



Terms of reference (TOR)
Manusher Jonno Foundation

Name	Review Bangladesh Labor Law, Rules and Relevant Policy's through Gender Lens
Type of Contract	Firm or Individual Consultant(s)
Assignment Duration	30 working days
Closing date for applications	11 July 2020
Consultancy Period	August 2020

Introduction:

Manusher Jonno Foundation (MJF) works with a mission to promote human rights and governance through partnership with relevant stakeholders, including duty bearers, to ensure dignity and wellbeing of all people, especially the marginalized. MJF is directly involved in a number of Policy Advocacy and enactment of laws and policies that complements the programs that partners are implementing. Please visit for detail (www.manusherjonno.org).

Rationale for the Study:

It is one of the major important area to look back in Labor Law, Rules and Policies to identify the concerns of gender perspective, when Government is giving priority to fulfill the basic needs of workers, empower women, fix minimum wages, eradicate hazardous child labor in vision 2021.

The review wants to see that what strategic objectives have been taken by relevant Ministry and departments to reduce gender disparity and ensuring equal access to employment and income opportunity for all intersections from gender perspective. Because under provision of basic needs the Constitutions of Bangladesh has made very clearly that it shall be a fundamental responsibility of the State to attain, through planned economic growth, a constant increase of productive forces and a steady improvement in the material and cultural standard of living of the people, with a view to securing to its citizens ... and freedom of profession and occupations in Article 40. So, overall skills and knowledge to be successfully employed is not only a human right, but also important for economic growth and poverty reduction for social progress and dignity. The last 20 years we have seen progress in advancing gender equality in Bangladesh has increased. But still much of women's employment remains characterized by related to care work, lower pay, more precariousness, and less prestige, when compared to that of working men. Though women's labor force participation has increased, particularly in few formal sectors. The improved levels of women's education have contributed to their increased labor force participation. Practical needs bring women into labor market through various channels EPZs, SEZs, agriculture, and increasingly as independent migrant workers. So, what are the provisions has focused in labor law, and policies need to analysis to find the gender dimensions and find the gender gaps.

In a context of growing concern over gender disparities and its resulting adverse impacts on society and the economy, the issue of the contribution of women to the national economy has taken center stage in

development discourse in most countries. There is no denying that integrating women's contribution has become a necessity on equity and efficiency grounds for any economy. But traditional gender norms and patriarchal values often restrict women's mobility and constrain their representation and participation at workplace. It has also been observed that the limited absence of legal protection for employed women in workplaces is still discriminatory, as it provides women without any legal relief or remedy when faced with sexual harassment in their place of employment. In conceptualizing workers' rights and designing workers' programs, if we use a gender lens then we can begin to identify and address some of the issues they may encounter in the workplace. So, project take initiative to analysis Labour Laws and Policies of Bangladesh through a gender lens to figure out Gender Gaps.

Objective of the Study:

- To identify gender integration dimensions in labor law, rules and policies towards gender equality.
- To identify key policy entry action points and integrating gender concerns in employment/labor policy measures

Scope of work:

- Review and analyze Bangladesh Labor Act 2006; Bangladesh Labor Law (Amendments) 2013; Bangladesh Labor (Amendment) Act-2018; Bangladesh Labor Rules 2015, etc.
- National Occupational Health and Safety Policy 2013; Child Labor Elimination Policy 2010; Bangladesh Labor Policy 2012 and other relevant laws/policies to identify gender discriminatory provisions and draw possible recommendation.
- It will also look the rules and responsibility of implementing ministry and departments

Methodology: Interested consultant/s requested to propose suitable methodology to complete the whole assignment.

Key Competences:

- Excellent English written communication skills, with analytic capacity and ability to synthesize issues and relevant findings for the preparation of quality proposals and reports
- Excellent understanding on concepts and to synthesize information from different sources into a coherent document
- Maturity and confidence in dealing with senior and high-ranking members of government and other relevant national institutions.
- Displays sensitivity and adaptability to different cultures, genders, religions and age groups

The consultant will submit a proposed work plan with key milestones within a week of signing the contract; this work plan will be reviewed and approved by MJF. It is anticipated that the final report will be produced within **30 working days on staggered basis of signing of the contract**. While the draft report is produced, it should be shared with MJF and MJF will provide feedback on draft report by one week after receiving the draft report. During the whole period of the assignment, follow up meetings will be held between the contracted consultant/consulting firm and Manusher Jonno Foundation as possible.

Output & Reporting:

- A detailed work plan
- Agreed action plan for the consultancy
- A draft inception report 10 to 15 pages should be prepared by consultant team. The inception report will set out team's competency and understanding of the task, the methodology and production of final report.
- Clare review process and tool with detail plan

- Draft review report shall present the main findings and include recommendations based on information gathered on said issues
- Presentation on draft report should be in English (preferably in ppt.)
- 2 copies of final report (hard copy) and soft copy of the final report excluding annexes
- Data set of qualitative analysis and other relevant documents should be submitted
- The report should be 40 to 50 page-long (excluding annexes)

Instruction on proposal Submission:

Responding consultants should prepare and submit a financial and technical proposal including prospectus business certificate, cover letter, work plan, CV of team members, evidence of similar work experience (National/International), Tax Identification Number/certificate. The VAT & Tax will be deducted at source as per govt. rules.

Payment mode:

- Payment will be made in a/c payee cheque or through bank transfer on submission of invoice. 40% payment on submission of inception report and work plan, 30% on submission of draft report and rest 30% on submission of final report.
- All costs incurred in the preparation of a proposal responding to this request for quotation (RFQ) will be the responsibility of the bidder and will not be reimbursed by MJF.
- Tax and VAT will be deducted at source as per govt. rules
- If any circumstances, any failure at your end happened, you will compensate those or refund the proportionate amount to MJF within a shortest possible time.
- In the event of a major natural disaster, war or major civil or political unrest this agreement may be renegotiated and jointly revised between the two parties recognizing any consequent change in the environment for implementation.

Ownership agreement: Any document, information or data entrusted to or produced by the Consultant/organization in connection with this assignment shall be strictly confidential and cannot be used by the consultant organization for any other purpose without the written consent of the MJF authority. This provision shall remain valid even after the completion of this assignment.

Discloser of information:

It is understood and agreed that the Consultant(s) shall, during and after the effective period of the contract, treat as confidential and not disclose, unless authorized in writing by Manusher Jonno Foundation, any information obtained in the assignment of the performance of the Contract. Information will be made available for the consultants on a need-to-know basis.

Disclaimer:

Manusher Jonno Foundation reserve the right to accept or reject any or all proposals/ application without assigning any reason what so ever.

Safeguarding/Protection/Gender Policy:

The individual consultant/team/firm shall comply with the MJF's Policy on Safeguarding, Child Protection, and Gender policies. Any violation/deviation in complying with MJF's Policy on Children Protection and vulnerable adults will not only result-in termination of the agreement but MJF will also initiate appropriate

action in order to make good the damages/losses caused due to noncompliance of MJF's safeguarding policy.

Termination of the agreement:

Either party can terminate this agreement with a written notice within 20 (twenty) days from the date of signing this agreement. MJF reserves the right to unilaterally terminate the contract if:

- The consultant/organization cannot fulfill any clause of Terms of Reference
- The consultant/organization cannot conduct 30% of work in due time

Note: Failure to comply with any of the above requirement will cause the proposal to be rejected. Submission should be sent through email (preferably): ramesh@manusher.org; shoma@manusher.org or hard copy to the **Coordinator – Admin & HR, Manusher Jonno Foundation**, Plot : 3 & 4, Hazi Road, Avenue 3, Rupnagar Housing Estate, Mirpur -2, Dhaka, Bangladesh by 11th July,2020.