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Royal Government of Bhutan
Ministry of Industry, Commerce and Employment
Department of Labour



Standard Operating Procedure (SOP) for Dispute Settlement by the Labour Relations Division , Department of Labour (DoL/ Regional Office of Industry, Commerce and Employment (RoICE)

Pursuant to the Labour and Employment Act of Bhutan 2007(Act)

Purpose

This SOP outlines the step-by-step procedure for handling labour disputes, from initial reporting to resolution or referral to a competent authority/court, ensuring compliance with the Labour and Employment Act of Bhutan 2007.


Scope

This procedure applies to all labour disputes that cannot be resolved internally and require intervention by the Labour Relations Divisions/ RoICE.

Procedure

Step 1: Case Intake & Initial Assessment-Form 2 (Investigation Report Form)

1. The complainant submits a dispute notification via Bhutan Labour Market and Information System (BLIMS).
2. The Labour Relation Officer, LRD/Labour Officer, RoICE records:
 - Case number, date, and disputing parties' details (CID, contact, address).
 - Nature of the dispute and key concerns.
3. The LRO, LRD/LO, RoICE conducts a preliminary review to determine:
 - Applicable labour laws/contracts.
 - Whether the case requires further investigation, conciliation or referral.


Chief Labour Administrator



Step 2: Conciliation Initiation (If Applicable)-Form 3 (Conciliation Consent Form)

1. If conciliation is deemed appropriate:
 - Parties sign **Form 3**, agreeing to voluntary participation and confidentiality.
 - The conciliator (LRO, LRD/LO, RoICE) ensures impartiality and schedules a meeting.

Step 3: Conciliation Meeting-Form 4 (Conciliation Meeting Record)


1. The conciliator facilitates discussions, noting:
 - Key discussion points
 - Proposed solutions.
2. Possible outcomes:
 - **Agreement reached** → Proceed to **Form 5 (Conciliation Agreement Form)**.
 - **No agreement** → Document reasons and proceed to **Form 6 (Referral Form)**.

Step 4: Settlement Agreement (If Successful)-Form 5 (Conciliation Agreement Form)

1. Terms of settlement are drafted and signed by both parties.
2. The conciliator and CLA certify the agreement.
3. Non-compliance may lead to enforcement actions.

Step 5: Referral to Higher Authority (If Conciliation Fails)-Form 6 (Referral Form)

1. The LRO/LO RoICE documents:
 - Reasons for failure (e.g., lack of agreement, bad faith).
 - Summary of conciliation efforts.
2. The CLA certifies that all options were exhausted and refers the case to:
 - Labour Protection Division (LDP) for enforcement or
 - Court/Relevant Authority for adjudication.


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Roles and Responsibilities

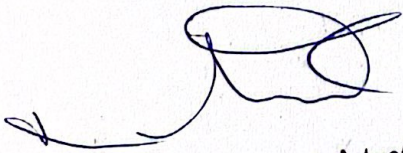
Role	Responsibilities
LRO	Conduct investigations, facilitate conciliation, document proceedings.
Conciliator	Ensure impartial discussions, draft agreements, or recommend referrals.
CLA	Review and approve reports, certify agreements/referrals.
Disputing Parties	Engage in good faith, provide accurate information, and comply with agreements.

Documentation and Record Keeping

- All forms (2–6) must be filed by the LRD/ROICE.

Compliance and Review

- This SOP aligns with the **Labour and Employment Act of Bhutan 2007**.
- Review annually for updates.


Chief Labour Administrator

