

Decent Work for Informal Workers in Bangladesh: A Quest for Legal Safeguards

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Abstract

By assessing the constitution of the people's republic of Bangladesh, labor-related laws, and international conventions, the scenery of informal workers in Bangladesh is shown under this study. The Constitution of Bangladesh guarantees fundamental rights like non-discrimination in job, equitable pay, and social security etc. for all workers which are insufficiently implementable in case of informal workers. The Bangladesh Labor Act-2006 is to protect workers giving social security, occupational safety, health safety, fair wages both for men and women, etc. and unfortunately these are not clearly expressed for this informal workers' class in our country. This situation leaves them vulnerable to unsafe working conditions, wage imbalance and job insecurity and other so on. International Labor Organization (ILO) plays the most vital role for workers worldwide. Bangladesh has accepted some of the key ILO conventions regarding forced labor, decent working time and equal remuneration whereas not adopted conventions on safe work environment, social security minimum standard etc. Additionally, these gaps block the alignment of labor laws with global perspective and restrain safeguards for informal workers. The study perceives remarkable deficiencies in legal coverage, enforcement, and international agreement with the suggestions of extending Bangladesh Labor Act's protections to informal workers by ratifying related ILO conventions, and raising awareness about workers' rights. Building up these frameworks is hard to ensuring equitable labor practices and achieving the Decent Work Agenda, fostering an inclusive labor market that upholds the dignity and rights of all workers in Bangladesh.

Keywords: Decent Work, Decent work Indicators, Informal workers, Legal safeguards, Constitutional rights, Bangladesh Labor Act, ILO conventions.

1. Introduction

The informal labor force is a significant area of the world economy. Informal employment dominates the labor market, playing a vital role in the country's economy.¹ Around 35% to 88% of Bangladesh's workforce runs within the informal economy that contributes an estimated GDP 49% to 64% of the country.² The Labor Force Survey of 2022 shows that 84.9%³ of the working population is engaged in informal jobs. Women represent 96.6%, compared to 78.4% of men as informal worker according to this survey. Furthermore, the data further highlights that respectively rural areas account for 88.2% (46.64 million) informal workers and urban areas host 74.8% (13.16 million) of such employment. These data emphasize the informal workers' active contribution to Bangladesh's economy.

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In spite of economic significance, informal workers in Bangladesh face unsafe conditions, wages, and the absence of work-related social security etc.⁴ and also frequently meet discrimination, exploitation, and exclusion from legal protections available to formal workers.⁵ They lack access to pension schemes, retirement policies, accident insurance, and even basic employment contracts. Undocumented workers⁶ are entitled to decent work standards under international and national legal framework but they are denied.⁷ Decent work is defined by conditions having fair wages, secure employment, equal opportunities, social protections, and have the freedom to express their opinions.⁸ The absence of these conditions reveals the loopholes in existing legal provisions for informal workers in Bangladesh, calling for urgent reforms.

It is necessary to identify the legal protections for Bangladesh's informal workers to close the gap between the goals of the Decent Work Agenda through Decent Work's ten (10) Indicators (DWI). This study creates a baseline for evaluating protection, gaps and directing reforms to assure informal workers are properly integrated into legal frameworks having their rights and dignity by mapping labor laws and international commitments.

2. Concept of Decent Work

Decent work is a desired goal, yet significant deficits underscore the challenges in making it a reality for all workers, especially informal workers in developing countries like Bangladesh. Bangladesh Labor Act 2006 alone cannot ensure decent work. Labor related laws provide an authoritative framework to clarify what decent work requires in specific and actionable terms for contributing to its Agenda.⁹ It is for promoting opportunities both for male and female securing productive employment consists of freedom, equity, social security, and dignity, according to the ILO's view. This definition highlights the gap between workers' aspirations and their current work realities relevance to informal workers, who most of the time lack basic legal protections and benefits.¹⁰

In 2002, ILO acknowledged the demand for a complementary set of indicators on the basis of domestic laws and regulations.¹¹ These cover major aspects of decent work, such as unemployment insurance, protection from unfair dismissal, statutory minimum wages, and the right to organize. Additionally, the Governing Body's decision to test a comprehensive approach to measuring decent work further emphasized the inclusion of textual descriptions of legal frameworks alongside statistical data to assess the actual application of rights and benefits. In September 2008, the ILO assembled an international Tripartite Meeting of Experts (TME) on the Measurement of DW, leading to the adoption of a detailed framework having statistical and legal indicators.¹² This framework was endorsed and remains a critical tool in mentioning gaps in the protection of informal workers' rights by the 18th International Conference of Labor Statisticians,¹³ In the context of our country, aligning the Decent Work Agenda with the purpose of informal workers' benefit, requires rethinking labor related laws, strengthening enforcement mechanisms, and also addressing structural challenges. The incorporation of international labor standards, coupled with targeted legal reforms, can provide a strong foundation for achieving decent work for all, especially those marginalized in the informal workers. Indeed, a well-drafted, inclusive, and effectively implemented labor laws are needed to achieving this goal.

On June 27, 2024, the International Labour Organization (ILO) and the Government of Bangladesh (GoB) jointly inaugurated the "Advancing Decent Work in Bangladesh" project. The project intends to assist in carrying out the government's pledges to reform the labor sector.¹⁴ These reforms support good governance, safeguarding of fundamental principles and rights at work, and sustainable and competitive enterprises etc. The European Union, Denmark, the Netherlands, and Sweden are funding the project under the Team Europe Initiative on Decent Work in Bangladesh. ILO Country Director Tuomo Poutiainen highlighted the importance of effective tripartism to support a smooth transition from LDC (Least Developed Country) status in 2026.¹⁵ Key officials, including the State Minister of Labour and ILO representatives, emphasized social justice, tripartism, and transparent reforms.

Another programme named Decent Work Country Programme (DWCP) for Bangladesh 2022-2026 aims to collaborate with the Government of Bangladesh and International Labor Organization in order to promote and advance Decent Work in Bangladesh.¹⁶ This programme also focuses on Sustainable Development Goal (SDG) number 8 for promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.¹⁷

3. Decent Work Indicators

The International Labor Organization (ILO) has developed a framework of Decent Work Indicators (DWI), including ten substantive elements aligned with the four strategic pillars of the Decent Work Agenda: full and productive employment, rights at work, social protection, and the promotion of social dialogue. And the indicators are:¹⁸

- i) Employment opportunities (See the discussion on 4.1)
- ii) Adequate earnings and productive work (See the discussion on 4.2)
- iii) Decent working time (See the discussion on 4.3)
- iv) Combining work, family, and personal life (See the discussion on 4.4)
- v) Work that should be abolished (See the discussion on 4.5)
- vi) Stability and security of work (See the discussion on 4.6)
- vii) Equal opportunity and treatment in employment (See the discussion on 4.7)
- viii) Safe work environment (See the discussion on 4.8)
- ix) Social security (See the discussion on 4.9)
- x) Social dialogue, employers' and workers' representation (See the discussion on 4.10)

While these ten decent work indicators provide a comprehensive framework, they do not fully describe how legal provisions are implemented in national contexts. Addressing decent work deficits requires a deeper examination of a country's legal regime and broader socio-legal context.

The ILO's legal framework indicators are vital but not exhaustive. For example, labor inspections often focus solely on occupational safety and health (OSH), and the nine branches of social security according to the *Social Security (Minimum Standards) Convention, 1952 (No. 102)*, are not comprehensively addressed.¹⁹ Furthermore, critical elements like as the accessibility of justice systems, dispute resolution mechanisms, and the drafting and dissemination of labor laws significantly influence the application of decent work principles.²⁰

Although this study acknowledges that elements such as dispute resolution mechanisms, accessibility of justice systems, and the drafting and dissemination of labor laws are vital to the practical realization of decent work, they are not elaborated in this paper. The primary objective of this study is to evaluate the legal and policy alignment of Bangladesh's labor governance system with the references of ILO's Decent Work framework, using the accepted Decent Work's ten (10) Indicators as the analytical tool from ILO. These indicators furnish an eminent framework for focused, comparable, and structured assessment of decent work commitments especially relevant in the perspective of Bangladesh's legal liabilities. A strong and inclusive legal framework providing decent work standards is a must to fully achieve the Decent Work Agenda for informal workers.²¹

4. Constitutional Safeguard for Decent Work

For advancing decent work initiatives, the Constitution of Bangladesh serves as a powerful foundation²² reflecting its commitment to upholding universal human rights and ensuring the availability of employment for all citizens.²³ It safeguards the rights of all classes of workers, aligning closely with the ILO's Decent Work Standards. It points up the principles of equitable wages, health and environmental safety, social security and dignity in the workplace, which are central to fostering economic development and social justice.

Labor rights are explicitly addressed in the fundamental principles of state policy, which commit the State to protect workers from exploitation and promote equality and justice in employment.

Additionally, Chapter III of the Constitution guarantees fundamental rights, ensuring that workers, irrespective of their status, have access to legal safeguards. The Constitution explicitly recognizes work as a fundamental right and duty,²⁴ stating:

“Work is a right, a duty and a matter of honor for every citizen who is capable of working and everyone shall be paid for his work on the basis of the principle: from each according to his abilities, to each according to his work.”

Based on the Bangladesh Labor Act (BLA) 2006, the Bangladesh Shramabidhimala-2015, the Constitution of Peoples Republic of Bangladesh, International Labor Organization (ILO) Conventions etc. the following Decent Work's ten (10) indicators are mainly discussed as the safeguards for the informal workers as far it is enough or not for them in Bangladesh perspective.

4.1 Employment Opportunities

Employment opportunities are a cornerstone of the DW Agenda, focusing on key indicators having valuable insights into the balance of labor demand and supply within an economy. These indicators highlight the scenery of labor market situations that are faced by potential workers, and employers alike. Bangladesh's constitution underscores the State's responsibility to emancipate peasants and workers from exploitation²⁵ providing a strong legal basis for protecting employment opportunities for both male and female.²⁶

The provision of formal employment contracts is a fundamental requirement for fulfilling employment opportunities. These contracts show the liabilities of both employers and employees and essential role for safeguarding job security, fair wages,

workplace safety, and moreover stability of livelihood. Contracts also provide a legal framework for resolving disputes and seeking damages in cases of breaches.

The BLA includes various provisions formalizing employment relationships and protecting workers' rights. These provisions are:

- Every establishment may establish its own service rules for governing the employment.²⁷
- Employers are responsible for maintaining a permanent worker's service book at their own cost, except in cases of apprentices, exchange workers, or casual workers. Additionally, if a worker wants to retain a service book copy, they must bear the cost that seems a burden.²⁸
- Employers are prohibited from employing any worker without an appointment letter.²⁹ Additionally, each employed worker must be issued an identity card having their photographs.³⁰

Having these legal protections, there are significant gaps. For example, informal workers often lack access to such contracts and benefits. The ILO's *Employment Policy Convention, 1964 (No. 122)*, promotes full, productive, and freely chosen employment system, while the *Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)*, focuses on providing unemployment benefits and enhancing employment opportunities. However, Bangladesh has not ratified either of these conventions, hindering the adoption of international standards in the Bangladesh Labor Act (BLA) 2006. This non-ratification of international conventions creates obstructions to ensuring secured employment opportunities for all workers including in the informal workers too. Bangladesh must align its labor laws with international agreements, broaden enforcement mechanisms, and extend legal protections to informal workers as well. For promoting equitable and inclusive employment opportunities across the labor market, these steps are important.

4.2 Adequate Earnings and Productive Work

Adequate earnings and productive work are central pillars of the Decent Work Agenda,³¹ According to the ILO's *Declaration of Philadelphia*, one of its fundamental objectives is to ensure "a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection."³² This principle makes the importance of both productivity and equitable remuneration in achieving decent work standard.

Providing employment with reasonable wages that reflect the quantity and quality of work is a fundamental responsibility of the State. Safe and conducive work environments are also essential to maintaining productive and fair employment. Earnings, as part of the Decent Work Agenda, encompass direct wages and salaries, remuneration for time not worked (excluding severance and termination pay), bonuses, gratuities, housing allowances, and family allowances paid directly to employees. However, this excludes employer contributions to social security and pension schemes, as well as severance and termination payments.³³

The Bangladesh Labor Act (BLA) defines "wages" as all monetary remuneration payable to a worker in return for work performed under the terms of employment, whether expressed explicitly or implied.³⁴ The BLA says:

- Wages must be paid before the expiry of the seventh (7th) day after the end of the wage period; wages must be paid properly.³⁵
- It must be paid within seven (7) working days upon the termination of employment whether it is due to retirement, retrenchment, discharge, or dismissal.³⁶
- If it cannot be paid due to a worker's death or unavailability, the unpaid wages are to be deposited with the help of court for appropriate resolution.³⁷

The BLA primarily addresses wage protections for formal workers, leaving informal workers. They lack a defined wage structure for them that makes problem claiming rightful earnings. The absence of a wage board for informal workers further exacerbates these challenges, leaving them vulnerable to exploitation.

The ILO's *Minimum Wage Fixing Convention, 1970 (No. 131)*, aims to protect wage earners against unduly low wages, especially in developing countries. Similarly, the *Protection of Wages Convention, 1949 (No. 95)*, ensures timely payment of wages. It is great unfortunate for Bangladesh that it has not ratified these important conventions, preventing the alignment of its labor laws with global standards

Address these challenges, it is imperative for Bangladesh to:

1. Ratify key ILO Conventions to establish international standards for wage protection for all class of workers.
2. Extending the scope of the BLA to include wage boards and protections for informal workers like as formal workers.
3. To ensure timely and equitable payment of wages across all workers, strengthen enforcement mechanisms is a must.

Bangladesh can move closer to achieving adequate earnings and productive work for all workers, particularly those in the informal workers by addressing these aspects.

4.3 Safe Work Environment

Among many components, Occupational Safety and Health (OSH) is a crucial component of the Decent Work standard in case of ensuring workers' protection from work-related hazards. The extent of OSH is measured and monitored using four key statistical indicators like:

1. Occupational injury frequency rate (fatal) and occupational injury frequency rate (non-fatal)
2. Time lost per occupational injury
3. Labor inspection density

Under the article 15 of The Constitution of Bangladesh, it establishes a framework for public health, safety, and welfare through its guiding principles and having indication of the State's liability to secure the provision of basic necessities, including health, as part of ensuring a decent standard of living for its citizens.³⁸ Additionally, under article 18

mandates the State to improve public health and nutrition, explicitly committing to "raising the level of nutrition and the improvement of public health" and adopting measures to prevent health risks.³⁹

Additionally, Chapter VII of the Bangladesh Labor Act-2006, includes specific provisions related to health, hygiene, and safety. For example:

- Ensure workplace safety by maintaining hygienic and risk-free conditions.
- Pay compensation for injuries caused by workplace accidents.⁴⁰
- Provide compensation for chronic occupational diseases.⁴¹

While these provisions apply primarily to formal workers, the coverage for informal workers remains inadequate comparatively. Informal workers often face dangerous conditions as they do not possess the legal protections or compensations ensured for their formal equivalents practically.

Bangladesh has ratified the *Underground Work (Women) Convention, 1935 (No. 45)* and the *Labor Inspection Convention, 1947 (No. 81)*, to increase workplace safety issue. Having this conventions, significant gaps are noticed as Bangladesh has not ratified the conventions mentioned below:

- Occupational Safety and Health Convention, 1981 (No. 155)
- Occupational Health Services Convention, 1985 (No. 161)
- Night Work Convention, 1990 (No. 171)

These conventions provide comprehensive frameworks for ensuring workplace safety and health.

Their absence in Bangladesh's legal framework poses challenges to achieving international standards for a safe work environment, particularly for informal workers.

4.4 Equal Opportunity and Treatment in Employment

Promoting equal opportunity and treatment in employment is a fundamental pillar of the Decent Work Agenda. The 2008 International Labor Organization (ILO) *Declaration on Social Justice for a Fair Globalization* underscores that gender equality and non-discrimination must be integral to the strategic objectives of decent work.

The Decent Work Indicator for "equal opportunity and treatment in employment" is reflected in the Constitution of Bangladesh as the right to equality.⁴² The Constitution ensures nondiscrimination on grounds of religion, race, caste, sex, or place of birth, particularly in accessing education and public sector employment.⁴³ This constitutional guarantee aligns with the principles of decent work by promoting fairness and inclusivity in the labor market.

In determining wages or fixing minimum rates of wages for any worker, the principle of equal wages for male and female workers for work of equal nature or value shall be followed and no discrimination shall be made in this respect on the ground of sex.⁴⁴ Wages include all remuneration expressed in terms of money payable in fulfillment of the terms of employment except the value of any housing, light, water, medical facilities or other amenity or the value of any service excluded by general or special order by the government; any subscription to a pension or provident fund made by the employer;

any trip allowance or travel discount; any payment made to a worker to cover particular expenses that are required of him due to the nature of his employment.⁴⁵

Bangladesh has ratified two key ILO conventions that support this principle:

1. Equal Remuneration Convention, 1951 (No. 100): Promotes equal remuneration for work of equal value, regardless of gender.
2. Discrimination (Employment and Occupation) Convention, 1958 (No. 111): It plays role to prohibit discrimination in employment and occupation on various grounds, including sex, religion, and race etc.

Though these conventions are important towards ensuring equality, their implementation remains limited for informal workers. They often face systemic discriminations and lack access to legal redresses for wages and employment inconsistencies.

4.5 Work that should be abolished

The International Labor Organization Declaration on Fundamental Principles and Rights at Work, along with key international conventions, draws the picture for the necessity of abolishing harmful practices like child labor and forced labor. These are actually violation of human rights and confliction of the principles of decent work standards prioritizing on dignity, equality and safety.

The Constitution of Bangladesh explicitly prohibits forced labor⁴⁶ as a reflection of its commitment to upholding fundamental human rights. Forced labor, including child labor, is incompatible with the principles of justice and equality. Additionally, workers have the right to job security and stable employment, which aligns with the broader goals of the Decent Work Agenda. In reality, in case of informal workers, harmful work practices for example child labor, forced labor, and hazardous occupations remain strong. While the BLA-2006, includes provisions to address abolished work issue, its scope primarily covers formal workers compared to informal workers.

Provisions under the BLA consists of:

- It is prohibited on employing children under the age of 14 in any occupation.⁴⁷
- Adolescents (aged 14–18) are permitted to work only if they possess a certificate of fitness issued by a registered medical practitioner and carry a token referencing this certificate during work hours.⁴⁸
- A restriction on employing adolescents in hazardous conditions, including underground or underwater work.⁴⁹

Additionally, the BLA restricts workers from engaging in trade union activities during office hours without the employer's permission, ensuring workplace discipline.⁵⁰

Bangladesh has demonstrated its commitment to eradicate forced labor practices by adopting the following conventions:

1. Night Work of Young Persons (Industry) Convention, 1919 (No. 6)
2. Forced Labor Convention, 1930 (No. 29)
3. Minimum Age (Industry) Convention (Revised), 1937 (No. 59)
4. Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)

5. Abolition of Forced Labor Convention, 1957 (No. 105)
6. Minimum Age Convention, 1973 (No. 138)
7. Worst Forms of Child Labor Convention, 1999 (No. 182)

The ratification of these conventions is a remarkable achievement but challenges remain in their effective implementation, particularly in case of informal workers where child and forced labor are more available.

4.6 Stability and Security of Work

One of the critical components of decent work is Stability and security of work. It is to ensure that all workers have stable employment characterized by relative permanence and protection from precarious conditions. This dimension differentiates workers with secure works from those in subsistence level or uncertain employment.

The BLA, 2006, provides specific provisions regarding stoppage of work and lay-offs. Key provisions include:

- Workers may be laid off after the first forty-five days for a continuous period of fifteen days or more. These provision does not apply to establishments where fewer than five workers exist.
- Employers are required to provide one month's notice in writing to retrenched workers, indicating the reasons for retrenchment, or pay wages in lieu of the notice period.⁵¹
- Workers retrenched after a 45-day lay-off is entitled to 15 days' wages in addition to redundancy pay.⁵²

The BLA also restricts the termination of workers on the basis of union membership⁵³ or participation in trade unions whose registration is pending.⁵⁴ The aim of this step is to protect workers' rights and prevent discriminatory termination practices.

In the meantime, the situation for informal workers remains precarious. They lack an employer-employee relationship protected by contracts, resulting in job insecurity and the absence of protections in cases of termination of their jobs. Without formal appointments, their employment and livelihoods are vulnerable and as a result they lack access to compensation or remedies for unfair dismissal.

Bangladesh has yet to ratify the ILO Termination of Employment Convention, 1982 (No. 158). This convention gives outline of comprehensive guidelines on fair termination practices, including having valid reasons for dismissal from job, advance notice, and the right to appeal for seeking justice. Ratifying this convention would enhance the BLA for informal workers' perspective in providing protections for them with the international standards for stability and security of work.

4.7 Decent Working Time

Adequate working time management is a vital element of the Decent Work Agenda to ensure balance of their professional responsibilities with personal and family life. The Constitution of Bangladesh guarantees fundamental human rights,⁵⁵ which adopt the provisions of aligning decent working time standards.

The BLA-2006, regulates "hours of work"⁵⁶ as the time during which workers are at the employer's disposal, excluding intervals for rest and meals. Chapter IX of the BLA governs daily and weekly working times, overtime, and related matters. Main legal provisions include that establishments must show notices specifying periods during which workers may be required to work. If applicable, overtime must be compensated at twice the basic wages rate with allowances such as dearness and interim pay.

If public interest or economic development warrants, the government retains the authority to exempt certain sectors from these regulations for up to six months such action. While these provisions provide a framework for formal workers, they are banned from such help. They often face irregular and excessive working hours without proper compensation or paid leaves they actually deserve. However, they also denied resting periods, provisions for overtime pay, as they do not belong to fixed establishments governed by the BLA or the Shramabidhimala-2015.

On June 22, 1972, Bangladesh has ratified four ILO conventions related to decent working time:

1. Hours of Work (Industry) Convention, 1919 (No. 1)
2. Weekly Rest (Industry) Convention, 1921 (No. 14)
3. Night Work (Women) Convention (Revised), 1948 (No. 89)
4. Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)

The ratification of these conventions enriches Bangladesh's commitment in case of the protection of labor rights. Additionally, practical implementation of these laws remains limited, especially for informal workers, due to limitations in the BLA. The absence of explicit provisions for informal workers' working time standards is a barrier to ensuring their rights in reality.

4.8 Combining Work, Family and Personal Life

The element of combining work, family, and personal life is a critical dimension of the Decent Work Agenda, emphasizing the balance workers can achieve between their professional responsibilities, familial obligations, and personal well-being. This dimension relates to decent work standards, fundamental principles, and rights at work, as well as social protection.

The Bangladesh Labor Act (BLA), 2006, includes provisions aimed at supporting workers in balancing these aspects of their lives. Key measures include: Regulation of working hours⁵⁷ and leave entitlements, such as annual leave, compassionate leave,⁵⁸ and maternity leave, alongside welfare provisions. Establishments employing more than 100 workers must provide adequate canteens for workers' use.⁵⁹ Establishments employing more than 50 workers must provide shelters, restrooms, and lunchrooms with drinking water where workers can consume meals brought from home.⁶⁰ Establishments employing 40 or more female workers must maintain suitable rooms for the use of children under six years of age.⁶¹

While these provisions offer important support, they primarily benefit formal workers. Informal workers, who often work irregular schedules extending into undefined hours, face many challenges in balancing work and family life as well. This lack of stability hinders family bonding and personal time, disproportionately impacting women and child workers.

Bangladesh needs to ratify several key ILO conventions related to balancing work, family, and personal life like:

- Social Security (Minimum Standards) Convention, 1952 (No. 102)
- Maternity Protection (Revised) Convention, 1952 (No. 103)
- Family Responsibilities Convention, 1981 (No. 156)
- Maternity Protection Convention, 2000 (No. 183)

The absence of these ratifications limits the scope of protections and benefits available to informal workers, leaving their rights and well-being vulnerable.

4.9 Social Security

Social security encompasses measures that provide benefits, in cash or kind, to safeguard individuals from various life risks and social needs. These include:

1. Less income in case of work or insufficient income caused by illness, disability, maternity, employment injury, old age, or the death of a family member.
2. Lack of facilities of unaffordable healthcare.
3. Insufficient family support, particularly for children and adult dependents.
4. General poverty and social exclusion.

The Constitution of Bangladesh supports the principle of social security,⁶² emphasizing the government's role in providing public assistance in cases of old age, unemployment, and sickness. This provision underscores the commitment to ensuring a basic safety for all class of vulnerable populations.

This indicator is a universal human right, addressing the need for protection against life risks and promoting social inclusion and human dignity.⁶³ Effective social security systems guarantee earning security and health protection, contributing to the prevention of poverty and inequality.

Under the Bangladesh Labor Act-2006, provisions for this discussed indicator are:

- If three-quarters of the workers at an establishment formally request for establishing a provident fund,⁶⁴ then this fund is to be administered by a Board of Trustees comprising employers, workers, and a chairman appointed by the government.⁶⁵
- Gratuity is calculated as at least 30 days' wages for each completed year of service or any part thereof exceeding six months⁶⁶ as a separation compensation.

Having these legal provisions, social security remains largely inaccessible to informal workers. The absence of formal legal steps identifying establishments employing informal workers excludes from benefits for example provident funds, sick leave, maternity leave and gratuity. They lack the institutional mechanisms required for claiming the indicated rights also.

Bangladesh has adopted the given below three key ILO conventions related to social security:

1. Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)
2. Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)
3. Equality of Treatment (Social Security) Convention, 1962 (No. 118)

However, Bangladesh has not ratified the *Domestic Workers Convention, 2011 (No. 189)*, which accurately addresses social security protections for domestic and informal workers. This nonratification highlights an important gap in balancing national labor policies with international standards.

4.10 Social Dialogue, Employers' and Workers' Representation

The Constitution of Bangladesh guarantees the freedom of thought, conscience,⁶⁷ and association that work as the foundation for all class of workers for expressing their views and organize associations. This constitutional provision aligns with the indicator for "social dialogue, employers' and workers' representation."⁶⁸

Social dialogue encompasses all forms of negotiation, consultation, and exchange of information between representatives of governments, employers, and workers on matters of common interest. This process includes both tripartite interactions and institutional mechanisms like employers' organizations, social and economic councils, trade unions, and collective bargaining. This indicator plays a crucial role in promoting industrial harmony and equitable labor relations.

Effective social dialogue is essential for promoting social justice, inclusive economic growth, better wages, improved working conditions, and sustainable enterprises.⁶⁹ The process includes negotiations and consultations between governments, employers, and workers' organizations. Information exchange is needed to resolve disputes and prevent conflicts among the parties.⁷⁰ In fact, collective bargaining is recognized as a fundamental right of workers. Under the BLA-2006, workers and employers have the right to form trade unions and draft their constitutions and programs as well as organize and manage their administration and activities with freedom.⁷¹

However, a trade union can only be registered if it has at least 30% of the total workforce in the establishment as members which is clearly challenging for unionization, particularly in small or informal enterprises.⁷² While the constitutional and legal frameworks provide a strong basis for promoting social dialogue, these are primarily benefitted for formal workers. Informal workers often lack access to collective bargaining mechanisms and representation in trade unions, leaving them excluded from critical negotiations and protections.

5. Conclusion

Bangladesh faces huge gaps to ratifying various key conventions of ILO, related to minimum wages, employment policy, termination of employment, social and health security, protection against unemployment, maternity safeguard and benefit, discrimination in occupation sectors etc. Lack of ratification of vital conventions brings crucial concerns about the implementation and enforcement of labor standards and protections of informal workers.

Effective monitoring of legal perspectives, enforcement, and regular assessment of work conditions are needed to ensure the application of Decent Work for informal workers. However, ratification of conventions alone is not sufficient; aligning national legislation, policies, and practices with the international provisions, these conventions are must for achieving fruitful result in our county.

The findings shows both developments and challenges in promoting Decent Work standards for informal workers in Bangladesh. They belong to the majority of the labor force. They must be considered as integral contributors to the economy and protected under legal provisions. Additionally, legal frameworks for the Decent Work Agenda in our country remain challenging to implement in case of them without latest upgrades of existing laws, specially the BLA. The inclusion of informal worker specific provisions aligned with the ILO's Decent Work Indicators is essential for ensuring equity and justice.

Moreover, policymakers must recognize and address the vulnerabilities of informal workers. Most of the informal workers are not aware of their rights that are given through the Articles 44 and 105 of the Constitution of Bangladesh which provide the right to seek legal recourse if fundamental rights are violated. However, lack of awareness, combined with systemic neglect, prevents them from seeking their rights and accessing justice.

Closing these gaps, it is imperative to:

- a) To include informal workers, it is urgent to strengthen legal frameworks
- b) Informal workers need education for knowing their rights through promoting awareness campaigns.
- c) Ensure policymakers prioritize the needs of informal workers in the context of the importance in economic sector through inclusive and targeted policies.

Ensuring Decent Work for informal workers in Bangladesh requires a collaborative approach involving the government, labor organizations, employers, and workers themselves. By addressing these challenges, Bangladesh can foster a more equitable and inclusive labor market including informal workers are treated with dignity and respect like the formal workers.

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