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# Making A Difference

*Success Stories of the Women's  
Economic & Legal Rights Program  
in Bangladesh*

The Asia  
Foundation



**Making A Difference:**  
Success Stories of the  
Women's Economic  
& Legal Rights Program  
in Bangladesh

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## Foreword

To address women's economic and legal rights problems in Bangladesh. The Asia Foundation, with support from USAID, initiated the Women's Economic and Legal Rights (WELR) program in April 1997, to empower women workers in rural and urban settings through awareness building and legal advocacy services. Foundation-supported research revealed that many women workers were not aware of their basic rights. To address this problem the Foundation identified and provided support to three implementing NGO partners to develop awareness materials and provide training and legal aid in support of women's economic and legal rights.

Over the past four years, the program has carried out advocacy activities to support legislation on women worker's employment related issues, and helped to unite women workers into associations to claim their rights from employers and contractors in order to improve their conditions in both the formal and informal sectors. In addition, the Foundation's WELR program provided legal assistance to women workers and successfully fought 444 court cases and negotiated with employers to receive payment of regular salaries and benefits, and to secure leave, overtime benefits, and sanitary and safe working environments. Furthermore, through the WELR program, the Foundation has supported the creation of innovative materials such as posters, fliers, audio cassettes, and training manuals. Reference publications on employment law and court cases have also been produced, and a comic book was created to highlight women workers' rights and the impact which claiming these rights makes on their lives.

In view of the many great successes of this program, The Asia Foundation has developed this publication to tell the stories of some individual women who have participated in its activities. It is our hope that these stories will serve as illustrations of how WELR and its partner NGOs have made positive and lasting changes in the lives of working women throughout Bangladesh. The Foundation would like to take this opportunity to express its gratitude to the implementing organizations Bangladesh Legal Aid and Services Trust (BLAST), Bangladesh National Women Lawyer's Association (BNWLA) and Centre for Development Services (CDS) for their commendable work in advancing women workers' interests. The Foundation would also like to thank the Office of Women in Development, U.S. Agency for International Development, for its financial support. Our gratitude is also extended to the staff of The Asia Foundation's Washington office, the writing and editing consultants, program officer, photographer, and graphic designer who made the completion of this work possible.

Karen L. Casper, Ph.D.  
Representative  
The Asia Foundation, Bangladesh

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## The Asia Foundation's Women's Economic and Legal Rights Program in Bangladesh

In 1996, The Asia Foundation began a five-year initiative to advance women's legal rights and economic opportunities. The Women's Economic and Legal Rights (WELR) program was supported by funding from the U.S. Agency for International Development, Office of Women in Development. The WELR program has worked in Bangladesh, Cambodia, Nepal, the Philippines, and Sri Lanka. Country-level programs are complemented by regional activities to promote the sharing of effective strategies and lessons learned.



*Inspecting slacks in garment factory in the formal sector*

*Making a Difference*

WELR



*Carrying dirt for construction in informal sector*

This publication documents some of the remarkable changes the WELR program has helped to achieve in Bangladesh, where women workers suffer everything from unsafe working conditions, irregular wages, and wrongful termination to physical and sexual abuse. Today, as a result of the education and organization of thousands of women, through the WELR program, factory owners are ending abusive practices and for the first time are adhering to labor laws that protect women's rights.

In five years, efforts supported by the WELR program in Bangladesh have established important legal precedents pertaining to employers' treatment of women; raised public awareness of the injustices faced by women in both the formal and informal sectors; given individual women knowledge and tools to improve their economic status; and supported organizing and networking efforts that have produced gains for all women workers.

Through the WELR program, the Foundation has provided financial and technical support to three organizations: the Bangladesh Legal Aid and Services Trust (BLAST), which provides legal aid services and

advocates on behalf of women in the formal sector; the Bangladesh National Women Lawyers Association (BNWLA), which informs policymakers about issues affecting women in the informal sector, and has championed a proposal for national minimum wage legislation; and the Center for Development Studies (CDS), which develops educational materials to teach women workers their rights and conducts research to inform public opinion.

*Making a Difference*

**WELR**

## Righting Wrongs Through Legal Action

Wage arrears and wrongful termination are among the most common problems for Bangladesh's 1.7 million garment factory workers, 90 percent of whom are women. But many workers are unaware that they have legal recourse when employers fail to pay them. They also don't realize that they cannot be fired for missing work while sick or giving birth. Employers frequently take advantage of this ignorance and turn to the plentiful labor market to replace workers with new hires.

Nazma is a woman in Dhaka who was terminated four times in eight years. Moving from factory to factory, she was unaware of laws and organizations that could help



Nazma

*Making a Difference*

*Righting Wrongs Through Legal Action*



*Sewing seams in garments*

her. Then she read a leaflet distributed by a BLAST organizer about meetings being held in her area.

"I went there and started to realize that there are lots of laws and regulations for workers in the factory," says Nazma. "I learned that my terminations had been illegal and that many women have exactly the same problems."

Shortly thereafter, Nazma lost her job again. Her employer refused to take her back after she was ill, saying he had enough other women to do the work.

"But this time, I knew that his action was wrong, and I filed a case against him," Nazma says. With assistance from BLAST, she obtained her outstanding wages, a termination benefit, and compensation money.

Nazma's story of mistreatment is common — as is that of BLAST's

successful action on her behalf. Under the WELR program, BLAST received more than 1,000 applications for help from factory workers — 444 in 2001 alone. The cases involved wrongful termination, nonpayment of wages and benefits, and other illegal employment practices.

Such cases can often be settled out of court through negotiations with employers. Approximately 30 percent of the cases brought to BLAST during the WELR program were settled favorably before being filed. Another 10 percent were settled before reaching a judge.

Under the WELR program, BLAST also issued letters to 2,000 employers reminding them of their legal responsibilities and the consequences of failing to meet them. Many factory owners responded by making voluntary changes.

BLAST is working to extend the benefit of individual case rulings to all women workers through public interest litigation, a legal instrument that is new and largely untested in Bangladesh. Although the effort suffered a setback when the High Court Division of the Bangladesh Supreme Court decided in early 2000 to bar the use of such litigation in criminal suits against employers, BLAST plans to challenge the court's decision in upcoming cases. In addition, BLAST has filed a criminal revision petition in the High Court against lower labor court orders that dismissed all pending cases.

## *Making a Difference*

*Righting Wrongs Through Legal Action*

## Mobilizing Women and Cultivating Leaders

Because women workers in Bangladesh are largely unaware of their rights, they are powerless in the face of employers who violate the law. With support from the WELR program, BNWLA and BLAST have helped women organize workers cooperatives to learn about their rights and press for better treatment in the workplace. BNWLA and BLAST encourage women to become leaders in these groups.

Among the most effective leaders is a 25-year-old woman named Asma. Backed by BNWLA, Asma helped found a *samity*, or co-operative, in the crowded Mirpur section of Dhaka. With support from the WELR program, the *samity* grew from 500 members in 1997 to 2,500 in 2001.

Going door to door, Asma learned about the abysmal working conditions faced by Mirpur women. Some toiled in the slum's garment factories. Others worked from home at handicrafts such as embroidery, tailoring, and pottery making, selling their



Rumana

*Making a Difference*

*Mobilizing Women and Cultivating Leaders*



Asma

products to shop owners or factory subcontractors. Still others worked as day laborers, breaking bricks into chips, performing road or house construction, or working in shrimp or cigarette processing plants.

Asma discovered that no matter how they earned their living, the women all had one thing in common: they were consistently cheated by employers and shop owners. They received insufficient or irregular payment; they were illegally terminated; they had no written work contracts; and they were subjected to health hazards and physical abuse.

With BNWLA's help, Asma organized workshops to teach the women their legal rights regarding contracts, wages, working conditions, and compensation for occupational injuries. The women of the *samity* began negotiating collectively with employers and subcontractors, demanding the treatment guaranteed them by law.

Three years later, 90 percent of *samity* members have seen their incomes grow and payments become regular. Many of the women have even started their own

businesses. And they report that they feel more secure and are less likely to be harassed now that they are united as a group.

Some 800 members of the *samity* now pay a small subscription fee each month to support the association's work. In the eyes of these *samity* women, the financial contribution is an investment in their own futures.

Like Asma, Rumana has also made it her mission to organize women workers. Working in the garment factories of Bangladesh for many years, Rumana experienced first-hand unsafe and unsanitary working conditions, excessive working hours, and irregular payment of wages. But it was not until she spent six years in Malaysia's factories that she understood how much better things could be.

"In Malaysia, workers were paid regularly on the 15th of each month," says Rumana. "They were given breaks during the day, overtime pay, and a day off every week. Supervisors emphasized teamwork, and safety was tended to. Such circumstances are simply a dream in most of the factories in Bangladesh."

Upon returning to Bangladesh, Rumana received training in economic and legal rights from the Federation of Garment Worker Unions, and joined BLAST as an organizer. Now she listens to the problems of working women, informs them of their rights, facilitates group discussions, and connects women with BLAST's legal services when necessary. Hundreds of women garment factory workers have received her help.

Although Rumana believes that Bangladesh has a long way to go in fully recognizing workers' legal rights, she has seen remarkable progress in just a few years.

"Back in 1997, the workers could not articulate their interests," she says. "Now they've become vocal. They protest and take the initiative to get their rights."

## Making a Difference

Mobilizing Women and Cultivating Leaders

## Raising Public Awareness

Before women can hold employers accountable and seek government enforcement of labor laws, they must know their rights. With support from the WELR program, numerous public education projects were launched.



*Covers of the publications*



*Audio & video cassettes*

- CDS developed some of the first materials in Bangladesh to teach working women about the laws designed to protect them, and about what they can do when their rights are violated. Targeted to women in the informal sector, the materials are now used by organizations throughout the country.
- CDS conducted a survey to assess the working conditions and social security needs of women employed in piece-rate construction in the informal sector. The

## *Making a Difference*

*Raising Public Awareness*



Pages from the comic book

survey also measured workers' awareness of their basic legal rights. The findings helped mobilize public opinion in favor of higher wages, enhanced benefits, and better working conditions for women.

- BNWLA conducted surveys on the wages, working conditions, and collective bargaining capabilities of women in the cigarette and shrimp industries, as well as a survey of wages in the agriculture sector. The findings were publicized in a series of seminars for legislators, lawyers, judges, journalists, government officials, and non-governmental organization leaders. They have also been incorporated into legislative proposals and a variety of educational materials for working women.
- BNWLA published a resource book, *Existing Laws on Informal Sector for Women Labor in Bangladesh*, for like-minded organizations advocating on behalf of women workers.
- With The Asia Foundation, BLAST published a book, *Lucrae in Labor*

*Laws: Towards Timely Disposal of Court Cases*, explaining the problems created by Bangladesh's maze of contradictory workers' rights laws.

- BNWLA and BLAST created a comic book entitled "Let's Learn About Our Rights" to educate people about issues faced by women workers and the avenues for solutions.
- The Asia Foundation developed two television commercials on safety concerns and basic legal rights for laborers, including regular wages and reasonable working hours. The commercials were broadcast on Bangladesh Television during May 2001.



Posters and fliers

## Making a Difference

Raising Public Awareness

# Making Factories Safe

Conditions in many Bangladesh factories, particularly in the garment industry, are unsanitary and dangerous for workers. Drinking water and toilet facilities are often inadequate. Precautions to prevent injury are rare. Laborers work excessive daily hours, seven days a week, and are not properly rested and alert for operating machinery. The risk of fire is high, yet emergency exit plans are unclear or nonexistent. After accidents or injuries do occur, employers often ignore their financial obligations to victims and dependents.



*Careful stitching in garments factory*

BLAST has pushed both the government and the private sector for solutions to these serious problems. In response, the Bangladesh Garment Manufacturers and

## *Making a Difference*

*Making Factories Safe*

Exporters Association proposed new facilities guidelines requiring safe drinking water, separate toilets for women, and wider staircases to enable mass exit in case of an emergency. Because of BLAST's advocacy, the manufacturers association also supports legislation to enhance compensation for accident-affected workers and their families. This recommendation has been discussed by the Ministry of Labor and Manpower and the corresponding parliamentary committee.

BLAST's advocacy reaches individual women, as well. Following her training as a union organizer, a young woman named Minara decided she would no longer settle for work in an unsafe factory.

"The garment factory where I work now is good," says Minara. "The toilets are clean, we have one weekly holiday, and there is an emergency staircase that is wide enough and has a railing. In my former workplace the stairs were very narrow and very high, so one already started to panic because of the height. Once when there was a fire, there was a very heavy rush on the stairs and many of us got injured. Now all of that is better."



Minara

## Making a Difference

Making Factories Safe

## Helping Workers in the Informal Sector

While Bangladesh laws are explicit when it comes to protecting civil servants, laborers in the private sector must often seek assistance from nongovernmental organizations to obtain similar benefits under these laws. Those who work in the informal sector have the most trouble claiming protection within the current legal framework. These workers — especially women — are frequently mistreated by the subcontractors and middle-men who buy their homemade products or hire them for piece-rate labor.



*Shamsunnahar & her daughter*

BNWLA is the first organization in Bangladesh to specialize in helping informal sector workers. Through extensive research, BNWLA has developed unique expertise

*Making a Difference*

*Helping Workers in the Informal Sector*



*Moving dirt for construction*

on the specific legal problems of home-based and other informal sector workers, and has organized labor groups to find solutions.

Shamsunnahar's life in Mirpur began to improve the day a BNWLA organizer came to her house to inquire about her work difficulties. A mother of four who did embroidery work from home to supplement her husband's income, Shamsunnahar was often taken advantage of by buyers.

"Once a customer took four embroidered bed sheets, each of which had taken me a month to stitch, and never paid me for these valuable items," Shamsunnahar says. "I could do nothing at that time to

recover the money and my husband was shouting at me. What could I do? I didn't know anything about my rights as a working woman."

Shamsunnahar joined the *samity* organized by BNWLA. In discussions with other members, she realized she was not alone. The women decided to join together to take orders and sell their items collectively. They resolved to bargain with customers for a fair price.

"I learned how powerful women really can be, and that it is men and our society who tell us that we are weak," says Shamsunnahar. "I also learned more about health issues -- like the importance of getting enough rest and eating nutritious food to make it through a

hard workday. I also learned where to get medical treatment for free."

With her increased earnings, Shamsunnahar, 36, is able to pay for food, clothing, household items, and her children's education. On top of it, she has gained the confidence to dream of a better life.

"I would like to expand the work I do and hire some assistants to establish a small business. Then I would start to sell in other parts of town as well," she says. "In my opinion, women should work, but they also should know about their rights so that others are not able to exploit them."

## *Making a Difference*

*Helping Workers in the Informal Sector*

## Encouraging Entrepreneurship

Opportunities for creating small economic enterprises abound in Bangladesh, especially in petty trade. BNWLA gives women the skills and encouragement they need to seize these opportunities and generate significant income for their households.



Shanaj

*Making a Difference*

Encouraging Entrepreneurship



*Doing embroidery*

Shanaj is just one who gained the confidence and skills to start a business after joining a BNWLA *samity*. A mother of six, Shanaj had done almost every imaginable kind of work over the years. She labored at construction sites and garment factories. She sold vegetable pies, ducks, chickens, and cows. She did handicrafts and tailoring from her home. None of it paid much, and her life only got harder when her husband had to retire.

After attending workshops sponsored by the WELR program, Shanaj opened a grocery shop, where she sells "everything a woman needs in the house, from soap and washing powder to biscuits and eggs."

Although she is exhausted every evening, Shanaj is proud of what she has accomplished. "Slowly I have built the shop into what it is now, and the work is a lot of fun." 40-year-old Shanaj says. "Now I know what I can do by myself."

With income from the store, Shanaj and her husband bought a small piece of land and built a house. She also plans to send her unmarried

daughter to college. She has ducks, chickens, a goat, and a garden full of vegetables. Recently she grew 300 kilograms of vegetables and sold them to the market for a good price.

Participation in the BNWLA women's group put Shanaj in charge of her own economic destiny. Today, she feels she is prospering as never before.

"I have so many things, and I got them through working with my own hands."

## *Making a Difference*

*Encouraging Entrepreneurship*

## Going Beyond the Basics

When women first join labor groups, they are often surprised to learn they have legal rights. Soon, however, they begin to expect employers not only to obey the law, but also to improve the workplace in other ways.



Anwara

*Making a Difference*

*Going Beyond the Basics*



*Eating lunch in the break room*

A machine worker in a garment factory, 23-year-old Anwara remembers the terrible conditions she and her co-workers once suffered.

"The employer used to abuse us physically. We used to receive low pay for hard work, and payment of our wages was not regular," Anwara says. "We also had to eat lunch on the rooftop during the hottest, sunniest part of the day, and our lunch break was only for half an hour."

After joining a *samity* and learning about their rights, Anwara and others were able to pressure their employer to make changes. Now, in addition to

regular wages and overtime pay. "we even have a break room where we can eat lunch and breastfeed our babies," she says. "Our employer realizes that we understand our legal rights. He even allows us perks like listening to music during work and celebrating important festivals."

Anwara adds, "I feel proud because I was personally involved in the movement that brought about all these changes. I dream of the situation for all women working in garment factories changing in the future. I would like to see them all fight for their rights as women and as workers."

## *Making a Difference*

*Going Beyond the Basics*

## Creating a Movement

All too often, women in Bangladeshi society feel alone and insignificant. Labor groups organized under the WELR program are putting an end to this isolation and giving thousands of women the strength and determination to improve their lives. Experience has shown that once they join with others like themselves, many Bangladeshi women become fearless in defending not just their own, but all women's rights.



*Mukta*

One such woman is Mukta, who evolved from a timid girl dependent on garment factory work to a bold young woman committed to educating others.

"When I was 12 years old, my uncle brought me to Dhaka and married me off," Mukta says. "I started working in a garment factory soon after and worked in the same factory for many years. The owner of the factory was a very nice person, but the supervisors and the managers were unbelievably harsh.

## *Making a Difference*

*Creating a Movement*



Rowshanara

"We had no day off during the week, and almost every day we had to work overtime without pay. There was a card system for the toilet, so they knew how much time we spent there. If we stayed there too long, they used to cut off our overtime. If we arrived at work a little late, they sometimes docked us one day's pay for absence. They didn't pay us our wages regularly, and they didn't allow us any sick leave. There was a lunchroom, but all the trash was thrown into the same room. The reason I stayed at that factory was that I heard it was even worse in other factories."

Mukta met a BLAST organizer and began to attend group meetings. After learning that the way they were being treated was wrong, she and other workers gradually gained enough confidence to establish their own workers' union. They organized about 250 workers to demand better conditions in the factory. When demands were not met, they sought legal aid from BLAST.

Mukta paid a price for her activism. "The supervisors of my factory found out

who was behind these activities, and I lost my job," she says. "I went to BLAST and filed a case against my employer. I was successful, and I received back wages and a termination benefit.

"Now I hope I will find another job. But I certainly will not stop working for the women workers' movement in Bangladesh. All women workers should be aware about their rights and about where they can get legal aid. I myself established a small group of 30 women, and we meet once a week to discuss these issues."

Rowshanara, 49, is yet another who has gained a new vision for society through her involvement in a BNWLA-supported *samity*.

After participating in Bangladesh's War of Independence as a young woman, she found herself stigmatized by society. She sought support in marrying, only to have her husband abandon her and their daughter. Her experiences kept her from being very optimistic about her chances in life.

Yet years later, when Rowshanara was fired from her job at a garment factory for attempting to mobilize her co-workers into a union, BNWLA helped her obtain compensation for illegal dismissal. Rowshanara used the money to buy a sewing machine. She now makes a good living as a tailor.

Rowshanara's ongoing involvement in her *samity* has brought security and purpose to her life. "As a member of the *samity*, I learned about my rights as a woman and a worker. We are now more than 800 women, all working in different fields. The group united us.

"Ten years ago, women were only working in the house and for the family. Ten years from now, they will work side by side with men. I believe that we the women of Bangladesh will get our rights."

## Making a Difference

Creating a Movement

# Advocating for New Laws



*Day laborer carrying a heavy load*

## *Making a Difference*

*Advocating for New Laws*



*Moving dirt*

Besides pushing for enforcement of existing statutes, the WELR program has backed efforts to reform Bangladesh's complicated and contradictory system of labor laws. With WELR program support, BLAST has drafted a unified labor code outlining a more organized and accessible collection of laws and ordinances. The measure is currently being reviewed by a government ministry.

The WELR program has also supported BNWLA's campaign for a national/social minimum wage. The proposal has gained key support from the national Workers-Employees United Forum, has been reviewed by the Ministry of Labor and Manpower and forwarded to a parliamentary committee for consideration.

*Making a Difference*

*Advocating for New Laws*

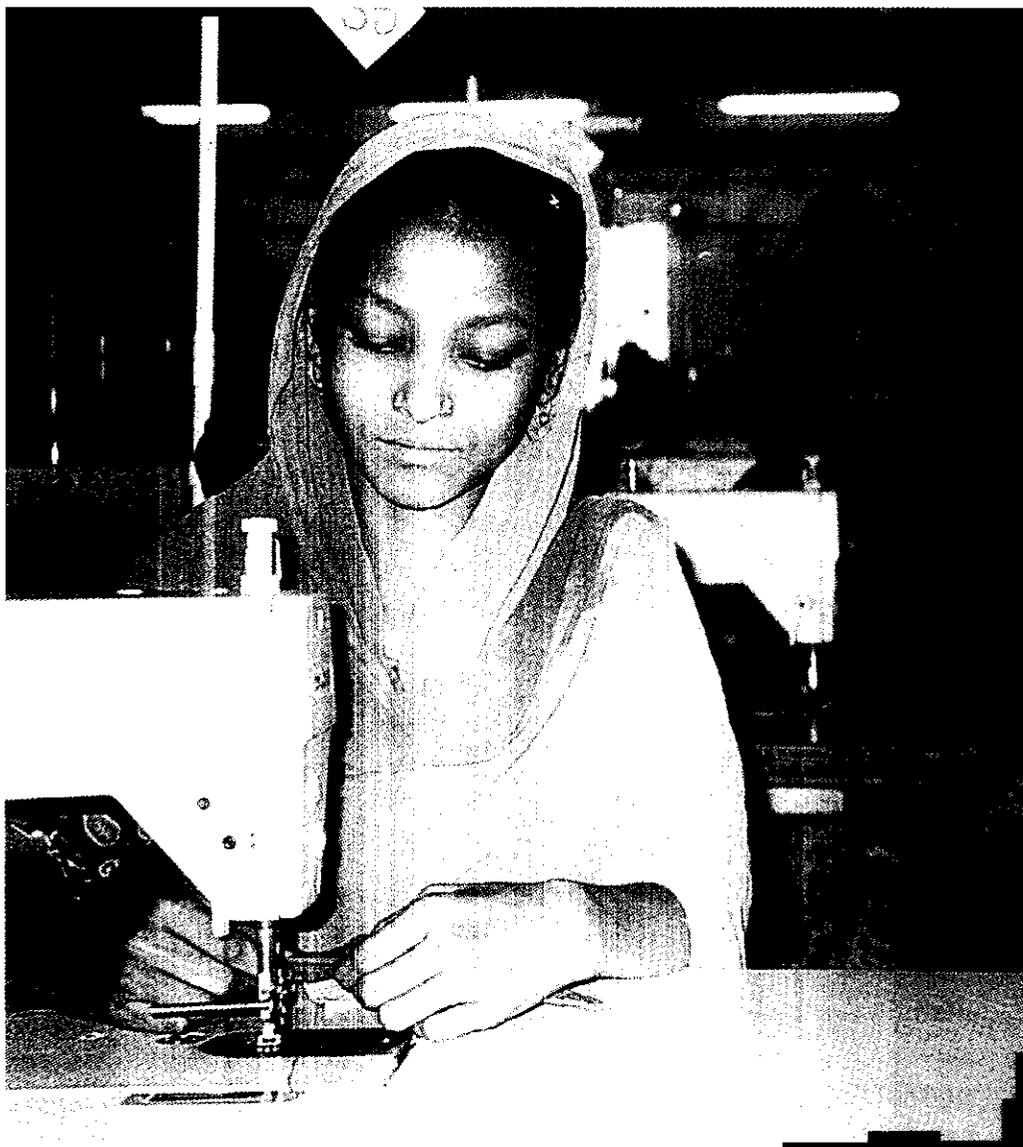
## Witnessing Change

Staff members from both BNWLA and BLAST report that the WELR program has strengthened the organizations and made a huge difference in their efforts to improve the lives of Bangladeshi women.

"Three years ago, it was nearly impossible to imagine having such an organized body of working women in the informal sector," says BNWLA's president, Fawzia. "They were basically a group of timid and poverty-stricken women whose rights as workers had not been clearly protected under the existing labor laws in the country.

"Now it's surprising to see these women bargaining with their agents and subcontractors. They have become extremely articulate, and their confidence has increased substantially."

For BLAST, support from the WELR program meant a chance to broaden the organization's ongoing legal aid work and gain unprecedented visibility.



*Women sewing in garment factory*

## *Making a Difference*

*Witnessing Change*



*Inspecting seams of garments*

"Now we are being invited as resource persons to lead classes on labor laws and workers' rights in the newly formed – and the country's only – training center for women workers, called Working Women's Education Center," says a BLAST staff member.

"You see, we are now formally recognized as specialists in workers' issues. BLAST had been providing legal aid to disadvantaged people for a long time. But this project has particularly enabled us to focus more on women workers' legal rights."

BNWLA is also enjoying new recognition. "Organizations and policymakers now look to BNWLA whenever there is a need to get information on working women in the informal sector," says Fawzia. "We are now recognized as a data bank for our research and work on women workers in the informal sector."

Above all, BNWLA and BLAST staff members are gratified by the difference they have been able to make in the lives of individual women.

"The other day a woman worker, who had been affected by a fire inside the factory where she used to work, came to the BLAST office with a package of sweets," says a BLAST staffer. She wanted to express how grateful she was to get her compensation benefit in such a short time, and in such a good amount that it had helped her to invest in a new business.

"She said to me, 'I couldn't believe my own ears when my employer called me to come collect my money. I had no idea that in such a short time and without paying a single cent I could get my compensation.'"

## *Making a Difference*

*Witnessing Change*