

Labour and Employment Law in Bangladesh

Labour and employment laws in Bangladesh are primarily governed by the Bangladesh Labour Act 2006 (amended in 2013 and 2018), which consolidates and updates previous laws like the Factories Act 1965 and the Shops and Establishments Act 1965. This Act regulates working conditions, wages, safety, and rights of workers across industries, applying to factories, shops, transport, and other establishments. Supplementary laws include the Bangladesh Labour Rules 2015, the Workmen's Compensation Act 1923, and the Payment of Wages Act 1936. The Constitution of Bangladesh, under Articles 14 and 20, ensures freedom from exploitation and the right to work, while the Labour Policy 2012 emphasizes fair wages and safety. These laws aim to protect workers, ensure workplace safety, and prevent exploitation, with strict penalties for violations. Below is an overview of key labour and employment laws and their punishments for violations, presented in a clear, copyable format. For official texts, refer to bdlaws.minlaw.gov.bd.

Key Labour and Employment Laws and Punishments:

- **Child Labour (Section 34, Bangladesh Labour Act 2006):** Employing children under 14 in any work or adolescents (14-18) in hazardous work carries up to 1 year's imprisonment, a fine up to 5,000 taka, or both. Hazardous work for adolescents without safety compliance carries the same penalty.
- **Forced Labour (Section 374, Penal Code 1860):** Compelling a person to work against their will carries up to 1 year's imprisonment, a fine, or both.
- **Non-Payment of Wages (Section 289, Labour Act 2006):** Failing to pay wages within 7 working days or delaying minimum wages carries a fine up to 5,000 taka; repeated violations may lead to 6 months' imprisonment and a fine up to 10,000 taka. Under the Payment of Wages Act 1936, delayed wages attract a fine up to 1,000 taka.
- **Violation of Working Hours (Section 100-108):** Exceeding 8-hour daily or 48-hour weekly work limits (60 hours with overtime) carries a fine up to 5,000 taka per violation. Forcing workers to work beyond legal hours without consent carries a fine up to 10,000 taka.
- **Unsafe Working Conditions (Section 79):** Failing to ensure workplace safety (e.g., fire exits, machinery guards) carries up to 6 months' imprisonment, a fine up to 1 lakh taka, or both. Causing death due to negligence (Section 304A, Penal Code) carries up to 2 years' imprisonment, a fine, or both.
- **Non-Provision of Maternity Benefits (Section 46-50):** Denying 16 weeks' paid maternity leave to eligible female workers carries a fine up to 25,000 taka; repeated violations may lead to 6 months' imprisonment.
- **Discrimination in Employment (Section 345):** Discriminating based on gender, religion, or other grounds carries a fine up to 25,000 taka. Sexual harassment (Section 332, Penal Code, read with Labour Act) carries up to 1 year's imprisonment, a fine, or both.
- **Non-Compliance with Minimum Wage (Section 139-145):** Paying below the minimum wage set by the Wage Board (e.g., 8,000 taka/month for garment workers, 2018) carries a fine up to 5,000 taka; repeated violations may lead to 6 months' imprisonment and a fine up to 10,000 taka.

- **Illegal Termination (Section 26-27):** Terminating workers without notice or compensation (1-2 months' wages based on service duration) carries a fine up to 25,000 taka; reinstatement may be ordered by a Labour Court.
- **Failure to Provide Appointment Letter (Section 5):** Not issuing a written appointment letter carries a fine up to 10,000 taka; repeated violations may lead to 3 months' imprisonment.
- **Non-Compliance with Leave Entitlements (Section 115-117):** Denying annual leave (1 day per 18 days worked), sick leave (14 days), or casual leave (10 days) carries a fine up to 5,000 taka per violation.
- **Obstructing Trade Unions (Section 195-205):** Preventing workers from forming or joining trade unions carries a fine up to 10,000 taka; intimidating union members may lead to 6 months' imprisonment and a fine.
- **Failure to Maintain Health and Safety Standards (Section 61-78):** Not providing clean drinking water, sanitation, or ventilation carries a fine up to 25,000 taka; serious violations (e.g., no fire safety measures) carry up to 6 months' imprisonment and a fine up to 1 lakh taka.
- **Non-Payment of Workmen's Compensation (Workmen's Compensation Act 1923, Section 4):** Failing to compensate for workplace injuries (e.g., 4 lakh taka for death, 3 lakh taka for permanent disability) carries a fine up to 10,000 taka; willful refusal may lead to 6 months' imprisonment.
- **Employment of Foreign Workers Without Permit (Section 4A):** Hiring foreign workers without Labour Ministry approval carries a fine up to 50,000 taka; repeated violations may lead to 1 year's imprisonment.
- **Violation of Apprenticeship Rules (Section 37-40):** Not following apprenticeship training guidelines carries a fine up to 5,000 taka per violation.
- **Failure to Register Establishment (Section 3):** Operating a factory or shop without registration with the Chief Inspector carries a fine up to 25,000 taka; continued violation may lead to 3 months' imprisonment.

Implementation and Additional Notes:

The Bangladesh Labour Act 2006 applies to establishments with five or more workers, with enforcement by the Department of Inspection for Factories and Establishments. Most offenses are bailable, but serious violations like causing death due to negligence are non-bailable under the Penal Code. Labour Courts handle disputes, but case backlogs and corruption hinder justice. The 2013 and 2018 amendments strengthened safety measures post-Rana Plaza collapse (2013, 1,135 deaths), mandating fire exits and safety committees. Despite this, compliance is weak, especially in informal sectors (87% of workforce). Minimum wage enforcement is inconsistent, with garment workers often underpaid despite revisions. Child labour remains prevalent (1.7 million children, ILO 2020), and women face workplace harassment despite legal protections. The Labour Welfare Foundation and helplines (e.g., 16357) support workers, but awareness is low. For updates, consult bdlaws.minlaw.gov.bd or labour.gov.bd.