



## SUB-INDEX A: PROTECTIONS FOR FAMILY CAREGIVERS

**1.38**

<b>A1. Pregnancy and Maternity Leave Coverage</b> <i>(No sub-categories)</i>	<b>3.80</b>
<b>A2. Protections during Pregnancy and Maternity Leave</b> <i>Financial Protections</i> <i>Employment Protections</i>	<b>1.85</b> 3.70 0.00
<b>A3. Paternity Leave Policies</b> <i>(No sub-categories)</i>	<b>0.00</b>
<b>A4. Dependent Care Leave Policies</b> <i>(No sub-categories)</i>	<b>0.00</b>
<b>A5. Flexible Work Arrangements</b> <i>(No sub-categories)</i>	<b>0.00</b>
<b>A6. Mother-Friendly Workplace Policies</b> <i>Nursing Support in the Workplace</i> <i>Workplace Safety for Pregnant and Nursing Women</i>	<b>2.63</b> 0.25 5.00



Source: Encyclopedia Britannica



## SUB-INDEX B: PROTECTIONS FOR DOMESTIC WORKERS

**0.55**

<b>B1. Coverage under National Labor Laws</b> <i>(No sub-categories)</i>	<b>0.00</b>
<b>B2. Fair Employment Process</b> <i>Standard Terms of Employment</i> <i>Regulations for Recruitment and Employment Process</i>	<b>0.00</b> 0.00 0.00
<b>B3. Decent Working and Living Conditions</b> <i>Working Hours and Environment</i> <i>Rest and Leave</i> <i>Wages</i> <i>Social Security</i> <i>Living Conditions for Live-in Workers</i>	<b>0.75</b> 0.00 0.00 3.75 0.00
<b>B4. Labor Rights</b> <i>Freedom of Association and Access to Collective Bargaining</i> <i>Access to Complaint Mechanisms</i> <i>Enforcement and Protection Mechanisms</i>	<b>0.08</b> 0.00 0.00 0.25
<b>B5. Protections for Forced/Under-age Domestic Workers</b> <i>Protections against Forced/Compulsory Labor</i> <i>Protections for Under-age Laborers</i>	<b>1.92</b> 3.33 0.50
<b>B6. Protections for Migrant Domestic Workers</b>	NA

## Introduction

The People's Republic of Bangladesh in South Asia is the eighth most populous country in the world. Owing to rapid economic growth over the last two decades, Bangladesh reached the World Bank's lower-middle income country tier in 2015.<sup>1</sup> Based on the World Bank's international poverty line, Bangladesh also reduced its poverty level from 44.2% in 1991 to 14.8% in 2016.

Bangladesh is not yet a fully industrialized country, as more than 62.5% of the country's population still resides in rural areas as of 2019.<sup>2</sup> More than 87% of its population is also employed in the informal sector.<sup>3</sup> Currently, Bangladesh has not ratified ILO conventions C189, C183, C156 or C143, the key conventions pertaining to carework.

Bangladesh scored very poorly in the GCPI, with its overall score of 0.96 placing it in the 'Weak' band. One reason for this is the extremely limited legal

<sup>1</sup> The World Bank. 2020. "Bangladesh Overview."

<https://www.worldbank.org/en/country/bangladesh/overview>.

<sup>2</sup> The World Bank. 2020. "Poverty Headcount Ratio at \$1.90 a Day (2011 PPP) (% of Population) - Bangladesh."

<https://data.worldbank.org/indicator/SI.POV.DDAY>.

<sup>3</sup> ILO. "Informal Economy in Bangladesh (ILO in Bangladesh)." *Informal Economy in Bangladesh, 2019*.

[www.ilo.org/dhaka/areasofwork/informal-economy/lang--en/index.htm](http://www.ilo.org/dhaka/areasofwork/informal-economy/lang--en/index.htm).

framework to protect careworkers and caregivers. Domestic work is considered informal employment in Bangladesh, and as such is not covered by labor laws.

Unpaid carework and domestic work are both highly gendered in Bangladesh. Almost 80% of domestic workers are women.<sup>4</sup> Furthermore, while women contribute around 42% of their total work time to unpaid carework, men put in only about 7% of their work time to such work.<sup>5</sup> The fact that the duty of unpaid carework falls predominantly on women is also reflected in Bangladesh's low female labor force participation rate of 36% in 2020.<sup>6</sup>

## Key Care Policies

Bangladesh's care policy architecture is primarily contained within a single piece of legislation – [the Labor Act 2013](#). The Act guarantees 16 weeks of paid maternity leave and health protections at work to pregnant and nursing women. Before this law was passed in 2013, maternity benefits and protections were provided to working women by three separate maternity protection laws – the Mines Maternity Benefits Act 1941, the Maternity Benefits (Tea Estates) Act 1950, and the Maternity Benefits Act 1939. All these acts have been repealed, and these provisions are now provided through Chapter 4 of the Labour Act entitled “Maternity Benefits.”

Domestic workers in Bangladesh are excluded from any legal protections as the informal sector is not covered under Bangladesh's national labor laws. The most common explanation behind such exclusionary policy lies in the fact that the large majority of these domestic workers operate within their employer's private houses, which makes it impossible for public inspectors to enter for the purpose of ascertaining compliance with the law.<sup>7</sup> However, the Constitution does grant Bangladeshi domestic workers some basic rights such as access to healthcare, protection from discrimination and protection against forced labor.

<sup>4</sup> ILO Country Office for Bangladesh. “A Study on Decent Work Deficits in Domestic Work in Bangladesh.” 2019.

<sup>5</sup> ActionAid. 2017. “Incorporation of Women's Economic Empowerment and Unpaid Care Work into Regional Policies: South Asia.”

<sup>6</sup> International Labour Organization. “Labor Force Participation Rate, Female - Bangladesh.” September 20, 2020.

<sup>7</sup> Ashraf, Ali. “Public Policy Formulation: A Case Study of Domestic Workers in Bangladesh.” *Migrating Out of Poverty*, 2016: 13.

## Recent Care Policy Developments

A variety of programs have been recently implemented by the Bangladesh government, in partnership with international development organizations, to promote caregivers' welfare. Together with the World Bank, the government has introduced a number of maternity-related cash benefit schemes such as the Maternal Health Voucher Scheme and the Maternity Allowance for the Poor, both initiated in 2007.<sup>8</sup> These programs provide financial support to pregnant and nursing women from economically vulnerable sectors. These programs have been crucial for improving child health and nutrition outcomes and for reducing maternal mortality rates in Bangladesh.

The Domestic Workers Protection and Welfare Policy (DWPWP) was approved by the Cabinet in 2015 after years of advocacy and pressure from labor rights organisations<sup>9</sup>, but does not have any legislative standing and has not led to any substantial progress in terms of its implementation. One of the key points of the DWPWP is recognising domestic work as a profession, meaning domestic workers are entitled to protections under the Labour Act such as time for rest. Other provisions include granting domestic workers a four-month maternity leave, mandating a healthy and safe living and working environment, and introducing a government helpline for reporting abuses of domestic worker rights.

### Key Actors

The [Ministry of Labour and Employment](#) implements and promotes the Labour Act 2013, the primary policy protecting workers in Bangladesh, including workers with family responsibilities. The Ministry of Social Welfare, the Ministry of Health and Family Welfare, and the Department of Social Services design and administer programs for the welfare of caregivers.

International development organizations such as the World Bank and the World Health Organization have a strong presence in Bangladesh. They implement various development programs in collaboration with the Bangladeshi government.

<sup>8</sup> Anwar, Rubaba, and Aneeka Rahman. 2019. “Bangladesh Program Brief: Towards a Child Benefit Scheme.” Dhaka: The World Bank.

<sup>9</sup> ILO Country Office for Bangladesh. “A Study on Decent Work Deficits in Domestic Work in Bangladesh.” 2019: 19.

The [Bangladesh Institute of Labour Studies](#), which is affiliated with numerous trade unions, rights groups and civil society organisations, provides legal support to domestic workers and has maintained the Domestic Workers Rights Network (DWRN) since 2013. The DWRN was instrumental in the introduction of the Domestic Workers Welfare and Protection Policy in 2015.



## Sub-Index A: Protections for Family Caregivers

Bangladesh has some legal provisions for maternity leave policies and financial or social support for family caregivers. However, there is an absence of paternity or dependent care leave policies. Policies for employment support and family-friendly work arrangements for workers are also severely limited. Due to these wide gaps in its regulatory framework, Bangladesh falls in the Weak band for Sub-Index A, with a score of 1.38.

### A1 Pregnancy and Maternity Leave Coverage (3.80/10)

The Labour Act 2013 guarantees 16 weeks of paid maternity leave – 8 weeks before and 8 weeks after the expected date of delivery. Women are entitled to full wage replacement over these 16 weeks of maternity leave, which is paid by the employer. There are additional social assistance funds such as the Maternity Allowance Program for the Poor (MAPP) to support economically vulnerable pregnant women who may not qualify for wage replacement. The Ministry of Health and Family Welfare guarantees comprehensive medical care related to childbirth and pregnancy. However, provisions for extended maternity leaves for simultaneous multiple births or for medical complications, and employment protection for pregnant and nursing women are severely lacking.

### A2 Protections During Pregnancy and Maternity Leave (1.85/10)

Women on maternity leave are entitled to receive their full pay, with the exception of those with two or more surviving children. While there are numerous cash benefit schemes in place for economically disadvantaged pregnant and nursing women, employers are still ultimately liable for the cost of maternity leave benefits. There are also no job-protections for mothers, such as protections for dismissal from work while on maternity leave, protections against job discrimination on basis of

marital status, pregnancy, or family responsibilities, nor the guaranteed right to return to the same job and wage rate after maternity leave.

### A3 Paternity leave policies (0.00/10)

There are no national policies that guarantee paternity leave to any working fathers. However, there is a draft paternity bill currently being pushed for that would grant new fathers 15 days of paid leave.

### A4 Dependent Care Leave Policies (0.00/10)

There are no national policies that guarantee dependent care leave to workers who need to take care of their children or other dependents with care needs. Nevertheless, there are limited tax-relief and stipend measures to support caregivers and their dependents in Bangladesh. The tax-exempt income for legal guardians of a person with disabilities is BDT 50,000 (US\$583)<sup>10</sup> higher than the standard threshold for tax-exempt income. The Ministry for Social Welfare also provides allowances to elderly people and stipends to students from marginalized backgrounds, which may only indirectly support family caregivers of these individuals.

### A5 Flexible Work Arrangements (0.00/10)

Employees with care responsibilities do not have the right to request reduced working hours, flexitime, telecommuting under the Labour Act. There are also no requirements that the special needs of workers with family responsibilities be taken into account in shift-work arrangements and assignments to night work under the Act.

### A6 Mother-Friendly Work Arrangements (2.63/10)

The Labour Act provides some protections for pregnant and nursing women at work by exempting them from doing work of an arduous nature, or work that involves long hours of standing. The Act also exempts women – pregnant, nursing, and otherwise – from working at night, between 10pm and 6am, unless they explicitly consent to working during these hours. However, in other aspects of mother-friendly work arrangements such as nursing support for mothers, Bangladesh's provisions are very limited.



## Sub-Index B: Protections for Domestic Workers

Bangladesh explicitly excludes domestic workers from the Labour Act, as informal workers are not covered by

<sup>10</sup> 1 Bangladeshi Taka = 0.012 USD

it. Hence, they lack any legislation that guarantees their labor rights, or access to fair employment processes, or decent working and living conditions. Social security benefits and minimal protections against forced labor and child labor are among the few rights provided to domestic workers. Overall, Bangladesh scored a 0.55 in GCPI Sub-Index B.

### B1 Coverage under National Labor Laws (0.00/10)

Domestic workers, along with other workers in the informal sector, are explicitly excluded from the Labour Act. In 2015, Bangladesh approved the Domestic Workers Protection and Welfare Policy, which recommended stringent rights and protections that should be provided to domestic workers. However, this policy is not yet in force.

### B2 Fair Employment Process (0.00/10)

There is no national labor law that specifies and mandates fair employment processes for domestic workers. Bangladesh also lacks national legislation to regulate private placement agencies that match domestic workers with private employers for a fee. The Domestic Workers Protection and Welfare Policy (which is not in force) nevertheless recommends that employers provide domestic workers with a contract detailing the terms and conditions of employment.

### B3 Decent Working and Living Conditions (0.75/10)

Domestic workers are not offered any protections regarding their working hours, minimum wage or living conditions as they are excluded from the Labour Act. However, as citizens they do have some social security protections. Old-age benefits are provided to men over 65 and women over 62 earning less than 10,000 BDT (US\$118) monthly, while survivors' benefits are paid to widows and women who are divorced or abandoned by their husbands with monthly incomes up to 12,000 BDT (US\$141).

### B4 Labor Rights (0.08/10)

As domestic workers are employed in private homes and are not recognised as employees by the Labour Act, they do not have the right to unionize or bargain collectively. There are also no enforcement, inspection, complaint, or punitive mechanisms to protect them against various unfair practices at their workplace. However, female domestic workers are provided with some protections against harassment and abuse,

under the Women and Children Repression Prevention Act 2020.

### B5 Protections for Forced/Under-age Domestic Workers (1.92/10)

While Bangladesh's [Constitution](#) outlaws forced labor<sup>11</sup> and the [Labor Act](#) mandates that persons under the age of 18 cannot be employed for risky or hazardous work,<sup>12</sup> there are no other legislative measures to prevent underage domestic workers from working. Child domestic labor is widespread, especially amongst girls,<sup>13</sup> and is particularly nefarious because of its invisible nature (such that authorities or the public cannot monitor potential abuses in private homes).

### B6 Protections for Migrant Domestic Workers (-/10)

Bangladesh was not scored for this category because the proportion of migrant domestic workers to all domestic workers in the country is less than 10%.<sup>14</sup>

## Policy-Practice Gap

The policy-practice gap is massive in Bangladesh. Even the few policies that are present in writing to protect careworkers are not implemented properly. Some issues that highlight the severity of the policy-practice gap are listed below.

### Non-compliance in the RMG sector

Non-compliance with maternity-related laws is rampant in the Ready-Made Garment (RMG) industry in Bangladesh, which is one of the main contributors to Bangladesh's GDP and employs over 4 million people, most of them women.<sup>15</sup> 14% of the workers surveyed in a study by the Fair Labor Association stated that there was no provision for maternity leave in their factory.<sup>16</sup> 33% of respondents said that maternity benefits were not provided in their factory. 22% reported that they were required to carry out physically straining tasks at the factory while they were pregnant. The overall pattern in Bangladesh is that maternity benefits are not guaranteed uniformly

<sup>11</sup> [Bangladesh Constitution, art. 34, sec. 3](#)

<sup>12</sup> [Bangladesh Labor Act 2013, sec. 39, chap. 3](#)

<sup>13</sup> [ILO Country Office for Bangladesh, "A Study on Decent Work Deficits in Domestic Work in Bangladesh," 2019.](#)

<sup>14</sup> United Nations Population Division. "Net Migration - Bangladesh." *World Population Prospects: 2019 Revision*, 2019, [data.worldbank.org/indicator/SM.POP.NETM?locations=BD](https://data.worldbank.org/indicator/SM.POP.NETM?locations=BD).

<sup>15</sup> Ahmed, Shaheen & Raihan, Mohammad & Islam, Dr. Nazrul. (2013). Labor Unrest in the Ready-Made Garment Industry of Bangladesh. *International Journal of Business and Management*. 8. 10.5539/ijbm.v8n15p68.

<sup>16</sup> Fair Labor Association. 2019. "Maternity Rights and ChildCare in Bangladesh: A Study of Workers in the Ready-Made Garment Sector."

across factories but are instead dependent on the goodwill of individual managers. Fear of harassment or the loss of their jobs prevents workers from speaking out to ask for their legal entitlements.

### Lack of awareness

As per research conducted by the Fair Labor Association, workers have limited awareness of their rights. There is a pervasive lack of clarity on the length of their leave entitlements, the sum of their benefits, and other aspects of their labor protections. Public knowledge on the importance of maternity policies and prenatal care is also starkly lacking. This is partially due to the high levels of illiteracy and limited access to information technology in Bangladesh.

### Invisible labor

The difficulty in implementing social protections and ensuring compliance with the law stems from the invisible nature of domestic work. With the pervasive informality of the sector, there is very little information available on the actual numbers of people involved in domestic work in Bangladesh. It is also impossible to monitor standards as public inspectors cannot enter private homes.<sup>17</sup>

- Reform and formalize the current recruitment process and employment practices to ensure contracts include minimum wage, working hours and other stipulations (B2)
- Legalize the organizing and unionizing of domestic workers in order to strengthen their negotiating position with employers (B4)
- Enforce more stringent legislation to combat gender-based violence against female domestic workers (B4.3.4)
- Strengthen measures to prevent forced labor and the employment of children as domestic workers (B5)

## Recommendations

### Family Caregiver Protection

- Offer paternity leave and dependent care leave to all workers (A3 and A4)
- Expand governmental social assistance schemes to ensure sufficient maternity benefits, and so that employers are not solely liable for providing wage replacement (A2.1.3)
- Introduce flexible work arrangements for working parents by allowing flexitime, work-from-home, and part-time work options (A5)
- Introduce nursing support provisions for mothers at the workplace, and strongly enforce these policies (A6.2)

### Domestic Worker Protections

- Include domestic workers under the Labour Act and enter the Domestic Workers Protection and Welfare Policy 2015 into law (B1)
- Ratify the ILO Domestic Workers Convention 2011 (C189) (B1)

<sup>17</sup> ILO Country Office for Bangladesh. "A Study on Decent Work Deficits in Domestic Work in Bangladesh." 2019.





## Global Care Policy Index

The Global Care Policy Index (GCPI) is a composite index that provides a single numerical assessment of a country's support for and protection of home-based caregivers and careworkers who do the important but often invisible work of caring for the young, old, disabled and infirm within the country.

Refer to the [GCPI website](#) for the index's methodology and Bangladesh's Technical Report containing detailed index questions and score elaborations.

The recommended citation for this report is as follows: Ayub, Mishaal H. and Anju M. Paul. 2022. *Bangladesh Country Report*. Singapore: Global Care Policy Index.  
[https://globalcarepolicy.commons.yale-nus.edu.sg/country\\_profile/bangladesh](https://globalcarepolicy.commons.yale-nus.edu.sg/country_profile/bangladesh).

This project is supported by Yale-NUS College and Duke University.

**GlobalCarePolicy.com**