

# MGT 202

## Labour Law

**THE BANGLADESH LABOUR ACT, 2006**  
**(XLII OF 2006)**

**11th October, 2006**

**An Act to consolidate and amend the laws relating to employment of labour, relations between workers and employers, determination of minimum wage, payment of wages and compensation for injuries to workers, formation of trade unions, raising and settlement of industrial disputes, health, safety, welfare and working conditions of workers, and apprenticeship and matters ancillary thereto.**

**Whereas it is expedient to consolidate and amend the laws relating to employment of labour, relations between workers and employers, determination of minimum wages, payment of wages and compensation for injuries to workers, formation of trade unions, raising and settlement of industrial disputes, health, safety, welfare and working conditions of workers, apprenticeship and matters connected therewith.**

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**(i) 'Retirement' Means normal termination of employment of a worker on attaining certain age under section 28 of the Act. Provided that retirement shall also include voluntary retirement from service on completion of 25 years of service in any establishment.**

**(ia) 'partial disablement' means, where the disablement is of temporary nature, such disablement as reduces the earning capacity of a worker in any employment in which he was engaged at the time of the accident resulting in the disablement, and, where the disablement is of a permanent nature, such disablement as reduces his earning capacity in every employment which he was capable of undertaking at that time: Provided that every injury specified in the First Schedule shall be deemed to result in permanent partial disablement;**



**(ii) 'manufacturing process' means any of the following processes-**

**(a) for making, altering, repairing, ornamenting, painting, washing, finishing, packing or otherwise treating any articles or substance with a view to its use, sale, transport, delivery, display or disposal,**

**(b) for pumping, oil, gas water, sewerage or other fluids or slurries,**

**(c) for generating, transforming or transmitting power or gas,**

**(d) for constructing, reconstructing, repairing, refitting, finishing or breaking up of ships or vessels,**

**or**

**(e) for printing by letter press, lithography, photogravure, computer, photocompose, offset or other similar work or book-binding which is carried on by way or trade or for purposes of gain or incidental to another business so carried on;**

**(iii) 'officer' in relation to a trade union, means any member of the executive thereof, but does not include an auditor or legal adviser;**

**(iv) 'hours of work' means the time during which the workers employed are at the disposal of the employer excluding any interval allowed for rest and meals;**

**(v) 'working journalist' means a person who is a whole time journalist and is employed as such in, or in relation to, any newspaper establishment, and includes an editor, leader writer, news editor, sub-editor, feature writer, reporter, correspondent, copy tester, cartoonist, news-photographer, calligraphist and proof-reader;**

**(vi) 'workshop' means any premises, including the precincts thereof, wherein any industrial process is carried on.**

**(vii) 'factory' means any premises including the precincts thereof whereon five or more workers ordinarily work on any day of the year and in part of which a manufacturing process is being carried on, but does not include a mine;**

**(viii) 'adolescent' means a person who has completed his fourteenth year but has not completed eighteenth year of age;**

**(ix) 'mine' means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on, and includes all works, machinery, tram-ways and sidings, whether above or below ground, in or adjacent to or belonging to a mine; provided that it shall not include any part of such premises on which a manufacturing process is being carried on unless such process is a process for pulp making or the dressing of minerals;**

**(x) 'gratuity' means wages payable on termination of employment of a worker which shall be equivalent to not less than thirty days' wages for every completed year of service or for any part thereof in excess of six months; It shall be in addition to any payment of compensation or payment in lieu of notice due to termination of services of a worker on different grounds.**

**(x-a) 'tea plantation' means any land used or intended to be used for growing tea, and includes a tea factory;**

**(xi) 'retrenchment' means the termination by the employer of services of workers, not as a measure of punishment but on the ground of redundancy;**

**(xii) 'public utility service' means-**

- (a) the generation, production, manufacture, or supply of electricity, gas, oil or water to the public,**
- (b) any system of public conservancy or sanitation,**
- (c) hospitals and ambulance service,**
- (d) fire-fighting service,**
- (e) postal, telegraph or telephone service,**
- (f) railways, airways, road and river transport,**
- (g) ports,**
- (h) watch and ward staff and security services maintained in any establishment,**
- (i) oxygen acetylene, and**
- (j) banking;**

**(xiii) 'Tribunal' means the labour appellate tribunal established under this Act;**

**(xiv) 'transmission machinery' means any shaft, wheel, drum, pulley system of pulleys, couplings, clutch, driving belt or other appliance or device by which the motion of a prime mover is transmitted to or received by any machinery or plant's**

**(xv) 'trade union' means trade union of workers or employers formed and registered under chapter XIII of this Act and shall include a federation of trade unions.**

**(xvi) 'federation of trade unions' means a federation of trade unions registered under chapter XIII**

**(xvii) 'discharge' means the termination of services of a worker by the employer for reasons of physical or mental incapacity or continued ill-health of a worker;**

**(xviii) 'go-slow' means an organized, deliberate and purposeful slowing down of normal output of work by a body of workers in a concerted manner, and which is not due to any mechanical defect, breakdown of machinery, failure or defect in power supply or in the supply of normal material and spare parts of machinery;**