



ILO EVALUATION

Evaluation Title:	Final evaluation of Promoting Fundamental Principles and Rights at Work in Bangladesh Project
ILO TC/SYMBOL:	BGD/11/50/USA
Type of Evaluation:	Final Independent Evaluation
Country(ies):	Bangladesh
Date of the evaluation:	May 2015, report finalized in July 2015
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ILO Administrative Office:	ILO Dhaka
ILO Technical Backstopping Office:	Fundamental Principles and Rights at Work Branch (FPRW)
Date project ends:	June 30 th , 2015
Donor: country and budget US\$	1,476,437
Evaluation Manager:	Khadija Khondker
Evaluation Budget:	USD 30,100
Key Words:	Fundamental Principles and Rights at work (FPRW), Workplace cooperation, Dispute settlement, Ready-made garment, Garment sector, Workers Rights, Fundamental rights, Trade Union Rights

This evaluation has been conducted according to ILO's evaluation policies and procedures. It has not been professionally edited, but has undergone quality control by the ILO Evaluation Unit.

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Acronyms and abbreviations

ACTRAV	Bureau for Workers' Activities (ILO)
BEPZA	Bangladesh Export Processing Zone Authority
BGMEA	Bangladesh Garment Manufactures and Exporters Association
BILS	Bangladesh Institute of Labour Studies
BIM	Bangladesh Institute of Management
BKMEA	Bangladesh Knitwear Manufacturers and Exporters Association
BPSC	The Bangladesh Public Service Commission
BWPB	Better Work Programme, Bangladesh
CB	Collective Bargaining
CBA	Collective Bargaining Agent
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CO	Country Office
DIFE	Department of Inspection for Factories and Establishments
DoL	Department of Labour
EC	European Commission
ET	Evaluation Team
FGD	Focus Group Discussion
FoA	Freedom of Association
FRLR	Fundamental Rights and Labour Relations project
GoB	Government of Bangladesh
GSP	Generalized System of Preferences
IBC	IndustriALL Bangladesh Council
IBN	Interest Based Negotiations
ILO	International Labour Organisation
ILS	International Labour Standards

ITUC	International Trade Union Confederation
LFA	Logical Framework Analysis
MOLE	Ministry of Labour and Employment
MTE	Mid term evaluation
NCCWE	National Coordination Committee on Workers Education
NTUC	National Trade Union Centres
PAC	Project Advisory Committee
RMG	Ready-Made Garments
Sida	Swedish International Development Cooperation Agency
TC	Technical cooperation
TU	Trade Union
USDOL	United States Labor Department
WWC	Workers Welfare Committees

Acknowledgements

A project evaluation cannot be done without the cooperation and participation from the various actors. The evaluation team wish to acknowledge and thank all those who participated for their time and generosity in sharing information and data, as well as their experiences pertaining to the evaluated FPRW Project - and helping us to better understand ILO's involvement with other stakeholders in the Ready Made Garment sector in Bangladesh.

Many thanks go to Srinivas Reddy, Gagan Rajbhandari, Saidul Islam and Yoshie Ichinohe (ILO Country Office); and the RMG project staff Tuomo Poutiainen, Ravi Samithadasa, Tauvik Muhamad, Jafar Iqbal, and Mostafa Alam, for briefing the evaluation team and provide documents and contacts, participate in interviews, giving written comments on the first and second draft evaluation reports and/or participating in the Validation workshop. Very special appreciation goes to Uttam Das, National Project Manager, FPRW, who apart from providing information and data throughout, also assumed the responsibility to finalise meeting appointments and the logistics for the team and the organisation of the Validation workshop and who worked tirelessly throughout the data collection phase in Bangladesh.

We also wish to thank Pamornrat Pringsulaka and Khadija Khondker for their comments and inputs. Gratitude is also extended to Karen Curtis, Wael Issa and Valentine Offenloch, ILO Headquarters, for sharing their knowledge and perspectives, and to Jeffrey Wheeler, Paula Albertson and Lili Stern for participating in interviews and providing comments to the evaluation team in their role as Development Partner/donor agency.

Many other persons who are not named here also participated and generously shared information and views, from the part of the Government, the Employers Associations and Workers/Trade unions. Many thanks are extended to all.

Lotta Nycander, Team leader

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Executive Summary

This is the final report on the Evaluation of Promoting Fundamental Principles and Rights at Work (FPRW) project in Bangladesh implemented between January 2012 and June 2015. The assignment was commissioned by the International Labour Organisation and conducted by a team of independent evaluators (consultants), one international and one national during May-June 2015.

The stated **purpose** of the evaluation includes a number of issues, i.e. to ascertain whether and to what extent the Project has achieved its objectives; how it has been implemented; how it is perceived and valued by target groups and stakeholders; whether expected results are occurring (or have occurred) based on performance data; whether the project design is appropriate; and the degree to which the project's management structure is effective and its operations efficient.

The **evaluation criteria** applied are relevance, effectiveness, efficiency, impact and sustainability¹ and the **evaluation instrument** consisted of a number of detailed questions that helped inform the development of the **evaluation methodology**. The methods that were used to gather information and data and arrive at conclusions are as follows:

Carrying out a comprehensive documentation review; developing the Inception report; undertaking key informant interviews; making field visits and observations; holding meetings and carrying out focus group discussions and individual interviews (the latter with trade union officials and members, factory workers and factory inspectors); corresponding through e-mails with key informants; holding a Validation workshop at the end of the data gathering phase in Dhaka (in which the preliminary findings were presented and discussed with the key constituent representatives and stakeholders); followed by data analysis based on the triangulation of data from the interviews and documents and, finally, reporting and addressing comments and inputs for the final evaluation report.

CONCLUSIONS

The evaluation assessed that the outputs intended to contribute to Objective No. 1 (improved legal framework); and Objective No. 2 (enhanced freedom and capacity of workers) were reached but a number of circumstances affected the materialising and level of effectiveness of the outputs under Objective No. 3 (labour-management cooperation established at the enterprise level). The Project has contributed to increased learning, more open discussions about Freedom of Association, workers' rights and work place management, and has engaged in a discussion with the constituents about what genuine representation (as well as women's participation) and selection criteria to apply in capacity building.

The following are the specific conclusions:

The project's goals were ambitious. In terms of **effectiveness**, the Project has certainly contributed to increased learning, more open discussions about Freedom of Association in the Ready Made Garments Industry sector particularly, workers' rights and work place management, and has brought up discussions about what genuine representation really means, and debated selection criteria for training and capacity building as well as women's participation. Still, the Project was not as effective as it could have been. Regarding gender concerns, more could have been done to increase effectiveness, in particular ensuring that the training programmes were adapted to the fact that 85 percent of the production workers in the RMG sector are young women with low levels of education and who before they became factory workers lived in poverty in rural, and often remote, areas.

Project implementation may have been easier to manage, if a Logical Framework Analysis (or any other had been used by the Project, preferably developed with participation of key stakeholders. It was also found that Project was not adequately staffed to allow for handling of a proper monitoring and evaluation

¹ These are the five core OECD/DAC evaluation criteria.

system, and most of the time and resources were used to implement activities. The existing project monitoring and evaluation matrix is poorly designed but the reporting was generally done as required.

ILO is commended for the initiative to carry out the Mapping of the trade unions aimed at guiding the formation of the Project's training/capacity building programme, but the actual activity as well as its findings became the subject of bone of contention it resulted in a delay, and a gap of several months between the first and the second training program.

The Project management and its constituents and Partners are commended for carrying out the training programmes involving many persons from all constituent categories and stakeholders. The percentage of female participation was not very far from the desired 50 percent (41 percent in average). The issue of genuine representation by RMG unions/factory workers in the programme and nominations in training programmes have been openly discussed in the Project and needs more attention in the future.

The evaluation concluded that several important issues regarding the targeted (ultimate) beneficiaries were missing in the current Project and the ILO and its future development partners should ensure that gender issues get a much more prominent role and that a gender analysis is undertaken, and a gender strategy is developed before starting a project, or at the very onset.

It was found that the (original) duration of the Project was two years - which clearly is not a realistic time frame for the objectives it was set to achieve. Even with the no-cost extensions, the Project was not able to fully achieve objective 2, and even less objective 3. Freedom of Association may occur as a result of a small technical cooperation project, in a country where it is as weak as in Bangladesh, and perhaps particularly in the RMG industry. The designers of the project were well aware of this and most probably also the Development Partner, but opined that by setting the "rib high" it would demonstrate the importance of the activities, mainly to the GoB. The immediate objectives could have served as development objectives in their own right (not immediate objectives as they were termed) to which FPRW, FRLR and BWPB all could have contributed.

The five core evaluation criteria were applied and it was concluded that the Project in its overall content and outlook were **relevant** and suited with the aim to contribute to improved legal frameworks, freedom of association, and labour management cooperation. This was also indicated in the early diagnostic study results, and the subsequent mapping of trade unions. However, implementation of some of the capacity building activities was less relevant and not fully adapted to the prevailing conditions and circumstances in Bangladesh, e.g. the interest based negotiation (IBN) training component with tripartite participation. It was also concluded that the capacity building would have been more relevant if it had been better adapted to women's working environment and social circumstances (life realities) in the RMG industry.

Three cost-extensions were granted to enable to Project to have longer time to use the funds and carry out more activities, indicating that at least the comprehensive training programme was not as efficient as it should/could have been. It was found that the Project's contributions to the legal framework (objective 1) were **efficient** in the sense that technical inputs and policy advocacy were provided under the FPRW Project, and came from both ILO Headquarters and the Project in close cooperation with the Better Work Programme Bangladesh. The IBN training and services rendered (financed partly through a separate funding agreement) stands out as not being cost-efficient as it was not continued and no internal evaluation has been made to document/analyse the factors or reasons it could not be followed up.

This evaluation found that the Project did not reach all the way in terms of generating full **impact** from its activities/outputs as aspired, partly because the ambitions were set high on one hand (the 2nd and 3rd objectives) but perhaps too low in terms of some qualitative aspects/outputs discussed in this report in relation to quality in capacity building. The Project should be credited, though, for making contributions to policy change (the BLA amendment), which in turn may have impact in the longer term. It has also imparted increased knowledge and awareness among its stakeholders and trainee participants, some

which were collected through participant evaluations during trainings, and in the evaluation's interviews, among others.

Sustainability in evaluations is, among other, concerned with assessing whether the benefits of an activity are likely to continue after donor funding has been withdrawn – however in the current scenario, donor funding will continue through the newly planned Project (funding from the Danish and Swedish Governments) and some of the activity components of the FPRW and the FRLR projects will continue. The activity areas that will continue are a systematic approach to workplace cooperation and grievance handling, transparent mechanism for preventing (receiving, recording, handling) and resolving disputes, among others.

The following are the **specific lessons to be drawn**²:

The three objectives in the design set the ambitious goals for the implementation. The Project took on too many large issues, many of which that could not be achieved in the lifetime of the Project – not even when the duration was extended on several occasions. **The first lesson** that was identified is that in the future design of projects in Bangladesh ILO and its partners should seek and provide deeper knowledge to fewer issues and increase the quality of technical cooperation and making this acceptable to the development partners (donors).

This report has given an account of the mapping study of the trade unions, that was intended to lay the ground a target-oriented training programme, leading to effective union action at the enterprise level in the RMG sector. Time is a scarce resource for project practitioners and there are lessons to be learnt from the delays of the Project's Training Programme – that resulted from the internal debate involving different departments of ILO on whether or not to undertake the mapping study on the status of trade unions/workers organisations in the RMG sector. **The second lesson** is that this issue should have been handled differently and that ILO Hqs should avoid letting politics influence the implementation of technical cooperation activities.

The Project tried its best to stay in good relationships with the many actors, including harmonising the views among actors within the ILO itself. However, not enough was invested at the start-up on how to go about the selection/nomination/participation of trade union federations and unions. The role of NCCWE, at national level, was eventually balanced, somehow, by involving IBC at district levels. FPRW Project Document (the steering document) also makes it clear that the challenge of representation of the workers in the garment sector should be addressed in view of women being the dominant work force. This challenge was not taken on in a serious way in this project. **The third lesson** is, thus, that regarding genuine representation of trade unions in RMG sector and their selection/nomination/participation in project events - more efforts need to be invested in this issue which should have been highest on the Project's agenda.

RECOMMENDATIONS

The following are the recommendations of the evaluation of the FPRW, based on the findings and conclusions³.

Recommendation 1. Short-comings/dysfunctions regarding FoA in the RMG sector

As mentioned in this report a number of short-comings/dysfunctions in relation to FoA were identified by the diagnostic study of this Project. **The MoLE and the Employers** should, in cooperation with ILO CO, address these short-comings and ensure that workers are protected before registration and not persecuted by their employers; Workers are not transferred or dismissed if they want to form unions (particularly in the RMG and textile sector); Workers are not harassed after they have registered; Workers are not

² More details on the lessons are found in the Lessons template, in Annex VII.

³ The priority levels of each recommendation is indicated in Chapter 7. Recommendations.

dismissed for misconduct - no longer allowing them to become a trade union officer; and Remove the backlog of cases of complaints (in some cases a backlog several years).

Recommendation 2. Genuine trade union representation for increased effectiveness

In view of the planned continuation of technical cooperation in Bangladesh to further address FoA and fundamental principles and rights at work (including the short-comings and dysfunctions in the RMG sector identified by the diagnostic study) - the relevant ILO technical unit and the project management should:

- a) Develop a strategy, with participation of the constituents, with transparent criteria to ensure that trade union representation in the RMG sector is genuine and reflect the fact that 85 percent of the factory production workers in the industry are women coming from rural areas, many who have low levels of education and/or living in poverty.
- b) The Project management should ensure that such a strategy does not compromise security/safety of individual trade unionists and that individuals are not penalised for attending ILO's project events.

Recommendation 3. Relevance and quality in capacity development activities

ILO project management should ensure that capacity-development and training programme contents are relevant and tailor made for the participants. If commissioning or sub-contracting large elements of the training programme, great efforts must be made to work closely with, and follow up, the selected national or international training institution (implementing partner) to ensure relevance and quality.

Recommendation 4. Gender concerns and women workers issues

ILO relevant technical units and project management should ensure that the up-coming projects in the RMG sector undertake a gender analysis in connection with the mapping activities – which also would form part of the benchmark preparatory work and which would help the Project staff to design/implement relevant gender responsive activities.

Recommendation 5. Project design

The traditional view on impact is very difficult to use in projects designed to last for 2 years and when 3-4 months usually needs to be spent on getting started with project implementation. In the process of *designing* technical cooperation, the ILO technical units and development partners/donor agencies should:

- a) Seriously discuss prevailing unrealistic expectations and bring the concepts impact and sustainability to discussion and agree on what realistically can be expected as impact (change) for projects that have capacity development and policy advocacy as key components - and for which results seldom are immediate or can be proved;
- b) Define goals that can be reached in the lifetime of the project;
- c) Until more relevant and useful frameworks are developed - ensure that technical cooperation projects have well-defined Logical Framework Analysis that are developed through consensus/participation by all key stakeholder organisations, based on some form of problem tree with assumptions, risk analysis and (output) indicators and SMART indicators (based on actual/realistic data) are include; and
- d) Explore whether other working models could be alternatives to the conventional LFA, to combine the goal hierarchy and systematics from the Logical Framework Approach (LFA) with the approach used in the Appreciative Inquiry tool (AI). This model focuses more on local potentials and possibilities and less on problems.

Recommendation 6. Mappings used in technical cooperation projects

- a) The ILO project management (for future Bangladesh RMG projects) should continue to carry out mappings as initial reconnaissance efforts to enquire about current state of affairs in the area it will work in.
- b) ILO technical units should generally promote the use of mappings to replace cumbersome baseline surveys in short duration technical cooperation projects to serve as qualitative benchmarks.

Recommendation 7. Timeframe (in general) for new ILO projects

ILO technical units should in the future promote and seek funding for longer duration projects (as in the up-coming 5-years Sida and Danida-funded projects in Bangladesh in the pipeline for 2016) - which would be much more appropriate for the goals aiming at FoA and promoting fundamental principles and rights at work in the RMG sector – as well as in other similar interventions.

1 Introduction

ILO Country Office for Bangladesh has commissioned an independent consultant to undertake a final evaluation of the technical cooperation project entitled *Promoting Fundamental Principles and Rights at Work* (FPRW) in Bangladesh Project (herein referred to also as the Project), implemented by the International Labour Organisation (ILO) in collaboration with the tripartite partners from the Government of Bangladesh, the Employers associations and Workers/Trade union organisations.

1.1 The final project evaluation

1.1.1 Purpose and rationale of the final evaluation

All ILO technical cooperation projects with budgets of more than USD 1 million are subjected to at least one independent evaluation. The Terms of Reference (ToR) has an overall purpose for the evaluation that includes a number of issues, i.e. to ascertain whether and to what extent the Project has achieved its objectives; how it has been implemented; how it is perceived and valued by target groups and stakeholders; whether expected results are occurring (or have occurred) based on performance data; whether the project design is appropriate; and the degree to which the project's management structure is effective and its operations efficient.

1.1.2 Scope and users

The description of the scope of the evaluation in the ToR is also comprehensive and includes assessing all outcomes and activities from the start until end of June 2015; all the geographical areas in which the Project operates – with a special mention of the necessity to treat gender equality as a cross-cutting concern throughout the process. The scope includes assessing the validity of the Project's design; linkages to other relevant projects (e.g. the Norway-funded Fundamental Rights and Labour Relations project); as well as issues related to the legal framework and conformity to International Labour Standards (ILS). It encompasses evaluating the Project's capacity building work with its stakeholders; cooperation practices between the partners, and issues of participation.

The stakeholders who are expected to be the users of the evaluation are the project management, ILO⁴ the Government of Bangladesh and social partners in Bangladesh, and the USDOL. ILO expects that its tripartite constituents and other partners involved in the implementation of the project will find use of the results of the evaluation.

The inception report was submitted to ILO on 6th May 2015. The first draft report was submitted on 6th June and the second draft report is submitted on 6th July, incorporating the comments received.

⁴ ILO Dhaka Office, DWT- New Delhi, and Regional Office for Asia and the Pacific-ROAP, and Governance Department at Headquarters (source: ToR).

2 Evaluation framework and methodology

Two external and independent Evaluators have undertaken the final evaluation, one international and one national. The work to gather information and data in Bangladesh was during 9 days in May 2015, between May 10th and 19th 2015 (20th May was used to prepare the presentation and group work for the Validation workshop on 21st May).

2.1 Overall approach

At the onset, the evaluator translated the objectives of the evaluation into relevant and specific evaluation key questions, posed to ILO Project staff and main stakeholders and partners. The evaluation questions informed the development of the methodology and the evaluation has applied all of the five core OECD-DAC evaluation criteria: Relevance, effectiveness, efficiency, impact and sustainability.

2.2 Evaluation instrument and criteria

These are examples of some of the key questions/instrument that the evaluation has evolved around:

- To what extent has the Project been able to reach the three stated objectives (through producing the outputs)?
- What internal or external factors have influenced the Project's progress toward reaching objectives?
- What obstacles/challenges were faced in implementing the Project?
- To what extent was the project strategy helpful in achieving results?
- How were the recommendations from the Mid-term evaluation in 2013 addressed by the Project?
- How was gender equality addressed in the Project design? To what extent were gender issues approached, explained and mainstreamed in the implementation? How did the Project utilize ILO's vast pool of experience on gender issues and how was gender considered in staff (and consultant) recruitment?
- What are the lessons learnt and which are the good practices from the project that can be applied to similar future projects in Bangladesh? Key concerns to be learnt from are related to the questions "is the Project doing things in the right way to ensure that objectives are met?" and "are there any better ways of achieving results?"

The evaluation criteria applied in assessing/determining achievements are relevance and strategic fit of the project; validity of the project design; effectiveness; efficiency of resource use; sustainability of project achievements/results; and impact orientation.

2.3 Steps and methods in the evaluation process

The evaluation has applied qualitative methods of gathering data and information primary and secondary qualitative information/data was gathered through face-to-face and skype in-depth interviews, focus-group discussions (FGDs) and scrutinizing documentation received and found online. The Validation workshop and group discussions were useful, as well as observations made throughout.

Quantitative (secondary) data was collected from ILO Project staff and former ILO staff (e.g. progress reports and technical reports), and key stakeholders who have implemented Project activities. The data collection process was participatory in the sense that the evaluation team (here also referred to as ET), encouraged all key informants to speak freely, share experiences and information/data and be active in

meetings and discussions. ILO strategies and programming approaches have been assessed in terms of their effectiveness in producing results.

The evaluation team has consisted of two independent evaluators - one international consultant and one national consultant⁵ who worked together every day in Bangladesh during 10th – 22nd May 2015. Regarding the persons consulted in the Evaluation see a full list in Annex V. Persons consulted.

Comprehensive documentation review

The evaluators gathered information about the FPRW project - and the overall context in which the Project is operating in Bangladesh - through a comprehensive documentation review. This review continued throughout the evaluation process as important and relevant documentation surfaced (mainly from ILO) during the course of the work in the country.

Inception report

An inception report was submitted on 6th May 2015 based on the initial documentation review. The purpose of this report was to give an account for the methodology to be applied in the evaluation and provide the planned work schedule during the data collection and the reporting phases.

Key informant interviews

A mix of in-depth informant interviews and consultations (approximately one hour), and group discussions/meetings were undertaken with stakeholder representatives including beneficiaries. Some in-depth interviews/consultations were carried out through skype communication. Interpretation was provided when required.

Field visits and observations

In the preliminary programme made by ILO Evaluation Manager there was no field visit to factories included. The evaluators thus expressed that they needed to visit some RMG factories (at a distance not too far from Dhaka due to the time limitation and the traffic situation) to be able to talk with management/mid-level staff and workers who had participated in the Project's training or other activities. This proved not to be easy to arrange and only two factories replied positively to this request and granted visits, one located in the EPZ and one in a non-EPZ area.

Finally, visits were carried out the last days of the data collection phase, to Mondal Fashions Ltd, Tangabari, Ashulia where the ET discussed with the Manager, Admin, HR and Compliance staff and female workers from the factory floor. This was followed by a visit to New EPZ, Ashulia, where the evaluators had a FGD with five Social Counsellors-cum-Inspectors at IRS in DEPZ and visited Avery Dennison label factory which produces labels to RMG sector, among others, and talked to the manager. The latter was not a RMG producing factory as the ET had requested and we were not able to talk to any of the workers in this factory.

Focus Group Discussions and individual interviews

The ET carried out Focus Group Discussions (FGD) with trade union officials and members, factory workers and BEPZA inspectors (see above and Annex. V. Persons consulted)

Correspondence through e-mails

E-mail exchanges were also used to add to the gathering of information.

Validation workshop

⁵ The national consultant is a senior M&E professional.

On 21st May 2015, at the end of the data collection phase in Bangladesh, a half day Validation workshop was organised by the ILO CO in Dhaka, where the preliminary findings were presented followed by Q&A, small group discussions. This was a valuable opportunity for all involved in which the stakeholder participants expressed their views and provided feedback on the Project and the evaluation findings.

Analysis

Data analysis was based on the triangulation of data collected from the interviews and documents during the data collection phase. Triangulation was applied to increase the credibility and validity of the results, and cross-checking of information was done to the extent possible in order to minimise any bias.

Reporting

The evaluation reports have been submitted to the Evaluation Manager, CO, Dhaka, copied to the Sr. Evaluation Manager, ILO Regional Office, Bangkok. The ET has been informed that the Evaluation Manager has circulated the first draft report and requested comments all Project key stakeholder categories (2.6 Limitation of the evaluation study).

2.4 Ethical considerations

The evaluation has complied with ILO and UN norms and standards, and the evaluators have duly considered ethical standards and codes of conduct as spelled out in UNEG's Ethical Guidelines for UN evaluations. Adherence was made to standards, e.g. when gathering information to protect those involved in the evaluation process. Thus, efforts were made to ensure confidentiality, dignity, and rights of the beneficiaries consistent with the Guidelines. The evaluators were also mindful of ethical standards in the analysis of gathered data and in the reporting. Care was taken not to let conclusions in evaluation process be influenced by the views or statements of any party. The evaluation sought to ensure factual accuracy by triangulation and cross-checking of information and to the extent possible, minimise any bias.

2.5 Quality assurance: management and reporting

The Evaluation Manager, ILO CO, will be responsible for ensuring that quality control is exercised throughout the evaluation process and that all work products and deliverables meet the highest professional standards – adhering to the ILO Policy Guidelines for Results-based Evaluation: principles, rationale, planning and managing for evaluations (2013) and ILO Guidance Note No. 4: Integrating Gender Equality in Monitoring and Evaluation of Projects (March 2014).

The final report will contain an Executive Summary providing the main conclusions, recommendations, and lessons learned. Comments and corrections will be addressed/incorporated in the final report.

2.6 Limitations of the evaluation study

Like most research-oriented studies this evaluation study has been heavily dependent on availability of people, organisations and documents. These were the limitations to the evaluation:

As stated in the Inception report, several of the evaluation methods used were based on the understanding that the most important/relevant documentation had been received at the onset of the evaluation or at least before halfway of the data processing phase. However, several crucial documents were received on the request of the ET towards the end of the data collection phase in Dhaka. This delayed the data processing/analysis phase somewhat.

The ILO official responsible for the Project at Headquarters was not available at all to brief the ET during the data collection period, neither able to deliver any comments on the report. Other HQ staff members

were identified for interviews who also were knowledgeable about the Project and generously shared information (Annex V).

ILO granted only nine days for the evaluators to gather data/information in Bangladesh, including field visits to factories and visits to offices in central Dhaka. More time should have been granted allowing for more interviews with participants in the Training Programme, for instance, for more in-depth information. The work on the write-up of the first full draft report was granted only a week including travel days, which also was too short and did not enable the evaluators to produce full quality report, addressing all the issues in the ToR. It is important that ILO gives evaluators sufficient time to produce a full first draft report, including all required annexes.

3 Context and the evaluated project

3.1 The context

The population in Bangladesh is 142.32 million people⁶. It has an annual population growth rate of 1.34 per cent and is among the most densely populated countries in the world (964 inhabitants per square kilometre on a geographical area of 147,570 sq km).

During the period 2012 - 2010, 6.4 million young people joined the labour force in Bangladesh⁷ and each year there are nearly 2.7 million new job seekers⁸. The Decent Work Country Programme (DWCP) provides examples of the situation of women in the labour market e.g. the unemployment rate of women is about the double that of the rate for men; the rate of underemployment for women is higher than the rate for men by five per cent and the labour force participation rate of women is only about one-third of men and in average, the document states, women earn 21 per cent less than men do⁹.

The ready-made garments industry (herein referred to mainly as RMG industry, or RMG sector) consists of Woven, Knit and Sweater production and has grown faster than any other industry in the country, currently being the largest export earner in the country - constituting 79 percent of the total export. From approximately 50 factories in the early 1980s, the sector is now comprised of about 5,000 factories. This industrial sector employs half a million workers (production workers) 85 percent of whom are women¹⁰ coming to the urban industrial centres from the rural areas.

There are eight Export Processing Zones (EPZ) including more than 325 garment factories, where more than 300,000 workers are employed. Also here the majority of the workers are women. Further, there are thousands of garment factories producing for the local market that have between 10-15 workers.

A survey in 2014 has shown that the average age of a female garment worker is 23.68 years. It also found that 92.5 percent of the female workers are less than 30 years of age. They don't work for a long time in the RMG sector, allegedly because of the occupational hazards they face and the fact that employers prefer young workers with low remuneration levels from more experienced workers¹¹.

Many workers of this sector are deprived of their rights, such payment below poverty level wages, delay in payment, excessive hours of work, harassment (including sexual harassment) and abusive treatment, and poor health and safety conditions. Workers' right to organise is often denied, and obstructed, and the workforce of the sector is mostly not organised, one reason being that they face many obstacles in their efforts to organise themselves. RMG workers rarely have the chance to bargain with the authority through formal channels (and collective bargaining processes is hardly seen at factory level)¹².

Trade unions typically face challenges in achieving genuine democratic representation of workers, both inside and outside the EPZ. The appointment of workers' representatives in Participation Committees in many cases largely is done through management selection or nomination and this - according to ILO standards - constitute unfair labour practices. It is also not uncommon that political parties interfere in the work of trade unions.

⁶ Population and Housing Census, 2011.

⁷ Bangladesh Decent Work Country Programme (DWCP) 2010-2015 (November 2012).

⁸ Source: FPRW Project Document.

⁹ Bangladesh Decent Work Country Programme (DWCP) 2010-2015 (November 2012).

¹⁰ Already in the financial year 2008-09 the export earnings of this sector was more than 79 per cent of the total exports earnings of the country and since then it has grown further.

¹¹ Of the total workers surveyed, 2.50 percent are illiterate, 35 percent of the workers have primary education, and 48 percent have secondary education, while only 2.50 percent have higher secondary education. Source: *Socio-Economic Conditions of the Female Garment Workers in the Capital City of Bangladesh*, Article in International Journal of Humanities and Social Science, Vol. 4 No. 3; February 2014, by Md. Mehedi Hasan Sikdar, Md. Sujahangir Kabir Sarkar and Sumaiya Sadeka.

¹² Source: Interviews with female union organisers and NGOs Dhaka city, former trainees in FPRW capacity-development events.

The lack of fire and electric safety, and the industrial accidents that have occurred are well known, in particular the Tazreen Fashions fire and the devastating collapse of the Rana Plaza in 2013, when 1,138 people died and nearly 2,600 were injured, making it the deadliest garment-factory disaster ever¹³.

Rana Plaza accident turned the world's attention to the conditions in the garment industry and in particular to Bangladesh. The Government of Bangladesh (GoB) and the national and international community and development partners have mobilised support and made commitments to improve working conditions and workers' safety in this industry. Lack of decent working conditions in many of the garment factories have also attracted attention among national and international organisations and buyers.

The Accord on Fire and Building Safety (ACCORD) in Bangladesh is an agreement between the international labor organisations, non-governmental organizations, and retailers involved in the garments industry to ensure standards of minimum safety. Many European companies have signed the ACCORD which “covers” over 1,000 garment factories. IndustriALL Global Union and the UNI Global Union are the initiators, in cooperation with international (and national) Civil Society Organisations, the Clean Clothes Campaign, and the Workers Rights Consortium.

The Alliance for Bangladesh Worker Safety (The Alliance) is comprised of a number of retailers in the United States. These two forums have primarily concentrated their efforts on improved workplace, and fire safety and improving the structure and safety of factory buildings¹⁴.

3.1.1 Legal and policy framework

Bangladesh has ratified 35 of the 188 ILO Conventions of which 34 are in force, 2 Conventions have been denounced; and 1 has been ratified in the past year¹⁵. In 2013, the Bangladesh Labour Act (BLA) was amended, to be more in line with the ILO Conventions 87 and 98 on Freedom of Association (FoA) and Collective Bargaining (CB). ILO acknowledges that GoB has taken important steps to ensuring rights related to freedom of association and collective bargaining. It also views that the amendments do not fully address the ILO's concerns and fall short in terms of following the ILO recommendations to bring the BLA 2006 into conformity with ratified ILS.

The requirement of TUs to inform the employers about their registration has been removed, for instance, and there is now a provision to get external assistance in Collective Bargaining. However it has been pointed out that the Ministry can *still inform the employers about registrations but now the unions can no longer prove employer knowledge of union activity – and therefore it could be become more difficult to prove anti-union reprisals.*

Participation Committees and Safety Committees can now be formed according to the BLA amendment. Factories with more than 50 employees are now required to create Safety Committees while factories with 500 employees (or more) must have Safety Welfare Officers, and Labour Inspectors are now responsible for on-the-spot safety inspections, and all factories are required to have safety equipment¹⁶. Finally, it is now mandatory to have group insurances as well as facilities for physically challenged persons. The evaluation team (ET) was informed that it the changes made only modestly points to FoA and CB, however are more substantial in terms of ensuring occupational safety and health (OSH)¹⁷.

In the export zoned, the EPZ Law of 2004 is ruling and although the Workers Welfare Committees (WWC) are allowed to have collective bargaining these committees cannot be classified as unions and cannot be affiliated to trade unions outside the export zones.

¹³ In this disaster, which could have been prevented if workers' lives and voice had been respected, the building that collapsed housed five garment factories.

¹⁴ Source: pp. 18-19 MTE report, 2013.

¹⁵ These include core Conventions on forced labour and equality in employment and occupation (www.ilo.org).

¹⁶ FPRW Mid-term report, 2013.

¹⁷ Source: Interviews with FPRW project management.

3.2 The Project framework

The FPRW project effectively took off on 13 January 2012 when the Chief Technical Adviser (CTA) was recruited and started working in Bangladesh. It was designed to be in operation for two years, until 12 January 2014, but has been extended through “no-cost” extensions 3 times and finally ends on 30th June 2015.

The Project is funded by the United States Department of Labor (USDOL) and has a budget of USD 1,476,437. It has addressed specific labour standard challenges faced by workers’ and employers’ organisations by building local capacity in relation to freedom of association (FoA) and collective bargaining (CB). It is supporting the Government of Bangladesh (GoB) with legislative and policy initiatives to support full-fledged compliance with freedom of association and collective bargaining standards. It is working with the social partners in embracing compliance to labour standards.

3.2.1 Project staff, administrative and technical support and external inputs

The staff in the Project, at the time of the evaluation, consisted of an international Project Coordinator (PC) recruited in July 2014 who also oversees two other projects; and a National Project Officer (NPC) who has worked in the Project from the start-up and who attends to the day-to-day activities. The NPC reports to the PC, who in turn reports to an international Chief Technical Adviser (CTA) who acts as the head for all ILO RMG projects in Bangladesh.

The CTA for FPRW project who was recruited in January 2012, left in November 2013 after 23 months. During the eight months that followed his departure, the NPC upheld implementation until the ILO was able to recruit an international Project Coordinator in 2014.

The ILO Headquarters, Regional Office of Asia and Pacific (ROAP) in Bangkok, Country Office (CO) in Bangladesh as well as staff members of other ILO projects in Bangladesh have provided administrative, financial and technical support to FPRW.

The Project also recruited external collaboration consultants who rendered technical services and inputs, as follows: Three service contracts were issued to Expression Ltd (15.06.13 - 30.06.14 for development of IEC materials); Orange Business Development (22.12.13 - 30.06.14 for development of systems for on-line registration of trade unions); and BILS (20.01.13 - 28.02.15 for workers education activities). In addition, approximately twenty-six external collaboration contracts were issued to twelve individual consultants (three women) for: Reviewing trade union registration process; Workers education activities; Mapping of RMG federations; Interpretation and translation work; Drafting Technical Project Proforma (TPP); Labour Law Training; Reviewing of dispute labour resolution mechanisms in Bangladesh; and Project development and evaluations.

3.2.2 Objectives and outputs

The following are the intents and contents of the Project¹⁸.

- In order to contribute to an improved legal framework conforming with the ILO conventions 87 and 98, an assessment was to be made, as well as reports on freedom of association and collective bargaining, contributions to national action plans and the drafting of laws. These would all address the shortcomings in the Bangladesh Labour Act (BLA) 2006, especially regarding freedom of association and collective bargaining rights.
- In order to contribute to enhanced freedom and capacity of workers and their representatives to exercise their rights in practice – mappings of trade unions in the RMG, mechanisms for easier registration of unions were to be undertaken, as well as capacity building and education for trade unions to exercise their labour rights and responsibilities, and setting up mechanisms to handle complaints and to address discrimination against unions.

¹⁸ Source: ToR.

- In order to contribute to the establishment of labour-management cooperation at the enterprise level, training programs and enterprise level agreements were to be implemented.

OBJECTIVES AND OUTPUTS	
Objective 1	An improved legal framework in conformity with ILS and in particular Conventions 87 and 98
Output 1.1.	Diagnostic assessment and report on freedom of association and collective bargaining completed
Output 1.2.	National Plan of Action endorsed by tripartite national constituents developed and validated
Output 1.3.	Draft law, which is more in conformity with ILS prepared
Objective 2:	Workers and their representatives have enhanced freedom and capacity to exercise their rights
Output 2.1.	Mapping of the status of representation of workers in the RMG sector conducted
Output 2.2.	Regular collection and management of trade union and employer organization registrations
Output 2.3.	Conduct capacity building program with identified local union structures
Output 2.4.	Deliver outreach education program on rights and responsibilities to reach 50,000 RMG workers
Output 2.5.	Develop a functioning anti-union discrimination complaints mechanism
Objective 3.	Labour-management cooperation established at the enterprise level
Output 3.1.	Develop labour-management training program
Output 3.2.	Bi-partite enterprise level agreements will be reached on priority issues

3.2.3 Target group/stakeholders

The direct target groups of the FPRW Project are employers and workers and their organisations. The GoB is targeted in relation to the legislative and policy related outputs. The stakeholders of the Project (apart from the ILO at Headquarters, the regional office and the country office) are the following:

- Ministry of Labour and Employment (MoLE) and Department of Labour (DoL);
- The Department of Inspection for Factories and Establishments (DIFE)¹⁹
- Bangladesh Garment Manufacturers and Exporters Association (BGMEA);
- Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA)
- Bangladesh Export Processing Zone Association (BEPZA);
- National Coordination Committee for Workers Education (NCCWE) and affiliated unions;
- IndustriALL Bangladesh Council (IBC)²⁰;
- Bangladesh Institute of Labour Studies (BILS);
- Bangladesh Institute of Management (BIM);
- RMG factory management and other administrative staff;
- Solidarity Center (SC)²¹; and

¹⁹ The Project staff stated that the DIFE was not seen as key stakeholder, however, the ET felt it very important to discuss with DIFE officials, regarding labour inspection, the new and expanded role of DIFE and the Help line.

²⁰ IBC globally, is a merger of three global unions.

- Last but not least, the RMG factory workers (women and men)

3.2.4 The RMG family of projects

The FPRW Project is one out of several projects in Bangladesh that together make up the ILO RMG Programme in Bangladesh. The other projects are:

- Improving Working Conditions in the Ready-Made Garment Sector in Bangladesh (RMGP Programme) which started in October 2013 and runs until December 2016) funded by Canada, the Netherlands and the United Kingdom;
- Better Work Programme Bangladesh (herein referred to as BWPB) with multi-donor funding, addressing fire safety and building safety among other issues, helping factory owners and managers understand how to make the sector safer for their workers and provide basic training.
- Fundamental Rights and Labour Relations (FRLR) project which aims to promote better compliance with the international labour standards, particularly fundamental principles and rights at work in the ready-made garments, shrimp processing, and shoe and leather sectors – funded by the Norwegian government²²; and
- Centre of Excellence for the Bangladesh Apparel Industries (CEBAI) project, funded by Sida and H&M.

3.2.5 Project Advisory Committee

A Project Advisory Committee (PAC) was formed in 2012 and its members are the key constituents (GoB, Employers and Workers), who are the stakeholders of the Project chaired by the Secretary, MoLE. Three PAC meetings were held in total on 12th July 2012; 3rd April 2013 and 20th August 2014.

²¹ It was pointed out that SC should be seen more as a partner organisation, than a key stakeholder to the Project.

²² This Project's objectives are similar in nature to FPRW but its work areas are broader and includes for instance the shrimp industry, apart from RMG sector.

4 Findings on project design

The evaluator has not had access to any Logical Framework Analysis (LFA) matrix in the process of understanding the logic of the Project design - which typically forms the basis for the design of ILO's technical cooperation projects and also is a requirement of the donor agency. The Project management stated that to their knowledge no LFA had been developed, which also is mentioned in the Mid Term Evaluation (MTE) undertaken in August-September 2013²³.

The ILO official who took part in designing the project document has expressed another view, stating that indeed there was LFA matrix and the Project Document, the steering document, was deliberately written as a broad strategy with very clear objectives, outcomes and outputs, and assumptions against each objective providing a clear guidance of the type and nature of the activities to be developed in a work plan by the CTA.

The Project has three immediate objectives but no development objective. The reason as it has been explained is that at the onset, the implementation of the FPRW Project would, in the view of ILO, contribute to building a solid ground that would ensure the successful implementation of a potential fully-fledged BWPB²⁴ - thus it would serve as a forerunner to this programme in Bangladesh and as it was intended to run for only two years, it was decided that a development objective would not be required for FPRW.

The Project's three immediate objectives are ambitiously formulated, in particular No. 3 (*establishment of labour-management cooperation at the enterprise level*) in view of the work place climate for workers and managers/employers and perhaps it could have been a theme for a whole separate project. **It was explained that the perspective had been that it was very important to set the rib of attainment high - even if it could not be achieved within the very framework of this Project.**

The Mid-Term Evaluation of the FPRW project took place in 2013. It recommended that a Project Monitoring and Evaluation (PM&E) matrix should be developed, which was done in 2014. The PM&E reveals that the Project management is lacking in understanding how to build a matrix of this kind, using the Logframe terminology. The indicators as they are phrased cannot be used to measure/determine progress and achievements, as they are not quantified and altogether are far from SMART²⁵. This is an example: "*Structured trade union outreach both direct and indirect developed and implemented*" – being an indicator for "Deliver outreach educational program on rights and responsibilities to reach 50,000 RMG workers (Output 2.4). In this case the target is set in the output, which adds to the confusion.

This is another example of the non-usable indicator: "*Trade union officials and office bearers trained on trade union functions and operations*" (for Output 2.3 Conduct capacity building programme with identified local union structures) which in fact is formulated as an output, not an indicator.

The indicator "*National Workplace Cooperation training delivery system established*" for objective 3 (Labour-management cooperation established at enterprise level) could have been one of the indicators for this objective among others, if it had been quantified (SMART) but as it only refers to a *training* system.

²³ FPRW Mid-term evaluation report, 2013. NB: The FPRW's response to the recommendations are listed in Annex VI.

²⁴ FPRW Project Document, p. 10.

²⁵ SMART: Specific, Measurable, Achievable, Realistic and Time-bound.

5 Findings on project implementation

5.1 Improved legal framework (objective 1)

The first Project objective reads Improved legal framework conforming to the ILO Conventions 87 and 98. Three outputs (1.1 – 1.3) were intended to contribute to this objective.

5.1.1 Diagnostic assessment study - Output 1.1

ILO viewed it crucial that Bangladesh would meet at least the minimum requirements in conforming to the ILS, specifically the ILO conventions 87 and 98 that Bangladesh signed already in 1972, before the upcoming project/s on FoA could be signed²⁶. Thus, in 2011 a Diagnostic/Assessment study was carried out to gather and consolidate views of the tripartite constituents²⁷ regarding matters of relevance in view of FoA, and for the results to lay the groundwork for the upcoming work with the constituents (BWPB and FPRW) on the amendment of the BLA 2006. The focus was on their experiences of the ready-made garments sector - and 250 workers, 25 employers and 11 factories were visited by the study team both inside and outside EPZs in Dhaka and Chittagong.

A number of short-comings/dysfunctions were identified in this study; such as delayed registration of unions by the MoLE (often beyond the 60 days foreseen by law); Workers not being protected before registration and who are being persecuted by their employers; Employers who transfer or dismiss workers who want to form unions (particularly in the RMG and textile sector); Harassment of workers even after they have registered; Dismissing workers for misconduct (which no longer will allow them to become a trade union officer); and a serious backlog of cases of complaints – in some cases a backlog several years.

5.1.2 National Plan of Action - Output 1.2

The ILO developed a National Plan of Action 2012-2013 in collaboration with the constituents, following the diagnostic study in 2011, which was endorsed by all on 28 February 2012²⁸ - the first of its kind. It identified several specific areas that required action; A legislative context; Enforcement of employers' and workers' rights by the authorities; improved awareness about rights, responsibilities and possibilities of freedom of association and collective bargaining; improved capacity as well as social dialogue and collective bargaining in garment factories.

These were the points for action of the plan:

- Introduce a factory-level educational pilot programme on freedom of association and collective bargaining in selected garment factories (*involving factory-owners, middle management, workers' representatives and workers and the garment factories selected for the pilot programme would be identified by the BEPZA, BGMEA and BKMEA and the social partners*);
- Initiate capacity building activities for employers' organization officials and trade union organisers on freedom of association and collective bargaining.
- Continue current legislative reform of the Bangladesh Labour Act, 2006 and consider ILO proposals of amendments to the EPZ Workers Welfare Society and Industrial Relations Act, 2010 to improve compliance with the Conventions.
- Training for judges, lawyers, industrial police, labour officers and labour inspectors on freedom of association and collective bargaining and for developing efficient mechanisms for dispute prevention and resolution.

²⁶ This was the FPRW project output 1.1, carried out before the arrival of the CTA.

²⁷ Towards full freedom of association and collective bargaining in Bangladesh garment factories. Report of an ILO diagnostic process, 2011, ILO Headquarters, Geneva.

²⁸ Ibid.

As this report shows, the Project has worked on the first three activity areas – more or less successfully - while the fourth largely remain and is intended to be addressed in up-coming project interventions, which also will include monitoring of application.

5.1.3 Amendment of Bangladesh Labour Law (2006) - Output 1.3

The work on the amendment of the Labour Act (2006) started in early 2012 and was adopted by the Parliament on 15 July 2013 and officially gazetted on 22 July 2013. Along with the constituents and staff of other ILO Projects (the BWPB in particular²⁹) FPRW made a significant contribution in the amendment process, along with technical and other support from the ILO CO, Geneva and Delhi offices. This work entailed a great deal of policy advocacy and also communications /translations of the technical inputs from ILO Hqs to MoLE - and bringing/translating feedback from MoLE to ILO. The ILO provided comments and recommendations from the Committee of Experts on the Application of Conventions and Recommendations (CEACR) to the MoLE, advocating for the law to be in line with the ILO conventions in the RMG sector, as mentioned earlier.

ILO also helped the process of providing technical comments on the draft Bangladesh EPZ Labour Act to the Bangladesh Export Processing Zone Authority (BEPZA), with the message that the law should be in line with the recommendations of the CEACR and ILS.

Table 1. gives an idea of some of the Project’s efforts in its technical support and advocacy work in relation to the amendment of the law, in support of producing output 1.1, along with other partners (excluding the work done on translations back and forth between ILO and MoLE).

Table 1. Timeline for the Project’s technical and policy advocacy on the amendment of the Labour Act (2006)

Month/Year	Activities for Output 1.3
15 July 2013	The amended labour law was passed by Parliament on 15 July 2013. NB: The Project stated in a technical progress report that the “ <i>conditionality</i> ” for the start-up of the Better Work Programme (B) has been met.
30 May 2013	Meeting with EU and other Embassy officials and brand representatives on labour law amendments and ILO FPRW and BWDP activities.
Jan – March 2013	High-level MoLE officials and most of the Dhaka press informed the Project that the proposed amendments to BLA 2006 will be presented and discussed at the Prime Minister’s cabinet meeting on 22 April 2013.
Oct–Dec 2012	The FPRW project, together with the Better Work Design Phase (BWDP) and the ILO-Dhaka Office, continued to engage the MoLE on the amendments (several meetings engagements with the Labour Secretary and newly assigned Minister of Labour).
Sept 2012	The Project supported the efforts of BWDP, Senior Design Advisor (SDA) for Government passage of the revised law. NB: In September 2012, the Better Work Program management team made a “ <i>conditional</i> ” decision i.e. <i>for the programme to start-up, an amended labour law had to be passed.</i>
May 2012	- Technical meetings (May 17-23) with ILO Specialist from Geneva to review employers and unions comments on proposed BLA 2006 amendments and prepare for ILO consultations at tripartite meeting. - Meeting with MoLE Secretary to discuss details of 2-day program with tripartite partners on BLA reforms with ILO specialists’ technical support.

²⁹ It was learnt that the amendment of the BLA 2006 was a condition for ILO to support a start-up and implementation of the Better Work Programme.

Month/Year	Activities for Output 1.3
	- FPRW project, supported by CO and Better Work (design phase) project, organised a high-level, tripartite technical 2-days meeting on the proposed amendments, which followed a period of extensive preparatory work and consultations with the MoLE Secretary in May for this 2-day program. The ILO Standards Specialist from Delhi acted as a technical resource person.
April 2012	A meeting was held with MoLE Secretary to discuss ILO comments on proposed amendments and ILO FPRW support for partners in this process.
Feb 2012	The project briefed ILO Director in preparation for Tripartite Consultative Committee (TCC) meeting on proposed amendments.

There is a consensus within the ILO and the workers organisations that the amendments on the BLA 2006 do not fully meeting ILS. Still, there are some modest gains such as the possibility for workers/unions to have (external) expert counsel in a collective bargaining process; and the removal of the requirement to inform employers when registering a trade union. Nearly two years have passed since the amendment but the implementation Rules were not yet published/adopted at the time of the evaluation in May 2015. The key stakeholders in Bangladesh view the Rules as necessary as they set out how the provisions of the Act, i.e. how elections to factory-level participation and safety committees are to be done in practice³⁰.

During a recent visit by a high-level ILO delegation in May 2015 (which coincided with this evaluation's work), meetings were held with the Minister for Expatriates' Welfare and Overseas Employment and the State Minister for Labour and Employment to bring ILO's concerns to the attention of the GoB, specifically expressing its concern that the latest circulated draft had revealed critical points and had not been being consistent with ILS principles³¹. The evaluation learnt that on the whole the ILO delegation members had also expressed to GoB that they were satisfied with GoB's *renewed* commitment in taking ILO's concerns into account before adopting the implementation the Rules of the Labour Act³².

5.2 Enhanced freedom and capacity of workers (objective 2)

5.2.1 Mapping of the status of representation of workers in the RMG sector - Output 2.1

In order to appreciate the level of capacity of unions/workers organisations in the RMG industry, and understand how they function, a mapping and needs analysis was carried out in 2012 with a first draft report completed in August 2012³³. The results of the exercise were to form the basis of a target-oriented training, one that would lead to effective union action at the enterprise level in the RMG sector³⁴.

The mapping involved collection of data on the existence and status of union federations and trade unions in the RMG sector with participation of the key constituents. Under the guidance of the FPRW project, extensive face-to-face interviews took place with federations, factory unions, and area level unionists in the RMG centres of Greater Dhaka and Chittagong.

The results revealed a bleak picture of the union involvement in the RMG. The report states that nearly each of the union federations interviewed stated that most, or all, of their registered basic unions are no

³⁰ ILO Delegation Press Release, May 2015.

³¹ In the ET's interview with the Head of the ILO delegation, it was learnt that the ILO delegation members were satisfied with GoB's renewed commitment in taking ILO's concerns into account before adopting the implementation Rules of the Labour Act. In-depth interview with Chief of the Freedom of Association Branch, International Labour Standards Department, ILO Hqs, Geneva.

³² Source: Evaluation's in-depth interview with Chief of the Freedom of Association Branch, International Labour Standards Department, ILO Hqs, Geneva.

³³ Report of the Mapping, FPRW. p. 1, (dated 7 Jan 2013).

³⁴ FPRW Project Document (p. 15).

longer functional³⁵ and very few unions/federations actually represent the RMG workers. Out of the 34-35 union federations, only a handful of them actually do outreach work in the RMG sector³⁶. This result - presented and discussed at a conference in Dhaka on February 3-4, 2013 in which national and international trade unions attended. The finding did not come as a surprise to many who are knowledgeable about the state of affairs in this sector and the discussion brought to discussion how to influence the unions to represent workers.

According to the Project management, the union representatives strongly requested that the report should not be disseminated as they found it to be sensitive and could result in repercussions against them. The Project had not intended to spread the report widely but the issue now was “what to do with the report?”. The undertaking of the union mapping became a bone of contention within the ILO itself, as ILO’s Bureau for Workers’ Activities (ACTRAV) was of the opinion that it should not have been carried out in the first place³⁷ while the Project was of the opinion that the activity was very important and this view eventually received sufficient backing from concerned officials.

During the time this issue was debated, the implementation of the Project’s activities was affected and delayed and there was a gap of a few months in the Training Programmes that had been planned. This caused frustration within the Project as this was also at a time when ACCORD had just been signed (following the Rana Plaza collapse in 2013) and it was deemed to be very important to keep up the momentum in project implementation to support RMG workers’ capacity to uphold their rights in work place. The disagreement and the delays in going ahead with the training programme as planned occurred at a time when ACCORD had just been signed following the Rana Plaza collapse in 2013, and the Project management viewed it is very important to keep up the momentum and implement the project to support RMG workers’ capacity to uphold their rights in work place.

A common understanding was eventually reached that the report should remain within the broader labour union movement to avoid any possible negative repercussions against the unions. *The Project however, has also in a document stated that a summary of the findings and recommendations were shared with the MoLE/Dol*³⁸.

A corresponding analysis was also undertaken in 2012 in this connection, namely an analysis of the systems and procedures for processing trade union registration petitions within the Directorate of Labour under the Ministry of Labour and Employment. This report also shows weaknesses in the existing systems and concludes that the right to freedom of association and to collective bargaining at the workplace is not respected in the RMG sector³⁹.

On 3-4 Feb. 2013 a workshop was held in Dhaka to encourage the unions to make advances on FoA and CB within RMG union federations attended by NCCWE, IBC, ITUC-AP, IndustriALL, ACTRAV, and ILO (Declaration, ROAP and FPRW Project).

A Plan of Action for the unions, for Advancing Freedom of Association and Collective Bargaining in the RMG sector was drafted, and was a result of this conference. The plan addresses what needed to be done,

³⁵ FPRP Mapping report, p. 1, 7 Jan 2013.

³⁶ Solidarity Center, founded in 1997 (one of the Partner organisations of ILO in Bangladesh), is a non-profit international worker rights organisation that assists workers around the world who are struggling to achieve safe and healthy workplaces, family-supporting wages, social protections and a voice on the job. NB: It was suggested by ILO that Solidarity Centre is “more of a Partner than a Stakeholder” to the ILO Project. The ET found that as a Partner organisation it collects valuable information about the status of trade unions registration, and the challenges and issues in the RMG sector.

³⁷ Source: Interview with ILO Headquarters official.

³⁸ Source: PM&E Matrix, FPRW project.

³⁹ Systems and Procedures for Registration of Trade Unions and Employers Organizations in Bangladesh: An Analysis, by Abdul Hye Mondal International Labour Organization, Dhaka, August 2012 (p. 13).

and points to actions on advocacy⁴⁰ and exerting political pressure on the establishment; worker outreach/worker engagement; and results and commitments⁴¹.

5.2.2 Regular collection and management of trade union and employer organization registrations - Output 2.2

Background:

In 2006, during the emergency rule, trade unions were banned altogether and when the ban was officially lifted it continued in practice. Union leaders who attempted to organise workers were penalised. The American Federation of Labor and Congress of Industrial Organizations (AFL–CIO, a national trade union) has been involved in following cases of suspensions, and holds hearings every year. Solidarity Center encourages trade union leaders to document and file cases of termination - which often is not done for a variety of reasons, among them the lack of trust from the unionists that such actions would lead to any change.

In 2010 there were 126 unions in the garments sector and only 7 new unions were registered that year in the sector according to the findings of a survey⁴². According to one source, as the garments industry is very competitive, factory managers “busted” many unions. During this time the numerous garment factories that were established in e.g. Gulshan, Dhaka, moved to the industrial areas where, reportedly, it was more difficult for the established trade unions to do outreach and mobilise new members⁴³.

After the Tazreen Fashion fire and Rana Plaza collapse, a lot of pressure was exerted on employers, and GoB was pressurised to start registering trade unions in the garment industry. Thus the stalled union registration got new momentum. At the end of 2012, there were 122 factory-level unions in the country’s garment district representing less than 3 percent of workers and at the time of the evaluation data-gathering phase, 321 *new unions* had been registered since January 2013, resulting in a more than 20 percent increase in⁴⁴. However, it was also learnt that out of the new unions registered, 83 unions no longer exists⁴⁵ and many applications for union registration are being rejected.

During the last 2-3 years, only 15 Collective Bargaining Agreements have been registered with the GoB (MoLE) and the majority of these have been settled with DoL. Many newly registered unions have high expectations that they will play an active part as Collective Bargaining Agents (CBAs) but this does not happen automatically as union leaders and members need to build their capacity to be able to negotiate in CB processes and develop charter of demand.

Regarding Output 2.2 (Regular collection and management of trade union and employer organization registrations), the Project has developed a manual/guide for systems of submitting applications and processing of trade union registrations. The Project management noted that it deals more with applications than actually addressing how to manage registrations. An online system for submission of applications for the registration of trade unions was launched in March 2015. As the number of unions was much fewer at the time of the Project start-up in 2012, than after 2013, the statistics work on this output had been quite a time-consuming activity and much more substantial than expected.

The DoL has issued official notifications to trade union federations about the new system and its existence is mentioned in the draft implementation Rules. The online system has provisions for receiving complaints in relation to unfair labour practices (i.e. anti-union discriminations). How far the actual

⁴⁰ The term used is *lobbying* - a sub-heading in the plan.

⁴¹ Source: National RMG Unions’ Plan of Action for Advancing Freedom of Association and Collective Bargaining in the RMG Sector (draft from a Conference), p. 1.

⁴² Ibid.

⁴³ Interview with Director of Solidarity Center, Dhaka.

⁴⁴ The Guardian, an Article interviewing the Director, CO, Dhaka.

⁴⁵ Source: In-depth interview with Head of Solidarity Center, who explained that 41 factories, where those trade unions were based, had been deemed unsafe and therefore closed while the remaining 42 were “busted” (by thugs/*Masdans*).

management of complaints is being handled, or will be handled in the future is not clear known, as the system is newly developed and installed at the time of the evaluation. ILO stated that it will continue to be engaged with DoL on this issue after the end of the Project, including contributing to a Standard Operating Procedure (SOP)/Guidelines to handle complaints – and has advocated for a tripartite supervisory committee to oversee complaints and how they are handled, regarding unfair labour practices and discrimination against unions.

5.2.3 Conduct capacity building and outreach education programs (Outputs 2.3 & 2.4)

The early Diagnostic and assessment study, as well as the Mapping of the status of the unions have constituted the pre-intervention assessments on which to tailor the training programs to unions' needs and priorities (to the knowledge of the ET, no pre-assessments of individuals' knowledge was undertaken).

The Project's capacity building program with identified local union structures (output 2.3) had a target of 1,000 trainees. It was implemented by BILS; and directly by the Project⁴⁶. The one implemented through BILS was for the RMG federations affiliated with the NCCWE only (as endorsed by the ACTRAV). Participants were nominated by the 13 RMG federations of NCCWE, not by the NCCWE itself, through formal communications and monitored by the project. NCCWE leadership had been consulted (at various levels of activities) for approving the training plan, materials and other related matters. Some of them also got invited as trainers/facilitators. At the time of the evaluation, similar activities were underway for IBC-affiliated RMG federations with funding from the FPRW/FRLR Projects.

The main purpose was to provide capacity development support to area-based trade union structures and workers' organisations; orient officials of newly formed trade unions on workers' rights and related responsibilities, industrial relations; enhance leadership skills among female trade union organizers; and enhance coordination among national and sectoral trade union organisations. It was implemented in two phases: 1st Phase during 2012-2013; and 2nd Phase during January-November 2014.

In reviewing the available documentation, the following was found (the individual targets for each course has not been available):

- ❖ 409 persons (53 women) attended 1/2 –day meetings (including PAC meetings) of whom 76 were women (between 2012-2014);
- ❖ 264 persons (131 women) attended 2-days workshops on capacity-development/training (unions) (between 2013-2015);
- ❖ 44 persons (14 women) attended 2-days induction events on Interest Based Negotiation and Joint Problem Solving (between 2013-2014);
- ❖ 1201 persons (102 women) participated in training with the following topics:
 - Bangladesh Labour Law;
 - Advanced training for organizers on trade union and organizing;
 - Trade union registration issues;
 - Enhanced Freedom of Association, Collective Bargaining, and Workplace Representation;
 - ILO FPRW- FMCS Training of Trainers with Employers on Interest Based Negotiations and Joint Problem Solving;
 - Workplace Cooperation, including Master training
 - Training of Trainers on FoA, workers representation and labour management
 - Industrial Dispute Resolutions (ITC), in Turin, Italy (including MoLE and DIFE); and
- ❖ 1,325 person persons participated in ½ - 1-day events/meetings and awareness-raising activities.

The percentage of female participants was 44 percent from the workers/trade unions, 33 percent from the Employers' Associations; and 26 percent from the GoB.

The ET has attempted to know what selection criteria the Project applied in the selection of trainees or participants in planning events. In the training programme carried out through BILS⁴⁷ in 2014 it was found that the Project instructed BILS to nominate an equal percentage (50/50) of men and women trainees to the programme. The participants should be employed workers and trade union officials in the RMG sector. It was expressed that coordination should be done with NCCWE leadership as this training programme was organised for NCCWE-affiliates only⁴⁸.

The outreach educational programme (Output 2.4) included scripts for street dramas; delivering fire safety animation (cartoon) *en masse*; and DVD productions and distributions to RMG and national union partners for use in their discussions and training events⁴⁹. As for the education and communication (IEC) materials (comic book, leaflets, a TV commercial and a TV drama, and Radio FM call ins) on workers' rights and responsibilities these were activities planned under the FPRW Project, however the re-production/ distribution/dissemination activities are linked with activities of the FRLR Project and were done under this project.

5.2.4 Building capacity of women leaders and workers in the RMG

Leadership in unions, including the RMG, are male dominated. Several of the interviewees in this evaluation have expressed that during the last few years, and after the Rana Plaza collapse in particular, women have shown a greater interest to be engaged in unions in the RMG sector and to assume the role as leaders. The Project has supported women in their roles as leaders in capacity building courses (in 2014). Women have participated in most training events throughout the duration of the Project. In the training programme organised by BILS in 2014, there is an output entitled "Trade Unions in RMG sector will be capable to mobilize, do awareness raising and organize the targeted women workers".

It is stated that one of the four achievements was: "The trade union members and grassroots level workers have been provided trainings with specific contents to mobilize and organize women workers. In addition, a 3-day training which was held as late as 24-26 May 2014 was held for women activists only, to develop union organisation capacity of women leaders in the RMG sector. The central leaders of Women Committees, whom are senior leaders from 13 National Trade Union Centres (NTUCs) (affiliated with NCCWE⁵⁰), participated in this training i.e. the President/General Secretary of Women Committees and senior women organizers of RMG.

The specific objective was to equip them in building a network for RMG in order to form effective unions aiming to attain rights and prevent its violation for the RMG workers. The training included topics such as the present situation of trade unions in RMG; national and international initiatives to ensure workplace safety; organising garments workers (problems and prospects); organising garments workers - initiatives of women leaders of NTUCs; and preparing action plans for organising area based RMG workers.

BILS mentioned in its Completion Report for this programme: "The most significant activities of this project were the project commencement meeting with RMG coordinators, advanced training for women activists and half-day meeting with NCCWE central leaderships".

The ET has received a 12- pages document listing 107 separate Project (training-related) events organised by the Project between 2012 and 2015. This includes all activities related to meetings and training organized directly by the project or through the service provider. It is arranged in chronologic order and include duration and gender-disaggregated attendance. Surprisingly, there is no trace of the fact that women workers actually constitute the majority of the workers in the RMG when reviewing this list –

⁴⁷ 2nd Phase was during January – November 2014

⁴⁸ Source: E-mail from the FPRW Project manager to BILs dated 11/09/2014.

⁴⁹ Nine shows of street dramas have been held during October and November 2013, which reached 2,175 RMG workers (including 367 female). 6,000 fire safety animation (cartoon) DVDs re-produced and distributed among the Government, employers' organizations and workers organizations (Source: TPR)

⁵⁰ BILS Completion report Workers Education Programme, 2015

except perhaps a training session on *Training workshop with Trainers, Women Workers' Educators and Organizers*.

The ET also attempted to identify training materials that deal with women worker issues, or women union leaders or similar. Only one such material has been accessed (there could be more but not received) from BILS, entitled *Manual for 3-days advanced training for women leaders*. This deals with *Roles and Responsibilities of Women Leaders* and instructs the Trainer to use one hour to the subject of women leadership, while the rest of the training is to be devoted to general subjects on trade unions, the effects from Rana Plaza collapse, Accord. This particular material is poorly organised and seems unfinished, and the Project management stated that it was actually a hand-out material used by the Trainer. The ET interviewed some of the union female participants in FPRW training related to capacity building of women leaders. They said, who among others, that they had benefitted from the sessions, but pointed out that the ones they had attended were for one day only, or rather less “as half of the day was introductions”⁵¹.

The following is one of the examples of participant’s evaluations from two workshops, made at the end of training by BILS made available to the ET⁵². For the training programme organised directly by the project no such evaluations were received. Tables 3 and 4 summarise the contents of the evaluations in two different training workshops; i) 3-days Training for Newly Formed Unions in RMG by BILS, and ii) 3-days Advanced Training for Union Organisers:

Table 2. Three-days training workshop carried out for newly formed unions in RMG (20 participants)

No.	Training topic	What had they learnt?	How they would apply the learning ⁵³ ?
1	Workers rights and trade unions	Maternity leave, Compensations, Provision for leave, How to establish workers’ rights, Fundamentals of Labour law, How to open/write a file, Fair wages, Workers benefits, and Safe environment in the work place.	Most answers were inappropriate as they had not understood what “application” meant. However about 1/5 of the respondents said they will establish their rights through discussions/negotiations with the employers/owners. Some said that the learning/training would help them strengthening their unions.
2	Constitution of, and leadership in trade union including topics such as duties, qualities, knowledge and skills	Qualities of union leaders; Process of TU Registration; Management of TU; Leadership Quality; Negotiation Skills; How to Unite the workers; How to solve problems; Labour Law; Effective Communication.	Uniting the workers; Negotiating with the employers/owners; Increasing TU members; Making workers aware; Arranging for big gatherings.
3	TU Office and fund Management	Types of funds/contributions; Collection procedure of Contribution; Fund raising procedure; Management of different Funds; Accounts Management; Filling in a D-form.	Through discussion with all involved (in a participatory way); and Maintaining records properly.
4	Service to members in TU	Working in safe building/place (Decent workplace); How to send Notice (for arranging meetings); Writing meeting minutes; Enhancing workers’ wages;	Through helping/supporting workers; Making workers more aware; Negotiating with owners/employers; Increasing the number of

⁵¹ Source: FGDs with trade union activists in Dhaka City.

⁵² The texts were in *Bangla*, with free translation into English done by the national evaluator/consultant.

⁵³ Suggestions from participants: Arranging more training/workshop/seminar for workers, and using videos and/or documentary films.

No.	Training topic	What had they learnt?	How they would apply the learning ⁵³ ?
		Conflict Resolution and mitigate problems; Legal and other Aid/support to workers; Workers' welfare; Articulating complains	members; Making the workplace decent
5	Establishing effective industrial relations: active participation in TU	Working hour and provision of leave; Agreement; Charter of Demands; Laws related to establishing rights; Sound and effective TU; Roles and responsibilities of TU leaders; Protecting the factory/industry; Healthy relations between employers and workers.	Negotiating with owner/employer; Helping workers when they are sick or having problems;

Table 3. Participants Evaluation: 3-days Advanced Training for Union Organisers (also 20 participants)

No.	Training topic	What had they learnt?	How they would apply the learning? ⁵⁴
1	Workplace Regulations/Provisions and Right (National and International Laws/Conventions)	Bangladesh Labour Law, Related ILO Conventions; Difference between demands/claims and rights; Poster Writing (<i>Note: Many did not answer</i>)	Forming TU, motivating workers and negotiating with employers/owners; Meeting with Workers: Writing posters and fixing them at a visible place (<i>NB: Majority did not answer</i>)
2	Communication in Trade Unions	Writing letters: Means of communication, e.g. cell phones, letters (hard & soft), friends/colleagues, meeting and posters	Through writing and fixing posters (4); First make contact with known person, then will enter into the factory and make the workers aware (about rights, laws).
3	Communication Skills of Organisers	Writing letters; Writing posters/festoon; Organising	Establishing rapport, understanding appropriate time for workers of a particular factory.
4	Campaign for TU and Preparation of Communication Materials	<i>(Very similar answer to above)</i>	<i>(Very similar answer to above)</i>
5	Bargaining (Negotiating? Translation should be how to debate)	Labour Problems can be resolved through discussions; Roles of TU at national and international levels (<i>NB: Very few answered</i>)	Resolve problems through negotiations/consultations
6	Q and A on Labour Law	How to solve the accounts of a worker who has resigned or was terminated; Problems and solutions of Labour Law; Labour Welfare and Rights; How many members can form a TU; Compensations for accident; Consequences of signing on blank papers (answer by a worker)	Make the workers understand how to leave job formally and safely.

⁵⁴ Suggestions: More training/workshop/seminar including refresher ones (few respondents).

5.2.5 Develop a functioning anti-union discrimination complaints mechanism⁵⁵ - Output 2.5

The MTE report remarked that the FPRW and FRLR projects had not achieved the complaints mechanism output and noted that it was uncertain whether this output would be fully completed by the time USDOL funding ends.

A Labour Helpline⁵⁶ was launched which is now being run by a service provider, TeleConsult Group (TCG) with technical support from the ILO (this activity was not found among the planned activities and no specific USDOL funding has thus been set aside for this). The ILO assessed that DIFE does not have the resources to administer this helpline, thus TeleConsult Group (TCG) is operating it 13 hours a day from 9 am to 10 pm, seven days a week.

It receives complaints from workers channelled to the Department of Inspection for Factories and Establishments (DIFE) and the DoL. The State Minister for Labour formally launched the system on 15 March 2015. Although, the FRLR Project (Norway funded), provided the actual funds for this activity, the technical and related activities were coordinated by the FPRW Project. Reportedly, a number of calls are recorded (about 25 to 40/day), but the system is newly installed and the information about what is being done with the complaints so far was not provided. The ILO is fully aware that a mere helpline does not solve the need for a complaints mechanism and therefore this activity will be further developed closely with the Government and constituents in the forthcoming Project/s.

5.3 Labour management cooperation established at enterprise levels (objective 3)

This objective has two outputs, none of which the project has been able to get very far with, for reasons explained below. These are Output 3.1 Develop labour-management training program; and Output 3.2. Bi-partite enterprise level agreements will be reached on priority issues.

5.3.1 Develop labour-management training program - Output 3.1

The Diagnostic report carried out by the ILO in 2011 identified five focus areas around which remedial actions could be focussed. Institutionalised social dialogue and collective bargaining in garment factories was one of the five areas. The Project introduced training for constituents on the subject of *Interest Based Negotiation and Joint Problem Solving in Bangladesh*. The IBN model addresses the interests of both employers and workers and seeks solutions to work place and industry challenges that are achieved through discourse, based on “objective criteria and realities of the industry and the national context”. It seeks to exploit opportunities that may benefit all the tripartite partners and prevent conflict in the workplace through open dialogue.

This IBN component was made possible through an inter-agency agreement between USDOL and ILO. USDOL thus funded the actual service rendered by FMCS Commissioners, acting as Trainers, from FMCS, through four visits to Bangladesh from US. Three-days training sessions were carried out⁵⁷. The Project provided funds for bring in the stakeholder attendees and for the meeting venues. Before undertaking the training, the Project (during 2013-2014) introduced the IBN training concepts in meetings with Department of Inspection for Factories and Establishment (DIFE), Department of Labour (DoL), BGMEA and BKMEA.

⁵⁵ It is noted that the original name of output 2.5 was very ambitious formulated: “An expeditious and effective complaints mechanism fully functioning” but was moderated in the implementation plans (Source: FPRW Project Document).

⁵⁶ Ph. No: 08004455000, open for all country and not only for RMG workers. The ET called the help line number, and it was answered as appropriate.

⁵⁷ In 2012, there were thirty officials who participated in IBN training. In 2014, forty-one participants (eleven female) attended three-day training on IBN (two parallel sessions). They were seventeen officials from DoL; five from DIFE; five from Management Counsellors from the Bangladesh Institute of Management (BIM); two Legal Counsellors from the Solidarity Center and the remaining are independent trainers (trained by the Project as Master Trainers on Workplace Cooperation).

The project had intended to monitor/follow-up how the model was applied in workplaces - but found that very little/hardly any work places expressed interest to practice the model and there was in fact scepticism expressed by constituents who had been trained. The Project management nevertheless attempted to spread interest in the IBN model in a gathering of 54 different company CEOs and managing directors with the purpose of highlighting the positive sides of this model of work place cooperation.

The MTE concluded in 2013 that the IBN training was a “very smart way to begin to work with employers as it opened the door with the employers in a non-threatening way”. This evaluation found that, indeed, the employers expressed interest in the activity i.e. BGMEA, BKMEA. BGMEA expressed dissatisfaction in an interview that it had not been continued as planned with follow-up in workplaces to monitor how the model was applied. BEPZA official also expressed interest in IBN stating that several EPZ work places/factories already implement IBN. Trade unions are banned altogether in the EPZ, but BEPZA officials stated that Workers Welfare Associations are allowed to act as CBA –which unionist and ILO disregard as humbug as the WWA are not trade unions per se and cannot be affiliated to trade unions outside the export zones mainly because they are perceived as being political in nature.

Eventually, the Project did not continue the follow-up IBN and expressed to the ET that the work places (factories), and the circumstances in Bangladesh, are not yet mature enough for this approach and that it was neither relevant, nor realistic to pursue this model at this point in time. The FPRW project management stated that more resources and time would have been required, and perhaps another approach would to reach further on this issue and make a difference, which this evaluation fully agrees to.

5.3.2 Bi-partite enterprise level agreements will be reached on priority issues - Output 3.2

The Project informed the ET that it has not been able to achieve progress in developing activities in this area. The main reason provided was that the foundation for this activity was perceived to be linked to, and dependent the activities leading to Output 3.1 (above), namely the development of labour-management training programme which was expected to result in actual changes in work place cooperation at enterprise level - based on IBN. In other words, with output 3.1. not being as successful as had been expected, output 3.2. could not be implemented.

The management has discussed ideas on how to proceed with the stakeholders. It reported that the Norway funded sister project FRLR is undertaking a mapping of the labour dispute resolution systems in Bangladesh. This has consisted of a review and analysis of: i) Provisions in the Bangladesh Labour Act, 2006 (with amendment in 2013); ii) Conciliation systems undertaken by the DoL; ii) and holding meetings with employers’ and workers’ organisations and experts. This would result in a report/concept note, intended to contribute to developing a project proposal.

When discussing this issue with a representative of ILO (at Headquarters) it was explained that it intended to organise events to engage stakeholders in this issue outside the GoB framework.

5.4 Some stakeholders’ views of the Project

The ET had in-depth interviews with a number of high-level Government officials, at MoLE, DoL and DIFE. All officials expressed appreciation for the Project. Some officials had received training at ITC, others had participated in IBN training workshops. They expressed that they are looking forward to continue working with ILO on the issues of workers fundamental rights at work. The working relationship was reportedly good by both the Project management and the DoL.

The BGMEA stated that it had a long standing working relationship with the ILO since 1995 when the International Programme on the Elimination of Child Labour (IPEC) started its activities in the country. It transpired in the ETs meeting with the BGMEA officials that it supports and appreciates the Project in general. However, the officials forwarded some critical points to the ET, for instance that the Master training had stopped, although many more sessions were to be held, and similarly the Workplace

Cooperation training had also been discontinued. The BGMEA management stated that it does not oppose to have OSH committees at work places, only that its members should be *elected* to these committees.

In the Validation workshop, the BGMEA representative, in unison with BEF and BKMEA, stated their concerns that workers had been trained “but BGMEA had not been informed about the numbers of trainees and expressed resentment about the fact that the Project had not revealed *from which factories the worker participants had been nominated/selected.*”

The employer association representatives expressed that they were not pleased to know that some trainees had not been (“genuine”) workers or members of any trade union. They asked for more transparency in future programmes and said that workers should take permission from the factory management to participate in training, and if they were reprimanded/penalised for joining a training workshop, the employers group could help solve the situation. However, if they do not know which factories are involved, they could not help out (*for further details on this issue, see the notes from the Validation Workshop, Annex VII*).

The project’s working relationship with the NCCWE has been challenging partly due to 6-months rotation in the leadership and partly due to the tensions and conflicts between IBC and NCCWE⁵⁸.

NCCWE is a platform of 13 Union Federations. It was formed with ILO’s support to be a spokes-organisation for trade unions in Bangladesh. ILO has worked with NCCWE since the opening of its country office in the 1970s in Bangladesh. It is not active in the RMG sector, and cannot be said to *represent* workers in the RMG sector⁵⁹.

In a meeting with the ET, NCCWE representatives expressed resentment vis-à-vis the Project, the apparent reason being that they - the *leadership* of NCCWE - had not been adequately involved in the organisation of the Project’s training programmes. They stated that their role had been one of supplying trainee participants to the courses but had not officially been invited to participate in actual training. They also resented the fact that BILS had been selected as an implementing partner to carry out training programmes. Finally, they expressed that the amendment (BLA 2006) (which had by no means been satisfactory) had not been the work of the Project, but was in fact the work of ACTRAV at Headquarters in cooperation with NCCWE. When asked about what they thought about the actual training undertaken by the Project, they claimed that they were aware that it had been “of good quality” (this statement was not based on any follow-up survey, but NCCWE members had taken part in the training and had participated in training workshop evaluations).

IndustriALL Bangladesh Council (IBC) represents workers in the metal industry and the garments and has 13 federations covering the RMG industry; 11 of these federations actually have no resources based in the garment sector while only 4-5 federations are involved in outreach work in the sector⁶⁰. The Project informed the ET that NCCWE and IBC often are in conflict with each other.

Bangladesh Institute of Labour Studies (BILS) (a non-government organisation) was established in 1995 and is the only labour institute in the country. It is an apex organisation for 13 major National Trade Union Federations working for the benefit of working people and trade unions of Bangladesh. BILS core work is to build capacity of the trade unions through training, research and information-sharing, and the protection of workers rights, and worker friendly policies and laws⁶¹. The project’s working relationship with BILS has, on the whole, been satisfactory.

⁵⁸ Source: Project management and other key informants, as well as the MTE report.

⁵⁹ Source: This has been stated by ILO and several of the other constituents/stakeholders in interviews.

⁶⁰ Source: In-depth interview with the Director, Solidarity Center.

⁶¹ <http://www.bils-bd.org/>

5.5 Project linkages within the family of RMG projects

As several separate projects exist with activities in the RMG sector, efforts have been made to consolidate all of them under a RMG umbrella Programme, headed by an international Programme Manager to whom all project managers are reporting. The FPRW (USDOL) and the FRLR (Norwegian) are cooperating closely because of their similarities such as capacity building of workers' and employers' organisations, which reportedly has worked very well, with expenditures made from the respective projects accounted for and with (reportedly) full approval from the Norwegian donor⁶².

The ET learnt that the project funds of FPRW were already committed at the end of March 2015 (although the Project lasts until end June 2015) and the salaries for the Project Manager is currently drawn from the FRLR project budget, as well as some of the project activities. Furthermore, the Norwegian project will take on some of the activities and outputs that FPRW has not been able to start up/complete.

The BWPB is still in its start-up in its implementation and has not yet had any particular cooperation with the FPRW – and the reason given by the RMG Programme CTA is that the project are in two different stages in implementation. However, the CTAs of all ILO's technical cooperation projects, along with the Programme Officers, meet regularly at the Country Office in meetings chaired by the ILO Country Director. Progress and/or problems or issues are shared and discussed among the staff in these meetings.

It was found that the heads of RMG Programme, BWP, the NGO Solidarity Center⁶³ and ACCORD – are discussing how to proceed with the issue of promoting Occupational Safety and Health (OSH) committees at work places – in the anticipation of the implementation rules to the amended Labour Act. According to the MTE it has also cooperated with GIZ on fire safety issues.

The Project management stated that it had received adequate support from the ILO (Dhaka, Delhi, and Geneva). The Mid-Term Review had noted that the relationship between FPRW and ACTRAV earlier had been strained over communications and interactions with the trade union federations, which is also the finding of this ET. The key issue had been the differences in opinion regarding the undertaking of the mapping described in this report, which eventually was solved.

5.6 Gender and women workers issues

The FPRW Project Document (the steering document) makes it clear that the challenge of representation of the workers in the garment sector should be addressed – in view of women being the dominant work force. One of the project's aims is to address these challenges through capacity building for a more balanced representation. The Project is been commended for undertaking women leaders training sessions and for directing BILS to have 50% women and 50% men in the training programmes – which nearly was achieved and which, in itself, is very positive. However, gender concerns and gender equality is not only about ensuring participation of women, it must go beyond that to make a difference in women's lives.

The Project has not developed, nor seen any need for, a gender strategy. The ET has not been convinced (see section 5.2.6 of this report) that the training and capacity-development activities were sufficient, or even relevant (tailor-made) to the women workers' needs and interests. There is no indication/information that the training of the leaders addressed appreciation for socio-economic circumstances that clearly affect women workers' motivation or ability to organise themselves or stand up for their rights. The interviews the ET had with female trade union leaders revealed for instance that women workers organise themselves in a different way, from men workers, in the garment factories. For instance they group themselves much more slowly and with 1-2 persons at a time when expanding their networks.

⁶² The ET requested to meet with the representative of the Norwegian development partner but the person was not available but the ILO Project official in charge of the implementation of this project was interviewed.

⁶³ The Project has interacted with Solidarity Center regarding union registration.

These are some questions that should be answered for future ILO and other DOL funded Projects in Bangladesh:

- What is the strategy to engage women workers and women leaders, as well as men workers? Are the strategies the same? It seems not fully reliable to ask the implementing organisations to ask unions/federations to nominate trainees – what particular actions must be taken by the ILO?
- How did the Project utilise ILO’s pool of experience on gender issues (e.g. of the Gender Equality and Diversity Branch) and how was gender considered in the Project’s staff/ consultant recruitment?
- What can be done to take a broader look, a broader perspective, on the support to workers in the RMG – the majority of them who are women and many whom are vulnerable and living in poverty? How do women workers' living/circumstances, affect their level of willingness and motivation, (or lack of it) to organise themselves?
- What are the experiences of the organisations currently working with women in the garments and how can *their knowledge* be incorporate in future programmes – Can NGOs help out? Can the Bangladesh National Woman Lawyers Association (BNWLA) help out?
- What can Employers associations do to help out?
- Can good models of labour relations in work places be identified in the RMG - and if so, what factors can be used to learn from such “models”?
- When recruiting staff to Projects, ILO should look into gender composition and preferably include a requirement in the vacancy announcement that the applicants have knowledge/experience about gender issues in development. The same applies in the recruitment of consultants (excols).

5.7 Evaluation criteria: effectiveness, relevance, efficiency, impact and sustainability

The assessment is that the outputs under objective 1 and 2 were generally reached (Improved legal framework; and Enhanced freedom and capacity of workers, respectively) but a number of circumstances affected the level of effectiveness as well as materialising the outputs under objective 3.

Some of these were related to the disagreement that resulted from the mapping of the status of trade unions and the collection of registration information in 2012 that delayed the start-up (Objective 2). Still, the Project has certainly contributed to increased learning, more open discussions about FoA, workers rights and work place management, and has brought up discussions about what genuine representation really means, and debated selection criteria for training and capacity building as well as women’s participation.

Regarding the work on the labour-management training program (output 3.1) the work was started in terms of IBN training but was not followed up, and the activities to generate bi-partite enterprise level agreements (output 3.2.) did not take place, as it was highly dependent on output 3.1.

The ET has found that Project on the whole is relevant, as also made clear in the results of the diagnostic study and mapping of trade unions. The Tazreen fire in November 2012 and the collapse of the eight-storey Rana Plaza brought the world’s attention to worker safety issues and the human costs of cheap, fast fashion – labour law compliance have also been highlighted as very important by the public, national organisations and the international community. Although this evaluation have pointed to some areas which could have been stronger and more effective and efficient, it should also be acknowledged that in fact the Project has been appreciated by all key stakeholders, including the Government of Bangladesh where DOL in particular has been actively supporting the activities - which certainly accounts for

something in a country as complex as Bangladesh where the tripartite organisations often do not see eye-to-eye and when in the past it has interpreted ILO's activities as unwarranted criticism.

The MTE discussed efficiency in a comprehensive way, and undertook a thorough review of the FPRW's expenditures in late 2013. It was found that the FPRW only had spent 53% of the total budget and it was supposed to have ended the same year (September 30th). Due to this situation the Project has been granted "no-cost" extensions and the ET was informed that the budget delivery rate in May 2015 was over 95 percent. The MTE also concluded that the amounts allocated to the various line items appeared to be reasonable and proportions consistent with other ILO technical cooperation projects, (e.g. salaries accounted for around thirty percent of the budget, while training and education components accounted for approximately twenty-five percent, external collaboration contracts represented fifteen percent and so forth). This evaluation decided not to repeat this exercise mainly due to the limited time availed for data gathering in Bangladesh and the need to focus on results and challenges.

In order to assess the level of efficiency of the Project's actions, the tried to assess whether activities were efficient, i.e. whether objectives were achieved on time, and gauge to what extent various results were produced in relation to the inputs made and the resources available.

It has also tried to appreciate the challenges that the Project faced to shed some light on the reasons that some objective/s were not fully reached to enable drawing some lessons. At the time of the data collection phase in May 2015, the Project had committed all funds, and the salary of the NPC was paid from the Norwegian sister project (FRLR). The NPC stated that no funds were available to undertake new activities beyond March. Later it was learnt that a final payment of \$500,000 had been made to the Project⁶⁴ that according to the development partner ought to have reached the Project in June.

It was found that the Project's contributions to the legal framework (objective 1) were efficient in the sense that technical inputs and policy advocacy were provided under the Project from both Headquarters (technical specialists and programme staff) and FPRW Project management staff in close cooperation with BWPB. The outcome (actual amendment of the BLA 2006) was not fully up to ILO standards in the end. The decisions on the final contents are ultimately made by the GoB.

As mentioned, the overall training programmes were undertaking in several "batches", the latter as late as 2014, for reasons that include political disturbances and the departure of the CTA in 2013, which clearly disrupted the implementation work. Ideally, training activities take place during the first half, or the first third, of technical cooperation project, leaving the remaining time for follow-up of the learning in practice, and if needed refresher training events may be organised and are often required. As no regular monitoring and evaluation *system* was in use, there is no specific documented information about the impact of training, i.e. if/how learning has been put into practice. It will be very important that the continued activities (see section 5.9.2) entail setting up functional M&E systems, as *training for the sake of training should be a thing of the past*.

The USDOL-financed IBN expert training services stands out as not being cost-efficient as it was not continued/followed-up as planned and no internal evaluation has been made to clearly analyse the factors why it should not continue. The fact that the IBN could not be followed-through in practice is not so surprising when considering a) the nature of the training contents imparting, as it were, modern/Western problem solving techniques; and b) the low level of education among workers, the majority being women living from poor families in rural areas.; and c) the often antagonistic environment of union and management cooperation. The ET does not conclude that concepts should not be brought in from other cultures/countries – the question is perhaps more to do with how it is done and by whom, and how well the ideas have been grounded among the stakeholders and adapted to the local environment. The assessment on efficiency of the training programme is that, as the Project did not continue the follow-up

⁶⁴ Source: A written comment from the concerned USDOL representative on the draft evaluation report.

of IBN the ET has assessed that the overall training component of the project was not as efficient as it should have been.

The departure of the CTA at a crucial time in the life of the Project, had consequences for the implementation of planned activities and left the National Programme Manager and the team without an immediate supervisor for a period of time until a successor was in place after the MTE had been carried out, in 2013. Others circumstances delaying implementation were the series of *hartals* and political violence in Dhaka that halted and delayed project activities, making communication with the constituents very difficult. The person responsible for the technical backstopping at ILO Headquarters changed position and was replaced. Finally, after Rana Plaza, the constituents were very busy with safety issues and the attention from international and national development partners and the Project management had to make extra efforts to make the point that workers' FoA and workers' rights issues also are very important.

The valid question is raised whether impact can be attributed to this particular project, when several actors (national and international) have worked in the same/similar field? Clearly more time than 9 days would have been required to carry out an impact assessment including fieldwork. This evaluation found that the Project did not reach all the way in terms of generating full impact from its activities/outputs as aspired, partly because the ambitions were set high on one hand, and perhaps too low in terms of some qualitative aspects/outputs discussed in this report.

However, the Project should be credited for making contributions to policy change (the BLA amendment), which in turn may have impact in the longer term, and imparting knowledge to its stakeholders through its quite comprehensive training programme. The fact that new development partners are willing to build on what has been started could also mean that more impact in the field is seen as possible and that the time is right to act and support the areas that have been initiated.

Sustainability is concerned with assessing whether the benefits of an activity are likely to continue after donor funding has been withdrawn. The ILO has stated that it intends to continue to support the constituents in Bangladesh to keep up momentum in the aftermath of Rana Plaza collapse, regarding safety and labour rights in the RMG sector. In the current scenario, donor funding will *continue* through the newly planned Project (funding from the Danish and Swedish Governments) and some of the activity components of the FPRW and the FRLR projects will continue. These are, among others, a systematic approach to workplace cooperation and grievance handling, transparent mechanism for preventing (receiving, recording, handling) and resolving disputes.

The new project will also work more on social dialogue and mechanisms for conciliation and arbitration. Whether or not there will be sustained benefits from the ILO collective RMG project should be assessed in the future, which would include institutional sustainability (all key constituents) and very importantly, how the Labour Law is enforced, and implementation rules are applied, and if/how the unions are able to register, grow and develop in an environment of FoA and workplace stability asserting and protecting the rights of the employees, both women and men, within this very important sector.

The ILO Country Office for Bangladesh has developed a "bridging project" approved for Danish funding originally planned to start in April 2015 and end in Feb 2016 with the working title "Promotion of Workplace Cooperation in the Readymade Garment (RMG) Sector in Bangladesh". This short Project would start when FPRW project ends and include dispute settlement systems development and research on the law and the applications within GoB, and it would retain 2-3 project staff members.

It is intended that it will take the activities forward to another project in the pipeline that will be funded by the Danish and Swedish Governments, scheduled to start up in February 2016 (5 years implementation). The working title is Promoting Social Dialogue and harmonious Industrial Relations in the Bangladesh Garment Industry for Danish and Swedish multi-donor funding from 2016. The project stakeholders are employers, workers and their organisations in a selected number of garment factories and their representatives, MoLE, DOL and DIFE. Among the workers and their representatives, women and

younger workers, who represent significant percentage of the workforce, are intended to particularly benefit from the proposed project⁶⁵.

⁶⁵ FPRW Technical Progress Report, covering 1 January 2015 - 31 March 2015 (p. 10).

6 Conclusions and lessons learned

This section addresses the conclusions and lessons from the final evaluation.

6.1 Conclusions

Overall

The evaluation assessed that the outputs intended to contribute to Objective No. 1 (improved legal framework); and Objective No. 2 (enhanced freedom and capacity of workers) were reached but a number of circumstances affected the materialising and level of effectiveness of the outputs under Objective No. 3 (labour-management cooperation established at the enterprise level). As mentioned in the findings section (5.1.1), the Project identified a number of short-comings/dysfunctions regarding matters of relevance in view of FoA in the RMG sector. The Project has addressed several of these shortcomings but a number of important issues remain.

The specific conclusions below relate to a number of these short-comings and are based on the *findings*. It starts with the conclusions regarding the evaluation criteria, followed by conclusions regarding project design and PM&E; mapping of the status of trade unions; FPRW training programmes; gender concerns and women workers issues and timeframe (of TC projects).

Effectiveness

A number of circumstances and factors affected the level of effectiveness as well as materialising the outputs under objective 3, specifically. The outputs under objective 1 and 2 were generally reached (Improved legal framework; and Enhanced freedom and capacity of workers, respectively) but a number of circumstances affected the level of effectiveness as well as materialising the outputs under objective 3. The Project has certainly contributed to increased learning, more open discussions about FoA, workers rights and work place management, and has brought up discussions about what genuine representation really means, and debated selection criteria for training and capacity building as well as women's participation.

Still, the Project was not as effective as it should have been. Regarding gender concerns, more could have been done to increase the Project's effectiveness, in particular to adapt the training programmes to the fact that 85 percent of the production workers in the RMG sector are young women.

Relevance

It is concluded that the Project in its overall content and outlook were relevant and suited with the overall aim to contribute to improved legal frameworks, freedom of association, and labour management cooperation. This was also indicated in the early diagnostic study results, and the subsequent mapping of trade unions. However, implementation of some of the capacity building activities was less relevant and not fully adapted to the prevailing conditions and circumstances in Bangladesh, e.g. the interest based negotiation training component with tripartite participation. It was also concluded that the capacity building would have been more relevant if it had been better adapted to women's working environment and social circumstances (life realities) in the RMG industry as they constitute the vast majority of the ultimate target group.

Efficiency

It was found that the Project's contributions to the legal framework (objective 1) were efficient in the sense that technical inputs and policy advocacy were provided under the Project, and came from both Headquarters (technical specialists and programme staff) and the FPRW Project management in close cooperation with BWPB manager (CTA) – although the outcome (actual amendment of the BLA 2006) was not fully up to ILO standards in the end (and the final text of the Rules are not yet published). Three cost-extensions were granted to enable to project to use its funds and carry out more activities, which has

indicated that at least the comprehensive training programme was not as efficient as it should/could have been, and if it had not been interrupted by the internal debate described in this report.

Impact

This evaluation found that the Project did not reach all the way in terms of generating full impact from its activities/outputs as aspired, partly because the ambitions were set high on one hand, and perhaps too low in terms of some qualitative aspects/outputs discussed in this report. However, the Project should be credited for making contributions to policy change (the BLA amendment), which in turn may have impact in the longer term. It has also clearly imparted increased knowledge and awareness among its stakeholders and trainee participants.

Sustainability

Sustainability in evaluations is concerned with assessing whether the benefits of an activity are likely to continue after donor funding has been withdrawn – however in the current scenario, donor funding will continue through the newly planned Project (funding from the Danish and Swedish Governments) and some of the activity components of the FPRW and the FRLR projects will continue. The activity areas that will continue are a systematic approach to workplace cooperation and grievance handling, transparent mechanism for preventing (receiving, recording, handling) and resolving disputes, among others

Project design and PM&E

The project's goals were ambitious. The implementation may have been easier to manage if a relevant LFA had been developed by the ILO in cooperation and participation with the stakeholders, one that could have formed an appropriate basis for the work plans and monitored through a detailed PM&E with SMART indicators. The managers carried out some monitoring but this Project was not adequately staffed to allow for proper M&E as most of the time and resources were used for implementation. The PM&E matrix (made after the MTR had noted that a LFA was missing) was poorly designed. Reporting was done as required but the above factors made the evaluation of the Project quite difficult, coupled with the fact that no final report was available in May soon before the project would close down, not even a draft report.

Mapping of the status of trade unions

ILO is commended for the initiative to carry out the mapping of the trade unions aimed at guiding the formation of the Project's training/capacity building programme, but the actual activity as well as its findings became the subject of bone of contention it resulted in a delay, and a gap of several months between the first and the second training program⁶⁶.

FPRW training programmes

The Project management and its constituents and Partners are commended for carrying out the training programmes involving many persons from all constituent categories and stakeholders. The percentage of female participation was not very far from the desired 50 percent (41 percent in average). The issue of genuine representation by RMG unions/factory workers in the programme and nominations in training programmes have been openly discussed in the Project and needs more attention in the future. The IBN training and services rendered (financed partly through a separate funding agreement) stands out as not being cost-efficient as it was not continued and no internal evaluation has been made to document/analyse the factors or reasons it could not be followed up.

⁶⁶ Source: In-depth interview with former Project CTA, Rob Weyss (currently heading ACCORD) and discussions with project staff.

Gender concerns and women workers issues

The ET has assessed that several important issues regarding the targeted (ultimate) beneficiaries were missing in the current Project and the ILO and its future development partners should ensure that gender issues get a much more prominent role and that a gender analysis and gender strategy is developed before starting a project, or at the very onset.

- a) The question arises: Could/should the nomination have been done in any other way? It is here concluded that the ILO need to urgently discuss possible future mechanisms to ensure that the actual targeted persons are nominated for training and similar events.
- b) The findings have shown that it is also urgent for ILO and its projects to apply a strategy on how to attract women workers/women leaders in unions, how to gain support for training them from the employers, and how to ensure that the training is *relevant and adapted to women workers' needs and the socio-economic and socio-cultural circumstances in which they work, taking into account their vulnerabilities but also their strengths and motivation to improve their lives.*

Timeframe

It was found that the (original) duration of the Project was two years - which clearly is not a realistic time frame for the objectives it was set to achieve. Even with the “no-cost” extensions, the Project was not able to fully achieve objective 2, and even less objective 3. FoA is not a state that may occur quickly as a result of a small project, in a country where FoA is as weak as in the RMG industry as in Bangladesh. The designers of the project were well aware of this and most probably also the development partner but felt that by setting the “rib high” it would demonstrate the importance of the activities, mainly to the GoB. The immediate objectives could have served as development objectives in their own right (not immediate objectives as they were termed) to which FPRW, FRLR and BWPB *all* could have contributed.

6.2 Lessons

The Project has contributed to increased learning, more open discussions about Freedom of Association, workers' rights and work place management, and has engaged in a discussion with the constituents about what genuine representation (as well as women's participation) and selection criteria to apply in capacity building. The following are some specific lessons to be drawn⁶⁷:

Lesson 1

The three objectives in the design set the ambitious goals for the implementation. The Project took on too many large issues, many of which that could not be achieved in the lifetime of the Project – not even when the duration was extended on several occasions. There are lessons to be learnt in the future design of projects in Bangladesh that seek and provide deeper knowledge to *fewer* issues and increase the quality of technical cooperation and making this acceptable to the development partners (donors).

Lesson 2

This report has given an account of the mapping study of the trade unions, that was intended to lay the ground a target-oriented training programme, leading to effective union action at the enterprise level in the RMG sector. Time is a scarce resource for project practitioners and there are lessons to be learnt from the delays of the Project's Training Programme – that resulted from the internal debate involving different departments of ILO on whether or not to undertake the mapping study on the status of trade unions/workers organisations in the RMG sector. The debating caused delays and frustration among the project staff and should have been handled differently. ILO Hqs should avoid letting politics influence the implementation of technical cooperation activities.

⁶⁷ More details on the lessons are found in the lessons template in Annex VII.

Lesson 3

The Project tried its best to stay in good relationships with the many actors, including harmonising the views among actors within the ILO itself. However, not enough was invested at the start-up on how to go about the selection/nomination/participation of trade union federations and unions.

The difficulties and complexities regarding trade unions in the RMG sector in Bangladesh is well known within the ILO – especially through its long standing (complicated) working relationship with RMGs employers, notably BGMEA, from the earlier IPEC project implementation. It was also known that NCCWE does not represent RMG workers but it was still given a key role at national level, because it traditionally represented workers unions/stakeholder for ILO in Bangladesh. The role of NCCWE, at national level, was balanced somehow by involving IBC at district levels (approved by ACTRAV).

The FPRW Project Document (the steering document) also makes it clear that the challenge of representation of the workers in the garment sector should be addressed in view of women being the dominant work force. This challenge was not taken on in a serious way in this project.

There are, thus, important lessons to be learnt regarding genuine representation of trade unions in RMG sector and their selection/nomination/participation in project events. More efforts need to be invested in this issue before the start-up of project activities involving unions in Bangladesh. This should have been highest on the agenda.

7 Recommendations

The following are the recommendations of the evaluation of the FPRW, based on the findings and conclusions⁶⁸. As far as this evaluation has assessed, the recommendations that related to TC project interventions can be covered through the planned (up-coming) project budgets. The first recommendation may not require additional resource allocations.

Recommendation 1. Short-comings/dysfunctions regarding FoA in the RMG sector

(High priority)

As mentioned in this report (see findings section 5.1.1 and chapter 6. Conclusions) a number of short-comings/dysfunctions in relation to FoA were identified by the diagnostic study of this Project. The MoLE and the Employers should make all efforts to rectify these short-comings and ensure that:

- ❖ Workers are protected before registration and not persecuted by their employers;
- ❖ Workers are not transferred or dismissed if they want to form unions (particularly in the RMG and textile sector);
- ❖ Workers are not harassed after they have registered;
- ❖ Workers are not dismissed for misconduct - no longer allowing them to become a trade union officer; and
- ❖ The backlog of cases of complaints (in some cases a backlog several years) is dealt with.

Recommendation 2. Genuine trade union representation for increased effectiveness

(High priority)

In view of the planned continuation of technical cooperation in Bangladesh to further address FoA and fundamental principles and rights at work (including the short-comings and dysfunctions in the RMG sector identified by the diagnostic study) - the relevant ILO technical unit and the project management should:

- a) Develop a strategy, with participation of the constituents, with transparent criteria to ensure that trade union representation in the RMG sector is genuine and reflect the fact that 85 percent of the factory production workers in the industry are women coming from rural areas, many who have low levels of education and/or living in poverty.
- b) The Project management should ensure that such a strategy does not compromise security/safety of individual trade unionists and that individuals are not penalised for attending ILO's project events.

Recommendation 3. Relevance and quality in capacity development activities

(High priority)

ILO project management should ensure that capacity-development and training programme contents are relevant and tailor made for the participants. If commissioning or sub-contracting large elements of the training programme, great efforts must be made to work closely with, and follow up, the selected national or international training institution (implementing partner) to ensure relevance and quality.

Recommendation 4. Gender concerns and women workers issues

(High priority)

ILO technical units and project management should ensure that the up-coming projects in the RMG sector undertake a gender analysis in connection with the mapping activities – which also would form part of the

benchmark preparatory work and which would help the Project staff to design/implement relevant gender responsive activities.

Recommendation 5. Project design

(Medium priority)

The traditional view on impact is very difficult to use in projects designed to last for 2 years and when 3-4 months usually needs to be spent to get started with project implementation. In the process of designing technical cooperation, the ILO technical units and development partners/donor agencies should:

- a) Seriously discuss prevailing unrealistic expectations and bring the concepts impact and sustainability⁶⁹ to discussion and agree on what realistically can be expected as impact (change) for projects that have capacity development and policy advocacy as key components - and for which results seldom are immediate or can be proved;
- b) Define goals that can be reached in the lifetime of the project;
- c) Until more relevant and useful frameworks are developed - ensure that technical cooperation projects have well-defined Logical Framework Analysis that are developed through consensus/participation by all key stakeholder organisations, based on some form of problem tree with assumptions, risk analysis and (output) indicators and SMART indicators (based on actual/realistic data) are include; and
- d) Explore whether other working models could be alternatives to the conventional LFA, to combine the goal hierarchy and systematics from the Logical Framework Approach (LFA) with the approach used in the Appreciative Inquiry tool (AI)⁷⁰. This model focuses more on local potentials and possibilities and less on problems.

Recommendation 6. Mappings used in technical cooperation projects

(Medium priority)

- a) The ILO project management (for future Bangladesh RMG projects) should continue to carry out mappings as initial reconnaissance efforts to enquire about current state of affairs in the area it will work in.
- b) ILO technical units should also generally promote the use of mappings to replace cumbersome baseline surveys in short duration technical cooperation projects to serve as qualitative benchmarks.

Recommendation 7. Timeframe (in general) for new ILO projects

(Medium priority)

ILO technical units should generally promote and seek funding for longer duration projects (as in the upcoming 5-years Sida and Danida-funded projects in Bangladesh in the pipeline for 2016) - which would be much more appropriate for the goals aiming at FoA and promoting fundamental principles and rights at work in the RMG sector – as well as in other similar interventions.

⁶⁹ Sustainability is not an entirely urgent/relevant issue for this project since funding appears to be continuing in the same/similar areas through the new projects, and as the Norwegian project continues in the RMG sector. See the text in the report.

⁷⁰ This model has been promoted by Sida, among other international organisations.

Annex I. Terms of Reference

(Draft, March 9, 2015)

Independent evaluation of the Project Promoting Fundamental Principles and Rights at Work Project in Bangladesh (herein called the Project), under ILO's Better Work Program in Bangladesh, Cambodia

1) Introduction and Rational for final independent evaluation

This terms of reference covers the final evaluation of the project. The project is implemented by ILO and funded by the United State Department of Labour (USDOL). In December 2010, USDOL and ILO signed a five-year Cooperative Agreement in which USDOL provided \$5 million to ILO to support implementation of the ILO's Better Work Program in Bangladesh, Cambodia, and Vietnam. The effective date of the agreement is December 31, 2010 to December 31, 2015. The FPRW project is funded through the Better Work Global Program Cooperative Agreement.

Under the Better Work Global Program, USDOL provided \$1,476,437 to ILO to implement the Promoting Fundamental Principles and Rights at Work in Bangladesh (FPRW). The FPRW project was initially a two-year project that intended to lay important groundwork on freedom of association and collective bargaining in preparation for a Better Work (BW) project. FPRW's official start date was October 1, 2011. However, due to delays, the project actually began implementation in January 2012. It was scheduled to end on February, 2015. The project has received a no-cost extension from the donor and that the project will now end in June, 2015

In line with ILO policies and procedures on evaluations, the final evaluation is a mandatory exercise for all ILO projects and as per ILO Evaluation policy, all ILO projects with budget of more than USD 1 million at least one independent evaluation is required. A midterm evaluation was undertaken during August-September, 2013.

A final independent evaluation is thus being prepared. The final evaluation will be an independent evaluation to be managed by an independent ILO evaluation manager. The evaluation manager will prepare a TOR and will subsequently finalize it in a consultative process involving key stakeholders of the project including the USDOL. The evaluation will comply with UN norms and standards and that ethical safeguards will be followed.

2) Project Background

Bangladesh is a densely populated country with a rapidly increasing labour force of 53.7 million women and men. This is an increase of almost 4 million people in the labour market from 2006. Poverty is a continuing challenge, caused in part by the 2.7 million new job seekers every year and its corresponding pressure on the job market. According to the United Nations Development Programme's Human Development Index, which compares achievements in life expectancy, educational attainment and adjusted real income, Bangladesh ranks 129 among 169 countries. The 2005 national Household Income and Expenditure Survey found that about 40 per cent of the population was poor, and more than one-quarter was extremely poor. This is reflected in Bangladesh's Millennium Development Goals, with 'Eradicate Extreme Poverty and Hunger' as the first of eight goals.

Progress has been made in this area with poverty coming down 40 percent in 2005 from previous years. Bangladesh's economy has also made significant gains, growing by 5-6% per year since 1996 despite political instability, poor infrastructure, corruption and slow implementation of economic reforms. Growth has been primarily driven by gradual transformation of the sectoral composition of the GDP culminating greater share of the manufacturing and services in place of agriculture. During the recent economic and financial crisis, the economy exhibited resilience. This was in part due to the strength of apparel exports, which amounted to 12.3 billion USD in 2009. The attractive fiscal advantages,

abundant and cheap labour, and mass scale production available in Bangladesh, make it a highly competitive and growing destination for foreign investors.

The attractiveness of Bangladesh's export sector is also revealed with the progressive diversification of their export recipients. During the last few years, apparel exports expanded greatly beyond the United States market to both Europe and Canada.

The accelerated development of the RMG industry is also visible in the Export Processing Zones (EPZ). It seems that more than 70 per cent of EPZ factories in Bangladesh are garment producing, including both knit and woven (Garment products are mainly produced in two EPZs (CEPZ and DEPZ)). At present, EPZ factories appear to contribute more than 22 per cent of total export earnings of Bangladesh and employ approximately 20 per cent of total workers employed in the export oriented sector. The total number of factories apparently established in EPZs increased from 407 in 2006 to 605 in 2009. It has been stated that 425 factories are in operation at present, while in the fiscal year 2005-06 there were only 242. In three and half years, the number of factories in operation has apparently increased by 83 and another 109 factories are scheduled to open.

In addition to these factories, the Bangladesh Export Processing Zone Authority (BEPZA), the primary authority for the operation of EPZs, states that it has sanctioned a further 106 factories to be established in the near future. The government of Bangladesh has taken pro-active measures to meet international labour standards and putting in place necessary legislations. Bangladesh has ratified a total of 33 of the 188 ILO Conventions. In addition to Conventions Nos. 87 and 98, these ratifications include all core Conventions on forced labour and equality in employment and occupation. Notably, Bangladesh is only bound by one of the two core conventions on child labour because ratification of the ILO Minimum Age Convention remains pending. However, it is relevant to recall that, under the 1998 ILO Declaration on Fundamental Principles and Rights at Work, the country is bound to respect, promote and realize all core labour standards, regardless of the status of their ratification.

Despite these gains, major challenges remain, especially concerning respect of freedom of association and collective bargaining in the RMG sector. Some of these challenges are legislative; however the greatest need lies in strengthening the tripartite constituents' capacity and commitment to implement and enforce the rights and principles embodied in Convention Nos. 87 and 98.

The crucial need for attention in this area is evidenced by the differences in employment conditions between workers in the RMG export and the non-export sector. For instance, on average, export workers in Bangladesh receive 1.5% less income than their counterparts in the non-export sector.

Trade unions face their own challenges and achievement of genuine democratic representation of workers could be improved both inside and outside the EPZs. These challenges include that the appointment of workers' representatives in participation committees is in many cases largely by management selection or nomination, constituting unfair labour practices. In addition, many trade unions in Bangladesh are not free from interference by political parties to which they are linked and, similar to other organizations, their leadership is largely male. This situation led to criticism concerning the ability of trade unions to genuinely represent the interests of workers in the RMG sector, who are predominantly women. Finally, trade unions may face human and resource constraints in effectively providing services to their members and defending their interests.

Many employers claim that trade unions are politicized and associated with industrial action and fear that allowing workers the right to organize will badly affect their businesses. It is, however, interesting to note that according to a recent study, the foremost reasons expressed by workers as being behind all labor unrest and violence in the export sector of Bangladesh since 11 May 2006 is deprivation from minimum wage, non-payment of monthly salary on time and not getting paid properly for overtime work. Thus, the negative association many RMG employers have of trade unions may dissolve if the social partners worked together to effectively address these issues. In light of this, the project will focus on highlighting

the benefit to employers of engaging in social dialogue in the workplace, and strengthening employers' organizations and their members' ability to engage in labour-management dialogue to maintain harmonious workplaces.

3) The FPRW Project in Bangladesh

In December 2010, United States Department of Labor (USDOL) and the International Labor Organization (ILO) signed a five-year Cooperative Agreement in which USDOL provided \$5 million to ILO to support implementation of the ILO's Better Work Program in Bangladesh, Cambodia, and Vietnam⁷¹. The effective date of the agreement is December 31, 2010 to June 30, 2015. The FPRW project is funded through the Better Work Global Program Cooperative Agreement.

Under the Better Work Global Program, USDOL provided \$1,476,437 to ILO to implement the Promoting Fundamental Principles and Rights at Work in Bangladesh (FPRW). The FPRW project was initially a two-year project that intended to lay important groundwork on freedom of association and collective bargaining in preparation for a Better Work (BW) project. FPRW's official start date was October 1, 2011. However, due to delays, the project actually began implementation in January 2012. It was scheduled to end on February, 2015. The project has received a no-cost extension that will take the project to end in June, 2015.

The project seeks to address challenges in both law and practice by facilitating an improved legal framework in conformity with International labour standard (ILS) and in particular C87 and C98; enhancing the freedom and capacity of workers and their representatives to exercise their rights in practice; and improving labour-management cooperation at the enterprise level.

The implementation of this project contributes to build a solid ground that will ensure the successful implementation of a potential fully fledged Better Work programme in Bangladesh.

• Objectives and Outputs
• Objective 1. An improved legal framework in conformity with ILS and in particular Conventions 87 and 98
• Output 1.1. Diagnostic assessment and report on freedom of association and collective bargaining completed
• Output 1.2. National Plan of Action endorsed by tripartite national constituents developed and validated
• Output 1.3. Draft law which is more in conformity with ILS prepared
• Objective 2: Workers and their representatives have enhanced freedom and capacity to exercise their rights
• Output 2.1. Mapping of the status quo of representation of workers in the RMG sector conducted
• Output 2.2. Regular collection and management of trade union and employer organization registrations
• Output 2.3. Conduct capacity building program with identified local union structures
• Output 2.4. Deliver <i>outreach</i> educational program on rights and responsibilities to reach 50,000 RMG workers

⁷¹ Source: Terms of Reference

• Output 2.5. Develop a functioning anti-union discrimination complaints mechanism
• Objective 3. Labor- management cooperation established at the enterprise level
• Output 3.1. Develop labor-management training program
• Output 3.2. Bi-partite enterprise level agreements will be reached on priority issues

The FPRW project strategy is designed to achieve ten specific outputs that are aligned with each objective. An overview of the objectives and their outputs are summarized below in Table 1.

The first objective is intended to address shortcomings in the Bangladesh Labor Law (BLA) 2006, especially regarding freedom of association and collective bargaining rights guaranteed by ILO Conventions 87 and 98. An improved legal framework should result in an improved legislative context that allows both workers and employers to fully enjoy the right to organize freely without discrimination. An improved legislative context should also facilitate the implementation of a BW project; specifically the use of its global assessment tools and focus on building cooperation between the government, employers, workers, and buyers.

The second objective focuses on building the capacity of trade unions to exercise their labor rights and responsibilities. The outputs and their related activities consist of the following: a mapping and needs assessment used to design and implement training events for trade union federations; labor rights and union organizing training for federation officials and union organizers; training and technical support to improve the Directorate of Labor's (DL) union registration system; an information and education outreach program built largely on mass mediums; and an anti-union discrimination complaints mechanism.

The third objective concentrates on building collaboration between employers and workers at the enterprise or factory level. The first output and principle strategy is to provide negotiation training to both employer and worker organizations. Improved negotiation skills are intended to result in an increase in the number of enterprise level agreements (collective bargaining agreements, memorandums of understandings, and other agreements) between employer and worker representatives.

The direct target groups for the project are: employers and workers and their organizations. The government is targeted in the legislative and policy related outputs. Accordingly the direct beneficiaries are workers, trade unions, employers and their organizations and the government.

The ultimate beneficiary is the Ready-made Garment RMG industry. As women workers account for more than 66 per cent of the total workers employed in the export-oriented garment industry, and about 15 per cent in other export-oriented industries, the project may particularly benefit women.

Some of the findings from the midterm evaluation in September 2013 are: -

- The project design and its objectives and outputs are highly relevant to the labour context in Bangladesh but it lacked the results framework. The project design is based on a thorough diagnostic assessment including interviews with a range of stakeholders, which is a good practice. The project management team has adjusted the project design to effectively respond to a string of industrial accidents, the loss of the US GSP and the threat of losing the EU GSP.
- It was not able to determine whether the project would achieve its planned objectives but the project fully completed 4 of 10 outputs and was in the process of completing four others. The following output have been completed
 - Output 1.1. Diagnostic assessment and report on freedom of association and collective bargaining will be completed
 - Output 1.2. National Plan of Action endorsed by tripartite national constituents will be

developed and validated

- Output 1.3. Draft law which is more in conformity with international labor standards (ILS) will be prepared
- Output 2.1. Mapping of the status quo of representation of workers in the RMG sector will be conducted.

The project has not completed the complaints mechanism and labor-management agreement outputs.

- The FPRW project collaborated effectively with other ILO projects and departments to provide technical reviews and guidance to the Ministry of Labour and Employment (MoLE) during the Bangladesh Labour Law (BLA 2006) revision process. The labor law still falls short of ILS and does not apply to the EPZs. Provisions in EPZ Act 2010 are incompatible with ILS.
- The project has however made a significant contribution to improving the trade union registration process at the Directorate of Labour (DL). The improvement is responsible for a dramatic increase in the number of both applications and approvals. It appears that a more standardized and transparent registration process had increased the confidence that trade unions have in the registration process.
- The evaluation found that targeting the trade union federations and the participants for the capacity building training is a weakness. Federations and union organizers that are not actively involved in factory-level union organization are invited to participate in training events. These participants are not in a position to use the newly acquired skills and benefit workers. ??? not clear
- The project does not have mechanisms in place to monitor the post training performance of the participants. While the project is able to report on the number of training events and the number and gender of the participants, it cannot report on if or how the participants are using the trainings to help workers. Has it tried? It is also worth noting that while 85% of the workers in the ready-made garment (RMG) sector are women, only 13% of the trainees have been women. !!!!!

The midterm evaluation provided some recommendations as follows: -

- The project should prioritize and target trade union federations and its organizers that have demonstrated both willingness and ability to work at the factory level on worker rights education and union formation
- The project should focus its capacity building effort on newly registered trade unions.
- The project should develop a robust monitoring system to track and measure how union organizers and compliance officers are using the knowledge and skills they acquired in the trainings.
- The project should work with the Bangladesh Garment Manufacturers and Exporters Association, the Bangladesh Knitwear Manufacturers and Exporters Association, and the Bangladesh Export Processing Zone Authority to develop a mechanism to sustain the IBN training and support.
- A robust project monitoring plan with measurable indicators at the outcome and output levels should be refined
- A sustainability plan should be developed.

The Norwegian Embassy in Dhaka expressed its interest to the FPRW project in March 2013 to support its on-going initiative on workers' rights and labour relations. FPRW developed a proposal that expanded the project's capacity building activities to include the shoe & leather and shrimp sectors as well as the EPZs. The simultaneous project start-up had created important synergies; access to funding from the

Norwegian Government that increased overall project resources and allowed the project to enter other sectors as well. The complementary initiative had taken in due consideration most of the recommendations of the mid-term evaluation.

“Promoting Fundamental Rights at Work and Labour Relations in Export Oriented Industries in Bangladesh” project focuses on the following 4 objectives:

- Immediate objective 1: Workers and employers in the RMG, shrimp processing and shoe & leather industries will have a better knowledge and understanding of labour rights – in law and in practice.
- Immediate objective 2: Workers and employers and their representatives are better equipped to engage in meaningful dialogue and labour relations on workplace issues of mutual importance.
- Immediate objective 3: Governmental authorities and labour courts, in particular the IRI, the MoLE, labour courts and the BEPZA, will have an improved capacity to perform core functions and mandates.
- Immediate objective 4: Support the implementation of OSH improvement measures and the National Tripartite Plan of Action on Fire Safety, in particular its “practical activities”.

Since the implementation and objectives of the USDOL funded and Norwegian funded FPRW in Bangladesh have been complementing one another, the final evaluations of both projects will be coordinated in regard to the evaluation schedule, the questions and methodology etc.

Purpose and Scope of Evaluation

Purpose

The overall purpose of this final evaluation is to ascertain what the project has or has not achieved; how it has been implemented; how it is perceived and valued by target groups and stakeholders; whether expected results are occurring (or have occurred) based on performance data; the appropriateness of the project design; and the effectiveness of the project’s management structure. In addition, the evaluation aims to describe practices that can and should be replicated; and identify those factors that enable the sustainability of the interventions undertaken during the project. Finally, the evaluation will investigate how well the project team managed project activities and whether it had in place the tools necessary to ensure achievement of the outputs and objectives.

Scope

The scope of the evaluation includes an assessment of all outcomes and activities carried out as per the project documents from the start until the end (expect to end in June 2015- a cost extension is in the process of being requested to the USDOL). The evaluation will focus data collection primarily on project documents and reports and interviews with key project personnel, partners, and stakeholders in Bangladesh. The evaluation will cover all geographical coverage that the project operates. The evaluation will integrate gender equality as a cross-cutting concern throughout its methodology and all deliverables, including the final report.

The evaluation will focus on the areas of project relevance, effectiveness, efficiency, impact and sustainability. Specifically, the evaluator should examine:

- The validity of project design, objectives, strategy, and assumptions including strategic fits of complementary programmes, its objectives and outputs;
- The complementary and/or linkages of this project vis-à-vis other FPRW projects in particular the Norwegian funded FPRW projects (capacity building of workers and employers’ organizations) and other projects that implements in the RMG sector
- Progress made in achieving project immediate objectives focusing on the following areas;

- Legislative context in conformity with the ILS while reinforcement of employers' and workers' rights
- Improved capacity of employers' organizations and trade unions with enhanced awareness among workers and employers on labour rights
- Establishment of practices on labour-management cooperation
- Stakeholders' buy-in, support, and participation in the project;
- Barriers and opportunities to successful implementation; activities which have been particularly successful, the reasons for successful implementation;
- Direct and indirect impact on the target groups;
- Sustainability of project activities, way forward and any lessons learnt and possible good practices;
- Incorporation of the interim evaluation feedback and recommendations into project strategy;
- Risk analysis in project design and implementation, and the extent to which the project responded effectively to emerging risks and challenges.

Users

The primary stakeholders of the evaluation are project management, ILO (ILO Dhaka Office, DWT-India, and Regional Office for Asia and the Pacific-ROAP, and GOVERNANCE department at HQ), the Government of Bangladesh and social partners in Bangladesh, and the USDOL. The ILO, the tripartite constituents and other parties involved in the execution of the project would use, as appropriate, the evaluation findings and lessons learned. The evaluation findings, conclusions and recommendations will also serve to inform stakeholders in the design and implementation of subsequent projects in the country and elsewhere as appropriate.

Evaluation criteria and questions

This final evaluation will assess the extent to which the project partners and beneficiaries have benefited from the project and the extent to which the project strategy and implementation arrangements were successful. The evaluation should address the overall ILO evaluation concerns such as relevance, effectiveness, efficiency, sustainability and impact as defined in the ILO Policy Guidelines for results-based evaluation, 2012 (http://www.ilo.org/eval/Evaluationguidance/WCMS_176814/lang--en/index.htm). The planned Norwegian evaluation will include similar questions.

The following OECD/DAC evaluation criteria will be applied.

- Relevance and strategic fit of the project;
- Validity of the project design;
- Project effectiveness;
- Efficiency of resource use;
- Sustainability of project achievements/results;
- Impact orientation;

These criteria are explained in detail below by addressing their associated questions.

In addition the evaluation is expected to be based on the following principles:

- Application of result-based management;
- Gender equality;
- Adoption of human rights-based approach;
- Capacity development;
- Environmental sustainability;

Gender equality, along with development, has been identified by the ILO as a cross-cutting issue of the strategic objectives of its global agenda of Decent Work. To the extent possible, data collection and

analysis will be disaggregated by gender as described in the ILO Evaluation Policy Guidelines and relevant Guidance Notes.

The above gender concerned and the following two questions that should be taken into consideration throughout the findings, observations, conclusions and recommendations:

- What lessons learnt and good practices from the project that can be applied to similar future projects in Bangladesh?
- What should have been different, and could have been avoided?

The evaluator may adapt the evaluation criteria and questions, but any fundamental changes should be agreed between the evaluation manager and the evaluator, and reflected in the inception report.

Validity of the project design

- 1) To what extent was the project design logical and coherent? Were the objectives/outcomes, targets and timing clearly established and realistically set? Was this objective realistic and valid?
- 2) How appropriate and useful are the indicators described in the project document in assessing the project's progress? Is the project's performance monitoring plan practical, useful, and sufficient for measuring progress toward achieving project objectives? How is the gathered data used? How could it be used better?

Relevance and strategic fit

3) To what extent were the project's immediate objectives consistent with the needs of key stakeholders including workers, employers, labor ministry officials in charge of labor inspections, worker and employer organizations, Were appropriate needs assessments or diagnostics conducted at the inception of the project? Have the needs of these stakeholders changed since the beginning of the project in ways that affect the relevance of the program?

4) Was there tripartite agreement on the changes needed to bring labor law into full compliance with ILO principles of freedom of association and the right to collective bargaining? How collaborative or inclusive was the process?

Project progress and effectiveness

- Have project objectives been achieved and outputs produced according to plan? If not, what have been the obstacles to achievement?
- How effectively has the project engaged stakeholders in project implementation? How effective has the project been in establishing national ownership? What is the level of commitment of the government, the workers' and employers' organizations to, and support for, the project?
- Are there external factors influencing the delivery of project services?
- What are the challenges to worker participation, and how might they be overcome as the project transitions into its sustainability and exit strategy phase? What was the nature of training received and what evidence is there that it has been effectively applied? Were the training services provided relevant? What are the areas for improvement? Please include your assessment of the quality and effectiveness of trainings: a) Have the trainings been conducted based on training module and a training strategy?

Efficiency of resource use

- Have resources (funds, human resources, time, expertise, etc.) been allocated strategically and efficiently to achieve outcomes? How might they have been allocated more effectively?

Effectiveness of management arrangements

- Was the project adequately staffed? What are the key strengths of the technical team responsible for the project's interventions? What are the areas for improvement?
- To what extent did management capacities and arrangements put in place support the achievement of results?
- Did the project governance and management facilitate good results and efficient implementation?
- Impact orientation and sustainability, including effectiveness of stakeholder engagement
- What was the nature of the commitment from national stakeholders, including the Government of Bangladesh, the labour movement, and the private sector? What are opportunities for greater engagement?
- Has the project communicated effectively with national stakeholders? Do the stakeholders feel that their concerns have been sufficiently addressed? (this should be under effectiveness)
- How effective were project strategies and related activities to strengthen the Collective Bargaining and Social Dialogue Unit to promote workplace cooperation? (this should be under effectiveness)

Gender:

Has the project integrated gender equality as a cross-cutting concern throughout its methodology and all deliverables, including the final report

International Labour Standards

The extent to which the project has promoted the ratification and implementation of ILO core labour standards in Bangladesh?

Social Dialogues

The extent to which that the project has promoted a tripartite or bipartite dialogue in Bangladesh?

Evaluation Methodology

The evaluation will comply with evaluation norms and standards and follow ethical safeguards, all as specified in ILO's evaluation procedures. The ILO adheres to the United Nations system evaluation norms and standards as well as to the OECD/DAC Evaluation Quality Standards.

In order to enhance usefulness and impartiality of the evaluation, evidence-based approach to evaluation will be adopted. A combination of tools and methods will be used to collect relevant evidences. Adequate time will be allocated to plan for critical reflection processes and to analyse data and information. The methodology for collection of evidences will include:

Review of documents related to the project, including the initial project document, progress reports, technical assessments and reports, project monitoring plan.

Review other relevant documents (Bangladesh context in regard to FPRW, Decent Work Country Programme etc.)

Conduct an evaluation field mission which will be qualitative and participatory in nature. Qualitative information will be obtained through field visits, interviews and focus groups as appropriate. Opinions coming from stakeholders will improve and clarify the use of quantitative analysis. The participatory nature of the evaluation will contribute to the sense of ownership among stakeholders.

- Gather relevant quantitative data which may be drawn from project documents including the Technical Progress Reports (TPRs) and other reports to the extent that it is available. For those

indicators where the project is experiencing challenges, a brief analysis will be included in the results.

- At the completion of the field mission, a meeting will be organized by the Project for the evaluator to share the preliminary findings with stakeholders (to validate the preliminary findings)
- Ensure a pro-active and consultation with and participation of the key stakeholders in the evaluation process is implemented throughout the evaluation process (draft TOR and draft report will be shared with key stakeholders for inputs, stakeholders will actively participate in the stakeholders workshop)
- The draft terms of reference for the evaluation and a draft evaluation report will be shared with relevant stakeholders
- Methods of data collection and stakeholder perspectives will be triangulated to the greatest extent possible.

Interviews: Interviews will be held with as many project stakeholders as possible. Technically, stakeholders are all those who have an interest in a project, for example, as implementers, direct and indirect beneficiaries, employers' and workers' organization representatives, community leaders, donors, and government officials. For the Bangladesh project, this includes but is not limited to the following groups:

- ILO/FPRW staff and other relevant HQ staff
- ILO Project Staff based in Bangladesh
- Director and relevant officials of the ILO Dhaka Office
- Workers Education specialist of the ILO Dhaka Office
- Selected individuals from the following project's beneficiaries or partners group in Bangladesh:
 - Relevant staff from the Government
 - Relevant representatives from employers and workers' organizations
 - Employers and workers trained or assisted by the project.
 - USDOL and US Embassy in Bangladesh

Depending on the circumstances, these meetings will be one-on-one or group interviews. The exact itinerary will be determined based on scheduling and availability of interviewees. Meetings will be scheduled in advance of the field visit by the project staff, coordinated by the designated project staff, in accordance with the evaluator's requests and consistent with these terms of reference. The evaluator should conduct interviews with beneficiaries and stakeholders without the participation of any project staff.

Field Visits: The evaluator will visit a selection of project sites. The final selection of field sites to be visited will be made by the evaluator (the criteria for selecting project site visits should be included in the inception and evaluation report). Every effort should be made to include some sites where the project experienced successes and others that encountered challenges. During the visits, the evaluator will observe the activities and outputs developed by the project. Meetings will be scheduled in advance of the field visits by the ILO project staff, in accordance with the evaluator's requests and consistent with these terms of reference.

Stakeholders Meeting: The stakeholder workshop will take place towards the end of May 2015. This meeting will be conducted by the evaluator to provide feedback on and validate initial evaluation results. It will bring together a wide range of stakeholders, including the implementing partners and other interested parties. The agenda of the meeting will be determined by the evaluator in consultation with

project staff. The list of participants to be invited will be drafted prior to the evaluator's visit and confirmed in consultation with project staff during fieldwork. The exact program for the workshop will be decided jointly with the project staff during the first week of the evaluation.

Deliverables

The evaluator will provide:

A short inception report, including the work plan and details on methods, data sources, interviews, participatory methodologies, draft mission schedule and draft report format. This report should also provide a review of the available documents. It should set out the evaluation instruments (which include the key questions, participatory workshop and data gathering/and analysis methods) and any changes proposed to the methodology or any other issues of importance.

A power-point presentation on the preliminary findings of the evaluation mission at a stakeholders' meeting to be held at the end of the evaluation mission, for the purpose of providing the project's stakeholders a chance to jointly assess the adequacy of the findings and emerging recommendations as well as recommend areas for further considerations by the evaluators. (no recommendations!)

A draft evaluation report of approximately 30 pages, excluding annexes. It will contain an executive summary, a section with project achievements to date, findings and recommendations for short and medium term action. The report should be set-up in line with the ILO's 'Quality Checklists 4 and 5' for Evaluation Reports which will be provided to the evaluator.

A final evaluation report, which integrates comments from ILO and project stakeholders. The evaluation summary according to ILO template will also be drafted by the evaluator together with the finalised evaluation report.

The evaluation report should include:

Title page (standard ILO template)

Table of contents

Executive summary (standard ILO template)

Acronyms

Background and project description

Purpose of evaluation

Evaluation methodology and evaluation questions

Project status and findings by outcome and overall

Conclusions and recommendations

Lessons learnt and potential good practices (please provide also template annex as per ILO guidelines on Evaluation lessons learnt and good practices) and models of intervention

Annexes (list of interviews, overview of meetings, proceedings stakeholder meetings, other relevant information)

The deliverables will be circulated to stakeholders by the evaluation manager and technical clearance for the deliverables will come from the evaluation manager. The evaluation report will be in English.

All draft and final outputs, including supporting documents, analytical reports and raw data should be provided in electronic version compatible with WORD for Windows. Ownership of the data from the evaluation rests with the ILO. The copyright of the evaluation report will rest exclusively with the ILO.

Use of the data for publication and other presentation can only be made with notification and agreement by the ILO. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose with appropriate acknowledgement.

7.) Management arrangement and work plan

The evaluation will be funded from the project budget. The evaluation is being managed by Ms. Khadija Khondker based at the ILO CO-Dhaka Office. She will be in charge of developing the evaluation ToR, the selection of the consultants in consultation with ILO's Monitoring and Evaluation Officer and Evaluation Office (EVAL) who will provide quality assurance to the evaluation process.

Annex II. Evaluation instrument

Evaluation instrument, criteria and its related questions

The evaluation will focus on the areas of project relevance, effectiveness, efficiency, impact and sustainability⁷² - the most common OECD/DAC evaluation criteria.

The evaluation purpose and rationale (section 1.2.1) are here translated into relevant and specific evaluation questions - intended to inform the development of the methodology. They are *examples* of questions to be posed to ILO staff and the relevant stakeholders, i.e. representatives of Government of Bangladesh (GoB), Employers associations and Workers organisations/Trade unions, and any other relevant international and/or national organisations.

Understanding the ToR

When reading the ToR it understood that the assignment will revolve around these key questions, among others:

- How far has the Project been able to reach the three stated objectives, outcomes/outputs?
- What internal or external factors have influenced the Project's progress toward reaching objectives? Which were the obstacles?
- What is the extent to which the project partners and beneficiaries have benefited from the project and the extent to which the project strategy and implementation arrangements were successful?
- How were the recommendations from the midterm evaluation addressed by the Project including the targeting of trade union federations; building capacity of newly registered trade unions; developing a mechanism to follow-up how union organizers and compliance officers are using acquired skills and knowledge; developing a mechanism to sustain the IBN training and support⁷³; and drawing robust Project Monitoring and a Sustainability Plans.
- How was gender equality addressed in the design and how was gender issues approached and mainstreamed in the implementation?
- What are the lessons learnt and which are the good practices from the project that can be applied to similar future projects in Bangladesh?

The detailed evaluation questions related to the five evaluation criteria are found below:

Relevance and strategic fit

- How relevant has the Project's vis-à-vis Government national policies? How do the Employers and Workers organisations view the Project's relevance and strategy in implementation?
- How relevant are the project's three objectives in relation to the needs of key stakeholders of Government (MoLE/DoLE), Workers and Employers organisations?
- On what basis in terms of e.g. needs assessments or diagnostics was the Project designed? Were any such assessments undertaken at the start of the Project?
- Have the needs of these stakeholders changed since the beginning of the project in ways that affect the relevance of the project?

Effectiveness

⁷² Terms of Reference.

⁷³ This refers to the Project's collaboration with the Bangladesh Garment Manufacturers and Exporters Association, the Bangladesh Knitwear Manufacturers and Exporters Association, and the Bangladesh Export Processing Zone Authority.

Effectiveness & validity of the project design:

- To what extent was the project design logical and coherent? Were the targets, objectives, outcomes/outputs and other logframe elements (such as indicators) SMART⁷⁴ and realistically set?
- How appropriate and useful are the indicators described in the project document in assessing the project's progress? Is the project's performance monitoring plan practical, useful, and sufficient for measuring progress toward achieving project objectives? How is the gathered data used? How could it be used better?

Effectiveness in implementation and toward reaching objectives:

- To what degree was the programme's three objectives achieved related to **a)** Playing a supportive role to the BWDP in the work for an improved legal framework in conformity with ILS and in particular C87 and C98 (including the amendments to the national labour law, the Bangladesh Labour Act – BLA - 2006); **b)** Enhanced freedom and capacity for workers to exercise their rights in practice; and **c)** Establishing labour-management cooperation at enterprise level? If not achieved - what obstacles were encountered?
- To what extent has the Project promoted the ratification and implementation of ILO core labour standards and promoted a tripartite or bipartite dialogue?
- To what extent has external factors impacted (positively or negatively) on the outputs/outcomes and reaching the Project objectives?
- To what extent was the the process to determine what changes needed to take place (to obtain full compliance with ILO principles of freedom of association and the right to collective bargaining) collaborative and inclusive?
- How effectively has the Project been able to involve the relevant Government agencies (i.e. were PAC meetings held regularly?), Bangladesh Employers Federation and the Trade unions in following the progress, or in the actual implementation?
- What was the relevance, nature and quality of the Project's training/capacity-building activities, and what evidence is there that this component was effectively applied? What/how was the attendance of women participants⁷⁵?
- What was the nature of the commitment from national stakeholders, including the Government of Bangladesh, the labour movement, and the private sector? Do the stakeholders think that their concerns have been sufficiently addressed?
- What challenges were met regarding employers and worker participation in the implementation – and how did the Project fair in attempting to overcome such challenges?

Effectiveness of staffing and management arrangements:

- Was the project adequately staffed? What are the key strengths of the technical team responsible for the project's interventions? What are the areas for improvement?
- To what extent did management capacities and arrangements put in place support the achievement of results?
- Did the project governance and management facilitate good results and efficient implementation?

⁷⁴ Specific, Measureable, Achievable, Realistic and Timebound (SMART).

⁷⁵ This questions relates to the findings in the MTE report that the proportion of women participants in training was low, although the workforce in RMG industry predominantly consists of women (Source: FPRW Mid Term Evaluation report, 2013).

Efficiency

- Have the allocated resources (funds, expertise) been appropriate (adequate) to achieve the desired results?
- What is the level/percentage of “budget delivery” (annually/in total)?
- Could alternative approaches have been applied to better achieve the results?

Impact orientation and sustainability

- What is the impact so far of the Project (different levels) and what is the likelihood that there is sustainability after the Project activities have ended?
- If changes have taken place within Governments, Employers and/or Workers as a result of the Project’s actions - to what extent are these changes sustainable, or *likely* to be sustainable? What are the factors/circumstances that would contribute to more durable changes?
- Was there any *unintended* effect/result or impact (negative or positive) as a result of the Project activities?
- How did the Project manage to apply an exit strategy (and communicate this to the stakeholders) – to safeguard continued commitment and sustainability after the end of the Project?

Gender concerns

- How has the Project been able to mainstream and integrate gender equality and other gender-related concerns in the discourse/dialogue with its Partners and in the implementation?
- Did the Project design include any gender analysis – and/or has the Project developed any such analysis related to its work?
- To what extent has the Project been able to *go beyond* applying gender disaggregated data collecting/reporting (e.g. in training events) and influence issues that directly relate to the well-being and rights of women workers in the ready-made garment (RMG) sector (where 85% are women?)⁷⁶

The Below figure gives examples of the sources and methods that will be applied to gather information in relation to each evaluation criteria:

Figure 4. Sources & methods for data collection to apply the key evaluation criteria (**gender is treated as a cross-cutting issue and is part of all data gathering**)

Key evaluation criteria	Documents/sources of information & data	Method to be used
1 Relevance & strategic fit	National policy documents, Employers and Workers action plans & strategic documents, Project documents (including the overall Better Work Prodoc), Progress reports, technical reports	Doc. review, scoping, in-depth interviews with all stakeholder categories, FGDs with project stakeholders, e.g. trainees & beneficiaries.
2 Effectiveness	Project document, Progress reports, technical reports, training protocols/reports (incl. participant evaluations of trainings) & full trainee participants lists from all Project capacity building activities.	Doc. review, in-depth interviews with ILO staff, GoB, Employers, Workers, DPs & other stakeholders; Collection of (mainly) qualitative information/data.

⁷⁶ The MTE noted that only 13% of the trainees in the Project had been women.

Key evaluation criteria	Documents/sources of information & data	Method to be used
3 Efficiency	Progress reports, donor reports, financial reports/documents	Doc. review, scrutiny of relevant documents, discussions with ILO (inkl. mgt & admin/finance staff), interviews with the DP and beneficiaries
4 Impact orientation & sustainability	Progress reports, project documents, technical reports and results of interviews and meetings with stakeholders – including beneficiaries.	Discussions, in-depth interviews, FGDs, e-mail correspondence.

Annex III. Summary meetings/training/workshops

Worskhop/Training Name or Title	Type*	Year	Duration (Days)	Number of Participants	
				Total	Female
Meeting with various stakeholders including PAC	Meeting	2012	1	112	13
Meeting with various stakeholders including PAC	Meeting	2013	1	50	9
Meeting with various stakeholders including PAC	Meeting	2014	1	148	32
Meeting with various stakeholders including PAC	Meeting	2015	1	30	1
Subtotal -Meeting				340	53
Capacity Building Training Workshops with RMG Unions	Workshop	2013	2	183	78
Capacity Building Training Workshops with RMG Unions	Workshop	2014	2	81	53
Subtotal- Workshop				264	131
Training on Interest Based Negotiation and Joint Problem Solving for BGMEA/BKMEA Compliance Team members	Training	2103	2	31	8
Training on Interest Based Negotiation and Joint Problem Solving for BIM Trainers	Training	2014	2	13	6
Sub total -Training				44	14
Area-based coordination meeting with trade union organizers	Meeting	2014	1	69	21
Advanced training for organizers on trade union and organizing	Training	2014	3	144	63
Training with Directorate of Labour (DoL) Staff/Officials on DoL Mandate Related to Trade Union Registration Issues	Training	2013	2	139	21
Capacity Building Programme with Workers and RMG Unions for Enhanced Freedom of Association, Collective Bargaining, and Workplace Representation	Training	2012	1	379	132
ILO FPRW- FMCS Training of Trainers with Employers on Interest Based Negotiations and Joint Problem Solving	TOT	2013	1	41	8
Training on Workplace Cooperation	Training	2014	1	429	102
Other Training/Events	Various	12-14	1	1325	
Total: Workers: 2511 (F-44%); Employers-252 (F-34%). GoB-312 F-25%. Total (F 41%)				3174	1314

Annex IV. Documents consulted

- Terms of Reference for the Evaluation
- FPRW Project Document, ILO
- FFRP Mid Term Evaluation report, ILO (O'Brian and Associates)
- FPRW Mid-Term Evaluation – a PPT presentation (O'Brian and Associates)
- FPRW Technical progress reports (TPR). *Reporting Periods*: TPR: 1 July 2013 – 30 September 2013; TPR: 1 January 2014 – 31 March 2014; TPR: 1 April 2014 – 30 June 2014; TPR: 1 July 2014 – 30 September 2014; TPR: 1 October 2014 - 31 December 2014
- Bangladesh Decent Work Country Programme 2012 – 2015 (November 2012)
- Systems and Procedures for Registration of Trade Unions and Employers Organizations in Bangladesh: An Analysis, by Abdul Hye Mondal International Labour Organization, Dhaka, August 2012
- Towards full freedom of association and collective bargaining in Bangladesh garment factories, Report of an ILO Diagnostic Process, 2011, ILO
- National Plan of Action 2012-2013: Towards full freedom of association and collective bargaining rights in the garment sector in Bangladesh
- National RMG Unions' Plan of Action for Advancing Freedom of Association and Collective Bargaining in the RMG Sector – DRAFT FROM CONFERENCE
- Synopsis - Feasibility Study for the Bangladesh Better Work Program. Funded by International Finance Corporation and International Labour Organization (*year?*). Undertaken by Adam Smith International and Nari Uddog Kendra
- RMG Project Document, ILO
- TVET evaluation report, external evaluation, September 2014
- ILO Project Document, Better Work Bangladesh (this proposal covers the period October 2013 – December 2016).
- ILO Policy Guidelines for Results-based Evaluation: principles, rationale, planning and managing for evaluations (2013).
- ILO Guidance Note No.4: Integrating Gender Equality in Monitoring and Evaluation of Projects (March 2014)
- Socio-Economic Conditions of the Female Garment Workers in the Capital City of Bangladesh, Article in International Journal of Humanities and Social Science, Vol. 4 No. 3; February 2014, by Md. Mehedi Hasan Sikdar, Md. Sujahangir Kabir Sarkar and Sumaiya Sadeka.
- *Two years after Rana Plaza, have conditions improved in Bangladesh's factories?* Article in The Guardian: <http://www.theguardian.com/sustainable-business/2015/apr/24/bangladesh-factories-building-collapse-garment-dhaka-rana-plaza-brands-hm-gap-workers-construction>
- Introduction to the ACCORD - On Fire and Building Safety in Bangladesh, by Bangladesh Accord Secretariat, January 2015.
- National RMG Unions' Plan of Action for Advancing Freedom of Association and Collective Bargaining in the RMG Sector – DRAFT FROM CONFERENCE

- Note for the File (NFF) on the Training Workshop on Workplace Cooperation (by USDOL called work place mgt) 16 October 2014, BRAC Center Inn, Dhaka
- Technical Cooperation Progress Report (TCPR), Promoting Fundamental Rights at Work and Labour Relation in Export Oriented Industries in Bangladesh Outcome-14-Freedom of association and collective bargaining, 1st and 2nd report
- Department for Inspection of Factories and Establishments (DIFE) – a Powerpoint presentation
- Trade Union Mapping report
- Terms of Reference, RMG Unions / RMG Workers Capacity Building Consultant
- Capacity Building Program with Workers and RMG Unions for Enhanced Freedom of Association, Collective Bargaining, and Workplace Representation (RMG Workers Capacity Building Program)
- Mid Term Report on: Planning Workshops for Organizing Capacity Building Program with Workers and RMG Unions for Enhanced Freedom of Association, Collective Bargaining, and Workplace Representation, 26-09-2012 - 15-12-2012.

Annex V. Persons consulted

Sl No	Name	Designation	Organisation
ILO Dhaka			
1.	Srinivas B Reddy	Country Director	ILO CO Dhaka
2.	Gagan Rajbhandari	Deputy Director	ILO CO Dhaka
3.	Saidul Islam	Programme Officer	ILO CO Dhaka
4.	Yoshie Ichinohe	Senior Programme Support Officer	ILO CO Dhaka
5.	Tuomo Poutiainen	RMG Programme Manager (CTA)	ILO Dhaka
6.	Ravi Samithadasa	Project Coordinator, Declaration Projects	ILO Dhaka
7.	Louis Vanegas	Chief Technical Adviser (CTA), Better Work	ILO, Dhaka
8.	Uttam Das	National Project Officer, FPRW	ILO Dhaka
9.	Tauvik Muhamad	Workers Education Expert	ILO Dhaka
10.	Jafar Iqbal	National Project Officer, FRLR Project (RMG Programme)	ILO Dhaka
11.	Mostafa Alam	Finance Officer (RMG Programme)	ILO Dhaka
ILO Headquarters			
1.	Karen Curtis	Chief of the Freedom of Association Branch, International Labour Standards Department, ILO	ILO Hqs, Geneva
2.	Wael Issa		ILO Hqs, Geneva
3.	Valentine Offenloch	FPRW/Declaration	ILO Hqs, Geneva
Development Partners			
1.	Jeffrey S. Wheeler	International Relations Officer Office of Trade & Labor Affairs	US Department of Labor, Washington
2.	Paula Albertson	Labor Attaché	US Embassy, Dhaka
3.	Olof Sandkull	First Secretary, Development Analyst	Embassy of Sweden, Dhaka

Sl No	Name	Designation	Organisation
Officials of Government of Bangladesh			
1.	Mikail Shipar	Secretary	MoLE
2.	Khondaker Mostan Hossain	Joint Secretary	MoLE
3.	Md. Faizur Rahman	Joint Secretary	MoLE
4.	Md. Humayun Kabir	Senior Assistant Chief	MoLE
5.	Shakila Akther	Assistant Chief	MoLE
6.	S. M. Ashrafuzzaman	Director of Labour	DoL
7.	Syed Ahmed	Inspector General	DIFE
8.	M. Zahurul Haque	Joint Inspector General	DIFE
9.	Julia Jasmin	Deputy Inspector General	DIFE
10.	S. M. Anamul Haque	Deputy Director of Labour	DoL
11.	Md. Nurul Haque	General Manager (Enterprise Services)	BEPZA
12.	Md. Nazmul Islam Bhuiyan	Deputy General Manager (ES)	BEPZA
13.	Md. Abdur Rahman Miah	Sr. Assistant Secretary (Law)	BEPZA
14.	Kazal Asgar	Deputy Manager, Enterprise Service	BEPZA
15.	Md. Fardausur Rahman	Deputy Manager, Enterprise Service	BEPZA
16.	Dilara Sultana	Social Counsellor-cum Inspector	IRD, Dhaka EPZ
17.	Farhana Akhter Baby	Social Counsellor-cum Inspector	IRD, Dhaka EPZ
18.	Sujauddin Ahmed	Social Counsellor-cum Inspector	IRD, Dhaka EPZ
19.	Dilara Sharmin	Social Counsellor-cum Inspector	IRD, Dhaka EPZ

Sl No	Name	Designation	Organisation
Employers representatives & managers			
	Faroque Ahmed	Secretary General	BEF
1.	Reaz-Bin-Mahmood	Vice President (Finance), BGMEA	BGMEA
2.	Md. Rafiqul Islam	Additional Secretary (Labour)	BGMEA
3.	Umme Saira	Project Coordinator, Skills Development Programme	BGMEA
4.	Ehsan Ul Fattah	Secretary General (former Secretary GoB)	BGMEA
5.	Md. Sharif Hossain	Senior Joint Secretary (Compliance & Labour)	BKMEA
6.	Ms. Farzana Sharmin	Joint Secretary (Compliance)	BKMEA
7.	Md. Mamunur Rashid Belal	Head, Admin and Compliance	Mondal Group, Ashulia
8.	Md. Rurhul Quddus Saqui	Manager, Admin, HR and Compliance	Mondal Fashions Ltd, Tangabari, Ashulia
9.	Rabeya Khatun	Compliance Officer	Mondal Fashions Ltd
10.	Morium Akhter	Operator	Mondal Fashions Ltd
11.	Ayesha Khatun	Operator	Mondal Fashions Ltd
12.	Mehidi Hasan	Manager	Avery Dennison, New EPZ, Dhaka

Sl No	Name	Designation	Organisation
Workers Representatives (Federations/Trade Unions/Workers)			
1.	Md. Abdul Mukit Khan	Chairman	National Coordination Committee for Workers Education (NCCWE)
2.	Mojibur Rahaman Bhuiyan	Member Secretary	National Coordination Committee for Workers Education (NCCWE)
3.	Roy Ramesh Chandra	Secretary-General	IndustriAll Bangladesh Council
4.	Amirul Haque Amin	President	National Garment Workers Federation (NGWF)
5.	Chowdhury Ashiqul Alam	General Secretary	Bangladesh Trade Union Sangha/NCCWE
6.	Naimul Ahsan Jewell	General Secretary	Jatiya Shromik Jote-Bangladesh/NCCWE
7.	Pulak Ranjan Dhar	Joint Secretary	BEWWF/NCCWE
8.	Razequazzaman Ratan	General Secretary	Central Committee Socialist Labour Front (SLF)/NCCWE
9.	China Rahman	Secretary General	Federation of Garment Workers/NCCWE
10.	Kabir Hossain	Organizing Secretary	National Garment Workers Federation (NGWF)
11.	Arifa Aketer		NGWF
12.	Faridul Islam		NGWF
13.	Nurun Nahar		NGWF
14.	Bacchu Mia		NGWF
15.	Hira Biswas		NGWF
16.	Rob Wayss	Executive Director	ACCORD
17.	Aleonzon Glenn Suson	Country Program Director	Solidarity Center, Bangladesh
18.	Syed Sultan Uddin Ahmed	Assistant Executive Director	Bangladesh Institute of Labour Studies (BILS)

Annex VI. Response to the Mid term evaluation, 2013

The following is the Project's response to the recommendations of the Mid Term Evaluation carried out in 2013:

1. The MPG contains comprehensive guidance on submitting a project document that includes a results framework and performance monitoring plan. USDOL should ensure that grantees actually submit project documents that meet the results framework and performance monitoring plan standards and guidance in the MPG.

Project response: The new Project coordinator assumed office as of 7th July 2014. From November 2013 to July 2014, the project was run under the NPO. The period was also one of the most violent phases in Bangladesh with continuous *hartals* and blockades and damages to property and human life. During this period most activities were delayed. The intended closure date of the project was extended up to February 2015, in around August 2014. With nearly six months for shutting down the project, the new project coordinator developed a work plan and indicators for success as could be devised and a copy was shared with the USDOL through the Geneva Declaration unit. While it might not necessarily meet all requirements of the MPG for the timeframe to complete activities it was deemed sufficient by the technical backstopping unit in Geneva.

2. The Project should develop a Performance Monitoring Plan.

Project response: A PM&E was developed.

3. Prioritizing & targeting trade union federations and its organizers willing to work at the factory level on worker rights education and union formation. The project should also work with the federations to ensure that more women participate in the training events.

Project response: Funds were committed at the time the new PC came on board. FRLR project (Norway funded, similar scope/outreach) will therefore continue TU education activities. When the new project coordinator assumed office and work in relations to the recommendations were considered, most of the funds had been committed for activities that was undertaken previously. Hence for trade union education programme in the future, specifically that of the Norwegian project which had similar scope of outreach this recommendation was taken account and monies were distributed through federations to Trade union levels.

4. Targeting enterprises that have newly formed and registered trade unions (CB, IBN & LMC).

Project response: The project targeted newly formed union factories in the Workplace Cooperation induction programmes. This initiative is to continue with additional funding and scope.

5. Developing a robust monitoring system to track and measure how union organizers and compliance officers are using the knowledge and skills they acquired in the trainings.

Project response: Not sufficient funds under the USDOL project, but carried out under FPLR (Norwegian) complementing the Project, with a strong monitoring system for trade union activities, inclusive of the participant database. For work in relation to the workplace cooperation activities, the Norwegian project will work with ILO ITC Turin centre to develop a larger workplace cooperation module. This will also include a comprehensive monitoring and evaluation of success of activities at the enterprise level.

As explained above under point 2, there was no scope to carry out the recommendation under the USDOL [project, but the scope was covered under the Norwegian project which complements the USDOL project with a strong monitoring system for trade union activities, inclusive of the participant database.

For work in relation to the workplace cooperation activities, the Norwegian project will work with ILO ITC Turin centre to develop a larger workplace cooperation module. This will also include a comprehensive monitoring and evaluation of success of activities at the enterprise level

6. Working with the BGMEA & BEPZA to develop a mechanism to sustain the IBN training and support.

Project response: To be done under (Norwegian) complementary Project. For the induction programmes conducted thus far, all stated employer groups have been consulted and collaborated with. As explained under 4, this will be a strong factor. For the induction programmes conducted thus far, all stated employer groups have been consulted and collaborated with.

7. USDOL should require grantees to include a sustainability plan in the project document. The plan should describe what is to be sustained once the project ends. The plans should specify who is responsible for sustaining the effects, interventions, or systems as well as explain where the resources would come from to ensure sustainability.

Project response: Most of the results will be carried forward under the Norwegian funding. The total results of the USDOL and the Norwegian projects will lead to institutions taking on the roles to continue most of the work done under the projects, e.g. BIM/IRI on Workplace Cooperation, Hotline/Dispute system under the DOL/DIFE. The work is also leading to a new stage of activities that are considered critical by the constituents to be continued over a longer period with additional funding that will form the basis to the effective development of sustained dispute settlement system for Bangladesh.

Annex VII. ILO Lesson Learned

ILO Lesson Learned No.1

Project Title: Fundamental Principles and Rights Project (FPRP)

Project TC/SYMBOL: BGD/11/50/USA

Name of Evaluator: Lotta Nycander & S. Khairul Islam

Date: 07/07/2015

The following lesson learned has been identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.

LL Element	Text
Brief description of lesson/s learned	There are lessons to be learnt on providing deeper knowledge to fewer issues and increase quality of ILO's technical cooperation and how to make this attractive/acceptable to the development partners.
Context and any related preconditions	The Project took on too many large issues many of which that could not be achieved in the lifetime of the Project – not even when the duration was extended on several occasions.
Targeted users / Beneficiaries	The programme participants of the FPRW project are government, employers and workers – the two latter also referred to as “direct target groups”.
Challenges /negative lessons - Causal factors	The three objectives in the design set the ambitious goals for the implementation.
Success / Positive Issues - Causal factors	The Project has contributed to increased learning, more open discussions about Freedom of Association, workers' rights and work place management, and has engaged in a discussion with the constituents about what genuine representation (as well as women's participation) and selection criteria to apply in capacity building.
ILO Administrative Issues (staff, resources, design, implementation)	There were flaws in the design, one of the being that it lacked in activities/outputs to acquire, use and spread knowledge about the ultimate stakeholders , the majority of whom are women workers in the RMG factories.

ILO Lesson Learned No. 2

Project Title: Fundamental Principles and Rights Project (FPRP)

Project TC/SYMBOL: BGD/11/50/USA

Name of Evaluator: Lotta Nycander & S. Khairul Islam

Date: 07/07/2015

The following lesson learned has been identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.

LL Element	Text
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Brief description of lesson/s learned	There are lessons to be learnt from the delays of the Training programme - resulting from the internal debate involving different departments of ILO on whether or not to undertake the mapping study on the status of trade unions/workers organisations in the RMG sector. ILO Hqs must avoid letting politics influence the implementation of technical cooperation activities.
Context and any related preconditions	In order to appreciate the level of capacity of unions/workers organisations in the RMG industry, and understand how they function, a mapping and needs analysis was carried out in 2012 with a first draft report completed in August 2012. The results of the exercise were to form the basis of a target-oriented training, one that would lead to effective union action at the enterprise level in the RMG sector. The mapping involved collection of data on the existence and status of union federations and trade unions in the RMG sector with participation of the key constituents (Dhaka and Chittagong). The results revealed a bleak picture of the union involvement in the RMG sector.
Targeted users / Beneficiaries	The programme participants of the FPRW project are government, employers and workers – the two latter also referred to as “direct target groups”.
Challenges /negative lessons - Causal factors	The internal debate about the mapping caused delays and frustration among the project staff and should have been handled differently. <i>(Lesson should not be termed “negative” as in this form – as they (if learnt) are prerequisites for developing more effective projects)</i>
Success / Positive Issues - Causal factors	N.A.
ILO Administrative Issues (staff, resources, design, implementation)	Delays in implementation as mentioned above.

ILO Lesson Learned No. 3

Project Title: Fundamental Principles and Rights Project (FPRP)

Project TC/SYMBOL: BGD/11/50/USA

Name of Evaluator: Lotta Nycander & S. Khairul Islam

Date: 07/07/2015

The following lesson learned has been identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.

LL Element	Text
Brief description of lesson/s learned	There are lessons to be learnt regarding genuine representation of trade unions in RMG sector and their selection/nomination/participation in project events. More efforts need to be invested in this issue before the start-up of project activities involving unions in Bangladesh. This should have been highest on the agenda.
Context and any related preconditions	The difficulties and complexities regarding trade unions in the RMG sector is well known within the ILO – especially through its long standing (complicated) working relationship with RMGs employers, notably BGMEA, from the earlier IPEC project implementation. It was also known that NCCWE does not represent RMG workers but it was still given a key role at national level, as it traditionally has been the key union platform/stakeholder for ILO in Bangladesh.
Targeted users / Beneficiaries	The programme participants of the FPRW project are government, employers and workers – the two latter also referred to as “direct target groups”.
Challenges /negative lessons - Causal factors	The FPRW Project Document (the steering document) makes it clear that the challenge of representation of the workers in the garment sector should be addressed – in view of women being the dominant work force. This challenge was not taken on in a serious way in this project.
Success / Positive Issues - Causal factors	The role of NCCWE, at national level, was balanced somehow by involving IBC at district levels (approved by ACTRAV).
ILO Administrative Issues (staff, resources, design, implementation)	The matter of representation must be very clear in the Project’s first action plan – building on the Project Document and (as in this case) a mapping.

Annex VIII. Work schedule

Bangladesh 9th May – 21st December 2015

Date and Time	Activity
Sunday 10/05	
08.30	Khadija Khondker, Programme Officer, ILO Dhaka (and Evaluation Manager for the Project), ILO Country Office
09.00	Ravi Samithadasa, Project Coordinator, Declaration Projects, ILO Dhaka RMG Programme Office (Joined by Uttam Das and Tuomo Poutiainen)
11.30	Reaz-Bin-Mahmood, Vice President (Finance), Bangladesh Garment Manufacturers and Exporters Association (BGMEA), BGMEA Complex, 23/1 Pantha Path, Link Road, Kawran Bazar, Dhaka
13.30	Saidul Islam, (Programme Backstopping), ILO Country Office Conference Room
14.30	Srinivas B. Reddy, Country Director, ILO Dhaka
15.30	Ravi Samithadasa, Project Coordinator, Declaration Projects, ILO Dhaka RMG Office (Joined by Uttam Das)
Monday 11/05	
08.30	Gagan Rajbhandari, Deputy Director, ILO Country Office
11.00	S. M. Ashrafuzzaman, Director of Labour) and S. M. Anamul Haque, Deputy Director of Labour, Directorate of Labour, Sromo Bhaban, 4 RAJUK Avenue, Dhaka)
12.30	Syed Ahmed, Inspector General, M. Zahurul Haque, Joint Inspector General and Julia Jasmin, Deputy Inspector General, Department of Inspection for Factories and Establishments (DIFE)
15.00	Mikail Shipar, Secretary; Khondaker Mostan Hossain, Joint Secretary, Md. Faizur Rahman, Joint Secretary, Md. Humayun Kabir, Sr. Assistant Chief,; Shakila Akther, Assistant Chief, MOLE, 5 th Floor, Building No. 7, Room No. 529, Bangladesh Secretariat, Dhaka
Tuesday 12/05	
8.45	Tauvik Muhamad, Workers Education Expert, RMG Programme Office, ILO Dhaka
11.00	NCCWE Representatives (Md. Abdul Mukit Khan, Chairman; Mojibur Rahaman Bhuiyan, Member Secretary; Md. Anwar Hossain President, Bangladesh Jatiyatabadi Sramik Dal; Chowdhury Ashiqul Alam, Bangladesh Trade Union Sangha; Naimul Ahsan Jewell, General Secretary, Jatiya Shromik Jote-Bangladesh; Razequazzaman Ratan, General Secretary, Central Committee Socialist Labour Front; Pulak Chandra Dhar, BEWWF)
17.00	Valentine Offenloch (Skype)
Wednesday 13/05	
10.15	Md. Nurul Haque, General Manager; Md. Nazmul Islam

Date and Time	Activity
	Bhuiyan Enterprise Services, Deputy General Manager, and others, Bangladesh Export Processing Zone Authority (BEPZA), Dhanmondi
11.30	Roy Ramesh Chandra, Secretary-General, IndustriAll Bangladesh Council Dhanmondi
14.00	Mostafa Alam (Finance), ILO RMG Programme Office
15.00	Document Review
Evening	Skype with Jeffrey S. Wheeler, International Relations Officer ILAB, USDOL
Thursday 14/05	
08.30	Louis Vanegas, CTA, Better work, Better Work Office, Tejgaon
11.30	China Rahman, Secretary General, Federation of Garment Workers Mirpur and with some of her colleagues
14.30	Amirul Haque Amin, President, National Garment Workers Federation Topkhana Road, Dhaka and with some other colleagues
16.00	Document Review
Friday 15/05	Skype interview with Wael Issa, ILO Hqs
Sunday, 17/05	
10.30	Syed Sultan Uddin Ahmed, Assistant Executive Director, Bangladesh Institute of Labour Studies (BILS), Dhanmondi and 2 colleagues
12.00	Jafar Iqbal, FRLR Project, RMG Office, Gulshan, Dhaka
14.00	Document Review
Monday 18/05	
08.00	Rob Wayss, Executive Director, ACCORD, (at 12th Floor, AJ Heights, Cha-72/1/d, North Badda, Pragati Sarani, Dhaka
09.45	Alonzo Suson, Programme Director, Solidarity Center Road No. 127, House No. 9, Gulshan
11.30	Paula Albertson, Labor Attaché, Embassy of the United States of America Madani Avenue Baridhara Dhaka 1212
14.00	Meeting with Ravi Samithadasa, Project Coordinator and Uttam Das, National Project Officer
Tuesday 19/05	
08.00	Travel to a RMG Factory (Mondal Fashions Ltd, Tangabari, Ashulia)
10.00	Md. Rurhul Quddus Saqui, Manager, Admin, HR and Compliance and his 5 colleagues
12.30	Travel to Dhaka EPZ, Ashulia
14.00	Meeting with 5 Social Counsellors-cum-Inspectors at IRS in DEPZ
15.00	Mehidi Hasan, Manager, Avery Dennison (a label factory), New EPZ, Ashulia
16.30	Travel to Dhaka
Wednesday 20/05	Preparation for Validation Workshop
Thursday 21/05	

Date and Time	Activity
09.30	Registration for Validation Workshop and Introduction
10.00	Presentation of preliminary findings
11.30	Question & Answers
12.00	Group discussions
12.30	Presentation of findings from discussions
13.00	Lunch

