will also create an enabling environment in which women can attain their full

potential and positively contribute to their careers, personal lives and society as a whole. Furthermore, it underpins the role of women as facilitators for positive change through access to equal opportunities. In many respects, it fits neatly underneath the vision that: **"Empowering female workers is Right for Business"**.

Through **Social Dialogues**, management and workers of the participating six factories in Bangladesh will discuss the gender action plans that have been devised to tackle their respective gender gaps and gather feedback from female factory workers. Ultimately, the **Social Dialogues** aim to help management better understand their female workers' needs, improve communication and enable them to create a work environment that empowers women and men equally. Finally, the progress of the producers will be assessed and documented in a case study booklet.

It is hoped that this handbook will make a useful contribution to the understanding and effective implementation of **Social Dialogues** to advance the cause for women empowerment and to create a gender equality enabling work environment along global supply chains.

# Acknowledgement

This report was written by Firza Safira (Impactt) and Franzis Wimmer, Charline Daelman and Mariamawit Delelegn (co-authors), from amfori. The report benefitted from the editorial contributions of John McCarrick and Alice Gillam from amfori.



# Contents

<b>PREFACE</b>	<b>2</b>	<b>ANNEX 1</b>	<b>23</b>
<b>ACKNOWLEDGEMENT</b>	<b>2</b>	<b>ANNEX 2</b>	<b>24</b>
<b>GLOSSARY</b>	<b>4</b>	<b>ANNEX 3</b>	<b>25</b>
<b>BACKGROUND</b>	<b>5</b>	<b>ANNEX 4</b>	<b>26</b>
– Bangladesh Garment Sector	5	<b>REFERENCES</b>	<b>28</b>
– Gender Inequality in the Bangladesh Garment Sector	5		
– Improving Gender Equality at the Workplace through Social Dialogue	5		
– Purpose and Target Audience of the Handbook	5		
– The Structure of the Handbook	6		
<b>SECTION ONE: INTRODUCTION</b>	<b>7</b>		
Introduction to social dialogue	7		
– Defining social dialogue	7		
– Understanding actors and mechanism of social dialogue	8		
– Social Dialogue in Bangladesh RMG Sector	9		
Introduction to Gender Equality and Women’s Empowerment	10		
– Defining Gender Equality	10		
– Gender Inequality in Bangladesh RMG Sector	10		
– Understanding challenges in achieving gender equality and empowering women at the workplace	11		
– Empowering women to achieve gender equality	11		
<b>SECTION 2: GENDER EQUALITY AND SOCIAL DIALOGUE</b>	<b>13</b>		
Nexus between Gender Equality, Women’s Empowerment and Social Dialogue	14		
The Business Case for Social Dialogue Through a Gender-Lens	14		
– Improving performance through productivity gains	14		
– Preventing and managing workplace conflict	14		
<b>SECTION 3: CONDUCTING BIPARTITE SOCIAL DIALOGUE</b>	<b>15</b>		
Social dialogue step-by-step	15		
– <b>Phase A Social Dialogue preparation</b>	<b>15</b>		
– <b>Phase B Social Dialogue session</b>	<b>20</b>		
– <b>Phase C Social Dialogue follow-up</b>	<b>22</b>		

# Glossary

## **BIPARTITE SOCIAL DIALOGUE**

A dialogue conducted between two parties: employer's representative or organisation, and worker's representative or organisation regarding workplace related issues.

## **COLLECTIVE BARGAINING**

"All negotiations which take place between an employer, a group of employers or one or more employers' organisations, on the one hand, and one or more workers' organisations, on the other, for: (a) determining working conditions and terms of employment; and/or; (b) regulating relations between employers and workers; and/or; (c) regulating relations between employers or their organisations and a workers' organisation or workers' organisations" (ILO Convention 154 on Collective Bargaining).

## **FREEDOM OF ASSOCIATION**

The right of workers and employers to form and join organisations of their own choosing without previous authorisation (ILO Convention 87 on Freedom of Association and Protection of the Right to Organise).

## **GENDER**

Gender is a concept constructed by society that defines and assigns roles and possibilities between men and women, the roles conventionally assigned to cisgender males and females respectively.

## **GENDER EQUALITY**

The rights of women and men to have the same opportunities for the achievement of important goals in society such as education, employment and income and to contribute to political, social, and cultural development at all levels.

## **INDUSTRIAL RELATIONS**

Laws, processes and institutions that regulate employment relations, as well as the outcomes (e.g. wages and other conditions of employment, employment security, labour peace, gender and wage equality etc.).

## **PARTICIPATION COMMITTEE (PC)**

Participatory Committee consist of representatives of the employer and the workers where representatives of workers are appointed by trade union or in the case where there is no trade union in the facility, workers representatives should be democratically elected by workers. The number of representatives of workers in PC shall not be less than the number of employers' representatives. It is recommended that the number of representatives and gender composition reflects the facilities workforce, both in terms of size and gender ratio.

## **SOCIAL DIALOGUE**

All types of negotiation, consultation or simply exchange of information between representatives of governments, employers and workers on issues of common interest.

## **SUSTAINABLE DEVELOPMENT GOALS**

The Sustainable Development Goals, also known as the Global Goals, serve as the blueprint to achieve a more sustainable future for the world. Through its 17 interconnected goals, it aims to address worldwide problems such as poverty, inequality, climate change, environmental degradation, peace and justice.

## **TRIPARTITE SOCIAL DIALOGUE**

A dialogue involving three parties; employer's representative(s) or organisation(s), worker's representative(s) or organisation(s), and government.

## **WOMEN EMPOWERMENT**

Process by which women gain power and control over their own lives and acquire the ability to make strategic choices<sup>1</sup>.



# Background

## BANGLADESH GARMENT SECTOR

After China, Bangladesh is the world's largest Ready-Made Garment (RMG) exporter. More than 80% of Bangladesh's export earnings<sup>2</sup> consists out of RMG goods, with a total export value of USD 32.92 billion in 2018, an increase from USD 29.2 billion in 2017<sup>3</sup>. The high number of goods produced in this sector contributed around 11% to Bangladesh's GDP in 2018<sup>4</sup>. Thus, it is not an overstatement to say that RMG sector has driven the country's macroeconomic growth.

Owing to its labour-intensive nature, the garment sector in Bangladesh employs up to 4 million<sup>5</sup> workers. It is one of the country's major sources of employment in the manufacturing sector. Furthermore, out of these 4 million workers, 80% of them are women<sup>6</sup>. This has increased the employment rate among Bangladeshi women<sup>7</sup>. In other words, it provides a starting point for more equal employment opportunities in the formal sector for the female workforce. However, gender inequality remains a key issue in Bangladesh's RMG sector.



## GENDER INEQUALITY IN THE BANGLADESH GARMENT SECTOR

Unequal treatment of women remains a challenge throughout global labour markets. The ILO noted that the effort to narrow the gender gap in the workplace has not progressed in a meaningful way in the past 20 years<sup>8</sup>. This is echoed by the recent findings of the Global Gender Gap report which asserted that women's participation in the labour market has not improved and wage disparities have increased slightly in this timeframe<sup>9</sup>.

Gender inequality at the workplace particularly affects young and vulnerable females. According to the ILO, young women between the age of 15 and 29 face much unequal treatment at workplace, the worst three of which are abuse, harassment and discrimination<sup>10</sup>.

In the Bangladesh RMG sector these issues are also prominent, especially since 64.8% of women workers in the garment sector are 25 years old or younger<sup>11</sup>. Studies have found that female garment workers in Bangladesh face issues in accessing promotion opportunities, suffering discrimination<sup>12</sup>, wage discrimination<sup>13</sup>, and intimidation such as verbal harassment or abuse<sup>14</sup>.

## IMPROVING GENDER EQUALITY AT THE WORKPLACE THROUGH SOCIAL DIALOGUE

Due to the complexity behind the root causes of gender inequality (further explained in Introduction to Gender Equality and Women's Empowerment section below), collaboration between various actors is required in order to achieve gender equality. For example, the government can establish regulations to prohibit gender discriminatory practices at the workplace, and international organisations can promote a positive perception towards working women and install various female empowerment programmes.

More importantly, meaningful change in the workplace itself requires a joint effort between workers and management as the directly affected parties. These changes can be driven through open discussion on areas of improvement to establish equality and empowerment of female workers. The vehicle to support this discussion is known as **social dialogue**.

From the employers' perspective, social dialogues can serve as an effective tool to understand female workers specific needs, thus enabling them to effectively address gender inequalities and to create a work place environment that caters to men and women equally, ultimately resulting in higher workers' satisfaction and productivity gains

## PURPOSE AND TARGET AUDIENCE OF THE HANDBOOK

This handbook serves as a practical guide for business practitioners, more specifically in the RMG sector in Bangladesh, on the implementation of social dialogue on gender equality. In general, the information provided in this handbook may be used by bipartite social dialogue practitioners i.e. both workers and management. More

specifically, this book is designed to provide an understanding of its importance as well as how to conduct social dialogue for Bangladesh RMG facilities' management and representatives. The handbook outlines international and legal requirements as well as business benefits of social dialogues on gender equality to help management understand the value of proactively engaging workers in a structured dialogue per se, and specifically on the topic of gender equality. In addition, it provides a step-by-step guide on how to practically implement bipartite social dialogues on topics related to gender equality and women's empowerment. A series of case studies illustrates the positive impact social dialogues can have on women's empowerment and ultimately on companies' triple bottom line.

## THE STRUCTURE OF THE HANDBOOK

This handbook will start with an introduction to social dialogue and gender equality & women empowerment. The second section discusses the relationship between social dialogue and gender equality & women empowerment. The last section of this handbook provides a step by step guidance on conducting bipartite social dialogue.

Three special features of this handbook are marked as Case Study, Special Focus, and Reflection Points and indicated with the following icon.

### CASE STUDY



### SPECIAL FOCUS



### REFLECTION POINTS



# Section One: Introduction

## INTRODUCTION TO SOCIAL DIALOGUE

The garment industry has been under the spotlight for various labour and compliance issues. As more transparency on product sourcing is demanded, major brands and retailers are aiming to source from responsible facilities that strive to improve working conditions.

Improvement in working conditions is also supported by the global community. This is reflected in the Sustainable Development Goals (SDGs) – a global commitment that serves as blueprint to achieve a better and more sustainable future for all – specifically, SDG number 8 on Decent Work and Economic Growth<sup>15</sup>.

The International Labour Organisation (ILO), as the main organisation driving the SDG 8 agenda, has outlined social dialogue as key to achieve the decent work agenda<sup>16</sup>. Social dialogue is intended to function as a tool to promote fundamental principles and rights at the workplace whilst benefitting employers through high worker engagement and satisfaction. Further detail on social dialogue is outlined in the following sub-section.

## DEFINING SOCIAL DIALOGUE

Ideally, dialogue between workers and management should be conducted regularly at the workplace to improve the relationship between the two parties. This dialogue is known as social dialogue. Formally, The ILO defines social dialogue as, “All types of negotiation, consultation or simply exchange of information between representatives of governments, employers and workers on issues of common interest”<sup>18</sup>.

The first step in enabling workers to participate in social dialogue is to respect workers’ rights to establish or join trade unions and representative organisations of their own choosing where they are free to democratically elect their representatives. In other words, freedom of association and Protection of the Right to Organise, as mandated by the ILO’s Convention No. 087 is the fundamental pre-requisite to social dialogue. For more on ILO’s fundamental principles in respect of industrial relations and social dialogue, please see Annex 1.

With freedom of association in place, social dialogue can be expected to achieve its dual functionality as follows:

1. Promote consensus building and the democratic involvement of main stakeholders at the workplace.
2. To provide a method for promoting social justice and a means to achieve social and economic progress. It



## Special Focus

ILO’s Decent Work Agenda with its four strategic objectives – employment, social security, social dialogue and fundamental principles and rights at work – provides the organising framework for the ILO to support its Members at the country level formulated in Decent Work Country Programme (DWCP)<sup>17</sup>. ILO’s four DWCP priorities are:

**PRIORITY 1:** Effective employment policies to enhance employability through skill development including for green growth

**PRIORITY 2:** Promotion of safe and clean working environment for all workers and in compliance with core international labour standards

**PRIORITY 3:** Promotion of fundamental principles and rights at work through social dialogue and tripartism

**PRIORITY 4:** Promotion of social protection for all workers and vulnerable groups including protection against climate change

Under the ILO’s DWCP of Bangladesh, the expected priority outcomes under social dialogue include: capacity development of employers and workers’ organisations to strengthen freedom of association; collective bargaining; and, sound industrial relations.

demonstrates the principle that people who are affected by decisions should have a say in the decision-making process.

Drawing from its definition and its aim, social dialogue covers the following activities<sup>19</sup>:

- **Negotiation, consultation and information exchange between and among the different actors**  
Social dialogue agenda can take place with the purpose to negotiate, consult, and exchange information between parties (see figure 1 for further detail).

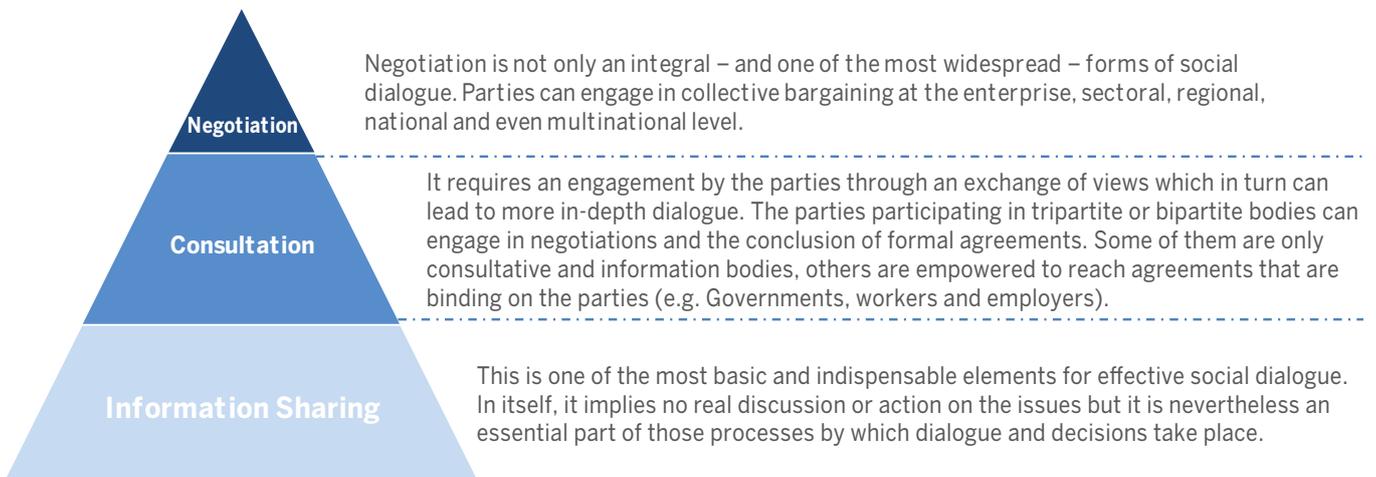


Figure 1. Most common activities of social dialogue<sup>20</sup>

- **Collective bargaining**

As directly quoted from the ILO’s Collective Bargaining Convention, 1981 (No.154); “Collective bargaining extends to all negotiations which take place between an employer, a group of employers or one or more employers’ organisations, on the one hand, and one or more workers’ organisations, on the other, for--  
 (a) determining working conditions and terms of employment; and/or  
 (b) regulating relations between employers and workers; and/or  
 (c) regulating relations between employers or their organisations and a workers’ organisation or workers’ organisations.<sup>21</sup>

- **Dispute prevention and resolution**

Regular communication between employers and employees through social dialogue can hopefully detect issues before they escalate into a dispute. In the case where disagreement between employers and employees is unavoidable, social dialogue can serve as a platform to resolve issues peacefully; preventing any strikes that would result in loss of productivity.

- **Other instruments of social dialogue, including corporate social responsibility and international framework agreements**

Beyond the workplace level, social dialogue can serve as a broader communication medium between parties. Multinational companies may choose to sign an international framework agreement that outlines their commitment in improving working conditions with

global union federations. An example of an international framework agreement is the Global Framework Agreement between IndustriALL and major brands including Asos, H&M, and Inditex<sup>22</sup>.

## UNDERSTANDING ACTORS AND MECHANISM OF SOCIAL DIALOGUE



There are three main actors in social dialogue, namely:

1. Employer or employers’ associations
2. Employees or employees’ organisations
3. Government that functions as law enforcer, facilitator, and regulator

There are multiple levels on which, and different party/actor combinations with whom, social dialogue can be conducted as outlined in the table below.

Social Dialogue	Participating Parties	Mechanism and Scope of Dialogue
Bipartite	<ul style="list-style-type: none"> <li>Employer's representative or organisation</li> <li>Worker's representative or organisation(s)</li> </ul>	<ul style="list-style-type: none"> <li>Workplace level e.g. bipartite committees dialogue</li> <li>Sectoral level e.g. collective bargaining agreement in garment, manufacturing, and mining sector</li> </ul>
Tripartite	<ul style="list-style-type: none"> <li>Employer's representative(s) or organisation(s)</li> <li>Worker's representative(s) or organisation(s)</li> <li>Government</li> </ul>	<ul style="list-style-type: none"> <li>Sectoral level</li> <li>National level e.g. nation-wide collective bargaining agreement</li> <li>Workplace level e.g. industrial relation dispute resolution</li> </ul>

## SOCIAL DIALOGUE IN BANGLADESH RMG SECTOR

In 1972, Bangladesh ratified ILO Convention No. 87 on Freedom of Association. This is reflected in its Labour Act 2006 Article 205 that obliges facilities with more than 50 workers to form a Participation Committee (PC). **The committee shall consist of the representatives of the employer and the workers.** Hence, it allows workers to organise themselves. Furthermore, it also mandates that workers' representatives must be elected by workers (in the case where there is no trade union in a facility)<sup>23</sup>. As for management representatives, higher level management can appoint their staff to represent management in bipartite committees or PC.

With respect to Freedom of Association, it is important to note that management representatives from any level including supervisors, managers, and staff do not hold the right to elect and intervene in the workers' representatives' election of their PC representative.

Unfortunately, despite the protection under the Labour Act 2006, violations of freedom of association are still prevalent in the Bangladesh RMG sector where workers representatives' have been unlawfully dismissed from factories, been victims of excessive police brutality, and blacklisted from the industry as a consequence of their association with trade unions<sup>24</sup>.



### Special Focus

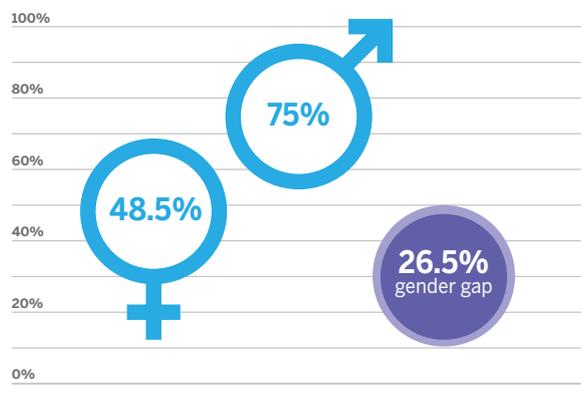
As stated in Bangladesh Labour Act 2006 article 206, Participating Committees (PC) have the main function to develop workers' sense of belonging as well as raise workers awareness on their responsibilities at the workplace. In addition, PC's functions include the following:

- (a) to endeavour to promote mutual trust and faith, understanding and co-operation between the employers and the workers
- (b) to ensure the application of labour laws
- (c) to foster a sense of discipline and to improve and maintain safety, occupational health and working conditions
- (d) to encourage vocational training, workers' education and family welfare training
- (e) to adopt measures for improvement of welfare services for the workers and their families, and
- (f) to fulfil production target, increase productivity, reduce production cost, prevent wastage and raise quality of products

## INTRODUCTION TO GENDER EQUALITY AND WOMEN'S EMPOWERMENT

Narrowing the gender disparity has been on the global agenda for international, national and industry leaders for the past century. Despite some progress in bringing more equality to women in general, World Economic Forum believes it will take 257 years before gender inequality in Economic Participation and Opportunities (measured through various sub-indicators on women and their participation at labour market and workplace) can be eliminated<sup>25</sup>.

### Gender gap of the labour force participation rate at global level



Source: World Employment and Social Outlook: Trends for Women, 2017 as illustrated in Global Deal; The Contribution of Social Dialogue to Gender Equality report.

The disadvantages brought by gender inequality towards women are not only impacting women at an individual level but also the global economy. For example, it was established that a woman's average salary is 24% less than a man's<sup>26</sup>, and globally, advancing gender equality could add USD 12 trillion to GDP by 2025<sup>27</sup>. Evidently, realising gender equality will bring economic benefits to everyone, including men. Given these expected benefits, achieving gender equality and empowering all women and girls is embedded in SDG number 5 on Gender

### Defining Gender Equality

Gender is a concept constructed by society that defines and assigns roles and possibilities between men and women<sup>28</sup>. The difference in roles and possibilities creates limitations that lead to inequality between genders. Therefore, by definition, gender equality refers to the rights of women and men to have the same opportunities for the achievement of important goals in society such as education, employment and income and to contribute to political, social, and cultural development at all levels<sup>29</sup>.

Eliminating gender disparity is enshrined in numerous international, regional and national instruments, including in Article 1 of the UN Charter: "To achieve international co-operation ... in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." Where gender inequality exists, it is generally women who are excluded or disadvantaged in relation to decision-making and access to economic and social resources. Advancing women's participation across different dimensions – economic participation, educational attainment, health and survival and political empowerment – is advocated by an international bill of rights for women also known as the UN Convention on the Elimination of all forms of Discrimination against Women (CEDAW). It sets up an agenda for national action to end discrimination against women where it exists.

Gender equality is interlinked with women's empowerment which is seen as a solution to narrow the gap between men and women. Women's empowerment is a global movement which advances the participation of women in economic life across all sectors. The principles of women's empowerment include: establishing high-level corporate leadership for gender equality; treating all women and men fairly at work; ensuring the health, safety and well-being of all women and men workers; promoting education, training and professional development for women, implementing enterprise development, supply chain and marketing practices that empower women; promoting equality through community initiatives and advocacy; and measuring and publicly reporting on progress to achieve gender equality<sup>30</sup>. For more on ILO's fundamental principles in respect to women's rights and gender equality at the workplace, please see Annex 2.

### Gender Inequality in Bangladesh RMG Sector

In 2019, whilst 84% of Bangladeshi men were participating in the job market, only 34% of Bangladeshi women did so<sup>31</sup>. Furthermore, average annual income of Bangladeshi men is estimated to be 2.5 times higher than Bangladeshi women<sup>32</sup>. To address these issues, the government of Bangladesh put a special focus in its 7th Five Year Plan (2016-2020) by considering women's engagement in political and economic activities as a cross-cutting issue with women's empowerment as one of the main drivers of transformation<sup>33</sup>. This is aligned with the international agenda reflected in the SDGs number 5 on gender equality and empowerment of all women and girls.

Despite the legal frameworks and the national commitment, gender equality at the workplace in RMG sector has still not been achieved. For example, female representation in Bangladesh's PCs and trade unions is still low. Only 26%

managers reported that women made up half of their PC members, and leadership positions are dominated by men with 91% supervisory and 96% of managerial positions in the workplace assigned to men<sup>34</sup>. Additionally, female workers in Bangladesh RMG sector also report gender specific issues at the workplace, such as:

- Discriminatory treatments that resulted in a pay gap
- Sexual harassment
- Verbal abuse
- Termination as a result of pregnancy which is often disguised as a 'voluntary' resignation
- Lack of sanitary and hygiene facilities for women during menstruation period
- Absence of health and safety measures for pregnant women e.g. provision of stools to sit on and regular breaks
- Maternity leave duration being less than legally mandatory

### Understanding challenges in achieving gender equality and empowering women at the workplace

Systematic and wide-spread discrimination against women at the workplace originates from the social structure. The following enablers of this structure contribute to the different treatments between men and women:

- **Gender-based roles assigned to women**  
Performing household labour, childbearing duties, and uneven burden of care work towards community management related tasks are still seen as women's primary duty with income generation activities seen as secondary. This limits women's capacity to spend time participating and taking further responsibilities at the workplace such as becoming workers' representative and attending capacity building sessions. A strong patriarchal value adopted by some cultures also affects the dynamic between genders at the workplace where men are expected to lead and represent workers whereas women are expected to spend more time at home to provide care to their husband and children.
- **Law and Policies**  
In a number of countries, the laws and policies on gender discrimination are not comprehensive enough and do not provide women with enough protection. In countries where adequate rules are in place, they are frequently not enforced properly, leaving women at a disadvantage.

- **Gender-based stereotypes**

Many of the obstacles to women's empowerment in the workplace stem from gender-based stereotypes. For example, women may be perceived as less likely to raise concerns and aspire to new opportunities because they fear confrontation. This is due to certain behaviours assigned to women based on the gender role. As a consequence, women are under-represented in managerial positions, with only 27% of such roles being filled by women globally. This is also the case in the RMG sector in general and especially in Bangladesh where, despite a majority of the workforce being female, supervisory positions are dominated by men.



### Empowering women to achieve gender equality

In order to overcome the challenges above and achieve gender equality in the workplace, female workers need to be empowered. Some initiatives businesses can take to empower female workers are:

- Conduct various awareness raising and education initiatives which aim to shift the broader community's understanding on the importance of gender equality. Both male and female workers need to be included in any awareness raising and education initiatives in understanding the importance of female participation at the workplace
- Initiate or participate in various campaigns to engage broader community in the effort to empower women
- Provide necessary support that would equip women to take leadership roles
- Ensure that women have a voice in workplace committees
- Provide various trainings to increase productivity as well

as soft skills such as communication, negotiation and leadership, which can help in advancing female workers' careers

Another component of empowering women in the workplace is creating an environment that allows them to be empowered. This includes:

- (i) Involving women in various committees at the workplace e.g. health and safety committees, and sexual

harassment prevention committees

- (ii) Implementation of initiatives to reduce harassment and violence they face in factories and the public areas outside

This can be achieved through, for example, gender awareness and sensitisation workshops for factory supervisors and managers, who are consequently better equipped to prevent and address harassment and violence when confronted with it.



## Case Study 1 C&A Foundation UP!+ (2019-2022)

### Improving Bangladesh's female RMG workers' negotiation skills through a series of training courses

To improve women's participation in negotiation and to increase their capacity to participate in bipartite social dialogue at the workplace, a training series on the following topics was conducted:

- Workers and female workers rights and advocacy
- Negotiation at the workplace
- Computer literacy, internet research and spoken English

In addition to the training, regular feedback and remote support through calls are also provided. The output of the training shows the following potential outcome:

- Increased female workers' confidence
- Improved negotiation skills

The above expected outcome is indicated by the reported increased decision-making power in their household, specifically in roles predominantly held by men in a patriarchal society. It hopefully can serve as start to increase female workers participation at the workplace.



# Section 2: Gender Equality and Social Dialogue

## NEXUS BETWEEN GENDER EQUALITY, WOMEN'S EMPOWERMENT AND SOCIAL DIALOGUE

Whilst many decisions made in the workplace affect women, it has been found that in general, women's voices are under-represented during decision making processes<sup>35</sup>. This widens existing gender inequality in the workplace. Social dialogue, a key step in a decision making process, is no exception as there is often male domination even if women make up the vast majority of the workforce. In this case, social dialogue as a platform serves a unique purpose to advance gender equality at the workplace agenda by simply encouraging women's participation i.e. **achieving gender equality by conducting gender-balanced participation of social dialogue sessions**.

Beyond women's participation, social dialogue can directly contribute to **narrowing gender disparity at the workplace agenda by discussing gender inequality issues** such as equal promotion opportunities and equal pay. Social dialogue enables this since it aims to provide a mechanism to channel workers' voices by providing visibility of worker's issues in a representative way. In the case of Bangladesh, where 80% of RMG sector workers are women<sup>36</sup>, true issues representation requires gender-balanced participation.

Women's participation in social dialogue makes the discussions relevant and fulfils the needs of the workforce. This can be achieved not only by requiring women's participation, but also by giving women leadership roles during social dialogue. In this way, they can influence the decisions that will transform their workplace.

Theoretically, workplace transformation can be achieved when women are able to fully participate in social dialogue sessions and are able to bring their agendas forward. However, in reality, there are some challenges that limit the impact of social dialogue in achieving gender equality. For example, although female workers might be willing to take part in social dialogue, they might not have the capability to optimise the opportunity and take advantage from the platform. On top of this, women are also put in a disadvantageous position from an imbalance of power dynamic between men and women<sup>37</sup>. In addition, family care duty expected from women limits their voice and representation<sup>38</sup>.

Empowering women to participate in social dialogue means women's concerns can be discussed and prioritised, contributing to gender equality at the workplace. As a result of a more equal workplace, female workers will feel more empowered. Empowered women will be more likely to take part in social dialogue, creating a virtuous circle of gender equality at the workplace.

In the context of Bangladesh, where most of the female workers in the RMG sector come from highly vulnerable groups – young age, of low social and economic status, sometimes illiterate, and already burdened by their duties as a wife and mother – the added responsibilities at the workplace are seen as a significant weight. Therefore, it is important to increase women workers' awareness of the benefits of participating in social dialogue being that it functions as a platform to improve their working condition and their well-being in general.



### Special Focus

Examples of gender related issues that can be discussed at the workplace include:

- (i) Provision of certain facilities at the workplace e.g. free bus facility for evening shift female workers, childcare, breastfeeding areas, clean dedicated bathroom, secluded rest area for workers who are unwell, medical personnel who understand women's health issues, and other on-site medical facilities
- (ii) Health and safety e.g. provision of stool for pregnant woman, limitation of working hours for female workers on evening shift, special rest day for female workers on their first day of period, provision of hygiene and reproductive health training and awareness session, and provision on vitamins for pregnant female workers
- (iii) Policy and procedures e.g. commitment of no pregnancy test during recruitment, clarity on maternity leave procedure, anti-age discrimination policy to protect older female workers, anti-sexual harassment and physical violence policy, procedure to report sexual harassment cases with harsh punishment for perpetrators

## THE BUSINESS CASE FOR SOCIAL DIALOGUE THROUGH A GENDER-LENS

### Improving performance through productivity gains

An effective social dialogue contributes to workers' satisfaction as they understand that their voices are heard and considered. Happier workers also mean less stressed supervisors. The combination of the two situations is found to be a factor that contributes to higher productivity<sup>39</sup>. Effective social dialogue encourages all workers to pro-actively solve issues and provide a sense of belonging in the workplace. This reduces the hours required to resolve workplace issues, presenting less disruption to production. In addition, it can also improve worker's satisfaction that will lead to low worker turn-over.

One important element to ensure effective social dialogue is gender-balanced participation. The ILO has found that discrimination and unequal treatment at the workplace leads to low motivation at work and translates into lower productivity<sup>41</sup>. In contrast, companies with the highest gender diversity on their executive team, in other words more egalitarian companies where women are consulted and able to participate in the decision-making process, are found to be 21% more likely to have an above-average rate of profitability<sup>42</sup>.

### Preventing and managing workplace conflict

When workers and management are communicating regularly through a social dialogue forum, workplace issues can be detected early before they escalate into workplace conflict. Some issues affect women more than men e.g., gender-specific health and safety issues. For example, the workplace might be lacking in sanitation facilities for menstruating and pregnant women, some physical work and heavy chemical exposure might be restricted for pregnant women. Given that it is likely that men and women experience different issues in the workplace, it is important to ensure women are given an appropriate voice in social dialogue.

Social dialogue can act as a facilitating session between workers and management as it enables each party's representatives to manage workplace conflict in a structured way to avoid labour unrest. Avoiding labour unrest would benefit employers as any industrial dispute leading to labour unrest will take more time to resolve, lower workers' productivity, and potentially create strain and disrupt commercial relationship between the facility and buyers as

most buyers would require workplace issues to be handled peacefully. On the other hand, well-managed and peaceful conflict resolution is an interesting feature to retain and attract future business partners as well as high quality workforces. Furthermore, international guidelines and buyers are increasingly expecting producers to conduct social dialogues.

Gender representation in social dialogue during an industrial dispute can be the key to peaceful resolution as male and female workers may have different views of the conflict's root cause. As a result, they may present more wide-ranging solutions to manage the conflict.



### Case Study 2 Joint ETI (JETI) Social Dialogue Programme (2017)40

#### Developing a scalable and replicable model of effective social dialogue in Bangladesh

Given the belief that social dialogue can enable workers and management to resolve workplace disagreement peacefully and avoid prolonged strikes, the Joint Ethical Trading Initiatives (JETI) of Denmark, Norway and the UK established a JETI Social Dialogue Programme. Through worker trainings that emphasise the rights and responsibilities at the workplace, the support of democratic PC elections, and supervisors and managers training on how to work constructively with the PC, the programme aims to build capacity and establish structures and processes in the workplace enabling workers and employers to negotiate collectively on issues concerning their rights and responsibilities and to resolve conflicts peacefully and effectively.

“The output of this programme demonstrates:

- The potential for increasing productivity
- A decrease in labour unrest
- An increase of women participation in workplace processes
- An improved understanding of rights and responsibilities of all workplace stakeholders
- More efficient communication between workers and management
- Improved worker morale
- Increased employer's legal compliance”

# Section 3: Conducting Bipartite Social Dialogue

## SOCIAL DIALOGUE STEP-BY-STEP

The fundamental idea of bipartite social dialogue is to enable a situation where workers and management can discuss workplace issues and resolve them in a mutually beneficial way. Regardless of the topic of the discussion, the following fundamental prerequisites need to be in place:

- Genuine and democratically elected PC members aligned with the spirit of freedom of association
- Gender balanced representation
- Good faith that the social dialogue is conducted to solve workplace issues and not used as a platform to attack any party
- Trust between workers and management representatives that both parties have the same aim to improve working condition that would enable the sustainability of business activities
- The ability to raise issues and make decisions without fear of retaliation

Where one or more of these is lacking, independent and neutral third-party assistance might be required.

Assuming the foundations and enabling conditions of social dialogue are fulfilled, the more practical level of conducting a simple bipartite social dialogue (excluding collective bargaining negotiation) at the workplace can be simplified into three phases as explained in the explained in the following sections. The suggested steps below are recommended to be taken by both workers and management representatives as joint efforts through bipartite committee/ PC and provide a more structured process for social dialogues. For guidance and support, a 'Social Dialogue Activities Checklist' is provided in Annex 3.

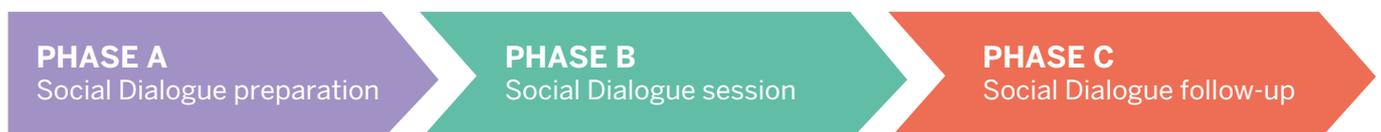


### Special Focus

#### Facilitator and other third party

In some cases, a third party attends social dialogue sessions between workers and employers. There are various purposes of third-party attendance in social dialogue, for example:

- Buyers: some buyers might request to observe an interaction between workers and management during social dialogue
- Specialists: if both workers and management deem necessary, a specialist can be appointed (in agreement with both parties) to assist with the collective bargaining agreement (Bangladesh Labour Act 2006 article 202A)
- Other third parties such as auditors, certification bodies, and organisations that conduct specific social dialogue related programme



## PHASE A SOCIAL DIALOGUE PREPARATION

### Step A1 Ensuring basic infrastructure of social dialogue is in place

The goal of this first step is twofold: (i) to understand whether the four foundations of social dialogue are fulfilled by the facility; and (ii) to understand the maturity of the facility's current social dialogue practice, reflecting on the social dialogue pyramid.

The levels of maturity in conducting social dialogues varies between facilities. If no social dialogue has been conducted in the facility, either management or workers can initiate and organise the first session, with or without the support of an external facilitator.

All stakeholders will need to be notified that there is the intention to organise a social dialogue. As it is key for the success of the social dialogue that all stakeholders have a proper understanding of what a social dialogue is, the purpose or need to organise a social dialogue and the

proposed structure, these elements need to be included in the social dialogue notification. Social dialogues should be conducted regularly to strengthen the continuous communication between management and workers.



**Important note (legal requirement): As mandated by Bangladesh Labour Act 2006 Article 2017, the PC should meet and conduct social dialogue at least once in every 2 (two) months.**



## Special Focus

In addition to fulfilment of local law, the ILO defines the following as enabling conditions of social dialogue<sup>43</sup>:

1

### **Strong, independent workers' and employers' organisations with the technical capacity and the access to relevant information to participate in social dialogue**

Following the independent principal, the election of each party's representative should be free from any interference e.g. management should distance themselves from workers representative election. Technical capacity from both workers' and employers' representatives are also crucial to ensure effective social dialogue. Improvement through capacity building or training might be needed by one or both parties.

2

### **Political will and commitment to engage in social dialogue on the part of all the parties**

Commitment to engage in social dialogue can be reflected in several ways such as ensuring participation of management as decision maker in the social dialogue, willingness to provide requested documents to workers in a transparent manner and allowing workers to take time off work to perform their duty as workers representative.

3

### **Respect for the fundamental rights of freedom of association and collective bargaining**

Respecting the fundamental rights of freedom of association and collective bargaining covers both male and female workers. An indication hereof can be the legitimate election of workers' representatives.

4

### **Appropriate institutional support**

In many cases, both workers and management need additional support to improve their capacity to conduct social dialogue and negotiate. This can be for example, by adopting a strong company policy acknowledging and protecting worker rights.



## Tips & Tricks

- In case external facilitators are involved, for example due to a specific request from a buyer, PC members are encouraged to share information and documentation about the history and current implementation of social dialogues (e.g. composition of PC (management vs. workers, male vs. female), election process of PC members, minutes of previous social dialogues, existence of collective bargaining agreement).
- There are various ways to distribute the social dialogue notification, such as via a letter, a factory meeting, a note on the notice board. As an organiser, always adapt your notification tool and style to the key audience and what you would like to achieve.
- Type of documentation that can be requested from the facility prior to the social dialogue to understand whether all four enabling conditions are covered:
  1. Previous minutes of meeting of the PC. Observe the content of previous social dialogue discussions; are facilities already on the level where workers' representation is able to conduct consultation or negotiation? Please note that no information sharing does not mean that a facility is in a more advance level, it can in fact be the opposite. This can be an indication that the relationship between workers' representation and management is not optimal as they only meet when there is a problem.
  2. Types of policies and procedures around freedom of association in the facility. For example, is there a policy to allow workers' representatives to conduct their duty as workers' representatives such as a procedure to request for necessary time off during working hours to fulfil their duties as a worker representative. You can also ask management whether documentation including for example, production and capacity information, is accessible for staff.
  3. Documentation around PC structure. This will allow you to check the balance between workers and management representatives. Ask for documentation relating to:
    - i. The instalment of a PC structure
    - ii. The (democratic character of) previous workers elections which can be in the form of a letter announcing new workers' election
    - iii. The last time workers' representation asked for time off to perform their duties
    - iv. The list of attendees of the previous social dialogue discussion to assess whether you want to propose additional members to be included in the future social dialogue session and
    - v. Whether a facility has a collective bargaining agreement (CBA) in place, either one that is still active or a previous CBA that already expired and was not renewed



## Toolbox

- Annex 4. 'Working Scenarios'
- amfori, 'Social Dialogue Handbook'
- ILO, 'Social Dialogue: Finding a Common Voice'  
(<https://www.ilo.org/public/english/dialogue/download/brochure.pdf>)

## Step A2 Identify issues for discussion

Topics, themes, or issues to be discussed during social dialogue can be proposed by management and/or workers through several channels. These channels can be formal – such as through existing grievance mechanisms, relevant committees in the facility e.g. health and safety committee, management internal meeting – as well as informal – such as workers reporting an issue directly to their representative. Workers might be reluctant to raise issues because of a fear to lose their job. This is why aspects such as anonymity should be respected to minimise the risk for reprisal.

Aside from management and workers themselves, potential workplace improvement can also be identified by third parties through due diligence or audits, human rights assessments, or specific requirements and programmes from buyers and other third parties.

In addition, a bipartite committee (such as the PC in Bangladesh), can decide to conduct discussions with workers and gather their input on relevant workplace issues. In this case, **management** needs to guarantee that workers are given a sufficient amount of time during working hours to conduct this activity.

To ensure inclusion in capturing workers' views, women's participation is needed in two ways:



- Female PC members need to be involved in gathering workplace issues
- Female workers need to be specifically asked on their grievances in regard to workplace issues

To showcase the political will and commitment to engage in social dialogue, **management** needs to communicate with supervisors that PC members should not face negative consequences (such as increased work responsibilities only for PC members) to prevent them from conducting their duties as a PC representative.



### Tips & Tricks

- Consider fostering collaboration among the different committees present in the factory like the anti-harassment committee to gather and harmonise further input and issues for discussion.

## Step A3 Prioritise issues

During this step, the organiser needs to gather all received input issues from the previous step and identify for which issues the participants have the most inputs. In the case where there is an imbalance of resources (e.g. time, personnel capacity, and material resources), the PC can decide to prioritise the issues that were gathered. In order to prioritise issues, criteria for prioritisation can be set. Female workers' perspective in each prioritised issue is needed to narrow the gender perception gap. The prioritisation of issues may require certain documents

and transparency from the management side. Transparency includes sharing relevant data to workers representative such as productivity data, buyers' orders fluctuations, and workers' absenteeism record. This data is also important when the purpose of social dialogue is to negotiate a specific subject such as wage increase.

## Step A4 Agenda setting

Once prioritised issues are agreed by both parties in PC i.e. both workers and management representative, an agenda can be created. This can include the time and duration allocated

to discuss each issue. This is to give an idea on how long the social discussion is going to last, therefore, PC members can be excused from their work to participate fully in the social dialogue.



### Toolbox

- Annex 5. 'Agenda Template'

## Step A5 Assign roles to stakeholders

Whilst the PC chair/leader commonly leads the social dialogue session, other roles such as minutes taker, issues presenter, and negotiator from workers and management side can be agreed in advance. Bear in mind whether the assigned person has the necessary skills to conduct the assigned role. To avoid power imbalances, neither workers nor management representative should dominate important roles in the social dialogue. Furthermore, gender-related power imbalances, a female representative can be assigned a certain role to ensure their active rather than passive participation.



### Toolbox

- Annex 6. 'Social Dialogue Roles Template'



## Step A6 Agreeing time and venue of social dialogue

If there is no existing internal procedure and agreement on frequent social dialogue schedule, all PC members should agree on the time, duration, and place of the social dialogue to ensure all workers (including female workers) are able to join the session. Since social dialogue is conducted to discuss workplace improvement, it should not be conducted outside working hours and it should not sacrifice workers rest time. Therefore, management should guarantee that participating workers are given time off from work to enable them to attend the social dialogue.

To create a conducive environment, management can provide a dedicated room within the facility for PC members to conduct their duties including holding a dialogue session. In many cases, suggestions to conduct the dialogue outside workplace area can be costly and time consuming due to travel requirements that might be needed. Furthermore, it can create the impression of power imbalance between the management (as resource provider to hire the venue) and workers (as the party who is likely proposing a set of demands on workplace improvement). Hence, keeping the workplace related dialogue at the workplace area might also help workers representatives to maintain their independence.

## Step A7 Send invitation to all social dialogue participants

An invitation or a simple notification to all members informing the detail of the next social dialogue can be done both formally e.g. in a formal letter signed by the chair of the PC or informally e.g. through verbal communication. If any of the topics prioritised indicate a need for a high-level management decision such as wage increase, consider inviting decision makers from the management to ensure the effectiveness of social dialogue. To avoid a perceived or actual imbalance of power, it is important to have an equal number of workers' and management representatives.



### Toolbox

- Annex 7. 'Invitation Template'

## PHASE B SOCIAL DIALOGUE SESSION



### Reflection Points Phase A

- How do you ensure women's perspective on the social dialogue agenda?
- Who is responsible in ensuring women's perspective is included in the social dialogue agenda?

### Step B1 Opening

To open the social dialogue session, one of the PC members can be assigned to read the agenda for the session along with expected outcomes. It is not uncommon for the PC chair to open the session and propose a simple set of rules of the session to ensure an effective session.

*Example of rules can include:*

- (i) all mobile phones must be switched off
- (ii) not to interrupt others who are talking
- (iii) take a five minute pause in case of a disagreement or dispute

In the beginning of the session, attendance of the dialogue should be noted.

### Step B2 Social dialogue

During the social dialogue session, workers and management representative should be free to express their points of view, demands, or suggestions without fear of intimidation or retaliation from the other party. Female workers' views can be included by explicitly asking for their perception on each issue discussed.

In order to solve the issues, it is crucial for both parties not to overlook the root causes and reasons behind the occurrences of the issues as each root cause requires a different response. For example, there are multiple reasons behind a high rate of workplace accidents, one that is caused by excessive working hours would not have the same remedy as the one caused by lack of personal protective equipment.

The minutes taker should note down the points of discussion and most importantly the agreed goals, actions, timeline and roles.



### Tips & Tricks

- To encourage the active participation of women representatives during the discussion, it might be useful to assign women key roles or let them lead the discussions.
- The facilitator can mention in the beginning of the session that their role is not to solve the facility's problem but to assist the facility to come to a solution themselves via dialogue and discussion. The viewpoint of the facilitator can be asked if necessary, but in essence facilitators are there to listen and observe, and only intervene when needed.
- The following elements can be included in the opening of the social dialogue session:
  1. Introduction, everyone in the room introduces themselves and states the reason why they are in the room
  2. The purpose and the envisioned outcome of the social dialogue session

The ideal outcome of a social dialogue would depend on the maturity of social dialogue in the facility and the complexity of the issue. In some cases, female workers voicing their opinion can be a good outcome of social dialogue especially when freedom of association might not be 100% present in the facility. The ideal outcome is not necessarily about what is agreed but it's about the process itself. Note that in many cases, social dialogue can take place several times in order for a facility to come to a solution of a problem.





## Tips & Tricks

- The main facilitation skills are:
  - Create an inclusive environment, e.g. - sitting arrangement
  - Communicate clear guidelines and instructions
  - Ask the right questions to see more perspectives
  - Manage group dynamics
  - Active listening
  - Conflict management
  - Flexibility and support the facility to reach a common ground through dialogue
- Some potential observations points:
  - How workers are expressing their views
  - Management reaction when workers express their views
  - What happens when there is a disagreement?
  - Is there anyone dominating the discussion?
  - Are female workers involved in the discussion? If not, does anyone notice and is anyone giving female workers explicitly the opportunity to voice their opinion?



## Toolbox

- Annex 4. 'Working Scenarios' [attachments/Guide-Training-Public-Dialogue-Facilitators\\_Everyday-Democracy.pdf](#)
- Annex 8. 'Minutes Template'
- Everyday Democracy, "A Guide for Training Public Dialogue Facilitators" (<https://www.everyday-democracy.org/sites/default/files/>)
- Berghof Foundations, "Basics of Dialogue Facilitation"
- (include other sources from the Ttt material)

## Step B3 Agreeing next steps

During this step, the agreement is confirmed between the participating parties on the achieved outcomes of the social dialogue session. The outcome of a social dialogue can be in the form of an agreement on actionable next steps with clear goal, timeline, and person assigned to perform these actions. It is important to understand that some issues can take more than one dialogue session before an agreement can be reached.



## Toolbox

- Annex 9. 'Next Steps Template'

## Step B4 Closing

Read out the conclusions achieved from the dialogue, especially if there are any follow up actions and decisions agreed. This is to ensure that all parties are in agreement to avoid any confusion or argument in the future. The date for the next social dialogue session can also be agreed before ending the session.



## Reflection Points Phase B

- What are women workers' roles during the social dialogue at your facility?
- In your view, has women's participation been effective in social dialogue at your facility?
- What will you do if there is a disagreement between workers and management during a social dialogue session?

## PHASE C SOCIAL DIALOGUE FOLLOW-UP

### Step C1 Distribute minutes of meeting and submit them to Director of Labour and the Arbitrator

The **organiser** of the social dialogue needs to distribute the minutes of the social dialogue meeting, including the next steps, to all PC members



#### Important note (legal requirement):

As mandated by Bangladesh Labour Act 2006 Article 207, the minutes of every meeting of the PC shall be submitted to the Director of Labour and the Arbitrator within 7 (seven) days of the date of the meeting.

In addition, **PC members** should communicate the result of social dialogue to their respective members. It is important for workers to be aware of potential changes at the workplace especially the ones coming from their aspirations. In addition, this can increase workers level of confidence towards PC members and hopefully encourage them to participate in solving workplace issues.

The prompt distribution of the minutes and communication with workers is important to ensure timely implementation of the agreed next steps. For example, PC members from management representatives can share the minutes to fellow staff during the management meeting. Workers can share the result of the dialogue through different channels such as: place the minutes of meeting at the announcement board or communicate it verbally through supervisors during morning meetings with workers.

### Step C2 Monitor the implementation of actions agreed

Social dialogue is not a social audit. The outcome of a social dialogue normally requires some action, even in the case where the dialogue is conducted with the purpose to exchange information between management and workers. Information exchanged usually needs to be communicated further to all workers. Hence, appointed **PC members** are required to monitor whether or not the agreed actions are being implemented.

Monitoring activities can be conducted by a joint team of **PC members** from workers' and management representatives.



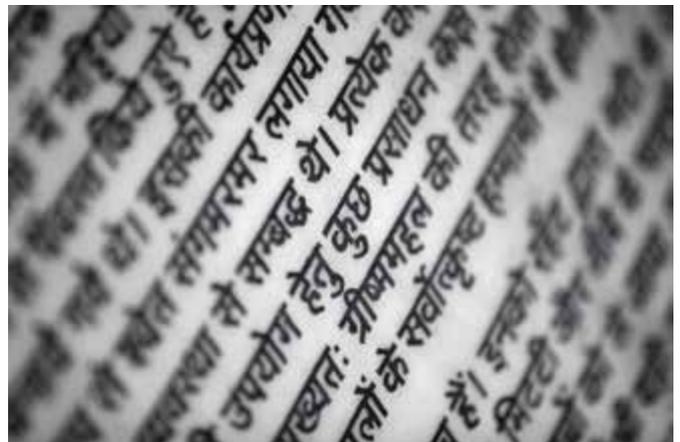
### Tips & Tricks

- The 'Next Steps Template' can serve as a basis to keep track of your monitoring activities.



### Reflection Points Phase C

- What are the roles of women workers in social dialogue follow-up?
- Who is responsible to monitor and follow-up the agreed action plan discussed during social dialogue session?
- What happens if the improvements at the workplace are not as agreed during the social dialogue?



# ANNEX 1

## Relevant ILO Conventions on Industrial Relations and Social Dialogue

Convention	Description	Principles
ILO Declaration on Fundamental Principles and Rights at Work in 1998	The Declaration commits Member States to respect and promote principles and rights in four categories, which are: (i) freedom of association and the effective recognition of the right to collective bargaining; (ii) the elimination of forced or compulsory labour; (iii) the abolition of child labour, and; (iv) the elimination of discrimination in respect of employment and occupation	
Freedom of Association and Protection of the Right to Organise Convention (C87)	The freedom of association convention refers to the rights of workers and employers to form and join an organisation, such as employers' associations and trade unions	<ul style="list-style-type: none"> <li>• The right of all workers and employers to join or form organisations</li> <li>• The freedom of the organisation to choose its own management</li> <li>• Protection from anti-union actions</li> <li>• The right of the organisation to self-regulate their internal affairs</li> <li>• The right to form and join federations and confederations, as well as the right to be affiliated with international organisations</li> </ul>
Right to Organise and Collective Bargaining Convention (C98)	This convention aims to protect the rights of workers to associate without any interference from the employer	<ul style="list-style-type: none"> <li>• Workers' rights to join a union and perform their duty as union representatives</li> <li>• Serves as workers protection from any discriminations when they engage with union</li> <li>• Efforts to promote collective bargaining</li> </ul>
Workers' Representatives Convention (C135)	This convention emphasised workers' rights to enjoy the freedom of association and protect them from potential retaliation that might arise as a result of their union activities	<ul style="list-style-type: none"> <li>• Receiving any prejudice from the facility based on their union membership and activities</li> <li>• Being dismissed/employment termination that are unjustified or as the result of their union membership and activities</li> </ul>
Tripartite Consultation (International Labour Standards) Convention (C144)	This convention aims to promote the implementation of international labour standards through a tripartite consultation mechanism (between workers, employers and government) before a convention is ratified, implemented through legislation or denounced	<ul style="list-style-type: none"> <li>• Ensuring representative of workers and employers in the tripartite consultation with government in adopting international labour standard to their national law</li> </ul>
Collective Bargaining Convention (C154)	This convention is key to furthering the promotion and implementation of the basic principles of freedom of association	<ul style="list-style-type: none"> <li>• To promote all forms of negotiation between an employer, a group of employers or one or more employers' organisations regarding all workplace matters such as working conditions and terms of employment</li> </ul>

# ANNEX 2

Relevant ILO Conventions and Recommendations on Women's Rights and Gender Equality at the workplace

Convention	Description	Principles
Equal Remuneration Convention (C100), and Equal Remuneration Recommendation (R90)	This convention aims to bring equal remuneration for men and women workers for work of equal value i.e. eliminate sex-based justification of remuneration	<ul style="list-style-type: none"> <li>• Equal remuneration should include the ordinary, basic or minimum wage or salary and any additional emoluments paid by employers (in cash or in kind) to employee</li> <li>• Remuneration paid by employers must be free from discrimination based on sex</li> </ul>
Discrimination (Employment & Occupation) Convention (C111), and Discrimination (Employment & Occupation) Recommendation (111)	In this convention, discrimination includes all types of exclusion, preference, and distinction such as race, colour, sex, religion, political opinion, national extraction or social origin that resulted in different treatment and opportunities in employment	<ul style="list-style-type: none"> <li>• Equal opportunity of employment and treatment must be provided to everyone regardless of their race, colour, sex, religion, political opinion, national extraction or social origin</li> <li>• In addition to access to employment, the convention also prohibits discrimination of access to vocational training, and terms and conditions of employment</li> </ul>
Maternity Protection Convention (C183) and Maternity Protection Recommendation (R191)	This convention is established to protect women from any maternity based discrimination	<ul style="list-style-type: none"> <li>• Pregnant woman or nursing mothers should not perform work which has been determined to be harmful to her health or that of her child</li> <li>• To further protect the mother and child's health, maternity leave shall include a period of six weeks' compulsory leave after childbirth, unless agreed differently on a national level</li> </ul>
Workers with Family Responsibilities Convention (C156) and Workers with Family Responsibilities Recommendation (R165)	This convention applies not only to women but also men who bear the responsibilities to provide care to their immediate family member(s)	<ul style="list-style-type: none"> <li>• Create equal opportunities for all employees with family responsibilities to participate in the labour market without being discriminated</li> <li>• Employees with family responsibilities should have free choice of employment</li> <li>• Employment opportunities and treatments should take into account workers needs that are reflected in terms and conditions of employment and social security</li> </ul>
Violence and Harassment Convention (C190)	This convention aims to both prevent and eliminate violence and harassment at the workplace	<ul style="list-style-type: none"> <li>• Adopt and implement workplace policy on violence and harassment in consultation with workers and their representatives</li> <li>• Consider occupational health and safety risks of violence and harassment and associated psychosocial</li> <li>• Identify and take measures to prevent and control hazards and assess the risks of violence and harassment. This should be done together with workers and their representatives</li> <li>• Provide workers and other relevant and concerned persons with the information and trainings on the identified hazard and risks of violence and harassment and the associated prevention and protection measures. It should include the rights and responsibilities of those concerned in relation to the policy such as workers and employers</li> </ul>

# ANNEX 3

## Social Dialogue Activities Checklist

No	Activities	Timeline	Name of person responsible	Done
<b>PHASE A SOCIAL DIALOGUE PREPARATION</b>				
Step A1	Ensuring basic infrastructure of social dialogue is in place	e.g. by 1st of July 2020		✓
Step A2	Identify topic of discussion			
Step A3	Prioritise issues			
Step A4	Agenda setting			
Step A5	Assign roles to PC members			
Step A6	Agreeing time and venue of social dialogue			
Step A7	Send invitation to all PC members			
<b>PHASE B SOCIAL DIALOGUE SESSION</b>				
STEP B1	Opening			
STEP B2	Social dialogue			
STEP B3	Agreeing next steps			
STEP B4	Closing			
<b>PHASE C SOCIAL DIALOGUE FOLLOW-UP</b>				
STEP C1	Distribute minutes of meeting and submit them to Director of Labour and the Arbitrator			
STEP C2	Monitor the implementation of actions agreed			

# ANNEX 4

## Working Scenarios

NO	WORKING SCENARIO	POTENTIAL SOLUTION
<b>PHASE A SOCIAL DIALOGUE PREPARATION</b>		
1	As a facilitator you receive information from the facility that highlights that there is no freedom of association in the facility.	<p>The goal of the preparatory document review is to identify the topics of discussion and set an 'expected' agenda (note the word expected is to emphasise that this should not be something to enforce). This is also an indication for facilitators regarding what to expect from the facility in terms of the actual outcome of the social dialogue. It contributes to the determination of whether a social dialogue session can and should solve a problem such as the lack of freedom of association in the facility. The solution finding process starts from the preparatory information exchange.</p> <p>As a next action, facilitators can request from the facility the list of participants and their respective capacity in the social dialogue. If necessary, facilitators can demand additional workers are invited to the social dialogue session. For example, a non-married female worker or a mother, depending on the agenda.</p>
<b>PHASE B SOCIAL DIALOGUE SESSION</b>		
2	The discussion halts between management and workers with no concrete outcomes.	<p>Facilitator to observe during the social dialogue whether there is a particular reason why the discussion is stalling i.e. one person who is dominating the discussion, bringing a negative tone or dictating the whole social dialogue direction.</p> <p>Facilitator can suggest a short break for everyone to cool down. When the session starts again, facilitators can be more involved by going one step back to provide issues from a bigger perspective and remind everyone that the purpose of discussing it is to come to a win-win solution. Facilitators can ask what the ideal outcome is from the issues being discussed from both workers and management perspective and write it down on a board so everyone can see. You can consider providing perspective on how this outcome is not or should not harm the other party. The facilitator can also consider using the 'Put yourself in the other person's shoes' technique. This can be done by asking questions such as:</p> <ul style="list-style-type: none"><li>• What would you do if your son or daughter were the one facing this issue at their workplace?</li><li>• What would you do if your father were part of the management team, etc.?</li></ul> <p>If both parties still do not want to discuss the issue, then it is important to move on to another agenda and have a new topic of discussion. It is common that workers and management have different perspectives, the facilitator should not impose their point of view on either party.</p>
3	Workers and/or female representatives are not expressing their views, are agreeing with all points presented by the management or sharing very little and remaining silent	<p>This can indicate that there is a lack of trust or a fear of retaliation on behalf of the workers and/or female representatives. In this case, workers tend to not share their view even when facilitators ask for their opinion in a direct manner. This is a fundamental issue, and, in this case, the facilitator should not force workers to share their view because a facilitator cannot provide adequate protection to prevent retaliation against workers. Be mindful of the fundamental issue that you are trying to resolve and understand that a solution cannot necessarily be provided in one social dialogue session.</p>

---

4 Workers and management representatives disagree on something and the dialogue turns into a heated argument.

Facilitators to think of how to breakdown the issue into several parts to guide the facility in finding a solution for their disagreement. Encourage the participants to explain their perspectives and point of view by building arguments around it. Note that it is not about one party getting everything and the other not getting anything. It is a process of taking and giving, a negotiation process exploring alternative scenarios.

Some techniques that you can consider using are:

- Point at the least emotional person in the room to ask for his perspective.
- Take a 10 minutes break. During the break, the facilitator can encourage small talk between management and workers that is not related to the topics of the social dialogue session.

It is important to note that facilitators should not take sides regardless of who they think is right or wrong in the disagreement. Facilitators are not there to favour one party above another or make any judgement.

---

# REFERENCES

- <sup>1</sup> European Institute for Gender Equality. Available at <<https://eige.europa.eu/thesaurus/terms/1102>>
- <sup>2</sup> What Makes Bangladesh — A Hub Of Garment Manufacturing?. Available at <https://medium.com/@stitchdiary/what-makes-bangladesh-a-hub-of-garment-manufacturing-ce83aa37edfc>
- <sup>3</sup> Bangladesh's apparel export trend of 2018. Available at <https://www.textiletoday.com.bd/bangladeshs-apparel-export-trend-2018/>
- <sup>4</sup> RMG sector's contribution to GDP downs by 3%. Available at <https://www.textiletoday.com.bd/rmg-sectors-contribution-gdp-downs-3-2/>
- <sup>5</sup> The Economist. Bangladesh's clothing industry; Bursting at the seam. Available at <https://www.economist.com/business/2013/10/26/bursting-at-the-seams>
- <sup>6</sup> The World Bank. In Bangladesh, Empowering and Employing Women in the Garments Sector. Available at <https://www.worldbank.org/en/news/feature/2017/02/07/in-bangladesh-empowering-and-employing-women-in-the-garments-sector>
- <sup>7</sup> The International Labour Organisation. Decent Work Country Profile Bangladesh. Available at [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/publication/wcms\\_216901.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/publication/wcms_216901.pdf)
- <sup>8</sup> The International Labour Organisation. A Quantum Leap for Gender Equality; For a Better Future of Work For All. Available at [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_674831.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_674831.pdf)
- <sup>9</sup> World Economic Forum. Global Gender Gap Report 2020. Available at [http://www3.weforum.org/docs/WEF\\_GGGR\\_2020.pdf](http://www3.weforum.org/docs/WEF_GGGR_2020.pdf)
- <sup>10</sup> The International Labour Organisation. A Quantum Leap for Gender Equality; For a Better Future of Work For All. Available at [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_674831.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_674831.pdf)
- <sup>11</sup> The International Labour Organisation. Improving Working Conditions; In the Ready-Made Garment Sector. Available at [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms\\_735614.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_735614.pdf)
- <sup>12</sup> OECD Due Diligence Guidance for Responsible business conduct. Responsible Supply Chains in the Garment and Footwear Sector. Available at <https://mneguidelines.oecd.org/oecd-due-diligence-guidance-garment-footwear.pdf>
- <sup>13</sup> Gender (in) Equality in the Bangladesh Ready-Made Garment Sector; A Systematic Review by Martine Bosman, Aikaterini Argyrou, Tineke Lambooy, Sam Solaimani. Available at <https://www.smart.uio.no/publications/bosman-argyrou-gender-inequality-bangl-garment.pdf>
- <sup>14</sup> Ibid
- <sup>15</sup> Sustainable Development Goals. 8 Decent Work and Economic Growth. Available at <https://www.un.org/sustainabledevelopment/economic-growth/>
- <sup>16</sup> The International Labour Organisation. Industrial Relations in Emerging Economies: The Quest for Inclusive Development. Available at [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_624902.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_624902.pdf)
- <sup>17</sup> Decent Work Country Programme (DWCP) for Bangladesh 2017-2020. Available at [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms\\_630532.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_630532.pdf)
- <sup>18</sup> The International Labour Organisation. Promoting collective bargaining Convention No. 154. Available at [http://apirnet.ilo.org/resources/promoting-collective-bargaining-convention-no.-154/at\\_download/file1](http://apirnet.ilo.org/resources/promoting-collective-bargaining-convention-no.-154/at_download/file1)
- <sup>19</sup> Industrial and employment relations: Social dialogue and tripartism. Available at <https://www.ilo.org/ifpdial/areas-of-work/industrial-and-employment-relations/lang--en/index.htm>
- <sup>20</sup> The International Labour Organisation. Social Dialogue ; Finding a common voice. Available at <https://www.ilo.org/public/english/dialogue/download/brochure.pdf>
- <sup>21</sup> The Global Deal for Decent Work and Inclusive Growth Flagship Report 2018. Building Trust in a Changing World of Work. Available at [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_629764.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_629764.pdf)
- <sup>22</sup> IndustriAll. Global Framework Agreements. Available at <http://www.industriall-union.org/issues/confronting-global-capital/global-framework-agreements>
- <sup>23</sup> Bangladesh Labour Act 2006 (Amendment 2013) article 205 subsection 6. Available at [https://betterwork.org/wp-content/uploads/2020/02/Bangladesh-Labour-Act-2006\\_Eng.pdf](https://betterwork.org/wp-content/uploads/2020/02/Bangladesh-Labour-Act-2006_Eng.pdf)
- <sup>24</sup> Human Rights Watch. Bangladesh: Investigate the Dismissals of Protesting Workers. Available at <https://www.hrw.org/news/2019/03/05/bangladesh-investigate-dismissals-protesting-workers>
- <sup>25</sup> World Economic Forum. Mind the 100 Year Gap. Available at <https://www.weforum.org/reports/gender-gap-2020-report-100-years-pay-equality>
- <sup>26</sup> United Nations Development Programme. Engaging the private sector in advancing gender equality at work. Available at <https://www.undp.org/content/undp/en/home/blog/2016/11/18/Engaging-the-private-sector-in-advancing-gender-equality-at-work.html>

- <sup>27</sup> McKinsey Global Institute. How advancing women's equality can add \$12 trillion to global growth. Available at <https://www.mckinsey.com/featured-insights/employment-and-growth/how-advancing-womens-equality-can-add-12-trillion-to-global-growth>
- <sup>28</sup> A Manual for Sida. Gender Equality in Practice. Available at [https://www.sida.se/contentassets/0c376ea02bfa471aa57caefbc5d2d12f/gender-equality-in-practice\\_298.pdf](https://www.sida.se/contentassets/0c376ea02bfa471aa57caefbc5d2d12f/gender-equality-in-practice_298.pdf)
- <sup>29</sup> Gender Equality Cayman Islands. Available at <http://www.genderequality.gov.ky/about>
- <sup>30</sup> United Nations Global Compact. Endorse at the Women's Empowerment Principles. Available at <https://www.unglobalcompact.org/take-action/action/womens-principles>
- <sup>31</sup> World Economic Forum. Global Gender Gap Report 2020. Available at [http://www3.weforum.org/docs/WEF\\_GGGR\\_2020.pdf](http://www3.weforum.org/docs/WEF_GGGR_2020.pdf)
- <sup>32</sup> Ibid
- <sup>33</sup> Prime Minister Sheikh Hasina's Commitment Gender Equality and Women Empowerment. Available at [https://mowca.portal.gov.bd/sites/default/files/files/mowca.portal.gov.bd/publications/e3a8842d\\_ab43\\_42f8\\_91b1\\_2e18356cd888/Women%20Empowerment%20%20Flyer%20Final%20%20202102016.pdf](https://mowca.portal.gov.bd/sites/default/files/files/mowca.portal.gov.bd/publications/e3a8842d_ab43_42f8_91b1_2e18356cd888/Women%20Empowerment%20%20Flyer%20Final%20%20202102016.pdf)
- <sup>34</sup> The International Labour Organisation. Improving Working Conditions; In the Ready-Made Garment Sector. Available at [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms\\_735614.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_735614.pdf)
- <sup>35</sup> The Global Deal. Together for Decent Work and Inclusive Growth. Available at <http://www.theglobaldeal.com/wp-content/uploads/2017/09/The-Contribution-of-Social-Dialogue-to-Gender-Equality.pdf>
- <sup>36</sup> The World Bank. In Bangladesh, Empowering and Employing Women in the Garments Sector. Available at <https://www.worldbank.org/en/news/feature/2017/02/07/in-bangladesh-empowering-and-employing-women-in-the-garments-sector>
- <sup>37</sup> The Global Deal. The Contribution of Social Dialogue to Gender Equality. Available at <http://www.theglobaldeal.com/wp-content/uploads/2017/09/The-Contribution-of-Social-Dialogue-to-Gender-Equality.pdf>
- <sup>38</sup> Ibid
- <sup>39</sup> The Global Deal. Thematic Brief; Achieving Decent Work and Inclusive Growth: The Business Case for Social Dialogue. Available at <http://www.theglobaldeal.com/wp-content/uploads/2017/09/Thematic-Brief-Achieving-Decent-Work-and-Inclusive-Growth-The-Business-Case-for-Social-Dialogue-2.pdf>
- <sup>40</sup> Ethical Trading Initiative. Joint ETI Social Dialogue Programme. Available at [https://www.ethicaltrade.org/sites/default/files/shared\\_resources/bangladesh\\_sd\\_programme\\_evaluation\\_exec\\_summary.pdf](https://www.ethicaltrade.org/sites/default/files/shared_resources/bangladesh_sd_programme_evaluation_exec_summary.pdf)
- <sup>41</sup> The International Labour Organisation. Equality at work: Tackling the challenges. [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---webdev/documents/publication/wcms\\_082607.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---webdev/documents/publication/wcms_082607.pdf)
- <sup>42</sup> Forbes. More Evident that Company Diversity Lead to Better Profits. Available at <https://www.forbes.com/sites/karstenstrauss/2018/01/25/more-evidence-that-company-diversity-leads-to-better-profits/#1c03dcd21bc7>
- <sup>43</sup> The International Labour Organisation. Social Dialogue. Available at <https://www.ilo.org/ifpdial/areas-of-work/social-dialogue/lang--en/index.htm%20%20a#:~:text=The%20Enabling%20Conditions%20of%20Social%20Dialogue%3A&text=Political%20will%20and%20commitment%20to,and%20Appropriate%20institutional%20support.>