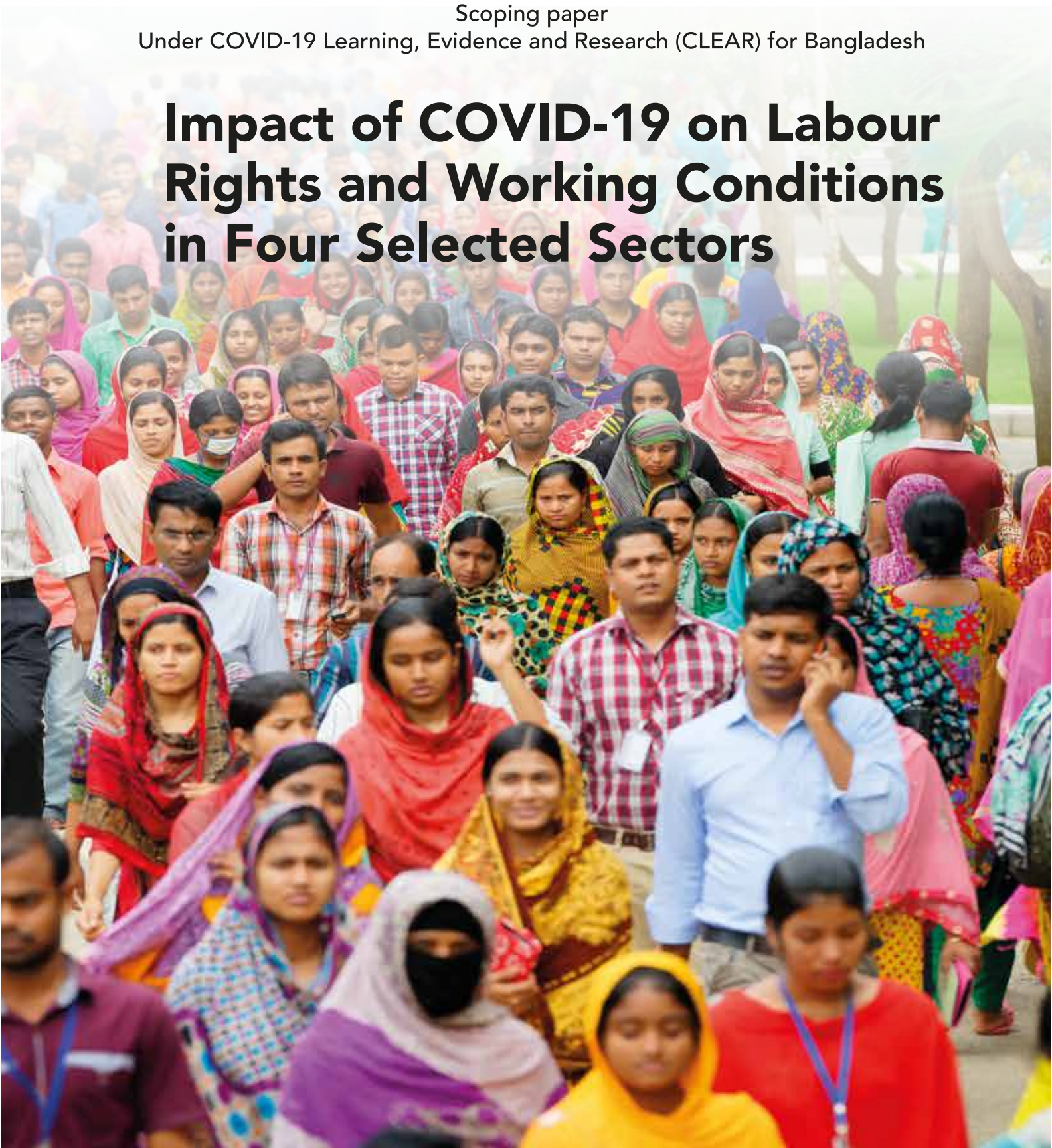


Scoping paper
Under COVID-19 Learning, Evidence and Research (CLEAR) for Bangladesh

Impact of COVID-19 on Labour Rights and Working Conditions in Four Selected Sectors



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List of Acronyms

BBS	Bangladesh Bureau of Statistics
BGMEA	Bangladesh Garment Manufacturers and Exporters Association
BIGD	BRAC Institute of Governance and Development
BILS	Bangladesh Institution of Labour Studies
BKMEA	Bangladesh Knitwear Manufacturers Exporters Associations
BRTA	Bangladesh Road Transport Authority
BSOAB	Beauty Service Owners Association of Bangladesh
BUF	Bangladesh Urban Forum
CMSME	cottage, micro, small, and medium enterprise
CPD	Centre for Policy Dialogue
CUS	Center for Urban Studies
DIFE	Department of Inspection for Factories and Establishments
DMP	Dhaka Metropolitan Police
DNCC	Dhaka North City Corporation
DoLE	Department of Labour and Employment
DSCC	Dhaka South City Corporation
DTCA	Dhaka Transport Coordination Authority
FGD	focus group discussion
ILO	International Labour Organization
KII	key informant interview
MiB	Mapped in Bangladesh
MoLE	Ministry of Labour and Employment
NGO	non-governmental organization
NHF	National Hawkers' Federation
PPE	personal protective equipment
PPRC	Power and Participation Research Centre
RAJUK	Rajdhani Unnayan Katripakkha
RMG	ready-made garment
SME	small and medium enterprise
UP	Union Parishad

Executive Summary

This paper examines the labour rights and working conditions, defined as wage, employment conditions, safety, and security of workers, of formal and informal economic sectors in the context of the COVID-19 pandemic. By looking at four specific cases—road transport, ready-made garments (RMG), beauty parlour, and street vending—this paper presents the existing condition of labour rights, how the pandemic has aggravated such conditions, and how well the existing research—academic, policy reports, and media reports—has reflected on the situation. Primary data collection methods included focus group discussions (FGDs) with the workers employed in specific sectors and key informant interviews (KIIs) with non-governmental organizations (NGOs), policymakers, and trade union activists. Secondary data broadly included national and international policy reports, academic journals, laws, acts and regulations, survey reports, media reports, newspaper articles, and relevant grey literature.

Findings reveal that COVID-19 had a substantial adverse impact on the existing poor state of labour rights and working conditions. Sectors like transport and beauty parlour, despite their recognition as formal sectors, have embedded informality in terms of ensuring labour rights. There is no minimum wage in these sectors, and the workers lack formal contracts, which results in job insecurity and poor working conditions. The collective bargaining mechanisms are either weak or non-existent. COVID-19 further worsened the situation as workers were subject to temporary or permanent job loss. Workers from both sectors did not receive any benefit from the government, their employers, or the unions during the pandemic. RMG sector, being recognized as the most important sector contributing to the economy, also suffers in terms of poor working conditions, the precarity of workers' rights, and weak collective action. The pandemic brought out vulnerabilities in the global supply chain, which had a massive adverse impact on the workers. Despite the measures taken by the government to support the RMG sector, the adequacy of the support, efficiency, and transparency of the disbursement mechanisms was dubious. The paper also shows that trade unions also largely failed to safeguard the interest of the workers throughout the crisis. The case of street vending shows that, as an informal sector, it lacks priority and incentive from the government to address workers' rights and working conditions. The sector is governed through a complex informal mechanism that undermines workers' rights and creates scope for rent-seeking. The lack of support from formal actors and poor collective power left the workers vulnerable during the COVID-19 pandemic.

The unavailability of data and research in most sectors makes finding practical entry points to improve these sectors difficult. The study finds research gaps and suggests scope for research in all four sectors, which would improve labour rights and working conditions, and positively impact the nation as a whole.

1. Introduction

The COVID-19 pandemic has disrupted the lives of many people engaged in various economic sectors, both formal and informal. Bangladesh recorded its first case of the novel Coronavirus on 8 March 2020, and since then, over 1.95 million people have been infected with the virus (CSSEGISandData, 2020/2022).¹ The country also experienced three national lockdowns that disrupted regular public and economic activities. All these have adversely impacted a vast majority of the labour forces in terms of employment and job insecurity, working conditions—i.e., health and safety—and workplace rights. For instance, a nationally representative household-level survey conducted by the Power and Participation Research Centre (PPRC) and BRAC Institute of Governance and Development (BIGD), BRAC University, during the pandemic-induced lockdown (Rahman et al., 2021) found that the income of vulnerable people was severely affected because of COVID-19, particularly those in cities. A group of “new poor” has also emerged. The disaggregation by occupation groups also suggests that some groups were more severely affected than others. For instance, small and informal enterprises have seen their sales fall by on average 55%, compared to the pre-COVID period (Islam et al., 2020). Especially the female labour-based work (i.e., beauty parlour, tailoring) was hit harder. Within the formal sectors, transport has been impacted immensely. The sector registered a growth of only 3.67% in the fiscal year 2020, compared to 7.19% in the previous year (Asjad, 2021). During the lockdown, the arbitrary nature of ready-made garments (RMG) factory closure and opening decisions and shoddy management of health risks of the factory were extensively criticized by the human rights community and the media. The governance process of the delivery of stimulus support provided by the government was largely non-transparent, and how far this transfer has helped the workers remains a question (Sarwar, 2020). Numerous protests by the transport and RMG workers were also seen during this period (see Table A1 for details on protests by transport workers during COVID-19).

Generally, workers’ rights tend to be limited in Bangladesh. The country is yet to establish a national minimum wage. Despite Bangladesh’s ratification of International Labour Organization (ILO) conventions 87 and 98 on freedom of association and the right to organize and collective bargaining, such rights are yet to be fully established across sectors. In addition, workers’ lack of adequate bargaining power and voice to demand and ensure

¹ Last updated on 10 April, 2022.

social security support was evident during the COVID-19 outbreak. As a result, the workers failed to compel the state authority to implement policies/strategies which could have addressed the concerns of both lives and livelihoods (Hoque & Hoque, 2021) . Given the above context, the scoping paper on labour rights aims to review existing evidence—primary and secondary literature, media stories, key informant interviews (KIIs)—on the impact of COVID-19 on labour rights in a few selected sectors. In addition, the paper intends to reflect on the policy process and map relevant stakeholders’ power, interests, and influences in the process.

A mix of sectors has been chosen to gain an understanding of labour rights in both formal and informal sectors. Among the formal sector, transport and RMG sectors have been chosen as cases not only because of their contribution to the economy and employment generation but also due to the significant challenges these sectors faced during COVID-19 in terms of their operation, employment, and health and safety. Among the small businesses, the beauty parlour provides an interesting case. This female labour-based sector, most recently recognized as an industry, was also subject to considerable layoffs and health risks during the pandemic. Among the informal sector, street vending has been chosen as a case, as this is perceived as one of the major informal economic sectors considering its high employment generation capability for the urban poor. This sector has implications for overall urban governance and also manifests right-oriented issues related to the urban poor quite starkly.

The paper is organized as follows: the first section provides the introduction and context of the paper, including the rationale and a summary of key findings. Section 2 presents the methodology in detail. Section 3 presents the findings. This section has been divided into three sub-sections: formal, small business, and informal. The formal section provides findings from two cases: the road transport and the RMG sectors. The small business section presents the case on the beauty parlour industry, and the informal section presents the case of street vending. Each case starts with a brief profile of the sector and provides a short description of the stakeholders involved, and maps their influences and interests. It also presents the pre-COVID labour rights conditions and discusses how the pandemic has affected those conditions. Following this, the cases present the existing evidence and list the key actors producing evidence. Finally, the section highlights the gaps in existing evidence and suggests further scope for research.

1.1. Summary of the Key Findings

The findings on the transport sector suggest that labour right as an agenda is largely missing in the research and policy, even though media reports on labour rights and conditions are widely available. Despite being formal, there are informalities within the sector that negatively impact the condition of the workers. Due to the lack of formal employment contracts, workers in the transport sector work on a daily payment basis and can claim no benefit other than their wages. Workplace safety is a major concern. The collective bargaining mechanism is present but largely ineffective to address workers' rights and demands. Given the lack of pre-existing rights, the impact of the pandemic was severe on the workers. Many of them suffered temporary or permanent job losses. There was no or very limited support provided to the workers on behalf of the government or the union. The stakeholders recognize the need for serious research relating to transport workers, particularly focusing on social protection and workers' collective bargaining capacity.

The impact of COVID-19 on the RMG sector pointed to the already vulnerable global supply chain and the precarity of workers' rights. It further exacerbated the existing problems of long working hours, insufficient pay, untimely disbursement of wages, and weak collective bargaining capacity. The pandemic had an immediate and plummeting impact on the global supply chain, with American-European buyers cancelling orders. This had a ripple effect on the most vulnerable actors in the supply chain—the garment workers. Although pleas from NGOs, unions, and international committees helped reverse some of these decisions, it was not enough to protect all the workers. The Government of Bangladesh (GoB) stepped in to help out the workers by providing a stimulus package, but there were many limitations—lack of efficiency and transparency in the disbursement process, for instance—to this, and as a consequence, workers were inadequately compensated. Trade unions also largely failed to safeguard the interest of the workers during the COVID-19 crisis.

The beauty parlour sector is a clear example of precarious labour. Research in this sector shows that the workers and employers have no clear understanding of workers' rights. Due to the absence of documented contracts between parlour workers and owners, violation of workers' rights is normalized in every parlour in the form of long working hours, and the absence of formal policies on wages, leaves, and benefits. During the pandemic, when all parlours had to close their operation, most of the workers were laid off without any pay for the entire duration. Despite being recognized as an industry, the beauty parlour still lacks adequate recognition and attention from the government. The research concerning labour

conditions and rights in this sector is very limited. At present, there are no unions and, consequently, the workers' demands can not be articulated. There is a need for research about employment conditions and the possible scope for collective bargaining in this sector.

Street vending is an informal sector lacking legal authority or approved space to conduct business. This legal ambiguity has been the source of complex stakeholder relationships. Due to the absence of a regulatory framework and the occupation of public space by vendors, workers' rights have not been a priority for government authorities. Meanwhile, vendors' relationship with informal agents is crucial for protecting their businesses, which has created further complexities in making any interventions. COVID-19 has adversely affected all street vendors. However, vendors are mostly concerned about the financial losses incurred due to the pandemic. Other than a recent study by BIGD (BIGD, 2022), there are very few studies on street vendors. Researchers in this area have suggested mapping the sector in terms of size, types of vendors, their economic and social contributions, understanding of different informal payment mechanisms, etc. The impact of COVID-19 in this sector and bringing it under an effective social protection system are also important issues that need to be explored.

2. Methodology

This scoping paper reviewed primary and secondary literature related to the RMG industry, transport, beauty parlour, and street vending. These broadly included national and international policy reports, academic journals, laws, acts and regulations, media reports, newspaper articles, and relevant grey literature. Recent literature from March 2020 to the present day, as well as literature from the pre-COVID period, has been used to understand the labour rights situation amidst the pandemic.

The sectors that are least researched—in this case, the beauty parlour, street vending, and transport sectors—are the ones where most primary data were collected for this paper. Since the RMG sector has the most existing research, no primary data were collected here, and only secondary sources were used.

2.1. Keywords

The following keywords are search terms used during the collection of secondary resources. The list of words is comprehensive but not exhaustive.

For the transport sector, the key search words included “road transport,” “working hours,” “job contract,” “transport workers,” “transport workers federation,” “COVID-19,” “protest,” “job loss,” and “owner association.” The Ministry of Finance (MoF) was used to understand the economic contribution of transport, and for the accident-related information, the Bangladesh Institution of Labour Studies (BILS) website was used.

Search terms in the RMG sector included “RMG,” “garments sector,” “Bangladesh,” “COVID impact,” “health and safety,” “working conditions,” “labour rights erosion due to COVID,” “trade unions,” “job loss,” and “garment workers.”

Studying the beauty parlours sector required search words such as “beauty parlours,” “beauty industry,” “women,” “labour rights,” “safety protocols,” and “parlour owners’ association.” No information on the beauty parlours sector could be discovered on government portals, and the paper was dependent on the few existing studies from independent institutions and news articles.

While studying the street vending sector, keywords used were “street vendors,” “hawkers,” “precarity,” “sustainable vendor management,” etc. As no data on street vendors were available from the government, studies on urban governance by multiple organizations and media reports were the only source of information.

2.2. Primary Data Collection

A number of key persons were interviewed as key informants/national experts because of their involvement in the issue. This broadly included research organizations and individual works on labour rights issues, the trade union leaders and activists involved in the sectors, and key government ministries and departments working on the labour rights issues.

After the initial review of the literature, it was found that the research on labour rights is quite limited in the sectors such as transport, beauty parlour, and street vending. For an extensive and deeper understanding of the sectors, we have conducted three focus group discussions (FGDs) with the workers of the transport sector, beauty parlour sector, and street vending sector. The purpose was to understand their employment condition, workplace safety, collective bargaining arrangements, and the impact of COVID-19 on their livelihood and rights. The location for all the fieldwork has been Dhaka.

3. Findings

3.1. Sector: Formal

3.1.1. Case: Road Transport

3.1.1.1. Brief Profile of the Industry

The transport and communication sector has been contributing to the country's economic development significantly (see Table 1). The transport sector includes roads, railways, inland waterways, and seaports. However, in urban, the transport system is heavily reliant on road transport. Buses and minibuses are the main modes of transport, accounting for about 47% of all passenger trips, in the Greater Dhaka Area (GDA) (Islam & Shah, 2016).² Within the Dhaka Metropolitan Area, there are 168 bus routes, and 157 bus services are operational (Islam & Shah, 2016). Around five million workers are directly or indirectly involved in the road transport sector of the country (Rayhan, 2021). The rate of unionization is also the highest among the sectors—about 35.2% of transport workers are involved in union-related activities (Moazzem, 2021).

Table 1: Transport Sector's Contribution to Bangladesh Economy

Year	Contribution to GDP (%)	Rate of growth (%)
2016–17	11.26	6.76
2017–18	11.19	6.58
2018–19	10.98	6.88
2020–21	11.04	6.07

Source: MoF, 2019

This particular paper looks into road transport, specifically the bus services in Dhaka. Dhaka city's transport sector is managed by six key agencies, including Dhaka Transport Coordination Authority (DTCA), Dhaka North City Corporation (DNCC), Dhaka South City Corporation (DSCC), Dhaka Metropolitan Police (DMP), Rajdhani Unnayan Katripakkha (RAJUK), and Bangladesh Road Transport Authority (BRTA) (Islam & Shah, 2016). While

² Greater Dhaka Area (GDA) consists of Dhaka, Gazipur, Manikganj, Munshiganj, Narayanganj, and Narshingdi districts.

the other actors are responsible for policy formulation, infrastructure development, and enforcing laws, BRTA remains the major agency in charge of regulation and registration of vehicles, issuing licenses, route permits, and ensuring fitness certificates. The Ministry of Labour and Employment (MoLE) is responsible for overseeing the employment, work conditions, rights, and safety issues. The sector is guided under the Bangladesh Labour Law 2006 (GoB, 2006).

Recently, the government has announced a new minimum wage structure for workers and staff in the transport sector (Rayhan, 2021). The wage structure, announced through a circular on 27 July 2020, will apply to drivers, supervisors, conductors, checkers, helpers, and other skilled and unskilled transportation workers. Under the new law, the government has set BDT 15,400 as the minimum wage for drivers with a “Light Vehicle” license, and BDT 20,200 for drivers possessing a “Heavy with PSV” (passenger service vehicles) license. In the public transportation sector, skilled staff, such as guides, supervisors, conductors, checkers, booking clerks, and cashiers, will get BDT 13,000 along with benefits, while unskilled staff, such as helpers, cleaners, and callers, will get BDT 10,750 along with allowances. The new wage structure is yet to be made effective, as the government decided to wait till the sector recovers from economic losses experienced during the pandemic.

3.1.1.2. Mapping the Influence and Interest of the Stakeholders

The important actors in ensuring working conditions, safety, and rights for transport sector workers are listed in Table 2 below. The table is constructed based on our understanding and analysis of the sector based on the media reports/analysis, relevant grey literature, and consultation with the sector experts (details are given in Section 2).

Table 2: Roles, Influence, and Interest of Important Actors in the Transport Sector

Actors	Role	Influence³ on labour rights, working conditions, health, and safety	Interest in protecting and promoting labour rights
Dhaka Transport Coordination Authority	Formal body for transport policy and planning	++	0
Dhaka North and South city corporations	Managing parking and open spaces	+	0
Ministry of Labour and Employment	Overseeing wage, health, and safety of the workers	+	+
Bangladesh Road Transport Authority	Registration of vehicles and training drivers	+	0
City bus owners/companies	Running transport services over the city	++	-
Dhaka Metropolitan Police	Enforcing the traffic rules	+	-
The ruling political party and the student wing of the ruling party	Collecting rent	++	--
Leftwing political parties	Organizing labours for collective action	-	+
Road Transport Workers' Federation	Collective bargaining agencies	+++	--
Bangladesh Road Transport Owners Association	Protecting the owners' interest	+++	--
Dhaka Road Transport Owners Association	Protecting the owners' interest	+++	--

Note: The policy influence is measured using the following indicators: *very high* (+++), *high* (++) , *moderately high* (+), *neutral* (0), *moderately low* (-), *low* (--), *very low* (---), and *cannot be determined* (?).

Interest in labour rights is measured using the following indicators: *very high* (+++), *high* (++) , *moderately high* (+), *neutral* (0), *moderately low* (-), *low* (--), *very low* (---), and *cannot be determined* (?).

³ Influence is measured in terms of their overall engagement in the sector, and having implications for workers' overall working conditions, safety, and security.

The DTCA is in charge of policy and planning, along with coordination of all transport-related activities in Dhaka (BIGD, 2017). They also plan and monitor traffic management and safety initiatives. Despite being not directly working with the transport workers, their action still has implications for the working conditions.

Dhaka North and South city corporations are key authorities responsible for ensuring a proper working environment for the transport workers. Their activities include the development and maintenance of roads, street lights, and traffic signals in the city (BIGD, 2017). It also includes managing the public places of the city.

The MoLE is the key agency responsible for ensuring proper working conditions and quality of life—labour rights, employment, and employment conditions—for the workers (MoLE, 2022). Our interviews suggest that the road transport system in Dhaka involves several powerful government agencies, including the DTCA, city corporations, and BRTA. Given the technicalities involved in the transport administration, the labour rights issue is generally overlooked by these agencies. Given the de facto governance⁴ (strong influence of political leaders as owners and union leaders) of the sector, MoLE tends to have less influence in ensuring labour rights in this sector.

BRTA, being the key authority to regulate motor vehicles in the country, can play a vital role in ensuring the safety and security of the workers. By institutionalizing training and ensuring proper licensing and regular monitoring of vehicle fitness, BRTA can contribute towards safe and better working conditions. However, our consultations with the key informants suggest that BRTA has not been very successful in carrying out such responsibilities, which have adverse impacts on the working conditions of the transport workers. In addition, there is hardly any awareness or interest within this agency about the impact of its action on labour rights.

Traffic police are quite influential, as their actions directly affect the working conditions of the workers. Their key operation includes the management of parking and ensuring traffic discipline. They are often accused of extorting and harassing transport. Since they are predominantly involved in the extortion and harassment of transport workers (BIGD, 2017) and tend to gain from the prevailing misgovernance in the sector, they have very few incentives in ensuring proper rules and regulations in this sector which could have safeguarded labour rights.

⁴ See below for further discussions on this.

The bus companies are the key actors in this sector. For being able to invest, get a route permit, and for their everyday operations, they need to maintain a close nexus with the leadership of the owners' association (Islam & Shah, 2016). They are least interested in supporting workers' associational rights and mainly interested in preserving the prevailing misgovernance in this sector.

Among the trade unions, Road Transport Workers' Federation is the largest institutional actor, which has more than 200 registered unions (Adhikary, 2021). These are mostly organized at intercity bus terminals. However, the federation, despite having a strong influence in the overall sector, never attempted to unionize the workers of the city bus service since the bus owners have largely captured the leadership of the federations.⁵ Dhaka Road Transport Owners Association is a key actor which largely influences the overall bus operation in the city. They collect informal "fees" from the transport workers and also mobilize the workers whenever needed.

The KIIs with experts and media reports also show the ruling political parties' de facto control of the overall transport sector, including road transport. The party leadership has a strong economic interest to do so since the rent generated from the everyday operation of this sector tends to be very large. The student wings of the ruling political party assist it in establishing control and rent collection. Some leftwing political parties have attempted to organize workers outside the control of the ruling party, but so far had little success in this.⁶

3.1.1.3. Existing Labour Rights and Working Conditions in the Sector

Transport workers' working conditions, safety, and security are least discussed, although these are crucial areas that require attention. Generally, transport workers are subject to poor work conditions. The work hours are long (Karmakar, 2016), with no required breaks.⁷ Even though the written contract is mandatory as per the labour law (GoB, 2006), transport workers do not get it, which also makes them vulnerable to arbitrary termination of jobs (Akter, 2021; Heinrich Böll Stiftung Southeast Asia, 2020; Palma & Mollah, 2017; Sakib, 2020).

⁵ Interviews with Mr Selim Mahmud, trade union leader, Dhaka on 09 December 2021; interview with Mr Ghulam Murshed, trade union activist, on 10 December 2021.

⁶ Interview with Mr Ghulam Murshed, trade union activist, on 10 December 2021.

⁷ As per the Motor Vehicles Ordinance 1983, bus drivers are supposed to drive for a maximum of eight hours per day with a 30-minute break every five hours.

Findings from FGD⁸ suggest that the transport workers tend to work based on a daily arrangement with the owners, which is based on two different modalities. The driver and their assistant, commonly known as the “helper,” pay a daily fixed amount termed as *Joma* to the owner irrespective of their daily earnings. Alternatively, some of them pay a share of the total earnings. Usually, the owner takes four-fifths of the total daily earnings, and the rest is distributed among the driver and his team. None of these modalities put any restrictions on the working hours, and the drivers can drive as long as they want. In most cases, considering the traffic congestion of Dhaka city, the driver needs to work 12–16 hours a day just to make a decent earning for themselves after paying off the owner’s share and fuel cost. Due to these long working hours, the driver is unable to work the next day. That reduces their workdays to three or four days a week.

As noted above, workplace safety is also a concern for the transport sector. A recent report by the Bangladesh Institute of Labour Studies (BILS) showed that out of 729 workplace fatalities that occurred nationally in 2020, more than half of them took place in the transport sector (“Workplace Death and Injuries in 2020,” 2021), which also show an increasing trend (see Figure 1 below).

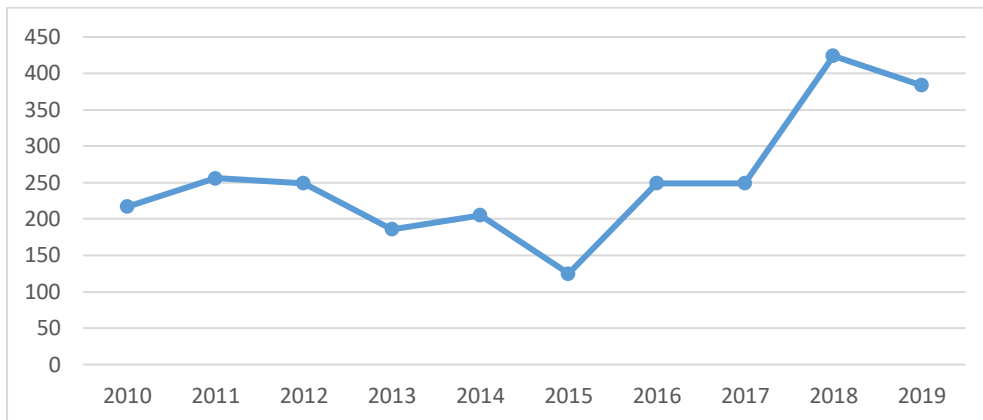


Figure 1: Workplace Fatalities in the Transport Sector, 2010–2019

Note: Adapted from BILS (2019).

The transport workers are subject to extortion by the local owners’ association and police (M. Islam, 2021; “Paribahan Khate Mase 300 Koti Taka Chadabaji,” 2021; M. Rahman, 2020; “Paribahan Sramiker Durbhoger Daay Kaar,” S. Islam, 2021), as noted

⁸ FGD with transport workers on 14 December 2021 in Mirpur, Dhaka.

earlier. The workers' federation also collects rent from each vehicle per day (Islam & Shah, 2016; Rahman, 2020). These costs are generally borne by the drivers.⁹

“...The wages and rights in the transport sector decreased with the rise of mafia syndicates in the sector. A lot of the workers have no wages, they rent the vehicle daily, and struggle to earn money for the owner given the state of traffic congestion in Dhaka...The business is run by a syndicate, and they determine what benefits workers get, if any. The risk associated with the business is borne by the workers and not by the owners. The workers are always keen to keep a good relationship with the owner and the law enforcement, but they take out their frustration on the passengers” (Wasif, 2018, "Sramik E Ki Ashol Khalonayok").

The paradox is that the workers' unions in the transport sector are strong and organized but apparently serve no interest of the workers. This is because the unions are controlled by a few labour leaders who themselves are owners and are also influential players in mainstream politics (Bardhan, 2018; Chowdhury, 2017; Hosen, 2016; “Prabhabshali 5 Netar Dakhale Paribahan Khat,” 2019; Tayieb, 2018). No independent workers' movement or union activities are seen in this sector, rather the workers' demands are raised by both workers' federation and the owners' association.

As mentioned earlier, the workers' unions are formed based on the intercity bus terminals. There are no unions specific to the individual bus companies in the city bus services since the owners of the companies do not allow such unions. It should be noted that there is hardly any demand for such unions among the workers.¹⁰ This is due to the general lack of awareness about unionism among the transport workers. The reluctance towards joining the union is also caused by the nature of the job. Since they are continuously on the move, the workers hardly get any chance to interact with each other, which is a primary step to forming any association. Also, organizing transport workers for a common cause at some commonplace in a common time is extremely difficult given the mobile nature of the sector.¹¹ In addition, the pervasive use of drugs among transport workers (Alam, 2019; Antara, 2018)

⁹ FGD with the transport workers on 15 December 2022 in Mirpur, Dhaka.

¹⁰ Interview with Mr Manirul Islam, BILS, and Mr Ghulam Murshed, trade union activist, on 14 December 2021.

¹¹ Interview with Mr Selim Mahmud, trade union leader, in Dhaka on 09 December 2021; interview with Mr Ghulam Murshed, trade union activist, on 10 December 2021.

makes it difficult for their collective mobilization.¹² Most importantly, the prevailing informal nature of work conditions makes the workers dependent on the owners, which is why many are reluctant to take any interest in collective mobilization since it may endanger their relationship with the owners.¹³

3.1.1.4. COVID-19 Impact on the Existing Labour Conditions

The number of studies on the impact of COVID-19 on the transport sector is limited. The studies on working conditions, health and safety, and the state of collective bargaining arrangements are almost non-existent. Most of the existing studies relied on newspapers for their data sources. Estimates suggest that during the beginning of COVID-19, approximately nine million transport workers were seriously affected (Sakib, 2020). Due to the ban on public transport during the pandemic, the sector suffered an economic loss of around BDT 5 billion every day (Roy, 2020). A recent study by BILS and the Centre for Policy Dialogue (CPD) (Moazzem, 2021) has categorized transport as a high-risk and severely impacted sector during the pandemic. Studies also show that the overall transport sector experienced a general decline in working hours, along with job loss, which was higher among male transport workers (Genoni et al., 2020). BILS labour day report (Islam, S., 2021) shows that during the first lockdown imposed in 2020, the average working hours for transport workers per week went down to 14.6 hours compared to 67 hours during the pre-lockdown period. The average transport workers received payments as low as 26% of their usual revenues (Islam, M., 2021).

The informal nature of the sector has also contributed to the vulnerability of the workers during the pandemic shock. For instance, the lack of formal contracts for the workers made them largely ineligible for getting any livelihood support from the owners. In the absence of any compensations provided by the owners, they had to choose other occupations, spend whatever little savings they had, or had to borrow from others during the pandemic.¹⁴ Our interviewees did not receive any kind of support from the government.¹⁵ The government had no targeted programs to support the transport workers during COVID-19,¹⁶ and no such

¹² Interview with Mr Selim Mahmud, trade union leader, in Dhaka on 09 December 2021; interview with Mr Ghulam Murshed, trade union activist, on 10 December 2021.

¹³ FGD with road transport workers in Mirpur, Dhaka on 15 December 2021.

¹⁴ FGD with road transport workers in Mirpur, Dhaka on 15 December 2021.

¹⁵ FGD with road transport workers in Mirpur, Dhaka on 15 December 2021.

¹⁶ Interview with Mr Goutam Kumar, Department of Labour, on 21 December 2021 at the Department of Labour office, Dhaka.

effort was made by the owners. Even though the owners' association collect regular payments from the drivers in the name of the "workers' welfare fund," the transport workers did not receive any assistance from this (Sakib, 2020). No assistance was also arranged on behalf of the transport workers' federation (Akhter, 2021; Mamun, 2020; "Sramik Fedaration'er Kono Kalyan Tahabil Nei: Shajahan Khan," 2020). The economic vulnerabilities of the workers were indeed starkly revealed during the pandemic.

There were no visible health and safety demands from the workers during the pandemic. During this period, many spontaneous workers' demonstrations took place (Akhter, 2020, 2021; "Lalmonirahat Motor Malik Samitir Netader Padatyag Chan Sramikra," 2020; "Panchagarh'e Ganoparibahan Chalur Dabite Mahasarak Bikkhob," 2020; Rupom, 2020). Two basic demands came up in these—provisioning of government relief support and withdrawal of lockdown-related ban on transport (Khan & Hoque, 2020).

3.1.1.5. Key Actors Producing Evidence, Frames

Among the very few "knowledge-producing actors," BILS and CPD are the main actors. Asian Development Bank (ADB) and the World Bank produce updates and reports on economic aspects of the transport sector.

The concept of transport workers' "rights" is not clearly recognized among the policy actors. Despite being recognized in the law, the MoLE, as a key actor, is not being able to enforce this; rather, they want to persuade the owners in adopting policies to ensure decent working conditions for the workers. The new law, for instance, determined a minimum wage structure, but with the absence of a job contract, it will not be possible to enforce this.

The knowledge-producing actors recognize that there is a deficit in terms of understanding the existing rights condition of the transport workers, which would be crucial to formulating any action in this regard. To start with, they clearly emphasize making the formal contract mandatory to start the discussion. The demand for decent working conditions and workplace safety is also recognized, but not much discussed.

Functional collective bargaining platforms for the workers are crucially needed in the transport sector. The trade union activists recognize that due to the collusive nature of the relationship between the owners and unions, the workers' voices are generally ignored.

3.1.1.6. Avenues for Research and Scope for Policy Engagement

The discussion with experts identifies the following areas which can be important to examine further:

Firstly, the need for generating data and information on transport workers was viewed as important by all kinds of stakeholders we have consulted with. It came out through the discussion that given the dearth of information in this sector, it is imperative to gather large data to create a database of transport workers, their profiles, income and savings, work conditions and hours, and safety and security conditions to gain a comprehensive understanding on their right issues.

Secondly, specific to COVID-19, the need for social protection for transport workers was emphasized by different stakeholders. How this can be designed, in a context whereby informalities predominantly tend to govern the sector, will be an essential research agenda in the coming days.

Thirdly, the existing nature of associational rights and collective bargaining practices of transport workers is also identified as an important research agenda by the stakeholders.

Table 3: Research Agendas for the Transport Sector

Agenda	Who would be interested in listening and using the research for policy improvement
1. Large scale data and survey-based work on profiling transport workers	Ministry of Labour, research organizations, and specific trade union groups
2. Ensuring social security of transport workers	Ministry of Labour, research organizations, and specific trade union groups
3. Associational rights and collective bargaining	Research organizations and specific trade union groups

3.1.2. Case: Ready-Made Garment (RMG)

The RMG industry in Bangladesh contributes to 84% of the country's total exports and 20% of its gross domestic product (GDP) (Anner, 2020). Hence, when the COVID-19 pandemic took over much of the world in March 2020, the RMG industry took a big hit, which in turn had major effects on Bangladesh's economy, as well as on the four million workers employed in the sector, over 50% of whom are women (Shajahan et al., 2020). After the inception of the industry in 1980, it soon emerged as one of the largest export RMG industries in the world, second only to China (Anner, 2020). The industry saw the rise of women workers in the labour force, which consisted of about 80% women, at least until 2016, after which, over time, female participation has seen a decline (Shajahan et al., 2020).

The following section will provide an overview of how COVID-19 impacted this industry in terms of the erosion of workers' rights; the state of existing evidence is reviewed, and the gaps in evidence are identified. Following that, a stakeholder matrix is shown to determine who influences policymaking and to what degree, and who influences any change in workers' rights and also to what extent. Finally, possible policy interventions and new research opportunities are discussed.

3.1.2.1. Brief Profile of the Sector and Existing State of Labour Rights

The garment industry has for long been observed to have poor working conditions, in terms of workers' health, safety, security, and working hours. However, since the catastrophic Rana Plaza incident in 2013, the immediate need to regulate the sector and protect its workers became an imperative (Kabir et al., 2018). Periodic wage increases in the garment industry have also been a contentious topic for a long time—a priority concern of the workers but continuously evaded by the owners because the competitive advantage of the RMG sector lies in its cheap labour costs (Kabeer et al., 2019). Still, wages have increased four times in the last 25 years, the latest increase in 2013, with the possibility of a forthcoming increase in 2022 (Hassan et al). Such increases in the wages, one can argue, did not happen due to policymakers' consideration of inflation adjustment, but perhaps due to demands by the workers as manifested in numerous protests, both violent and non-violent. Long working hours are a norm in the RMG industry, and multiple studies have shown its adverse effects on the health status and well-being of workers (Nasrin et al., 2019). Safety standards were a big cause for concern, especially after the Rana Plaza collapse, when authorities were finally compelled to take it seriously and to ensure that related reforms were implemented. Occupational safety may have improved in the garment industry, but long working hours and other factory hazards leading to workers' ill health remain major concerns. As Neve and Prentice (2017, p. 2) pointed out, “the pressures of global competition in a quickly changing market are exerted upon workers in the form of insecure employment, unpredictable working hours, quickened production rhythms, and excessive overtime.” The insecurity in their employment is attributed to the instability of their jobs, where jobs can be lost and gained without much prior notice. The status of their jobs, which is very much dependent on receiving orders from foreign buyers, adds to the precarity of their working conditions and hours. All these factors contribute to a compromised workplace culture for workers in the RMG industry.

Factories in the sector are further divided into largely three tiers, and this is a factor relating to the compliance and standardization of factories. Factories employing over 2,000 workers fall into the Tier 1 category, where they receive direct orders from buyers or intermediaries, and about 20% of all garment factories in the sector are said to fall under this category (Khan et al., 2018; Mariani, 2013). These firms are generally compliant in that they are expected to have more standard industrial relations practices, and have more decent working conditions, compared to other firms in the industry (Khan et al., 2018). The medium-sized factories are Tier 2 with a few hundred workers, and they are usually subcontracted by Tier 1 factories that need to fulfil their order targets. They can also take direct orders from brands, but on a limited scale (Khan et al., 2018). Finally, Tier 3 firms provide accessories for the garment (Mariani, 2013). Tier 1 firms are the most regulated of the three, which is why compliance standards may vary in each tier. Compliance is based on how factories follow the national rules and regulations and global safety standards related to the factories (Khan et al., 2018).

3.1.2.2. Impact of COVID-19

When the government ordered a nationwide shutdown on 26 March 2020, much of the labour force was displaced overnight. Since the RMG industry is one of the largest and most important sectors for Bangladesh, the government gave a stimulus package to the workers in the garment sector amounting to BDT 50 billion (about EUR 500 million) (Kabir et al., 2020). The stimulus package was intended for April, May, and June 2020, with the April salaries to be dispersed in May 2020. The government set up a system through which factories could apply for the loan and then have their workers' salaries paid. According to Antara and Syed (2020), Bangladesh Garment Manufacturers and Exporters Association (BGMEA) asked for another stimulus package again to cover workers' salaries during July, August, and September of 2020. Smaller RMG factories and non-BGMEA member factories were likely worse off; thus, workers of such factories suffered more than those in larger factories who received prompt support from the state. The industry was first hit when COVID-19 had yet to penetrate Bangladesh and the country had no recorded cases yet. The initial impact came when China, as the virus was originally detected there, was the first in the world to shut down; as Bangladesh imports most of its raw materials from China, there was a huge delay in raw material shipments during the beginning of 2020 (Sen et al., 2020). The second initial hit happened once Europe became one of the first regions to be struck severely by the virus; European buyers and big high-fashion retail brands started cancelling orders

worth USD 3.2 million, which they had already placed to the manufacturers in Bangladesh. *The Daily Star* reported that 1,931 global brands had either delayed, cancelled, or paused orders since the onset of the pandemic, causing a loss worth USD 3.7 billion (Preetha & Islam, 2020). What is not explicitly highlighted in these reports is the direct impact this has on workers' employment and, subsequently, their livelihoods. Retailers falsely used *force majeure* clauses to cancel orders already placed and refused to pay them and for the raw materials already purchased (Anner, 2020; Sen et al., 2020). This, in turn, had a ripple effect on workers' wages which were delayed. This affected 2.2 million workers in 1,150 factories (Siddiqui, 2021). It became evident from the action of global brands' that workers' rights were considered less important. As Siddiqui (2021) pointed out, brands' shareholders' rights to receive dividends took precedence over workers' demand for wages. Such global economic decisions and shocks had major effects on garment workers as local manufacturers failed to pay their workers' wages timely or adequately. Anner (2020)'s initial survey in March 2020 found that the factories that had orders cancelled, 72.4% of them could not pay their workers while they were temporarily furloughed, and 80% of these could not pay severance pay when workers were dismissed.

Not all factories were eligible for the stimulus. For example, the government prioritized factories that export at least 80% of their total yearly orders to receive the stimulus (Sultan et al., 2020). This left out many workers from smaller and subcontracting factories from getting benefits from the stimulus package. Some factories also chose to retrench by letting many workers go. During the few months of the beginning of COVID-19, when workers did not get their full salaries, their livelihoods were impacted as a result of delayed payments. Moreover, at least 357,450 workers had lost their jobs between January and September 2020, according to a survey conducted by CPD and Mapped in Bangladesh (MiB) (BIGD & ARC, 2021). Many people faced job insecurity with little social protection, which was a violation of their rights. Those who were "lucky" enough to retain their jobs, did so while risking their health safety.

3.1.2.3. Stakeholders' Influence

The RMG sector, given its economic importance and size, has many key stakeholders. The government is one of the most important stakeholders, as they are centrally involved in policymaking (Sharif, 2021). The RMG sector was the first sector to receive stimulus from the government, and also received the largest sum, compared to other sectors like informal workers and health workers (KPMG, 2020). Factory owners and BGMEA, as important

stakeholders, tend to have a high influence in policymaking. Trade unions in this sector are generally politicized, divided, and less capable of protecting workers' rights as one would have expected (Hassan et al.; Kabeer et al., 2019). Factory management tends to be against trade unionism and has taken initiatives to discourage and obstruct workers from unionizing (Khan et al., 2018). NGOs and think tanks support social causes and initiatives for workers, undertake research as well as recommend policy (Sharif, 2021). Table 3 displays the most significant stakeholders in this sector, and marks their level of influence in making change and informing on policies, as well as their interest, whether "positive (+)," "negative (-)," or "neutral (0)," in workers' rights. In cases where there is both "+" and "-" interest, as shown by "(+/-)," it suggests that while, in some instances, those stakeholders have some positive impact on labour rights, ultimately, they are not directly interested in helping labour rights.

Table 4: Roles, Influence, and Interest of Important Stakeholders in the Ready-Made Garment (RMG) Sector

Stakeholder	Role	Influence on labour rights, working conditions, health, and safety	Interest in protecting and promoting labour rights
Ministry of Labour and Employment (MoLE) (government)	Policymaker	++	+/- ¹⁷
Department of Labour and Employment (DoLE) (government)	Policy implementer	+	+/-
Department of Inspection for Factories and Establishments (DIFE) ¹⁸	Regulatory body	+	+/- ¹⁹
Bangladesh Garments Manufacturers Exporters Associations (BGMEA) and Bangladesh Knitwear Manufacturers Exporters Associations (BKMEA)	Regulatory body and owners' associations	+++	+/- ²⁰
Bangladesh Institute of Labour Studies (BILS)	Research and policy advocacy	+	++
Garment factory owners	Key actors in spearheading the industry	+++	+/-
Trade union leaders	Workers' welfare and collective action and rights	+	+++

¹⁷ Both MoLE and DoLE, being government bodies, have formal mandates to establish labour rights, but ultimately, they are influenced by powerful business and political actors who can act against their mandate.

¹⁸ Although a regulatory body, there were no reports of DIFE taking any measures to help minimize workers' layoffs to protect their rights (BIGD & ARC, 2021).

¹⁹ In line with footnote 18, DIFE plays a key role in ensuring safety and improving the infrastructure of factories, which in effect helps workers. However, they are influenced by powerful business and political actors who can act against their mandate.

²⁰ BGMEA is an owners' association with a lot of power over labour rights. However, their interest in workers' rights is mixed, having oftentimes both positive and negative influences.

Buyers/brands	International customers who place the orders	+++	+/- ²¹
Garment workers	Labour	+	+++
Non-governmental organizations (NGOs)/think tanks	Social protection, research, labour welfare initiatives	+	+++
International Labour Organization (ILO)	Labour laws and rights regulatory body	+	++

Note: The policy influence is measured using a seven-point scale: *very high* (+++), *high* (++) , *moderately high* (+), *neutral* (0), *moderately low* (-), *low* (--), and *very low* (---).

Interest in labour rights is measured using a seven-point scale: *very high* (+++), *high* (++) , *moderately high* (+), *neutral* (0), *moderately low* (-), *low* (--), and *very low* (---).

3.1.2.4. State of Existing Evidence and Evidence Gap

Several actors are reporting on the state of the RMG industry as the pandemic progresses. BIGD has been tracking the state of the RMG industry by publishing reports in phases covering the first few months of the pandemic. BIGD’s tracking of media reports highlights the less assertive role of trade unions in being able to ensure workers’ rights. They report workers’ protests during those months where workers, through collective action, demanded their wages and bonuses to be paid. The study also reported how the stimulus package was dispersed, what percentage of factories remained operational (79.26%), what percentage was temporarily closed (12.5%), and what percentage permanently shut down (8.49%) (Antara & Syed, 2020). The report concluded that there were discrepancies in those exact figures and that there should be a public disclosure identifying the recipient workers and factories which received the stimulus packages.

Much of the existing literature, especially media reports, focuses on the economic impact of COVID-19 on the RMG sector in Bangladesh and its impact on the larger economy. Some knowledge-producing actors, however, looked further into the consequences of that on the garment workers, taking into consideration the role of trade unions and their weakness in protecting workers’ rights.

²¹ Buyers and brands have immense influence over labour rights, if not the most. Considering that, while buyers show they are interested in protecting the rights of workers, the reality is often different in that it is the actions of buyers that have a direct impact on workers’ rights. This has been discussed in more detail in the text.

The shock from COVID-19 highlighted the vulnerability of the sector, showing that the RMG workers have little security to protect themselves from such economic shocks. Although most studies discussed, at least initially, workers who had less to eat and live on, there is little research and discussion on how COVID-19 continues to impact their employment security and future. Also, within the garment industry, the sweater and knit industries are a more specialized sector where workers' salary structure is a bit different. What did not come up in any existing studies but was revealed in an ongoing study is that sweater factory workers earn on a piece-rate basis (Hassan et al.). If their earnings are entirely dependent on the piece rate, then the loss of orders would affect them more. However, these distinctions are not considered at all in existing research or reports on garment workers, at least not in the times of COVID-19.

There is no concrete data on how many factories were affected by the pandemic, how many closed down permanently, how many jobs have now been lost or gained, and what changes have been made to the rights of workers and freedom of association. Studies discuss the economic impact and future of the RMG industry, but rarely are workers' rights and livelihoods written about.

3.1.2.5. Policy Actors and Opportunities

Little action has been taken on policy reforms during COVID-19 in the garment sector. As noted earlier, garment workers work long hours and do not have the best working conditions. They are compelled to do extra hours as their payments tend to be below the living wage, hence workers oftentimes in fact 'want' to work overtime to earn extra wages. They are also forced to do overtime due to the pressure of brands and buyers who give very little lead time to produce the garments and ship them on time (Anner, 2019). Two major features of the global supply chain are "price squeeze" (when lead firms/buyers use their power to their advantage to leverage manufacturers to reduce prices, as well as reduce lead times) and "sourcing squeeze" (when lead firms/buyers change order requirements on short notice) (ibid). This asymmetrical power structure in the global supply chain tends to have a highly adverse impact on workers, both economically and in terms of their rights. Such squeezing of prices also contributes to the increasing reluctance of the manufacturers to raise wages in the RMG sector.

There is a policy opportunity here; the government can intervene and set policies to give manufacturers sufficient lead time, so the workers are not overworked. This would, in effect, mean workers will not be forced to work for longer hours, thus hopefully increasing

their overall working conditions. Overall, implications of the global supply chain need to be considered, implementing policy reforms in different parts of the supply chain to improve workers' rights and working conditions.

As noted earlier, the trade unions were unable to play an effective role in protecting workers' rights during the pandemic, which implies weak collective bargaining power for the workers. Further studies can be conducted to understand the role of trade unions in workers' social protection better, to understand what the obstacles are and how they can be overcome. Finally, while there has been a lot of research on the impact of COVID-19 on the RMG sector, the pandemic has shown that there is also an urgent need to focus on the issues such as workers' health and safety, job security, and working conditions in general.

3.2. Sector: Small Business

3.2.1. Case: Beauty Parlour

3.2.1.1. Brief Profile

The beauty parlour sector, although been in existence for a very long time, has only recently been recognized as an industrial sector (S. S. Rahman, 2020) During the last two decades, there has been a boom in the number of women working in or owning salons. An estimated 0.1 million workers are employed in this sector, mostly women (Akter, 2009). This industry has also been crucial in bringing women from indigenous communities into the cities. With growing consumer demand, beauty parlours have also increased; at present, the number of registered salons is over 350,000 (S. S. Rahman, 2020). Nevertheless, hardly any research has been conducted on this sector. Despite the sector being recognized in 2020, no regulatory rules and policies or labour laws have been enacted for it.²²

3.2.1.2. Mapping the Influence and Interest of the Stakeholders

The Ministry of Commerce is the key agency responsible for overseeing the beauty industry. The city corporations provide trade licenses to individual beauty parlours. DIFE is responsible for the supervision of the parlours.

²² KII with a DoLE official for this paper.

There are a few parlour owners' associations, such as Bangladesh Beauty Service Owners Association and Bangladesh Garo Beauty Parlour Owners Association. Members of these associations are currently working on consolidating the industry and trying to get the government's attention.²³ But these associations' interests lie mainly in supporting the beauty industry and the owners, rather than the workers. FGD with parlour workers suggests that due to the lack of trade unions and unity among the workers, their demands are not voiced at all and, consequently, they lack any influence to ensure their labour rights or better working conditions. Table 5 below provides a mapping of the influence and interest of the stakeholders engaged in this sector.

²³ KII with the treasurer of the Beauty Service Owners Association of Bangladesh (BSOAB).

Table 5: Roles, Influence, and Interest of Important Actors in the Beauty Parlours Sector

Actors	Role	Influence on labour rights and working conditions, health, and safety	Interest in protecting and promoting labour rights
Ministry of Commerce	Policymaker	++	0
City corporation/Union Parishad	License provider	0	?
DIFE	Regulatory body	++	?
Beauty parlour owners	Employer	+++	--
Owners' association	Owner's body working for the development of the industry	++	--
Workers	Employee	-	+++

Note: The policy influence is measured using the following indicators: *very high* (+++), *high* (++) , *moderately high* (+), *neutral* (0), *moderately low* (-), *low* (--), and *very low* (---), and *cannot be determined* (?).

Interest in labour rights is measured using the following indicators: *very high* (+++), *high* (++) , *moderately high* (+), *neutral* (0), *moderately low* (-), *low* (--), and *very low* (---), and *cannot be determined* (?).

3.2.1.3. Existing Labour Rights and Working Conditions in the Sector

FGD with workers and KII with researchers show the precarious condition of the workers in this industry. Most beauty parlour workers come to the city and join the parlours utilizing their connections with relatives or acquaintances already engaged in this sector. They are initially trained at the parlour and receive a lumpsum amount, and some even pay to get trained. The training is informal, and no certificate is provided. Moreover, since there is no certificate to use as proof of their skills, the trainees are compelled to join the parlour where they receive the training from.

The workers typically start their jobs without any formal contract, but there is a mutual verbal understanding between the worker and the owner or manager regarding the job conditions. In the absence of any contract, there are no policies for wage determination, leaves, or any other benefits. A study by ILO (2017) found that none of the workers they

interviewed was aware of their rights. Findings from FGD showed that workers themselves were not too concerned about not receiving any contracts, neither they had asked for them. Some parlours have set criteria for promotions and salary raises, but most parlours do not. Most parlours provide only one festival bonus, which is not a fixed amount either.

As mentioned earlier, there is no leave policy in parlours. Most workers get leaves on a roster basis, once every one or two weeks. In some parlours, there are provisions for sick leaves. Also, there are no standard working hours. They usually need to report to the parlours for duty at 8:00 or 9:00 a.m. and are sometimes required to work up to 10 to 12 hours. Certain days and seasons are busier than others, especially during wedding periods, where working hours can be even longer. For these extra hours of work, workers do not usually get overtime, and they are not even aware of this practice as a violation of labour rights.

In the absence of any standard maternity leave, the pregnant workers are usually sent home by the owners without pay, but they can usually rejoin the same parlour. No child support is provided.

Trade unions are still non-existent in this sector, and workers are found to be not very interested in joining trade unions either. When probed further, they remarked that association could be useful for raising their demands collectively, but they were not very sure about how this kind of association would be formed and how this would work since they are not at all familiar with trade unions. According to parlour owners, if the workers face any problem, they share it with the parlour management and sort it out by sitting and discussing it personally once or twice a month.

3.2.1.4. COVID-19 Impact on the Existing Labour Conditions

Businesses like beauty parlours are such that maintaining social distance and enforcement of other health safety measures are difficult. For these reasons, as a study by BIGD shows, the beauty parlours were very slow to reopen even after the withdrawal of lockdown (Islam et al., 2020).

COVID-induced lockdown pushed many indigenous parlour workers, most of who are from the *Adivasi Garo* community, to leave the city and work on the farms in the villages (Corraya, 2020).

Were workers paid during the lockdown? One study by Karmojibi Nari, a civil society organization, found that the majority of the parlour workers were on unpaid leave during the entire period of the lockdown. It was also found that no workers were laid off during this time.

When the parlours resumed operation after the withdrawal of the lockdown, this sector needed strict operating guidelines because of its high vulnerability to infection. In the absence of strict enforcement of health regulations by the authority, small and medium parlours operated with very little compliance with the safety measures, and most were found to be overcrowded. Compared to these parlours, large parlours had health safety regulations to some extent, if they were open at all (Karim, 2020). These indicate that parlour owners were essentially left to figure out their own strategies in dealing with the reopening and ensuring safety protocols. This implies that workers were exposed to health hazards in most of the small and medium parlours.

3.2.1.5. Key Actors Producing Evidence, Framing of Issue

There is a significant lack of research done on the beauty industry in Bangladesh. Karmojibi Nari, a women-led NGO, BIGD, a development research institute, and ILO are three organizations that have researched the sector. Apart from these, some individual research has been done under academic institutions. Most of this individual research is found to be citing the same dated statistics on the industry, which further proves the scarcity of research in this sector.

One thing that was observed from our research is that there is no clear idea of what constitutes workers' rights in this sector. As the sector is still in its earlier phase of gaining recognition, key actors, such as owners and owners' associations, are focusing mainly on the consolidation of the industry and making their voices heard in the policy discourse. Only recently, the Ministry of Commerce has shown interest in addressing the owners' issues, such as reducing vat, providing stimulus, etc. Therefore, it is still uncertain when, if at all, the workers' rights will be given due importance in the future.

3.2.1.6. Avenues for Research and Scope for Policy Engagement

As mentioned before, there is a dearth of research in the beauty sector. Primarily, mapping of the beauty parlours—their numbers, location, number of workers, work conditions, safety and security conditions, etc.—needs to be done. Next, given the COVID-19 experiences, the design of social protection measures is also essential. Since there are no trade unions in the sector, workers' collective demands are not being articulated. One reason why there are no trade unions is that there is a lack of awareness among workers about the importance of collective forums. Thus, it is necessary to systematically explore the modalities of raising workers' awareness and developing strategies for designing evidence-based

activities on behalf of the workers. It is also necessary to explore how these workers can be made more aware of their rights or what can be done to raise their demands.

3.3. Sector: Informal

3.3.1. Case: Street Vending

3.3.1.1. Brief Profile of the Industry

In the Global South, street vendors are generally part of the informal sector who sell legal goods without legal authority or space (Pratt, 2006). This legal ambiguity has been the source of complex stakeholder relationships in many countries (Anjaria, 2010; Bromley, 2000). While street vendors do contribute to the service and economy, they are also associated with occupying public space, evading tax and lawful business procedures, creating health and safety hazards, and selling products with questionable quality (Bromley, 2000). Bromley found street vending varied across the size of operation, mobility, service hours, location, revenue, product type, delivery mechanism, etc.

In Dhaka, street vendors illegally occupy public spaces such as sidewalks, streets, vacant lots, etc. (Lata et al., 2019). Since such establishments and businesses are not registered or have any legal basis, there is no regulatory framework for the street-vending industry either. At present, an estimate suggests that around 0.4 million street vendors are operating in Dhaka (Irani, 2020).

There is no official authority assigned to regulate the street vendors of Dhaka. The prime regulatory authorities that govern the public spaces of Dhaka are DNCC and DSCC. Since they regulate the public spaces where the vendors generally sit, they are the prime authority concerned with street vendors. Law enforcement agencies, such as the DMP, are also concerned bodies. They ensure safety in these public spaces and regulate traffic that street vendors create by blocking roads and sidewalks. Ward councillors are also generally concerned about the betterment of their areas and regulate this sector.

3.3.1.2. Mapping the Influence and Interests of the Stakeholders

Street vending is not legally recognized in Dhaka. The formal authority, both DNCC and DSCC, has made it clear that it is instead their mandate to keep the public space free, which ultimately goes against the interest of vendors. Therefore, the concern for street

vendors comes second to them as they are only considered an ancillary to a good public life. At the same time, city corporations spend considerable time and effort managing the vendors; so if the work conditions improve, this might be beneficial for them to some extent.

The relationship with formal and informal agents such as local police, local field-level workers of politicians, and petty local criminals is crucial for the street vendors to protect their business. To save their livelihoods which require access to a spot in a public space, they develop collusive relations with these agents who facilitate access to such spaces in exchange for regular payments. This network of stakeholders helps them survive in the street, but de facto prevents the state from making formal arrangements. Therefore, both the formal and informal actors constitute an informal authority that controls the vendors, which, consequently obstructs the establishment of the vendors' rights.

The informal system that governs this sector, whereby large amounts of rent are generated, creates strong incentives for the rent-seekers not to formalize the system and establish a proper regulatory system. The rent-seekers again share these rents with other powerful stakeholders, both formal and informal, including political leaders.

Unions such as National Hawkers' Federation (NHF), Bangladesh Hawkers' Union, Tejgaon Hawkers' League, and a few others (Alam & Mollah, 2020) are important stakeholders in the sector. They aim to improve labour conditions and establish powerful collective bargaining platforms. One research study has shown that the power/influence of these platforms tends to be low (Lata et al., 2019). The unions are not formally recognized, and the government officials, interviewed for this study, remarked that they have never negotiated with these unions.²⁴

Table 6: Roles, Influence, and Interest of Important Stakeholders in the Street Vendor Industry

Stakeholders	Role	Influence on labour rights, working conditions, health, and safety	Interest in protecting and promoting labour rights
Dhaka North and South city corporations	Formal regulatory authority	++	0
Ministry of Labour and Employment	Policymaker	++	0

²⁴ Interviews with Maqsd Hashem, Chief Town Planner, Dhaka North City Corporation (DNCC), and Mr Goutam Kumar, Department of Labour.

Police	Law enforcement authority	++	-
Party leaders/political elites	Key regulators of the informal vending system	++	-
The mainstream political party and the student wing of mainstream parties	De-facto controllers over the vending business governance	+	-
Linemen	De-facto field agents of the vending business governance	+	--
Trade unions	Collective bargaining agents	0	++
Formal businesses	Compete against informal vendors for customers	0	--
Public transport services	Uses public spaces	0	--

Note: The policy influence is measured using the following indicators: *very high* (+++), *high* (++) , *moderately high* (+), *neutral* (0), *moderately low* (-), *low* (--), *very low* (---), and *cannot be determined* (?).

Interest in labour rights is measured using the following indicators: *very high* (+++), *high* (++) , *moderately high* (+), *neutral* (0), *moderately low* (-), *low* (--), *very low* (---), and *cannot be determined* (?).

3.3.1.3. Pre-Existing Labour Rights and Working Conditions in the Sector

While street vending contributes to the economy through employment, distribution of products and services, and provides multiple avenues for entrepreneurship, it creates multiple challenges for urban governance and planning. Vendors in the city operate with minimal bargaining power, both individually and collectively, vis-à-vis powerful political, social, and administrative actors who control them.

Figure 2 provides formal and de facto governance of the street vending business in Dhaka city.

Vending governance: Interactions among Stakeholders

- ⋯→ Business
- Rent seeking
- -> Eviction Authority

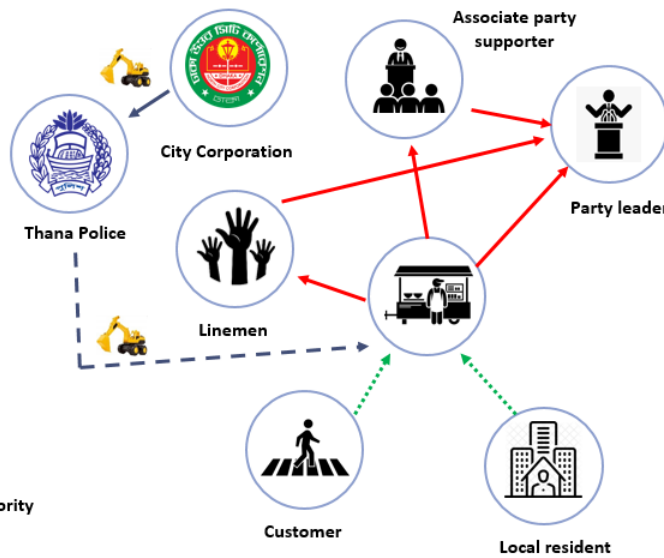


Figure 2: Vending Governance: Interaction Among Stakeholders

Source: BIGD (2022)

Evidence from articles and newspapers shows that vendors in Dhaka are regularly beaten and harassed if they do not comply with the diktats of these actors (Etzold, 2015; Islam, 2019). BIGD (2022) and Lata et al. (2019) found regulators and their gofers called “linemen” as influential stakeholders (see Figure 2). Regulators and linemen collect bribes and fees on behalf of the political elites. In return, vendors are provided with services and favours such as access to pirated electricity, a network of powerbrokers, and, most importantly, the ability to conduct business safely. Another study in Dhaka by Jackman (2017) depicted the various forms of dependency of vendors on such “brokers” for accessing resources, brokers who are patronized and protected by the police and political elites.

The opportunity to articulate the collective voice of the vendors tends to be very limited. According to union representatives, the voices of the vendors are suppressed to prevent them from forming any kind of collective forum. Linemen control vending spaces and closely monitor the day-to-day operations of the vendors so that the vendors cannot be mobilized by the unions. DNCC officials perceive that unions are “troublemakers” and unionization is just a strategy for vendors to bargain with the authority to provide a legal/formal basis for their illegal activities. An official from DoLE, who oversees union registration, stated that he never had any interactions with the hawkers’ unions.

Vendors all over the city remain under constant threat of being evicted by the city corporation (Islam, 2019). The city corporation occasionally dismantles the shops set up by the vendors. However, with the help of local party leaders and linemen as well as the law

enforcement agencies, the vendors soon return to their original places and set up the shops again (Adhikary & Khan, 2019).

3.3.1.4. COVID-19 Impact on the Existing Labour Conditions

During the COVID-19 pandemic, health and safety issues did not get much priority among the vendors. Rather, their demands were mostly logistical and infrastructural, as shown in Figure 3 (BIGD, 2022). FGD with street vendors also revealed that monetary support and access to capital to further their business were deemed as priority needs.

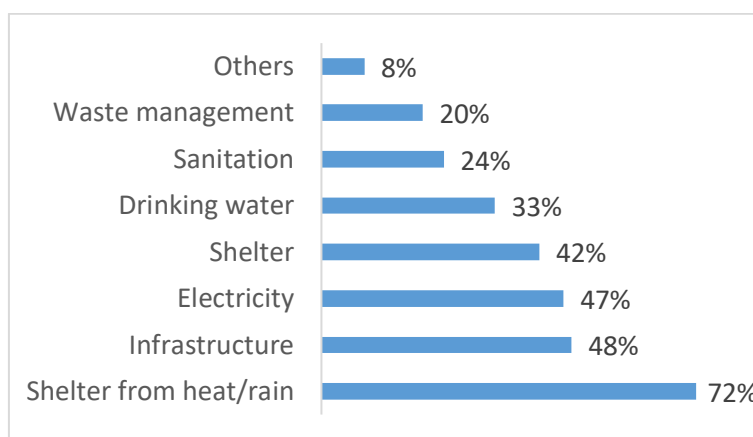


Figure 3: Demands by Street Vendors to Properly Function (Multiple Responses)

Source: BIGD (2022)

COVID-19 lockdown showed how street vendors were out of business for months (Alam & Mollah, 2020). The government did not have any specific interventions for street vendors. Many did not get government relief as they were not considered voters of the locality. To survive, they had to take personal loans.

The FGD among street vendors shows various personal and business-related problems that the vendors experienced during the pandemic (see Table 7 below).

Table 7: COVID-Induced Problems Experienced by the Street Vendors

Issues	Changes due to COVID-19
Daily sales	Drastically decreased after COVID-19
Customer demand	Fell due to health concerns regarding open food consumption
Coping	Personal savings have been exhausted; loans taken during lockdown are to be returned
Types of support	No or limited access to government relief

3.3.1.5. Evidence Gap, Scope for Research and Policy Engagement

Various research organizations have conducted studies on different urban issues. These include [the Center for Urban Studies \(CUS\), Dhaka](#); [Power and Participation Research Centre \(PPRC\)](#); [Bangladesh Urban Forum \(BUF\)](#); and [BRAC Institute of Governance and Development \(BIGD\), BRAC University](#). However, other than a recent work by BIGD, there were no studies found on street vendors. Reports such as [Report of the 1st Bangladesh Urban Forum](#) by BUF and [State of Cities 2016: Traffic Congestion in Dhaka City](#) by BIGD focused on some aspects of street vending but did not consider that as a central issue. De facto, print media has been the major source of information on street vendors. While they are helpful for a primary understanding of the rights related issues of street vendors, they do not provide any comprehensive understanding of the issues based on rigorous data.

Researchers have suggested possible research agenda for this:

- develop a detailed profile of the sector,
- the nature and process of formal and informal governance and relevant stakeholders,
- the impact of COVID-19 on the sector; research needs to focus on the conditions of the street vendors during the pandemic, emerging issues/problems in connection to the pandemic, and the nature of possible coping strategies,
- the possible design of social security schemes to cope with future economic shocks.

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Annexe


Table A1: Protests by Transport Workers During COVID-19 in 2020

	Date	Place	Demand	How it was demonstrated	Action
1	28 April	Savar	Relief	Blocking highway	Assurance
2	29 April	Narayanganj	Relief	Blocking highway	No assurance
3	1 May	Narayanganj	Relief	Blocking highway	Assurance
4	5 May	Gabtol, Dhaka	Relief or lifting ban on public transportation	Blocking highway	Successful
5	6 May	Fultola Bus Stand, Khulna	Relief	Blocking highway	Assurance
6	7 May	Saidabad, Dhaka	Relief	Blocking highway	No assurance
7	10 May	Panchagarh	Relief or lifting ban on public transportation	Blocking highway	Assurance
8	10 May	Kaliganj, Lalmonirhat	Relief	Blocking highway	Assurance
9	11 May	Shiddhrganj, Narayanganj	Relief	Blocking highway	Assurance
10	11 May	Thakurgoan	Relief or lifting ban on public transportation	Blocking highway	Assurance
11	15 May	Lalmonirhat	Resignation of the leaders of the Motor Owners' Association	In front of the bus stand	No assurance
12	23 May	Kallayanpur, Dhaka	Relief	Blocking road	No assurance

Garment employees are seen leaving a clothing plant at the end of their working day in Bangladesh

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