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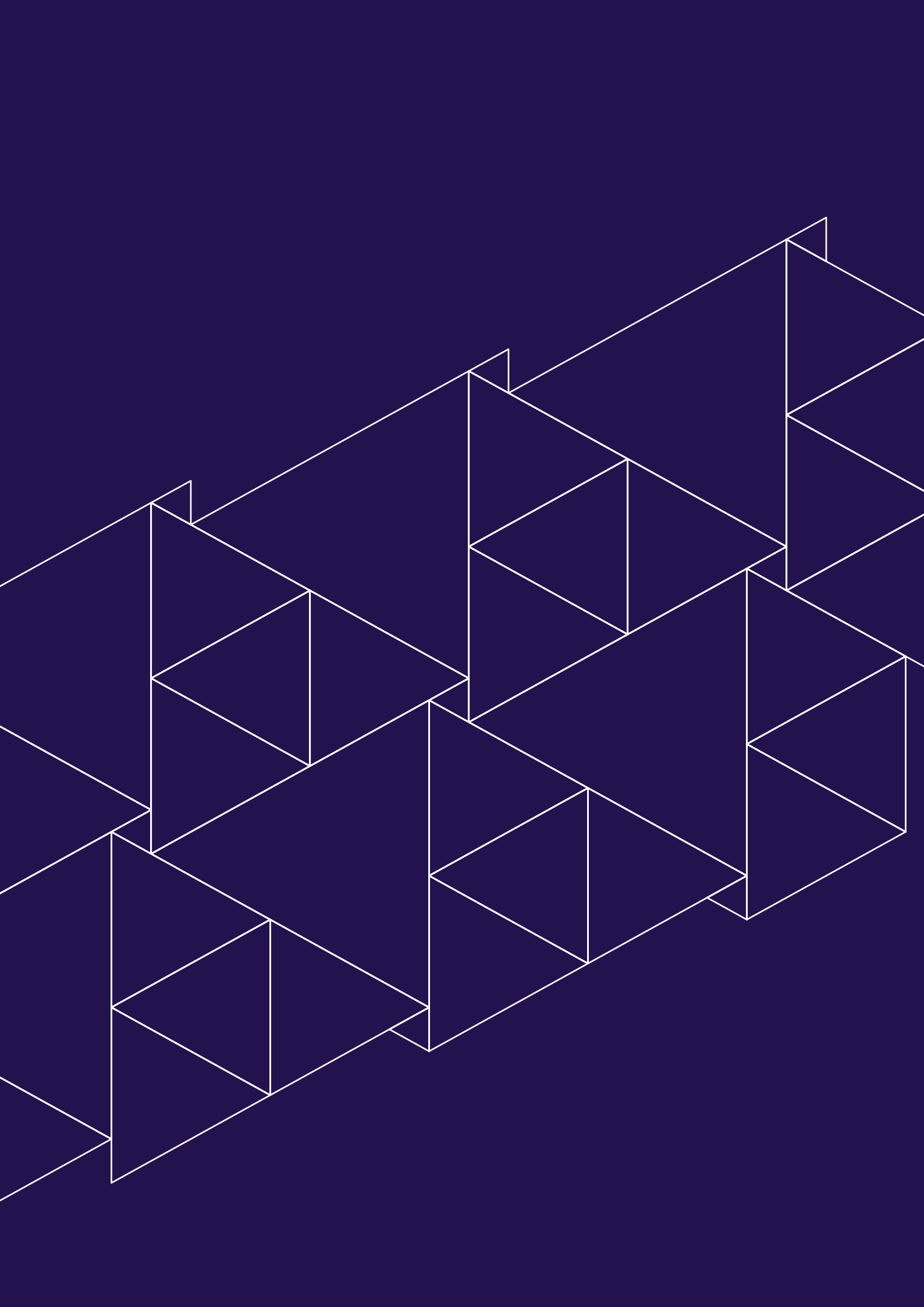
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# Social Dialogue Handbook: A Toolkit for Employers



ITC International Training Centre



# Purpose and Value of the Social Dialogue Handbook

## Overview and Strategic Purpose

The Social Dialogue Handbook serves as a comprehensive roadmap for the Bangladesh Employers' Federation (BEF) and employers across the country to navigate the complexities of a modern, evolving labour landscape. As Bangladesh transitions toward more sophisticated industrial production, maintaining harmonious relations is no longer just a legal obligation, rather it is a competitive advantage. This toolkit is designed to bridge the gap between high-level national policy and day-to-day enterprise-level practice. While institutional structures for social dialogue exist at the national tripartite level, this handbook provides the practical "how-to" for employers to internalize these principles, empowering members of the BEF and other sectoral organizations like BGMEA, and BKMEA to build resilient, productive and conflict-resilient workplaces.

## Why This Handbook is Essential for Employers

In the current global economic climate, social dialogue has evolved from a soft management skill into a core business necessity:

- **Enhancing Global Competitiveness: I**nternational buyers and global brands increasingly demand strict compliance with labour standards and transparent evidence of functional workplace cooperation. This handbook aligns enterprise practices with ILO Conventions (such as C.87 and C.98), helping employers maintain their reputation and secure their positions within the global supply chain.
- **Operational Stability and Productivity:** Unresolved grievances are often the root cause of work stoppages and industrial unrest. By implementing the structured internal mechanisms and communication techniques detailed in this toolkit, employers can identify and resolve disputes before they escalate, ensuring uninterrupted production cycles and optimized operational efficiency.
- **Risk Mitigation and Legal Compliance:** The handbook provides practical guidance on navigating the Bangladesh Labour Act and national institutional frameworks. This assists management in avoiding legal pitfalls and costly litigation by fostering good-faith negotiations and transparent bipartite cooperation.
- **Building a Culture of Trust:** Effective social dialogue transforms the workplace relationship from one of confrontation to one of collaboration. This shift is proven to enhance employee engagement, reduce turnover, and foster an environment where innovation and productivity can thrive.

## Practical Use for EBMOs and Management

## Quick Start: How to Use This Handbook in Five Steps

Use this handbook as an implementation tool rather than a reading text. Start with the issue your enterprise needs to solve, then select the relevant module and template.

1. Diagnose: identify the workplace issue; communication gap, grievance trend, OSH concern, bargaining cycle, or compliance risk.
2. Choose the right mechanism: information sharing, consultation, participation committee, safety committee, grievance procedure, collective bargaining, conciliation, or tripartite channel.
3. Assign responsibility: name the management owner, HR focal point, worker/union counterpart, timeline, and reporting channel.
4. Implement and document: hold meetings, record minutes, agree action items, protect participants from retaliation, and communicate outcomes.

5. Review: track KPIs such as grievance resolution rate, meeting attendance, absenteeism, turnover, safety incidents, and productivity improvements.

### Implementation Responsibility Matrix at Factory/Establishment Level

- Owner: Managing Director/Factory Head – endorses the social dialogue policy, ensures resources, and reviews quarterly progress.
- Coordinator: HR/Industrial Relations Manager – convenes meetings, maintains records, supports training, monitors grievances, and reports risks to senior management.
- Line Managers/Supervisors – handle first-level communication, receive concerns respectfully, avoid retaliation, and implement agreed actions on the shop floor.
- Worker Representatives/Trade Union/Participation Committee Members – collect worker inputs, participate in dialogue, report back to constituents, and support agreed solutions.
- BEF/Employer Association Support – provides advisory services, templates, training, legal interpretation, and channels enterprise issues to sectoral or national dialogue where appropriate.

This document is designed as an active, living resource tailored to the specific needs of diverse industries, whether operating at the enterprise, sectoral, or regional level.

### How to Use This Toolkit:

1. **For Self-Learning:** Employers, business leaders, and HR managers can utilize these modules to deepen their technical understanding of social dialogue, negotiation strategies, and proactive grievance management.
2. **For Training and Capacity Building:** The content is optimized for use in facilitated workshops to train employers and management teams and, where appropriate, to be used in joint sessions with worker representatives to build shared communication competencies.
3. **For Institutional Strengthening:** Employer and Business Membership Organizations (EBMOs), such as the BEF, can use the handbook as the technical basis for advisory services, assisting member companies in the design and sustainability of joint consultation structures.
4. **For Strategic Action Planning:** The final module guides users through the creation of an Enterprise-Level Action Plan, ensuring that the principles of social dialogue are not just understood, but are integrated directly into HR policies and daily management systems.



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# Module 1:

## Introduction to Social Dialogue

## 1.1 Purpose of this Module

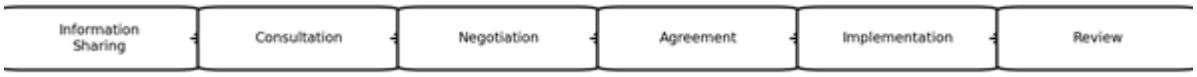
This module gives employers and managers a practical understanding of social dialogue: what it is, when to use it, who should participate, and how it differs from ordinary workplace communication and formal dispute resolution. It is intentionally concise; detailed legal references are placed in Module 2 and the annexes.

## 1.2 Practical Definition

Social dialogue is a structured, representative and documented process through which employers, workers and, where relevant, government exchange information, consult or negotiate on work-related matters of common interest.

In workplace terms, social dialogue is a way to prevent problems early, improve trust, and reach practical solutions before issues become disputes.

**Social Dialogue in Practice**




## 1.3 What Social Dialogue Is—and Is Not

| Common practice | What it usually means | How social dialogue is different |
|---|---|---|
| Day-to-day discussion | A supervisor or manager speaks with workers about immediate operational issues. | Social dialogue is representative, structured, documented and followed up. |
| Grievance handling | An individual complaint is examined through an internal procedure. | Social dialogue can prevent repeated grievances by addressing the root cause collectively. |
| Conciliation/arbitration/ Labour Court | Formal mechanisms used when disputes cannot be resolved internally. | Social dialogue does not replace these mechanisms; it aims to resolve issues earlier and reduce escalation. |
| Participation/Safety Committee | A regular forum for consultation and cooperation on welfare, OSH and productivity. | This is one practical form of enterprise-level social dialogue. |
| Collective bargaining | Negotiation between employer(s) and workers' organisation(s) on terms and conditions. | This is the strongest form of bipartite social dialogue and normally results in a written agreement. |

## 1.4 Three Levels of Social Dialogue

| Level | Simple meaning | Typical workplace example | Expected output |
|---|---|---|---|
| Information sharing | Management provides relevant facts in time. | Sharing production targets, policy changes or safety updates. | Common understanding. |
| Consultation | Management asks for views before deciding. | Discussing shift changes, canteen issues or OSH improvements with representatives. | Input considered; decision communicated. |

| | | | |
|---|---|---|---|
| Negotiation | Parties bargain with the aim of agreement. | Discussing wages, benefits, working time or CBA clauses. | Written agreement or recorded outcome. |

### 1.5 Who Participates?

| Level | Main participants | Typical issues |
|---|---|---|
| Enterprise/factory | Employer/management, HR/IR, line managers, trade union or worker representatives, Participation/Safety Committee members. | Welfare, OSH, productivity, grievances, working arrangements, implementation of agreements. |
| Sector/industry | Employer associations, sectoral employers, workers' federations/ unions and, where appropriate, government. | Minimum standards, skills, sectoral wage issues, compliance expectations, industry transitions. |
| National/tripartite | Government, representative employer organisation(s), representative worker organisation(s). | Labour law reform, ILO standards, national wage policy, employment policy, industrial relations priorities. |

### 1.6 Bipartism and Tripartism

Bipartite dialogue takes place directly between employers or employers' organisations and workers' organisations or representatives. It is the main form of dialogue at enterprise level and includes workplace cooperation and collective bargaining.

Tripartite dialogue involves government, employers and workers as independent partners. It is used mainly for labour policy, law reform, national institutions and issues requiring public authority involvement.

This handbook follows the fundamental tripartite principle: government, employers and workers. Other stakeholders may be consulted where useful, but they do not replace the role of the social partners.

### 1.7 Choosing the Right Mechanism




### 1.8 Concrete Examples for Different Types of Enterprises

| Enterprise type | Suitable mechanism | Practical example |
|---|---|---|
| Micro/small informal unit | Simple monthly discussion, written issue log, elected focal person where feasible. | Agree a predictable weekly roster and record wage payments. |
| Medium factory with 50+ workers | Participation Committee, Safety Committee, grievance procedure. | Committee reviews canteen, transport, OSH and absenteeism trends. |
| Large unionised enterprise | Collective bargaining plus specialist committees. | Union-management meeting negotiates CBA; OSH committee monitors safety actions. |

| | | |
|---|---|---|
| Sectoral association/cluster | Sectoral dialogue or employer association support. | Employers and worker federations discuss skills shortages, compliance or sector wage concerns. |

### 1.9 Scenario-Based Examples

- Scenario A – Overtime allocation: Workers believe overtime is unfair. The supervisor's explanation may solve one complaint, but social dialogue addresses the root cause. Management and worker representatives review overtime records, agree transparent allocation criteria, communicate the rule, and review complaints after one month.
- Scenario B – New technology: Management plans to introduce automated machinery. Instead of announcing the change only after purchase, management consults representatives on training needs, redeployment risks and productivity targets. The outcome may be a reskilling plan and implementation timetable.
- Scenario C – Safety concern: Workers report repeated needle injuries or chemical exposure. The Safety Committee reviews accident records, checks PPE availability, agrees corrective actions, assigns responsible persons and monitors progress at the next meeting.

### 1.10 Benefits for Employers and Workers

For employers, social dialogue reduces the risk of unrest, improves compliance, supports productivity, strengthens buyer confidence and creates a predictable way to manage change. For workers, it provides voice, clarity, dignity, safer working conditions and a fairer route for concerns to be heard.

### 1.11 ILO Standards and the Bangladesh Labour Framework—Simple Link

ILO standards set the principles; Bangladesh law provides the procedures. For example, ILO Convention No. 87 supports freedom of association, while national law explains how organisations are registered and recognised. ILO Convention No. 98 supports collective bargaining, while the Bangladesh Labour Act and Rules provide procedures for representation, bargaining, conciliation and dispute settlement. ILO Convention No. 144 supports tripartite consultation, while Bangladesh uses institutions such as the Tripartite Consultative Council to operationalise consultation.

| ILO principle | Practical meaning | Bangladesh legal/institutional link |
|---|---|---|
| Freedom of association | Employers and workers may form and join organisations. | Bangladesh Labour Act/Rules procedures on organisations and representation. |
| Collective bargaining | Employers and workers' organisations negotiate terms and conditions. | BLA procedures on bargaining, industrial disputes and conciliation. |
| Tripartite consultation | Government consults employers and workers on labour matters. | Tripartite Consultative Council and related national/sectoral bodies. |
| Workers' representation and communication | Representatives should be protected and able to communicate concerns. | Participation Committees, Safety Committees and grievance mechanisms under the national framework. |

### 1.12 Quick Checklist for Managers

Before calling something "social dialogue", check whether:

(1) the right representatives are involved;

(2) the issue is clearly defined;

(3) relevant information has been shared;

(4) views are genuinely heard;

(5) decisions or agreements are recorded;

(6) responsibilities and deadlines are assigned; and

(7) follow-up is monitored.

## 1.13 Key Takeaways

Social dialogue is practical, not theoretical. It is structured communication with representation, documentation and follow-up. It can be used at enterprise, sectoral and national levels, but the mechanism must match the issue. Strong bipartite relations at enterprise level support stronger tripartite dialogue at national level.

| Stage | Description of Practices | Select One |
|---|---|---|
| Stage 1: Information Exchange | Management occasionally shares general information with workers about company performance or upcoming changes. Communication is primarily one-way. | [ ] |
| Stage 2: Consultation | Management actively seeks the opinions of workers' representatives on specific issues (e.g., OSH or working hours) before making final decisions, though the final authority remains with management. | [ ] |
| Stage 3: Collective Bargaining | Management and workers' organizations engage in voluntary negotiations to reach binding written agreements on wages, terms of employment, and working conditions. | [ ] |
| Stage 4: Integrated Social Dialogue | Dialogue is a continuous cycle of regular consultation, joint decision-making, implementation of agreements, and shared monitoring/evaluation. | [ ] |

# Module 2:

## Legal and Institutional Frameworks in Bangladesh

Practical Bridge: ILO Standards and the Bangladesh Legal Framework




| Relevant ILO standard/ principle | Bangladesh legal/institutional expression | What employers should do in practice |
|---|---|---|
| C087 Freedom of Association | BLA/Rules procedures for employer and worker organisations. | Respect lawful representation; avoid interference; engage legitimate counterparts. |
| C144 Tripartite Consultation | TCC and related national/sectoral consultation structures. | Channel policy concerns through BEF/sector bodies. |
| C135/R143 Workers' Representatives | Participation/Safety Committees and representative functions under national framework. | Protect representatives from retaliation and provide time/ information for duties. |
| R129/R130 Communication and Grievances | Enterprise communication, grievance and dispute-prevention practices. | Maintain clear communication channels, grievance logs and follow-up records. |

ILO conventions set international principles. The Bangladesh Labour Act, Bangladesh Labour Rules, EPZ Labour Act, and national institutions translate many of those principles into operational rights, duties, and procedures. Employers should therefore read ILO standards and national law together: ILO standards explain the principle; national law explains the procedure, threshold, form, and authority.

Example: freedom of association is an ILO principle under C087; in practice, Bangladesh law determines procedures for registering trade unions or employer organisations. Similarly, collective bargaining is supported by ILO principles under C098, while national law determines representation, bargaining agents, conciliation steps, and dispute settlement procedures.

### Legal Protections and Practical Safeguards for Informal Economy Employers

Practical protection for informal or transitioning employers means reducing legal uncertainty through simple, good-faith records and gradual compliance. Even where an enterprise is small or not fully formalised, basic documentation and fair consultation can protect the employer by showing that decisions were transparent, consistent and non-discriminatory.

| Risk for informal employer | Practical safeguard | Why it helps |
|---|---|---|
| Verbal wage or working-time disputes | Simple written wage/hour record signed or acknowledged where possible. | Creates evidence and reduces misunderstandings. |
| Repeated complaints with no record | Issue/grievance log with date, concern, response and follow-up. | Shows good-faith handling and early resolution. |
| OSH incident or unsafe practice | Basic safety checklist, PPE register and short safety briefings. | Reduces accidents and demonstrates prevention efforts. |
| Fear of formal systems | Seek guidance from BEF, sector associations or competent authority. | Supports gradual formalisation and compliance. |

Many micro and small employers operate partly or fully outside formal systems. The purpose of social dialogue is not to punish these employers, but to create a pathway toward predictability, compliance, and business stability. Informal economy employers should be encouraged to use simple, low-cost dialogue practices even before full formalisation.

Use written employment records wherever possible, even if simple: name, job, wage rate, working hours, payment date, and emergency contact.

Keep a basic grievance notebook or digital log showing the date, issue raised, response, and follow-up. This protects both employer and worker by creating evidence of fair handling.

Use simplified consultation: a monthly 20-minute meeting with worker representatives or elected focal persons can prevent misunderstandings and improve productivity.

Seek advisory support from BEF, sector associations, or competent authorities when transitioning toward formal compliance, especially on contracts, wage obligations, OSH, social security, and dispute prevention.

Important: this section provides general practical guidance and should not be treated as legal advice. Employers should obtain legal advice or official guidance for specific cases.

In Bangladesh, the legal and institutional landscape for industrial relations is a blend of comprehensive national legislation and specialized tripartite bodies.

### Overview of national labour laws and tripartite structures (e.g. Minimum Wage Board, Labour Courts, Tripartite Consultative Council).

#### The Bangladesh Labour Act, 2006 (BLA)

The BLA is the primary statutory framework governing the world of work in Bangladesh. It consolidated previous laws into a single code to provide a more unified approach to labour administration.

- **Regulatory Scope:** The Act covers a wide range of issues including conditions of service, working hours, maternity benefits, occupational safety and health (OSH), and industrial relations.
- **Rights to Organise:** It establishes the legal basis for the formation of trade unions and employers' associations, mirroring the principles of freedom of association found in international standards.
- **Dispute Resolution:** The Act provides the procedures for settlement of industrial disputes through negotiation, conciliation, and arbitration before moving to formal litigation.
- **Institutional Framework for Social Dialogue:** The Act provides the legal basis for tripartite consultative bodies, such as, the Tripartite Consultative Council (TCC) and the Bangladesh

Workers' Welfare Foundation (BMWB)[1] ; which serve as the primary platforms for social dialogue and the formulation of national labour laws, policies, and agreements.

In addition to the **Bangladesh Labour Act, 2006 (BLA),** several other national laws and regulations form the broader legal framework governing **labour** and industrial relations in Bangladesh. These include sector-specific legislations and specialized rules that provide detailed operational guidance.

### The Bangladesh Labour Rules, 2015

**The Bangladesh Labour Rules, 2015,** are the most significant administrative/regulatory extension of the BLA. They provide the practical procedures for implementing the Act's provisions.

- **Operational Detail:** The Rules detail the specific processes for trade union registration, election of worker representatives, and the functioning of participation and safety committees.
- **Standardized Forms:** They include standardized forms for employment contracts, service books, and the reporting of workplace accidents.

### The Bangladesh EPZ Labour Act, 2019

**The Export Processing Zones (EPZ) Labour Act** is a specialized piece of legislation that governs the world of work specifically within Bangladesh's EPZs.

- **Special Jurisdiction:** Since EPZs have a different administrative structure, this Act establishes separate rules for wages, working conditions, and dispute resolution for workers and employers within these zones.
- **Worker Representation:** It provides for the formation of Workers' Welfare Associations (WWAs), which perform functions similar to trade unions but under the specific regulatory framework of the EPZs.

### Occupational Safety and Health (OSH) Policy, 2013

While the BLA contains many OSH provisions, the National Occupational Health and Safety[2] Policy provides the overarching strategic framework for safety.

- **National Standards:** This policy aims to foster a culture of safety and sets national goals for reducing workplace injuries and occupational diseases.
- **Tripartite Oversight:** It reinforces the role of tripartite cooperation in managing workplace risks, involving the government, employers, and workers.

### Other Sectoral and Thematic Regulations

There are various other laws touch upon specialized aspects of labour management:

- **National Skills Development Policy:** This governs vocational training and apprenticeships, which are critical for sustainable enterprise development and productivity.
- **The Child Labour Elimination Policy:** A thematic policy aimed at identifying and removing children from hazardous work, in alignment with international standards.
- **National Employment Policy (2022).** [3]

1 Recent legislative developments aim to further modernize this framework by introducing more specialized bodies. These include the establishment of a semi-independent Alternative Dispute Resolution (ADR) body to expedite the settlement of labour disputes, as well as the creation of a National Social Dialogue Forum (NSDF) to broaden the scope of engagement between the social partners. It should be noted that these specific institutions (the ADR body and the NSDF) were introduced via a recent amendment to the Bangladesh Labour Act..

2 International Labour Organization (ILO), Occupational Safety and Health in Bangladesh.

3 International Labour Organization (ILO), Bangladesh: Job creation and economic diversification remains top priority for government, employers and workers in 2025 | International Labour Organization.

| Law/Policy | Primary Focus | Application |
|---|---|---|
| Bangladesh Labour Act (BLA), 2006 | Comprehensive labour code | General workforce (non-EPZ) |
| Bangladesh Labour Rules, 2015 | Implementation procedures | General workforce (non-EPZ) |
| Bangladesh EPZ Labour Act, 2019 | Labour and industrial relations | Workers and employers in EPZs |
| National OSH Policy, 2013 | Workplace health and safety | National level |

### National Tripartite Structures

Social dialogue in Bangladesh is institutionalized through several bodies that bring together the government, employers (represented by the BEF), and workers to co-regulate the labour market.

***Tripartite Consultative Council (TCC):***

- **The Peak National Body:** The TCC is the highest-level tripartite forum in Bangladesh. It serves as a platform for Peak-Level Social Dialogue on national labour policy and legislative reforms.
- **Mandate:** It advises the government on the formulation of labour laws, the ratification of ILO Conventions, and the overall improvement of industrial relations.
- **Composition:** 60 members (20 partners represented).
- **Legislative basis:** BLA section 348A. Bangladesh Gazette notice of 2 December 2015 (functions).

**The Tripartite Consultative Council (TCC)** is the apex national body for **labour** administration and social dialogue. It functions as the primary mechanism for high-level consultation between the government, employers (represented by the **BEF)**, and workers.

Below is a detailed overview of the TCC's role and structure within the Bangladesh labour relations framework:

**Mandate and Strategic Role**

The TCC serves as a platform for **Peak-Level Social Dialogue,** where the three social partners collaborate to shape the national labour landscape.

- **Policy Advisory:** It advises the government on the formulation and amendment of labour laws, including the Bangladesh Labour Act (BLA).
- **International Alignment: T**he TCC is responsible for discussing the ratification and implementation of ILO Conventions, ensuring national laws meet international standards.
- **Socio-Economic Planning:** It provides a forum to align employment policies with national development goals, such as poverty reduction and economic growth.
- To assist and advise the government on the development of labour laws, regulations, policies and plans, considering recommendations submitted by employers, and workers' organizations.
- Advising the Government of Bangladesh on measures for the promotion and development of sound employer-labour relations (with respect to the overall socio-economic conditions in the country).
- To assist, advise and brief the government, in consultation with employers, and workers' organizations, on matters presented to the Council related to labour, including production & productivity, the child labour situation, OSH, labour institutions, etc.

**Composition and Structure**

The TCC is designed to ensure balanced representation among the three pillars of the economy:

- **Government:** Led by the Ministry of Labour and Employment, representing the state's regulatory interest.
- Employers: Represented employers, (such as, the **Bangladesh Employers' Federation (BEF))**, bringing the voice of businesses and industry.
- **Workers:** Represented by national and sectoral trade union federations.

### Key Functions in Labour Administration

The TCC acts as the first base for major industrial relations issues before they become law or policy:

- **Draft Legislation Review:** Proposed changes to the Labour Act are typically debated in the TCC to reach a tripartite consensus before being sent to Parliament.
- **Industrial Relations Oversight:** It monitors the general state of industrial harmony in the country and suggests measures to prevent large-scale unrest.

### Significance for the BEF & Employers

For an employer, the TCC is the most important channel for influence at the national level:

- **Democratic Participation:** It ensures that businesses are not just subjects of the law but active participants in creating them.
- **Risk Mitigation:** By participating in TCC consultations, the **BEF** can highlight potential negative impacts of proposed regulations on business sustainability before they are enacted.
- **Transparency:** The TCC promotes a transparent governance model where the rules are debated openly by those they affect.

### *The RMG- TCC:*

Established on 6 March 2017, the **RMG-TCC** is responsible for:

- Taking into consideration the available resources and overall socio-economic conditions of the country, advise the government on steps and measures for building harmonious industrial relations and improving relations among the employers and workers, and the enhancement of productivity in the garment sector.
- Provide advice to the government upon reviewing the overall situation of the garment industry.
- Assist and advise the government on matters of the garment industry relating to laws, regulations, occupational health and safety, social dialogue, industrial relations, capacity building, policies and plans.
- Advise and assist the government, in consultation with the employers and workers in the garment sector, on matters presented to the Council for advice.
- Advise the government in maximizing productivity in the garment sector through optimum utilization of available resources.
- Enhance integration with the national TCC, through reporting.

### *Minimum Wage Board:*

- **Legal basis: E**stablished under Section 138 BLA, the BMWB draws its genesis from the C26, 1928 (Minimum Wage-Fixing Machinery[4]) and R30[5] of the International Labour Organisation (ILO). (BLA Chapter XI).

4 C026 - Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)

5 R030 - Minimum Wage-Fixing Machinery Recommendation, 1928 (No. 30).

- **Key Role:** Wage fixation, review and recommendation for different sectors (46 currently).
- **Members:**
  - The minimum wages board consist of a chairman, one independent member, one member to represent the employers, and one member to represent the workers.
  - For the purpose of discharging the functions specified in Section 139, the wages board include one member to represent the employers of the industry concerned, one member to represent the workers engaged in such industry.

***Labour Courts and Labour Appellate Tribunal:***

- **Judicial Mechanism:** These are specialized courts established under the BLA to adjudicate cases related to labour rights, industrial disputes, and OSH violations.
- **Composition:** A unique feature of Labour Courts is their tripartite nature; the Chairman is a judicial officer assisted by two Members, one representing employers and one representing workers. This ensures that the court's decisions are informed by the practical realities of both sides of the industry.

### Strategic Value for Employers

Understanding these frameworks allows employers to:

1. **Ensure Compliance:** Minimize legal risks by adhering to the BLA and Minimum Wage Board directives.
2. **Influence Policy:** Use the TCC as a channel to advocate for an environment favourable to enterprise development.
3. **Resolve Conflicts:** Leverage the mediation and judicial mechanisms to achieve social peace and predictable outcomes.

### Key ILO conventions ratified by Bangladesh relevant to social dialogue.

Since joining the International Labour Organization on **June 22, 1972,** shortly after gaining independence, Bangladesh has maintained a deep and evolving partnership with the global labour community. This membership was more than a formal entry; it was a foundational commitment by the nation to align its social and economic development with international standards of justice and human dignity.

**As of 2026, Bangladesh has ratified all fundamental ILO instruments.** [6]

| Category | Convention | Ratification Date | Relevance to Social Dialogue & Labour Relations |
|---|---|---|---|
| Fundamental (Enabling Rights) | C087: Freedom of Association and Protection of the Right to Organise | 22 Jun 1972 | The cornerstone of social dialogue. It allows employers and workers to form organizations (like the BEF) without state interference. |
| Fundamental (Enabling Rights) | C098: Right to Organise and Collective Bargaining | 22 Jun 1972 | Provides the legal basis for bipartite negotiations between management and unions to reach binding agreements. |
| Governance (Institutional) | C144: Tripartite Consultation (International Labour Standards) | 17 Apr 1979 | Mandates the Tripartite Consultative Council (TCC) structure. It ensures the BEF and unions are consulted on national labour policies. |

6 Ratifications for Bangladesh.

| | | | |
|---|---|---|---|
| Fundamental (New - OSH) | C155: Occupational Safety and Health Convention | 20 Nov 2025 | Requires bipartite safety committees at the enterprise level, making safety a subject of continuous dialogue. |
| Fundamental (New - OSH) | C187: Promotional Framework for OSH | 20 Nov 2025 | Encourages a culture of safety through national tripartite systems and dialogue-based risk assessments. |
| Technical (Workplace Dignity) | C190: Violence and Harassment Convention | 20 Nov 2025 | Mandates dialogue and joint policy-making to eliminate harassment, often implemented through Anti-Harassment Committees. |
| Governance (Oversight) | C081: Labour Inspection Convention | 22 Jun 1972 | Ensures the enforcement of dialogue outcomes (like collective agreements) through a transparent state inspection system. |

**Strategic Note:**

- Enabling Rights: Conventions **C087** and **C098** are considered enabling rights; without them, the other conventions cannot be effectively implemented because they require a representative voice from both sides of the industry.

# Module 3:

## Building Sound Industrial Relations

To build sound industrial relations, a trust-based culture is essential. This shift is rooted in the core principles of fairness, transparency, and mutual respect, which form the foundation of any resilient and productive labour relations system.

### Principles of effective industrial relations: fairness, transparency, mutual respect.

### The Principle of Fairness (Equity and Justice)

Fairness is the bedrock of organizational stability. It ensures that the rules and procedures are applied consistently to all, regardless of rank or position.

- Equitable Distribution of Gains: Fairness in industrial relations means that productivity gains and the successes of the enterprise are shared equitably between the employer and the workforce through fair wages and benefits.
- Procedural Justice: Every employee must have access to a fair grievance procedure. This means that disciplinary actions are based on objective evidence, and workers have the right to be heard before a decision is made.
- Non-Discrimination: A fair workplace is one that actively eliminates discrimination in all its forms, whether based on gender, age, or ethnicity, and ensuring equal opportunity for all.

### The Principle of Transparency (Information and Openness)

Transparency is the primary tool for building trust. It moves the relationship beyond "us vs. them" by providing the facts necessary for informed dialogue.

- Duty to Share Information: For dialogue to be meaningful, employers should provide workers' representatives with the information necessary to understand the economic and social situation of the enterprise.
- Clear Communication on Change: Transparency means informing workers of upcoming changes (such as new technology or restructuring) early in the process. This "no surprises" policy reduces anxiety and fosters a culture of cooperation.
- Confidentiality vs. Disclosure: While transparency is key, effective relations also require clear rules on confidentiality. Both parties must agree on what information is for the negotiation table and what can be shared with the broader workforce.

### The Principle of Mutual Respect (Recognition and Dignity)

Mutual respect acknowledges that while employers and workers may have different interests, they are equal partners in the success of the enterprise.

- **Recognition of Rights:** Respect begins with the effective recognition of the right to organize and the right to collective bargaining.
- **Dignity at Work: T**his involves creating a workplace free from violence and harassment. Respecting the personal dignity of every individual is essential for a high-engagement workforce.
- **Good Faith Negotiation:** Mutual respect is manifested in "good faith" bargaining, where both parties enter discussions with a sincere desire to reach an agreement, honouring their promises once an agreement has been reached.

### Strategic Value for the Enterprise

Integrating these principles leads to a Virtuous Circle:

1. **Transparency builds Trust.**
2. **Trust enables Fairness.**

3. **Fairness fosters Mutual Respect.**

4. **Mutual Respect drives Productivity and Innovation.**

By embedding these principles into daily management, an enterprise creates a resilient employment relations system that is capable of navigating global economic shocks and internal transitions with minimal disruption.

### Understanding workers' representation and trade union structures.

At this juncture, understanding workers' representation and trade union structures is essential for fostering a stable and productive labour relations environment. Workers' organizations, primarily trade unions, are independent associations of workers constituted for the purpose of furthering and defending the interests of workers.

### Types of Workers' Representatives

According to **Convention No. 135** and **Recommendation No. 143,** the term workers' representatives encompass two distinct types. It is vital to distinguish between them to ensure the right parties are engaged for the right purposes:

#### *1. Trade Union Representatives*

These are individuals designated or elected by trade unions or by the members of such unions.

- **Primary Role:** Representing workers in collective bargaining and negotiations regarding terms and conditions of employment.
- **Engagement:** Management engages with them for formal agreements and the settlement of industrial disputes.

#### *2. Elected Representatives*

These are individuals freely elected by the workers of an undertaking, such as the Participation Committees.

- **Primary Role:** Representing workers on workplace cooperation committees, health and safety matters, and general welfare.
- **Constraint:** According to ILO standards, their presence should not be used to undermine the position of established trade unions. Their functions typically do not include activities that are the exclusive prerogative of trade unions, such as collective bargaining.

### Why this matters for BEF Members:

Understanding these distinctions ensures that enterprise-level action plan respects labour laws while adhering to international standards. Engaging the wrong type of representative for collective bargaining, for example, could lead to legal challenges or a breakdown in industrial peace.

### The Structure of Trade Union Organizations

Trade union structures vary significantly by country and industry, typically operating at three distinct levels:

- **Enterprise Level:** The most direct form of representation, where base unions or enterprise unions operate within a single company to handle grievances and negotiate local agreements.
- **Sectoral or Industrial Level:** Unions organized across an entire industry (e.g., textiles, construction). These bodies engage in sectoral bargaining to establish industry-wide standards, preventing a race to the bottom in terms of labour conditions.
- **National or Peak Level:** National trade union centres or confederations that bring together various sectoral unions. These organizations represent the collective voice of workers in national tripartite bodies like the **Tripartite Consultative Council (TCC)** in Bangladesh.

**The following is an elaboration of the specific types of trade union organizations:**

***1. Enterprise or "Base" Trade Unions***

The enterprise trade union is the most fundamental unit of workers' representation.

- **Definition:** As a broad definition, it can simply be described as those unions whose membership is limited to the employees of a specific company or workplace.
- **Role:** They focus on local issues such as specific workplace grievances, health and safety at a particular site, and negotiating enterprise-level collective agreements that may improve upon industry standards.
- **Autonomy:** They are typically member-led and funded by membership dues from the workers within that specific enterprise.

***2. Federations (Sectoral or Industrial Unions)***

A federation is a "union of unions," bringing together several base unions to create a stronger, more unified voice within a specific sector.

- **Definition:** An organization formed by two or more registered trade unions from the same or related industries (e.g., a Federation of Garment Workers).
- **Role:** Federations typically engage in sectoral bargaining. This is critical for establishing industry-wide minimum standards for wages and working hours, which prevents individual companies from competing by lowering labour standards (preventing the race to the bottom).
- **Support:** They provide technical support, legal advice, and education to their affiliated enterprise-level unions.

***3. Confederations (National Centres or Peak-Level Bodies)***

A confederation represents the highest level of national representation and can sometimes be referred to as a National Centre.

- **Definition:** An umbrella organization formed by the affiliation of multiple federations and, in some cases, large national unions.
- **Role:** Confederations represent the collective interest of all workers at the national level. They participate in Peak-Level Social Dialogue with the government and national employers' associations.
- **Policy Influence:** They lobby for changes in national labour laws, social security, and economic policy.

***4. Specialized and Global Union Types***

Beyond the national structure, there are specialized types of unions that address the modern world of work:

- **General Unions:** Unlike industrial unions, general unions organize workers across various different trades and industries (e.g., a union that represents both drivers and office clerks).
- **Global Union Federations (GUFs):** These are international organizations that bring together national sectoral federations from around the world (e.g., IndustriALL or BWI) to challenge multinational corporations and advocate for global labour standards.

***Summary of the Relationship (Affiliation)***

The process of a smaller union joining a larger one is called **Affiliation.** This hierarchy ensures that a worker's voice can travel from a single factory floor (via the Enterprise Union) to the national level (via the Confederation) and even to the International Labour Conference in Geneva.

| Type | Membership | Primary Level of Dialogue |
|---|---|---|
| Enterprise Union | Individual Workers | Workplace / Management |
| Federation | Base Unions (Sectoral) | Industrial / Sectoral |
| Confederation | Federations (National) | National / Tripartite |
| Global Union | National Federations | International / Intergovernmental |

### Core Principles of Representation

For workers' representation to be effective, it must adhere to several foundational principles:

- **Independence:** Workers' organizations must be independent of external influence. They must have the right to draw up their own constitutions, elect their representatives, and organize their activities without external interference.
- **Freedom of Association:** As established in Convention No. 87, workers have the right to establish and join organizations of their own choosing without previous authorization.
- **Effective Recognition of Collective Bargaining:** This principle, from Convention No. 98, ensures that unions are recognized as legitimate partners for negotiating terms and conditions of employment.

It should be noted that while this section discusses "the Structure of Trade Union Organizations", these core principles and rights also apply to employers' organizations.

#### *Roles and Responsibilities of Representatives*

Workers' representatives fulfill several critical functions that contribute to the inclusive governance of work:

- **Interest Representation:** They voice workers' concerns regarding wages, working hours, and social protection.
- Negotiation: Engaging in collective bargaining to reach binding agreements that regulate work conditions.
- **Dispute Resolution:** Assisting in the settlement of individual grievances and industrial disputes through bipartite dialogue or formal legal channels.
- **Monitoring and Compliance:** Ensuring that labour laws and collective agreements are properly implemented at the workplace level, particularly concerning Occupational Safety and Health (OSH).

### Synergy Between Different Forms of Representation

In many jurisdictions, trade union representatives and elected representatives (like workplace cooperation committees) coexist. ILO standards emphasize that where both types of representatives exist in the same undertaking, elected representatives should not be used to undermine the position of the trade unions concerned. Instead, they should work in a complementary manner to enhance overall workplace cooperation. [7]

### Relevance to the BEF & Employers:

#### *Core Principles of Mutual Representation*

For social dialogue to remain balanced and effective, the foundational principles of representation are

7 Members may look to the 'Dual Channel' models found in Europe or the emerging cooperation between Safety Committees and Unions in the RMG sector. In these cases, success is found when management recognises that elected committees solve daily operational labour issues, while unions handle the broader economic negotiations, creating a more stable and professional work environment for everyone. - ILO Workplace Cooperation Guide, & Trade Unions in Bangladesh: Promoting Safe and Healthy Workplaces.

strictly mutual. These rights apply to employers and their organisations just as they do to workers:

- I**ndependence and Autonomy:** Employers' organisations must remain independent from government interference and from workers' organisations. Under Convention No. 87, they have the right to draw up their own constitutions, elect representatives in full freedom, and enjoy protection against any acts of interference in their establishment or administration.
- **Freedom of Association:** Employers have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.
- **Recognition for Collective Bargaining:** Mirroring the rights of unions, Convention No. 98 ensures that employers and their organisations are recognised as legitimate partners in the voluntary negotiation of collective bargaining agreements.

### Roles and Responsibilities of Employer Representatives

Employers' representatives provide a collective voice for business, ensuring that the business sector contributes effectively to the governance of the world of work:

- **Policy Advocacy and Interest Representation:** They voice the concerns of the business community regarding the investment climate, productivity, and the socio-economic impact of labour regulations.
- Collective Bargaining and Negotiation: Acting as the counterpart to trade unions, they engage in negotiations to establish sustainable terms and conditions of employment that balance workers' needs with enterprise viability.
- **Technical Advisory and Support:** Providing specialized services to member companies, including guidance on compliance with the **Bangladesh Labour Act,** human resources management, and industrial relations strategies.
- Promoting Workplace Compliance: Playing a lead role in fostering a culture of compliance at the enterprise level, particularly in promoting **Occupational Safety and Health (OSH)** standards and ensuring the effective implementation of national labour reforms.
- **Dispute Prevention:** Engaging in bipartite and tripartite dialogue to prevent industrial unrest and promoting the use of **Alternative Dispute Resolution (ADR)** mechanisms to settle grievances efficiently.

### Strategies for preventing disputes through early engagement and continuous dialogue.

To prevent labour disputes from escalating into costly disruptions, enterprises must move beyond reactive measures and adopt a proactive stance centred on early engagement and continuous dialogue. A robust industrial relations system is one that identifies potential friction points before they become formal grievances.

The goal of dispute prevention is to create a climate where problems are solved through bipartite cooperation (sometimes with the help of voluntary third-party intervention) rather than "win-lose" forums (e.g., adjudication, etc.) or industrial action.

### Institutionalizing Continuous Information Sharing

Conflict often arises from a lack of information or a surprise management decision. Continuous dialogue ensures that workers' representatives are not only informed but understand the "why" behind enterprise decisions.

- **Regular Management-Union Briefings:** Schedule monthly or quarterly meetings to discuss the enterprise's economic health, production targets, and future outlook. This builds a shared understanding of the business reality.

- **Transparency on Change:** For significant changes like restructuring or new technology, engagement should begin at the planning stage. Early disclosure allows both parties to discuss the implications and negotiate mitigation strategies (such as retraining) before the change is implemented.

### Workplace Cooperation: Strengthening Bipartite Safety and Welfare Committees

Specialized committees offer a neutral ground for continuous dialogue on non-adversarial issues, which strengthens the overall relationship.

- **Joint OSH Committees:** As mandated by conventions, these committees allow workers and managers to co-regulate workplace safety. Solving practical safety issues together builds the trust needed for more difficult wage negotiations.
- **Participation Committees: T**hese forums focus on improving the work environment and welfare facilities. They provide a vital early-warning system for management to hear about "small" issues before they fester into major disputes.

### Early Grievance Handling at the Source

The most effective way to prevent a dispute is to resolve it at the "shop floor" level, as close to the point of origin as possible.

- **Simplified Access:** Ensure that every worker knows how to raise a concern without fear of retaliation. A clear, multi-step internal procedure encourages local resolution.
- **Managerial Training:** Frontline supervisors should be trained in soft skills and conflict resolution. Sometimes, a dispute escalates not because of the issue itself, but because of the way a supervisor initially handled a worker's complaint.

To strengthen the strategy of early grievance handling, it is essential to link it with I**LO Recommendation No. 130 (Examination of Grievances, 1967)[8].** This international guideline provides the detailed technical framework for how an enterprise should structure its internal procedures to ensure fairness and efficiency.

The following elaborates on how "Shop Floor" resolution is institutionalized through R130.

#### *ILO Recommendation No. 130: Examination of Grievances*

The principle of resolving disputes at the source is the central theme of R130, which advocates for a right to submit grievances without suffering any prejudice.

**The Right to Submit Grievances (Paragraph 2)**

Recommendation No. 130 establishes that any worker should have the right to submit a grievance without being subjected to any prejudicial treatment as a result.

- Application: This supports the Simplified Access strategy by ensuring that the fear of retaliation is removed through a formal, protected process.

**Multi-Step Internal Procedures (Paragraphs 10-13)**

R130 provides the blueprint for the multi-step procedure. It suggests that grievances should be settled through a hierarchy of stages:

- **The First Step:** The grievance should first be raised by the worker with their immediate supervisor (the shop floor level).
- **Escalation:** If a settlement is not reached at the first level, the worker should have the right to appeal to higher levels of management.
- **Clarity and Speed:** The recommendation emphasizes that procedures should be as

8 R130 - Examination of Grievances Recommendation, 1967 (No. 130).

uncomplicated and as rapid as possible, with fixed time limits for each step to prevent frustration from building up.

### The Crucial Role of Supervisors and Training (Paragraph 12)

The recommendation explicitly notes that for the first step to be successful, the immediate supervisor must have the authority and the capacity to settle the matter.

- **Application:** This directly reinforces the need for **Managerial Training.** If a supervisor lacks "soft skills" or conflict resolution training, they become a bottleneck rather than a solution, leading to the escalation of disputes that could have been settled locally.

### Workers' Representation in the Process (Paragraph 17)

R130 states that the worker should have the right to be assisted or represented during the examination of their grievance by a representative of a trade union or a workers' representative.

- **Application:** This ensures that the shop floor resolution is not just a top-down management process but a bipartite dialogue, which increases the worker's trust in the fairness of the outcome.

### Aligning R130 with Enterprise Strategy

| Enterprise Strategy Pillar | Alignment with R130 | Operational Outcome |
|---|---|---|
| Simplified Access | Right to submit without prejudice (Para 2). | Workers feel safe to speak up early. |
| Multi-Step Procedure | Graduated stages of appeal (Paras 10-13). | Issues are filtered; only complex ones reach senior management. |
| Managerial Training | Supervisor authority and capacity (Para 12). | Faster resolution at the source; reduced labour court cases. |
| Bipartite Engagement | Right to assistance/ representation (Para 17). | Higher perceived fairness and social peace in the workplace. |

By implementing a grievance system based on R130, an enterprise demonstrates its commitment to labour standards while protecting itself from the legal and operational risks of unaddressed workplace conflict.

### Strategic Benefits for BEF Members

- **Preserving Social Peace:** Continuous engagement acts as a pressure relief valve for the workforce, maintaining industrial harmony even during economic downturns.
- **Boosting Global Reputation:** International brands and Responsible Business Conduct (RBC) standards prioritize suppliers who can demonstrate stable, dialogue-based labour relations.
- **Productivity Retention:** Preventing one single strike or work stoppage can save an enterprise from high operational costs, which advocates for investing in bipartite dialogue.

### Case examples of successful bipartite cooperation from Bangladesh and abroad.

Successful bipartite cooperation occurs when employers and workers (or their unions) move from an adversarial "us vs. them" mindset to a collaborative problem-solving approach. The following cases illustrate the business case for social dialogue.

### Bangladesh Case Examples

#### A. The Ashulia Agreement (2024)[9]

Following a period of significant labour unrest in the Ready-Made Garment (RMG) sector in Ashulia, a landmark agreement was reached on September 24, 2024, through direct bipartite and tripartite dialogue.

9 Improving industrial relations: The importance of social dialogue in Bangladesh.

- The Context: Escalating disputes over wages and working conditions had threatened to disrupt the entire sector.
- The Cooperation: Employers and workers engaged in good-faith negotiations to address 18 specific demands, including wage adjustments and the review of existing labour grievances.
- The Result: The agreement restored industrial peace, allowing factories to resume operations and providing a roadmap for addressing long-term wage policies through constructive dialogue rather than conflict.

**B. The Better Work Academy - Gap Inc. Partnership[10]**

A three-year study of the Gap Inc. "Better Work Academy"[11] program in Bangladesh and other countries demonstrated the direct link between bipartite committees and factory performance.

- **The Mechanism:** The program focused on strengthening Participation Committees (PCs), which are legally mandated for factories with 50+ workers, through democratic elections and specialized training for both workers and managers.
- **The Result:**
  - **Worker Morale:** 82% of workers reported feeling more motivated because their views were given importance.
  - **Grievance Handling:** 93% of workers began using formal channels (supervisors and PCs) for their issues instead of resorting to strikes.
  - **Business Impact:** Gap Inc. reported a marked increase in production efficiency and a decrease in employee absenteeism and turnover.

**C. The RMG "Role Model" Factories**

Case studies[12] of high-performing RMG factories in Bangladesh show that those recognized as "role models" share a common trait; an active and democratic Participation Committee.

- **The Action: T**hese factories use their PCs to co-regulate health and safety standards and social welfare services.
- **The Outcome:** These committees have been found to establish mutual trust, effectively resolve minor industrial disputes before they escalate, and ensure compliance with national labour laws.

## International Case Examples

**A. Interest-Based Bargaining in Northern Ontario (Canada)[13]**

A gold mining company in Northern Ontario moved from traditional, confrontational bargaining to Interest-Based Bargaining (IBB).

- **The Approach: I**nstead of making demands, both sides sat side-by-side to solve joint problems, such as a dispute over vibration-reducing technology. They focused on their shared interest in worker safety and long-term cost-saving.
- **The Result:** The company achieved labour peace and greater success in implementing difficult changes like multi-skilling, while workers gained employment stability and a stronger voice in decision-making.

10 Impacts on the Shop Floor: Better Work and Gap Inc. Partner for Progress.

11 The Better Work Academy: approach and impact in Gap Inc. factories.

12 Social Dialogue Report 2022: Collective bargaining for an inclusive, sustainable and resilient recovery.

13 Interest-Based Collective Bargaining: A Success Story.

**B. The Nordic "Coordinated" Model (Denmark, Sweden, Norway)[14]**

The Nordic countries have some of the most stable bipartite systems, where the vast majority of workers are covered by collective agreements negotiated directly between employer associations and unions.

- **The Approach:** Bargaining at the enterprise level is explicitly linked to national objectives. This coordinated approach links wage increases to inflation and productivity.
- **The Result:** These countries consistently report low unemployment, high employment rates, and a workforce that is highly supportive of technological changes because they feel part of the process.

14 Social Dialogue Report 2024: Peak-Level Social Dialogue for Economic Development and Social Progress.

# Module 4:

## Collective Bargaining and Negotiation Skills

Collective bargaining is a fundamental mechanism of social dialogue, allowing the parties themselves to regulate conditions of work and terms of employment through a structured, bipartite process.

### The collective bargaining process: preparation, negotiation, implementation, and monitoring.

Effective collective bargaining is not a one-time event but a continuous cycle that requires diligent effort at every stage: Preparation, Negotiation, Implementation, and Monitoring.

### Stage 1: Preparation

Success at the bargaining table is often decided before the first meeting begins. **Preparation involves gathering the necessary information** and **building a mandate.**

- **Information Gathering and Disclosure:** Employers/Management and workers' organizations must gather data on wages, inflation, productivity, and the financial health of the enterprise. Under international best practices (and ILO Recommendation No. 129), employers should provide representatives with the information necessary for meaningful negotiations.
- **Forming the Negotiating Team:** Each side must select a representative team with the authority to negotiate. Teams should include individuals with technical expertise (e.g., in finance or labour law) and those with strong communication skills.
- **Defining the Mandate and Objectives:** Both parties must establish their opening positions (ideal outcomes) and their bottom lines (the minimum acceptable terms).
- **Logistical Arrangements:** Agreeing on the rules, including the frequency of meetings, the venue, and how minutes will be recorded.

### Stage 2: Negotiation

This is the core bipartite process where parties exchange proposals and work toward a consensus.

- **The Opening Phase:** Presentation of proposals and initial arguments. This is the time to establish a tone of mutual respect and good faith.
- **The Exploration Phase:** Moving beyond hard demands to understand the underlying interests of the other side. For example, a union's demand for a 10% raise might be driven by an underlying interest in meeting the rising cost of living.
- **The Bargaining Phase:** The process of "give and take". This may involve package deals where concessions in one area (e.g., working hours) are balanced by gains in another (e.g., health benefits).
- **Closing the Agreement:** Once a consensus is reached, the terms must be clearly drafted into a written Collective Bargaining Agreement (CBA) to prevent future misinterpretation.

### Stage 3: Implementation

An agreement only has value if its provisions are translated into workplace reality.

- **Communication to Stakeholders:** The final agreement must be communicated to all employees and managers. Everyone needs to understand their new rights and responsibilities.
- **Administrative Integration:** Payroll systems, HR policies, and shift schedules must be updated to reflect the negotiated changes (e.g., new wage scales or leave entitlements).
- **Training for Supervisors:** Frontline managers must be trained on how to apply the new rules consistently to avoid rights-based disputes at the shop-floor level.

### Stage 4: Monitoring and Review

Monitoring ensures compliance and provides the data needed for the next round of bargaining.

- **Bipartite Monitoring Committees:** Many successful enterprises establish joint committees to review the progress of the agreement regularly.
- **Grievance Tracking:** Monitoring the number and type of grievances related to the new agreement can signal whether certain clauses are unclear or being misapplied.
- **Assessing Impact:** Measuring the social and economic outcomes of the agreement, such as, changes in productivity, employee turnover, or safety incidents.
- **Preparation for Renewal:** As the agreement nears its expiration, the monitoring data becomes the primary information base for the next preparation phase, closing the cycle.

### Key Principles for Constructive Bargaining

- **Good Faith:** Both parties must enter negotiations with a sincere desire to reach an agreement and must make every effort to do so.
- **Autonomy:** The parties should be free to negotiate without interference from the government or other third parties.
- **Inclusivity:** The process should strive to address the needs of all workers, including vulnerable groups, to ensure a sustainable and resilient recovery for the enterprise.

### Principles of good-faith negotiation.

The principle of good-faith negotiation is a cornerstone of effective collective bargaining and sound industrial relations. It is not merely a procedural requirement but a substantive obligation to engage in meaningful and constructive dialogue.

Collective bargaining is essentially a consultative process of negotiation. Because parties usually begin with opposing viewpoints, reaching a consensus requires a structured exchange: justifying specific demands, sharing relevant data, engaging in rigorous debate, and making strategic trade-offs to secure a final agreement.

### The Pillar of Good Faith

The effectiveness of this process rests entirely on the principle of good faith. In practical terms, this commitment is demonstrated through several key behaviours:

- **Mutual Recognition:** Acknowledging the legitimacy of the representative organizations involved.
- **Constructive Dialogue:** Engaging in sincere and meaningful discussions rather than superficial meetings.
- **Sincere Effort:** Demonstrating a genuine intent to reach a workable settlement.
- **Efficiency:** Preventing unnecessary or tactical delays that stall progress.
- **Integrity:** Honouring all pledges and fully executing the agreement once it is signed.

### The following will elaborate on the principles of good faith negotiation:

#### 1. The Fundamental Obligation: Genuine and Constructive Engagement

Good faith implies that the parties must make every effort to reach an agreement. This is more than just attending meetings; it requires a sincere desire to find common ground.

- **Constructive Approach:** Negotiations should be conducted in a manner that seeks to build trust rather than create or deepen conflict.

- **Best Endeavours:** Both parties are expected to use their best efforts to conclude a collective agreement, adapting to changing circumstances and making mutual concessions where necessary.

### 2. Recognition of Representatives

A primary tenet of good faith is the formal recognition of the bargaining partners.

- **Authority to Bargain:** Employers must recognize representative workers' organizations (unions) for the purpose of collective bargaining.
- **Non-Interference:** Employers should respect the role and authority of the chosen bargaining representatives and refrain from bypassing the union to deal directly with individual employees (a practice often termed "direct dealing" or "surface bargaining").

### 3. Disclosure of Information for Meaningful Negotiation

Information is the lifeline of collective bargaining. Good faith requires that parties have access to the facts necessary for informed decision-making.

- **Enterprise Performance:** Employers should provide workers' representatives with information regarding the performance of the enterprise, including its financial status, to enable a true and fair view of its capacity.
- **Substantiating Claims:** Parties should provide, upon request, information that is reasonably necessary to support or substantiate their claims or responses during the bargaining process.

### 4. Procedural Integrity and Timeliness

The good faith standard applies from the very beginning of the process through to the implementation of the agreement.

- **Avoiding Unjustified Delays:** Deliberate "stalling" or dragging out the process is a breach of good faith. Meetings should be scheduled at reasonable intervals and responded to promptly.
- **Maintaining Momentum:** If negotiations reach a standstill on one item, parties should continue to bargain on other matters where agreement might still be possible.
- **Respecting Agreements:** Once a collective agreement is concluded, both parties must respect and apply it in good faith. This includes honouring social peace clauses (where parties agree not to strike or lockout during the life of the agreement).

### 5. Honesty and Transparency

Good faith is characterized by dealing with each other honestly, openly, and without misleading each other.

- **Prohibition of Deception:** Parties must not use information to mislead or deceive the other side.
- **Consistency:** Positions taken should be consistent; withdrawing consent to provisions already agreed upon without a valid reason can be seen as a sign of bad faith.

### 6. The Role of Pressure and Autonomy

Good faith does not mean the parties must set aside their own interests or reach an agreement at any cost.

### ACTIVITY/GROUP EXERCISE

***Skills for Effective Negotiation***

Role-Play Exercise: "The Productivity-Wage Trade-off"

- **Setup:** Divide the group into 'Management' and 'Worker Representatives'.
- **The Challenge:** Management wants to introduce new automated machinery that requires upskilling but might reduce headcount. Workers want a 10% wage increase to offset inflation.
- **The Goal:** Using the "Do's and Don'ts" of Good Faith Negotiation (see Annex 2), draft an 'Agreement' that includes a productivity bonus or a reskilling guarantee instead of a flat rejection.

### ILO Social Dialogue Flagship Report 2024 – A focus on Collective Bargaining & Inclusiveness

The following is based on global evidence as published by the ILO's **Social Dialogue Report 2024: Peak-level social dialogue for economic development and social progress.**

### Mapping and Enhancing Inclusiveness

- **The Inclusion of Women: From Participation to Influence**
  - A central finding of the ILO 2024 Report is that attaining true gender inclusiveness requires moving beyond mere participation. While women's presence in the workforce is high, inclusiveness in social dialogue is only achieved when women hold leadership positions within decision-making bodies and negotiating teams. For the BEF and its members, this means actively promoting women into industrial relations roles where they can exert actual influence over collective agreements, ensuring that issues like maternity protection and workplace safety are addressed from a position of authority.
- **The Informal Economy Challenge**
  - The inclusiveness of social dialogue institutions is a primary factor in how effectively a country tackles the challenge of informality. Dialogue serves as the essential bridge to formalization. The report emphasizes that productivity is a key driver of formalization; by using dialogue to improve workplace cooperation and skills, informal units are better equipped to transition into the formal sector, gaining access to better markets, finance, and legal protections.
- **Targeted Action for Vulnerable Groups**
  - The 2024 Report's 'Policy Pointers' advocate for targeted action to protect those disproportionately affected by global crises, such as youth and workers in the informal economy. Inclusive bargaining must intentionally include provisions that address the precariousness of these groups. Employers are encouraged to view the inclusion of youth and informal units not as a burden, but as a strategy to build a more robust, skilled, and stable future labour supply.

### Integrating gender equality and inclusiveness in bargaining.

Integrating gender equality and inclusiveness into collective bargaining is essential for achieving social justice and enhancing enterprise productivity. By ensuring that the needs of a diverse workforce are reflected in negotiated agreements, organizations can foster a more resilient and equitable labour market.

### Promoting Gender Diversity in Negotiating Teams

The first step toward inclusive outcomes is ensuring that the bargaining process itself is representative.

- **Balanced Representation:** Actively encouraging the participation of women in trade union leadership and on employer negotiating teams ensures that diverse perspectives are brought to the table.
- **Capacity Building:** Providing gender-sensitivity training for all negotiators helps teams identify and address unconscious biases that might marginalize certain groups during the dialogue process.

- **Consulting Diverse Groups:** Negotiators should hold specific consultations with women workers and underrepresented groups (such as youth or workers with disabilities) to identify their specific priorities before bargaining begins.

### Substantive Topics for Gender-Responsive Bargaining

Collective agreements offer a unique mechanism to address gender-based inequalities that national labour laws may only cover in broad terms.

- **Closing the Gender Pay Gap:** Negotiating for objective job evaluation methods based on "equal pay for work of equal value" and ensuring transparency in wage scales.
- **Work-Life Balance and Care Responsibilities:** Implementing clauses that provide for flexible working arrangements, parental leave beyond the legal minimum, and support for childcare or eldercare responsibilities.
- **Preventing Violence and Harassment:** Incorporating the principles of ILO Convention No. 190 by establishing clear workplace policies, grievance mechanisms, and victim support systems to eliminate violence and harassment, including gender-based violence.
- **Maternity Protection:** Strengthening protections for pregnant and nursing workers, ensuring they are not discriminated against in promotions or training opportunities.

**Note:** *See Annex 3 on "Collective Bargaining & Inclusiveness", for a 'Tool: The Gender-Responsive CBA Checklist', to assist negotiators in moving beyond basic wage discussions and toward inclusive collective agreements.*

### Inclusive Bargaining for Vulnerable and Informal Workers

Inclusiveness extends beyond gender to include workers in non-standard forms of employment.

- **Extending Coverage:** Negotiating for the inclusion of part-time, temporary, and casual workers in the benefits and protections of the collective agreement.
- **Formalization Efforts:** Using peak-level social dialogue to create pathways for workers in the informal economy, such as, domestic workers or street vendors, to join representative organizations and participate in bargaining.
- **Non-Discrimination Clauses:** Explicitly prohibiting discrimination based on race, age, disability, or social origin within the terms of the agreement to ensure all workers are treated with dignity.

### Inclusive Bargaining for Informal Economy Units

- **The Gradualist Approach:** Dialogue in the informal economy often starts with simple information exchange rather than complex collective bargaining.
- **Representation Rights:** Highlighting that under the Bangladesh Labour Act (BLA), even small units can benefit from simplified cooperation structures to prevent disputes that could otherwise severely hamper a micro-enterprise.

### Monitoring and Impact Assessment

To ensure that gender and inclusiveness goals are met, the implementation of the agreement must be tracked.

- **Sex-Disaggregated Data:** Collecting data on the impact of negotiated benefits (e.g., who is using flexible work options) to determine if they are reaching the intended groups.
- **Joint Committees:** Establishing bipartite committees (workplace cooperation committees) dedicated to monitoring gender equality and diversity progress throughout the life of the agreement.

- **Reviewing Outcomes:** Assessing whether the agreement has successfully reduced turnover among women or improved the inclusion of marginalized groups, using these insights to inform the next round of bargaining.

### The Business Case for Inclusiveness

- **Resilience:** Enterprises with inclusive bargaining structures are found to be more resilient during crises, as they could better tailor health and safety measures to the needs of their entire workforce.[15]
- **Talent Retention:** Flexible and inclusive policies reduce labour turnover and help employers attract a wider pool of talent.
- **Social Progress:** Inclusive bargaining acts as a catalyst for broader social progress, identifying balanced solutions to economic and social injustice.

### Services to Women Entrepreneurs

- **Gender-Sensitive Service Design:** EBMOs can provide specialized advisory on labour law compliance tailored for women-owned businesses, who may face different harassment or work-life balance challenges.
- **Mentorship and Networking:** Using social dialogue platforms to connect established male-led firms with emerging women entrepreneurs for knowledge transfer.

**Note:** *See Annex 1 for "The Gender-Inclusiveness Checklist for Negotiators". The Gender-Inclusiveness Checklist is a practical tool that allows employers to move beyond policy statements and into actionable equality during the bargaining process. This Annex will allow employers to print it and use it as a physical guide during their preparation meetings.*

15 Collective bargaining: a policy guide.

# Module 5:

## Workplace Cooperation Mechanisms

The following defines the concept of bipartite workplace cooperation and outlines the various models used to institutionalize regular communication and joint problem-solving between management and workers.

Definition and models of bipartite cooperation committees.

### Definition of Workplace Cooperation

Workplace cooperation refers to the diverse ways in which workers and employers interact at the enterprise level to address issues of mutual concern and achieve common goals. Unlike collective bargaining, which is often adversarial and focused on dividing resources (like wages), workplace cooperation is a non-adversarial process focused on "expanding the pie" through improved efficiency, safety, and employee well-being.

### Core Characteristics:

- Continuing Process: While collective bargaining often occurs at fixed intervals, workplace cooperation is an ongoing, daily interaction.
- Bipartite Nature: It involves direct engagement between the two primary actors of the enterprise: management and the workforce.
- Problem-Solving Focus: The primary aim is to identify and resolve operational and social issues before they escalate into formal disputes.

Models of Bipartite Cooperation Committees

The following defines the concept of bipartite workplace cooperation and outlines the various models used to institutionalize regular communication and joint problem-solving between management and workers.

### Definition and models of bipartite cooperation committees.

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### Models of Bipartite Cooperation Committees

Bipartite committees provide a formal structure for social dialogue. While their names vary by country and company, they generally fall into the following models:

#### *General Purpose Committees (Participation Committees)*

In many jurisdictions, these are the primary vehicles for bipartite cooperation.

- **Definition:** A joint body composed of an equal number of representatives from management and workers.
- **Function:** They serve as a platform for information sharing and consultation on broad issues such as production productivity, worker welfare, and the application of labour laws.
- **Decision-Making:** Decisions are typically reached by consensus, and while often advisory, they

carry significant weight in shaping company policy.

### *Specialized Functional Committees*

These committees focus on specific, technical areas of the workplace that require continuous monitoring.

- **Occupational Safety and Health (OSH) Committees:** These focus exclusively on identifying workplace hazards, preventing accidents, and ensuring compliance with safety standards.
- **Welfare Committees:** Dedicated to managing staff canteens, recreational facilities, and other social services provided by the employer.
- **Training and Productivity Committees:** Focus on identifying skill gaps, organizing training programs, and finding ways to improve technical efficiency.

### *Ad-Hoc Task Forces*

- **Definition:** Temporary bipartite groups formed to address a specific, time-bound issue.
- **Function:** Used for managing major changes, such as the introduction of new technology, restructuring, or responding to a specific crisis.

### *Key BLA Provisions (Section 205 – 208) on Participation Committees (PCs)*

- **Mandatory Formation:** The BLA requires the establishment of a Participation Committee in every establishment where 50 or more workers are normally employed. [16]
- **Composition and Selection:**
  - The committee must consist of an equal number of representatives from both the employer and the workers.
- Primary Functions: The legal mandate of the PC is to promote a sense of partnership and improve workplace relations. Specifically, they are tasked with:
  - Encouraging a sense of belonging and building mutual trust between employers and workers.[17]
  - Ensuring the application of labour laws.
  - Fostering good relations and resolving minor disputes through early dialogue.
  - Promoting welfare services, occupational safety, and health (OSH).
  - Improving productivity and efficiency by discussing operational challenges.[18]

### *Strategic Advice:*

It should be noted that, while PCs are a legal requirement, they should not be used to bypass or undermine a registered trade union's right to collective bargaining. Under the BLA, the PCs role is consultative and cooperative, whereas negotiation on terms and conditions of employment is the legal prerogative of the collective bargaining agent.

### Distinguishing Cooperation from Bargaining

To prevent confusion, it is vital for managers and worker representatives to understand the different roles of these mechanisms:

16 The Bangladesh Labour Act (BLA), 2006.

17 Ibid.

18 Ibid.

| Feature | Collective Bargaining | Workplace Cooperation |
|---|---|---|
| Primary Goal | Negotiation of terms and conditions (Wages/Hours). | Improving enterprise performance and worker satisfaction. |
| Level | Can be national, sectoral, or enterprise-level. | Exclusively at the enterprise or shop-floor level. |
| Outcome | Legally binding agreements (CBAs). | Mutual understandings and advisory decisions. |

### Key Success Factors for Committees

- **Management Commitment:** Senior management must demonstrate that they value the committee's input.
- **Democratic Representation:** Worker representatives should be freely chosen by the workforce to ensure legitimacy.
- **Access to Information:** Committees cannot solve problems without relevant facts regarding the enterprise's operations.
- **Training:** Both sides can greatly benefit from "soft skills" training in active listening and interest-based problem-solving to move away from confrontational habits.

## Benefits of workplace cooperation for innovation and employee engagement.

Workplace cooperation is a powerful driver for both organizational innovation and deep employee engagement. By moving beyond traditional command-and-control management toward a collaborative bipartite model, enterprises can unlock the creative potential of their workforce while building a more resilient labour environment.

### Driving Innovation through Collective Intelligence

Innovation in the workplace rarely comes from top-down directives alone; it often stems from the shop floor where workers interact with processes and technology daily.

- **Tapping into Tacit Knowledge:** Workers possess unique insights into operational bottlenecks and equipment limitations. Bipartite cooperation mechanisms provide a formal channel for this practical knowledge to reach management, leading to incremental innovations in production and service delivery.
- **Reduced Resistance to Change:** Technological advancement (such as, digitalization or automation) can be met with fear of job loss. When workers are consulted through cooperation committees, they are more likely to support and contribute to the successful implementation of new technologies because they feel part of the transition.
- **Joint Problem-Solving:** Cooperation encourages a continuous improvement mindset. Instead of hiding errors, a high-trust environment allows workers and managers to analyse failures together, leading to innovative solutions that prevent recurrence.

### Enhancing Employee Engagement and Motivation

Employee engagement is the emotional commitment an employee has to the organization and its goals. Workplace cooperation is the primary vehicle for building this commitment.

- **Increased Job Satisfaction and Dignity:** Being consulted on workplace issues gives workers a sense of agency and "voice". This recognition of their professional value significantly boosts morale and job satisfaction.
- **Improved Information Flow:** One of the greatest barriers to engagement is information asymmetry. Regular communication through bipartite committees ensures workers

understand the enterprise's goals and challenges, aligning their individual efforts with the company's success.

- **Trust and Mutual Respect:** As managers and workers successfully resolve small issues together, trust grows. This "trust equity" makes the enterprise more resilient during economic downturns, as workers are more likely to stay committed to a firm that has historically respected their input.

### The Business Case: Tangible Organizational Benefits

The synergy between innovation and engagement leads to measurable improvements in enterprise performance:

- **Lower Labour Turnover and Absenteeism:** Engaged workers are less likely to leave the firm or stay away from work. This reduces the significant costs associated with recruiting and training new staff.
- **Enhanced Productivity:** The combination of better-optimized processes (innovation) and a motivated workforce (engagement) directly results in higher output and better quality control.
- **Proactive Conflict Resolution:** Workplace cooperation acts as an early-warning system. By resolving concerns at the source, the enterprise avoids the high costs of formal grievances, strikes, or labour court litigation.

### The Value-Add of Cooperation

| Area | Traditional Management | Bipartite Cooperation Model |
|---|---|---|
| Innovation | Directed by experts/R&D only. | Crowd-sourced from the shop floor. |
| Engagement | Transactional (Pay for Work). | Relational (Partnership for Growth). |
| Change | Imposed (leads to resistance). | Negotiated (leads to ownership). |
| Conflict | Reactive (wait for the dispute). | Proactive (solve at the source). |

**Source:** *Adapted from ILO Workers' Representatives Convention, 1971 (No. 135) and Recommendation No. 143; and ILO Workplace Cooperation: An Introductory Guide.*

### Strategic Insight for BEF Members

Workplace cooperation should not be viewed as a "soft" human resource initiative but as a core business strategy. In a globalized market, the ability to innovate faster and retain skilled labour through high engagement is a key competitive advantage.

### Designing and sustaining joint consultation structures.

Designing and sustaining joint consultation structures requires a shift from hierarchical management to a collaborative, bipartite approach. These structures, often called Participation Committees or Joint Consultative Committees (JCCs), must be carefully built to ensure they are both representative and effective.

### Operational Dynamics: Making Consultations Effective

Design alone does not guarantee success; the "how" of the consultation is just as important as the "who".

- **Agenda Setting:** The agenda should be prepared jointly. Both sides must have the right to place items on the agenda to ensure that the committee addresses the real concerns of the shop floor.
- **Information Sharing:** Consultation is only meaningful if it is informed. Management must provide the committee with relevant facts and figures regarding the enterprise's performance or proposed changes in a timely manner.
- **Two-Way Communication:** The committee must not become a "black hole". Members have

a responsibility to report back to their respective constituents, management to the board, and workers to the general workforce, to ensure transparency.

### Sustaining the Structure: Long-Term Vitality

Many joint structures fail after an initial period of enthusiasm. Sustaining them requires continuous investment in the relationship.

- **Capacity Building and Training:** Joint training sessions for both managers and workers on soft skills, such as, active listening, consensus building, and interest-based problem solving, help break down adversarial habits.
- **Demonstrating Impact (The "Quick Wins"):** To maintain worker interest, the committee must be able to show tangible results. Addressing small but visible issues early on (e.g., improving canteen food or workplace lighting) builds the trust equity needed for larger challenges.
- **Senior Management Commitment:** If the committee's recommendations are consistently ignored by top leadership, it will quickly lose credibility. Senior managers must demonstrate that they value the committee as a strategic partner in the enterprise.
- **Regular Self-Assessment:** The committee should periodically review its own performance.
  - Are meetings happening on time?
  - Are decisions being implemented?
  - Is the labour turnover or grievance rate improving?

### Checklist for Sustaining Bipartite Committees

| Requirement | Action Item |
|---|---|
| Trust | Does management share information before final decisions are made? |
| Power | Do worker representatives feel safe to speak without fear of retaliation? |
| Resources | Is the committee provided with a meeting space and time during working hours? |
| Integrity | Are minutes recorded accurately and distributed to all PC members? |

### Strategic Note

Sustaining these structures is a hedge against industrial unrest. When workers feel they have a structured, peaceful way to influence their working environment, they are less likely to resort to the disruptive power-based tactics which can sometimes be seen in unorganized labour environments.

**Note:** *See Annex 4 "Workplace Cooperation Mechanisms", for a 'Tool: Sample Meeting Agenda and Minutes (Participation/Safety Committee)'.*

### Aligning cooperation mechanisms with enterprise objectives.

To ensure that workplace cooperation is not viewed merely as a secondary administrative exercise, it must be strategically aligned with the core mission and operational goals of the enterprise. When bipartite mechanisms are integrated into the business strategy, they become powerful engines for sustainable growth and stable labour relations.

### Integrating Social Dialogue into Strategic Planning

Workplace cooperation should be positioned as a primary tool for achieving the enterprise's long-term vision rather than an isolated HR function.

- **Shared Vision Development:** Cooperation mechanisms succeed when management and worker representatives work toward a shared destination. This involves management sharing the enterprise's strategic objectives, such as, market expansion, quality improvements, or

sustainability goals, with the committee to align worker efforts with these targets.

- **Proactive Adaptation to Change:** Enterprises frequently face the need to restructure or adopt new technologies. By aligning cooperation with these objectives, management can use bipartite committees to design implementation plans that minimize disruption and gain worker "buy-in", ensuring that technical changes meet business Key Performance Indicators (KPIs).

### Mapping Cooperation to Operational Performance (KPIs)

To sustain management commitment, cooperation must demonstrate a clear contribution to the bottom line and operational excellence.

- **Productivity and Efficiency Goals:** Bipartite committees can be tasked with identifying waste in the production process or suggesting workflow improvements. When the committee's agenda includes "productivity enhancement", it directly supports the enterprise objective of cost-efficiency.
- **Quality Control:** In many high-performing enterprises, joint "Quality Circles" or sub-committees focus on reducing defects. This aligns the interests of workers (who take pride in their work) with the company's objective of maintaining a high-quality brand reputation.
- **Occupational Safety and Health (OSH) as a Business Objective:** Reducing workplace accidents is both a social responsibility and a financial necessity. Aligning OSH committees with the enterprise objective of "Zero Harm" reduces insurance premiums, legal risks, and labour downtime.

### Fostering a Culture of "Total Engagement"

Strategic alignment requires moving from a culture of conflict to a culture of cooperation where human capital is viewed as the enterprise's greatest competitive advantage.

- **Information Transparency:** For alignment to work, management must provide the committee with relevant information regarding the enterprise's economic situation and future prospects. This informed cooperation allows workers to understand why certain business objectives (like cost-cutting or overtime shifts) are necessary for survival or growth.
- **Incentivizing Alignment:** Enterprises can align individual goals with company objectives by negotiating gain-sharing schemes through their cooperation committees. When workers see a direct link between the enterprise's success and their own welfare, their engagement becomes self-sustaining.

### Framework for Strategic Alignment

| Enterprise Objective | Role of Cooperation Mechanism | Expected Outcome |
|---|---|---|
| Market Competitiveness | Jointly identifying ways to improve product quality and innovation. | Higher market share and customer loyalty. |
| Cost Management | Seeking worker input on reducing material waste and energy consumption. | Improved margins and reduced operational overhead. |
| Labour Stability | Resolving grievances locally and early to prevent industrial action. | Continuity of production and reduced legal costs. |
| Digital/Green Transition | Consulting on the skills needed for new technology or eco-friendly processes. | Faster implementation and a future-ready workforce. |

### Sustaining Alignment through Regular Review

The alignment must be dynamic. Joint committees should periodically evaluate whether their activities are supporting the current business cycle.

- **Annual Reviews:** Use the end of the financial year to assess how committee decisions contributed to meeting company targets.
- **Closing the Feedback Loop:** Management should explicitly acknowledge when a committee suggestion led to an improvement in a business metric, reinforcing the value of the bipartite partnership.

ILO Social Dialogue Flagship Report 2024 – A focus on Collective Workplace Cooperation & Productivity

The following is based on global evidence as published by the ILO's **Social Dialogue Report 2024: Peak-level social dialogue for economic development and social progress.**

**Inclusiveness as a Productivity Driver**

- The Lighthouse Effect
  - The ILO Social Dialogue Report 2024 introduces the concept of the 'Lighthouse Effect'. This occurs when improvements achieved through social dialogue in the formal sector, such as, higher safety standards, improved minimum wages, or better grievance handling, serve as a beacon for the rest of the economy. For instance, when organizations implement high-standard cooperation mechanisms, they positively influence conditions in the informal economy by setting a benchmark for decent work that informal units eventually strive to emulate to remain competitive.
- Sustaining the Social Contract through the Twin Transition
  - Inclusive workplace cooperation is the linchpin for managing the Twin Transition, which is the simultaneous shift toward digital automation and a green economy. As organizations adopt new technologies, social dialogue ensures that these shifts do not lead to further labour segmentation or the exclusion of less-skilled workers. By involving workers in the transition planning, employers can ensure that technological adoption leads to productivity gains that are shared, thereby sustaining the social contract and ensuring long-term industrial peace.

# Module 6:

## Tools for Effective Communication and Conflict Resolution

To establish a high-trust workplace, communication must move beyond the mere transmission of instructions. According to ILO Recommendation No. 129, effective communication is a two-way process that ensures management is informed of the aims and feelings of the workers, and workers are informed of the intentions and spirit in which management decisions are taken.

### Communication techniques to promote a culture of openness and mutual respect.

Structural Communication: The Two-Way Flow (R129 Principles)

Effective communication is not a top-down broadcast; it is a multi-directional exchange. ILO Recommendation No. 129 emphasizes that communication must be two-way to prevent misunderstandings that lead to labour disputes.

- **Top-Down (Informative):** Management must provide clear, timely information regarding the general conditions of the enterprise, safety regulations, and any changes that affect the workforce.
- **Bottom-Up (Expressive):** Workers must have channels to express their suggestions, grievances, and reactions to management policies without fear of reprisal.
- **Horizontal (Peer-to-Peer):** Encouraging dialogue between different departments or work units to ensure organizational cohesion.

### Active Listening and Empathy

Mutual respect is built when parties feel heard. Active listening is a core competency for managers and worker representatives alike.

- **The "Wait and Reflect" Technique:** Instead of formulating a rebuttal while the other person is speaking, managers should wait for the speaker to finish and then summarize what they heard (e.g., "If I understand correctly, your main concern is..."). This validates the speaker's feelings even if management does not agree with the point.
- **Empathetic Engagement:** Understanding the human factor behind a request. For example, a worker's request for shift changes might be driven by childcare needs; acknowledging this human context builds respect.

### Transparency and Information Sharing

Openness is the antidote to rumours in the enterprise grapevine, which often fuels industrial unrest. R129 suggests that communication should include:

- **Enterprise Performance:** Sharing information on the economic and financial situation of the undertaking (to the extent it does not prejudice the business).
- **Future Prospects:** Providing a look ahead regarding production schedules and potential restructuring.
- **The "Why" Factor:** Decisions should always be accompanied by an explanation of the reasons behind them. Knowing why a decision was made reduces the perception of arbitrariness.

### Methods and Media for Communication

To sustain a culture of openness, an enterprise should use a mix of formal and informal tools:

- **Meetings and Briefings:** Regular town hall meetings or shop-floor briefings where management is present to answer questions directly.
- **Written Media:** House journals, newsletters, and digital notice boards to provide a permanent record of information.
- Suggestion Schemes: Formal boxes or digital portals where workers can submit ideas for

innovation or improvement anonymously, ensuring that the quiet voices are also heard.

- **Social Media/Instant Messaging:** Using controlled internal groups for rapid updates, ensuring that all labour tiers receive the same information simultaneously.

### Overcoming Barriers to Mutual Respect

Managers must be trained to identify and eliminate communication noise:

- **Language and Technical Jargon:** Information should be presented in a language and style that all workers can understand. Avoid overly legalistic or technical terms when explaining labour policies.
- **Cultural Sensitivity: I**n diverse workforces, respect is maintained by understanding cultural nuances in communication styles, body language, and hierarchy.
- **The Open Door Policy:** A genuine open-door policy requires that managers are not just physically available, but approachable. If a worker feels intimidated to enter an office, the "open door" is effectively closed.

### Summary: The Elements of Effective Communication (R129)

| Feature | Description |
|---|---|
| Authenticity | Communication must be sincere and not used as a tool for manipulation. |
| Timeliness | Information must be shared before a decision is finalized, allowing for consultation. |
| Consistency | The message from senior management must match the message from line supervisors. |
| Completeness | Sharing both the good news (successes) and the bad news (challenges). |

### Strategic Insight for Employers

A culture of openness is a risk-management strategy. When communication channels are robust, grievances are identified while they are small and manageable. By the time a dispute reaches a formal labour court, it is usually a sign that the communication techniques mentioned above have failed.

### Proactive dispute resolution approaches at enterprise, sectoral, and national levels.

To build a stable industrial relations environment, dispute resolution must shift from a reactive model to a proactive framework that identifies and mitigates conflict before it escalates. Proactive dispute resolution strategies designed to move away from adversarial, litigious processes toward collaborative, interest-based solutions. This approach emphasize the importance of early intervention and structured dialogue.

### Proactive Dispute Resolution Approaches

#### Enterprise Level:

At the enterprise level, the goal is to resolve issues as close to their point of origin as possible, and to resolve issues internally through bipartite cooperation. This prevents minor conflict from becoming major labour disputes.

- **Two-Way Communication:** Effective communication is the first line of defence. Employers should establish channels that allow workers to understand the "why" behind business decisions, reducing the likelihood of disputes based on perceived unfairness or lack of transparency.
- **Formal Grievance Procedures:** Every enterprise should have a clear, written procedure for examining grievances. Proactive features include:
  - Immediacy: Grievances should be examined rapidly to prevent frustration from festering.
  - Right of Representation: Workers should have the right to be assisted by a trade union

representative or another person of their choice during the process.

- No Retaliation: The procedure must guarantee that a worker can file a grievance without suffering any prejudice.

- **Joint Consultative Committees:** Regular meetings between management and worker representatives to discuss operational issues (non-conflictual) often identify potential areas of friction (conflictual) before they result in a formal dispute.
- **Interest-Based Negotiation:** Instead of positional bargaining (where one side wins and the other loses), employers are encouraged to use interest-based techniques that focus on mutual gains and underlying needs.
- **Capacity Building for Line Managers:** Sometimes, disputes escalate because mid-level supervisors lack the communication skills to handle a complaint constructively. Training line managers in active listening and conflict management is a critical proactive step.

### Sectoral Level:

Sectoral approaches harmonize conditions across an industry, preventing unfair competition, which is a frequent source of conflict.

- **Collective Bargaining for Predictability:** Sectoral collective agreements establish a "floor" for wages and conditions, reducing the number of individual enterprise disputes by providing a clear, industry-wide legal framework. It also reduces "poaching" of staff and industrial unrest caused by inter-company disparities.
- **Sectoral Dispute Resolution Bodies:** Many industries establish bipartite boards (composed of equal numbers of employers and workers) to mediate/conciliate disputes specific to that sector. These bodies have specialized technical knowledge (e.g., in construction or textiles) that general courts lack, allowing for faster and more relevant solutions.
- **Early Warning Systems:** Peak-level sectoral organizations can monitor industry trends (such as impending layoffs due to automation) and negotiate transition frameworks proactively rather than reacting to strikes.

### National Level:

At the national level, the state and social partners create the rules that encourage peaceful resolution.

- **Peak-Level Social Dialogue:** High-level tripartism, involving government, central employer organizations, and trade union federations, is used to reach national social pacts. These pacts often include peace clauses where parties agree to avoid industrial action in exchange for predictable wage or policy adjustments.
- **Independent Mediation and Conciliation Services:** The state should provide free, accessible, and independent services to help parties reach voluntary agreements. These services are very effective when they offer "preventative mediation/conciliation", engaging with parties during the bargaining process before a deadlock is reached.
- **National Tripartite Councils:** Permanent bodies that advise the government on labour law reforms. By involving social partners in the drafting of legislation, the government ensures that new laws are seen as legitimate and are less likely to be the subject of national protests or disputes.

### Comparison of Dispute Resolution Approaches

| Level | Primary Mechanism | Key Proactive Tool |
|---|---|---|
| Enterprise | Bipartite Dialogue | Grievance procedures & JCCs |
| Sectoral | Employer-Union Federations | Sectoral bargaining & mediation |
| National | Tripartite Institutions | Tripartite Consultative Council (TCC) & Labour Law reform |

### Whistleblowing, Non-Retaliation, and Trust Protection

A credible social dialogue system requires workers, supervisors, and managers to be able to raise concerns without fear. Whistleblowing channels should complement—not replace normal grievance and dialogue mechanisms.

- **Define reportable concerns:** serious legal violations, safety risks, corruption, harassment, falsification of records, retaliation, or obstruction of worker representation.
- **Provide safe channels:** HR focal point, hotline/email, suggestion box, worker representative channel, or designated ethics officer. At least one channel should allow confidential reporting.
- **Protect against retaliation:** prohibit dismissal, demotion, threats, harassment, blacklisting, shift punishment, wage deductions, or other adverse treatment because a concern was raised in good faith.
- **Set response steps:** acknowledge receipt, assess urgency, investigate fairly, document findings, communicate outcome where appropriate, and track corrective action.
- **Protect all parties:** maintain confidentiality, avoid prejudging allegations, and prevent malicious or knowingly false reports through fair procedures.

### Summary of Key Principles

To be truly proactive, dispute resolution must be **voluntary** (parties should be encouraged to solve problems themselves), **accessible** (no high costs or complex legal hurdles), and **fair** (based on mutual respect and the recognition of rights).

# Module 7:
## Implementation and Action Planning

The following section translates social dialogue principles into concrete workplace improvements by embedding them within the organization's Human Resource (HR) policies and management systems. It also integrates international best practices with the core principles of social dialogue, such as, information exchange, consultation, and negotiation, which were outlined in the previous modules.

### Integrating social dialogue principles into HR policies and management systems.

For social dialogue to be sustainable, it must move beyond ad-hoc meetings and become part of the organisational DNA. Effective social dialogue is not merely an external requirement; it is a core management tool that, when integrated into HR systems, it promotes a healthy collaborative culture, improves working conditions, and enhances organizational performance. For employers, this integration involves moving from a reactive conflict-management approach to a proactive, generative culture of cooperation.

### Strategic Alignment and Policy Formulation

The first step is to ensure that the enterprise's overarching HR strategy explicitly recognizes social dialogue as a value and a mechanism for success.

- **Adopting a Social Dialogue Policy:** Companies can implement a formal policy committed to open, transparent, and constructive dialogue
- **Defining Responsibilities:** Clearly outline the roles of management in facilitating dialogue, HR in coordinating activities and providing resources
- **Integrating with General Management:** Social dialogue and related systems, such as Occupational Safety and Health (OSH) management, should be integrated into the business' general management structure rather than being treated as isolated functions.
- **Labour-Management Cooperation (LMC):** Move from a compliance-only mindset to a Cooperation Model where social dialogue is seen as a driver of productivity and labour peace.

### Embedding Dialogue into Core HR Functions

Social dialogue principles should be woven into the daily functions of the HR department to ensure they are practiced consistently.

- **Recruitment and Orientation:** Incorporate the organization's commitment to mutual respect and open communication into recruitment criteria and onboarding processes to set expectations from day one.
- **Performance Management:** Shift from unilateral appraisals to a bipartite process where goal-setting and feedback are results of a dialogue between the supervisor and employee.
- **Training and Development:** Invest in training for both managers and workers on effective communication, negotiation skills, and interest-based bargaining to build the institutional capacity for dialogue.
- **Compensation and Benefits:** Use social dialogue tools to discuss wage systems and the sharing of enterprise profits, ensuring transparency in how these are calculated to increase worker buy-in and motivation.

### Establishing Structured Workplace Cooperation Mechanisms

Practical implementation requires the creation of formal channels where dialogue can take place regularly.

- Bipartite Committees: Strengthen or establish workplace labour-management committees (such as Participation Committees) to resolve issues of common concern through regular consultation.
- Information Sharing Systems: Develop a systematic provision of accurate personnel, financial, and organizational information to workers to build trust and eliminate misunderstandings.

- **Feedback Loops:** Establish multiple, accessible avenues for feedback, such as surveys, suggestion boxes, and open forums, ensuring that worker input is visibly valued and acted upon.

### Proactive Dispute and Grievance Management

A robust HR system must have internal mechanisms to prevent minor issues from escalating into formal legal disputes.

- **Grievance Handling Procedures:** Develop clear, written procedures for handling workplace grievances that emphasize early, informal resolution through dialogue.
- **Internal Mediation:** Train HR professionals to act as objective mediators in workplace disputes, focusing on the needs and interests of the parties rather than purely adversarial legal positions.
- **Transparency and Confidentiality:** Ensure the process protects the confidentiality of those involved and provides clear assurances against retaliation for raising concerns.

### Monitoring and Continuous Improvement

To ensure social dialogue remains effective, it must be measured and refined like any other business process.

- **Evaluation Metrics:** Track key indicators such as employee satisfaction scores, the number of internal conflicts resolved, and the impact of dialogue-based changes on productivity.
- **Annual Reporting:** Report on social dialogue activities and outcomes to all stakeholders to maintain transparency and reinforce the organization's commitment.
- **Adapting to Change:** Regularly review and update HR policies to reflect new working arrangements, such as remote work, and to incorporate lessons learned from previous dialogue cycles.

### Monitoring progress and measuring the impact of social dialogue initiatives.

### Why Monitor and Measure?

Monitoring is not merely an administrative task; it is a business necessity. Effective measurement allows enterprises to:

- **Demonstrate ROI:** Show how dialogue reduces the cost of conflict (e.g., strikes, work stoppages, legal fees).
- **Build Trust:** Transparently sharing progress with workers' representatives proves that management is acting in good faith.
- **Identify Early Warning Signs:** Spot deteriorating labour relations before they escalate into formal grievances or industrial action.
- **Ensure Compliance:** Track alignment with the Bangladesh Labour Act and international buyer requirements (RMG sector).

### Key Performance Indicators (KPIs) for Employers

To measure the success of social dialogue, enterprises can track a mix of quantitative and qualitative indicators such as the following:

| Category | Indicator | What it Measures |
|---|---|---|
| Institutional | Meeting Frequency & Attendance | Consistency and commitment of both management and worker reps to Participation Committees (PC). |

| | | |
|---|---|---|
| | Information Disclosure Rate | The percentage of worker requests for information (financials, safety data) fulfilled by management. |
| Industrial Relations | Collective Bargaining Coverage | Percentage of the workforce covered by a valid Collective Bargaining Agreement (CBA). |
| | Grievance Resolution Rate | Percentage of grievances resolved at the enterprise level without moving to the Labour Court. |
| | Days Lost to Industrial Action | Direct measurement of the cost of failed dialogue (strikes/lockouts). |
| Business Impact | Labour Productivity Index | Improvements in output per hour following the implementation of dialogue-based reforms. |
| | Employee Turnover Rate | Reduction in brain drain and recruitment costs due to a better workplace climate. |
| | Absenteeism Rate | Correlation between improved dialogue and worker motivation/health. |

### Qualitative Assessment: The Climate Survey

Numbers do not always tell the whole story. Employers can conduct annual or bi-annual Workplace Cooperation Audits using simple perception questions. Surveys that are jointly designed and implemented with workers' representatives may have a better answer rate.

Tools for Monitoring

- **The Social Dialogue Dashboard:** A simple monthly report for senior management that tracks the KPIs mentioned above.
- **Joint Monitoring Committees:** A small group composed of both management and worker representatives that reviews the progress of agreed-upon action plans.
- **External Audits:** Utilizing advisory services or third-party auditors to provide a health check on industrial relations.

### Translating Data into Action

The monitoring process must result in a **Feedback Loop:**

1. **Review:** Quarterly review of the Social Dialogue Dashboard.
2. **Consult:** Discuss the findings with the Participation Committee or Trade Union.
3. **Adjust:** If the Grievance Resolution Rate is falling, invest in mediation training for supervisors.
4. **Report:** Communicate the successes (e.g., "Social dialogue led to a 10% reduction in waste this year") to shareholders and buyers to enhance the brand's reputation.

### Practical Tip for BEF Members:

Do not wait for a crisis to check the indicators. A sudden drop in Participation Committee attendance or an increase in anonymous complaints is often a leading indicator of upcoming industrial unrest. Use these metrics as an early warning system.

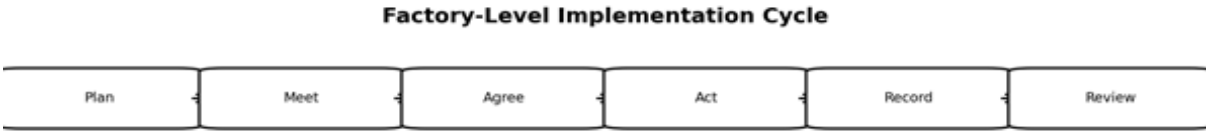
### ACTIVITY/GROUP EXERCISE

Impact Monitoring

***Group Work: "Designing Your Social Dialogue Dashboard"***

- **Instructions:** Using a flipchart, groups must select 5 Key Performance Indicators (KPIs) that according to you can best measure the success of their social dialogue
- **Constraint:** Include at least one KPI from each category (Institutional, Industrial Relations, and Business Impact)

### Enterprise-Level Follow-Up Cycle




### The implementation cycle should be simple and visible:

**PLAN → MEET → AGREE → ACT → RECORD → REVIEW.**

- **Plan:** identify priority issues using grievance records, absenteeism data, OSH reports, production indicators, and worker feedback.
- **Meet:** convene the correct mechanism—Participation Committee, Safety Committee, union-management meeting, grievance meeting, or management briefing.
- **Agree:** record decisions, responsible persons, resources, and deadlines.
- **Act:** supervisors and responsible departments implement agreed actions.
- **Record:** HR/IR maintains minutes, action trackers, grievance logs, and training records.
- **Review:** senior management and worker representatives review progress monthly or quarterly and escalate unresolved matters.

### Data File

Keep one updated file containing: social dialogue policy, committee member lists, meeting calendar, notices, minutes, action tracker, grievance/whistleblowing log, training attendance, KPI dashboard, and follow-up reports.

### BEF support services and follow-up mechanisms.

The transition from learning about social dialogue to implementing it on the factory floor requires sustained institutional backing. The following outlines the ongoing technical assistance, advisory services, and institutional support provided to ensure that social dialogue is effectively institutionalized. As the representative voice of employers in Bangladesh, the Bangladesh Employers' Federation (BEF) should be able to provide a suite of specialized services designed to help member enterprises navigate the complexities of labour relations and maintain industrial peace.

### Technical Advisory and Legal Support

Can offer direct technical assistance to ensure that enterprise-level dialogue mechanisms are both legally compliant and operationally effective.

- **Compliance Audits:** Experts can provide health checks on existing workplace cooperation structures, ensuring that Participation Committees (PCs) and Safety Committees are formed and functioning in strict accordance with the Bangladesh Labour Act (BLA).
- **Collective Bargaining Assistance:** For enterprises entering negotiation cycles, can provide advisory support on drafting collective agreements, ensuring they are sustainable, commercially viable, and aligned with national laws and international labour standards.
- **Legal Interpretation:** Can provide members with updates and interpretations of new labour

laws, rules, and tripartite decisions (such as Minimum Wage Board gazettes) to prevent disputes arising from information gaps.

### Capacity Building and Specialized Training

Can maintain a continuous learning ecosystem for management.

- **Bespoke In-House Training:** Tailored workshops for mid-level supervisors and HR managers on soft skills like active listening, non-violent communication, and labour rights.
- **Training of Trainers (ToT):** Assists large enterprises in developing internal champions who can independently train new staff on the enterprise's social dialogue protocols.
- **Joint Training Sessions:** Facilitating sessions where both management and worker representatives learn together to build mutual trust and a shared understanding of productivity and safety.

### Networking and Best-Practice Sharing

Should serve as a platform for peer-to-peer learning, allowing members to learn from the successes and challenges of others in the Bangladesh industrial landscape.

- **Sectoral Learning Circles:** Periodic meetings where HR directors from similar sectors (e.g., RMG, Leather, Pharmaceuticals) share case studies of successful bipartite cooperation.
- **Employer Excellence Awards:** Recognition programs for member enterprises that demonstrate outstanding results in productivity and industrial harmony through effective social dialogue.

### Follow-up and Sustainability Mechanisms

To ensure the long-term impact a structured follow-up process can be implemented:

- **The Helpdesk:** A dedicated communication channel (email/phone) where member enterprises can seek immediate advice on labour relations issues.
- **Periodic Impact Surveys:** Conduct annual surveys to measure how the implementation of social dialogue has influenced key metrics like productivity, worker turnover, and dispute frequency.
- **Digital Resource Library:** Access to standardized templates for meeting minutes, grievance logs, and labour policy templates through a member portal.

### Linkages to National and International Platforms

Ensures that enterprise-level concerns are heard at the highest levels of policy-making.

- **Tripartite Representation:** Should carry the feedback from individual members to the Tripartite Consultative Council (TCC) and other national policy forums, ensuring that labour policies remain business-friendly and realistic.
- **ILO Collaboration:** Through partnership with the ILO, it can provide members with access to global best practices and international buyer engagement strategies, helping enterprises meet the labour compliance demands of global brands.

### Bangladesh Employers' Federation (BEF) key functions and services :[19]

Representative Character and Influence

- **Broad Representation:** The Federation represents nearly 90% of private-sector employers and all major public-sector corporations (e.g., jute, textile, chemical, and power).
- **National Recognition:** Recognized by the government as the sole representative of employers,

19 Bangladesh Employers' Federation (BEF), About us, key functions.

it holds seats on vital bodies like the National Tripartite Consultative Committee, the Minimum Wages Board, and Labour Courts.

- **International Links:** It represents Bangladesh's employers at the International Labour Organization (ILO) and maintains ties with the International Organisation of Employers (IOE).

### Advisory and Legal Services

- **Industrial Relations:** Provides direct advice on collective bargaining, wage negotiations, disciplinary actions, and the interpretation of labour laws.
- **Court Representation:** It actively represents employers in the country's seven Labour Courts and the Minimum Wages Board to safeguard business interests.
- **Information Sharing:** Distributes weekly situation reports and a monthly bulletin ("Labour News") to keep members updated on legal changes, court decisions, and labour trends.

### Operational Support and Training

- **Productivity Improvement:** Offers consultancy in modern management techniques, including work studies, inventory management, and the creation of incentive schemes.
- **Human Resources & Welfare:** Facilitates monthly meetings in Dhaka and Chittagong for personnel and labour welfare officers to exchange views and reach a consensus on common problems.
- **Professional Development:** Regularly organizes management training seminars and workshops facilitated by national and international experts.

### National Policy Role

- **Strategic Input:** Acts as a key advisor to the Ministry of Labour and Employment in formulating national policies and plans regarding industrial relations.
- **Standard Setting:** Reviews and comments on international ILO Conventions and Recommendations to ensure they align with the national economic context.

### Summary of module

This module has provided a comprehensive roadmap for operationalising social dialogue within the enterprise, moving from theoretical understanding to practical, measurable action. By establishing structured monitoring systems, developing enterprise-specific action plans, and leveraging the support services of the Bangladesh Employers' Federation (BEF), employers can transform labour relations from a potential source of conflict into a strategic asset for business sustainability.

### Key Takeaways for Employers

- **Dialogue as a Continuous Process:** Social dialogue is not a one-off event but a continuous management loop of engagement, implementation, and refinement.
- **Measurement Drives Improvement:** Utilizing both quantitative and qualitative Key Performance Indicators (KPIs) allows management to demonstrate the tangible return on investment (ROI) of dialogue, such as improved productivity and reduced turnover.
- **Joint Ownership is Essential:** For an action plan to be effective, it must be developed and monitored jointly with worker representatives, ensuring buy-in and fostering a culture of mutual trust.
- **Compliance is the Foundation:** Effective dialogue ensures that the enterprise remains in strict alignment with the Bangladesh Labour Act and international labour standards, which is critical for reputation and buyer compliance.

- **BEF is Your Strategic Partner:** Employers are not alone in this journey; the BEF provides essential technical advisory, legal support, and other services to help navigate complex industrial relations.

### Final Reflection

Strengthening social dialogue is a journey toward professionalising labour relations in Bangladesh. As enterprises adopt these tools, they contribute to a broader national culture of collaboration, ultimately ensuring that economic growth is both inclusive and resilient.

# ANNEXES

# ANNEX- 1

## The Gender-Inclusiveness Checklist for Negotiators

**Phase 1: Composition & Preparation (Before Negotiations)**

- **[ ] Diverse Negotiating Team:** Does the management team include women? (The ILO recommends a minimum of 30% representation to avoid tokenism).
- **[ ] Gender Sensitivity Training:** Have all members of the negotiating team been briefed on gender-based labour issues (e.g., the difference between equal pay for equal work and equal pay for work of equal value)?
- **[ ] Data Collection:** Have you reviewed sex-disaggregated data for the enterprise? (e.g., What is the turnover rate for women vs. men? What is the wage gap between genders in similar roles?).
- **[ ] Consultation:** Has the management team specifically consulted with women entrepreneurs or female supervisors to identify hidden workplace barriers?

**Phase 2: Substantive Agenda (During Negotiations)**

- **[ ] Maternity & Parental Protection:** Does the proposal meet or exceed the Bangladesh Labour Act (BLA) requirements for maternity leave? Are there provisions for return-to-work support?
- **[ ] Violence & Harassment:** Is there a clear commitment to implementing policies in line with ILO Convention No. 190? Does the agreement include a zero-tolerance policy for sexual harassment and a confidential grievance mechanism?
- **[ ] Work-Life Balance:** Are flexible working arrangements, breastfeeding breaks, or childcare facilities (as per BLA Section 94) on the table?
- **[ ] Career Progression:** Do the proposed training and promotion criteria ensure that women have equal access to high-skill roles, even if they have had career breaks for caregiving?

**Phase 3: Implementation & Language (Finalizing the Agreement)**

- **[ ] Gender-Neutral Language:** Is the final document written in inclusive language? (e.g., using 'workers' instead of 'workmen,' and 'chairperson' instead of 'chairman').
- **[ ] Impact Monitoring:** Does the agreement include a requirement to monitor its impact on women and men separately?
- **[ ] Inclusive Communication:** Is the plan for rolling out the agreement accessible to all? (e.g., holding briefing sessions at times when workers with caregiving responsibilities can attend).

*This checklist is designed based on the ILO's **Gender Equality: A Guide to Collective Bargaining** and other gender-related principles and practices ANNEX 2.*

*Skills for Effective Negotiation*

*Tool: "Dos and Don'ts" for Good Faith Negotiation*

*Purpose: To provide quick-reference guidance during bargaining sessions, (also focusing on ILO Convention No. 98 principles).*

# ANNEX- 2

### Skills for Effective Negotiation

*Tool: "Dos and Don'ts" for Good Faith Negotiation*

**Purpose:** To provide quick-reference guidance during bargaining sessions, (also focusing on ILO Convention No. 98 principles).

| DO | DON'T |
|---|---|
| Do provide relevant information and data to the other party to facilitate informed bargaining. | Don't delay meetings or use 'stall tactics' to avoid reaching an agreement. |
| Do acknowledge and respect the representatives chosen by the workers. | Don't attempt to bypass the union/collective bargaining agent to negotiate directly with individual workers. |
| Do maintain a 'problem-solving' mindset, and look for 'win-win' solutions on productivity. | Don't make 'take-it-or-leave-it' offers (Boulwarism), which suggests a lack of intent to bargain. |
| Do ensure that any agreement reached is documented in writing and shared with all staff. | Don't retaliate against worker representatives for positions taken during the negotiation. |

# ANNEX- 3

### Collective Bargaining & Inclusiveness

*Tool: The Gender-Responsive CBA Checklist*

Purpose: To assist negotiators in moving beyond basic wage discussions and toward inclusive agreements that supports women.

- **Key Clauses to Include:**
  - **[ ] Wage Equity:** Commitment to "Equal pay for work of equal value" (ILO Convention No. 100).
  - **[ ] Maternity & Care:** Provisions maternity leave, for breastfeeding breaks and return-to-work support after maternity leave (BLA & ILO Convention No. 183).
  - **[ ] Work-Life Balance:** Options for flexible shift patterns or compressed work weeks for workers with family responsibilities.
  - **[ ] Anti-Harassment:** Explicit adoption of a zero-tolerance policy for sexual harassment (ILO Convention No. 190).

# ANNEX- 4

### Workplace Cooperation Mechanisms

Tool: Sample Meeting Agenda and Minutes (Participation/Safety Committee)

Purpose: To professionalise the bipartite relationship and ensure compliance with the Bangladesh Labour Rules, 2015, which require documented proceedings.

Draft Content:

- Agenda Items:

  (1) Review of previous minutes;

  (2) Production and efficiency updates;

(3) Occupational Safety and Health (OSH) report;

(4) Welfare and canteen facilities;

(5) Employee suggestions/grievance trends;

(6) Date of next meeting.

**Bonus: T**he following Annex (Annex 5) includes a **Minutes Template** with columns for 'Action Item', 'Person Responsible', and 'Deadline' to drive accountability.

# ANNEX- 5

## Workplace Cooperation Mechanisms

*Template: Minutes of the [Participation/Safety] Committee Meeting*

**Company Name:** _____

**Location/Department:** _____

**Date & Time:** _____

**Meeting Ref No:** _____

**1. Attendance**

| Name | Designation | Role (Employer/Worker) | Status (Present/Absent) |
|---|---|---|---|
| _____ | | | |
| _____ | | | |
| _____ | | | |

**2. Review of Previous Minutes**

- Confirmation of whether action items from the last meeting were completed.
- Matters arising from previous discussions.

**3. Agenda Items & Discussion Summary**

1. **Item 1 (e.g., Production/Efficiency):** [Brief summary of the issue discussed and views expressed by both sides].
2. **Item 2 (e.g., Workplace Safety/OSH):** [Details of any safety hazards identified or welfare improvements suggested].
3. **Item 3 (e.g., Compliance/Labour Law):** [Updates on legal requirements or buyer audit preparations].

**4. Accountability & Action Plan (The Decision Matrix)**

*This section is critical for tracking progress and ensuring that social dialogue results in tangible workplace improvements.*

| Action Item / Task | Brief Description of Required Action | Person Responsible (Owner) | Deadline (Target Date) | Status (Open/ Pending) |
|---|---|---|---|---|

_____

| | | | | |
|---|---|---|---|---|
| **Ex:** Repair fire exit signs | Replace damaged signs in Section B | Head of Maintenance | 15 Oct 202X | Open |
| **Ex:** Skill Training | Organize sewing machine OSH training | HR Manager | 20 Oct 202X | Pending |

_____

_____

_____

**5. Any Other Business (AOB)**

- ***Brief mention of miscellaneous points not on the original agenda.***

**6. Date of Next Meeting**

- Proposed Date: _____ Time: _____

**7. Signatures for Validation**

*The BLA and ILO standards emphasize joint ownership; therefore, both the Chairperson (Employer) and Vice-Chairperson (Worker) should sign.*

_____ **Chairperson (Employer Rep)** Date:

_____ **Vice-Chairperson (Worker Rep)** Date:

**Implementation Tips:**

1. **Distribution:** Remind managers that minutes should be circulated to all members within **5 working days** of the meeting.
2. **Transparency:** Post a summary of the 'Action Items' on the notice board. This builds trust by showing workers that their representatives are achieving results.
3. **Record Keeping:** These records should be maintained for a minimum of three years for inspection by the relevant authorities or buyer auditors.

# ANNEX- 6

## Meeting Notification Form (or Notice of Meeting)

**Purpose:** A professional Meeting Notification Form (or Notice of Meeting) is essential to ensure that social dialogue is predictable and legally compliant. According to ILO best practices, providing adequate notice ensures that both employer and worker representatives have time to prepare, review data, and consult their constituents.

*Template: Notice of [Participation / Safety] Committee Meeting*

**To:** All Members of the [Insert Committee Name]

**From:** Secretariat/HR Department

**Date of Notice:** [Insert Date]

**Subject: Notice of the [Insert Meeting Number, e.g., 4th] Ordinary Meeting of 202X**

Notice is hereby given that the next meeting of the **[Insert Company Name] [Participation/Safety]**

**Committee** will be held as follows:

- **Date:** [Insert Date]
- **Time:** [Insert Start Time] to [Insert End Time]
- **Venue:** [Insert Room Name/Location or Virtual Link]
- **Chairperson:** [Insert Name]

**Proposed Agenda:**

1. **Opening:** Welcome and apologies for absence.
2. **Minutes:** Approval of the minutes from the previous meeting held on [Date].
3. **Matters Arising:** Updates on action items from the previous meeting.
4. **Standing Items:**
    - Health, Safety, and Environment (HSE) Report.
    - Production Efficiency and Productivity Updates.
    - Worker Welfare and Facilities (Canteen, Childcare, etc.).
5. **Special Business:** [Insert any specific topic, e.g., Discussion on New Shift Rosters].
6. **Any Other Business (AOB):** Items raised with the permission of the Chair.
7. **Closing:** Date of the next meeting.

**Preparation Requirements:**

Members are requested to review the attached **Draft Minutes** of the previous meeting and the **[Insert Name of Report/Data]** prior to the session. If you wish to propose an additional agenda item, please notify the Secretariat by [Insert Date, e.g., 2 days before meeting].

**[Optional] Attendance Confirmation:** Please confirm your attendance by replying to this notice or signing below by [Date].

**Signed:** _____

**Secretary / HR Representative**

**Implementation Tips:**

- **The 7-Day Rule:** It is recommended to issue the notice and agenda at least 7 days in advance. This prevents information asymmetry where one side feels unprepared, which can lead to distrust.
- **Language Accessibility:** It is a best practice to issue this notice in both all languages spoken in the organization to ensure all worker representatives fully understand the agenda.
- **Supporting Documents:** Always attach the minutes of the previous meeting to the notice. This ensures that the meeting can start immediately with the 'Review of Previous Minutes' rather than the tedious task of reading them aloud.

## ANNEX- 7

### Chairperson's Guide to Productive Meetings

**Purpose:** It provides the 'soft skills' necessary to make the 'hard tools' (the templates) actually work.

*Practical Tool: The Chairperson's Guide to Productive Meetings*

| DO | DON'T |
|---|---|
| Do arrive early to ensure the room is set up and that both employer and worker reps have the necessary documents. | Don't dominate the conversation. Your role is to facilitate the exchange of ideas, not to give a monologue. |
| Do set Ground Rules at the start (e.g., one person speaks at a time, respect all opinions, no mobile phones). | Don't ignore the 'small' issues. Minor grievances left unaddressed often grow into major industrial disputes. |
| Do practice Active Listening. Summarize what a rep has said to ensure you have understood them correctly. | Don't take criticism personally. Professionalize the dialogue by focusing on facts and production data rather than emotions. |
| Do drive toward Action Items. Ensure every discussion point ends with a clear decision: Who will do what by when? | Don't leave the meeting with 'Open Ends'. If a decision cannot be made, agree on a specific date for a follow-up. |
| Do encourage quiet members. Sometimes the most valuable technical insights come from those who speak the least. | Don't allow the meeting to become a Complaint Session. Keep the focus on the agenda items and forward-looking solutions. |

**Chairperson's Emergency Phrases**

When a meeting becomes heated or stalled, use these **recommended facilitation phrases** to bring the dialogue back on track:

- **To de-escalate:** *"I hear that this is a very frustrating issue for the team. Let's look at the data together to see how we can resolve the root cause."*
- **To refocus:** *"That is an important point, but to respect everyone's time, let's stick to the current agenda item and park that topic for 'Any Other Business'."*
- **To seek consensus:** *"We seem to agree on the goal (e.g., increasing safety), even if we disagree on the method. What is one small step we can both agree on today?"*

ITC International Training Centre

# Social Dialogue Handbook: A Toolkit for Employers

Bangladesh Employers' Federation (BEF)