



# Terms of reference (ToR) for the procurement of services

Technical Advice  
Supporting effective grievance mechanisms in Bangladesh

## General information

ACT (Action, Collaboration, Transformation) is an agreement between global brands and retailers and IndustriALL Global Union to transform the garment, textile and footwear industry and achieve living wages for workers through collective bargaining at industry level linked to purchasing practices.

Effective grievance mechanisms - or dispute resolution mechanisms (DRMs) - on Freedom of Association, Collective Bargaining and wage-related rights build the foundations for negotiation between employers and trade unions as industrial relations partners. Robust and functioning grievance mechanisms are one of the most effective avenues for building trust between industry stakeholders along the global supply chain.

Being the third pillar of the UN Guiding Principles, effective grievance mechanisms are an international mandate. By working with national social partners to develop effective mechanisms, ACT aims at establishing international best practice in operationalizing the UN Guiding Principles effectiveness criteria for grievance mechanisms.

Purchasing practices, the ways in which brands and retailers interact with their suppliers, play an important role in shaping an environment in which manufacturers can build constructive social dialogue with trade unions. Grievance mechanisms for both workers and employers/suppliers in the global supply chain play a key role in the ACT approach. Having effective mechanisms in place for workers and suppliers to address their grievances towards each other as well as towards buyers' purchasing practices impacting both sides is a precondition to build trust and social dialogue as a foundation for achieving collective bargaining on living wages.

ACT is looking for a qualified technical consultant to support the development of high-level consultations and implementation of freedom of association, collective bargaining and wage-related rights as well as responsible purchasing practices through effective grievance mechanisms for workers and employers and supply chain dialogue.

## I. Deliverables

### 1. Technical advice on strategy development on the next steps for the ACT Interim Dispute Resolution Mechanism

In June 2020, ACT member brands, BGMEA, IndustriALL and its affiliates negotiated an interim Dispute Resolution Mechanism (Interim DRM), with the purpose to develop a process to handle disputes (cases) on wage payments, severance payments and Freedom of Association (FoA) that were expected to increase in the context of COVID-19.

The ACT Foundation has implemented an interim DRM pilot since June 2020. The next step is to jointly discuss its results with brands, employers, and trade unions to inform the next steps for and possible transition of the Interim DRM.

The consultant will provide technical advice including considerations regarding existing structures, international standards and best practice and provide technical input and recommendations for the next steps for the interim DRM.

### 2. Technical advice for preparing and implementing high-level strategy development meetings with stakeholders on the next steps for the interim DRM

The consultant will provide technical advice to the ACT Foundation in relation to high-level strategy development meetings with stakeholders in Q4 2023 and Q1 2024 to discuss the next steps for the interim DRM. This includes providing technical advice on stakeholder engagement in preparation and follow-up of the meetings.

## II. Qualifications of proposed contractor

**Expertise:** Contractors bidding for the work should have demonstrated expertise in the field of business and human rights relating specifically to grievance mechanisms, industrial relations and/or the role of purchasing practices in global supply chains and commercial relations between suppliers and brands in the garment industry. Strong experience in project management is required. An understanding of the garment and textile sector is beneficial.

**Experience in the region:**

- At least 5 years of working experience internationally in the field of business and human rights and specifically on legal analysis, legal advice, and dispute resolution and training in Bangladesh.

**Language skills:**

- Very good business language skills in English and Bangla.

## III. Submission process

Interested contractors should submit their resume and a brief letter of interest or proposal on how they meet the necessary qualifications along with a financial proposal to [michelle.lowe@actonlivingwages.com](mailto:michelle.lowe@actonlivingwages.com) by **12 September 2023**.