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MINISTÉRIO DA ADMINISTRAÇÃO
TRABALHO E SEGURANÇA SOCIAL

o Tuesday, April 7, 2026



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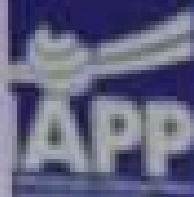
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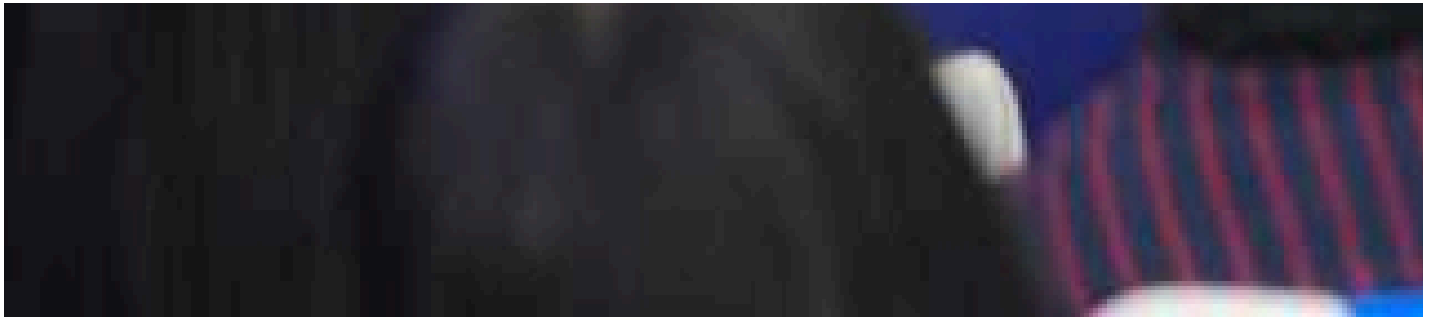
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The Minister of MAPTSS believes that women have not yet reached the desired levels for decision-making positions.

March 31, 2026



Historical context

March 31, 2026

Executive branch expands policies to end child labor.

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Executive branch expands policies to end child labor.

On Thursday the 17th, in Luanda, the Executive launched new strategic policies to combat child labor, with the implementation of the National Action Plan for the Eradication of Child Labor in Angola (PANETI).

The plan was launched by the Minister of State for Social Affairs, Carolina Cerqueira, and was attended by the Minister of Public Administration, Labor and Social Security, Teresa Rodrigues Dias, the US Ambassador, Tulinabo Mushingi, the Governor of Luanda, Ana Paula de Carvalho, the Minister of Youth and Sports, Ana Paula do Sacramento, the Minister of Information Technologies and Social Communication, Manuel Homem, Secretaries of State and members of the PANETI technical group.

Carolina Cerqueira revealed that the number of children exposed to child labor in Angola has increased significantly in recent years, especially in the informal economy sector, where the problem takes on alarming proportions in less favored areas, during droughts and natural disasters.

The Minister of State highlighted that, in the last 20 years, the number of child labor victims worldwide has increased alarmingly, currently reaching 160 million children and adolescents between the ages of 5 and 17.

Of the 160 million, he explained, 97 million are male and 63 million are female, meaning that one in ten children is in a situation of child labor.

"UNICEF warns that more than 8.9 million children are at risk of entering child labor this year, 2022, as a consequence of the Covid-19 pandemic, with the highest incidence in Sub-Saharan Africa," it announced.

Indeed, he stressed, the health crisis has affected and worsened the situation of child labor, as essential protection measures were insufficient or almost non-existent.

Destacou ainda a crise económica mundial, as mudanças climáticas, conflitos armados e particularmente o encerramento das escolas, devido a Covid-19, os ajustes nos orçamentos, deram consequências a crianças entrarem no mundo do trabalho, em situação agravada, devido a perda de emprego e rendimentos dos seus familiares.

As crianças e adolescentes envolvidos em trabalhos esforçados, considerou, podem prejudicar a sua saúde, condição física e desenvolvimento cognitivo, que aumentou de forma assustadora a nível mundial, sobretudo no sector agrícola.

“Estes dados são alertas para intervir de forma rápida, para não colocarmos em risco a nova geração de crianças”, disse.

O Executivo, reconheceu, está ciente da dimensão do trabalho tradicional, representado em determinadas culturas, através das fragilidades sociais e carências económicas, que facilitam e potenciam o crescimento do fenómeno.

Independentemente disso, frisou, não se deve ignorar as responsabilidades do Estado, enquanto sociedade e Nação, todos são chamados a colaborar nesta causa, de forma incondicional, com a devida responsabilidade.

Neste contexto, o Governo tem vindo a mitigar este fenómeno, através de programas de Protecção Social Inclusiva, como o Kwenda, PIIM, que têm vindo implementar em grande dimensão a rede escolar a nível nacional, de forma a permitir, que as famílias mantenham os seus filhos na escola, mesmo em situações económicas adversas.

Acrescentou que a massificação da merendas escolar, Programa Multisectorial de Combate a Pobreza, as iniciativas estruturantes de combate a seca e apoia as famílias mais necessitadas, assim como o aumento do incremento do investimento público e privado, apoio aos pequenos empresários, são exemplos que ajudam a promover o desenvolvimento rural, mecanizar o trabalho da agricultura e mais investimento no sector da Educação.

A ministra de Estado disse que o Executivo tem consciência do momento crucial que atravessa, realçando que todos os resultados a alcançar, dependem das medidas desafiantes e resilientes que serão tomadas.

Carolina Cerqueira reiterou o compromisso e vontade de reverter a situação difícil que as crianças ainda vivem, interrompendo o Trabalho Infantil e a pobreza.

O combate ao Trabalho Infantil, realçou, constitui para o Executivo uma preocupação cuja a eliminação se impõe com urgência e prioridade.

A aprovação do PANETI, alertou, representa o pontapé de saída para um percurso difícil, mas gratificante, que garante um futuro risonho para as crianças, numa sociedade mais justa em que a equidade é um direito de todos, para a implementação dos Objectivos para Agenda do Desenvolvimento Sustentável 2030.

Adopção da OIT


Carolina Cerqueira mentioned that 2019 was the centenary year of the International Labour Organization (ILO), in which the General Assembly of the United Nations unanimously adopted a resolution declaring 2021 as the International Year for the Elimination of Child Labour, in partnership with Alliance 8.7, which advocates for a world without forced labour, in order to fulfill the 2030 Agenda for Sustainable Development.

The resolution, he said, highlights the commitments of United Nations Member States to promote legislative action and immediate and effective measures to eradicate forced labor, as well as to end modern slavery, human trafficking, and ensure the prohibition and elimination of the worst forms of child labor.

The Minister of State acknowledged that the commitment represents a great responsibility towards the partners and, above all, a new mission for the future of children and humanity, to which the Angolan State cannot remain indifferent.

Accordingly, he highlighted that the Executive approved the National Action Plan for the Eradication of Child Labor (PANETI), through Presidential Decree No. 239/21, of September 29, signaling the Executive's firm commitment and dedication to protecting the most basic rights of children.



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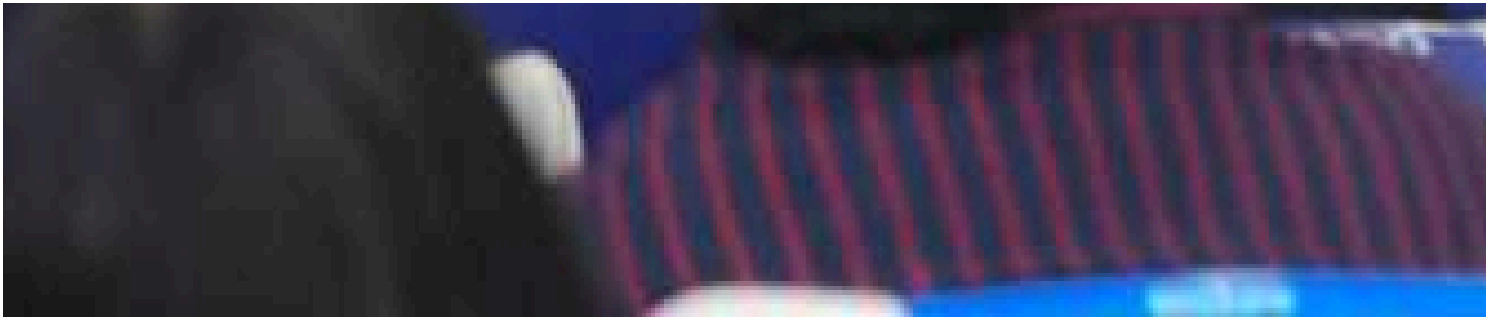
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Situación de contexto del trabajo infantil y adolescente

Indicadores estadísticos

Junio 2025



**Ministerio de
Capital Humano**
República Argentina

**Secretaría de Trabajo,
Empleo y Seguridad Social**

Situación de contexto del trabajo infantil y adolescente¹

La última información estadística disponible, con representación a nivel nacional y regional, proviene de la Encuesta de Actividades de Niñas, Niños y Adolescentes² (EANNA) realizada entre 2016-17, que contribuyó a visibilizar la magnitud del problema y caracterizar el fenómeno.

Teniendo en cuenta que las encuestas a hogares de amplia cobertura poblacional implican operativos muy costosos que dificultan la medición continúa³, el OTIA viene publicando un conjunto de indicadores de contexto para llevar a cabo un seguimiento de los problemas sociales asociados al trabajo infantil y adolescente que se presentan a continuación.

Indicadores estadísticos

Los antecedentes en la temática han identificado distintos factores asociados al trabajo infantil. Entre los mismos, se han destacado aquellos relacionados con las condiciones de las unidades domésticas. Los factores vinculados a las características familiares y del hogar remiten, entre otros, a los tipos y estructuras familiares, características socioeconómicas y condiciones de vida del hogar que habitan, como las condiciones de la vivienda, el acceso a servicios, situaciones pobreza y/o vulnerabilidad de los hogares, el acceso a mecanismos de protección social, etc.

Los indicadores de riesgo del trabajo infantil seleccionados fueron relevados por la Encuesta Permanente de Hogares del INDEC, se actualizan para cada semestre⁴ y refieren a las siguientes dimensiones de análisis:

Pobreza e Indigencia por ingresos:

Indica la proporción de hogares con niños, niñas y adolescentes (NNyA) de 5 a 17 años y la población de esa franja etaria que habita en hogares cuyos ingresos no tienen la capacidad de satisfacer -por medio de la compra de bienes y servicios- un conjunto de necesidades alimentarias y no alimentarias consideradas esenciales.

¹ La Ley 26.390 de "Prohibición del Trabajo Infantil y Protección del Trabajo Adolescente" fue promulgada en el año 2008 y prohíbe el trabajo infantil por debajo de la edad mínima de admisión al empleo, establecida en 16 años. El grupo de adolescentes de 16 y 17 años goza de una protección especial referida a la cantidad de horas semanales permitidas y a la prohibición del trabajo nocturno y al que se corresponde con actividades que impliquen tareas peligrosas.

² Se trata de la primera encuesta específica en el país que extiende su cobertura a nivel nacional, abarcando áreas urbanas y rurales agrupadas y dispersas. A cargo del INDEC (Instituto Nacional de Estadística y Censos) en lo que respecta a áreas urbanas, y del Ministerio de Trabajo, Empleo y Seguridad Social en lo relativo a las áreas rurales. Las experiencias previas de implementación de la EANNA en los años 2004 y 2006 alcanzaron una cobertura geográfica más acotada en determinadas regiones del país. Se puede consultar: "EANNA, Encuesta de Actividades de Niños, Niñas y Adolescentes", disponible en: http://trabajo.gob.ar/downloads/estadisticas/eanna/eanna_2da-edicion_201909.pdf.

Según la EANNA en el total del país, el 13,3% de los niños, niñas y adolescentes de 5 a 17 años realizan al menos una actividad productiva. El trabajo se intensifica en el grupo de 16 y 17 años: el 31,9% del total de adolescentes del país realiza al menos una actividad productiva.

³ Con el objeto de contar con información confiable y periódica el OTIA se encuentra trabajando en una propuesta de Módulo para adjuntar a una Encuesta a Hogares como la EPH, lo que permitiría relevar al menos cada 4 años el problema.

⁴ Los indicadores corresponden a la población de niños, niñas y adolescentes de 5 a 17 años y a aquellos hogares donde reside esa misma población. Se propone la actualización para cada semestre del conjunto de indicadores sociales de acuerdo a los criterios que utiliza INDEC para el seguimiento de los datos de pobreza e indigencia. En relación a los indicadores de Mercado de Trabajo correspondientes a los Jefes/as de hogar donde reside la misma población etaria bajo estudio se actualizan datos para los segundos y cuartos trimestres según corresponda.

Indicadores habitacionales:

Incluye Indicadores de calidad insuficiente y/o parcialmente insuficiente de los materiales de la vivienda, hacinamiento, saneamiento inadecuado y falta de acceso a servicios públicos (agua, gas y red de cloacas). La medición de éstos se presenta tanto para los hogares con NNyA de 5 a 17 años como para la población de dicha franja etaria.

Mercado de trabajo:

Muestra las tasas básicas del mercado de trabajo para los/as jefes/as de hogares con presencia de NNyA de 5 a 17. Se incluyen tasas de actividad, empleo, desocupación, subocupación, asalarización.

Salud:

Se distinguen aquellos NNyA de 5 a 17 años que solo están cubiertos por el sistema público de salud de aquellos que, además, poseen cobertura por obras sociales, empresas de medicina prepaga, mutuales o servicios de emergencia. Se muestra también el porcentaje de hogares con NNyA de 5 a 17 años según el tipo de cobertura médica de sus miembros.

Educación:

Se presentan indicadores sobre la asistencia a establecimientos educativos formales por parte de NNyA de 5 a 17 años; así como también indicadores del nivel educativo alcanzado por la población adulta de hogares con NNyA de 5 a 17 años (clima educativo del hogar).

Percepción de AUH:

Muestra la cantidad de beneficiarios y titulares de la Asignación Universal por Hijo para protección social (AUH), así como el valor monetario de la misma.

Resumen ejecutivo. II semestre de 2024.

Los resultados del segundo semestre de 2024 correspondientes al total de aglomerados urbanos para hogares con al menos un NNyA entre 5 y 17 años, así como también para la población de dicha franja etaria, registraron que:

En Argentina, la población entre 5 y 17 años es de 6.509.003 niños, niñas y adolescentes. El porcentaje de hogares con al menos un NNyA de entre 5 y 17 años que se encuentran por debajo de la línea de pobreza (LP) alcanzó el 46,2%; en ellos reside el 53,7% de NNyA de dicha franja etaria. Dentro de este conjunto se distingue un 9,9% de estos hogares por debajo de la línea de indigencia (LI), que incluyen al 12,6% de NNyA entre 5 y 17 años. Con respecto al primer semestre de 2024, se observa un descenso de la incidencia tanto de la indigencia como de la pobreza de los hogares con NNyA de 5 a 17 y entre la población de este rango etario.

Dentro de las características habitacionales se incluye el indicador de calidad de los materiales de la vivienda, basado en un grupo de variables referidas a los materiales constructivos de los pisos y techos y la presencia de cielorraso. Se tiene en cuenta la protección o el abrigo del medio natural y de factores ambientales adversos que dichos materiales proporcionan y, en función de ello, se establece la suficiencia o insuficiencia de su calidad. Al segundo semestre de 2024, el 24,7% de los hogares con NNyA entre 5 y 17 años habitan en viviendas cuyos materiales poseen calidad parcialmente insuficiente o insuficiente, representando esto al 28,3% de NNyA en ese rango etario.

El 5,1% de los hogares con NNyA de 5 a 17 años, que alberga al 7,8% de NNyA de ese rango etario, habita en condiciones de hacinamiento crítico. Se consideran hogares con hacinamiento crítico aquellos en los que habitan más de tres personas por cuarto.

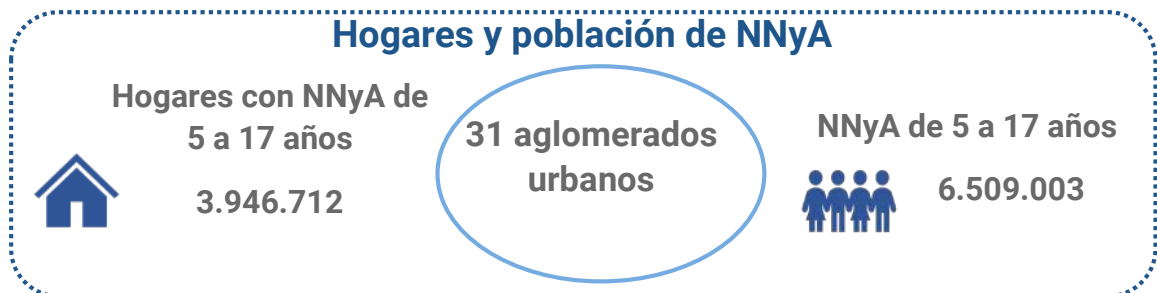
Se definen como hogares con saneamiento inadecuado aquellos que tienen al menos una de estas características: a) no poseen baño, b) poseen el baño fuera del terreno, c) comparten el baño con otros hogares, d) el desagüe del baño no está conectado a la red pública (cloaca) ni tampoco a cámara séptica, o e) el baño no tiene descarga de agua. Se evidencia que el 17,1% de los hogares con al menos un NNyA entre 5 y 17 años (donde habitan el 19,7% de NNyA de esa franja etaria) presenta condiciones de saneamiento inadecuadas.

En cuanto a la cobertura médica, se distinguen aquellos NNyA que solo están cubiertos por el sistema público de salud de aquellos que, además, poseen cobertura por obras sociales, empresas de medicina prepaga, mutuales o servicios de emergencia. Si se considera el conjunto de NNyA entre 5 y 17 años, el 58,0% cuenta con obra social, prepaga, mutual o servicio de emergencia, mientras que el 41,9% solo posee cobertura médica a través del sistema público. Asimismo, cabe evaluar la situación de los hogares con al menos un NNyA entre 5 y 17 años según el tipo de cobertura médica de todos sus miembros. Al respecto, se observa que los

hogares con NNyA entre 5 y 17 años en los cuales al menos uno de sus miembros tiene cobertura solo por el sistema público alcanzan el 48,0%. Dentro de este conjunto, un 23,5% de hogares con NNyA tienen a todos sus miembros con cobertura del sistema público de forma exclusiva.

En lo que respecta al acceso a la educación, se evidencia que el 98,1% de NNyA entre 5 y 17 años asiste a un establecimiento educativo formal, mientras que el restante 1,9% no asiste. Asimismo, resulta relevante exponer indicadores que remiten al clima educativo del hogar. Este es el promedio de la cantidad de años de escolaridad formal de las personas mayores de 18 años de cada hogar, lo que da lugar a un valor de clima educativo que luego se categoriza en diferentes niveles. De esta manera, a cada NNyA le corresponde el valor de clima educativo del hogar al que pertenece. Un 3,6% y 35,4% de NNyA entre 5 y 17 años habitan hogares con clima educativo muy bajo y bajo, respectivamente. En contraposición, sólo un 12,3% y 10,1% de los mismos forma parte de unidades domésticas con clima educativo alto y muy alto, respectivamente.

Indicadores de contexto: factores de riesgo de trabajo infantil en 31 aglomerados urbanos. II semestre 2024 – EPH/INDEC



Pobreza/Indigencia por ingresos

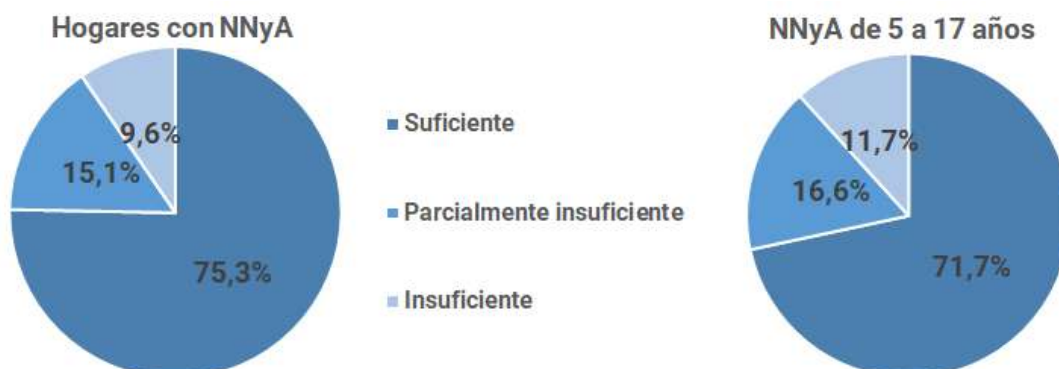


Fuente: STEySS - Dirección Nacional de Estudios y Estadísticas Laborales - Observatorio de Trabajo Infantil y Adolescente, en base a EPH (INDEC).

Características habitacionales



Calidad de los materiales de la vivienda



Hacinamiento



Saneamiento



Servicios públicos en Hogares con NNA

	Agua corriente	Gas de red	Desagües cloacales
Hogares	Accede 88,3%	Accede 57,1%	Accede 67,1%
NNA	Accede 87,0%	Accede 53,9%	Accede 64,3%

Fuente: STEySS - Dirección Nacional de Estudios y Estadísticas Laborales - Observatorio de Trabajo Infantil y Adolescente, en base a EPH (INDEC).

Acceso a la salud

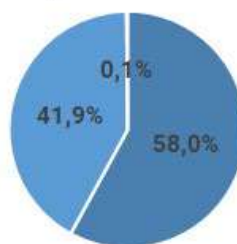


Hogares con NNyA

Todos los miembros con cobertura del sistema público de forma exclusiva: 23,5%

Al menos un miembro cubierto sólo por el sistema público: 48,0%

NNyA de 5 a 17 años



- Obra social, prepaga, mutual y/o servicio de emergencia
- Sólo sistema público
- Ns./Nr.

Acceso a la educación



NNyA de 5 a 17 años según clima educativo del hogar y Asistencia escolar.

NNyA de 5 a 12 años



■ Asiste ■ No asiste

NNyA y Adolescentes de 13 a 17 años



■ Asiste ■ No asiste

Fuente: STEySS - Dirección Nacional de Estudios y Estadísticas Laborales - Observatorio de Trabajo Infantil y Adolescente, en base a EPH (INDEC).

Acceso a Protección Social (AUH)

Asignación Universal por Hijo. Septiembre 2024

Titulares: 2.339.502

Beneficiarios: 4.107.554

Características del mercado de trabajo – IV trimestre 2024 EPH/INDEC

Jefes/as de hogar con NNyA de 5 a 17 años

Tasa de actividad: 82,2%	Tasa de empleo: 79,1%
Tasa de desocupación: 3,1%	Tasa de subocupación: 11,3%
Tasa de asalariados: 73,6%	Asalariados sin descuento jubilatorio: 31,4%

A modo de cierre cabe mencionar que, de acuerdo con el Modelo de identificación del riesgo de Trabajo Infantil (MIRTI) en Argentina, la probabilidad de ocurrencia del fenómeno se produce, principalmente, en hogares con Necesidades Básicas Insatisfechas (NBI), en población de NNyA sin cobertura de salud paga, con adolescentes (entre 12 y 17 años) que no asisten a la escuela y en hogares cuyo jefe/a es trabajador/a no registrado/a⁵. El seguimiento sistemático de los factores de riesgo, así como también de los factores de protección⁶ es una herramienta útil para estimar el estado de situación de la problemática en los distintos contextos.

⁵ Si bien los factores de riesgo seleccionados corresponden a áreas urbanas porque la fuente de información utilizada para construir los indicadores presentados es la EPH, otro factor de riesgo significativo es la residencia de NNyA en áreas rurales.

⁶ Los principales factores de protección identificados son: mayor clima educativo del hogar, asistencia a la escuela de los NNyA, cobertura de salud paga para NNyA, jefes/as de hogar con trabajo registrado, NNyA que residen en hogares con necesidades básicas satisfechas.

Anexo metodológico: Definición de indicadores.

Calidad insuficiente y/o parcialmente insuficiente de los materiales de la Vivienda

Para la construcción del indicador referido a la calidad de los materiales de la vivienda en que habita el hogar, se consideraron tres rubros: - material predominante de los pisos interiores - material predominante de la cubierta externa de los techos - presencia de revestimiento o cielorraso en la parte interior de los techos.

Se definieron como “suficientes” aquellos materiales que proporcionan las condiciones elementales de habitabilidad y que, por lo general, se encuentran asociados a materiales de calidad suficiente en otras partes constitutivas de la vivienda (por ejemplo, las paredes). Los criterios utilizados fueron:

Pisos interiores: atendiendo a la durabilidad y al aislamiento que proporcionan los diferentes materiales, se clasifican como: - Suficiente (S): mosaico/baldosa/madera/cerámica/alfombra. - Parcialmente insuficiente (PI): cemento o ladrillo y otros. - Insuficiente (I): ladrillo suelto o tierra. Cubierta exterior del techo: se consideran las propiedades de los distintos materiales en cuanto a su durabilidad, resistencia, aislamiento térmico e hidrófugo, que presentan las categorías referidas solo al material predominante de los techos, y se agrega un elemento adicional –presencia de cielorraso en el techo–, que se utiliza, fundamentalmente, para los techos de chapas de metal y fibrocemento. - Suficiente (S): pizarra/teja, baldosa/losa sin cubierta, membrana/cubierta asfáltica con cielorraso y chapa de metal o fibrocemento con cielorraso y departamentos en propiedad horizontal que desconozcan el material, con cielorraso. - Parcialmente insuficiente (PI): pizarra/teja, baldosa/losa sin cubierta, membrana/cubierta asfáltica y departamentos en propiedad horizontal que desconozcan el material, sin cielorraso. - Insuficiente (I): chapa de cartón, caña/tabla/paja y chapa de metal o fibrocemento sin cielorraso.

Considerando estos criterios, la calidad de los materiales de la vivienda es: - Suficiente: si la calidad del techo y la del piso son suficientes. - Parcialmente insuficiente: si al menos una de las partes constitutivas de la vivienda es de calidad parcialmente insuficiente. - Insuficiente: si la calidad del piso o del techo es insuficiente.

Hacinamiento y/o hacinamiento crítico

Se consideran hogares con hacinamiento crítico aquellos en los que habitan más de tres personas por cuarto. Para ello, se toma en cuenta la cantidad de ambientes/habitaciones que tiene el hogar para uso exclusivo (excluyendo cocina, baño, pasillos, lavadero, garaje), es decir, sin compartir con otros hogares. En este sentido, se considera ambiente/habitación todo cuarto separado por tabiques o paredes desde el piso hasta el techo.

Saneamiento inadecuado

Se definen como hogares con saneamiento inadecuado aquellos que tienen al menos una de estas características: a) no poseen baño, b) poseen el baño fuera del terreno, c) comparten el baño con otros hogares, d) el desagüe del baño no está conectado a la red pública (cloaca) ni tampoco a cámara séptica, o e) el baño no tiene descarga de agua. Los hogares que no presentan ninguna de estas características disponen de un saneamiento adecuado.

Clima educativo del hogar

La variable de clima educativo del hogar es definida como el promedio de años de estudio alcanzados por el conjunto de las personas mayores de determinada edad que residen en el hogar. Respecto a la edad, se consideró a la población de 18 años y más, dado que es la estipulada para la finalización de la educación obligatoria, de acuerdo con la legislación vigente.

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On July 26, 2012, the King of the Kingdom of Bahrain issued a new labour law No. 36 of 2012 replacing the old labour law (No. 23 of 1976). The new law has been aligned with several Arab and international labour treaties and conventions to which Bahrain is a signatory and which have come into effect over the last 36 years.

The new law revitalises the private sector Labour Market by giving more rights to employees, such as improving the working conditions, creating a better investment, preventing human trafficking by introducing and imposing clear contractual terms for employing domestic staff, prohibiting discrimination practices such as discrimination

in the payment of wages based on sex, ethnic origin, language, religion or beliefs...etc

The law also introduced enhancements in terms of annual leave, maternity leave, sick leave entitlement, labour disputes resolution and other topics.

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2nd Draft

National Plan of Action to Eliminate Child Labour (2021-2025)



Ministry of Labour and Employment

30th November 2020

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Aknowledgements

National Plan of Action to Eliminate Child Labour (2020-2025) is drafted by the Members of the drafting committee formed by National Child Labour Welfare Council under the leadership of Ministry of Labour Employment (MoLE). The Drafting Committee involved GO-NGO personnel including MoLE, DIFE, ILO, INCIDIN Bangladesh, Save the Children, UNICEF Bangladesh, Bangladesh Labour Foundation, Street Children and Children Rights, Mansuher Jonno Foundation, World Vision Bangladesh and Bangladesh Shishu Adhikar Forum. All the members of National Child Labour Welfare Council (NCLWC) have provided their inputs to enrich the draft NPA. It was discussed in inter-ministerial meetings and different Ministries given relevant inputs on that.

The experience of implementing the previous NPA on Elimination of Child Labour (2012-2016) was reviewed. This provided a firm basis in identifying gaps, challenges and good practices. Recent studies and reviews on child labour situation carried out by the agency with the support of UNICEF and DFID also added clarity on the context in which the NPA has evolved. The experience of CLEAR project of ILO provided valuable insights into community based approaches and tested strategies, NPC from ILO. The consultative process carried out by INCIDIN under CLIMB project of Winrock International helped the National Child Labour Welfare Council to review context and strategies – specifically with respect to the hazardous child labour (HCL). The study carried out by the Need Assessment Working Group provided perspectives and strategic options in the context of COVID-19. As a whole it has been a collective endeavor of national trade unions, employers association, NGOs, INGOs, UN and development partners under the leadership of MoLE. The firm decision and clear perspective of the Honorable State Minister of MoLE, Begum Monnujan Sufian, M.P, made the planning process focused and time efficient. The honorable Secretary of MoLE Mr. K. M. Abdus Salam has also stood by NCLWC to take the process forward.

The NPA has drawn extensively from the SDG implementation plan of the Government of Bangladesh (GoB). This has worked to promote a broad based ownership of the government and mainstreamed the NPA within the general development planning (the FYP) and strategies of the GoB. Moreover, the document also worked to ensure to track and engage resources already allocated or in the pipeline for effectively resourcing the current NPA 2021-2025.

The drafting committee members earnestly express their gratitude to all and look forward to the similar cooperation and solidarity for effective implementation of NPA (2021-2025) to eliminate child labour in Bangladesh.

Drafting Committee
30th November, 2020

ABBREVIATIONS & ACRONYMS

BNWLA	Bangladesh National Women Lawyers Association
CD	Cabinet Division
CLMC	Child Labour Monitoring Committee
CRC	The United Nations Convention on the Rights of the Child 1989
CSR	Corporate Social Responsibility
DC	Deputy Commissioner
DIFE	Department for Inspection of Factory and Establishment
IGA	Income Generating Activities
INCIDIN Bangladesh	Integrated Community and Industrial Development in Bangladesh
ILO	International Labour Organisation
INGO	International Non-Governmental Organisation
M&E	Monitoring and Evaluation
MoLE	Ministry of Labour and Employment
MoA	Ministry of Agriculture
MoE	Ministry of Education
MoEWOE	Ministry of Expatriates' Welfare & Overseas Employment
MoFA	Ministry of Foreign Affairs
MoF	Ministry of Finance
MoHFW	Ministry of Health and Family Welfare
MoHA	Ministry of Home Affairs
MoInf	Ministry of Information
MoICT	Ministry of Information and Communication Technology
MoLJPA	Ministry of Law, Justice and Parliamentary Affairs
MoLGRDC	Ministry of Local Government, Rural Development and Cooperation
MoP	Ministry of Planning
MoPME	Ministry of Primary and Mass Education
MoRA	Ministry of Religious Affairs
MoSW	Ministry of Social Welfare
MoWCA	Ministry of Women and Children Affairs
MoFDM	Ministry of Food and Disaster Management
MoYS	Ministry of Youth and Sports
NGO	Non-Governmental Organisation
NCLEP	National Child Labour Elimination Policy
NCLWC	National Child Labour Welfare Council
NPA	National Plan of Action
PPP	Public-Private Partnership
PS	Police Station (Thana)
SAARC	South Asian Association for Regional Cooperation
SDG	Sustainable Development Goal
UNICEF	United Nations Children's Fund

Executive Summery

CHAPTER-ONE

Child Labour in Bangladesh¹

Despite progress, child labour continues to affect 6.8% of children aged 5-17 in 2018 in Bangladesh.

The National Child Labour Surveys (CLS) conducted by Bangladesh Bureau of Statistics (BBS) indicate that between 2003 and 2013, the number of working children aged 5-17 reduced from 7.6 million to 3.5 million. Among them, the number of children engaged in labour was 3.2 million – which reduced to 1.7 million in 2013 (-47%). The informal sector employs the massive majority of working children, namely 95% in 2013. More recently, the Multiple Indicators Cluster Survey (MICS) indicates that in 2018, 6.8% of children aged 5-17 are engaged in child labour.²

Box 1: Measures of Child Labour in Bangladesh

Source	2002-03			2013			2019		
	Child Labour Survey 2003			Child Labour Survey 2013			MICS		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
No. Children - Age 5-17, '000									
• Total child population	22,689	19,698	42,387	20,596	19,055	39,652			
• Working children	5,471	1,952	7,423	2,103	1,347	3,450			
• Child Labour	2,461	718	3,179	953	746	1,699			
• Hazardous work	1,172	120	1,291	772	508	1,280			
Child Labour % of									
• Total Working Children	45	36.8	42.8	45.3	55.4	49.3			
• Total Child Population	10.8	3.6	7.5	4.6	3.9	4.3			
Child Labour* - Age 5-17 years, %							9	5	7
• Hazardous working conditions									11
• Economic Activities									6
• Household Chores									1

Source: BBS, 2003, 2015 and 2019. Child Labour Survey, Multiple Indicators Cluster Survey. *Excludes the hazardous work component.

Evidence shows that child labour is more prevalent among boys, and in rural areas. According to the CLS 2013, approximately 56% of children engaged in child labour were boys. The MICS data also show that male and female child labour respectively affected 9% and 5% of children aged 5-17 in 2018. However, it is worth noting that female child labour is generally underestimated as girls are more involved in hidden works (domestic work). In 2013, from the total children engaged in child labour, 68% were located in rural areas: (1.15 million). In urban areas of Bangladesh, 1 out of 8 children were estimated to be child labour (including City Corporation slum, non-slums and other municipalities).

Children are engaged in different sectors and activities, some of which using predominantly child labour. These include hot food shop & tea stalls, motor & steel workshops, grocery & furniture shops, shop, clothing & tailoring shops, waste collection... (Sk. Tariquzzaman, Elma Kaiser, 2008). Generally, children are found to complement the adults in the sector by performing some age-specific tasks, which are low-paid, dirty and dangerous. A significant proportion of the tasks utilize the small agile bodies and those which are considered inappropriate by adults or would not utilize an adult's full capacity. Following Box 2 present the detail of sectors and activities were children are engaged.

Box 2: Overview of Children's Work by Sector and Activity

¹Adopted from; INCIDIN Bangladesh; (Draft) Desk Review of Child Labour in Bangladesh, UNICEF-DFID, 2020 (Unpublished)

² However, surveys use different definitions of child labour: while the CLS child labour is inclusive of hazardous work, MICS child labour data exclude children engaged in hazardous conditions.

Sector/Industry	Activity
Agriculture	Farming, including harvesting and processing crops,* raising poultry, grazing cattle,* gathering honey,* and harvesting tea leaves* ^{3,4} .
	Fishing* and drying fish ⁵ .
	Harvesting and processing shrimp ⁶ The formal sector is certified as child labour while the informal components of value chain are using child labour.
Industry	Quarrying and mining, including salt ^{7,8} .
	Producing garments, textiles, jute textiles, leather,† footwear,† and imitation jewellery* ^{+9 10 11} The export oriented production of garments is free of child labour but the local garments producing small setups are using child labour.
	Manufacturing bricks,† glass,† hand-rolled cigarettes (bidis),† matches,† soap,† steel furniture,† aluminium products,*† plastic products,*† and melamine products*.
	Ship breaking† The employers association claim to be child labour free
	Carpentry,* welding,*† and construction*†
Services	Domestic work. Not recognized as hazardous work by Bangladesh.
	Working in transportation, pulling rickshaws,* and street work, including garbage picking, recycling,*† vending, begging, and portering.
	Working in hotels,* restaurants,* bakeries,*† and retail shops*.
	Repairing automobiles*†.
Categorical Worst Forms of Child Labour	Forced labour in the drying of fish and the production of bricks*.
	Forced begging*.
	Use in illicit activities, including drug dealing*.
	Commercial sexual exploitation,* sometimes as a result of human trafficking*
	Forced domestic work

Source: Adjusted from: United States Department of Labor's Bureau of International Labor Affairs, Bangladesh Moderate Progress; 2017 Findings on the Worst Forms of Child Labour. * Evidence of this activity is limited, and/or the extent of the problem is unknown. Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO Convention 182. Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Among children engaged in child labour, 29% attended school in 2013. The CLS shows that school attendance decreases as involvement in labour increases. 63% of children engaged in child labour in 2013 were not attending school and 8.4% never attended school.

Hazardous child labour is prevalent, with 1.28 million children in 2013. Between 2003 and 2013, the number of children engaged in hazardous work stagnated, amounting approximately 1.3 million. This evolution is associated, *inter alia*, with the low visibility of these activities and lack of policy priorities upon these sectors. The main evolution to be noted is the gender distribution: 9 out of 10 were boys in 2003, and only 6 out of 10 in 2013. The main hazards include exposition to dust, fumes, noise or vibration and use of dangerous tools followed by exposition to fire, gas and flames, and extreme heat or cold. Children in these sectors are found to be extremely vulnerable to accident, injury and disease.

Manufacturing and agriculture sectors are the main employers of children. In 2013, 39% and 22% of children working in hazardous conditions were in the manufacturing sector and agriculture, respectively. The distribution of children by place of work and majority of children are found in the office/factory/workshop/shop sector, followed by the farm/agricultural land/river sector.

Box 3: Distribution of Child Labour and Hazardous Child Labour by Sector

³ GOB, BBS, 2013. Child Labour Survey.

⁴ UNICEF, 2011. Assessment of the Situation of Children and Women in the Tea Gardens of Bangladesh.

⁵ U.S. Department of State, 2015. "Bangladesh," Country Reports on Human Rights Practices.

⁶ Solidarity Center, 2012. The Plight of Shrimp-Processing Workers of Southwestern Bangladesh.

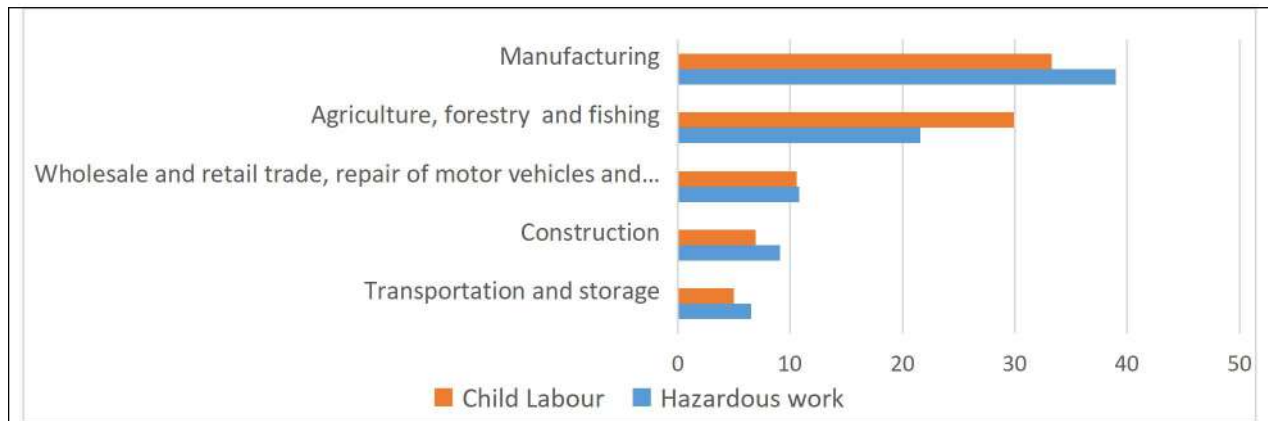
⁷ GOB, BBS, 2013. Child Labour Survey.

⁸ International Trade Union Confederation, 2012. Internationally Recognized Core Labour Standards in Bangladesh.

⁹ Hunter, I, 2015. Crammed into squalid factories to produce clothes. Dailymail.

¹⁰ Human Rights Watch, 2012. Toxic Tanneries: The Health Repercussions of Bangladesh's Hazaribagh Leather.

¹¹ UCANEWS, 2014. The Extremely Unhealthy Life of the Bangladesh Tannery Worker.



Source: Child Labour Survey, BBS, 2015. Note: As per definition, child labour becomes hazardous when a child aged 5-17 works for more than 42 hours each week in any job or if the specific trade is included in the hazardous works list. As a result, the distribution pattern for child labour and hazardous child labour is close.

Bangladesh has listed 38 work/ sectors of employment as hazardous for children. A government order issued in 2013 identifies 38 processes/ activities hazardous for children. However, many other sectors such as domestic work, dry fish, and waste are yet to be included on that list.

The number of child domestic workers in Bangladesh is ambiguous as surveys provide different estimations. The CLS estimates 115,658 child domestic workers in 2013, of which 91% were female and from all age groups: there were 951 child domestic workers in the age group 5 years (all of them female); 21,359 in the age group 6-11 (91% female); and 75,985 in the age group 14-17 (90% female). The child domestic worker baseline survey from 2006 estimated 421,000 child domestic workers (75% being female) of age 6-17, of which around 132,000 alone in Dhaka City alone.

A BSAF study¹² presents a set of works performed by child domestic workers in Bangladesh. The majority of child workers are involved in tidying and cleaning rooms (90%), followed by washing floors (83%), waste disposal (77%), dishwashing (61%), washing clothes, cooking (53%), and cleaning the toilet (44%). Activities also include dusting furniture, taking care of babies, washing dishes, boiling water, waste disposal, grocery shopping, ironing clothes, bringing kids from school, and taking care of elderly people.

A study of Anti-Slavery International¹³ explored the psychosocial consequences of domestic work. The study highlighted four components influencing psychosocial wellbeing and vulnerabilities of the children: (i) education contributes to the wellbeing of children; (ii) the nature of the tasks performed impacts on children's wellbeing; (iii), social support is key to the psychosocial wellbeing of children; and (iv) children's own perception of the work impacts on their wellbeing. The study notes that the confinement to the house leaves children with no opportunity to socialize. Due to stress and isolation, they commonly suffers from bedwetting, insomnia, withdrawal, regressive behaviour, premature ageing, depression and phobic reactions to their employers. Some of these characteristics have also been identified in Bangladesh (Rahman H, 1995).

A study from the ILO¹⁴ highlights the ambiguous relationship of child domestic workers with their employers. The negative connotations attached to domestic work compounds the ambiguity of child domestic workers' relationships to the employer. For example, even though they know that their child will be engaged in domestic work, parents may place their children with a new family, not as a "worker", but as a "daughter" or "son" (Baum, 2011). This study stresses that the daily experience of discrimination and their isolation is the most difficult part of the psychological toll. It cites a study in Bangladesh stating that "it was neither the verbal or physical punishments, nor the possible lack of material goods or even food, that upset [child domestic workers] the most; it was the discrimination,

¹² BSAF, not dated. Need Gap Analysis of Child Domestic Workers in Bangladesh, Global March.

¹³ Blagbrough, J., 2013. Anti-Slavery International. Home Truth: Wellbeing and vulnerabilities of child domestic workers.

¹⁴ ILO, IPEC, 2013. Ending child labour in domestic work and protecting young workers from abusive working conditions.

exclusion, disrespect, ingratitude, and other assaults on their emotional needs that truly hurt them' (ibid).

1.1 Exploration of the Drivers-Push-Pull Factors of Child Labour

Child labour is a multidimensional phenomenon caused and propelled by interconnected factors. These factors can be categorized into economic, educational, sociological, psychological/ behavioral and natural clusters, and are detailed in the following Box 4. Push factors refer to the supply side factors that nudge a child towards labour. Pull factors are related to the demand side of child labour, from employers, businesses, and society. The drivers are the factors that are conducive to child labour and play a role in sustaining and aggravating child labour. The interaction of these factors increases the likelihood of becoming engaged in labour (Norpoth, J. et al., 2014).

Household income and poverty factors play a significant role in the decisions affecting children's time. Along with income, land ownership and farm ownership influence children's activities, and particularly the likelihood of full-time school attendance. Children from households with land or with a farm business are about five percentage points more likely to attend school full-time, while at the same time slightly less likely to work full-time in employment. Other socio-economic factors related to poverty such as unemployment, lack of social safety nets and securities, migration from rural to urban areas, seasonal migration, and indebtedness also contribute to child labour (UCW, 2011).

Box 4: Child Labour Factors

	Economic	Educational	Sociological	Psychological/ behavioral	Natural and other
Push (supply side)	<ul style="list-style-type: none"> ▪ Poverty ▪ High number of dependents in the family ▪ Need for supplemental income ▪ High educational expenses including books and uniform ▪ High opportunity cost of education in terms of income sacrificed ▪ Migration ▪ Unemployment of adult family members causing dependence on child labourers for work and incomes ▪ Indebtedness leading to bonded child labour as a means of repayment ▪ Attraction to pocket money of the child 	<ul style="list-style-type: none"> ▪ Lack of access to school ▪ Poor quality of education ▪ Lack of parents' education ▪ Lack of relevancy in lessons ▪ High expenses and opportunity cost of education ▪ Lack of opportunities for children graduating from school ▪ Inadequate access to water and sanitation facilities 	<ul style="list-style-type: none"> ▪ Social exclusion (marginalization due to ethnicity, religion or class) ▪ Social norms ▪ Social insecurity ▪ Lack of legal birth documents ▪ Lack of social security programs ▪ Broken family (due to death or divorce) ▪ Less preference for girl children education ▪ Learning skills at an early age helps a girl with getting married 	<ul style="list-style-type: none"> ▪ Indifference towards or lack of awareness about child labour ▪ Lack of awareness about importance of education ▪ Work is good for the character-building and skill development ▪ Children need to learn and practice family trade 	<ul style="list-style-type: none"> ▪ Natural disasters such as loss of land due to flooding, erosion, cyclones, ▪ Death in the family due to diseases, ▪ Armed conflict, ▪ Climate change
Pull (demand side)	<ul style="list-style-type: none"> ▪ Relatively cheap form of labour ▪ Inability to form unions ▪ Labour intensive private industries have a constant demand for cheap labour 	<ul style="list-style-type: none"> ▪ Outdated technology and expansion of employment with heavy reliance on cheap labour (at the backdrop of narrow scope of formal adult employment and employability) 	<ul style="list-style-type: none"> ▪ Acceptance of child labour among employers ▪ Domestic work ensures food, shelter and some education 	<ul style="list-style-type: none"> ▪ Wide acceptance of child labour among the employers due to obedient nature of children ▪ Tendency of certain employers to exploit children to make more profit 	<ul style="list-style-type: none"> ▪ Opportunity of displaced families to find employment of their children at urban centers.
Driver	<ul style="list-style-type: none"> ▪ Globalization and expansion of cheap labour at rural and urban locations. 	<ul style="list-style-type: none"> ▪ Lack of connectivity of education and employment due to poor quality 	<ul style="list-style-type: none"> ▪ Human trafficking ▪ Drug smuggling ▪ Prostitution ▪ Lack of acknowledgement 	<ul style="list-style-type: none"> ▪ Dependency on affluent families on child domestic work ▪ Expansion of 	<ul style="list-style-type: none"> ▪ Climate change.

		and absence of marketable skill building	<ul style="list-style-type: none"> ▪ from the government ▪ Lack of enforcement of laws, penalties too little to deter child labour ▪ Lack of awareness about child labour being illegal ▪ Legal gaps ▪ Lack of monitoring and enforcement 	consumerism	
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Source: Team Consolidation based on multiple sources.

The relative composition of adults and children within the household is a critical factor in devising household strategies. Evidence shows that children from households with more adults, and therefore more available breadwinners, are less likely to work and more likely to attend school, although the magnitude of these effects is not large. In contrast, children from households with more dependents are more likely to work and less likely to go to school (UCW, 2011).

Challenges related to education make schools less attractive and push children into work. Basic primary education is free as far as direct costs and school books are concerned. Many indirect costs are involved such as transport, uniforms, pens, pencils, and notebooks, which often lead to dropouts and child labour (Ali, AKM. M, 2014). The lack of access to schools, the poor quality of education, high expenses of education, the high opportunity cost of education, irrelevant curriculum, and limited knowledge about the importance of education contribute to make education less attractive. As a result, children tend to be illiterate and unskilled without being able to transition into a decent adult working life.

Bangladesh has only limited provision for pre-vocational/ vocational skills training and there are related constraints such as the quality of the skills training, market and employment linkages and certification. While this could be an attractive option to working/ disadvantaged children and their families, there is little institutional capacity and technical expertise required to deliver skill training facilities effectively.

Parents' education, and especially of the household head, plays a role in the decision to send a child to work. The effect of an increase in parents' education levels on children's school attendance is strong and positive. Children from households where the head has at least a primary education are six percentage points more likely to attend school full-time in comparison to children from households whose heads are uneducated. A secondary education level results in a further five percentage point rise in the likelihood of full-time school attendance (Sarker et al., 2007).

Economic growth can trigger increased demand of labour which in turn can influence households' choices. Higher labour demands result in a large rise in the likelihood of children's full-time employment and a large fall in the likelihood of full-time school attendance.

Social norms, as well as behavioural and psychological factors, play a significant role in child labour. There are multiple social and cultural norms and practice that have for long affected the rights of children in Bangladesh (UNICEF¹⁵). Traditional and gender norms, along with ineffectiveness of laws/ development plans and barriers in providing essential services work against children's right to survive, develop and participate. For example, the excessive dependence of affluent families on child domestic workers is a driver of child labour. Often parents believe that work is good for skill development (Norpoth et al., 2014). Sometimes, there is a simple indifference towards child labour due to local customs and practices. Girls are less preferred to boys when it comes to education and they are put to work at home or placed into domestic employment which in cases may lead to trafficking and sex work.¹⁶ Work in home-based industries is often seen as a way of acquiring skills and beneficial for marriage (IREWOC, 2010).

¹⁵ UNICEF. The challenge: Identified key household behaviours affect children from before birth to the onset of young adulthood.

¹⁶ Source: https://www.ilo.org/moscow/areas-of-work/child-labour/WCMS_248984/lang--en/index.htm.

To a certain extent, the economic literature on child labour ignored the role of cultural aspects influencing child labour decisions such as the role of the informal social norms. In this regard, economists are now recognizing the inclusion of norms of “filial obligations” and norms of “social approval” or “social stigma” in child labour related decision making together with a concept of “intergenerational child labour trap” (Basu, 1999). For Bangladesh, social norms and economic realities mean that child labour is widely accepted and very common in the country. Many families rely on the income generated by their children, reflecting the “filial obligation”, leading to high social value of child labour.

Social exclusion and ethnic marginalization can also make children vulnerable to child labour. Apart from family and/ or community poverty, marginalization due to ethnicity, religion or caste, divorce or death of a family member can lead to social exclusion which can also lead to child labour (W.R. Avis, 2017).

One of the factors working behind the widespread acceptance of child labour is employers’ preference for child labour. The main reason is that they are cheaper and more compliant than adults (UNICEF, 2010). Their inability to form unions works as an incentive for the employers to hire them (Sarker, et al, 2007).

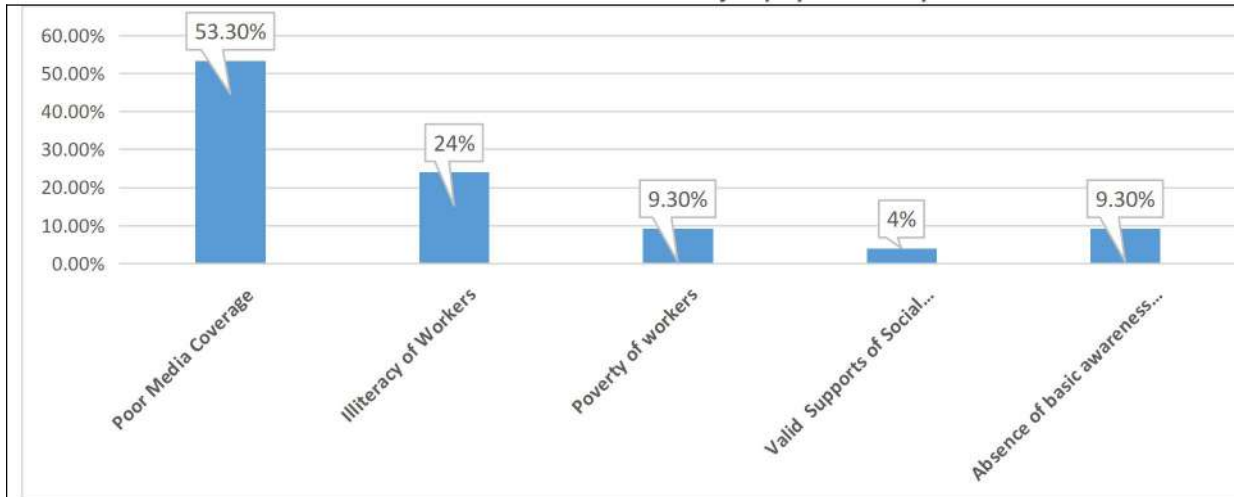
In the globalized world, human trafficking can also drive child labour.¹⁷ This is, however difficult to measure and observe due to its illicit and hidden nature.

Natural disasters and climate change can exacerbate child labour by disrupting the natural resource base of the communities and triggering displacement or compelled rural-urban migration. The displaced households, as a survival strategy, seek out employment for the highest numbers of their members. This makes children vulnerable to child labour and trafficking. However, there is a time dimension in the vulnerability, integration and empowerment of these displaced populations (Ali, AKM. M, 2017).

Lack of policy-legal awareness of the employers have been found critical in contributing to the employment of child labour. In general, the level of awareness on child labour is low. A study on the Domestic Workers Protection and Welfare Policy (DWPWP) and its applications to managing human resources in the informal sector in Bangladesh reveals that only 7% of the employers were aware of the policy (Shariful, Sharkar, 2017). The study explored the reasons behind poor policy awareness, identifying the poor media coverage as the prime reason, followed by illiteracy (Box 5).

¹⁷ U.S. Department of Labour. Bureau of International Labour Affairs, 2016. Child Labour and Forced Labour Reports, Bangladesh.

Box 5: Reasons Behind Poor Awareness of Employers on Policy



Source: Shariful, Sharkar, 2017. Understanding domestic workers protection & welfare policy and evaluating its applications to managing human resources of the informal sector in Bangladesh.

Gaps in legislation and limited implementation also contribute to child labour. An ILO study notes that the current legislation focuses on the formal or semi-formal work settings and ignores the employment of children in the rural economy. No reference is made in the legislation regarding the agriculture sector (with the exception of tea plantations), the small-scale informal sector businesses or the family-based employment, which collectively account for 80% of total child employment. The lack of adequate legislative provisions regarding hazardous work is a concern. The enforcement of child labour legislation outside the export-oriented garment sector also remains a major challenge (UCW, 2011).

1.2 National Response

National response comprise of institutional arrangements, legal regulation, policy provisions and resource mobilization.

Institutional Arrangements

Child labour activities is mainly the responsibility of the Ministry of Labour and Employment (MoLE) through the Child Labour Unit (CLU). The CLU was formed in 2009, and is responsible for ensuring that all child labour related policies and interventions are planned and executed in an integrated and coordinated manner. Key responsibilities are exposed in Box 6.

Box 6: Key responsibilities of the Child Labour Unit

- Promoting, strengthening and coordinating partnership;
- Developing an integrated child labour management system;
- Facilitating for the finalization of the list of hazardous works or occupations;
- Collaborating and monitoring with partners ministries, institutions and concerned stakeholders;
- Intervening on issues concerning child labour;
- Facilitating the formulation of the National Plan of Action;
- Organizing the national awareness campaign.

Source: GOB, National Plan of Action for Implementing the National Child labour Elimination Policy 2012-2016.

The National Child Labour Welfare Council (NCLWC)¹⁸ is an apex body focusing on convergence and coordination of child labour activities. The NCLWC is responsible for the coordination among stakeholders involved in implementing programmes to eliminate child labour. The council prepares analytical reviews of the situation of child labour and advises the government on actions to be taken to implement the National Child Labour Elimination Policy and related National Plan of Action. The NCLWC also monitors the implementation of the legal instruments and interventions on the ground.

¹⁸ GOB, MoLE, 2013. National Plan of Action for Implementing the National Child Labour Elimination Policy (2012-2016).

It has the mandate to conduct investigations. The NCLWC has formed a Child Labour Monitoring Committee which conducts routine monitoring (especially the informal sector) alongside the Department of Inspection for Factories and Establishments (DIFE) initiatives.

Equivalent bodies exist at the division, district and Upazila levels. As the District Child Rights Monitoring Forum (DCRMF) was already functional, it was entrusted with the coordination and monitoring of the NPA implementation at the district level. It is noteworthy that, at the district level, the child labour elimination is integrated into activities on children’s rights in general, allowing links with education, health and safety as well as coordination with the Ministries of Women and Children and of Primary and Mass Education.

The Department of Inspection for Factories and Establishments (DIFE) is the second department under MoLE involved in child labour related activities. The DIFE¹⁹ is responsible for ensuring welfare, safety and health of human resource engaged in various sectors. The department runs inspections and acts as an adviser body for workers and employers regarding the enforcement of the legal framework. DIFE’s mandate also includes active collaboration with the government and stakeholders in the formulation of policies and measures to ensure adequate working environments. In 2017, the mandate of labour inspectors was expanded to cover the informal enterprises and workplaces listed as hazardous for children. Child labour is now part of the Standard Operating Procedure for inspections. The Inspectorate has also been upgraded to a department and the number of labour inspectors increased.²⁰

Additional coordination bodies under the Ministry of Home Affairs (MOHA) intervene in broader child trafficking issues. The Counter-Trafficking National Coordination Committee, and the Rescue, Recovery, Repatriation and Integration Task Force coordinate government ministries working on human trafficking and children trafficking, including such issues as forced labour and debt bondage.

Key sectoral ministries are involved as collaborative bodies. As the government recognised the need to use an integrated approach to tackle child labour, the Child Labour Elimination Policy exposed the measures to be taken in the implementation strategy and involve a variety of sectors.

The government has established institutional mechanisms for the enforcement of laws and regulations on child labour. However, gaps exist within the operations of the Department of Inspection for Factories and Establishments that may hinder adequate enforcement of the child labour laws. The agencies responsible for child labour law enforcement are listed below:

Box 7: Agencies Responsible for Child Labor Law Enforcement

Organization/ Agency	Role
DIFE	<ul style="list-style-type: none"> Enforces labour laws, including those relating to child labour/ hazardous child labour.²¹
Bangladesh Police	<ul style="list-style-type: none"> Enforces Penal Code provisions protecting children from forced labour and commercial sexual exploitation.²² In the case of the Trafficking in Persons Monitoring Cell, investigates cases of human trafficking and enforces anti-trafficking provisions of the Prevention and Suppression of Human Trafficking Act.²³
Bangladesh Labour Court	<ul style="list-style-type: none"> Prosecutes labour law violations, including those related to child labour, and impose fines or sanctions against employers.²⁴ Only the adolescent workers are legally recognized.
Child Protection Networks	<ul style="list-style-type: none"> Respond to violations against children, including child labour. Comprise officials from various agencies with mandates to protect children, prosecute violations, monitor interventions, and develop referral mechanisms at the district and sub-district levels between law enforcement and social welfare services.²⁵

¹⁹ source: <http://dife.gov.bd/>

²⁰ Achievement of the Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) project. A training of trainers for labour inspectors was organized and the DIFE has since included child labour in their inspection checklist and reports.

²¹ GOB, MoLE, 2017. U.S. Department of Labour Request for Information on Child Labour and Forced Labour.

²² U.S. Embassy-Dhaka official, 2014.

²³ GOB, Ministry of Home Affairs, 2015. National Plan of Action for Combating Human Trafficking 2015-2017.

²⁴ GOB, DIFE, 2015. Questions from U.S. Government.

²⁵ U.S. Department of State. Country Reports on Human Rights Practices- 2017: Bangladesh. Washington, DC. March 3, 2017.

Overview of Labour Law Enforcement	2016	2017
Complaint Mechanism Exists	Yes	Yes
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No	No

Source: Team Consolidation based on GOB, MoLE, 2017, and U.S. Embassy- Dhaka, February 13, 2018

Legal and Regulatory Framework

Though Bangladesh ratified various child labour-related international conventions, it has not signed the Convention No. 138 on Minimum Age yet. The GOB was one of the first countries to ratify the Convention on the Rights of the Child (UNCRC/ CRC), in 1990. In 2001, the country signed the Convention No. 182 on the Worst Forms of Child Labour. However, to date, the country has not yet signed the Convention No. 138, as well as other relevant Conventions for child labour, presented in the following Box 8.

Box 8: Relevant Conventions Not Ratified

ILO Convention not ratified by Bangladesh	Relevance of the Convention
C138: Minimum age Convention, 1977	Harmonization of Labour Act with Children's Act 2013 and UNCRC
C077: Medical Examination of Young Persons (Industry) Convention, 1946, C078: Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946	There are children employed/ working in these types of circumstances and there are provisions of medical certification and supervision of adolescent workers are within the Labour Act 2006 (amended).
C124: Medical Examination of Young Persons (Underground Work) Convention, 1965	
C124: Medical Examination of Young Persons (Underground Work) Convention, 1965	
C184: Safety and Health in Agriculture Convention, 2001 C188: Work in Fishing Convention, 2007	A large proportion of children are employed/ work in agriculture
C189: Domestic Workers Convention, 2011 C177: Home Work Convention, 1996	A large presence of child children in the sector with no appropriate legal instrument.
C190: Violence and Harassment Convention, 2019	Children just as adults are exposed to workplace violence and harassment

Source: Team Consolidation based on ILO.²⁶

The Children Act 2013 sets the age of children below 18 years as a part of the harmonization of national legislation with the provisions of the CRC. The Act provides for the establishment of Child Welfare Boards at national, district and Upazilla levels, sets minimum standards of care, provides for the establishment of child-friendly desk at police stations and presents directives on duties and responsibilities of the Probation Officers. However, working children are excluded from the definitions of disadvantaged children.

The Labour Act 2006 (amended in 2013) provides for the legal definition of child labour (below 14) and adolescent labour (14-18). This Act allows children aged to 14-18 for light work with a health certificate from the appropriate authority. The Labour Act directs the government to prepare and update a list of hazardous work for adolescents. Apart from the age variation (with CRC, Children Act 2013 and National Children Policy 2011), another limitation of the Act is that its jurisdiction is largely limited to the formal sector of the economy while the largest majority of the children engaged in hazardous work are employed in the informal sectors (such as domestic work).

The draft Education Act 2016 provides for compulsory education to include two years of pre-primary education and eight years of primary education. It also provides guidelines for the management committee and the registration of educational institutions. The low age of completion of minimum/ compulsory education puts children at risk of employment below 18 years of age.

The Primary Education (Compulsory) Act 1990 supports all children aged 6-10 to get admission in primary education and makes such enrolment compulsory. It prohibits any engagement of children (e.g. in employment) which bars their enrolment to primary education. It facilitates such enrolment for permanent dwellers, which makes it difficult for the internal migrants and displaced population to oblige the legal obligation.

²⁶ Source: [ILO](#).

The Prevention and Suppression of Human Trafficking Act 2012 has a clear definition of human trafficking in which economic exploitation, forced labour, sexual exploitation of children are criminalized. The law clearly addresses the rights of the children by eliminating the issue of “consent” in case of a child victim of trafficking (inclusive of forced labour and sexual exploitation). The Act provides access for the victim to camera trial and other special protections at the court of law. The law directs the government to set up a separate special tribunal to expedite the legal proceedings. However, the special tribunal is yet to be established and the rate of conviction is extremely poor.

Box9: Laws and Regulations on Child Labour

Standard	Age	Legislation
Minimum Age for Work	14	• Section 34 of the Bangladesh Labour Act.
Minimum Age for Hazardous Work	18	• Sections 39–42 of the Bangladesh Labour Act.
Hazardous Occupations or Activities Prohibited for Children		• Sections 39–42 of the Bangladesh Labour Act; • Statutory Regulatory Order Number 65 ²⁷ 28
Prohibition of Forced Labour		• Sections 370 and 374 of the Penal Code; • Sections 3, 6, and 9 of the Prevention and Suppression of Human Trafficking Act.
Prohibition of Child Trafficking		• Sections 3 and 6 of the Prevention and Suppression of Human Trafficking Act; • Section 6 of the Suppression of Violence against Women and Children Act.
Prohibition of Commercial Sexual Exploitation of Children		• Sections 372 and 373 of the Penal Code; • Sections 78 and 80 of the Children’s Act; • Sections 3 and 6 of the Prevention and Suppression of Human Trafficking Act; • Section 8 of the Pornography Control Act.
Prohibition of Using Children in Illicit Activities		• Section 79 of the Children’s Act.
Compulsory Education Age	10	• Section 2 of the Primary Education (Compulsory) Act.
Free Public Education		• Article 17 of the Constitution, Education Act 2016 (Draft).

Source: United States Department of Labor’s Bureau of International Labor Affairs. Bangladesh Moderate Progress; 2017 Findings on the Worst Forms of Child Labor.

National Policies

The National Child Labour Elimination Policy (NCLEP) of 2010 is the national pillar with regard to the prevention and elimination of child labour. As the Labour Act, it defines the child as a person below the age of 14 years and the adolescent a person who has completed 14 years but falls below 18 years. It has a focus on the formal sector and provides for education, legislation and enforcement, prevention of child labour and safety of children, and social and family reintegration. Objectives include:

- withdrawing working children from hazardous work and the WFCL;
- involving parents of working children in income-generating activities;
- offering stipend and grant in order to bring the working children back to school;
- extending special attention for the children who are affected by natural disasters;
- providing special emphasis for indigenous and physically challenged children;
- ensuring coordination amongst the concerned stakeholders and sectors;
- enacting pragmatic laws and strengthening institutional capacity for their enforcement;
- raising awareness amongst parents, mass people and civil societies about the harmful consequences of child labour; and
- Planning and implementing different short, medium and long term strategies and programs to eliminate various forms of child labour.

²⁷ GOB, 2006. Labour Law (amended in 2013).

²⁸ GOB, Ministry of Labour and Employment, Child Labour Unit, 2013. List of Worst Forms of Works for Children.

The National Children Policy 2011 defines a child as any person below the age of 18 years.²⁹ The policy deals with children's right to education, health, leisure, cultural activities and birth registration while recognizing the special rights of the children with disabilities, children of the minority/ ethnic minority and rights of the adolescents and their development. Although the policy (Section 9) has 11 provisions based on the NCLEP 2010, it is not fully congruent with it. The policy also does not provide guidelines regarding the coordination among the 10 ministries identified for its implementation.

The National Plan of Action (NPA) on the elimination of child labour 2012-2016 was adopted to implement the NCLEP 2010. The NPA followed the strategic guideline of the NCLEP with interventions corresponding to the outputs under these strategic areas. It also identified the roles of government and non-government actors with an indicative budget for its effective implementation. As recommended by the NPA, the Child Labour Welfare Council was formulated in 2014 and the Child Labour Welfare Council (DCLWC) and Upazila Child Labour Monitoring Committee (UCLMC) formed at a later stage. In practice, no significant effort to implement the plan could be observed. The NPA, among others, did not hold clear priority on the elimination of the WFCL. It also did not clearly state geography-based and sector-based approaches to address child labour.³⁰ Although its initial expiry was 2016, the government extended it until 2021. There is no evaluation on the progress of its implementation.

The Domestic Workers Protection and Welfare Policy 2015 sets the minimum age of employment at 12 years while stressing that child domestic workers cannot be engaged in heavy and dangerous work. It establishes a very loose grievance settlement process in which a domestic worker is to report to the government monitoring cell, human rights organizations and workers' associations or to child helplines (in case of children) for support. The policy provides an unspecified amount of compensation for work-related accidents and injuries with the proclamation of access of the domestic workers to the coverage of the Workers' Welfare Fund of MoLE. The policy, without any supportive legal instrument and mass awareness, is largely unimplemented.³¹

The list of Hazardous Work for Children 2013 includes a total of 38 work/ sectors of employment. Among others, the government (MoLE) did not include child domestic work in the list of hazardous work along with sectors such as dry fish and waste disposal.³² The list leaves a large proportion of child labour in a hazardous situation.

The National Education Policy 2010 introduced pre-primary education, universal primary education up to class eight. It also keeps scope (narrow) for vocational education at the primary level in all government primary schools. Among others, it calls for the removal of barriers to education and provisions on alternative arrangements for working children. As its goal, the policy directs the government to bring all socially and economically disadvantaged children under the education service. For street and other disadvantaged children, it calls for extending support for free admission, free education materials, mid-day meal and stipend in order to prevent drop-out. The implementation of universal primary education is hampered by infrastructural limitations.

The Seventh Five Year Plan (SFYP) 2016-2020 under its inclusion strategy addresses child labour and calls for effective measures to reduce child labour and to eliminate the WFCL. It commits to formulate a policy for children in the formal sector focusing on those caught up in the WFCL. Street children are to be assisted through a multi-stakeholder coordinated approach for protection from abuse and effective rehabilitation and development. The SFYP commits to promote access of the working children to learning opportunities in formal and non-formal facilities, especially for the vulnerable households.

The SFYP recognizes that, despite the impressive progress made in the legal and policy framework, the changes in child labour and other harmful attitudes and norms has been slow. The reasons for

²⁹ It replaced the National Children Policy 1994 to include the principles and provisions of the CRC, including non-discrimination, best interest of children and child participation.

³⁰ Terre des Hommes, 2019. Report on Multi-Stakeholder Consultation on elimination of WFCL, TdH Netherlands.

³¹ Islam, Mohammad & Sharkar, Md, 2017. Understanding domestic workers protection & welfare policy and evaluating its applications to managing human resources of informal sector in Bangladesh. Journal of Asian Business Strategy.

³² Winrock International, 2019. Child Labour Improvements in Bangladesh. Consultation on Elimination of WFCL.

this include the lack of enforcement capacity for these laws and the lack of public awareness. The plan notes that the government must persist in its efforts to empower children by scaling up awareness campaigns to ensure these laws become common knowledge to all and that every household is sensitized. The SFYP however, largely depends on the National Plan of Action for Implementing the National Child Labour Elimination Policy 2010, which had not progressed much in meetings its 10 objectives.

The National Plan of Action on Implementation of the SDGs has been adopted by the Ministry of Planning with the participation of all the relevant ministries including MoLE. The MoLE had identified projects/programs up to 2020 to meet the SDG goal 8.7: a) Implementation of eradication of hazardous child labour in Bangladesh; b) 38 Hazardous sector list wise database; c) Stocktaking of the interventions; d) Strengthening DIFE and Divisional, District and Upazilla level committees and make them functional; e) Review the current NPA and develop a short-term NPA for 2021 and mid-term up to 2025; f) Develop an effective coordination mechanisms. The progress of planned actions up to 2020 is not much visible.

MoLE has also identified actions beyond the SFYP (2021-2030). 1) Introduce registration system for the domestic work sector for monitoring purpose; 2) Increase manpower in the DIFE; 3) Create a complaint management cell within the ministry and departments; 4) Design effective awareness programs and initiate outreach activities targeting major stakeholders; 5) Undertake measures to promote CSR activities; 6) Scale-up the successful parts of the SFYP; 7) Introduce safety net programs for the vulnerable families; 9) Enact domestic work protection law; 8) Develop regulatory framework for informal sector; 10) Preparation for ratification of ILO Convention 138 and others.

The National Plan of Action on Prevention and Suppression of Human Trafficking 2018-2022³³ addresses the concern of child trafficking, including forced child labour. It recognizes special provisions and protections needed for children both vulnerable to and victims of trafficking, but it does not have specific interventions for all aspects of prevention, protection, prosecution and integration-related strategic objectives of the NPA. It has, however, promoted child participation in the partnership cluster by including child representatives in the Counter-Trafficking Committees (CTCs).

Resource Mobilization

The government is currently spending 2.55% of GDP for children. Between 2017/18 and 2018/19, on an average, 14% of the national budget was allocated to children in Bangladesh. However, the child-focused budget does not allow to extract the amount of spending allocated to the reduction of child labour. It covers a variety of activities including cash transfers, informal education, training, prevention initiatives, capacity building, and institutional modifications. Health and education sectors are critical and distribute significant allocations to children. Over the past three years, the allocation of MoLE to children averaged 8.2%. Recently, additional efforts have been made.

The GOB spends over 15% of its total public expenditures on 84 social safety net programs that serve the poor and the vulnerable population.³⁴ In 2011, the government initiated a pilot project to study the feasibility of creating a national population database with the intention of improving access to these social safety net programs.³⁵ The research paper mentions that whether these programs or other social safety net programs, have an impact on child labour has not been studied.³⁶

The GOB collaborates with the United Nations and development partners to mobilize dedicated resources. The government has wide networking and partnership with different agencies and nations.

³³ Under MoHA, addresses the SDG Goal 16.2.

³⁴ The News Today, 2011. PM urges development partners to continue support, October 10.

³⁵ Futuregov, 2011. Bangladesh starts National Population Register Project, July 14.

³⁶ Government of Bangladesh, 2011. Ministry of Women and Children Affairs Medium Term Expenditure; Dhaka.

Resource allocations across stakeholders are not yet harmonized. The investments are usually project-based and lack continuity and connectivity with other initiatives. Moreover, the government is yet to tap private resources under Corporate Social Responsibility (CSR). Although there is a draft CSR policy, no visible presence of the national or global partnership with the corporate sector is visible at government level. NGOs and INGOs are tapping national and global CSR resources for small time-bound initiatives.³⁷

³⁷ Save the Children in Bangladesh, 2014. Mapping of Good Child Rights Corporate Social Responsibility (CSR) Practices in Bangladesh, Child Rights Governance (CRG).

CHAPTER-TWO

NPA (2020-2025): A Strategic Overview³⁸

Based on the analysis of the context and the experience of implementation of the previous NPA (2012-2016), the current NPA identifies the relevance of the strategic objectives adopted by the previous NPA. At the same time, the current NPA identifies the actions relevant to address child labour within the SDG implementation strategy of GoB.

The present NPA is based on two key strategic components.

1. The Actions Built within SDG Implementation strategy of GoB
2. The SDG plus Actions to eliminate child labour

2.1. The Actions built with the SDG Implementation strategy of GoB

Within the SDG implementation strategy there are five strategic clusters of interventions which are relevant in addressing child labour. The current NPA 2020-2022 therefore build around these five objectives reflected within the SDG implementation strategy paper of GoB.

Strategic Objective-1. Reducing vulnerability to child labour.

This among involves the following outputs:

Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).

Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE).

Output: 1.3 Support to the households of the vulnerable children for economic empowerment.

Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.

Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.

Strategic Objective -2. Withdrawing children from hazardous and worst forms of child labour

This involves the following outputs:

Output-2.1: Review and updating of the list of hazardous child labour.

Output-2.2: Identification and referral guidelines adopted.

Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement.

Output-2.4: Shelter for children without parental care.

Output-2.5: Support to the households of the withdrawn children for economic empowerment

Strategic Objective -3. Increased capacity to protect children at workplace

This involves the following outputs:

Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector.

³⁸ The strategic guidelines have evolved through a series of multi-stakeholder consultations. The process was steered by the National Child Labour Welfare Council under the leadership of the MoLE and DIFE with the support of INCIDN Bangladesh and the CLIMB project of Winrock International.

Output-3.2: Strengthening enforcement of legal and protection provisions.

Output-3.3: Access of child labour to education, skills, economic support for healthy development. Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.

Strategic Objective -4. Partnership and multi-sectoral engagement

This involves the following outputs:

Output-4.1: Coordinating amongst the concerned stakeholders and sectors through NCLWC for the welfare of working children.

Output-4.2: Holding annual conference on progress of NPA implementation (celebrating success and rewarding/recognizing champions).

Output-4.3: Increased engagement of LEB, CSOs, Private Sector and Mass Media in resource mobilization and implementation of NPA

Strategic Objective -5. Monitoring and Evaluation of NPA implementation

This involves the following outputs:

Output-5.1: Developing a database on child labour.

Output-5.2: Periodic monitoring and reporting by national CL monitoring committee and BBS.

Output-5.3: National Child Labour Survey

Output-5.4: Mid-term (2021) and end-term evaluation (2025) of NPA implementation.

As per the suggestions of the consultations, in harmony with the SDG milestones, the current NPA has adopted two primary targets. Firstly, to eliminate worst form of child labour (WFCL) by 2021. Secondly, to eliminate all form of child labour by 2025. The NPA is hence aligned with the SDG implementation plan of the Government of Bangladesh (GoB).³⁹ The following matrix presents the inter-linkages of the NPA strategic objections and its outputs with the SDG targets.

NPA (2020-25)	SDG Targets	Focal Agency(s)
Strategic Objective-1. Reducing vulnerability to child labour.		
Output-1.1	8.7.1, 4.1.1, 16.10.2	MoLE, , MoPME, MoInf
Output-1.2	8.7.1, 4.5.1 , 4.2.1-4.2.6, 4.21, 4.31, 4.5.1, 4.6.1	MoLE, , SHED, MoPME, MoEF
Output-1.3	8.7.1, 1.1.1, 1.2.2, 1.3.1, 1.4.1	MoLE, CD
Output-1.4	8.7.1	MoLE,
Output-1.5	8.7.1	MoLE,
Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour		
Output-2.1	8.7.1	MoLE,
Output-2.2	8.7.1	MoLE,
Output-2.3	8.7.1, 4.3.1, 1.1.1, 16.2.2	MoLE, MoE (TMED), CD, MoHA
Output-2.4	5.4.1	MoSW
Output-2.5	1.1.1	CD
Strategic Objective -3. Increased capacity to protect children at workplace		
Output-3.1	8.7.1	MoLE
Output-3.2	8.7.1, 4.a.1, 5.1.1, 5.2.1, 5.3.1, 5.c.1	MoLE, MoPME, MoWCA
Output-3.3	8.7.1, 4.6.1, 5.4.1	MoLE, MoPME, MoSW
Strategic Objective -4. Partnership and multi-sectoral engagement		

³⁹ Action Plan of Ministires/Divisions by targets in the implementation of SDGs aligning with 7th Five Year Plan and Beyond; General Economics Division (GED), (Making Growth Works for the Poor), Bangladesh Planning Commission, Ministry of Planning, GoB, June, 2018

Output-4.1	8.7.1	MoLE
Output-4.2	8.7.1	MoLE
Output-4.3	8.7.1	MoLE
Strategic Objective -5. Monitoring and Evaluation of NPA implementation		
Output-5.1	8.7.1	MoLE
Output-5.2	8.7.1, 17.18.1	MoLE, BBS
Output-5.3	8.7.1	MoLE
Output-5.4	8.7.1	MoLE

The matrix in below provide the overall planning. It involves three components- a) SDG actions planned and proposed by different ministries (in plain black) ; b) Actions planned under 2012-16 NPA still to be implemented (highlighted in royal blue) ; and c) Additional propositions (in red/yellow highlighted).

2.2. The SDG plus actions to eliminate child labour

There are nine strategic areas of interventions built within the NPA 2012-2016. A brief list of the key outputs under each of the nine strategic areas of intervention are as follows:

Strategic Area and Outputs

1. Policy Implementation and Institutional Development

- 1.1 Review and Update the NPA and the list of Hazardous Child Labour
- 1.2 Policies related to child labour elimination are implemented, monitored and evaluated
- 1.3 Institutional capacity of concerned institutions strengthened to effectively implement NPA.

2. Education

- 2.1 Accessible educational facilities and opportunities for working children and poor children are ensured.
- 2.2 Access to Technical and Vocational education and training programmes for working adolescents and their parents is provided.
- 2.3 Children are socially empowered through training and social networks.

3. Health and Nutrition

- 3.1 Access to health and nutrition education ensured for all households with working children or of those at risk of sending children for labour.
- 3.2 Opportunities created to ensure access to health services.

4. Social Awareness Raising and Motivation

- 4.1 Children, parents, employers, trade unions, civil society, and concerned state officials are critically aware of harmful effects of child labour and HWFCL and motivated to demonstrate positive attitude and behavioral patterns towards the elimination of child labour.
- 4.2 Community based mechanisms to prevent child labour is established and strengthened.

5. Legislation and Enforcement

- 5.1 Existing laws and rules related to child labour issues (in both formal and informal sector).
- 5.2 Child labour related laws and rules are enforced.
- 5.3 Inspection and monitoring of child labour in the informal sector and agricultural sector are strengthened.

6. Employment and Labour Market

- 6.1 Employment opportunities created and access to labour markets ensured for adolescents who are trained and eligible for work as per legal provision.
- 6.2 Small scale income generating enterprises created through effective involvement of vocationally trained adolescents of their families.

7. Prevention of Child Labour and Safety of Children Engaged in Labour

- 7.1 Employment opportunities created for adults and parents of extreme poor and working children.
- 7.2 Children aged below 14 years are prevented from engaging in child labour and kept in school.
- 7.3 Working adolescents aged 14 to less than 18 years and protected from hazardous work.
- 7.4 Children protected from trafficking and sexual exploitation.

8. Social and Family Reintegration

- 8.1 Children withdrawn from HWFCL are reintegrated with their families or within society.

9. Research and Training

9.1 Information on hazardous and worst forms of child labour (WFCL) is updated for supporting the effective implementation of the NPA.

9.2 Managerial and operational capacities of concerned stakeholders in addressing child labour are enhanced.

The current NPA 2020-2022 finds these areas of interventions still relevant and builds additional (SDG plus) actions to address child labour. These actions in addition to the actions reflected with the SDG implementation strategy paper reflects a gap which needs to be addressed in future by reforming the SDG implementation strategy and in the upcoming 8th Five Year Plan of the country.

The NPA also includes an outline of strategy to address child labour during and in post-COVID-19 phase. This complies with the SDG Target 3.b and Target 3.8.

2.3 Basic Principles of the NPA

Keeping in mind the National Child Labour Elimination Policy of the country (see annex 1), the NPA 2021-2025 for is based on the following guiding principles-

- No discrimination against any one based on sex, religion, caste, education, political ideology, and wealth;
- Government responsibility and ownership;
- Justice for the victims of human trafficking;
- Protection of the best interests of the child victims¹³ and respect for human dignity of all during the rehabilitation, rescue and criminal justice processes (protection of victims from re-victimization /harassment);
- Civil Society Participation (or, PPP: public-private partnership);
- Participation of the local-level people and local government institutions;
- Interdisciplinary coordination or cross-section responsibilities shared amongst government agencies *per se* and between the government agencies, IOs and NGOs;
- Conformity with other relevant policies of the Government;

The NPA on elimination of child labour is mainstreamed within the key development plans of the government, primarily with Harmonized with the Action Plan of Ministries /Divisions by targets in the implementation of SDGs aligning with 7th Five Year Plan and Beyond prepared by General Economics Division (GED), (Making Growth Works for the Poor), Bangladesh Planning Commission, Ministry of Planning, GoB, June, 2018.

2.4 Lead Agency and other Government and Implementing Agencies

Ministry of Labour and Employment will lead the implementation of the current NPA 2020-2025. As there are many actions within the NPA which can only be implemented through collaboration of multiple ministries. As such implementation of NPA cannot be solely assigned to any single ministry. Therefore, in the implementation process of NPA 2020-2025, several ministries have been assigned to lead specific actions. In this regard, for SDG implementation specific ministries have been assigned with the lead-role for specific sets of Goals and Targets. The Ministry of Planning has assigned these roles. Each of the ministries are also well aware of their respective roles and responsibilities. The matrix of SDG implementation plans did not keep any space to reflect the roles of NGOs. However, it is expected that development partners, UN agencies, trade unions, NGO and INGOs will work with MoLE to map their interventions within the framework of NPA to avoid overlapping and appropriate division of responsibilities to complement the government process.

The NPA 2020-2025b also identifies a set of actions which are not yet reflected in the SDG implementation plan of GoB , although deems necessary to achieve the strategic objectives of the NPA. In the SDG plus actions roles of national and international NGOs, privates sector, UN agencies and development partners will be critical.. Even though it is not reflected in the matrix, these will be worked out in the implementation plan prepared by MoLE- to make the NPA operational.

2.5 Guideline for implementation of NPA 2018-2022

The NPA 2018-2022 has the following guiding principles:

The lead Ministry with the overall responsibility of overseeing the implementation of the NPA 2020-2025 will be the Ministry of Labour and Employment. At the same time, as per the roles assigned in SDG implementation plan, each of the ministries will take lead and cooperate with relevant ministries to achieve the assigned Goals and Expected Outputs by meeting the Development Targets.

- A. MoLE will bear the responsibility of mass dissemination of NPA 2020-2025. Specially, the NPA 2020-2025 shall be urgently sent to all stakeholders and to all the members of NCLWC and CLMC with a call for action. The MoLE shall prepare an **Implementation Plan** as per the need of meeting the SDG goals of 2021 and 2025.
- B. The Child Labour Welfare Council shall be responsible as the oversight body for NPA implementation. NCLWC shall coordinate, monitor and evaluate the implementation of the NPA 2020-2025 periodically (quarterly). It shall find out *relevant volunteering organisations* to work with it, through financing or rendering other technical support, in monitoring and evaluating various activities of the NPA. Each such organization shall be working geographically and/or in a specific sector in each administrative Division.
- C. In addition, to NCLWC the Child Labour Monitoring Committees shall carryout coordination and monitoring as per its mandate (see Annex 2 for the formation and makeup of these committees).
- D. Among others the NPA implementation process will be paying special attention **to children affected by natural calamities, integrating indigenous and physically and mentally challenged** children into the mainstream society, hold a **Priority to hazardous child labour and sectors with export potentialities, carry a dual focus** on both sectors and geography based priorities and **address gender** needs of girls and boys.
- E. MoLE is expected to mainstream the SDG plus actions of the NPA within the SDG implementation strategy of the government and in the upcoming 8th FYP through a consultation with different ministries and stakeholders to build a broader ownership on the NPA.

2.6 Users' Guideline for NPA 2018-2022

The NPA 2020-2025 is meant to be a guide for everyone involved in actions to eliminate child labour in Bangladesh, especially for those government agencies and other stakeholders who are given specific responsibilities to implement activities outlined above. The NPA outlines the most important steps to be taken and issues to be considered in setting up effective structures, legislative, or judicial, against child labour and procedures for the results-based monitoring, review and evaluation of the present Action Plan. The NPA has laid out directives on responsibilities of different actors.

The NPA 2020-2025 addresses both the formal and informal sector of engagement of child labour. It also addresses the WFCL (both the Hazardous Child Labour and Unconditional Worst Form of Child Labour and Child Labour in general. It builds its concepts on the Labour Act (2006) and relevant ILO conventions. The operational part of The Actions Built within SDG Implementation strategy of GoB is summarized and reflected in the first Matrix. It needs to be noted that the largest proportion of the project and project propositions are adopted from the **Action Plan of Ministries /Divisions by targets in the implementation of SDGs aligning with 7th Five Year Plan and Beyond**. While every government agency or any other implementing partner should mainly consider the task allocated to it as per the Action Plan shown in the matrix, it should first read the above thematic part of the NPA. Also, there are *notes* about how to use the Matrix of the plan of actions itself, which should also be strictly adhered to.

There is also a second matrix which identifies actions that needs to be implemented in addition to the actions mentioned in the SDG implementation strategy paper of the government. These SDG-plus actions are critical to full-fill the commitment of the government on elimination of child labour.

Each of the ministries involved in the implementation of the NPA, along with all such GOs and NGOs, needs to keep track of their responsibilities defined in the NPA 2020-2025- during annual planning and budgeting exercise. There is also a guideline on actions during and in post-covid-19 pandemic to address child labour at the last part of this document. The actions are indicative and relevant agencies are invited to carry these in coordination with MoLE.



Ministry of Labour and Employment

Draft

National Plan of Action to Eliminate Child Labour (2020-2025) Matrix-1 (Actions built within SDG implementation Strategy of GoB)



Ministry of Labour and Employment

Draft

National Plan of Action to Eliminate Child Labour (2020-2025) **Matrix-1 (Actions built within SDG implementation Strategy of GoB)**

Ministry of Labour and Employment (MoLE)

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).									
Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE)..									
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.									
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.									
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	8A
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	<u>Output-1.1</u>	Ministry of Labor and Employment (MoLE)	MoEWOE MoFA MoHA MoWCA SID MoYS MoSW MoHFA MoC MoInd MoTJ	Awareness Raising and Uthan Boithok on trafficking in person 2017 to 2020	100			4. Design effective awareness programs, and initiate outreach activities targeting major stakeholders – parents of the vulnerable, employers, community, local administration (2020-2025)	100
	<u>Output-1.3</u>							7. Introduce Safety net programs for the vulnerable families of child labour (2020-2025)	3000
	<u>Output-1.4</u>							Technological support & innovation for reducing dependency on child labour (2020-225)	100
	<u>Output-1.5</u>							3. Create a complaint management cell within the ministry and / departments (2020-2021)	50
	<u>Output-1.5</u>							6. Review current NPA and develop short term NPA for 2021 and Mid term up to 2025 & implementation	800.0

Ministry of Labour and Employment (MoLE)

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance). Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE).. Output: 1.3 Support to the households of the vulnerable children for economic empowerment. Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour. Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	8A
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	Output-2.1 Eradication of Hazardous Child Labour in Bangladesh 4 th Phase, aims to withdraw 100,000 hazardous child labour for work through – • Skill training • Financial support of BDT 15,000 to 10% of the trained children. • Raising awareness of the parents and employers	Ministry of Labor and Employment (MoLE) Planning Wing	MoEWOE MoFA MoHA MoWCA SID MoYS MoSW MoHFA MoC Molnd MoTJ	Eradication of Hazardous Child Labour in Bangladesh 4 th Phase (January 2018- December 2020)	2844.908	The project period of Eradication of Hazardous Child Labour in Bangladesh 4 th Phase needs to be revised to 2020 -2022.	No cost extension		

Ministry of Labour and Employment (MoLE)

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance). Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE).. Output: 1.3 Support to the households of the vulnerable children for economic empowerment. Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour. Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	8A
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	Output-2.1 <ul style="list-style-type: none"> • Registration and withdrawal of 500,000 child labour from informal sector (including children in HCL) • Listing of priority sectors • NFE and mainstreaming • Skill training • Job placement for 200,000 withdrawn children • Raising awareness of the parents and employers. • Avoid duplication in of children and locality with Eradication of Hazardous Child Labour in Bangladesh 4th Phase • Strengthen CLU and referral network 	Ministry of Labor and Employment (MoLE) Planning Wing	MoEWOE MoFA MoHA MoWCA SID MoYS MoSW MoHFA MoC MoInd MoTJ	Eradication of Hazardous Child Labour in Bangladesh 4 th Phase (January 2018- December 2020)	28449.08			Elimination of child labour in selected sectors (2021-2025)	14224.54
Strategic Objective -1. Reducing vulnerability to child labour									

Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance). Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE).. Output: 1.3 Support to the households of the vulnerable children for economic empowerment. Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour. Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-Lead Ministries/Divisions	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	8A
		MoLE	City Corporations					5.3.1 Mobilize city corporations' tax officers and trade license supervisors to monitor workplaces in urban informal sectors	Nil
		MoLE	DIFE					5.3.2 Increase capacity and number of labour inspectors to ensure effective labour inspection, including child labour monitoring, in formal and informal workplaces, including plantations and other agricultural activities.	Nil 2,400,000 10,000,000

Ministry of Labour and Employment (MoLE)

Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour										
Output-2.1: Review and updating of the list of hazardous child labour .Output-2.2: Identification and referral guidelines adopted. Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement. Output-2.4: Shelter for children without parental care. Output-2.5: Support to the households of the withdrawn children for economic empowerment										
SDG Targets	Remarks	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)	
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)			
1	10	3	4	6.1	6.2	7.1	7.2	8		
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms		Ministry of Labor and Employment (MoLE)	MoEWOE MoFA MoHA MoWCA SID MoYS MoSW MoHFA MoC Molnd MoTJ			Revision of the list of hazardous child labour to include child labour in the dray fish sector, waste disposal sector, domestic work. (2020)				
	<u>Output-2.3</u>					2. Eradication of hazardous child labour in Bangladesh (4th Phase) [2017-2020]	1200			
	<u>Output-2.3</u>								1. Withdraw children from hazardous sectors (38 listed HCL and child domestic work, children working in dry fish sector, children working in waste disposal, children working in stone quarry, children working in loca/non-exportl garments and children working on street) retrain and place to alternative employment as per law. (2020-2021)	2400
	Output: 2.2							Rehabilitation Project for Street Children of Dhaka City July, 2016 to June 2021	800.00 million	

Ministry of Labour and Employment (MoLE)

Strategic Objective -3. Increased capacity to protect the child labour									
Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector.									
Output-3.2: Strengthening enforcement of legal and protection provisions.									
Output-3.3: Access of child labour to education, skills, economic support for healthy development.									
Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.									
SDG Targets	Outputs	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	<u>Output-3.1</u>	Ministry of Labor and Employment (MoLE)	NCLWC DIFE			1.1 Review and Update the list of Hazardous Child Labour		2. Increase manpower with the department for effective child labour compliance monitoring in the industries (2020-2025)	100
								1.3.2 Strengthen the capacity of planning and budgeting officials of concerned ministries representing in NCLWC on how to mainstream and implement child labour related issues into their sectoral plans and projects and programmes .	3580000
								1.3.3 Strengthen the capacity of MoLE and its CLU to play catalytic role for ensuring that child labour related policies and interventions are planned and executed in an integrated and coordinated manner.	720,000
		MoLE	DIFE					Strengthen Child Labour Welfare Council (NCLWC) based on NCLEP and regular meeting.	Divisional level- 21,00,000 Uppazilla level- 5,25,00,000
	<u>Output-3.2</u>							8.Enact Child Domestic Workers protection Law (2020-20-21)	10
								9. Develop Regulatory framework for informal sectors on child labour elimination (2020-2021)	10

Strategic Objective -3. Increased capacity to protect children at workplace									
Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector.									
Output-3.2: Strengthening enforcement of legal and protection provisions.									
Output-3.3: Access of child labour to education, skills, economic support for healthy development.									
Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.									
SDG Targets	Outputs	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	Output-3.2	Ministry of Labor and Employment (MoLE) NCLWC DIFE	MoEWOE MoFA MoHA MoWCA SID MoYS MoSW MoHFA MoC MoInd MoTJ					10. Ratification of ILO convention 138 and reform of Labour Law (2020-2021)	10
		MoLE	MoLJPA NGOs					5.1.1 Sensitize judiciary and legal enforcement mechanism on child labour related issues amongst concerned stakeholders including law enforcement officers and employers.	4200000
		MoLE	MoLJPA NGOs					5.1.2 Revise Labour Act, 2006 in light of child labour policy. Ensure revised labour laws protect working children in both formal and informal sectors.	Nil

Strategic Objective -3. Increased capacity to protect children at workplace									
Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector.									
Output-3.2: Strengthening enforcement of legal and protection provisions.									
Output-3.3: Access of child labour to education, skills, economic support for healthy development.									
Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.									
SDG Targets	Outputs	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
	<u>Output-3.3</u>	MoLE	MoLJPA					5.2.2 Enforce child labour related laws and rules through building greater cooperation and coordination amongst law enforcement agencies .creating mechanisms for public reporting of child labour law violations and ensuring effective prosecution of child labour laws violators.	13,440,000
	<u>Output-3.4</u>	MoLE NCLWC	DIFE Domestic Workers Monitoring Committee					5.2.3 Develop Code of Conduct for Domestic Worker s aimed at prevention, protection and elimination of child domestic workers	5,900,000
	<u>Output-3.3</u>							Child Labour Welfare fund to support integration, health care (including mental) and education.	25% of existing Workers' Welfare fund can be used.

Ministry of Labour and Employment (MoLE)

Strategic Objective -4. Reducing vulnerability to child labour											
Output-4.1: Coordinating amongst the concerned stakeholders and sectors through NCLWC for the welfare of working children.											
Output-4.2: Holding annual conference on progress of NPA implementation (celebrating success and rewarding/recognizing champions).											
Output-4.3: Increased engagement of LEB, CSOs, Private Sector and Mass Media in resource mobilization and implementation of NPA											
SDG Targets	Output	Lead/Co-Lead Ministries /Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)	Policy/Strategy if needed (in relation with Colum 8)	
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)				
1	10	3	4	6.1	6.2	7.1	7.2	8		9	
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	Output-4.1	Ministry of Labor and Employment (MoLE)	MoEWOE MoFA MoHA MoWCA SID MoYS MoSW MoHFA MoC MoInd MoTJ			4. Stock taking of the interventions of different ministries / CSOs and coordinate Implementation from Child Labor Unit. [2018-2020]	60.0				
	Output-4.1					7. Develop and effective coordination mechanism among ministries and CSOs/ Private sectors [2020-2025]	5.0				
	Output-4.2								Annual conference on progress of NPA implementation (2020-2025)	60	Celebrating success and rewarding/recognizing champions as NCLEP.
	Output-4.3								5. Undertake measures for promoting CSR activities towards prevention of WFCL especially focusing on the families having children vulnerable to WFCL (2020-2021)	10	To encourage the corporations to sponsor events and projects.

Ministry of Labour and Employment (MoLE)

Strategic Objective -5. Monitoring and Evaluation of NPA implementation									
Output-5.1: Developing a database on child labour. Output-5.2: Periodic monitoring and reporting by national CL monitoring committee and BBS. Output-5.3: National Child Labour Survey Output-5.4: Mid-term (2021) and end-term evaluation (2025)of NPA implementation.									
SDG Targets	Output	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	<u>Output-5.1</u>	Ministry of Labor and Employment (MoLE)	MoEWOE MoFA MoHA MoWCA SID MoYS MoSW MoHFA MoC Molnd MoTJ BBS IMED					6. Scale up the successful parts from 7th Five year Plan. (2020-2025)	100
	<u>Output-5.2</u>					5. Strengthen DIFE and Divisional District and Upazilla Level Child Labour committees and make them functional [2018-2020]	100.	Strengthen DIFE and Divisional District and Upazilla Level Child Labour committees and make them functional [2020-2025]	100.
	<u>Output-5.3</u>							National Child Labour Survey (2020, 2021, 2025)	100
	<u>Output-5.4</u>							Mid-term (2021) and end-term evaluation (2025)of NPA implementation	10

Bangladesh Bureau of Statistics

Strategic Objective -5. Monitoring and Evaluation of NPA implementation									
Output-5.1: Developing a database on child labour.									
Output-5.2: Periodic monitoring and reporting by national CL monitoring committee and BBS.									
Output-5.3: National Child Labour Survey									
Output-5.4: Mid-term (2021) and end-term evaluation (2025) of NPA implementation.									
SDG Targets	Output	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going projects/programs to achieve 7th FYP goals/targets		Requirement of new project/program up to 2020		Actions/Project beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
Data, monitoring and accountability: 17.18 By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by	<u>Output -5.2</u>	Lead: SID (BBS)	BB; ERD; FD; IRD; MoE; MoPME; MoEF; MoHFW; EMRD; ICTD; PTD; LGD; MoA; MoF; MoCHTA; MoHA; MoPA; MoWCA; MoEWOE; MoHPW; MoLE					<ul style="list-style-type: none"> ▪ Linkage with BBS to establish gender and age disaggregated database 	ILO supported survey

Secondary and Higher Education Division (SHED), Ministry of Education

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).									
Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE)..									
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.									
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.									
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going Project/Programmes to achieve 7 th FYP Goals/Targets		Requirement of New Project/ Programme up to 2020		Actions/ Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (Million)
				Project Title and Period	Cost in BDT (Million)	Project Title and Period	Cost in BDT (Million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations	Output-1.2	Lead: SHED Co-Lead: MoPME; MoSW TMED	MoCHTA; MoWCA MoRA; MoYS; SID			• Increasing of female student's enrollment for ensuring gender equity. (2018-2020)	2500	• Increasing of girl student's enrollment for ensuring gender equity for matching the national average	2500
	Output-1.2					• Stipend facilities for vulnerable, disabled and girl students. (2018-2020)	5000	• Stipend facilities for all vulnerable, disabled and female students (2 nd Phase)	5000
	Output-1.2					• Establishment of PROYASH at Sylhet (July 2016-June 2019) • Establishment of PROYASH at Bogora Cantonment, Bogora (July 2016-June 2020) • • Establishment of Joypurhat Child development Centre (July 2017-June 2020) • Reconstruction Rehabilitation center for destitute children. Konabari, Gazipur (July 2017-June 2020) • Construction and Modernization of PHT center, Chittagong and Khulna (July 2017-June 2020)	249.67 396.25 946.96 886.82 128.35	• Stipend to children of poor households at rural and urban centers with special schooling facilities.	5000

Technical and Madrasah Education Division (TMED), Ministry of Education

Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour									
Output-2.1: Review and updating of the list of hazardous child labour.									
Output-2.2: Identification and referral guidelines adopted.									
Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement.									
Output-2.4: Shelter for children without parental care.									
Output-2.5: Support to the households of the withdrawn children for economic empowerment									
SDG Targets	Output	Lead/Co- Lead Ministries/D ivision	Associate Ministries/Di visions	On-going Project/Programmes to achieve 7 th FYP Goals/Targets		Requirement of New Project/ Programme up to 2020		Actions/ Projects beyond 7 th FYP Period (2021-2030) Time period re-set (2021-2025)	Cost in BDT (Million)
				Project Title and Period	Cost in BDT (Million)	Project Title and Period	Cost in BDT (Million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university	output-2.3	Lead: MoE (TMED)	FD; MoEWOE; MoLE; MoYS; MoWCA; MoInd (BITAC); MoTJ; SID			<ul style="list-style-type: none"> ▶ Introducing Dakhil Vocational Course in 3500 Madrasahs and Introducing SSC Vocational Course in 3500 Secondary High Schools. July 2018- June 2020 ▶ Establishing lab facilities of 500 New vocational Institutions for SSC vocational Courses and Establishing of 5000 New vocational Institutions for Short Course, July 2018- June 2020 ▶ Implementation of National Quality assurance system in TVET (All Govt. TVET institutions) July 2018- June 2020 ▶ Establishment of 8 Mohila Technical School & College at 8 Divisional Head Quarters, July 2017- June 2020 ▶ Stipend program in Non-Government Institute for SSC (VOC) and Dhakil(VOC) with inclusive policy and priority to withdrawn child labour. 	56000.00 14000.00 500.00 2917.40	2.1.4	9000000

Ministry of Primary and Mass Education (MoPME)

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).									
Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE)..									
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.									
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.									
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-lead Ministry/ Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
Target 4.1 By 2030 , ensure that all girls and boys complete free , equitable and quality primary education leading to relevant and effective learning outcomes	Output- 1.1	Lead: MoPME Co-Lead: MoE	MoWCA; MoInf; MoSW; MoRA; MoHFW; LGED; MoYS; SID	5. Need based Development of Newly Nationalized Government Primary Schools July 2017-June 2021	5. 57405.95	4 th Primary Education Development Program (PEDP4) (2018-22) (Program is under preparation. Commencement from 1 st July 2018)	1877687.66 (Estimated cost)	5 th Primary Education Development Program (PEDP5) (Planned for (2023-27) Special stipend the children of the vulnerable / marginalized households in the primary education (2020-2025)	
				8. School Feeding Program in Poverty Prone Areas. July 2010-Dce '20	8. 49919.73				

Ministry of Primary and Mass Education (MoPME)

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).									
Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE).									
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.									
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.									
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-lead Ministry/ Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
Target 4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education	Output-1.2	Lead: MoPME Co-Lead: MoHFW	MoSW; MoWCA; MoRA; LGED			4 th Primary Education Development Program (PEDP4) (2018-22) (Program is under preparation. Commencement from 1 st July 2018)	1877687.66 (Estimated cost)	5 th Primary Education Development Program (PEDP5) (Planned for (2023-27) Special stipend the children of the vulnerable / marginalized households in the primary education (2021-2025)	

Ministry of Primary and Mass Education (MoPME)

Strategic Objective -3. Increased capacity to protect children at workplace									
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Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector. Output-3.2: Strengthening enforcement of legal and protection provisions. Output-3.3: Access of child labour to education, skills, economic support for healthy development. Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.									
SDG Targets	Output	Lead/Co-lead Ministry/ Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
Target 4.6 By 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy	Output -3.3.	Lead: MoPME	MoWCA; MoYS;	Basic Literacy Project (64 District) (01/02/2018 – 01/06/2022)	1428.7	-	-	2.1.3 Improve school access of out-of-school children and working children through government and non-government managed schools, including special evening schools through employers' contribution/ non-formal education.	1000
		Co-Lead: MoE	MoRA; MoSW; SID;						
		Lead: MoPME	City Corporations					2.1. 5 Expand Conditional Cash Transfer (CCT) scheme / programme implementation for (in both urban slum and rural areas) households of working children for ensuring enrollment and continuing education of children.	Inclusion of child labour within the existing coverage
		Co-Lead: MoE	NGOs					2.1. 6. Incorporate child rights and child labour into teacher's curriculum in all primary and secondary schools and conduct ToT among schools teachers.	NIL
	Output -3.3.	Lead: MoPME	MoE					2.2.1 Improve access to technical and vocational education and training (centre-based skills development training and supervised apprenticeship training) to out-of-school youth and working adolescents (aged 14 to 17 years of age), including decent job-placement and work place improvement programme.	
		Co-Lead: MoE	MoLE NGOs					2.3.1 Provide life skills training to children through MoPME and NGOs working with children.	Inclusion of child labour within existing coverage.
		Lead: MoPME	MoE					2.3.2 Provide basic employability skills (giving interview, preparing their CVs) through MoPME, MoLE, and NGOs managed skills development training centers.	60,000,000
		Co-Lead: MoE	MoLE NGOs						

Ministry of Social Welfare (MoSW)

Strategic Objective -3. Increased capacity to protect children at workplace									
Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector.									
Output-3.2: Strengthening enforcement of legal and protection provisions.									
Output-3.3: Access of child labour to education, skills, economic support for healthy development.									
Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.									
SDG Targets	Output	Lead/Co-lead Ministry/ Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally	Output-3.3	Lead MoSW	CD; GED; MoLE; MoWCA; SID;MoF					Special social safety-net program for the children and household of children in child labour. (2021-25)	

Ministry of Social Welfare (MoSW)

Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour									
Output-2.1: Review and updating of the list of hazardous child labour.									
Output-2.2: Identification and referral guidelines adopted.									
Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement.									
Output-2.4: Shelter for children without parental care.									
Output-2.5: Support to the households of the withdrawn children for economic empowerment									
SDG Targets	Output	Lead/Co-lead Ministry/ Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally	Output-2.4	Lead MoSW	CD; GED; MoLE; MoWCA; SID;MoF			9. Sheikh Russell Training and rehabilitation center (19) for Child	50648.00	Expansion of shelter provisions for children. without parental care (2021-2025)	

Ministry of Women and Children Affairs (MoWCA)

Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour									
Output-2.1: Review and updating of the list of hazardous child labour. Output-2.2: Identification and referral guidelines adopted. Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement. Output-2.4: Shelter for children without parental care. Output-2.5: Support to the households of the withdrawn children for economic empowerment									
SDG Targets	Output	Lead/ Co-Lead Ministries/ Divisions	Associate Ministries/ Divisions	On-going Project/ Programme to achieve 7 th FYP Goals/Targets		Requirements of New Projects/Programme up to 2020		Actions/Projects beyond 7 th FYP Period 2021-2030)	Cost in BDT (million)
				Project/ Program Titles and Period	Cost in BDT (million)	Project/ Program Titles and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
Target 1.1 By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day	Output-2.3	Lead: CD (leading the NSSS); Co-Lead: GED (as NPPF)	ERD; FD; BB; BFID; LGD; MoA; MoF; MoDMR; MoEWOE; MoFL; MoInd; MoLE; MoSW; MoYS; PMO; RDCD; SID; MoWCA, MoCHTA; MoLWA					Project: 1. Street Children Rehabilitation Programme. 2. Rehabilitation of the families of the street children 3. Rehabilitation of the women and children beggars.	▪
	Output-2.5			<ul style="list-style-type: none"> • Program: • Lactating Allowance for Working Mother in Urban Areas. • July 2015-June 2017 • 	1136.8 m	Program: Lactating Allowance for Working Mother in Urban Areas. July 2017-June 2021	2273.6 m		▪
	Output-2.5					Program: Vulnerable Group Development (VGD) Jan 2017-Dec 2021	24591.24 m		▪

Ministry of Women and Children Affairs (MoWCA)

Strategic Objective -1. Reducing vulnerability to child labour										
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).										
Output: 1.2 Motivation and financial support/Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE)..										
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.										
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.										
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.										
SDG Targets	Output	Lead/ Co-Lead Ministries/ Divisions	Associate Ministries/ Divisions	On-going Project/ Programme to achieve 7 th FYP Goals/Targets		Requirements of New Projects/Programme up to 2020		Actions/Projects beyond 7 th FYP Period 2021-2030)	Cost in BDT (million)	
				Project/ Program Titles and Period	Cost in BDT (million)	Project/ Program Titles and Period	Cost in BDT (million)			
1	10	3	4	6.1	6.2	7.1	7.2	8		
Target 1.1 By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day	Output-1.3	Lead: CD (leading the NSSS); Co-Lead: GED (as NPPF)	ERD; FD; BB; BFID; LGD; MoA; MoF; MoDMR; MoEWOE; MoFL; MoInd; MoLE; MoSW; MoYS; PMO; RDCC; SID; MoWCA, MoCHTA; MoLWA			Program: Micro-credit for Poor, Divorced, Helpless and Homeless Women July 2017-June 2021.	60.00 m	Credit Programme: Micro-credit for Poor, Divorced, Helpless and Homeless Women July 2021-June 2025.	80.00	
	Output-1.3					Program: Oppressed and Destitute Women and Children Welfare Fund. July 2017-June 2021	767.4 m			
	Output-1.3					Project: Income Generating Activities for Women at Upazial Level (July 2016-June, 2021)	2500.00 m		Project: Income Generating Activities for Women at Upazial Level (July 2020- June, 2025) cost	5000.00
								Project: Investment Component for Vulnerable Group Development (ICVGD) July 2019-June 2021	5000.00 m	
	Output-1.3			CD; GED	ERD; FD; LGD; MoA; MoF; MoCHTA; MoDMR; MoEWOE; MoFL; MoHFW; MoInd; MoRA; MoLE; MoSW; MoWCA; MoYS; PMO; RDCC; SID			Program: Oppressed and Destitute Women and Children Welfare Fund. July 2017-June 2021 Program: Rehabilitation of street Children. July 2017-June 2022	65.56 m 4500.00 m	

Ministry of Women and Children Affairs (MoWCA)

Strategic Objective -3. Increased capacity to protect children at workplace									
Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector.									
Output-3.2: Strengthening enforcement of legal and protection provisions.									
Output-3.3: Access of child labour to education, skills, economic support for healthy development.									
Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.									
SDG Targets	Output	Lead/Co-lead Ministry/ Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
5.1 End all forms of discrimination against all women and girls every where	Output- 3.2	Lead: MoWCA	MoHA; LJD; LPAD; MoInd; MoFA; MoLE MoRA; MoTJ	Project: Multi-sectoral Programme for Prevention of Violence against women. (July 2016-June 2021)	1160.00 million				

Ministry of Women and Children Affairs (MoWCA)

Strategic Objective -3. Increased capacity to protect children at workplace									
Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector.									
Output-3.2: Strengthening enforcement of legal and protection provisions.									
Output-3.3: Access of child labour to education, skills, economic support for healthy development.									
Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.									
SDG Targets	Output	Lead/Co-lead Ministry/ Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation	Output- 3.2	Lead: MoWCA	MoHA; LJD; LPAD; SID; MoEWOE; MoFA; MoLE MoRA; MoTJ	Project: Multi-sectoral Programme for Prevention of Violence against women. (July 2016-June 2021)	1160.00 million	Program: Establishment of Adolescent Club. Jan 2020-Dec. 2022	100.00 m	Program: Establishment of Adolescent Club. Jan 2020-Dec. 2022	•
		Lead: MoWCA	MoHA; SID		-				
5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation	Output- 3.2	Lead: MoWCA	MoHA; MoInf; MoRA; MoFA; MoHFW; SID	Project: Establishment of Kishor-Kishori Club (July2017-June 2021) Establishment of Adolescent Club. Jan 2017-Dec. 2019	9000.00 m	Project: Accelerating Protection for child Rights Jul 2017-jun2021	2200.00 million		•

Cabinet Division

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).									
Output: 1.2 Motivation and financial support/Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE)..									
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.									
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.									
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-lead Ministry/ Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable	Output-1.3	CD; GED	BFID; FD; BB; ICTD; LGD; MoA;MoF;MoEWOE; MoCHTA; MoCA; MoDMR; MoE; MoFL; MoHFW; MoLE; MoLWA; MoPME; MoSW;MoWCA; MoYS; RDCC; ; SID			Program: Vulnerable Group Development (VGD) Jan 2018-Dec 2021	24591.24m		
	Output-1.3	CD; GED	BFID; FD; BB; ICTD; LGD; MoA;MoF;MoEWOE; MoCHTA; MoCA; MoDMR; MoE; MoFL; MoHFW; MoLE; MoLWA; MoPME; MoSW;MoWCA; MoYS; RDCC; ; SID			Program: Vulnerable Group Development (VGD) Jan 2017-Dec 2021	5000.00m		
1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance	Output-1.3	Lead:CD Co-Lead: RDCC	BFID; BB;FD; ICTD; LJD; LPAD; LGD; MoA; MoEF; MoFL; MoL; MoWR; MoYS; MoEWOE; MoWCA; MoInd; MoCHTA; MoLWA; SID	Project: Economic Empowerment through skill Development. july-2016-jun2021	8836.00m				

Ministry of Education

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).									
Output: 1.2 Motivation and financial support/Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE)..									
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.									
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.									
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-lead Ministry / Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university	Output-1.2	Lead: MoE;	MoEWOE; MoLE; MoYS; MoWCA; MoInd (BITAC); MoTJ; SID					1. Motivational programme for parents to prevent drop out children from the school. 2. Making arrangement of education of the street children.	
4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations	Output-1.2	Lead: MoE; Co-Lead: MoPME;	Co-Lead: MoSW MoCHTA; MoWCA MoRA; MoYS; SID;					1. Motivational programme for parents to prevent drop out children from the school. 2. Making arrangement of education of the street children.	

Ministry of Primary and Mass Education

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).									
Output: 1.2 Motivation and financial support/Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE)..									
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.									
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.									
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG Targets	Output	Lead/Co-lead Ministry/ Division	Associate Ministry/ Division	On-going Project/Program to achieve 7 th FYP Goals/Targets		Requirement of New Project/ program up to 2020		Action/Projects beyond 7 th FYP Period (2021-2030)	Cost in BDT (million)
				Project Title and Period	Cost in BDT (million)	Project Title and Period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education	Output-1.2	Lead: MoPME	MoHFW MoSW; MoWCA; MoRA; LGD; d			Project: Support for First-1000 days Children July 2017-June 2022 Project: rehabilitation of street children July 2017-June 2022	2000.00 m 1500.00 m	1. Motivational programme for parents to prevent drop out children from the school. 2. Preventing child marriage through adolescents club (60 % girls and 40% boys). 3. Making arrangement of education of the street children.	
4.6 By 2030, ensure that all youth and a substantial proportion of adults, both men	Output-1.2	Lead: MoPME; Co-Lead: MoE; and women, achieve literacy and numeracy	MoWCA; MoYS; MoInf; MoRA; MoSW; SID					1.Motivational programme for parents to prevent drop out children from the school. 2.Preventing child marriage through adolescents club (60 % girls and 40% boys). 3.Making arrangement of education of the street children.	
4.a Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all	Output-3.2	Lead: MoPME	MoE; MoWCA; SEID; LGD	Project: Multi-sectoral Programme for Prevention of Violence against women. (July 2016-June 2021)	1160.00 million			7.2.2 Provide financial and in-kind incentives to school going children "at risk" of drop-out such as books, school bags, uniforms transportation allowance, counseling, and remedial programmes for slow learners school breakfast or lunch programmes.	6053,300,000

Ministry of Home Affairs

Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour									
Output-2.1: Review and updating of the list of hazardous child labour.									
Output-2.2: Identification and referral guidelines adopted.									
Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement.									
Output-2.4: Shelter for children without parental care.									
Output-2.5: Support to the households of the withdrawn children for economic empowerment									
SDG Targets	Output	Lead/Co-Lead Ministries/Division	Associate Ministries/Divisions	On-going Project/Programmes to achieve 7 th FYP Goals/Targets		Requirement of New Project/ Programme up to 2020		Actions/ Projects beyond 7 th FYP Period (2021-2030) Time period re-set (2021-2025)	Cost in BDT (Million)
				Project Title and Period	Cost in BDT (Million)	Project Title and Period	Cost in BDT (Million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
16.	Output-2.3	Lead: MoHA	MoFA; MoWCA, MoSW; MoDMR					<ul style="list-style-type: none"> ▪ Implementation of National Plan of Action to Prevent and Suppress Human Trafficking (2018-2022); MoHA 	

Ministry of Information (MoI)

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance). Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE).. Output: 1.3 Support to the households of the vulnerable children for economic empowerment. Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour. Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG targets	Output	Lead/Co-lead Ministries/ Divisions	Associate Ministries/ Divisions	On-going Project/Programme to achieve 7th FYP Goals/ Targets		Requirements of New Project/ Programme up to 2020		Actions/ Projects beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project title and period	Cost in BDT (million)	Project title and period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
16.10 Ensure public access to information and protect fundamental freedoms. in accordance with national legislation and international agreement	Output-1.1	MoInf	Infcom. MoFA (UPR)			2. 'Advocacy and Communication for Children and Women (5th phase)' July 2017 to June 2021	1400	'Advocacy and Communication for Children and Women (6th phase)' July 2021 to June 2025	
		MoI	City Corporation NGOs					4.1.1 Prepares TV and radio spots (3-5 minutes) on child labour and HWFCL for screening in cinemas, TV, radio and other mass media.	15,600,000
		MoI	City Corporation NGOs					4.1.2 Stage social drama (popular theatre) on harmful effects of child labour and on HWFCL at villages, markets, bus stations and slums.	10,100,000
		MoI	City Corporation NGOs					4.1.3 Organize awareness meetings with religious leaders and their associations to work on the elimination of <14 years old child labour and <18 years old HWFCL The imams of the mosques should be trained and asked to disseminate these in the mosques	2815000

Strategic Objective -1. Reducing vulnerability to child labour									
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).									
Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE)..									
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.									
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.									
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.									
SDG targets	Output	Lead/Co-lead Ministries/ Divisions	Associate Ministries/ Divisions	On-going Project/Programme to achieve 7th FYP Goals/ Targets		Requirements of New Project/ Programme up to 2020		Actions/ Projects beyond 7th FYP Period (2021-2030)	Cost in BDT (million)
				Project title and period	Cost in BDT (million)	Project title and period	Cost in BDT (million)		
1	10	3	4	6.1	6.2	7.1	7.2	8	
16.10 Ensure public access to information and protect fundamental freedoms. in accordance with national legislation and international agreement	<u>Output-1.1</u>	MoI	City Corporation NGOs					4.1.4 Publicize messages on harmful effects of child labour through billboards, wall paintings, posters and leaflets throughout the country	5020000
		MoI	City Corporation NGOs					4.1.5 Organize awareness raising activities to sensitize employers , workers including working children, parents, guardian, and mass public on hazardous sectors and to take actions in addressing Hazardous and WFCL in those sectors.	4,900,000
		MoI	MoPME City Corporation NGOs					4.1.6 Educate school going children (both primary and secondary schools) on child rights and the negative effects of child labour, especially on hazardous and worst forms of child labour.	Nil
		MoI	City Corporation MLGRD&C NGOs					4.2.1 Replicate Dhaka City Corporation's (DCC) good lessons learned and model of Community - based Workplace Surveillance Group (CWSGs) to monitor child labour situations in the community and workplace as well as to raise awareness among community members and employers.	2,200,000



Ministry of Labour and Employment

Draft

National Plan of Action to Eliminate Child Labour (2020-2025) Matrix-2 (SDG-Plus Actions to Eliminate Child Labour)

Activity Matrix of the Strategic Area of Interventions: SDG Plus Actions to Eliminate Child Labour

1. Strategic Area of Intervention: Policy Implementation and Institutional Development					
Strategic Objective: 1.a) Reviewing the existing child labour policies to ensure comprehensiveness in covering all relevant child labour issues.					
1.b) Developing institutional capacities to ensure effective implementation of child labour related policies.					
SDG : Goal -8.7 seeks to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.					
Outputs	Key Activities	Indicators	Time Frame	Main Responsible/ Implementing Institutions	Collaborative Bodies
1.1 Review and Update the NPA and the list of Hazardous Child Labour	1.1.1 Formation of Sub-Committee to review and draft NPA and update the list of Hazardous Child Labour 1.1.2 Conduct review and prepare draft NPA and HCL list update-proposition 1.1.2 Endorse the suggestions of the review committee for their effective implementation.	Committee is in place and its activity reports/minutes are available Draft NPA (2020-25) and updated list on HCL available	2020	MoLE	- Department of Labour - Department of Inspection for Factories and Establishments - Members of Child Labour Welfare Council
1.2 Policies related to child labour elimination are implemented, monitored and evaluated	1.2.1 Strengthen National Child Labour Welfare Council (NCLWC) based on NCLEP, including its ToR and organizational structure for monitoring and evaluating the implementation of the Policy and its NPA]. 1.2.2 Conduct regular meeting to review progress of implementation of NCLEP, 2010 and newly developed NPA, child labour related policies and regulations.	NCLWC CLWC at different level Regular minutes	2020 2020-2025 2020-2025	Divisional commissioner Deputy commissioner Upazila Nirbahi Officer Child Labour Welfare Council at different level NCLWC MoLE	- Ministry of Social Welfare - Ministry of Home Affairs - Various NGOs and International Organizations

1.3 Institutional capacity of concerned institutions strengthened to effectively implement NPA.	1.3.1 Organize seminars and workshops on NCLEP, 2010 and its NPA, Labour Act, relevant national policies and international conventions for members of NCLWC and concerned stakeholders.	Better Coordination among members of NCLWC	2020-2025	NCLWC Planning Commission MoLE	
	1.3.2 Strengthen the capacity of planning and budgeting officials of concerned ministries representing in NCLWC on how to mainstream and implement child labour related issues into their sectoral plans and projects and programmes.	NPA is effectively implemented	2020-2025	MoLE	
	1.3.3 Strengthen the capacity of MoLE and its CLU to play catalytic role for ensuring that child labour related policies and interventions are planned and executed in an integrated and coordinated manner.	NPA is effectively implemented	2020-2025		

2. Strategic Area of Intervention: Education

Strategic Objective :

2. a) Ensuring access to pre -primary and primary education for all children likely to be engaged in child labour.

2. b) Providing education to existing working children to transition them out of child labour

SDG : Goal -4 aims to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.”.

Goal-16: **SDG** Goal (16.9) call to provide by 2030, legal identity for all, including **birth registration**

Outputs	Key Activities	Indicators	Time Frame	Main Responsible/ Implementing Institutions	Collaborative Bodies
2.1 Accessible educational facilities and opportunities for working children and poor children are ensured.	2.1.1 Register all births through City Corporations/ Municipal Corporation/ Union Councils Parishad and ensure children above 5 years old are enrolled in school. 2.1.2 Improve school access of children at all levels through government managed schools.	% of children have birth certificate increased % of net enrolled student in primary and secondary school at all level increased from	2020-2025	MLGRD&C City Corporations	<ul style="list-style-type: none"> Ministry of Education Ministry of Labour and Employment Owners or Employers’ Associations, Trade Unions, Private Organizations Ministry of Women and Children Affairs Ministry of Social Welfare

	<p>2.1.3 Improve school access of out-of-school children and working children through government and non-government managed schools, including special evening schools through employers' contribution.</p>	<p>91.1% (School Survey Report 2007, MoPME)</p> <p>% of out-of-school children decrease from 14.4% (g -1), 10.1% (g -2), 12.7% (g-3), 14.6% (g -4), 4.4% (g -5) and child labour decreased from 11.6% (BBS, Annual Labour Force Survey 2005-06)</p>	<p>2020-2025</p> <p>2020-2025</p>	<p>MoPME</p> <p>City</p> <p>Corporations</p> <p>NGOs</p> <p>MoPME</p> <p>City</p> <p>Corporations</p> <p>NGOs</p>	<ul style="list-style-type: none"> • Microcredit institutions. • Various NGOs and International Agencies
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2.2 Access to technical vocational education and training programmes for working adolescents and their Parents.	2.1.4 Increase government stipends to all school going children (in both urban -slum and rural areas) of households living below the poverty line.	% of student completion primary schools increased from 52% (School Survey Report 2007, MoPME)	2020-2025	MoPME City Corporations NGOs		
	2.1. 5 Expand Conditional Cash Transfer (CCT) scheme / programme implementation for (in both urban slum and rural areas) households of working children for ensuring enrollment and continuing education of children.	% of students enrolled in school at all level increased from 91.1% (School Survey Report 2007, MoPME)	2020-2025	MoPME City Corporations NGOs		
	2.1. 6. Incorporate child rights and child labour into teacher's curriculum in all primary and secondary schools and conduct ToT among schools teachers.	# of school teachers trained on child labour related issues.				
	2.2.1 Improve access to technical and vocational education and training (centre-based skills development training and supervised apprenticeship training) to out-of-school youth and working adolescents (aged 14 to 17 years of age), including decent job-placement and work place improvement programme.	# of students received skills training	2020-2025	MoPME		
				MoE MoLE NGOs		

2.3 Children are socially empowered through training and social networks	2.2.2 Provide microcredit (with very low interest rate or without interest rate) to vocationally trained youth or parents or guardians to run income generating activities or to start their small businesses.	# of self - employment created	2020-2025	Micro -credit institutions	
	2.3.1 Provide life skills training to children through MoPME and NGOs working with children.	# of students received life skills training	2020-2025	NGOs MoPME	
	2.3.2 Provide basic employability skills (giving interview, preparing their CVs) through MoPME, MoLE, and NGOs managed skills development training centers.	# of vocationally trained youth received basic employability skills	2020-2025	MoWCA MoPME	
	2.3.3 Nurture ethical values through organized clubs and networks for children and youth.	# of clubs nurturing ethical value	2020-2025	MoLE City Corporations NGOs	

3. Strategic Area of Intervention: Health and Nutrition

Strategic Objective: 3.a) Ensuring access to health and nutrition education

3. b) Ensuring access to health and nutrition services to all working children

SDG : Goal -3 seeks to ensure health and well-being for all, at every stage of life. The **Goal** addresses all major health priorities, including reproductive, maternal and child health; communicable, non-communicable and environmental diseases; universal health coverage; and access for all to safe, effective, quality and affordable medicines and vaccines.

Outputs	Key Activities	Indicators	Time Frame	Main Responsible/ Implementing Institutions	Collaborative Bodies
3.1 Access to health and nutrition education ensured for all households with working children or those at risk of sending children for labour	3.1.1 Develop basic health and nutrition messages and information packets for parents and children and disseminate them through the MoHFW and health sector NGOs.	# of households and children received education on health and nutrition	Action plan of MoHFW(2012)	MoHFW	<ul style="list-style-type: none"> -Ministry of Women and Children Affairs - Ministry of Primary and Mass Education - Ministry of Labour and Employment - Ministry of Local Government, Rural Development and Cooperatives - Other concerned subordinate offices of Division, District and Upazila level and Children Affairs - Employers' Association and - Various NGOs and International Development Agencies
		# of health education programmes organized	2020-2025	MoHFW	
		# of health cards issued		MoHFW	
			2020-2025	MoHFW	
3.2 Opportunities created to ensure access to health services	3.1.2 Organize basic health and general hygiene related education to reduce health and hygiene related hazards	# of enterprises providing health care services		MoHFW	
			Action Plan of MoHFW 2020-2025		
	3.2. 1 Encourage employers of the enterprises to ensure health care services in the workplace	# of companies provide funding for health programmes for		MoHFW MoWCA	

	<p>through providing health cards to the working adolescents</p> <p>3.2.2 Contact private sectors to fund health programmes for working children through government and NGOs managed programmes</p> <p>3.2.3 Encourage employers to establish drop -in centres in industrial areas with higher concentration of hazardous labour for immediate health support, referrals and social counseling, and nutrition support</p>	<p>working children</p> <p># of drop -in centers functioning</p>		MoLE	
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4. Strategic Area of Intervention: Social Awareness Raising and Motivation

Strategic Objective : 4. a) Raising awareness on harmful effects of child labour and HWFCL among children, parents, trade unions, employers and members of the civil society
4. b) Motivating them to demonstrate positive behavior to eliminate child labour

SDG : Goal -8.7 seeks to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

Outputs	Key Activities	Indicators	Time Frame	Main Responsible/ Implementing Institutions	Collaborative Bodies
4.1 Children, parents, employers, trade unions,	4.1.1 Prepares TV and radio spots (3-5 minutes) on child labour and	% of mass public aware about child	2020-2025	Ministry of Information (Mal)	- Ministry of Labour and Employment

<p>civil society and concerned state officials are critically aware of harmful effects of child labour and HWFCL and motivated to demonstrate positive attitude and behavioural patterns towards the elimination of child labour.</p>	<p>HWFCL for screening in cinemas, TV, radio and other mass media. 4.1.2 Stage social drama (popular theatre) on harmful effects of child labour and on HWFCL at villages, markets, bus stations and slums. 4.1.3 Organize awareness meetings with religious leaders and their associations to work on the elimination of <14 years old child labour and <18 years old HWFCL The imams of the mosques should be trained and asked to disseminate these in the mosques 4.1.4 Publicize messages on harmful effects of child labour through billboards, wall paintings, posters and leaflets throughout the country 4.1.5 Organize awareness raising activities to sensitize employers, workers including working children, parents, guardian, and mass public on hazardous sectors and to take actions in addressing Hazardous and WFCL in those sectors. 4.1.6 Educate school going children (both primary and secondary schools) on child rights and the negative effects of child labour, especially on hazardous and worst forms of child labour.</p>	<p>labour related issue (public Opinion assessment) As above</p>	<p>2020-2025 2020-2025</p>	<p>Mol Ministry of Religious Affairs</p>	<ul style="list-style-type: none"> - Ministry of Women and Children Affairs - Ministry of Primary and Mass Education
<p>4.2 Community based mechanism is established and strengthened to prevent and protect child labour</p>	<p>4.1.3 Organize awareness meetings with religious leaders and their associations to work on the elimination of <14 years old child labour and <18 years old HWFCL The imams of the mosques should be trained and asked to disseminate these in the mosques 4.1.4 Publicize messages on harmful effects of child labour through billboards, wall paintings, posters and leaflets throughout the country 4.1.5 Organize awareness raising activities to sensitize employers, workers including working children, parents, guardian, and mass public on hazardous sectors and to take actions in addressing Hazardous and WFCL in those sectors. 4.1.6 Educate school going children (both primary and secondary schools) on child rights and the negative effects of child labour, especially on hazardous and worst forms of child labour. 4.2.1 Replicate Dhaka City Corporation's (DCC) good lessons learned and model of Community - based Workplace Surveillance Group (CWSGs) to monitor child labour situations in the community and workplace as well as to raise awareness among community members and employers.</p>	<p>As above</p> <p># of billboards, wall, paintings, posters and leaflets, distributed</p>	<p>2020-2025</p> <p>2020-2021</p>	<p>Mol City Corporation Mol</p>	<ul style="list-style-type: none"> - Ministry of Local Government, Rural Development and Cooperatives - Other concerned subordinate offices at Division, District and Upazila level
	<p>% of mass public is aware about hazardous child labour and # actions have been taken</p>	<p>% of students is aware about hazardous child labor</p>	<p>2020-2025</p>	<p>MoPME MLGRD&C City Corporation</p>	<ul style="list-style-type: none"> - Employers' and workers' associations; and - Various NGOs and International Agencies.
	<p>% of working child decreased</p>	<p>2020-2025</p>	<p>2020-2025</p>		<ul style="list-style-type: none"> -

5. Strategic Area of Intervention: Legislation and Enforcement

Strategic Objective: 5a) Reviewing and refining existing child labour related laws and rules.

5b) Taking appropriate measures for effective implementation and enforcement of child labour related acts and rules.

SDG : **SDG 16** articulates the key role that the **rule of law** plays in promoting peaceful, just, and inclusive societies and as an accelerator for the 2030 Agenda. In crisis- affected settings, **rule of law**, access to justice and human rights are essential to mitigate the root causes of violent conflict and prevent human rights violations.

Outputs	Key Activities	Indicators	Time Frame	Main Responsible/ Implementing Institutions	Collaborative Bodies
5.1 Existing laws and rules related to child labour issues (in both formal and informal sector), are revised.	5.1.1 Sensitize judiciary and legal enforcement mechanism on child labour related issues amongst concerned stakeholders including law enforcement officers and employers. 5.1.2 Revise Labour Act, 2006 in light of child labour policy. Ensure revised labour laws protect working children in both formal and informal sectors.	# of cases in court. # of penalized employers/ workplaces	2020-2025	Ministry of Law, Justice , and Parliamentary Affairs MoLE	- Ministry of Home Affairs - Cabinet Division - - Bangladesh Parliament/Parliament Secretariat
5.2. The child labour related laws and rules are enforced.	5.2.1 Replicate Dhaka City Corporation's (DCC) Child Labour Monitoring and Regulatory Mechanism (Trade Licensing) in other city corporations for addressing child labour in urban informal sector. 5.2.2 Enforce child labour related laws and rules through building greater cooperation and coordination amongst law enforcement agencies .creating mechanisms for public	Judiciary & legal enforcement # of city corporations have replicated the mechanisms # of cases in court. # of penalized employers/ workplaces	2020-2025 2020-2025 2020-2025 2020-2025	Ministry of Law, Justice, and Parliamentary Affairs MoLE MLRGD&C City Corporations Ministry of Law, Justice, and Parliamentary Affairs Office of the Attorney General for Bangladesh MoLE MoWCA City Corporation	- -Bangladesh Law Commission - Employers' and Workers' Organizations - - NGOs and International Organizations - Ministry of Agriculture Ministry of Information - - - - - - -
5.3 Inspection and			2020-2025		

monitoring of child labour in the informal sector and agricultural sectors are strengthened	reporting of child labour law violations and ensuring effective prosecution of child labour laws violators. 5.2.3 Develop Code of Conduct for Domestic Workers aimed at prevention, protection and elimination of child domestic workers 5.3.1 Mobilize city corporations' tax officers and trade license supervisors to monitor workplaces in urban informal sectors 5.3.2 Increase capacity and number of labour inspectors to ensure effective labour inspection, including child labour monitoring, in formal and informal workplaces, including plantations and other agricultural activities.	% of working child decreased # of penalized employers/ workplaces # of penalized employers/ workplaces At least 1 Court	2020-2025	MLGRD&C City Corporations MoLE MoLE MoHA	- - - Printed and electronic media - - Child and Juvenile Organization
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6. Strategic Area of Intervention: Employment and Labour Market

Strategic Objective: Creating employment opportunities for adolescents who are trained and eligible for work as per legal provision.

SDG: Goal-8 calls to Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

Outputs	Key Activities	Indicators	Time Frame	Main Responsible/ Implementing Institutions	Collaborative Bodies
6.1 Employment opportunities created and access to the	6.1.1 Increase access to labour market information among vocationally trained adolescents for	# of job created increased for vocationally trained youth	2020-2025	Bureau of Manpower Employment and Training (BMET) of MoEW&OE	- Ministry of Youth and Sports - Ministry of Agriculture

labour market ensured for adolescents who are trained and eligible for work as per legal provision.	seeking decent employment.	# of people trained	2020-2025	MoE	- Ministry of Industries
	6.1.2 Increase access to vocational skills training amongst rural and urban poor through upgrading the existing facilities and adding new facilities where needed.	# of job created and increased for vocationally trained youth	2020-2025	Small and Medium Enterprise Foundations (SMEF)	- Ministry of Home Affairs - Employers' Association
	6.1.3 Promote Public-Private Partnership in creating safe jobs for adolescents who have received trade based training and attained eligibility for work as per legal provisions.	#of job created and increased in rural-based industries	2020-2025	BSCIC	- BGMENBK MEN FBCCI/ BAIRA,
	6.1.4 Promote employment of trained adolescents for rural-based industries, especially agro based industries.	# of job created and increased for vocationally trained youth	2020-2025	MoE MoLE	- Various national and international agencies
	6.1.5 Engage NGOs involved in income generating activities to employ the trained adolescents in those activities. They may also support to organize family based income generating activities.	# of job created and increased for vocationally trained youth	2020-2025	BSCIC NGO Affairs Bureau	
6.2 Small scale income generating enterprises created through effective engagement of vocationally trained adolescents or their families.	6.2.1 Engage microfinance institutions , specialized government financial institutions, such as Bangladesh Krishi Bank, Bangladesh Small and Cottage	# of job created and increased for vocationally trained youth	2020-2025	Microfinance Regulatory Authority	

	Industries Corporation (BSCIC), Small and Medium Enterprise Foundation (SMEF), and Commercial Banks to extend required support to the vocationally trained adolescents or their families to start or expand family				
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7. Strategic Area of Intervention: Prevention of Child Labour and Safety of Children Engaged in Labour

Strategic Objective: Preventing children and adolescents from engaging in child labour, particularly its hazardous and worst forms, and unsafe migration of children from rural to urban areas

SDG : Goal -8.7 seeks to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers by 2021, and by 2025 end child labour in all its forms.

Outputs	Key Activities	Indicators	Time Frame	Main Responsible/ Implementing Institutions	Collaborative Bodies
7.1 Employment opportunities created for adults and parents of extreme poor and working children	7.1.1 Identify extreme poor households who are at risk of sending their children to work or removing their children from schools through poverty mapping exercises	100% of HH below poverty surveyed through quick PRA	2020-2021	BBS	- Ministry of Social Welfare
	7.1.2 Provide or ensure access to public work opportunity and social safety net schemes (local physical and social infrastructure development and maintenance work, and food for work programmes emergency relief assistance) to the identified extreme poor households.	75% identified at risk HH receiving support (safety nets, livelihood programmes)	2020-2025	MLGRD&C	- Ministry of Home Affairs - Ministry of Religious Affairs - Ministry of Health and Family Welfare - Employers' and Workers' Organizations
	7.1.3 Include child labour as a component in the Social Safety Net Programme	% of student completion primary education	2020-2021	MLGRD&C MoMPE MOE	Divisional, District and Upazila Administration Local NGOs and International Organizations

<p>7.2 Children aged below 14 years are prevented from engaging in child labour and ensured that they stay in school.</p>	<p>7.2.1 Identify school going children who are at risk of drop out from school and out-of- school children through school or education mapping exercises at schools, households and village levels</p> <p>7.2.2 Provide financial and in-kind incentives to school going children "at risk" of drop-out such as books, school bags, uniforms transportation allowance, counseling, and remedial programmes for slow learners school breakfast or lunch programmes.</p>	<p>increased from 52% (School Survey)</p> <p>As above</p>	<p>2020-2025</p>	<p>MoMPE</p>	
<p>7.3 Working adolescents aged 14 to below 18 years are protected from hazardous work.</p>	<p>7.3.1 Promote, design and implement workplace or area or sector-based programmes and projects which contribute to protecting working adolescents from further damages (physical, mental, intellectual, and moral) arising from their work through:</p> <ul style="list-style-type: none"> • Child labour monitoring and inspection (by labour inspectors, community-based workplace surveillance group, city corporation's trade license supervisors etc) • Workplace improvement monitoring and inspection (by occupational safety and health monitors or inspectors, child labour stakeholders -NGOs, Trade 	<p># working adolescents decreased</p> <p># of penalized employers/ workplaces decreased</p>	<p>2020-2021</p>	<p>MoLE</p> <p>MoLE MLGRD&C City Corporations</p>	<p>- MoLE</p>

	<p>Unions members, employers, and community-based workplace surveillance group, etc).</p> <ul style="list-style-type: none"> Occupational safety and health education among working adolescents and employers. <p>7.3.2 Promote understanding and compliance among employers, business operators, trade unions, parents or guardians and community leaders and members on relevant national and sectoral policies, Labour Acts and international conventions, regulation, and relevant City Corporation's Ordinances and Office Orders</p>	% of mass public is aware about child trafficking			
7.4 Children protected from trafficking and sexual exploitation	<p>7.4.1 Develop mass awareness on child trafficking and sexual exploitation through print and electronic media and civil society organizations.</p> <p>7.4.2 Ensure effective vigilance against trafficking and sexual exploitation and enforcement of laws against the perpetrators through the law enforcement agencies.</p> <p>7.4.3 Provide appropriate rehabilitation services to children rescued from trafficking and sexual exploitation</p>	<p># of cases in court</p> <p># of penalized perpetrators</p> <p># victims of trafficking and sexual exploitation decreased</p>	<p>2020-2025</p> <p>2020-2025</p> <p>2020-2025</p>	<p>Mol City Corporations</p> <p>Ministry of Home Affairs</p> <p>MLGRD&C MoWCA MLGRD&C</p>	-

8. Strategic Area of Intervention: Social and Family Reintegration

Strategic Objective: Reintegrating children withdrawn from HWFCL with the society and family towards a healthy and productive life

SDG : Goal -8.7 seeks to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers by 2021, and by 2025 end child labour in all its forms.

Outputs	Key Activities	Indicators	Time Frame	Main Responsible/ Implementing Institutions	Collaborative Bodies
8.1 Children withdrawn from HWFCL are reintegrated with their families or within society	8.1.1 Identify family backgrounds and specific needs of removed working children before referring them to rehabilitation centres (for those without families or relatives) or to their families.	# of children identified for rehabilitation center	2020-2021	MoWCA MoSW City Corporations	-Ministry of Labour and Employment -Ministry of Home Ministry of Education Ministry of Primary
	8.1.2 Create social awareness among community leaders and members, social voluntary agencies and officials of the local government about the problems faced by the children from broken families and mobilize their support to reintegrate them with their families.	% of mass public is aware about child labour.	2020-2021	MoWCA MoSW City Corporations	Ministry of Local Government, Rural Development and Cooperatives
	8.1.3 Set up new or	# of rehabilitated children # Helpline reports on child labour abusive cases	2020-2021	MoWCA MoSW	Ministry of Health and Family Welfare Employers/Employers' Association and

	<p>strengthen existing rehabilitation centers, with education, counseling, legal assistance, helpline facilities and services, to cope with rehabilitation of withdrawn children who have not had any families or relatives.</p> <p>8.1.4 Locate families and take appropriate measures to reintegrate children with their families through Government and NGO social networks, provide safety nets or livelihood support and legal assistance, where needed to assist families with reintegration.</p>	<p># of children reintegrated</p>	<p>2020-2022</p>	<p>MoWCA MoSW City Corporations</p>	<p>Different NGOs and International Organizations</p>
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9. Strategic Area of Intervention: Research and Training

Strategic Objective: 9a) Undertaking appropriate action and applied research for ensuring effective implementation of NPA.
9b) providing adequate training and non-training support for developing the competencies of the implementing agencies.

SDG : Goal -8.7 seeks to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers by 2021, and by 2025 end child labour in all its forms.

Outputs	Key Activities	Indicators	Time Frame	Main Responsible/ Implementing Institutions	Collaborative Bodies
9.1 Information on hazardous and worst forms of child labour (WFCL) is updated for supporting the effective implementation of the National Plan of Action	9.1.1 Strength MoLE/CLU's Child Labour Management Information System (CLMIS) and its child labour website.	Annual Child Labour Report	2020-2021	MoLE	- Ministry of Women and Children Affairs
	9.1.2 Identify potential research agencies (both from government and non-government institutions) for creating a panel of researchers. Identify their capacity development needs and provide required support to develop their research capacity	# child labour reports prepared	2020-2021	BBS MoLE	- Different Non-Governmental Organizations and International Organizations - Non -Governmental Organizations
	9.1.3 Conduct Specific sector studies, rapid assessments, and action researches on incidence and	# of research agencies involved	2020-2025	BBS MoLE	- Workers Organizations. - International Organizations and
		#child labour programmes and projects	2020-	Public Training Institution for Civil Services	- Regional Associations, such as: SAARC, ASEAN etc

<p>9.2 Managerial and operational capacities of concerned stakeholders in addressing child labour are enhanced</p>	<p>prevalence of child labour, particularly its hazardous and worst forms of child labour in Bangladesh and in the region 9.2.1 Build capacity of key child labour stakeholders in planning, designing implementing and monitoring child labour related programmes and projects 9.2.2 Ensure follow-up and evaluation of capacity building</p>	<p># successful child labour programmes and project</p>	<p>2025 2020-2025</p>	<p>Public Training Institution for Civil Services</p>	
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Indicative Five (05) years Budget to implement the NPA for SDG-plus Actions (2020-25)

1. Policy Implementation and Institutional Development				
Outputs	Key Activities	Inputs (adjusted at annual 5.5% rate of inflation and rounded)	Existing Programmes	Budget⁴⁰ (In BDT)
1.1 Gaps in existing child labour related Policies are identified and new regulatory mechanisms or policies are formulated.	1.1.1 Form a NPA Review and Drafting and HCL list updating Sub-Committee taking representatives from relevant ministries, NGOs and civil society organizations. 1.1.1 Conduct review and prepare draft NPA and HCL list update-proposition	Issue an Office Order to form a Child Labour NPA and HCL list Review Sub-Committee Consultancy L/S= 18,00000	Nil	Nil 18,00,000
	1.1.2 Endorse the suggestions of the review committee for their effective implementation.	<ul style="list-style-type: none"> • National Child Labor Welfare Council will endorse the suggestions • Publication of revised NPA 	Nil	Nil 1200000
1.2 Policies related to child labour elimination are implemented, monitored and evaluated.	1.2.1 Strengthen National Child Labour Welfare Council (NCLWC) based on NCLEP, including its ToR and organizational structure for monitoring and evaluating the implementation of the Policy and its NPA].	The secretariat of NCLWC will be established in MoLE. No additional cost required Secretariat Management: 14,00,,000 per year to run the Secretariat for 5 years (including organizing 4 meetings per year)	Nil	Nil 70,00,000
	1.2.2 Conduct regular meeting to review progress of implementation of NCLEP, 2010 and newly developed NPA, child labour related policies and regulations.	NCLWC will conduct these regular meeting ¾ time a year Divisional Level: 60,000 /years 5 years x 7 Div.	Nil	21,00,000 5,25,00,000

⁴⁰ Adjusted by 5% annual rate of inflation based on previous NPA (with base year 2016)

		Upazila Level: 21,000 x 5 years x 500 upazila		
1.3 Institutional capacity of concerned institutions strengthened to effectively implement NPA.	1.3.1 Organize seminars and workshops on NCLEP, 2010 and its NPA, Labour Act, relevant national policies and international conventions for members of NCLWC and concerned stakeholders.	Organize at least 1 seminar by each committee National: Divisional: (7 div.x120,000) District: (64 dis. x 50,000) Upazila: (500 x 35,000)	Nil	8,40,000 38,40,000 1,75,00,000
	1.3.2 Strengthen the capacity of planning and budgeting officials of concerned ministries representing in NCLWC on how to mainstream and implement child labour related issues into their sectoral plans and projects and programmes	Organize 2 Training workshop in each division with participation of concerned ministries representing in NCLWC Training cost: 7x2x 120,000 = 1680000 Resource person: 900,000 Training material: 400,000 Printing: 600,000 Honorarium (participants):600,000	Nil	3580000
	1.3.3 Strengthen the capacity of MoLE and its CLU to play catalytic role for ensuring that child labour related policies and interventions are planned and executed in an integrated and coordinated manner.	Organize 1 National Training workshop including members of the MoLE and CLU Training cost: 180,000 Resource Person: 180,000 Training Material: 180,000 Honorarium: 180,000	Nil	720,000
			Total in BDT	5,500,000
			Total in USD	64706.00

2. Education				
Outputs	Key Activities	Inputs (adjusted at annual 5.5% rate of inflation and rounded)	Existing Programmes	Budget (In BDT)
2.1 Accessible educational facilities and opportunities for working children and poor children are ensured.	2.1.1 Register all births through City Corporations / Municipal Corporation/ Union Councils Parishad and ensure children above 5 years old are enrolled in school.	<ul style="list-style-type: none"> Letters from NCLWC to all city/municipal corporation 	<ul style="list-style-type: none"> Ministry of Local Government Rural Development and Cooperatives (MLGRD&C) has existing programmes to ensure 100% birth registration within the year 2011-2012. 	Nil
	2.1.2 Improve school access of children at all levels through government managed schools.	<ul style="list-style-type: none"> Letters and suggestions from NCLWC to the Ministry of Primary and Mass Education Upazila committees will conduct the awareness campaign linking with Strategic Area of Intervention 4 	Nil	Nil
	2.1.3 Improve school access of out-of-school children and working children through government and non-government managed schools, including special evening schools	<ul style="list-style-type: none"> Letters and suggestions from NCLWC to the Ministry of Primary and Mass Education to implement this activity 		This activity may be included in Appropriate project

	through employers' contribution.			
	2.1.4 Increase government stipends to all school going children (in both urban-slum and rural areas) of households living below the poverty line.	Recommendation from NCLWC to government to increase the budget and timeline of the stipend programme to 2015-16	May be included in the MoPME implemented project	May be included in appropriate project
	2.1.5 Expand Conditional Cash Transfer (CCT) scheme / programme implementation for (in both urban slum and rural areas) households of working children for ensuring enrollment and continuing education of children.	To be monitored by the Thana Committees and may be link with 2.1.3 and 2.1.4 activities	Nil	Nil
	2.1.6. Incorporate child rights and child labour into basic curriculum in all primary and secondary schools including ToT among schools teachers.	<ul style="list-style-type: none"> A team of 5 consultant will incorporate child rights and child labour issues into basic curriculum 5x10,00,000 Printing (curriculum): Regular Development Budget (MoPME) ToT (7 div.) Training: 7x60,000= 420,000 Resource Person: 7x60,000= 420,000 Training Material: 7x 60,000= 420,000 Printing: 1,200,000 	Nil	4,000,000 7,460,000

2.2 Access to technical vocational education and training programmes for working	2.2.1 Improve access to technical vocational education and training (centre-based skills development training and supervised apprenticeship training) to out-of-school youth and working adolescents (aged 14 to 17 years of age), including decent job-placement and work place improvement	<ul style="list-style-type: none"> Thana Committee will conduct the monitoring to ensure the access. 	A MoLE project "Eradication of Hazardous Child Labour in Bangladesh 4 th Phase (January 2018- December 2020)" BDT (million) 2844.908	Revision of the list of hazardous child labour to include child labour in the dray fish sector, waste disposal sector, domestic work. The project can be extended (no-cost) for 2020-2022 Part of SDG strategy
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adolescents and their parents.	programme.			
	2.2.2 Provide microcredit (with very low interest) to vocationally trained youth or parents or guardians to run income generating activities or to start their small businesses.	<ul style="list-style-type: none"> Provide a lump sum amount of 25,000 to families of 10 students from all 30 TVET institutes at a very low interest rate/no interest (300 families will be benefited) 30 institutes x 10 x 30,000 	Nil	9000000
2.3 Children are socially empowered through training and social networks.	2.3.1 Provide life skills training to children through MoPME and NGOs working with children	<ul style="list-style-type: none"> Establish life skills training section to Govt. and NGO managed schools 	MoPME is implementing Basic Literacy Project (64 District) (01/02/2018 – 01/06/2022) The cost of the project is BDT (million) 1428.7.	This project may be extended. <u>Part of SDG implementation</u>
	2.3.2 Provide basic employability skills (giving interview, preparing their CVs) through MoPME, MoLE, and NGOs managed skills development training centers.	<ul style="list-style-type: none"> Provide finance to Govt. and NGO managed skill development training centers 12,000,000 (Govt. and NGO managed centers) x Syrs (100,000) 	Nil	60,000,000
	2.3.3 Nurture ethical values through organized clubs and networks for children and youth.		The project "Empowerment and Protection of Children (EPC)" is being implement by MoWCA providing life skill training, targeting 67,500 children per year in 2500 clubs	This activity may be included with the EPC project

		Total in BDT		124,0000,000
		Total in USD		14588235.3

3. Health & Nutrition				
Outputs	Key Activities	Inputs (adjusted at annual 5.5% rate of inflation and rounded)	Existing Programmes	Budget (In BDT)
3.1 Access to health and nutrition education ensured for all households with working children or those at risk of sending children for labour	3.1.1 Develop basic health and nutrition messages and information packets for parents and children and disseminate them through the MoHFW and health sector NGOs.	<ul style="list-style-type: none"> • Development of the message and information materials. • Specialist fees: Messages Information briefs • Printing of the materials: Information brief Handout Materials Advertising Billboards • Dissemination through schools, District and Upazila health centers, and NGOs working in the health sectors etc. • Dissemination through electronic and print media 	This activity may be linked with the existing projects of MoHFW.	Nil
	3.1.2 Organize basic health and general hygiene related education to reduce health and hygiene related hazards.	<ul style="list-style-type: none"> • Awareness campaign in all Upazilas by local NGOs and Upazila Health Care Centre • Training of the govt. officials working in the relevant sectors 	This activity may be linked with the existing projects of MoHFW i.e.	Development of Health Curriculum: Consultancy <ul style="list-style-type: none"> • Printing and dissemination (24,000,000 Books) • 700,000,000 Taka
	3.1.3 Encourage employers to introduce health insurance in their enterprises through Department of Inspection for Factories and	<ul style="list-style-type: none"> • Develop a policy in light of the insurance company's policy for compensating employees affected in workplace 	Nil	2310000 Taka

	Establishments.	accidents: Consultant fees (3 person): 6QQ,QQQ X 3p= 1,800,000 Printing materials: 700,000 Dissemination:350,000 Organize Divisional level seminars involving employers' and workers' association to aware about the compensation policy: 7 diV. X 180,000		
3.2 Opportunities created to ensure access to health services.	3.2.1 Encourage employers of the enterprises to ensure health care services in the workplace through providing health cards to the working adolescents.	<ul style="list-style-type: none"> Encourage employers' and creating awareness to workers about the rights of the working adolescents on health care and health cards through Seminars that mentioned in 3.1.3 	Nil	Nil
	3.2.2 Contact private sectors to fund health programmes for working children through government and NGOs managed programmes.	<ul style="list-style-type: none"> Organize training programme for NGOs to monitor the activities in the industries: Training arrangement(2): 300,000 Training Materials : 200,000 Printing: 500,000 Resource person: 300,000 Encourage NGOs and Civil Societies to monitor: 2 000 000 	Nil	4290000
	3.2.3 Encourage employers to establish drop-in centres in industrial areas with higher concentration of hazardous labour for immediate health support, referrals and social counseling, and nutrition support.	<ul style="list-style-type: none"> Employers' should be encouraged to establish drop-in centers under the CSR activities which can be conducted through seminars mentioned in 3.1.3 or through ceremonies that mentioned in 3.1.2. 	Nil	Nil

		Total in BDT		707000000
		Total in USD		8317647.06

4 . Social Awareness Raising and Motivation

Outputs	Key Activities	Inputs (adjusted at annual 5.5% rate of inflation and rounded)	Existing Programmes	Budget (In BDT)
4.1 Children, parents, employers, trade unions, civil society and concerned state officials are critically aware of harmful effects of child labour and HWFCL and motivated to demonstrate positive attitude and behavioral patterns towards the elimination of child labour.	4.1.1 Prepare short TV and Radio spots (3-5 minutes) on child labour and HWFCL for screening in cinemas, TV, radio and other mass media.	<ul style="list-style-type: none"> • Purchase Media spots (including special days) TV(1000min.x 10,000 average): 10,000,000 Radio (300 min. x 3000): 1200000 • Paper: 2,000,000 (lump sum) • Development of awareness advertisement and short programmes Advertise: 1200,000 (lump sum) Short drama: 1,200,000 	Initiate the main activity-4 of Mol in MTBF 2020-2025 including the recommendations as a component	15,600,000
	4.1.2 Stage social drama (popular theatre) on harmful effects of child labour and on HWFCL at villages, markets, bus stations and slums.	<ul style="list-style-type: none"> • Stage Drama in upazila level, Schools, and colleges Script: 600,000 Training and honorarium of actor (m/f): 3,000,000 Staging (500 upazilas x 12,000): 6,000,000 	Nil	10,100,000
	4.1.3 Organize awareness meetings with religious leaders and their associations to work on the elimination of <14 years old child labour and <18 years old HWFCL. The imams of the mosques should be trained and asked	<ul style="list-style-type: none"> • Training for religious leaders through Islamic Foundation (Divisional): Organize training: (7 x 95,000) 665,000 Materials: 300,000 	Nil	2815000

	to disseminate these in the mosques.	Printing: 500,000 Resource person: 500,000 Honorarium (participants): 500,000		
	4.1.4 Publicize messages on harmful effects of child labour through billboards, wall paintings, posters and leaflets all over the country.	<ul style="list-style-type: none"> Development of Messages (including dissemination): Billboards (4/district, medium) (64 dist. x 700,000):44800000 Wall painting: (R/As, I/As Schools): 2,000,000 Posters (R/As, I/As Schools): 1,500,000 Leaflets(R/As,Schools): 1,000,000 	Nil	50200000
	4.1.5 Organize awareness raising activities to sensitize employers, workers, including working children, and mass public on hazardous sectors and to take actions in addressing H and WFCL in those sectors.	<ul style="list-style-type: none"> Division wise awareness raising activities through NGOs, Civil Society, and University students' societies: 7 X 700,000 	Nil	4,900,000
	4.1.6 Educate school going children (both primary and secondary schools) on child rights and the negative effects of child labour, especially on hazardous and worst forms of child labour.	<ul style="list-style-type: none"> Link with 2.1.4, 2.1.5, 2.1.6, and 2.2.3 activities. 	Nil	Nil
4.2 Community based mechanism is established and strengthened to prevent and protect child labour	4.2.1 Replicate Dhaka City Corporation's (DCC) good lessons learned and model of Community-based Workplace Surveillance Group (CWSGs) to monitor child labour situations in the community and workplace as well as to raise awareness among community members and employers.	<ul style="list-style-type: none"> Develop Educational materials and organize training to all city corporations about DCC's good lesson learnt and model of CWSGs to monitor child labour situation in the community and workplace Develop materials: 500,000 Printing : 500,000 Training: 300,000 Resource person: 500,000 Honorarium of participants: 	Nil	2,200,000

		400,000		
		Total in BDT		81335000
		Total in USD		956882.4

5. Legislation and Enforcement				
Outputs	Key Activities	Inputs (adjusted at annual 5.5% rate of inflation and rounded)	Existing Projects	Budget (In BDT)
5.1 Existing laws and rules related to child labour issues (in both formal and informal sector), are revised.	5.1.1 Sensitize judiciary and legal enforcement mechanism on child labour related issues amongst concerned stakeholders including law enforcement officers and employers.	Organize Training in the police academy Material: 600,000 Printing: 1,200,000 Resource person: 1,200,000 Training facility: 1,200,000	Nil	4200000
	5.1.2 Revise Labour Act, 2006 in light of child labour policy. Ensure revised labour laws protect working children in both formal and informal	This activity can be merged with activity 1.1.2	Nil	Nil
5.2. The child labour related laws and rules are enforced.	5.2.1 Replicate Dhaka City Corporation's (DCC) Child Labour Monitoring and Regulatory Mechanism (Trade Licensing) in other city corporations for addressing child labour in urban informal sector.	Can be merged with activity 4.2.1	Nil	Nil
	5.2.2 Enforce child labour related laws and rules through building greater cooperation and coordination amongst law enforcement agencies, creating mechanisms for public reporting of child labour law violations and ensuring effective prosecution of child labour laws violators.	Can be merged with activity 5 1.1 Develop public reporting center in all districts: 64 x 42,000 x 5yrs	Nil	13,440,000
	5.2.3 Develop Code of Conduct for Domestic workers aimed at	Consultant (3 person): 3 x 300,000 = 900,000	Nil	00,750,000

	prevention, protection and elimination of child domestic workers.	Printing (25,000 copies): 5,000,000		
5.3 Inspection and monitoring of child labour in the informal sector and agricultural sectors are strengthened.	5.3.1 Mobilize city corporations' tax officers and trade license supervisors to monitor workplaces in urban informal sectors.	Can be merged with 4.2.1	Nil	Nil
	5.3.2 Increase capacity and number of labour inspectors to ensure effective labour inspection, including child labour monitoring, in formal and informal workplaces, including plantations and other agricultural activities.	<ul style="list-style-type: none"> MoLE will increase the number of inspectors in the Department of Inspection for Factories and Establishments. Training of Inspectors Purchase of equipment and facilities (Inspection Department) 	Approve the suggested project 5.3.5 (1) "Modernization and Strengthen the Department of Inspection for Factories and Establishments" of MoLE in MTBF.	Nil 2,400,000 10,000,000
	5.3.3 Increase the number of Labour Courts.	<ul style="list-style-type: none"> Can be merged with activity 5.3.2 		Nil
		Total in BDT		347,40,000
		Total in USD		408706.0

6. Employment and Labour Market				
Outputs	Key Activities	Inputs (adjusted at annual 5.5% rate of inflation and rounded)	Existing Projects	Budget (In BDT)
6.1 Employment opportunities created and access to the labour market ensured for adolescents who are trained and eligible for work as per legal provision.	6.1.1 Increase access to labour market information among vocationally trained adolescents for seeking decent employment.	<ul style="list-style-type: none"> • Awareness to provide labour market information (Divisional): 3,500,000 • Development of internet (website) based computer software to provide information: 500,000 • Management of Software (MoLE): 2,400,000 • Create awareness by posturing, signboard and leaflets to create access to the information software for adolescent: 2,400,000. 	Nil	94,80,000
	6.1.2 Increase access to vocational skills training amongst rural and urban poor through upgrading the existing facilities and adding new facilities where needed.	May be incorporated through Annual Development Programme of MoPME	Include in activity 5.1.5 Technical (1), and 5.2.5 "TVET Reform in Bangladesh" in MTBR of MoE and activity 5.1.5 (1) in MTBR of MoSW	Nil
	6.1.3 Promote Public-Private Partnership in creating safe jobs for adolescents who have received trade based training and attained eligibility for work as per legal provisions.	Create awareness campaign to all the divisions including NGO, Employer's and workers' Association, and Civil Society organizations	Nil	5,000,000

	6.1.4 Promote employment of trained adolescents for rural- based industries, especially agro based industries.	Create awareness to employers to employ poor adolescent in rural based industries (Upazila) 500X 50,000	Nil	30,000,000
	6.1.5 Engage NGOs involved in income generating activities to employ the trained adolescents in those activities. They may also organize family based income generating activities.	Finance a lump sum amount to NGOs and financial organizations to provide income generating activities to support poor families of the working children (At least 1500 families will be benefited)	Nil	50,000,000
6.2 Small scale income generating enterprises created through effective involvement of vocationally trained adolescents or their families	6.2.1 Engage microfinance institutions, specialized government financial institutions, such as Bangladesh Krishi Bank, Bangladesh Small and Cottage Industries Corporation (BSCIC), Small and Medium Enterprise Foundation (SMEF), and Commercial Banks to extend required support to vocationally trained adolescents or their families to start or expand family based income Generation activities.	Provide financial support through these financial organizations to expand family based income generating activities in the rural areas. (At least 3000 families will be benefited)	Nil	100,000,000
		Total in BDT		21,94,80,000
		Total in USD		2582120

7. Prevention of Child Labour and Safety of Children Engaged in Labour				
Outputs	Key Activities	Inputs (adjusted at annual 5.5% rate of inflation and rounded)	Existing Projects	Budget (In BDT)
7.1 Employment	7.1.1 Identify extreme poor households who are at risk of sending their children	Conduct poverty mapping exercises in the whole country +	Nil	23,000 ,000

opportunities created for adults and parents of extreme poor and working children	to work or removing their children from schools through poverty mapping exercises.	including 7.1.2 + 7.2.1 +8.1.1		
	7.1.2 Provide or ensure access to public work opportunity and social safety net schemes (local physical and social infrastructure development and maintenance work, and food for work programmes) to the identified extreme poor households.	Nil	NCLWC will suggest government to include these families identified through poverty mapping in Social Safety Net Programme.	Nil
	7.1.3 Include child labour as a component in the Social Safety Net Programme.	Nil	NCLWC will suggest government to include child labour as a component to Social Safety Net Programme.	Nil
7.2 Children aged below 14 years are prevented from engaging in child labour and ensured that they stay in school.	7.2.1 Identify school going children who are at risk of drop out from school and out-of-school children through school or education mapping exercises at schools, households and village levels.	Merged with 7.1.1	Nil	Nil
	7.2.2 Provide financial and in-kind incentives assistance to school going children "at risk" of drop-out such as books, school bags, uniforms, transportation allowance, counseling, and remedial programme for slow learners, school breakfast or lunch programmes.	<ul style="list-style-type: none"> Identify children 'at risk' through mapping exercises and provide 600 per month (450,000 children in total) 1st year: 50,000 children x 600 /monthx12 months = 360000000 2nd Year :(50,000+100,000) children x 600/monthx 12 month = 1080000000 	Nil	6053,300,000

		<p>3rd Year: (100,000+100,000) children x 600/monthx 12 = 1440000000</p> <p>4th Year: (100,000+100,000) children x 600/monthx 12 = 1440000000</p> <p>5th Year: (100,000+100,000) children x 500/monthx 12 = 1,400,000,000</p>		
7.3 Working adolescents aged 14 to below 18 years are protected from hazardous work.	<p>7.3.1 Promote, design and implement workplace or area or sector-based programmes and projects which contribute to protecting working adolescents from further damages (physical, mental, intellectual, and moral) arising from their work through:</p> <ul style="list-style-type: none"> • Child labour monitoring and inspection (by labour inspectors, community-based workplace surveillance group, city corporation's trade license supervisors, etc) • Workplace improvement monitoring and inspection (occupational safety and health monitors or inspectors, child labour stakeholders-NGOs, Trade Unions members, employers, and community-based workplace surveillance group, etc) • Occupational safety and health education among working adolescents and 	<ul style="list-style-type: none"> • Linked and merged with activity 3.1.3 and activity 5.3.2 • Enforce employers' to provide training for the adolescent worker in the workplaces : 	Nil	Nil
	7.3.2 Promote understanding and	• Promote awareness campaign	Nil	12,000,000

	compliance among employers, business operators, Trade Unions', parents and community leaders and members on relevant national and sectoral policies, Labour Act and international conventions, regulation, and relevant City Corporation's Ordinances and Office Orders.	among stakeholders <ul style="list-style-type: none"> • Printing materials • Dissemination to employers, workers, and in the community 		
7.4 Children protected from trafficking and sexual exploitation.	7.4.1 Develop mass awareness on child trafficking and sexual exploitation through print and electronic media and civil society organizations.	<ul style="list-style-type: none"> • Conduct min. 10 awareness workshop involving all media and civil society organizations. 	Initiate the suggested activity 5.3.2 (2) in MTBR of MoWCA and include this activity as component	3,000,000
	7.4.2 Ensure effective vigilance against trafficking and sexual exploitation and enforcement of laws against the perpetrators through the law enforcement agencies.	<ul style="list-style-type: none"> • Linked with 7.3.1 	Nil	Nil
	7.4.3 Provide appropriate rehabilitation services of children rescued from trafficking and sexual exploitation.	<ul style="list-style-type: none"> • Establish Rehab Centers in all 64 districts (at least 2000 children per year) 	Include in approved projects 5.1.5 (1), (3), (4) and (7) in MTBR of MoSW	Nil
		Total in BDT		6068,800,000
		Total in USD		71,397,647.1

8. Social and Family Reintegration

Outputs	Key Activities	Inputs (adjusted at annual 5.5% rate of inflation and rounded)	Existing Projects	Budget in BDT)
8.1 Children withdrawn from HWFCL are reintegrated with their families or within the society.	8.1.1 Identify family backgrounds and specific needs of removed working children before referring them to rehabilitation centres (for those without families or relatives) or to their families.	Linked and merged with 7.1.1	Nil	Nil
	8.1.2 Create social awareness among community leaders and members, social voluntary agencies and officials of the local government about the problems faced by the children from broken families and mobilize their support to reintegrate them with their families.	Conduct a number of consultation workshop with all the concerned stakeholders (district wise) 64 X 80,000 X 2 WS	Nil	12,800,000
	8.1.3 Setup new and strengthen existing rehabilitation centres with education, counseling, legal assistance, helpline facilities and services, to cope with rehabilitation of withdrawn children who have not had any families or relatives.	Linked and merged with 7.4.3	Nil	
	8.1.4 Locate families and take appropriate measures to reintegrate children with their families through Government and NGO social networks, and provide safety net schemes or livelihood support and legal assistance, where needed, to assist families with reintegration.	Linked and merged with 7.1.1 & 7.1.2	Nil	
		Total in BDT		12,800,000
		Total in USD		150588.24

9. Research and Training				
Outputs	Key Activities	Inputs (adjusted at annual 5.5% rate of inflation and rounded)	Existing Projects	Budget (In BDT)
9.1 Information on hazardous and worst forms of child labour (WFCL) is updated for supporting the effective implementation of the National Plan of Action.	9.1.1 Strengthening MoLE/CLU's Child Labour Management Information System (CLMIS) and its child labour website.	<ul style="list-style-type: none"> Strengthen Labour Management Information System Linked with website will be merged with 6.1.1 	Nil	2,000,000 Nil
	9.1.2 Identify potential research agencies (both from government and non-government institutions) for creating a panel of researchers. Identify their capacity development needs and provide required support to develop their research capacity.	<ul style="list-style-type: none"> NCLWC/MoLE will identify potential research agencies with support from the development partners Developing capacity of the selected agencies (5-10 agencies) 	Nil	Nil 20,000,000
	9.1.3 Conduct specific sector studies, rapid assessments, and action researches on incidence and prevalence of child labour, particularly its hazardous and worst forms of child labour in Bangladesh and in the region.	A lump sum amount will be reserved for conducting different studies, assessment, and researches	Nil	120,000,000
9.2 Managerial and operational capacities of concerned stakeholders in addressing child labour are enhanced.	9.2.1 Build capacity of key child labour stakeholders in planning, designing, implementing and monitoring child labour related programmes and projects.	Linked and merged with 9.1.2	Nil	Nil
	9.2.2 Ensure follow-up and evaluation of capacity building.	MoLE and NCLWC will ensure this.		Nil
		Total in BDT		14,64,00,000

	Total in USD	1722353.0
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Activities and Budget of the Monitoring Mechanism

Monitoring and Evaluation			
Key Activities	Inputs	Existing Programmes	Budget (adjusted at annual 5.5% rate of inflation and rounded)
Management of the Secretariat from national level through upazila level.	The Activity may be merged with activity 1.2.2	Nil	Nil
Conduct survey/estimates of child labour (Divisional Level).	Twice in every division 600,000x2x7	Nil	4,000,000
Conduct Training programmes for government officials, NGO members, and local community leaders to understand the problem and process of elimination of child labour.	May be merged with 1.3., 1.3.2, and 1.3.3	Nil	Nil
Build linkages between the committees by setting up online/electronic/email linkages; develop periodic reporting systems, collect and consolidate information to submit to NCLWC.	<ul style="list-style-type: none"> Development of Server Create linkage in the website 	Nil	1,200,000
Develop a Child Labour Tracking System.	<ul style="list-style-type: none"> Development of tracking system software Integrate the software in the website 	Nil MoLE has established the Child Labour Management Information System. The tracking system may be included in this system	1,200,000
Develop joint inspection team in Upazilas	<ul style="list-style-type: none"> Establish 3 members team for 500 upazilas to conduct inspection and monitor Provide Tk 600 per 	Nil	54,000,000

	month per member		
Establishment/Strengthen of Libraries (Divisional)	1 Library for Each Division	Nil	90,000,000
	Total in BDT		154,800,000
	Total in USD		1821176.47

GUIDELINES ON ACTIONS DURING AND IN POST COVID-19 PANDEMIC



Ministry of Labour and Employment

Draft
**National Plan of Action to Eliminate Child
Labour (2020-2025)**

Context of COVID-19 and Child Labour

Global pandemic of COVID-19 has led to an economic disaster alongside a health disaster. World Economic Outlook (WEO) Report of the IMF, predicts global economic growth at 1.7 percentage point for 2020 and 0.2 percentage point for 2021. The IMF earlier had projected that global economic growth at 3.3% in 2020 and 3.4% in 2021. Slowing down of global economy has devastating implications for migrants and migration prone economies such as Bangladesh. A World Bank report, titled, "South Asia Economic Focus", forecasts a grim picture for Bangladesh economy. According to the report, Bangladesh's gross domestic product growth would fall from 8.15 percent to just 2 – 3 percent in the current fiscal year. According to the South Asian Network on Economic Modeling (SANEM), Bangladesh's poverty rate may double to 40.9% from that prior to the onset of the pandemic. This would mean more household in poverty and greater vulnerability of children to child labour.

According to a study titled "COVID-19: Bangladesh Multi-Sectoral Anticipatory Impact and Needs Analysis", conducted by the Need Assessment Working Group in late April of 2020, the children are exposed to multiple health and socio-economic shocks of COVID-19. The survey reveals-

- 49% indicated that women and children couldn't access health and nutrition services.
- 60% indicated no regular communication from schools about learning continuity. 42% had not heard of any remote based education activities while 59% households had school going children.
- Poor children especially don't have access to TV/ online based learning. The number of out of school children may increase

The Emerging Strategic Concerns

There is a need of a comprehensive assessment of the situation of the children in child labour during COVID-19 and probable implications in post-COVID situation. At the same time steps are essential in addressing emergency concerns of the child labour during COVID-19 (as the pandemic spreads). This would among other involve addressing the protection concerns of the marginalized children including the child labour. During COVID-19, along with their parents, many of the child labour are not working. If adult unemployment increases largely the children may face a greater pressure to work during post COVID-19 phase. In some sectors children may loose work while in some other sectors they may be engaged in a higher proportion. Once a child is pushed out of labour market, it does not necessarily mean a welfare gain; unless a safety-net is created to support the child and the related household.

Within these complications, the development goals and timeline of SDG and NPA on elimination of child labour may need to be readjusted. Within this pandemic, the study of the Need Assessment Working Group identifies the following Child Protection Priorities -

- Children should be provided safe, child-friendly hygiene promotion activities.
- Case Management: At community level
- Child Helpline 1098: upscale support to Child Helpline
- Strengthening CP referral pathways to include remote case management
- Provide psychosocial support for children and adolescents and strengthening of social

Other studies and findings of consultations during COVID-19 have identifies some gaps in the Emergency Response in relation to child labour and other marginalized groups of children. Firstly, in absence of PPE coupled with inadequate measures for social distancing and safety, the existing NGO

and GO services (including drop-in-centers, night shelter, NFE and skill development programs) came to a halt. While the closure of schools did not mean protection for the children living on the street or at shelter and children at work. Secondly, the children in child labour were not given income-protection, health care access, special safety-net, safe shelter/quarantine space or family reunion assistance during general leave (lockdown of economy). This heightened their livelihood crisis. Thirdly, there is structural Gaps in Child Protection in general. In Bangladesh, while around 40 percent population comprises of children, in the total social safety-net budget, only 15 percent is spent on child protection. With the existing allocation, less than 40 percent of the child population can be covered. With the increase of poverty induced marginalization of children due to COVID-19, this allocation will suffer from greater inadequacy.

The concerns over COVID-19 are also relevant for achievement of the SDG commitments. It is linked with the SDG Target 3.b which calls to support the search and development of vaccines and medicines for the communicable and non-communicable diseases that primarily affect developing countries, provide access to affordable essential medicines and vaccines, in accordance with the Doha Declaration on the TRIPS Agreement and Public Health, which affirms the right of developing countries to use to the full the provisions in the Agreement on Trade-Related Aspects of Intellectual Property Rights regarding flexibilities to protect public health, and, in particular, provide access to medicines for all. It also meets 3.8 which calls to achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all.

The situation of the children during COVID-19 and in post COVID-19 phase needs to be closely monitored and addressed. This may involve as wide range of activities which can come within the purview of short-term and long term development planning and have impact on the goal of elimination of child labour in the country.

Work at Hand of LEB/CLMC at local level

- Listing of children in child labour (assessment of working situation and protection needs) based on locality. This calls of collective effort of local government, Trade Unions, employers associations and NGOs along with DIFE inspectors, social workers and health officials.
- To strengthen monitoring and the refer child labour and their households to local authority and NGOs for relief and safety-net support.
- Development of shelter provisions/quarantine space for child labour (including child domestic workers and street children) at localities.

Work at Hand of GO-TU-NGOs at local level

- Reopening of GO, NGO and trade union (TU) services for children in child labour whenever possible with required social distancing (small groups in multiple batches) along with hygiene and safety measures (both for caregivers and children).
- Continuation of NFE and skill training either at center or through distant-learning methods by using FM radio, (accessible on mobile phone), radio, community radio or other ITC mode accessible to child labour. This also calls for module and protocol development (currently on process).
- To bring the newly added child labour (new dropouts due to COVID-19) back to school – to this end urgent bridging and stipend program need to be introduced.
- Conditional micro-credit/soft loan and livelihood support for households of child labour.

Work at Hand of NCLWC at Central Level

- Contribute in shaping COVID-19 response-strategy to uphold the concerns of the child labour.
- Carryout review and monitoring of child labour situation to inform and advice the government planning and implementation.
- Develop an emergency coordination mechanism to continue the work during COVID-19.
- Propose reform of listed hazardous work; keeping in mind that COVID-19 will lead to increase hazardous child labour.
- Explore possibility of extending speedy and transparent compensation and assistance to child labour through Bangladesh Labour Welfare Fund.
- Creating fast track access of vaccine of COVID-19 to the children in child labour.

Measures for Development Programming

- The timeline and pathway of SDG target 8.7 and NPA may need to be reset (expanded) to cover a larger population of child labour.
- Greater investment towards child protection in safety-net program.
- The hazardous child labour (those already listed and those considered for inclusion such as dry-fish, waste disposal, domestic work etc.) is likely to increase due to COVID-19. This will require additional resource, time and attention.
- Support to marginalized including internal migrant-households, during and after the pandemic, needs to be ensured.
- MoWCA, MoSW, MoDMR and MoLE to develop a coordinated strategy to address child labour in and post-COVID-19 situation.

These guidelines on actions during and in post-covid-19 pandemic to address child labour is applicable for GO, NGO, trade union, private sector and development partners. The actions are indicative and relevant agencies are invited to carry these in coordination with MoLE.



Ministry of Labour and Employment

Draft

National Plan of Action to Eliminate Child Labour (2020-2025)

Matrix-1 (Actions built within SDG implementation Strategy of GoB)

Monitoring Guideline

Child Labour Unit within MoLE can be the focal for monitoring of implementation of NPA. There can be comprehensive databased developed at the Child Labour Unit under MoLE. DIFE, Child Labour Welfare Council/Child Labour Monitoring Committee, District Child Labour Monitoring Committee, Upazilla Child Labour Committee, relevant ministries /department /agencies, UN agencies, INGOs and NGOs will collect and share data to monitor the progress of implementation. Planning Commission and Internal Monitoring and Evaluation Department under Ministry of Planning will work as focal points and key sources for SDG goals and targets related data. BBS will provide national baseline (National Child Labour Survey) for the monitoring and evaluation purpose.

For Actions built within SDG Implementation Plan

1. The concern ministries can collect data on relevant SDG Goals and Targets. Which can be sent to MoLE through focal points.
2. The SDG monitoring data (SDG Marker) as collected by Ministry of Planning can be collected and compiled to generate a database to monitor progress in implementation of NPA.

For SDG plus Actions :

3. Concerned ministries, department, agencies, UN agencies, INGOs and NGOs can generate monitoring data for relevant actions as per the set of indicators built into the planning matrix. The monitoring data can be shared with MoLE on periodic basis (quarterly).

In General:

4. The Child Labour Survey can work as benchmark for monitoring and evaluation.
5. Geographical and sector based sample studies can be carried out to monitor progress.
6. Child Labour Monitoring Committees at grassroots level and Central level (within Child Labour Welfare Council) can periodically (quarterly) collect data on number of child labour, number of child labour covered under different programs, number of child labour left un attended and number of child labour withdrawn (in age, sector, and gender disaggregated form).

Monitoring Matrix : Ministry of Labour and Employment (MoLE)

Strategic Objective -1. Reducing vulnerability to child labour	
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance). Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE). Output: 1.3 Support to the households of the vulnerable children for economic empowerment. Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour. Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.	
SDG Targets	Global Indicators for SDG Target's
1	2
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	8.7.1 Proportion and number of children aged 5-17 years engaged in child labour by sex and age
Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour	
Output-2.1: Review and updating of the list of hazardous child labour .Output-2.2: Identification and referral guidelines adopted. Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement. Output-2.4: Shelter for children without parental care. Output-2.5: Support to the households of the withdrawn children for economic empowerment	
SDG Targets	Global Indicators for SDG Target's
1	2
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	8.7.1 Proportion and number of children aged 5-17 years engaged in child labour by sex and age
Strategic Objective -3. Increased capacity to protect children at workplace	
Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector. Output-3.2: Strengthening enforcement of legal and protection provisions. Output-3.3: Access of child labour to NFE and Welfare Fund for healthy development. Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.	
SDG Targets	Global Indicators for SDG Target's
1	2
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	8.7.1 Proportion and number of children aged 5-17 years engaged in child labour by sex and age
Strategic Objective -4. Reducing vulnerability to child labour	
Output-4.1: Coordinating amongst the concerned stakeholders and sectors through NCLWC for the welfare of working children. Output-4.2: Holding annual conference on progress of NPA implementation (celebrating success and rewarding/recognizing champions). Output-4.3: Increased engagement of LEB, CSOs, Private Sector and Mass Media in resource mobilization and implementation of NPA	
SDG Targets	Global Indicators for SDG Target's
1	2
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	8.7.1 Proportion and number of children aged 5-17 years engaged in child labour by sex and age

Monitoring Matrix: Bangladesh Bureau of Statistics

Strategic Objective -5. Monitoring and Evaluation of NPA implementation	
Output-5.1: Developing a database on child labour. Output-5.2: Periodic monitoring and reporting by national CL monitoring committee and BBS. Output-5.3: National Child Labour Survey Output-5.4: Mid-term (2021) and end-term evaluation (2025)of NPA implementation.	
SDG Targets	Global Indicators for SDG Target's
1	2
Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms	8.7.1 Proportion and number of children aged 5-17 years engaged in child labour by sex and age
Data, monitoring and accountability: 17.18 By 2020, enhance capacity- building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by	17.18.1 Proportion of sustainable development indicators produced at the national level with full disaggregation when relevant to the target, in accordance with the Fundamental Principles of Official Statistics

Monitoring Matrix : Secondary and Higher Education Division (SHED), Ministry of Education

Strategic Objective -1. Reducing vulnerability to child labour	
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance). Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE).. Output: 1.3 Support to the households of the vulnerable children for economic empowerment. Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour. Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.	
SDG Targets	Global Indicators for SDG Target's
1	2
4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations	4.5.1 Parity indices (female/male, rural/urban, bottom/top wealth quintile and others such as disability status, indigenous peoples and conflict-affected, as data become available) for all education indicators on this list that can be disaggregated

Monitoring Matrix: Technical and Madrasa Education Division, Ministry of Education

Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour	
Output-2.1: Review and updating of the list of hazardous child labour .Output-2.2: Identification and referral guidelines adopted. Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement. Output-2.4: Shelter for children without parental care. Output-2.5: Support to the households of the withdrawn children for economic empowerment	
SDG Targets	Global Indicators for SDG Target's
1	2
4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university	4.3.1 Participation rate of youth and adults in formal and non-formal education and training in the previous 12 months, by sex

Monitoring Matrix : Ministry of Priamry and Mass Education

Strategic Objective -1. Reducing vulnerability to child labour	
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance). Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE).. Output: 1.3 Support to the households of the vulnerable children for economic empowerment. Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.	

Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.	
SDG Targets	Global Indicators for SDG Target's
1	2
Target 4.1 By 2030, ensure that all girls and boys complete free, equitable and quality primary education leading to relevant and effective learning outcomes	4.1.1. Proportion of children (a) in Grade 2 or 3; (b) at the end of Primary Education achieving at least a minimum proficiency level in (i) Reading and (ii) Math, by Gender .1.2. Administration of a nationally-representative Learning Assessment (a) in Grade 2 or 3; (b) at the end of Primary Education (Grade 5) 4.1.3 Gross intake ratio to the last grade of Primary Education (Survival Rate to Grade 5) 4.1.4 Primary Cycle Completion rate 4.1.5 Out-of-school Children Rate (6-10 years) and (11-14 years) 4.1.6 Percentage of children over-age for grade in Primary Education .1.7 Number of years of (a) free and (b) compulsory primary education guaranteed in legal frameworks 4.1.8 DPED/C- in-Ed trained teachers
Target 4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education	4.2.1 Proportion of children under 5 years of age who have access in Early Childhood Care and Development (ECD), by Gender 4.2.2 Participation rate in organized learning (one year before the official primary entry age), by Gender 4.2.3 Gross PPE enrolment ratio, by Gender 4.2.4 Net PPE enrolment ratio, by Gender 4.2.5 Well decorated & designated PPE classroom 4.2.6 PPE classroom size for 25/30 children
Target 4.6 By 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy	4.6.1 Percentage of population in GIVEN ge group achieving at least a fixed level of proficiency in functional literacy and (b) numeracy skills by sex.

Monitoring Matrix : Ministry of Social Welfare

Strategic Objective -3. Increased capacity to protect children at workplace	
Output-3.1: Strengthening institutions to monitor child labour- including in the informal sector.	
Output-3.2: Strengthening enforcement of legal and protection provisions.	
Output-3.3: Access of child labour to NFE and Welfare Fund for healthy development.	
Output-3.4: Code of conduct and protection protocol for children in informal sector adopted and made public.	
SDG Targets	Global Indicators for SDG Target's
1	2
5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally	5.4.1 Proportion of time spent on unpaid domestic and care work, by sex, age and location

Monitoring Matrix: Ministry of Women and Children Affairs

Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour	
Output-2.1: Review and updating of the list of hazardous child labour.	
Output-2.2: Identification and referral guidelines adopted.	
Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement.	
Output-2.4: Shelter for children without parental care.	
Output-2.5: Support to the households of the withdrawn children for economic empowerment	
SDG Targets	Global Indicators for SDG Targets
1	2
Target 1.1 By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day	1.1.1 Proportion of population below the international poverty line, by sex, age, employment status and geographical location (urban/rural)
1.2 By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions	1.2.2 Proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions
1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable	1.3.1 Proportion of population covered by social protection floors/systems, by sex, distinguishing children, unemployed persons, older persons, persons with disabilities, pregnant women, new-borns, work-injury victims and the poor and the vulnerable

1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance	1.4.1 Proportion of population living in households with access to basic services
4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education	4.2.1 Proportion of children under 5 years of age who are developmentally on track in health, learning and psychosocial well-being, by sex
4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university	4.3.1 Participation rate of youth and adults in formal and non-formal education and training in the previous 12 months, by sex
4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations	4.5.1 Parity indices (female/ male, rural/urban, bottom/top wealth quintile and others such as disability status, indigenous peoples and conflict-affected, as data become available) for all education indicators on this list that can be disaggregated
4.6 By 2030, ensure that all youth and a substantial proportion of adults, both men	4.6.1 Percentage of population in a given age group achieving at least a fixed level of proficiency in functional (a) literacy and (b) numeracy skills, by sex
4.a Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all	4.a.1 Proportion of schools with access to: (a) electricity; (b) the Internet for pedagogical purposes; (c) computers for pedagogical purposes; (d) adapted infrastructure and materials for students with disabilities; (e) basic drinking water; (f) single-sex basic sanitation facilities; and (g) basic hand washing facilities (as per the WASH indicator definitions)
5.1 End all forms of discrimination against all women and girls everywhere.	5.1.1 Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex .
5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation	5.2.1 Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age . 5.2.2 Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence.
5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels	5.c.1 Proportion of countries with systems to track and make public allocations for gender equality and women's empowerment.

Monitoring Matrix: Ministry of Home Affairs

Strategic Objective -2. Withdrawing working children from hazardous and worst forms of child labour	
Output-2.1: Review and updating of the list of hazardous child labour.	
Output-2.2: Identification and referral guidelines adopted.	
Output-2.3: Economic and social support to the children withdrawn from work with priority to children in HCL and girls in CL linked with TVET/NFE and alternative job placement.	
Output-2.4: Shelter for children without parental care.	
Output-2.5: Support to the households of the withdrawn children for economic empowerment	
SDG Targets	Global Indicators for SDG Targets
1	2
Goal 16 aims to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.	16.2.2 Number of victims of human trafficking per 100,000 population, by sex, age and form of exploitation

Monitoring Matrix: Ministry of Information

Strategic Objective -1. Reducing vulnerability to child labour	
Output: 1.1 Raising general awareness amongst parents, the community and civil society about child labour (to promote community resistance).	
Output: 1.2 Motivation and financial support/stipend to children of poor households at rural and urban centers with special schooling facilities (TVET, NFE)..	
Output: 1.3 Support to the households of the vulnerable children for economic empowerment.	
Output: 1.4 Motivation for the employers for exploring new/ alternative technology and source of labour.	
Output: 1.5 Institutional capacity building to monitor and address child labour from central to union level.	
SDG Targets	Global Indicators for SDG Targets
1	2
16.10 Ensure public access to information and protect fundamental freedoms. in accordance with national legislation and international agreement	16.10.2 Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information.

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2005 (Revised 2013)
International Labour Organization
Better Factories Cambodia, Cambodia



International
Labour
Organization

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2005 (Revised 2013)
International Labour Office

Better Factories Cambodia, Cambodia

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First published 2005

Reprinted in 2011, and revised only to reflect amendments to Notices 049/10 and 041/11 by the Ministry of Labour and Vocational Training.

Reprinted in 2008, and revised only to reflect amendments to Articles 139 and 144 of the Labour Law, and the publication of Notices 745/06 and 032/08 by the Ministry of Labour and Vocational Training.

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ILO

**Guide to the Cambodian Labour Law for the Garment Industry Phnom
Penh, International Labour Office, 2005**

ISBN 92-2-116754-2

Also available in Khmer: Guide to the Cambodian Labour Law for the Garment Industry (ISBN 92-2-816754-8), Phnom Penh, 2005; and in Chinese: Guide to the Cambodian Labour Law for the Garment Industry (ISBN 92-2-516754-7), Phnom Penh, 2005

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ILO publications can be obtained through major booksellers or direct from ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. Catalogues or lists of new publications are available free of charge from the above address, or by [email: pubvente@ilo.org](mailto:pubvente@ilo.org).

Visit our website: www.ilo.org/publns

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FUNDING:

The ILO Better Factories Cambodia Project is funded by:

US Department of Labor

Royal Government of Cambodia

Garment Manufacturers Association of Cambodia

ACKNOWLEDGEMENTS

This text owes a great deal to previous publications by the Community Legal Education Center (CLEC).

The editors would like to express their thanks to Mr Ken Loo (Garment Manufacturers Association of Cambodia), Mr Kong Phallack, Mr Men Nimmith and Mr Tuon Siphann (Arbitration Council), Mr Chea Sophal and the ILO Better Factories Cambodia Monitoring Team, Ms Anne Ziebarth (ILO BFC consultant), Mr Michael Lerner (Project Coordinator, CLEC), and representatives of the unions and the garment sector for their helpful comments on the Guide. The editors would particularly like to thank the Ministry of Labour and Vocational Training for their co-operation in the publication of the Guide and in particular Mr Huot Chantry for his detailed and helpful comments.

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Cover photo was taken at New Island Clothing (Cambodia) Ltd.

Design & Layout by

DESIONGROUP www.dgcambodia.com

Printed in Cambodia

PREFACE

His Excellency NhepBunchin

Minister for Labour and Vocational Training

The Royal Government of Cambodia is committed to ensuring sustainable and equitable development. Decent work is the key to reducing poverty. This means jobs with working conditions that allow employees to lift themselves, and their families, out of poverty.

A key plank of the Royal Government's 2004 Rectangular Strategy is the creation of jobs and ensuring improved working conditions. Specifically the Royal Government has committed itself to seriously enforce the Labour Law and other international conventions to ensure the rights and responsibilities of employees and employers are respected. In the Garment industry this will be key to Cambodia's success in a world without quotas. We want to attract and retain buyers who share our commitment to decent work.

Cambodia has modern labour laws and regulations developed over the past decade of progress. But there is still a need for these laws to be better understood by those who are subject to them. In recent years the Arbitration Council has assisted in the understanding of these laws by its awards. Its awards only apply to the parties to the dispute and are not binding if the parties object to the award. But the Council's reasons for decisions are an important tool for interpreting the law.

For the first time in Cambodia we now have a guide that brings together all the parts of national labour law into one publication. The Guide is designed to be easy to read and easy to access the important elements of the law.

This publication is intended to be a guide to Cambodian labour law for the garment industry only. It should not be seen as legal advice. In addressing problems relating to working conditions or workplace relations, it may be necessary to consult an expert such as a labour inspector, a lawyer or a representative of your employers' association or union federation, and it may be necessary to refer to the Labour Law or labour regulations.

This publication is an initiative of the International Labour Organization Garment Sector Working Conditions Improvement Project and the Government of the Kingdom of Cambodia. The Ministry of Labour and Vocational Training is pleased to support the Guide as part of promoting broad understanding of rights and responsibilities in the workplace and increasing compliance with the labour law.

Phnom Penh
January 2005

NhepBunchin

Minister for Labour and Vocational Training

FOREWORD

Christine Evans-Klock, Director

ILO Sub-Regional Office for East Asia

For the last four years the ILO has been monitoring working conditions in Cambodia's export garment industry. We have done this in partnership with the Royal Government of Cambodia, the Garment Manufacturers Association of Cambodia and Cambodian unions. All too often violations of the law are due to lack of knowledge of the labour law itself. This can result in unnecessary disputes and loss of orders from concerned buyers.

This Guide aims to help employers, unions and employees understand the labour law. It integrates every major source of Cambodian labour law into one easy-to-use booklet.

For each subject area the key elements of the law are explained - not in the technical language of lawyers and legislators, but in plain language that ordinary people can understand.

The sources of the law that are relevant to each explanation are listed so that actual legal texts can be referred to if fine detail on any point is necessary.

The International Labour Organization is pleased to be involved with the Cambodian government in bringing this publication about. We see it is an important contribution to the objectives within the Royal Government's Rectangular Strategy to maintain labour standards and increase good employment opportunities. We hope this Guide will benefit Cambodia and contribute to sound labour relations within a growing economy.

Over time the laws will inevitably change and improvements can be identified to make this Guide even better. If you have suggestions for improvement, please contact the ILO at the ILO Garment Sector Working Conditions Improvement Project at gsp@ilogsp.org.kh so they can be part of the next edition.

**Bangkok
January
2005**

Christine Evans-Klock

Director, ILO Sub-Regional Office for East Asia

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PART 1 INTRODUCTION

References

1.1 ABOUT THIS GUIDE

This Guide brings together all sources of Cambodian labour law into a single, comprehensive guide for the manufacturing sector. The Guide covers all major areas of Cambodian labour law, derived from the Labour Law itself, regulations of the Royal Government, international labour standards that have been ratified by Cambodia, and the Cambodian Constitution.

A wide range of users will find this Guide helpful. Business owners, managers, and human resource personnel can use the Guide as a quick reference to identify their obligations under Cambodian labour law.

Employees will be able to gain a broad understanding of their rights and obligations under the law.

Non-governmental organizations, community-based organizations, unions and employer associations also will find the Guide useful in their work.

The Guide is organised into twelve major topic areas:

- Regulating Employment
- Hiring Employees
- Categories of Employees
- Wages
- Working Hours and Overtime
- Public Holidays, Leave and Other Benefits
- Occupational Health and Safety
- Work-Related Accidents and Illnesses
- Disciplining and Dismissing Employees
- Dispute Resolution
- Unions and Shop Stewards
- Documentation, Record Keeping, Posting

For each issue covered under these subject areas, the Guide includes references to the sources of the information in Cambodian labour law, or Arbitration Council Foundation (AC) decisions.

Example on how to use the guide

Information on collective bargaining agreements is found under the heading:

12.8 COLLECTIVE BARGAINING AGREEMENTS

Users who require more detailed information than that included in this section can look at the sections of the Labour Law and the Prakas or AC decisions that are indicated in the references.

LABOUR LAW ARTS 96-101
PRAKAS 287/01
PRAKAS 305/01
AC AWARD 148/12 (5)

The Guide contains a detailed Table of Contents to make it easy to locate topics of interest. In addition, a list of abbreviations used throughout the Guide follows this Introduction.

This book is intended to be a guide to Cambodian labour law, and should not be construed as legal advice. In particular this Guide has been written for the garment industry. Although it is also applicable in other industries, there may be industry-specific law and regulations which also apply (e.g. in the agriculture, plantation and services industries).

In addressing problems relating to working conditions or workplace relations, it may be necessary to consult an expert such as a labour inspector, a lawyer or a representative of your employers' association or union federation.

1.2 ABBREVIATIONS & TERMS

AC	-	ARBITRATION COUNCIL
ANUKRET	-	SUB-DECREE
ART	-	ARTICLE
CBA	-	COLLECTIVE BARGAINING AGREEMENT
FDC	-	FIXED DURATION CONTRACT
ILO	-	INTERNATIONAL LABOUR ORGANIZATION
LL	-	LABOUR LAW 1997
NOT	-	NOTICE
PRAKAS	-	MINISTERIAL DECLARATION
UDC	-	UNDETERMINED DURATION CONTRACT

THE TERM "REGULATION" AS USED IN THIS PUBLICATION INCLUDES ALL EXECUTIVE INSTRUMENTS INCLUDING SUB-DECREES, PRAKAS, CIRCULARS, INSTRUCTIONS AND NOTICES.

PART 2 REGULATING EMPLOYMENT

References

2.1 OVERVIEW

This Guide is about Cambodian labour law. Cambodian labour law comes from a number of sources. These include:

- the Constitution
- the Labour Law
- Regulations of the Royal Government (Sub-decrees) and the Ministry in charge of Labour (Prakas, Circulars and Notices)
- International Labour Standards of the ILO
- Collective Bargaining Agreements
- Employment Contracts, and
- Employers' Internal Regulations.

Awards of the Arbitration Council only apply to the parties named in the award. However, they are referred to in this Guide because they can help to understand what the Labour Law means. The Labour Law and awards of the Arbitration Council can be found on the website www.arbitrationcouncil.org.

The Cambodian government has also signed International Labour Organization conventions. When this happens, the government must take action to implement these conventions.

2.2 EMPLOYMENT CONTRACTS

An employment contract is an agreement in which one person (the employee) agrees to work for wages for another person or company (the employer). Employment contracts can be in writing or oral.

LABOUR LAW ARTS 1, 65
AC AWARDS 170/11(4),
101/12(2)

The Labour Law applies to most people who have employment contracts to carry out work in Cambodia. The Labour Law does not generally apply to household employees (unless otherwise expressly stated in the Law) and people permanently employed by the state (such as civil servants, judges, and members of the police, army and military police).

2.3 COLLECTIVE BARGAINING AGREEMENT

A CBA is an agreement between a group of employees and one or more employers about wages and working conditions. For more information about CBAs see section 12.8 below.

LABOUR LAW ARTS 96-101
PRAKAS 287/01, 305/01

2.4 INTERNAL REGULATIONS

Employers who have 8 or more employees must have Internal Regulations.

Internal regulations are rules made by the employer in order to implement the Labour Law in a particular workplace. International regulations must not contradict the Labour Law, Recalculations or CI3As which in force.

LABOUR LAW ARTS 22-25,
29,30, 284
PRAKAS 313/00
NOTICE 14/02

2.4.1 INTERNAL REGULATIONS

According to the **Model Internal Regulation** issued by the **Ministry in charge of Labour**, internal **regulations should include provisions related to:**

- job applications, apprenticeship and probation
- job descriptions
- medical examinations
- working hours, weekly time off and leave (including sick- leave)
- wages, bonuses and other benefits
- employee absence
- use of materials and tools of the enterprise during work performance
- using the building or base of the enterprise
- entry and exit of the premises
- disciplinary actions if an employee violates the internal regulations or commits serious misconduct
- right of employees to defend themselves before receiving disciplinary sanctions
- occupational health and safety

LABOUR LAW ART 23
NOTICE 14/02 ANNEX

2.4.2 Making and changing internal regulations

The employer must consult with shop stewards and union representatives before making the internal regulations.

The employer must make the internal regulations within 3 months of starting business. The regulations must be stamped and approved by a Labour inspector.

LABOUR LAW ARTS 24, 284
PRAKAS 313/00

2.4.3 Internal regulations must be displayed

The employer must post the internal regulations in a public location in the workplace and on the door of the hiring office.

LABOUR LAW ART 29

2.5 THE LABOUR LAW AS PUBLIC POLICY

The Labour Law is designed to protect employees and all employees are entitled to at least the minimum benefits set out in the Labour Law and its implementing Regulations. For this reason any provision of an employment contract, CBA or internal regulations which is less beneficial to employees than the law is not enforceable.

On the other hand employees can bargain with their employers to receive better benefits than those provided for by the law.

LABOUR LAW ARTS 13, 25
AC AWARDS 170/11 (1), 45/11 (4)

PART 3 HIRING EMPLOYEES

References

3.1 PREFERENCE FOR CAMBODIAN CITIZENS

Employers must give preference to Cambodians when hiring.

LABOUR LAWART 263

3.2 HIRING FOREIGNERS

Foreigners working in Cambodia must:

- have a work permit;
- have an employment card;
- have a valid passport and residence permit;
- not have any contagious diseases; and
- Be physically fit for the particular job.

LABOUR LAW ARTS 261-265
PAKAS 106/01

3.3 PAYMENT BY APPLICANTS PROHIBITED

The employer may not accept or demand any payment from an applicant during the hiring process. The employer may not deduct any amount from wages for job placement services provided to the employer, his/her representative or any intermediary (job recruiter)

LABOUR LAW ARTS 44, 126, 260

3.4 PAYMENT BY APPLICANTS PROHIBITED

Forced labour is against the law, as is the hiring of people for work to pay off debts.

LABOUR LA
W ARTS 15, 16

3.5 YOUNG EMPLOYEES AND CHILD LABOUR

Poverty is a big problem for many families in Cambodia. This puts pressure on parents to have their children work. Cambodia has laws regulating child labour. One challenge faced by the garment and footwear industries is that workers under the permitted working age of 15 years old may submit or borrowed fake documents during recruitment. In addition, factories may not carry out sufficiently thorough recruitment processes. In order to avoid hiring underage workers, recruiters should give preference to job seekers with a mature appearance and should cross check documents to ensure that they are not falsified or borrowed.

3.5.1 Minimum ages for employees

The minimum allowable age for regular employment is 15

LABOUR LAW ART 177

3.5.2 Protection for young employees

Minors (people less than 18 years old) may not sign an employment contract without the consent of their parents or guardian.

A minor may not be employed to perform night work. See paragraphs 6.5 and 6.6 below for an explanation of night work.

Minors aged from 12 to 15 years can be hired to do light work provided that:

- the work is not hazardous to their health or mental and physical development, and
- the work will not affect their attendance at school or training programs.

LABOUR LAW ARTS 172-181

3.5.3 Work must be appropriate for young employees

At any time, a Labour Inspector can request that employed minors be examined by a doctor. If the doctor decides that the job is too hard for the minor, the employer must change the job or terminate the minor's employment.

An employer may not employ minors to do dangerous work of the types listed in Prakas 106/04. However, an employer may request permission from the Ministry in charge of Labour to have employees who are at least 16 years old do dangerous work so long as the employee has:

- appropriate training; and
- is not working between 22.00 and 05.00.

LABOUR LAW ART 178
PRAKAS 106/04

3.5.4 Registration of age

Employers must keep a register of all minors who work for them. The Labour Inspector must control this register.

The employer should keep proof of age for all employees. This proof should be in the form of an identification card, birth certificate, wedding certificate, family book, employment card, diploma, election card or equivalent documents.

LABOUR LAW ART 179
NOTICE 11/03

3.6 MEDICAL CHECKS

All employees are required to pass a medical check by the Department of Labour Medical Unit. The employer is required to pay for this medical check.

LABOUR LAW ART 247
PRAKAS 09/94
AC AWARDS 02/03, 21/03, 19/04,
53/04, 60/04, 63/04, 64/04, 78/04,
19/12 (12), 34/12 (13)

PART 4 CATEGORIES OF EMPLOYEES

References

4.1 FIXED DURATION AND UNDETERMINED DURATION CONTRACTS

The Labour Law talks about 2 types of employment contracts for regular employees: fixed duration contracts (FDCs) and undetermined duration contracts (UDCs).

A contract is an FDC if it:

- is written,
- is not longer than 2 years, and
- has a precise starting and end date.

If a contract does not meet these standards, it is a UDC.

The Arbitration Council has found that an FDC may be renewed one or more times only if the total length of the employment relationship does not exceed 2 years. If an FDC is extended or renewed so the total period of the contract is more than 2 years, then the contract will automatically become a UDC.

LABOUR LAW ARTS 67, 73
AC AWARDS 1003, 02/04,
155/09(9), 70/11(1), 105/11(3)

4.2 CASUAL EMPLOYEES

The Labour Law defines casual employees as those who:

- perform specific work that has to be completed within a short period; or
- perform work temporarily, intermittently or seasonally.

Casual employees are sometimes also referred to as floating or temporary employees.

LABOUR LAW ARTS 9, 10
AC AWARDS 03/03, 26/04,
30/04, 116/11(6)

4.2.1 Time limit on casual work

It is not proper to use casual (or floating) employees on a regular basis for long periods of time. The Arbitration Council has found that if casual (or floating) workers work more than 21 days per month for more than 2 months in a row then they should be considered to be probationary or regular employees.

LABOUR LAW ART 9
AC AWARD 26/04, 1008(1),
116/11(6)

4.2.2 Rights of casual employees

Casual employees have the same rights as regular employees. Therefore, casual employees must be paid the same and treated the same as regular employees. However, casual employees' benefits may be reduced if they work less than full time.

If an employer does not provide casual employees with annual leave, sick leave, public holidays, bonuses and other benefits then the employer should provide them with an increased hourly rate to compensate for this.

LABOUR LAW ARTS 10, 161
NOTICE 041/11
AC AWARD 30/04, 97/08(10)

Example: Casual Employees

Kim Leng is employed as a floating/casual employee at factory X. Some months she works almost full time and other months she may only work for 4 or 5 days depending on how busy the factory is.

If she worked half time in April 2011, then in order to comply with the Labour Law her employer should:

- pay her for 50% of her daily wage on public holidays in April,
- credit her 0.75 days per month of annual leave, and
- pay her 50% of the \$7 attendance bonus.

4.3 PART-TIME EMPLOYEES

Part-time employees are employees who work less than 48 hours per week. Part-time employees have the same rights as full-time employees except that their wages and benefits may be reduced in proportion to the number of hours they work.

4.4 PROBATIONARY EMPLOYEES

At the beginning of an employment contract the employer can set a probationary period of up to 3 months in order to evaluate the skills and attitude of an employee.

**LABOUR LAW ARTS 68, 82
NOTICES 06/97, 17/00
AC AWARDS 27/03, 55/04 (2),
37/11(1)**

4.4.1 Length of probation

The maximum length of the probationary period is:

- 1 month for non-specialized workers;
- 2 months for specialized workers; or
- 3 months for regular employees.

Notice 06/97 provides that employees, after successfully completing their apprenticeship "shall be under the probation period for 3 months before becoming a sewer." However, applying the law, the Arbitration Council has found that sewers and cloth cutters are "specialized workers" so their maximum probationary period should last no more than 2 months.

**LABOUR LAW ART 68
NOTICES 06/97, 17/00
AC AWARD S 13/04, 92/08(5),
15/11(2);**

References

4.5 APPRENTICES

Under an apprenticeship, an employer gives professional training to apprentices who are newly recruited and unskilled. Through the apprenticeship an unskilled employee gets their initial training and after successful completion of this training they can expect to become a probationary employee and then become a regular employee.

LABOUR LAW ARTS 51-64
PRAKAS 004/00

4.5.1 Length of apprenticeship

In general an apprenticeship may not be longer than 2 years. However, Notice 06/97 states that in the garment industry in Phnom Penh, the period of apprenticeship should not be longer than 2 months.

The employer should only use apprenticeships for employees who do not have experience in the industry.

LABOUR LAW ART
51PRAKAS 004/00
NOTICE 06/97
AC AWARD 62/04

PART 5 WAGES

LABOUR LAW ARTS 102-119

References

LABOUR LAW ARTS 104, 105, 108
NOTICE 049/10, NOTICE 103/13
AC AWARDS 04/03, 25/03, 26/04,
98/12 (3), 146/12 (9), 158/12 (1)

5.1 MINIMUM WAGE

Employers must pay all employees who work full time (including piece-rate employees and casuals) at least the minimum wage.

Employers must post the minimum wage in the workplace and in payment and hiring offices.

The Ministry in charge of Labour has set the minimum wage only for the garment, textile and footwear industries.

The Arbitration Council has also found that similar minimum wages should be paid in other manufacturing industries.

The minimum wage and bonuses for the garment and footwear industries are set out below.

Type of employee	Minimum Monthly Wage
Apprentices (Notice 06/97)	\$30*
During probation (Notice 103/13)	\$75
Regular employees (Notice 103/13)	\$80

*This table refers to Notice 06/97 which states that for apprentices in the garment industry in Phnom Penh, the minimum wage is \$30. There is no minimum wage set specifically for apprentices in the garment industry outside Phnom Penh.

5.2 MINIMUM WAGES FOR PIECE-RATE EMPLOYEES

The minimum wage for piece-rate employees in the garment, textile and footwear industries, working regular hours (48 hours per week), is \$80 per month. If their pay based on piece rates is less than this the employer must still pay \$80 per month. If their pay based on piece rates is more than \$80, the employer must pay the higher amount.

LABOUR LAW ART 108
NOTICE 049/10, NOTICE
103/13
AC AWARDS 14/03, 159/08
(1), 162/09 (2), 38/10 (2)

5.3 SENIORITY BONUS

Employers in the garment, textile and footwear industries must pay employees with at least one year's seniority a seniority bonus. The seniority bonus started on 1 August 2000. Employment before this date is not counted when calculating the seniority bonus.

NOTICES 017/00, 041/11
AC AWARDS (4), 89/12 (6),
176/12

The table below shows how to calculate the seniority bonus.

Length of Employment	Seniority Bonus Per month
+* 1 year	\$2
+ 2 years	\$3
+ 3 years	\$4
+ 4 years	\$5
+ 5 years	\$6
+ 6 years	\$7
+ 7 years	\$8
+ 8 years	\$9
+ 9 years	\$10
more than 10 years (max)	\$11

* Note : Seniority bonus is given to workers by the 13th month.

5.4 ATTENDANCE BONUS

Employees in the garment textile and footwear industries who "work regularly on each day which must be worked in a month" must be paid a bonus of at least \$10 per month. This includes casual, probationary and piece-rate employees.

Employers must pay the attendance bonus if employees take authorized leave (e.g., for annual leave or public holidays).

The Arbitration Council has found that when employees take sick leave approved by an authorized and legally recognized medical practitioner, the attendance bonus must be paid in proportion to the days worked.

LABOUR LAW ART 10
NOTICES 017/00, 745/06, 230/12
AC AWARDS 04/03, 26/03, 03/04
62/04, 63/04, 10/12(20),
132/12 (8)

Example: Sick leave and attendance bonus

Maly works full-time at Factory Z. During the month of June she attends work regularly except for one day of authorized sick leave.

Her employer can deduct \$0.38 (= \$10/26 days) from her \$10 attendance bonus for June.

5.5. HEALTH CARE ALLOWANCE:

**NOTICE:
206/11**

Employers must pay workers a health care allowance as follows:

- 1) All workers in the textile, garment, and footwear production sectors must be paid a health care allowance of \$5 per month. This allowance shall be paid in addition to workers' actual wages (base wage);
- 2) Newly recruited-workers who commenced work less than 26 working days prior to their first pay day shall receive a health care allowance as provided below:
 - a. Employees who worked 13 days or less shall receive at least \$2.50 as a health care allowance in their first paycheck.
 - b. Employees who worked 14 days or more shall receive the full health care allowance of \$5 in their first paycheck.

5.6. HOUSING/TRANSPORTATION ALLOWANCE:

**NOTICE:
230/12**

If employers do not provide workers with transportation or housing, they must pay workers at least \$7 per month as a transportation and housing allowance.

All factories that do not provide transportation or housing shall pay newly recruited workers who commenced work less than 26 working days prior to their first pay day as follows:

- a. Employees who have worked 13 days or less shall receive a transportation and housing allowance of \$3.50 in their first paycheck;
- b. Employees who have worked 14 days or more shall receive a transportation and housing allowance of \$7 in their first paycheck;
- c. For workers who are paid by day or by week, the transportation and housing allowance shall be calculated at a rate of \$0.27 per day.

5.7 HOW WAGES ARE PAID

The employer must pay wages:

- directly to the employee, unless the employee agrees to another method,
- in cash,
- at or near the workplace on workdays, not on days off. If the regular payment day falls on a day off, then the employer must make payment in advance, and
- during working hours.

LABOUR LAW ARTS 113-119,126, 127
PRAKAS 80/99
NOTICE 06/97

LABOUR LAW ARTS 113-115
AC AWARD 02/04

LABOUR LAW ARTS 113-115
AC AWARD 37/04

LABOUR LAW ARTS 113-115
AC AWARD 37/04, 72/10 (7), 34/12 (7),
172/12 (6)

5.8 DEDUCTIONS AND FINES

Generally employers are not allowed to make deductions from employees' wages. Specifically employers may not make the following charges or deductions from wages:

- impose fines or deduct wages from employees in order to punish them for
- misconduct or refusing to work overtime;
- require that an employee issue a guarantee or bond in order to get or keep a job;
- deduct wages in exchange for job placement;
- deduct wages from employees who choose not to eat at a company canteen;
- charge employees more than the real cost of replacing lost ID cards; or
- charge employees any amount for the mandatory medical check.

LABOUR LAW ARTS 28, 44, 126, 127
AC AWARDS 02/03, 21/03,30/03,60/04,
19/12 (3), 101/12 (3), 158/12 (6)

Employers may make deductions from an employee's wages to pay for the actual cost of:

- tools and equipment that the employee does not return;
- items and materials under the control and usage of the employee; and
- amounts owed to the company store.

For these deductions, the amount deducted from an employee's wages must not cause the employee to take home less than the minimum wage.

The employer can also make deductions for union dues (see paragraph 12.5 below).

Example: Deductions

Employees of factory X are all issued with a plastic ID card. To replace one of these cards costs the employer 2000 riel.

The employer may make a rule that if an employee loses their ID card, they will deduct 2000 riel from the employee's salary to pay for a replacement card.

References

LABOUR LAW ART 112
AC AWARD 24/03, 62/10 (6),
56/11 (5), 40/12 (2), 58/12 (1)

5.9 INFORMING EMPLOYEES ABOUT WAGES

Employers must explain clearly to employees how their wages will be calculated:

- before employing an employee; and
- before changing their wages (e.g. before changing a style or piece rate).

An employer should provide pay slips to all employees each pay day. These pay slips should be in Khmer and show how the wages were calculated.

PART 6 WORKING HOURS & OVERTIME

References

6.1 NORMAL WORKING HOURS

Normal working hours should not be more than 8 hours a day, or 48 hours a week.

LABOUR LAW ART 137

6.2 WEEKLY DAY OFF

Employees must get at least one full day (24 hours) off per week. This should normally be a Sunday.

LABOUR LAW ART 146-148

6.3 FLEXIBLE HOURS – SATURDAY AFTERNOON OFF

Employers may set the normal working hours so that employees get Saturday afternoon, as well as Sunday, off. However, the employer must not extend the normal working day beyond 9 hours in order to do this.

LABOUR LAW ART 141
PRAKAS 143/02

6.4 WORKING HOURS FOR YOUNG EMPLOYEES

Minors may not work more than 8 hours per day and they must be given at least 13 consecutive hours off between shifts

PRAKAS 144/02

6.5 NIGHT WORK

The Labour Law regarding night work was amended in 2007.

Article 144 (as amended) says that night work is work performed between 22.00 and 05.00.

Under Article 144 (as amended), night work performed during normal working hours (non-overtime hours) is paid at 130% of the rate for normal working hours that are not worked at night.

Under Article 139 (as amended), night work performed as overtime is paid at 200% of the rate for normal working hours that are not worked at night (a 100% increase in addition to the basic wage).

The amendments to Article 144 did not change the meaning of the term "night," which still means a period of at least 11 consecutive hours that includes the interval between 22.00 and 05.00a.m. According to the Arbitration Council, an enterprise must set aside a period of at least 11 hours to be night (e.g., 20.00 - 07.00 or 19.00 - 06.00) and if employees finish work during this time, the employer must provide them with a place to sleep or transport home, as required under Prakas 80/99.

LABOUR LAW ARTICLE 139, 144
AS AMENDED

PRAKAS 80/99

CIRCULAR 24/99

NOTICE 014/99

AC AWARD 47/0 4

AA 119/09(1)
AA 25/11(1)

References

6.6 NIGHT WORK FOR YOUNG EMPLOYEES

Minors are not allowed to work at night in a garment factory. The one exception to this rule is 16-18 year olds, who are allowed to work at night to prevent an accident or to fix equipment following an accident. If this happens, the employer must notify the Ministry in charge of Labour in advance.

Minors are allowed to work at night in certain other sorts of factories listed in Prakas 144/02 but only for the purpose of training.

PRAKAS 144/02

6.7 OVERTIME

Overtime work is work done in excess of normal working hours.

LABOUR LAW ART 137-140
PRAKAS 80/99
NOTICE 014/99

6.7.1 Overtime must be exceptional and urgent

Overtime is only allowed for exceptional and urgent work.

LABOUR LAW ART 139

6.7.2 Overtime must be voluntary

Employees must be allowed to choose to work overtime or not. Employers must not impose any penalty on an employee who chooses not to work overtime.

PRAKAS 80/99
AC AWARDS 07/08 (1), 86/11 (8)

6.7.3 Permission for overtime required from the Ministry in charge of Labour

Employers must obtain the permission of the Ministry in charge of Labour before giving employees overtime work.

PRAKAS 80/99

6.7.4 Maximum overtime of 2 hours a day

According to overtime authorization letters issued by the Ministry in charge of Labour, overtime is usually limited to 2 hours per day.

AC AWARD 10/04

6.7.5 Payment for overtime

Employees must be paid extra for working overtime. The table below sets out the rates.

Time of work	Rate
Overtime on Monday to Saturday (not worked at night)	150%
Overtime on Monday to Saturday (worked at night, 22.00 - 05.00)	200%*
Sundays	200%
Public Holidays	200% (normal pay+ extra 100%)*

* See paragraph 6.5 on night work

**See example in paragraph 7.1 on paid public holidays

In order to calculate overtime pay first work out the hourly rate of pay.

The current industry practice is to use the monthly basic wage as set out in the formula below:

(Monthly basic wage)

$$\text{Hourly rate} = \frac{\text{Monthly basic wage}}{26 \text{ (days)} \times 8 \text{ (hours)}}$$

The hourly rate multiplied by the number of hours overtime and relevant overtime rate equals the overtime pay.

$$\text{Hourly rate} \times \text{hours of overtime} \times \text{overtime rate} = \text{overtime pay}$$

Example: Overtime for regular employees

Malika earns regular wages. She is paid \$80 per month. One day the employer asks Malika to work 2 hours overtime.

The wage calculation for Malika's 2 hours of overtime is set out below:

$$\begin{aligned} \text{Hourly rate} &= \frac{80 \text{ (monthly basic wage)}}{26 \text{ (days)} \times 8 \text{ (hours)}} \\ &= \$0.38 \text{ per hour} \end{aligned}$$

$$\text{Overtime pay for two hours} = 0.38 \times 2 \text{ hours} \times 150\% = \$1.14$$

The law is unclear as to how the hourly rate should be calculated. For example, some argue that the seniority bonus should be included in the calculation of the basic wage.

LABOUR LAW ART 139
AS AMENDED

PRAKAS 10/99, 80/99
AC AWARDS 14/10 (4), 36/11 (2)

6.7.6 Overtime rate for piece rate employees

The same higher rates must be applied to the piece rate of piece-rate employees who work overtime. This means that piece-rate employees should receive an additional 50% payment for work they perform during normal overtime hours and an additional 100% for overtime hours at night, Sunday or a public holiday.

The Arbitration Council has found that the law does not state a clear formula for calculating overtime rates for piece-rate employees but that employers should pay overtime in accordance with the example set out below.

Example: Overtime calculation for piece-rate employees

Sophorn works on the sewing line and gets paid piece rates of \$0.60 per ticket. One month the employer is very busy and asks Sophorn to work 20 hours of overtime that month.

Sophorn completes 150 tickets that month, which entitles him to \$90 (based on a piece rate of \$0.60 per ticket). However, Sophorn is entitled to be paid at a higher rate (150%) for his 20 hours of overtime.

The *extra pay* for Sophorn's overtime should be calculated as follows:

$$\begin{aligned} \text{Hourly rate} &= \frac{\$90 \text{ (total money from piece rate in 1 month)}}{228 \text{ (total hours worked in month)}} \\ &= \$0.39 \end{aligned}$$

Extra pay for overtime = hourly rate (\$0.39) x 1.5 x 20 hours = \$11.70

If the overtime was done at night or on a Sunday the rate used in the calculation would be 100% instead of 50%.

LABOUR LAW ARTS 108, 139
PRAKAS 80/99
NOTICE 017/00
AC AWARD 78/04

6.7.7 Overtime meal allowance

Employees who work overtime must receive 2,000 riels per day for a meal or receive one free meal every day on which they work overtime. This meal can be provided in the middle of the shift or before overtime starts.

NOTICES 041/11
AC AWARDS 73/04, 82/12(2),
163/12(2)

PART 7 PUBLIC HOLIDAYS, LEAVE & OTHER BENEFITS

References

7.1 PAID PUBLIC HOLIDAYS

The Ministry in charge of Labour issues a Prakas each year setting out paid public holidays Cambodia.

If a public holiday falls on a Sunday, employees can take the following Monday off. Time off for public holidays does not interrupt the length of service (seniority) or reduce paid annual leave.

Employers must pay employees their normal wages for public holidays.

Employers who run businesses that cannot stop operating on public holidays may ask employees to work on these days. This work must be voluntary. An employer must pay employees their regular wage plus 100% for working on a public holiday. This means that they get one extra day's pay on top of their normal pay.

Example: Work on a public holiday

Narith works at a garment factory earning \$2.34 per day. It is peak season and his employer has asked him to work on a public holiday. If Narith does not work he would be paid his regular wage for the public holiday (\$2.34 for the day). Therefore if he does work he gets another day's pay (\$2.34).

LABOUR LAW ARTS 161, 162, 164
PRAKAS 10/99
AC AWARDS: 14/10 (2), 57/12 (5)

7.2 PAID ANNUAL LEAVE

All employees have the right to take paid annual leave.

Full time employees get 1.5 days of annual leave a month. This equals 18 days per year.

Employees working less than 48 hours per week get leave on a pro-rata basis. For example, if an employee works half of regular working hours they get 0.75 days of annual leave a month.

LABOUR LAW ARTS 166-170
NOTICE 017/00
AC AWARDS 182/11 (4), 203/12 (7)

Regular working hours	Leave/month (regular working days)
48	1.5
40	1.25
24	0.75

References

7.2.1 Extra leave for long service

Employers must give employees one extra day of leave in every 3 years of continuous service as shown in the table below:

LABOUR LAW ARTS 166
AC AWARDS 62/04, 155/09 (1), 112/10
(4), 46/12 (5)

Years of service	Days of leave per year
1-3	18
4-6	19
7-9	20

7.2.2 Right to use leave

Employers must allow employees to take their annual leave when requested, unless there are particularly urgent reasons why an employee cannot take leave at that time. Employees have the right to use their annual leave after one year of service.

LABOUR LAW ARTS 167
AC AWARD 27/04, 72/10 (3), 116/11
(7), 181/12 (7)

Employers may set reasonable rules about how much notice an employee must give before taking annual leave.

7.2.3 Payment in advance

Before taking annual leave, the employer must pay the employees the wages they would have received had they worked.

This payment for annual leave must be based on:

- the employee's average actual earnings during the year prior to taking leave; or
- the daily wages the employee would have been paid if they went to work.

The employer must pay whichever is higher.

LABOUR LAW ARTS 168
AC AWARD 27/04, 23/08 (7), 40/09 (4),
17/12 (2)

Example: Payment for annual leave

Sok worked at a garment factory for 1 year and never took any annual leave. He was earning a wage of \$80 per month but he always came to work regularly. Including bonuses, he earned a total of \$1164 over the past 12 months. After exactly 12 months, Sok gets permission to take 6 days annual leave to visit his homeland.

The employer must pay Sok for his leave in advance. In order to calculate Sok's pay the employer must figure out how much Sok earned on average per day during the past year.

The amount should be calculated as follows:

$$= \frac{\$1164(\text{the total wages and bonuses over the past 12 months})}{12 (\text{months per year}) \times 26 (\text{working days per month})}$$

$$= \$3.76 (\text{the average daily pay}).$$

Sok's employer must pay Sok \$22.38 (\$3.76 for each working day he is on leave) before he goes on leave.

7.2.4 Payment instead of leave

Upon termination of employment, the employer must pay out an employee's remaining leave in full. This payment is calculated the same way as in the example above.

LABOUR LAW ART 167
AC AWARDS 27/04, 112/10 (4),
203/12 (7)

7.2.5 Agreements to give up leave

Any agreement that says employees have given up the right to annual leave is not valid.

Although employees in Cambodian factories often agree to take payment instead of leave, such agreements are not allowed under a strict interpretation of the law.

LABOUR LAW ART 167
AC AWARDS 27/04, 40/09 (4),
89/12 (8)

7.2.6 Putting off leave

Employees may agree to delay taking annual leave until the end of their contracts. However, an employer must not allow employees to take less than 12 days leave per year and the excess leave days cannot be put off for more than 3 consecutive years.

The Arbitration Council has found that, when it is not the employee's fault that he/she did not get to take leave, the 3-year limit does not apply. This means that at the end of the contract the employee should be paid out all of their unused annual leave.

LABOUR LAW ART 167
AC AWARDS 27/04, 40/09 (4),
89/12 (8)

7.3 SPECIAL LEAVE

Employees may ask for up to seven days special leave for personal reasons that affect their immediate family. However, the employer should not unreasonably refuse special leave if:

- the employee is getting married;
- the employee's wife gives birth;
- the employee's child is getting married; or
- the employee's husband, wife, children or parents have died or are ill.

If employees have not already used their annual leave, their employer may deduct special leave from the remaining annual leave for that year. If the employees have no annual leave, the employer may require them to work to make up for their special leave. But there are some restrictions on this - for example the total working hours must not exceed 10 hours per day or 54 hours per week.

LABOUR LAW ART 171
PRAKAS 76/98, 267/01
AC AWARD: 144/12 (6)

7.4 SICK LEAVE

Each employee has a right to sick leave. The employer should include paid sick leave in the internal regulations.

LABOUR LAW ARTS 71, 72
NOTICE 14/02
AC AWARDS 26/03, 68/04,
15/12 (3)

7.4.1 Sick leave with a medical certificate

An employer must give an employee sick leave for up to 6 months if an employee:

- is absent from work because of illness; and
- has a certificate from a qualified doctor.

An employer may dismiss an employee if the employee is on sick leave for more than 6 months.

LABOUR LAW ARTS 71,
AC AWARDS 26/03, 15/12 (3)

7.4.2 Payment during sick leave

The law does not require paid sick leave, however, following the policy of the Ministry in charge of Labour, employers should consider providing paid sick leave as follows:

- 100% of wages during the first month of sick leave
- 60% of wages during the second and third months, and
- unpaid leave from the fourth until the sixth month.

The Arbitration Council has found that where employees are certified sick by an authorized and legally recognized doctor then the employer must pay the \$10 attendance bonus in proportion to the number of days worked that month.

ANNEX TO
NOTICE 14/02
AC AWARDS 26/03, 13/04
30/04, 62/04, 63/04, 42/12 (1)

7.5 MATERNITY LEAVE

Employers must give employees who give birth 90 days (3 months) of maternity leave.

An employer may not terminate an employee:

- because she is pregnant;
- while she is on maternity leave; or
- immediately before taking maternity leave.

Employers must pay employees who have at least one year of seniority half their wages and benefits during maternity leave. Employers should calculate the payment on the basis of the employee's average pay during the 12 months prior to departing on maternity leave, not on the minimum wage or basic wage.

During the first 2 months after returning from maternity leave employees may only be required to perform light work.

CONSTITUTION ART 46
LABOUR LAW ARTS 182-183
AC AWARDS 24/03, 49/04, 80/10,
115/08 (1), 172/11 (7),
112/11 (1), 148/12 (2),
27/12 (12),

Example: Maternity leave

Sokha worked at a garment factory for 2 years before becoming pregnant. Her basic wage was \$80 and her seniority bonus was \$3. She also came to work regularly, so she often received the attendance bonus of \$10. Her wages and benefits were a total of \$1200 over the past 12 months.

Because she has worked for over 1 year, Sokha is entitled to 90 days maternity leave at half pay. This amount should be calculated as follows

$$= \frac{\$1200 \text{ (wages and benefits over the past 12 months)}}{12 \text{ (months)}}$$

$$= \$100$$

The employer must then multiply the monthly amount by 50% = \$50 and pay Sokha this amount for each month she is on maternity leave.

References

7.6 BREAST-FEEDING BREAKS

For the first year of a child's life, mothers have the right to one hour per day of paid time-off for breast-feeding breaks during work hours. Mothers may take this hour as 2 periods of 30 minutes each (e.g. 30 minutes during both the morning and afternoon shifts). The exact time of breast-feeding should be agreed between the mother and her employer. If there is no agreement, the breaks should take place half way through each shift. Giving milk formula or payment instead of breast-feeding breaks is not allowed under the law.

Breaks for breast-feeding are in addition to the normal breaks that an employee receives.

LABOUR LAW ARTS 184-185
AC AWARD 05/03, 94/04 (11),
08/07 (7), 75/09 (4), 17/10
(12)

7.7 NURSING ROOM

An employer who employs 100 women or more must set up an operational nursing room.

The Arbitration Council has found that giving milk formula or payment instead of providing a nursing room is not allowed under the law.

LABOUR LAW ART 186
AC AWARDS 63/04, 68/04,
56/11 (1), 74/11 (4)

7.8 DAY CARE CENTER

An employer who employs 100 women or more must set up an operational day care center.

If an employer is not able to set up a day care center for children over 18 months of age then they must pay women employees the cost of providing day care for their children.

LABOUR LAW ART 186
AC AWARDS 63/04, 56/11
(1), 04/12 (6), 98/12 (5)

PART 8 OCCUPATION HEALTH & SAFETY

8.1 GENERAL

An employer must make sure that the workplace is safe, healthy and hygienic.

LABOUR LAW ARTS 23, 228-230

8.2 INFIRMARY AND FIRST AID

An employer who employs more than 50 employees at one workplace must set up an infirmary.

LABOUR LAW ARTS 242-244
PRAKAS 330/00

8.2.1 Location and size of infirmary

The infirmary must be near the workplace and be:

- easily accessible;
- clean;
- away from noise, dust and rubbish;
- well lit;
- well ventilated;
- at least 20 square meters in size; and
- provide privacy for women employees.

PRAKAS 330/00 ART 2
AC AWARD 03/03

8.2.2 Number and qualification of health employees

The required staffing of the infirmary depends on the number of employees, as set out in the table below.

PRAKAS 330/00 ART 3
AC AWARDS 35/11(9),
224/12(6)

Number of employees	Number of nurses on duty	Number of physicians	Working hours required per 8-hour shift
50-300	1(standby)	doctor or 1 assistant	2 hours
301-600	1(standby)	1 doctor	2 hours
601-900	2(standby)	1 doctor	3 hours
901-1400	2(standby)	1 doctor	4 hours
1401-2000	2(standby)	1 doctor	6 hours
More than 2000	3(standby)	1 doctor	8 hours

Infirmary staff must be present during regular time and overtime.

8.2.3 Labour physicians

The Labour Law gives labour physicians a clear role in the workplace. They must:

- advise on hygiene and labour security in the enterprise;
- keep professional confidence and technologies secret;
- prevent harm to employees' health from work-related accidents, occupational illnesses and other infectious diseases;
- check the health of employees who are sick at work before sending them to hospital.

LABOUR LAW ARTS 239, 240
PRAKAS 139/01

| 8.2.4 Medical equipment and medical

The infirmary must have:

- a desk,
- 3 chairs,
- a filing cabinet,
- a medicine cabinet,
- at least 2 beds with mattresses and covers,
- a sterilizer, and
- necessary medicines and instruments.

PRAKAS 330/00 ART 4
AC AWARDS 224/12(6)

8.2.5 Number of beds for patients

An employer who employs more than 50 employees at a workplace must have sick beds in or near the infirmary. The number of beds must equal 2% of the number of employees up to a maximum of 20 beds.

PRAKAS 330/00 ART 1, 4, 5

Employees	Beds
50-200	2
500	10
> 1000	20

8.3 TOILETS

PRAKAS 052/00
AC AWARDS 31/12(6), 34/12(4)

The employer must provide clean toilets for employees.

8.3.1 Number of toilets

The employer must provide separate toilets for men and women employees according to the following number:

Number of employees (Men or Women)	Number of toilets
1-15	1
16-35	2
36-55	3
56-80	4
81-110	5
111-150	6
151-1000	Add one for every 50 persons
More than 1000 persons	Add one for every 70 persons

8.3.2 Requirement for toilets

Each toilet must:

- have a floor and be built with waterproof material,
- have a door which closes with an inside bolt,
- have walls painted in light color,
- have enough light,
- be in the work place or connected to the workplace by a covered walkway,
- have enough soap and water,
- be cleaned at least once a day, and
- have a proper drainage system.

References

8.3.3 Toilets for women employees

Any enterprise with more than 100 women employees must have a western-style toilet for every 50 women.

8.4 DRINKING WATER

Employers must provide enough safe drinking water for the employees working in their enterprise.

PRAKAS 054/00
AC AWARDS 143/09(2); 72/10(4);
86/11(3)

8.4.1 Requirements for safe drinking water

The drinking water must be put in a clean container with a closed lid and a tap. The employer must provide hygienic cups for drinking water.

8.4.2 Location of water containers

Water containers must be close to where employees work.

8.4.3 Alcoholic drinks

No one may bring alcoholic drinks into the workplace or give alcoholic drinks to the employees during work hours.

8.5 SEATING

Employers must provide suitable chairs in each workstation for use by employees.

PRAKAS 053/00

8.5.1 Chairs near workplace

If work cannot be carried out in a sitting position the employer must have chairs near the workstation for employees to use when they need to.

8.5.2 Internal regulations

Rules about the use of seats may be included in the internal rules.

References

8.6 NOISE

Maximum noise levels in the workplace as set out in Anukret 42/00 are as follows:

ANUKRET 42/00
PRAKAS 138/03

Level of noise (dB(A))	Maximum duration (hour)
75	32
80	16
85	8
90	4
95	2
100	1
105	0.5
110	0.25
115	0.125

According to Anukret 42/00 the employer must provide hearing protection to employees working where the level of noise is above 80 dB(A). According to Prakas 138/03 the level is 85d B(A).

8.7 AIR, HEAT AND VENTILATION

ANUKRET 42/00
PRAKAS 125/01, 147/02

8.7.1 Air

Anukret 42/00 provides for maximum chemical levels in the air.

8.7.2 Heat and Ventilation

Employers must ensure that the temperature in the workplace is reasonable for employees.

PRAKAS 125/01, 147/02
AC AWARD 86/11(10)

There must be at least 10m³ of airspace in a factory or workshop for every employee.

Employers must have thermometers in the workplace to monitor the temperature.

References

8.7.3 Work in areas with limited ventilation

If employees have to work in places with limited ventilation (such as caves, basements, or large cylinders), the employer must ensure that the employees have access to at least 30m³ of fresh air per person per hour.

PRAKAS 139/03

8.8 LIGHTING

Employers must ensure that there is enough natural and artificial light in the workplace so that employees can see clearly without straining their eyes. Prakas 484/03 sets lighting levels (in LUX) for different sorts of workplaces.

PRAKAS 484/03

8.9 USING PHYSICAL FORCE

The employer must avoid requiring workers to use excessive physical force which is harmful to their health, especially if it may hurt their backs.

LABOUR LAW, ART 230
PRAKAS 124/01
AC AWARD 86/11(4)

8.9.1 Pregnant women

Pregnant women or women who have given birth or had a miscarriage within the last two months shall not move objects over 5 kilograms.

8.9.2 Maximum weights

Employees can only lift the maximum weights as set out in the table below.

	Male		Female	
	15 years and over	18 years and over	15 years and over	18 years and over
Direct lifting	12 kg	50kg	6 kg	25 kg
Cart with one wheel	32 kg	80 kg	banned	40 kg
Cart with three or four wheels	48 kg	120 kg	24 kg	60 kg

8.10 EXAMPLES OF CONCRETE MEASURES REGARDING HEALTH & SAFETY

To promote health, safety and to prevent work-related accidents, employers should take concrete measures, such as:

Air

- install and maintain ventilation and cooling systems
- measure temperature continuously
- take steps to reduce dust

Canteen

- keep eating area, including floor, tables, kitchen, serving areas and surroundings clean and hygienic
- ensure that food is prepared and cooked off the ground
- ensure that food is of reasonable quality and price

Chemicals

- store chemicals in an enclosed area separate from the workplace
- label chemical containers with clear marks in Khmer (and other relevant language/s)
- install exhaust ventilation in areas of the factory where chemicals are used
- separate areas of the factory where chemicals are used from other work areas
- train employees on how to work with chemicals
- provide employees with protective clothing (e.g. gloves) and equipment (e.g. glasses or masks)

Drills

- hold emergency drills regularly

Emergency doors

- install and mark exit doors
- keep doors accessible and unlocked

Fire extinguishers

- install enough fire extinguishers and make sure they are easy to reach
- test fire extinguishers regularly

First aid

- provide enough first aid boxes and make sure employees have easy access to them
- check contents of first aid boxes regularly

References

Machine:

- **install machines safely and maintain hem well**
- **provide needle guards for sewing machines**
- **install and maintain electricity system and wiring safely**
- **post safety signs on electrical switch boxes**

Noise

- **measure noise levels**
- **provide ear protection for employees working in loud work areas**

Sanitation

- **repair broken toilets and toilet doors**
- **mark toilet doors for use by men and women**
- **provide a washing facility near toilets**

Walkways

- **mark walkways clearly and keep them free from obstacles and rubbish.**

PART 9 WORK-RELATED ACCIDENTS AND ILLNESSES

References

9.1 WHAT IS A WORK-RELATED ACCIDENT?

An accident or illness is work-related if it happens to an employee:

- due to work;
- during working hours; or
- while they are traveling directly to or from home and work.

An accident may be work-related regardless of who is at fault in relation to the accident.

Occupational illnesses are also considered to be work-related accidents.

LABOUR LAW, ART 248, 257
PRAKAS 243/02
AC AWARDS 101/08 (1&2), 100/09

9.2 RESPONSIBILITY OF EMPLOYER TO PREVENT WORK-RELATED ACCIDENTS

An employer is responsible for, or must make someone responsible for preventing work-related accidents.

LABOUR LAW, ART 229-230, 250
AC AWARD 96/10 (9)

9.3 EMPLOYER'S DUTIES FOLLOWING A WORK-RELATED ACCIDENTS

If an employee has a work-related accident, their employer must:

- provide first aid;
- maintain the scene of the accident;
- provide the investigating committee with relevant papers;
- allow any witnesses to report to the authorities;
- pay for the technical investigative work for the accident; and
- take action to prevent similar accidents from happening in the future.

PRAKAS 243/02

9.4 NOTICE OF WORK-RELATION ACCIDENT

An employer must notify the Ministry in charge of Labour in writing of any work-related accident no later than 48 hours after the accident occurs.

PRAKAS 243/02

9.5 COMPENSATION FOR WORK-RELATED ACCIDENTS

The employer must pay the medication and health care costs of any employee who has a work-related accident

The employer must compensate any employee who is temporarily or permanently disabled or dies as a result of a work-related accident.

Compensation is not required for employees who intentionally cause an accident.

LABOUR LAW ARTS 252-255
PRAKAS 243/02
AC AWARDS 96/10 (10), 31/12
(13)

9.5.1 Medical expenses

The employer must pay an employee who has suffered a work-related accident the cost of all necessary medical assistance, including medical treatment, medicine, hospitalization, prostheses and assistance in vocational retraining.

LABOUR LAW ART 254
PRAKAS 243/02
AC AWARD 23/07 (2)

9.5.2 Temporary disability

An employee who is temporarily disabled as a result of a work-related accident is entitled to:

- their regular salary for the days not worked (if the disability lasts 4 days or less); and
- compensation (equal to daily wages) from the fifth day until the employee is certified as fit for work by an official doctor recognized by the Ministry in charge of Labour (if the disability lasts 5 or more working days).

Daily wages are calculated on the basis of the average daily pay of the employee in the month before injury (including overtime and bonuses).

The above rules also apply to employees who suffer a permanent disability but whose incapacity is less than 20%.

LABOUR LAW ART 252
PRAKAS 243/02 ART8
AC AWARD 31/12 (13)

9.5.3 Permanent disability

If a work-related accident causes a permanent disability the employee must have a doctor assess their percentage incapacity. If the incapacity is measured at 20% or more, the employee is entitled to a yearly payment (annuity) as compensation. This compensation is calculated as follows:

Disability up to 50% incapacity:

- $1/2 \times [(\text{annual actual earnings}) \times (\% \text{ incapacity})]$

Disability over 50% incapacity:

- $(\text{annual actual earnings}) \times [(25\%) + (1.5 \times (\% \text{ incapacity} - 50\%))]$

If the accident results in a disability which requires constant care from another person, this compensation must be increased by 40%.

LABOUR LAW ART 253
PRAKAS 243/02 ART 9

Example: Compensation for work-related injury

Sok is injured by a cutting machine at the garment factory where he works. As a result he lost the sight of one eye. A doctor certifies that he has a permanent disability of 30%.

He was earning the minimum wage of \$80 per month, but he worked a lot of overtime and always came to work regularly so, including bonuses and overtime, he earned a total of US\$1353.60 the 12 months before he was injured.

Sok is entitled to annual compensation as follows:

$$\frac{1}{2} \times [\text{annual actual earnings } \$1353.60 \times 30\% \text{ disability}]$$

$$= \$203.04/\text{year}$$

9.5.4 Work-related accident resulting in death

If an employee dies from a work-related accident, the employer must pay the funeral costs and an annual allowance (annuity) to the family of the employee who died. The amount paid for funeral costs must be at least 90 times of the average daily wage or 3 months of the employee's salary. The annuity is based on a percentage of the employee's annual basic wage.

LABOUR LAW ART 253
PRAKAS 243/02 ART11

The dependent family members must be compensated as set out in the table below.

Dependent	%Benefit	Total
Husband/Wife	30%	30%
First child	15%	45%
Second child	15%	60%
Third child and further children	10%	70% - 85%**

**The total annuity cannot be more than 85% of the employee's annual basic wage.

For children, the annuity generally only applies while they are sixteen years or younger and have not yet been married.¹

¹There are exceptions for children pursuing on-the-job training (up to 18 years old) and further education (up to 22 years old).

9.5.5 Payout of the annuity for death or permanent disability

In case of death or permanent disability the parties may agree to a lump sum payment instead of the annuity.

PRAKAS 243/02 ART11

Example: Annuity for death

Imagine Sok (from the example above) died as a result of his injury. He has a dependent wife and one young child.

In addition to funeral expenses, Sok's wife would be entitled to a yearly payment as follows:

(Sok's annual basic wage 1353.60) x (30% + 15%)

= \$609.12/year

PART 10 DISCIPLINING & DISMISSING EMPLOYEES

References

10.1 DISCIPLINARY MEASURES & MISCONDUCT

Employers have the right to discipline employees. However, when taking disciplinary measures, the employer must follow the Labour Law and Regulations, and the CBA and internal regulations of the enterprise.

LABOUR LAW ARTS 26, 27, 28

10.1.1 Requirement to prove misconduct

An employer who wants to discipline or dismiss an employee because of misconduct must be able to show evidence of the employee's misconduct.

AC AWAR 27/03, 193/12

10.1.2 Time limit for disciplinary dismissal

An employer may only dismiss an employee for serious misconduct if they do so within 7 days of the date on which they learn of the employee's serious misconduct.

LABOUR LAW ART 26
AC AWAR 36/04, 169/09 (1),
145/12, 184/12(1)

10.1.3 Time limit for disciplinary measures

An employer may only take disciplinary action if they do so within 15 days of the date on which they learn of an employee's misconduct.

LABOUR LAW ART 26

10.1.4 Disciplinary action must be reasonable

Any disciplinary action that an employer takes against an employee must be proportional to the seriousness of the employee's misconduct.

LABOUR LAW ART 27
AC AWARDS: 144/10, 19/12,
229/12

Employers can dismiss employees immediately for acts of serious misconduct (see section 10.1.5 below) but for less serious offenses they should give employees formal written warnings before dismissing them.

10.1.5 Examples of serious misconduct

The Labour Law provides the following examples of serious misconduct:

- cheating the employer;
- committing fraud against the employer, sabotage, refusal to comply with the terms of the employment contract, or breaching professional confidentiality;
- serious breaches of disciplinary, safety and health rules;
- threats, abusive language or assault against the employer or other employees;
- encouraging other employees to commit serious offenses;
- political propaganda, activities or demonstrations at the workplace;
- committing violent acts during a strike;
- failing to return to work, without valid reason, within 48 hours of the court making an order to return to work.

Depending on the circumstances, a court may decide that other acts of an employee are serious misconduct. However, going on strike without following the legal procedures is not, by itself, serious misconduct.

LABOUR LAW ARTS 838, 330, 337
AC AWARDS 18/04, 22/04, 144/12,
200/12

10.1.6 Claims for dismissal of employees or managers

The fact that a manager has committed an act of misconduct does not mean that the employer must dismiss the manager. Employees may ask their employer to dismiss a manager or another employee who has committed acts of misconduct, but the right to decide whether to dismiss belongs to the employer. The Arbitration Council has refused to make orders requiring the employer to dismiss managers or other employees.

Employees may, however, make claims for damages if the employer commits an act of misconduct against them.

AC AWARDS: 06/12, 123/12(1),
197/12 (6)

10.2 SUSPENSION

The employment contract can be suspended for a range of reasons. While the employment contract is suspended the employer is not required to pay wages and the employee is not required to work.

At the end of the suspension period, the employment relationship usually returns to normal.

References

10.2.1 Reasons for suspension

An employment contract may only be suspended for the reasons set out in Art. 71 of the Labour Law. Most importantly these include:

- disciplinary suspension according to the company's internal regulations; and
- serious economic problems of the enterprise, but the suspension must be under the supervision of the Labour Inspector.

The Arbitration Council has stated that if the employer does not suspend the employment contract in accordance with Article 71 then the employer must pay wages in full to the employee in accordance with their contract.

LABOUR LAW ART 71
AC AWARDS 21/03, 46/04, 60/04

10.2.2 Disciplinary suspension

An employer may suspend an employee while investigating alleged misconduct.

An employer may suspend an employee without pay for disciplinary reasons so long as:

- the length of the suspension is proportional to the alleged misconduct; and
- the employer's internal rules allow such suspensions.

LABOUR LAW ARTS 27, 71(7)
AC AWARDS 28/04, 146/11 (1&2&3),
189/11(8)

10.2.3 Suspension because of economic problems

An employer may suspend employees when facing serious economic problems.

In such cases, employees can be suspended for up to 2 months so long as the suspensions are approved by the Ministry in charge of Labour. If the Ministry in charge of Labour is not notified, the suspensions are not valid and the employer may be required to pay the employees in full.

It is common practice in the garment, textile and footwear industries for employers to pay their employees 50% of their wages when there is no work to do. The Arbitration Council has not allowed this practice unless the suspension is conducted under the supervision of the Ministry in charge of Labour.

LABOUR LAW ART 71(11)
AC AWARDS 01/04, 10/04, 46/04,
26/12(4), 45/12 (11), 52/12(1)

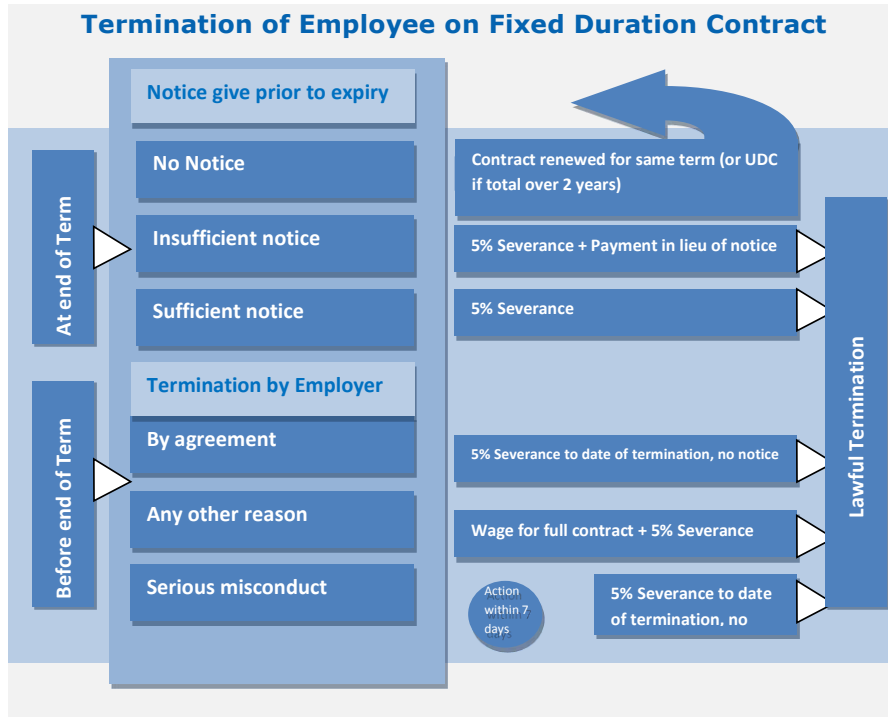
10.3 TERMINATION OF FIXED DURATION CONTRACT

An FDC can come to an end by expiration or by cancellation.

An FDC normally expires on the end date named in the contract.

There are two main legal reasons for the cancellation of an FDC before the end date: agreement and serious misconduct.

LABOUR LAW ART 73



10.3.1 Cancellation by agreement

An FDC may be cancelled by agreement. This agreement must be in writing and witnessed by a Labour Inspector.

LABOUR LAW ART 73 (1)
AC AWARD 200/12 (1&2)

10.3.2 Cancellation for serious misconduct

The employer can cancel an FDC before the end date if the employee commits an act of serious misconduct.

LABOUR LAW ART 73 (2), 83

For an explanation of serious misconduct see paragraph 10.1.5 above.

10.3.3 Cancellation due to acts of God

An FDC can also be cancelled, without the agreement of both parties, in the event of acts of God.

LABOUR LAW ART 73 (2)

References

10.3.4 Cancellation of an FDC without legal reason

Either the employer or the employee may cancel an FDC for other reasons.

However, if an employer cancels an FDC without legal reasons, the employer must pay the employee the full amount that the employee would have received if they had been allowed to work until the end of the contract. Similarly, if an employee cancels his/her FDC without legal reasons, the employee must pay the employer for any damages suffered by the employer as a result.

LABOUR LAW ART 73 (3) & 4
AC AWARDS 84/11(2), 150/11(11),
106/12(5), 212/12(2)

10.3.5 Severance pay on termination of an FDC

When an FDC is terminated or expires, the employee has a right to receive severance pay.

Severance pay must be at least 5% of the total wages paid to the employee during the length of the FDC.

LABOUR LAW ART 73 (6)
AC AWARDS 84/11(2), 115/11(1),
150/11 (11)

Example: Severance pay

Sokha signed a one year FDC at a garment factory. Her basic wage was \$80 but she also worked overtime and received some bonuses. In total she earned \$1353.60 during the year.

Calculated at 5% of total wages her severance pay should be:

$$5\% \times \$1353.60 = \$67.68$$

10.3.6 Notice before the expiry of an FDC

If an employer wants an employee to stop working at the end of an FDC, the employer must tell the employee in advance according to the table below:

LABOUR LAW ARTS 73, 82, 86
NOTICE 06/97
AC AWARD 10/03, 102/12(2),
119/12(1)

Length of Contract	Notice Period
6 months or less	No notice required
More than 6 months	10 days
More than 1 year	15 days

If no prior notice is given, the FDC is automatically renewed for the same amount of time as the original contract. The contract will become a UDC if the total length of employment exceeds 2 years.

10.4 TERMINATION OF UNDERTERMINED DURATION CONTRACTS

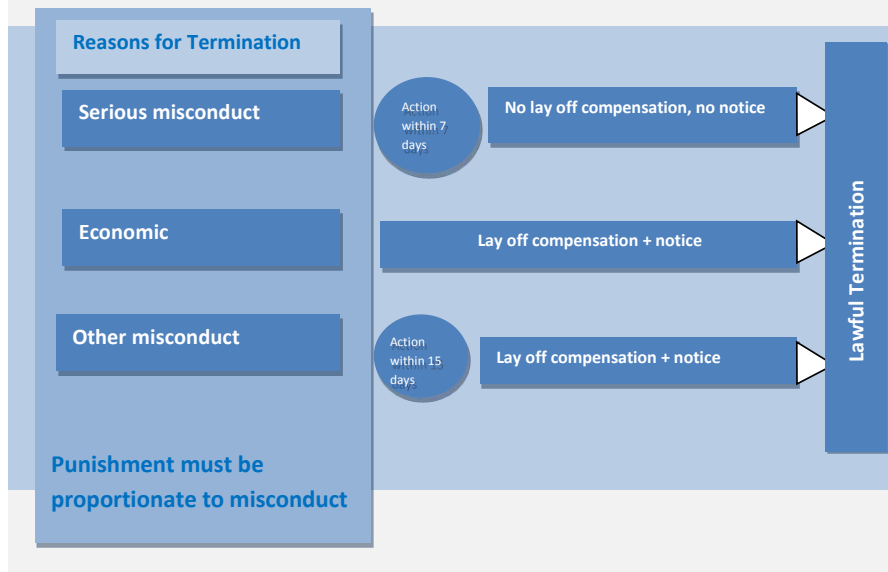
A UDC may be terminated by either the employer or the employee.

An employee can cancel a UDC for any reason.

An employer can cancel the UDC only for a valid reason related to the employee's skill, behavior or the requirements of the enterprise.

LABOUR LAW ARTS 74
AC AWARD 101/12(2)

Termination of Undetermined Duration Contract



10.4.1 Notice of termination

An employer or an employee who wishes to terminate a UDC must give written notice. The notice period is based on the length of employment as set out in the table below:

LABOUR LAW ARTS 75

References

Length of employment	Notice Period
Less than 6 months	7 days
6 months to 2 years	15 days
More than 2 years and up to 5 years	1 month
More than 5 years and up to 10 years	2 months
More than 10 years	3 months

Obligations during the notice period

Generally the employer and the employee must work together as usual during the notice period.

However, employees may take up to 2 days of paid leave per week to look for a new job and may stop work early if they find another job.

Failure to give notice

An employer who fails to give notice to an employee must pay the employee the wages and benefits that the employee would have earned during the notice period. The basis for this calculation is average daily earnings over the past 12 months, not the minimum wage (see paragraph 10.4.3 below).

Special Rules regarding notice requirement

In case of:	Notice Required
Serious misconduct	No
Probationary employees	No (except in the garment industry in Phnom Penh where 7 days required)
Insanity or permanent disability	Yes
Apprentices	No (except in the garment industry in Phnom Penh where 1 day is required)

There is generally no notice requirement in case of serious misconduct or if an employee is on probation. However, the employer must give prior notice when terminating a UDC when an employee becomes chronically sick, insane or has a permanent disability.

In the garment, textile and footwear industries in Phnom Penh, probationary employees are entitled to 7 days notice and apprentices to 1 day of notice.

LABOUR LAW ARTS 78, 79, 81

LABOUR LAW ART 77
AC AWARD 51/04, 103/12 (1&2),
184/12(1), 193/12(2), 199/12(1)

LABOUR LAW ARTS 82, 86
NOTICE 06/97, 116/12(2),
200/12(1&2)

10.4.2 Layoff compensation on termination of UDCs

The employer must pay lay off compensation when dismissing an employee on a UDC for reasons other than serious misconduct.

The amount of lay off compensation depends on how long the employee has been working for the employer, as set out in the table below. The basis for this calculation is average earnings over the past 12 months, not minimum wage. The Arbitration Council has found that overtime and bonuses received by the worker in the 12 months prior to dismissal should be included in the calculation. (see paragraph 10.4.3 below).

Length of employment	Layoff Compensation
6 months — one year	7 days wages and benefits
Over one year	15 days for each year of employment, up to 6 month's wages and benefits (fractions of a half year or more count as an entire year).

The employer does not have to pay lay off compensation if an employee resigns voluntarily, but the employer must pay lay off compensation if the employer pushed an employee to resign.

Example: Forced resignation

A factory has been operating in Phnom Penh for 3 years. For business reasons the owner decides to move the factory to Kompong Cham. The employer offers all of their old employees the opportunity to continue their employment in the new factory. Some accept and some decide that they want to stay in Phnom Penh.

The employees who do not accept the transfer to Kompong Cham have been pushed to resign so they are entitled to layoff compensation.

LABOUR LAW ARTS 89-90, 110
AC AWARDS 27/03, 27/04, 29/04,
36/12(5), 103/12 (1&2), 184/12(5)

LABOUR LAW ARTS 89-90, 110
AC AWARDS 27/03, 27/04, 29/04,
21/10

10.4.3 Damages for termination without valid reason

An employer must pay damages (in addition to lay off compensation) if they terminate an employee on a UDC without valid reason (see 10.4). An employee is entitled to damages of at least the same amount which they received as lay off compensation on termination.

LABOUR LAW ART 91
AC AWARDS 36/12(5), 103/12(1&2),
199/12(1)

References

Example: Damages

Sambath has been working for a garment factory for 26 months when he is dismissed without reason. In addition to lay off compensation (of 30 days), he may also claim the same amount again in damages.

In the last 12 months, Sambath's basic wage was \$80 per month but he worked a lot of overtime and always came to work regularly. Including bonuses and overtime, he earned a total of \$1353.60 over the past 12 months.

Both lay off compensation and damages are calculated on the basis of his average daily pay as set out below.

$$\begin{aligned} & \frac{\$1353.60 \text{ (total amount earned over past 12 months)}}{12 \text{ (months)} \times 26 \text{ (working days per month)}} \\ & = \$4.34 \text{ average daily pay.} \end{aligned}$$

Sambath's lay off compensation is 30 days x \$4.34 = \$130.2. And he can also claim \$130.2 damages.

10.5 SPECIAL RULES FOR COLLECTIVE TERMINATION

A collective termination occurs when an employer terminates employees to reduce production, to recognise the enterprise, or to increase productivity.

LABOUR LAW ART 95
AC AWARDS 02/04, 31/04, 21/10,
96/10(1), 111/10(2 & 3)

10.5.1 Procedure for collective termination

Before conducting a collective termination an employer must follow the procedure below:

LABOUR LAW ARTS 95, 284
PRAKAS 313/00
AC AWARD 26/12(1)

- inform the shop stewards and union representatives in writing about the planned terminations;
- terminate the employees with the lowest professional qualifications first;
- of the employees who have equal qualifications, the employer should terminate those with least seniority first. (Seniority must be increased by one year for a married employee and by an additional year for each dependent child.)

10.5.2 Right of first rehire

Employees terminated collectively have priority to be rehired for 2 years.

LABOUR LAW ART 95

References

10.6 SPECIAL RULES FOR TERMINATION OF UNION ACTIVISTS & SHOP STEWARDS

Employers are forbidden from considering union membership or participation in union activities when making decisions about recruitment, management and assignment of work, promotion, payment and granting of benefits, disciplinary measures and dismissals.

LABOUR LAW ARTS 12, 279
AC AWARD 119/10(1), 212/12(1),
215/12(1&2)

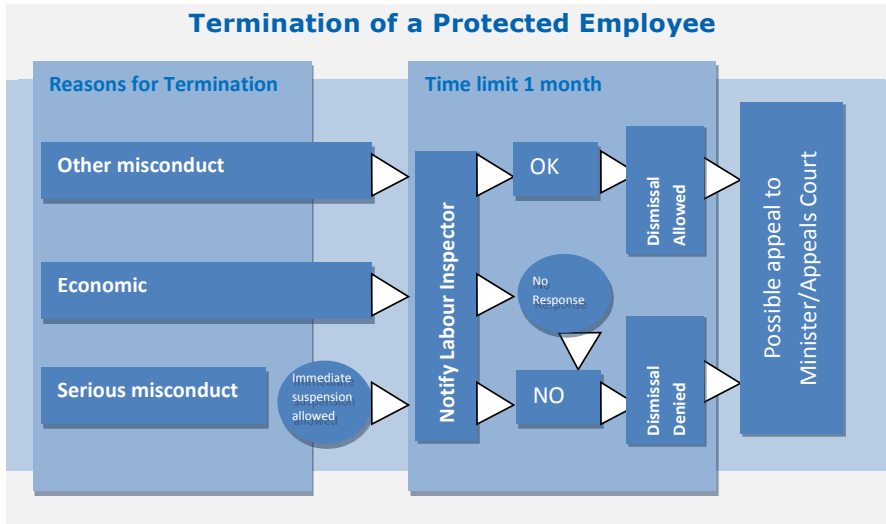
10.6.1 Protection of shop stewards and union activists

Employers must follow special rules when they dismiss shop stewards and certain union activists (referred to as *protected employees*). The rules are as follows:

LABOUR LAW ARTS 293-295
AC AWARDS: 95/09(6), 002/12(1),
26/12(1), 125/12(1)

- employers may dismiss *protected employees* only after receiving permission from the Labour Inspector;
- however, if a *protected employee* is accused of serious misconduct, the employer can suspend them immediately, while waiting for authorisation from the Labour Inspector;
- the Labour Inspector must decide within one month of receiving the employer's request for dismissal. If the Labour Inspector does not give a decision within one month, the request is considered rejected;
- the employer, the employee or the union can appeal the decision of the Labour Inspector to the Minister of Labour within 2 months of being notified of the decision.

Termination of a Protected Employee



10.6.2 Categories of protected employees

The protected employees are:

- | | |
|--|---|
| i. candidates for shop steward elections | LABOUR LAW ARTS 282, 293
PRAKAS 313/00, 305/01 |
| ii. full shop stewards and substitutes | LABOUR LAW ART 293 |
| iii. unelected candidates for shop steward elections (for 3 months after the publication of election results) | LABOUR LAW ART 293 |
| iv. former full shop stewards and substitutes (for 3 months after their terms finish) | LABOUR LAW ART 293 |
| v. founding members of a union and those who join a union during the application period for its registration, starting from the date of application and continuing for 30 days after the date when the union is registered with the Ministry in charge of Labour | PRAKAS 305/01 ART 4 |
| vi. the union leaders (president, first vice president, first secretary) if the employer is notified in writing of their identity | PRAKAS 305/01 ART 4
PRAKAS 313/00 |
| vii. candidates for office of union leaders, starting 45 days before the election and ending, if the candidate is not elected, 45 days after the election | LABOUR LAW ART 293
PRAKAS 305/01 ART 3 |
| viii. former union leaders (for 3 months after the end of their terms) | LABOUR LAW ART 293
PRAKAS 305/01 ART 4 |
| ix. union delegates | LABOUR LAW ART 282 |
| x. former union delegates (for 6 months after the end of their terms) | LABOUR LAW ART 282 |
| xi. union representatives appointed at the enterprise level by industry-wide or national unions that have members in the enterprise | PRAKAS 305/01 ART 5 |
| xii. former union representatives referred to in xi (for 3 months after the end of their terms) | LABOUR LAW ART 293
PRAKAS 305/01 ART 5 |

10.7 NON DISCRIMINATION

The Cambodian Constitution guarantees all Khmer citizens equal treatment under the law.

CONSTITUTION ART 31

10.7.1 Non discrimination in employment

LABOUR LAW ART 12

No employer is allowed to take into consideration:

- race
- sex
- political opinion
- social origin
- color
- religion or beliefs
- ancestry
- union membership or union activities

when making a decision on:

- hiring
- vocational training
- promotion
- granting of social benefits
- assigning of work
- advancement
- pay
- discipline or termination of employment

10.7.2 Permissible discrimination

LABOUR LAW ART 12

The employer must make the above decisions based on a person's merit and not on such factors as race, sex, religion or political affiliation. However, where the nature of the job requires a particular qualification, discrimination allowed.

10.7.3 Equal pay for equal work

LABOUR LAW ART 106
AC AWARD 14/04, 185/12(2)

Wage differences on the basis of origin, sex, or age of an employee are prohibited.

PART 11 DISPUTE RESOLUTION

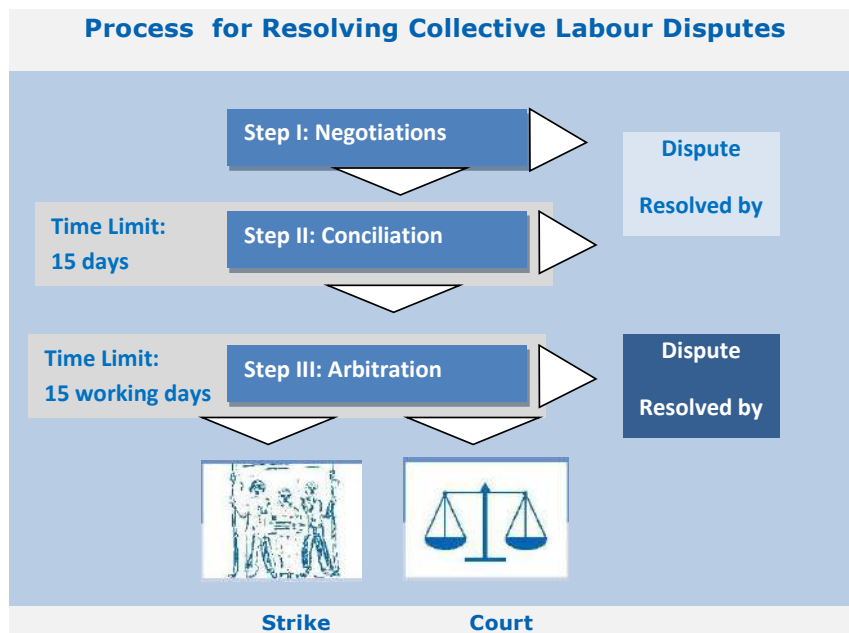
References

A dispute can occur in any workplace no matter how well it is managed. For this reason, employers and employees should anticipate disputes and set up ways of resolving disputes when they occur.

Unless an employer and their employees agree to a different system of dispute resolution they must follow the dispute resolution procedure set out in Chapter XII of the Labour Law.

According to the Labour Law employers and employees can resolve their disputes in a number of ways. These include:

- negotiation
- conciliation
- arbitration
- strike/lockout
- court action



11.1 INDIVIDUAL DISPUTES AND COLLECTIVE DISPUTES

The steps that employees and employers need to go through to resolve a dispute depend on whether the dispute is collective or individual.

LABOUR LAW ARTS 300, 302

References

11.1.1 Individual disputes

Individual disputes are disputes that involve an employer and one or more employees as individuals.

LABOUR LAW ART 300
AC AWARD 10/03

11.1.2 Collective disputes

A collective dispute involves a group of employees. If a union is involved in a dispute then it will generally be considered to be a collective dispute.

LABOUR LAW ART 302
AC AWARD 10/03, 58/10, 119/12 (1)

A collective dispute can also involve employees who do not have a union if they act as a group.

11.2 GRIEVANCE PROCEDURES/LIAISON OFFICER

Many employers set up workplace level grievance procedures in consultation with their employees so that disputes can be resolved quickly and fairly.

CIRCULAR 21/99

The Labour Law does not require employers to have workplace level grievance procedures, but it does require employers to have a liaison officer who is responsible for resolving employee requests and complaints.

11.2.1 Appointment of the liaison officer

Before appointing the liaison officer, the employer must consult with the representatives of the employees to seek agreement in choosing a neutral and independent person.

11.2.2 Duties of the liaison officer

The liaison officer must inform the employer if an employee makes a complaint which the officer cannot solve.

If the liaison officer cannot resolve a problem, then the employer must meet with the employee or his/her representative. A shop steward or union official may assist the employee at this meeting.

If the parties do not reach agreement, they may be required to notify the Labour Inspector for further conciliation.

11.3 CONCILIATION

11.3.1 Voluntary conciliation of individual disputes

Conciliation of individual disputes is voluntary: either the employer or the employee may file a complaint with the Ministry in charge of Labour for conciliation of their dispute before going to court. However, if one party requests conciliation of an individual dispute, the other party must also go to the conciliation meeting.

If the conciliation results in an agreement, the employer and the employee must implement the agreement.

If the conciliation is not successful, the dispute may be filed with the ordinary court.

LABOUR LAW ARTS 300-301
PRAKAS 318/01

11.3.2 Compulsory conciliation of collective disputes

Unless they have agreed on a different dispute resolution procedure, the parties to a collective labour dispute are required to notify the Ministry in charge of Labour of their dispute. The Ministry in charge of Labour must attempt to conciliate collective labour disputes.

LABOUR LAW ARTS 302-308
PRAKAS 317/01

11.3.3 No strike or lock out during conciliation

During conciliation, employees may not go on strike and the employer may not conduct a lock out.

LABOUR LAW ARTS 306, 320

11.3.4 Conciliation agreement binding

An agreement reached during conciliation of a collective dispute must be implemented and the employer must post it in the workplace and in the office of the local Labour Inspectorate.

LABOUR LAW ARTS 307-315

11.4 ARBITRATION

If conciliation of a collective dispute does not lead to an agreement, the Ministry in charge of Labour will refer the dispute to the Arbitration Council.

LABOUR LAW ARTS 309-317
PRAKAS 099/04

References

11.4.1 No strike or lock out during arbitration

During arbitration, employees may not go on strike and the employer may not conduct a lockout. The Arbitration Council has refused to hear cases until the parties cease strikes and lockouts.

LABOUR LAW ARTS 320
PRAKAS 099/04
AC AWARDS 04/04, 18/04, 227/12,
228/12

11.4.2 Requirement to cooperate with Arbitration Council

The parties to a dispute which is being heard by the Arbitration Council must attend all meetings to which the arbitrators call them and must also provide all documents and other information which the arbitrators request.

LABOUR LAW ARTS 314, 315
PRAKAS 099/04
AC AWARDS 22/04, 201/12

11.4.3 Arbitral awards

Decisions of the Arbitration Council are called awards.

Awards of the Arbitration Council must be implemented unless one of the parties to a dispute objects to the award within 8 days of being notified of it. In this case the award is cancelled.

If there is no objection to the award, the employer must post a copy of the award in the workplace and in the office of the local Labour Inspectorate.

For more information, see The Arbitration Council and the Process for Labour Dispute Resolution in Cambodia (CLEC/ILO, 2nd ed., 2004).

LABOUR LAW ARTS 312, 315
PRAKAS 099/04
AC AWARD 209/12 (1)

References

11.5 STRIKES & LOCKOUTS [INDUSTRIAL ACTIONS]

CONSTITUTION ART 37
LABOUR LAW ARTS 318-337
PRAKAS 338/02
CIRCULAR 005/00
NOTICE 20/00

11.5.1 When employees can go on strike

Employees can go on strike to defend their rights and interests but only after all other methods of dispute resolution have failed. In most cases employees will need to try the following forms of dispute resolution before going on strike:

- negotiation;
- conciliation; and
- Arbitration.

LABOUR LAW ART 320
AC AWARDS 29/03, 204/12(12)

11.5.2 When employees cannot go on strike

It is illegal to strike to try to force an employer to revise a CBA or arbitral award which is still in force.

LABOUR LAW ART 321

11.5.3 Legal procedures for calling a strike

Before going on strike employees must follow the procedures set out in the union's statute. These must include the following requirements:

Secret ballot

A strike is not lawful unless the members of the union have approved the strike by secret ballot.

Prior notice

A strike is not lawful unless the union gives 7 working days notice of the strike to the employer and to the Ministry in charge of Labour.

LABOUR LAW ARTS 323-329, 336, 337

LABOUR LAW ART 323

LABOUR LAW ARTS 324, 325, 327, 329

References

11.5.4 Illegal strike

Strikes that do not comply with the procedures set out in the Labour Law are illegal. Non-peaceful strikes are also illegal. Only the courts can declare a strike illegal.

LABOUR LAW ARTS 336, 337

11.5.5 Non-violence

Any violent acts committed during a strike by either party are serious misconduct. An employer may discipline or dismiss an employee for committing violent acts during a strike.

LABOUR LAW ARTS 330, 336
AC AWARD: 16/11(1)

11.5.6 Freedom of non-strikers

Strikers must allow other employees who want to go to work during a strike to do so. Strikers must not threaten non-strikers.

LABOUR LAW ARTS 331

11.5.7 No punishment for strikers

Unless the employer can prove that strikers have committed acts of misconduct, the employer must allow them to return to work without punishment once the strike is over.

LABOUR LAW ARTS 332-333, 337
AC AWARDS 04/03, 18/04, 22/04,
17/10, 22/11(1 & 2),
169/09(1), 204/12(12)

Participating in an illegal strike is not, by itself, serious misconduct. However failure to return to work, without valid reason, within 48 hours of a court order is serious misconduct.

The Arbitration Council has interpreted this rule about no punishment after a strike to mean that the employer cannot deduct the full \$10 regular attendance bonus from employees who participate in a legal strike.

In the case of a legal strike, the employer may only deduct the \$10 bonus proportionally. For example, if employees conduct a 2 day strike the employer can only deduct the following amount:

$$\begin{aligned} & 2 \text{ days} \times \$10 \\ = & \frac{\quad}{26 \text{ days}} \\ = & \$0.77 \end{aligned}$$

(leaving a bonus of \$9.23 if the employee attended as required on all other days in the month).

In case of an illegal strike, the employer may deduct the full \$10 attendance bonus.

References

11.5.8 Pay during a strike

Employees are not entitled to pay when they go on strike. This rule applies to both legal and illegal strikes.

Sometimes management and unions do agree for striking employees to be paid as part of the settlement of the dispute.

LABOUR LAW ART 332
AC AWARD 204/12 (12)

11.5.9 No recruitment during strike

Employers may not recruit new employees to replace striking employees. The Arbitration Council has found that transferring raw materials to another factory in order to get the work of striking employees done there can be equivalent to hiring new employees during a strike.

If an employer does hire replacement employees, the employer has to pay the salaries of the striking employees for the duration of the strike. The Arbitration Council has found that the strikers are only entitled to pay under Art. 334 if they followed the legal procedures for calling a strike

LABOUR LAW ART 334
AC AWARDS 04/03, 08/04, 15/04,
178/12 (1,2,&3), 197/12 (10)

11.5.10 Lockouts

Employers may also lockout their employees as part of a labour dispute. The right to lockout is subject to the same rules and restrictions as the right to strike.

If an employer conducts an illegal lockout they must pay the employees' salaries during the lockout and penalties also apply.

LABOUR LAW ART 318, 319, 322,
369

PART 12 UNION AND SHOP STEWARDS

References

12.1 FREEDOM TO FORM OR JOIN A UNION

Employers may not make it difficult for employees to form unions.

LABOUR LAW ARTS 266, 271

Employers may not force or offer incentives for an employee to be a member of a union or not to be a member of a union.

Employees have the right to be a member of the union of their choice.

12.2 DISCRIMINATION ON THE BASIS OF UNION MEMBERSHIP

Employers must not consider union membership or participation in union activities when making decisions relating to work (such as hiring, promotion, dismissal etc.)

LABOUR LAW ART 279
AC AWARD 57/11, 155/11

12.3 COMBINED EMPLOYER - EMPLOYEE UNIONS PROHIBITED

No union may represent both employees and employers.

LABOUR LAW ART 266

12.4 NO INTERFERENCE WITH OPERATION OF UNION

An employer is not allowed to:

- interfere in union affairs, or
- support a union that is under the control of the employer or an employer's organization.

LABOUR LAW ART 280
AC AWARD 17/04

12.5 DEDUCTION OF UNION DUES

Employees can authorise the employer to deduct union dues from their wages. These authorisations must be given in writing and may be withdrawn at any time. Where an employee has authorised the deduction of union dues the employer must make the deduction and forward this amount to the relevant union.

LABOUR LAW ART 129
PRAKAS 305/01
AC AWARDS 03/03, 05/03, 25/03
74/11 (10), 108/12 (1)

12.6 PROTECTION OF UNION ACTIVISTS AGAINST DISMISSAL

See paragraph 10.6 above.

References

12.7 SHOP STEWARDS

In enterprises with 8 or more employees, employers must organise elections of shop stewards. The elections must be held within 6 months after the opening of the enterprise. Shop stewards serve 2-year terms and may be re-elected.

Shop stewards communicate employee concerns to the employer and Labour Inspector.

LABOUR LAW ARTS 283-299
PRAKAS 286/01

12.7.1 Employer responsible for elections of shop stewards

Comment [v1]: Suggest to add Art. 292

The employer must organise the elections according to the following procedure:

LABOUR LAW ARTS 287, 288, 291,
292
PRAKAS 286/01
AC AWARDS 54/10 (1), 189/11 (2)

- consult with unions (if any) before holding elections;
- allow representative unions to nominate candidates;
- publish the date of the election within 15 days and hold the elections within 45 days after receiving a request from an employee, union or Labour Inspector;
- post election procedure and the list of candidates at least 3 days before election date;
- allow employees at least 2 hours off work to consider the candidates;
- conduct elections by secret ballot;
- hold elections during working hours;
- hold elections at least 15 days before the expiration of the terms of shop stewards;
- report the results of the elections within 8 days after the elections;
- pay the cost of holding the elections.

12.7.2 Employer's obligations to shop stewards

The employer must:

PRAKAS 286/01
CIRCULAR 40/98
AC AWARD 68/06 (3)

- provide shop stewards with a meeting place, working materials and appropriate poster-displaying sites;
- provide a place for shop stewards and unions to post the names, pictures, and position of shop stewards and union leaders, and their activities;
- give each shop steward 2 paid hours per week to do their work.

References

12.7.3 Shop stewards protected against dismissal

The employer may dismiss a shop steward or candidate for shop steward only after authorization from a Labour Inspector. The same applies to un-elected candidates for 3 months after publication of the election results and to former shop stewards for 3 months after the end of their terms (for details see paragraph 10.6 above).

LABOUR LAW ARTS 293-295
AC AWARD 149/08 (1)

12.7.4 Duties of shop stewards

Shop stewards have the following duties:

- to present to the employer grievances regarding wages and the enforcement of Labour Laws, Regulations and the applicable CBA;
- to refer complaints to the Labour Inspector;
- to ensure enforcement of health and safety regulations;
- to suggest improvements in safety, health and working conditions and work-related accidents and illnesses;
- to consult with the employer on the draft of internal regulations of the enterprise (see paragraph 2.4.2 above);
- to consult with the employer on plans for collective termination (see paragraph 10.5.1 above).

LABOUR LAW ARTS 24, 95, 284
PRAKAS 286/01

12.7.5 Number of shop stewards in an establishment

Enterprises must have the following number of shop stewards depending on their size.

LABOUR LAW ART 285

Number of Employees	Number of Shop Stewards (+ number of Assistant ShopStewards)
1-7	0
8-50	1 (+1)
51-100	2 (+2)
101-200	3 (+3)
201+	one extra shop steward and one extra assistant shop steward for every additional 100 employees or part thereof.

References

12.8 COLLECTIVE BARGAINING AGREEMENTS

A CBA is an agreement between a group of employees and one or more employers about wages and working conditions.

A CBA can provide better benefits to employees than those provided in the law. However, provisions of a CBA which are less favorable to employees than the law cannot be enforced.

LABOUR LAW ARTS 96-101
PRAKAS 287/01
PRAKAS 305/01
AC AWARD 148/12 (5)

Example

The union at Factory K signs a 3 year CBA which says that the employees only get 12 days annual leave per year. One year after signing the CBA employees claim 18 days annual leave per year.

The employees at Factory K still have the right to get 18 days leave because a provision of a CBA which is less favorable to employees than the law is not valid.

12.8.1 Who can make a CBA?

Generally, employees will be represented by a union when negotiating a CBA. The union must be representative of employees in that enterprise. The Ministry in charge of Labour gives an official decision as to whether a union is representative.

Only if there is no union in a workplace may an employer negotiate a CBA with shop stewards.

LABOUR LAW ARTS 92(2), 277
PRAKAS 305/01
AC AWARDS 22/04, 29/09, 14/12 (1)

12.8.2 Duration of a CBA

A CBA can be for a definite time period or an indefinite time period. When it is for a definite term the term cannot be more than 3 years.

When a CBA is for an indefinite time period the CBA can be cancelled, but it will still be effective for a period of one year after giving notice of cancellation.

Shop stewards cannot make a CBA which has a term longer than one year.

LABOUR LAW ART 96(3)

References

12.8.3 Obligation to bargain collectively

Employers must bargain in good faith if a representative union asks to negotiate a CBA. The obligation to bargain in good faith includes the requirement to:

- agree to reasonable rules for bargaining;
- respond to proposals made by the union in a reasonable way;
- provide reasonable resources and information to unions involved in collective bargaining.

PRAKAS 305/01 ART 11
AC AWARDS 06/04, 29/09

12.8.4 Registering a CBA

An employer must register a CBA with the Ministry in charge of Labour and post it in the workplace.

The registered version of a CBA must be written in Khmer.

PRAKAS 287/01

12.8.5 Dispute resolution

If parties fail to reach an agreed CBA within an agreed time period, they have the right to go on strike or conduct a lockout, but not before attempting to resolve their dispute through conciliation and arbitration.

In such cases the Arbitration Council can make an award which has the same status as a CBA.

PRAKAS 197/98, 305/01 ART 12,
099/04 ART 43
AC AWARDS 24/03, 28/03, 29/03

PART 13 DOCUMENTATION, RECORD KEEPING, POSTING

References

13.1 DECLARATION OF OPENING & CLOSING OF ENTERP

The employer must make a declaration of opening of an enterprise to the Ministry in charge of Labour.

For an enterprise with 8 or more employees or with machinery, this must be done before the opening of business.

For an enterprise with fewer than 8 employees, the declaration must be made within 30 days of opening.

The employer must make a declaration of closing of an enterprise to the Ministry in charge of Labour within 30 days of closing.

LABOUR LAW ARTS 17-19
PRAKAS 288/01

13.2 ESTABLISHMENT REGISTER

Every employer must keep an establishment register listing the name of the establishment, the type of activity engaged in, the name and address of the employer, the number and initial signature.

The employer must keep used registers for 3 years and allow a Labour Inspector to examine them at any time.

LABOUR LAW ART 20
PRAKAS 267/01

13.3 PAYROLL LEDGER

A payroll ledger must include information about:

- each employee
- their salary
- the work they perform
- their time off

The payroll ledger must be kept at the cashier's office or the business office of the employer.

Payroll records must be kept for 3 years.

The payroll ledger is only valid if every page is numbered and signed by a Labour Inspector.

The Labour Inspector must be allowed to inspect the payroll ledger at any time.

LABOUR LAW ARTS 39-41
PRAKAS 269/01

References

13.4 DECLARATION OF MOVEMENT OF PERSONNEL

Employers must make a declaration to the Ministry in charge of Labour every time they hire or dismiss an employee.

LABOUR LAW ART 21

13.5 EMPLOYMENT CARD AND EMPLOYEE WORKBOOK FOR CAMBODIAN AND FOREIGN EMPLOYEES

Every Cambodian citizen and foreigner working in Cambodia is required to have an employment card and employment book. Nobody may be employed without an employment card and employment book.

LABOUR LAW ARTS 32, 37, 261
PRAKAS 56/01, 147/01, 162/01
NOTICE 13/97

Employers must record the hiring and dismissal of employees, their salary and any changes of salary on their employment card.

AC AWARD 21/03

Within 7 days after an entry has been made in an employee's employment card, the card must be presented to a Labour Inspector for his/her approval. The record must be approved by the Labour Inspector within 7 days.

The Arbitration Council has found that employees should pay for the cost of the employment card but only up to the amount set by the Ministry.

13.6 POSTING

Employers must install an information board in an appropriate place with easy access for all employees.

LABOUR LAW ARTS 29, 109, 296, 315

CIRCULAR 40/98

On this board must be posted:

- the annual Prakas on paid public holidays;
- any CBA;
- decisions of the employer or of management relating to the employees;
- the internal regulations;
- health and safety rules or warnings;
- the minimum wages set under the Labour Law;
- report on the election of shop stewards;
- reports on conciliation agreements and awards of the Arbitration Council which are in force at that workplace.

The employer must provide a separate board for use by unions and shop stewards.

Dissemination campaigns on the prevention and control of the use of child labor in enterprises, brick and tile enterprises, and agro-industries.

Dissemination campaigns on the prevention and control of the use of child labor in enterprises, brick and tile enterprises, and agro-industries.

[campaigns,prevention,control,child,labor,industries](#)

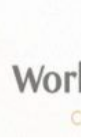
H.E. Kim Sovandy, General Secretary of the General Secretariat of CNCC, participated in the opening ceremony of the dissemination campaign on the prevention and control of the use of child labor in enterprises, brick production, tiles, and agro-industry.



[Activities of CNCC](#) [10-Apr-2025](#)

Banteay Srei District—Siem Reap Province, April 8, 2025, His Excellency Kim Sovandy, Secretary General of the Secretariat of the Cambodian National Council for Children (CNCC), was invited to participate as the chairman in the opening ceremony of the publicity campaign on the prevention and suppression of the use of child labor in enterprises, establishments producing bricks, tiles, and agro-industries in the brick kiln, Banteay Srei district, Siem Reap province, under the chairmanship of H.E. Sung Sarsochita, Secretary of State, Ministry of Labor and Vocational Training.

The campaign was attended by members of the National Committee Against Child Labor, governors of the capital, provinces, districts, and communes; representatives of the Federation of Construction and Forestry Workers of Cambodia; brick kiln owners; guardians; teachers; and children, a total of 300 people.



Cambodia National Council For Children

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Report on Child Abuse and Exploitation

Please Call to Hotline 1288 or Helpline 1280

[Click here to report on online child sexual exploitation and abuse](#)

Blog

[Activities of CNCC](#)



**GOBIERNO DE
MÉXICO**



CEAV
COMISIÓN EJECUTIVA
DE ATENCIÓN A VÍCTIMAS

ENGLISH

**BOOKLET ON THE
PREVENTION
OF CRIMES RELATED TO
HUMAN
TRAFFICKING**

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Did you know that...?



In Mexico, **8 out of every 10** victims of trafficking are women and girls¹.




1 in 4 are under 18 years of age.



7 out of 10 trafficked women and girls in Mexico were trafficked for the purpose of sexual exploitation.



45 out of every 100 child and adolescent victims of trafficking belong to indigenous communities.²



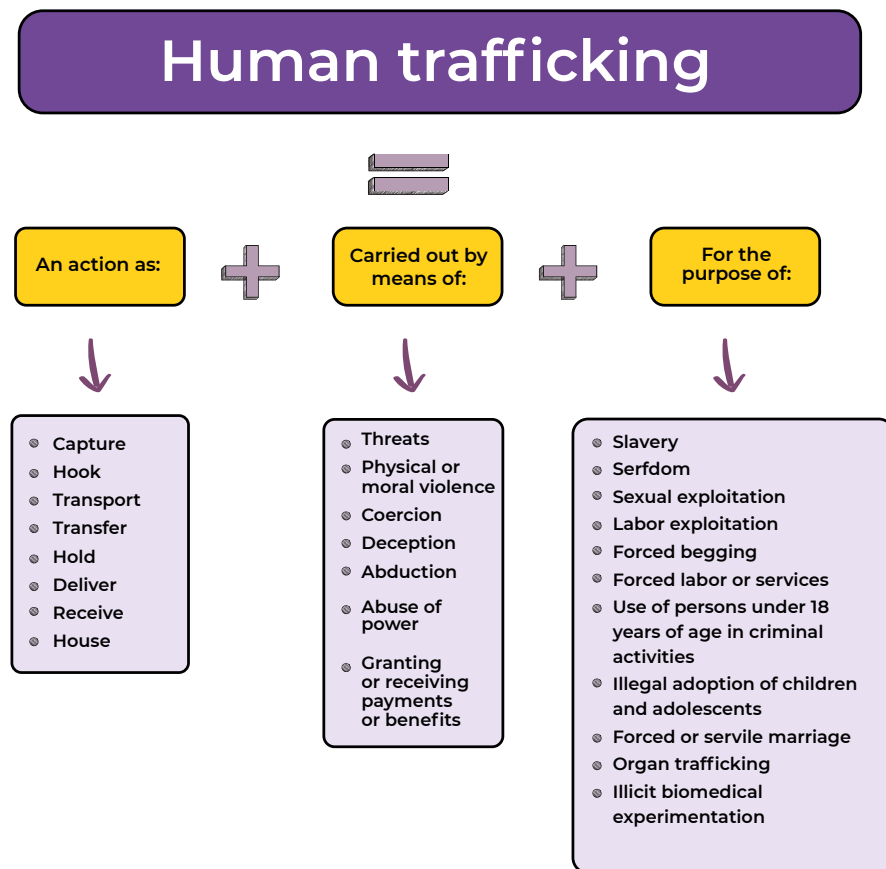
Other victims of trafficking are people who **work in slave-like conditions** in domestic chores or in sectors such as agriculture, mining and fishing or who are **used for child begging or organ harvesting**

^{1,2} CNDH. 2019. Diagnosis on the Situation of Human Trafficking in Mexico.

What's human trafficking?

It is any conduct or action, which through various means, is intended to exploit a person.³ A crime punishable by imprisonment. It is a violation of human rights.

This crime is made up of the following elements:



³ General Law to Prevent, Punish and Eradicate Crimes related to Trafficking in Persons and for the Protection and Assistance to the Victims of these Crimes, Article 10.

The crime of human trafficking involves actions such as recruiting, transporting, transferring, housing, or receiving individuals for the purpose of exploitation.

Important note: When the victims of trafficking are children or adolescents, it is not necessary to prove the means of commission in order to prove the crime.

Most common forms of hooking and/or recruiting

1. Deception and emotional manipulation

Traffickers use various strategies such as:

- ▶ Blaming the victims for the actions or for their situation of vulnerability.
- ▶ Generating fear, threatening to cause harm or damage.
- ▶ Generating promises or giving gifts to form a bond of trust and security between the trafficker and the victim.

2. False employment promises

Contact is made through individuals or companies offering job opportunities with high financial returns.

Social media and the Internet are the main contact channels used by traffickers to contact children and adolescents.

Traffickers take advantage of the vulnerable conditions of the victims to force them to perform activities, services or labor under deception, threats or coercion.

These situations of vulnerability may be:



They are mostly men, although there are also women traffickers, who act individually, in informal groups or in organized criminal networks.

They may be **people close to the family, acquaintances or strangers**. In many cases, traffickers and victims are from the same place and this circumstance favors the establishment of bonds of trust with the victims.

Traffickers are characterized by their willingness to exploit others for financial or in-kind gain.

Nowadays, **traffickers have incorporated technology to commit these criminal acts**.

As a result, girls and boys are recruited through social networks, exploiting their desire for acceptance, attention or friendship.

The **places where there is the greatest flow of trafficking victims** are:

- ▶ Night clubs
- ▶ Bars and/or restaurants
- ▶ Factories
- ▶ Hotels
- ▶ Massage establishments
- ▶ Planting fields
- ▶ On the streets / traffic lights
- ▶ Buses
- ▶ Airports
- ▶ Public and collective transportation
- ▶ Hospitals
- ▶ Markets

⁴ See: <https://www.proyectoesperanza.org>

Victims' rights



Access to **humane, respectful treatment**, without prejudice or discrimination.



Receive urgent and non-urgent **medical and psychological care**, free of charge and with the possibility of choosing whether a female or male physician assists you.



Receive **free legal advice** to carry out any legal process before the authorities.



In case of being a **migrant person**, to have a period of reinstatement and reflection of at least **30 days, in order to be protected** against immediate deportation or any other danger.



Receive **consular assistance in case of being a foreigner**. Receive assistance from Mexican consulates (If the person has Mexican nationality and is abroad).



The right to have the necessary actions taken to receive **better care and understanding**, in the case of a **person with a disability**.



Receive **free assistance** from an **interpreter or translator**.



The right to have a **legal guardian or equivalent authority** (if the **victim is an unaccompanied or accompanied child or adolescent**) immediately appointed to represent his or her interests throughout all proceedings.



Receive temporary safe accommodation. There are shelters where trained personnel are available, as well as food, cleaning and overnight services.



Receive **free information on educational or employment opportunities** to rebuild or restore the victim's life project and that of his or her family.



Have **security guarantees** during the investigation and punishment of the persons who committed the crime.



Protect the identity and personal data of the victims in case of threats or if their life, safety, or integrity is at risk.

Our support networks are stronger than any trafficking network.

All individuals can take actions to prevent, punish, and eradicate human trafficking.

Friendly, collective and timely actions can save lives.

We can do it:



As a society

- ▶ **Not disseminating, consuming or contributing** to any form of **sexual exploitation**.
- ▶ **REPORTING** anonymously to **089** in any situation where a possible crime of trafficking is located.
- ▶ If you **witness the crime of human trafficking** and an investigation or prosecution is underway, **your testimony could save a life**. Remember that you can do it safely and confidentially.
- ▶ Everyone can be a victim of human trafficking, so building a **network of support, trust and safety is essential**.



As mothers, fathers, and relatives

- ▶ **Generate networks of support, trust and dialogue in families** to ensure that the most vulnerable people in this circle feel protected and are not deceived.
- ▶ Establish **safety standards** on **social media** platforms.



As authorities

- ▶ Not normalizing the **use of gender stereotypes** that discriminate against victims of trafficking.
- ▶ Contributing to the **promotion of equality between women and men**.
- ▶ Implementing **public policies** for the **elimination of violence** against women and girls.
- ▶ **Handling all complaints** that are presented, based on the principle of good faith.
- ▶ Having an **ethical and humane treatment** that does not judge or question the behavior of the victims.
- ▶ If you are aware of a case of human trafficking and do not have jurisdiction, **approach the responsible authorities** to report the facts and cooperate with them.



As the media

- ▶ **Disseminate search actions** to locate missing persons.
- ▶ **Stop** normalizing in the content **behaviors** that constantly **encourage the hypersexualization of women and girls**.
- ▶ **Communicate information based on official media and institutions** that work to eradicate, prevent and punish human trafficking.
- ▶ **Do not promote or normalize behaviors or stereotypes** related to characters linked to **organized crime**.

Always keep in mind:



5

Are you a victim of trafficking or do you suspect

Most victims of **human trafficking** are afraid because of the **abuse and threats**, which makes it difficult for them to talk about their situation or ask for help; they come to believe that they are responsible for what they are experiencing.

If a victim tells you about his or her situation, do not contradict or question, but treat him or her with respect.

The human trafficking victims are never at fault.

Approach institutions for guidance or **call 089.**
We are here to support you.

6

How does CEAV support you?

Through its Comprehensive Care Centers for Victims (CAI), the CEAV provides medical services, psychological care, counseling and legal support, as well as links with other public agencies that can provide support to safeguard your physical and emotional integrity.

COMPREHENSIVE CARE CENTERS (CAI)

There is a CAI in each state of the country, if you need more information, please contact us!



(55) 1000 2000



800 842 8462



contacto@ceav.gob.mx

NORTHWEST

- 3 CAI-Baja California
Monterrey, 3130-B
Mineral de Santa Fé C.P. 22416
Tijuana, B. C.
Ext. 58000
- 20 CAI-Baja California Sur
Dionisia Villarino, No. 2130
Fracc. Perla, C.P. 23000
La Paz, B. C. S.
Ext. 58366
- 6 CAI-Chihuahua
Juan de la Barrera 661 Esq. Ave. Insurgentes
Fracc. La Joya, C.P. 30330,
Ciudad Juárez, Chih.
Ext. 58063
- 15 CAI-Sinaloa
Av. Álvaro Obregón, No. 1298 Sur
Guadalupe, CP 80220
Culiacán, Sin.
Ext. 58240
- 30 CAI-Sonora
Av. Rosales S/N
Centro, C.P. B3000
Hermosillo, Son.
Ext. 58340

WEST

- 19 CAI-Aguascalientes
Coquimbo, No. 104
La Fuente, C.P. 20239
Aguascalientes, Ags.
Ext. 58461
- 22 CAI-Colima
Francisco I. Madero, No. 243
Centro, C.P. 28000
Colima, Col.
Ext. 58424
- 8 CAI-Guanajuato
Carr. Guanajuato-Juventino
Rosas km 7.5
Arroyo Verde, CP 36251
Guanajuato, Gto.
Ext. 58100
- 10 CAI-Jalisco
Av. Unión, No. 199
Americana, C.P. 44100
Guadalajara, Jal.
Ext. 58140
- 11 CAI-Michoacán
Av. Acueducto, No. 1464
Chapultepec Norte, C.P. 58260
Morelia, Mich.
Ext. 58160
- 13 CAI-Nayarit
Encino, No. 11
San Juan, C.P. 63130
Tepic, Nay.
Ext. 58203

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- 1 CEAV-Oficinas Centrales
Ángel Urraza, No. 1137
Del Valle, C.P. 03100,
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- 2 CAI-Ciudad de México
Ángel Urraza, No. 1013
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Ext. 57529
- 23 CAI-Estado de México
Felipe Villamueva, No. 1013
Morelos 2a. Sección, C.P. 50120
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Ext. 58480
- 9 CAI-Guerrero
Almirante Fernando de Magallanes
Esq. Parque Sur, LT. 1 MZ. 28
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Acapulco de Juárez, Gro.
Ext. 58120
- 24 CAI-Hidalgo
Gabriel Hernández, No. 106
Periodistas, C.P. 42060
Toluca de Soto, Hgo.
Ext. 58500
- 12 CAI-Morelos
Río Amacuzac, No. 24
Esq. Parque Sur, LT. 1 MZ. 28
Fracc. Cuernavaca, Mor.
Ext. 58181
- 26 CAI-Puebla
5 Oriente 1, Esq. 16 septiembre
Centro, C.P. 72000
Puebla, Pue.
Ext. 58380
- 33 CAI-Tlaxcala
Vicente Guerrero, No. 16
Centro del Municipio de Tlaxcala,
C.P. 90000, Tlaxcala, Tlax.
Ext. 58620

NORTHEAST

- 7 CAI-Coahuila
Av. Juárez y Ramón Corona S/N
Palacio Federal, 2º Piso, Desp. 304
Centro, C.P. 27000
Torreón Coah.
Ext. 58081
- 14 CAI-Nuevo León
Porfirio Díaz, No. 1425 Sur
Pío X, C.P. 64000
Monterrey, N.L.
Ext. 58224
- 32 CAI-Tamaulipas
Palacio Federal, 4º Piso 8
Entre Morelos y Matamoros,
Centro C.P. 87000
Ciudad Victoria, Tamps.
Ext. 58320
- 18 CAI-Durango
Camino del Amanecer, No. 470
Fracc. Los Remedios C.P.34100
Durango, Dgo.
Ext. 58300
- 29 CAI-San Luis Potosí
Av. Chapultepec 1256, Int. Local 5
Privadas del Pedregal, C.P. 78295
San Luis Potosí, S.L.P.
Ext. 58580

SOUTHEAST

- 21 CAI-Campeche
Av. 16 de septiembre S/N
Centro, C.P. 24000
Campeche, Camp.
Ext. 58401
- 25 CAI-Oaxaca
Amapolas 1100, 2º Piso
Reforma C.P. 68050
Oaxaca, Oax.
Ext. 58564
- 16 CAI-Veracruz
Av. Valentín Gómez Farias, No. 2125
Ricardo Flores Magón, C.P. 91900
Veracruz, Ver.
Ext. 58266
- 4 CAI-Chiapas-Tuxtla
2a Oriente Norte, No. 227
Centro, 1º Piso, C.P. 29000
Tuxtla Gutiérrez, Chis.
Ext. 58040
- 28 CAI-Quintana Roo
Gladiolas Ret. 7, No. 19
SMZ 22 MZ 20, C.P. 77500
Cancún, Q. R.
Ext. 58523
- 17 CAI-Yucatán
Calle 25, No. 185 por 8 y 10
García Ginerés, C.P. 97070
Mérida, Yuc.
Ext. 58286
- 5 Subdelegación
Chiapas-Tapachula
Tapachula, Chis.
Ext. 58020
- 31 CAI-Tabasco
Priv. Caminero, No. 17,
1º de Mayo, C.P. 86190
Villahermosa, Tab.
Ext. 58440



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COMISIÓN EJECUTIVA
DE ATENCIÓN A VÍCTIMAS

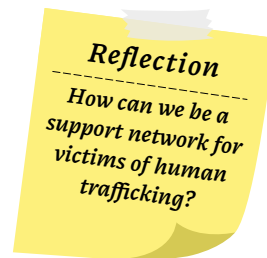
Origami

While we build this origami, we will conduct a collective and individual reflection exercise on the **prevention of human trafficking**.

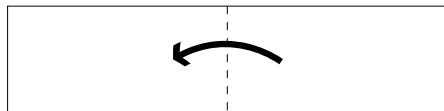
Instructions:

Step 1. Cut the rectangle attached to this document "Reflective Pause".

Let's work with the white side up.



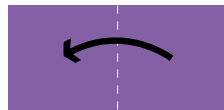
Step 2. Fold the rectangle in half, as shown below:



Resulting as follows:



Step 3. Fold the rectangle in half one more time:



Resulting as follows:

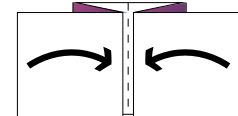
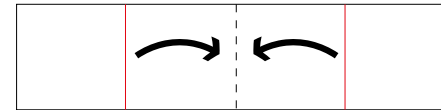


Step 4. Unfold and you will have the following markings:

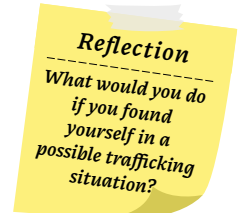
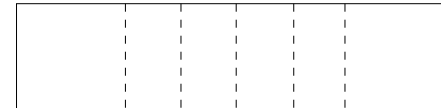


Step 5. Fold the lines marked in red towards the center to make two new folds:

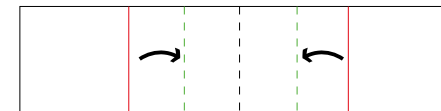
Resulting as follows:



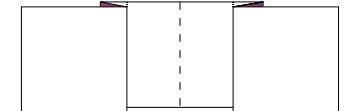
Step 6. Unfold and the following folds are marked:



Step 7. Bring the folds marked in red towards the green lines:



Resulting as follows:

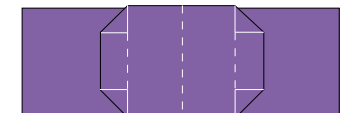
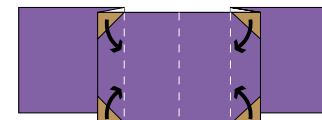


Step 8. Now we will flip the figure to work with the colored side:



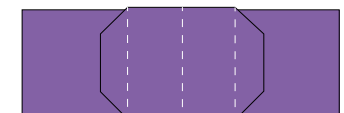
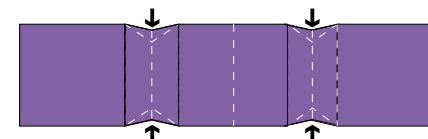
Step 9. Fold the corners marked in red in the direction of the arrows:

Resulting as follows:

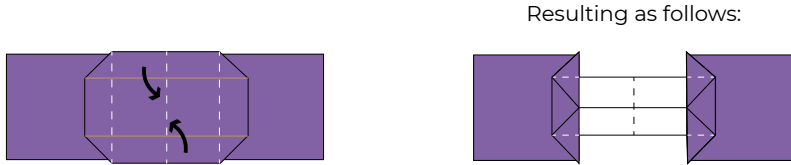


Step 10. Unfold and bring the marked corners to the inside of the white side of the paper:

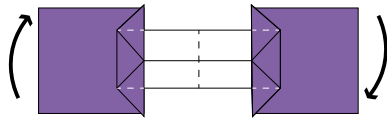
Resulting as follows:



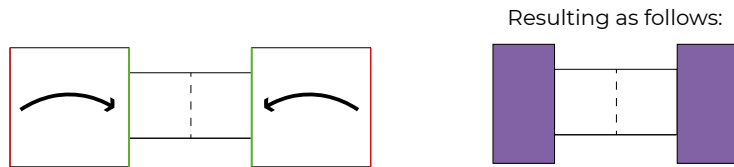
Step 11. Fold the top and bottom tabs toward the center of the figure:



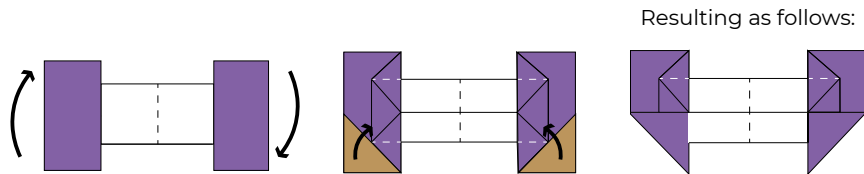
Step 12. Flip the figure to work with the white side:



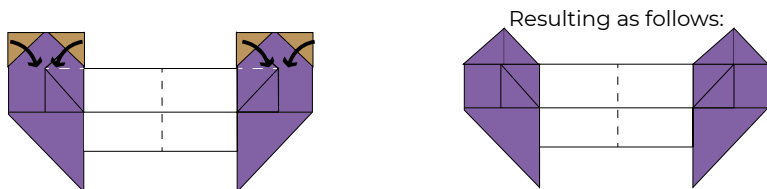
Step 13. Bring the edges marked in red toward the green lines:



Paso 14. Flip the figure once more and fold the corners marked in red:



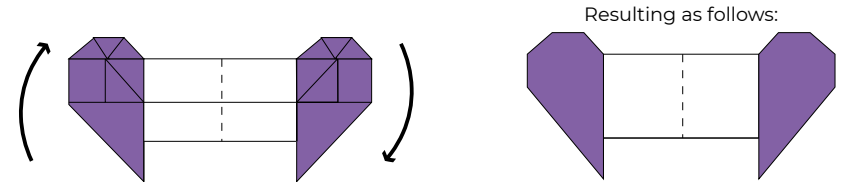
Paso 15. Fold the tabs marked in red:



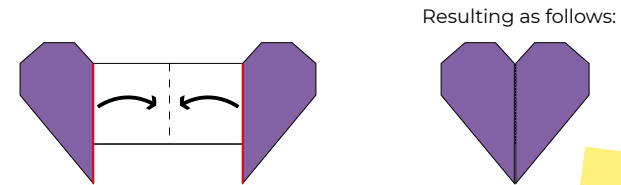
Step 16. Fold the tabs marked in red:



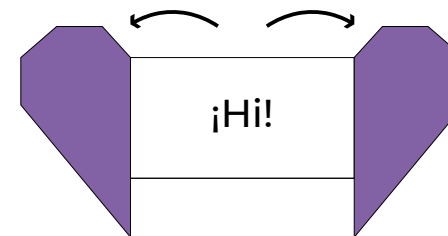
Step 17. Flip the figure:



Paso 18. Bring the red lines to the center:



Paso 19. Unfold and write your message:



Reflect
 What would you say to a person who is a victim of human trafficking?

In your school or work space you can even make a mural with these hearts by writing your message in the center.

Responsible areas of the Executive Commission for Attention to Victims:

Office of the Executive Commissioner
Directorate General for Public Policy, Planning and Evaluation
Directorate General for Attention and Accompaniment
General Coordination of Comprehensive Attention Centers for Victims
Gender Equality Unit
Directorate of Social Communication

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for the Attention of Human Rights

Executive Commission for Attention to Victims
Ángel Urraza 1137,
Del Valle, Benito Juárez
Ciudad de México, C.P. 03100

Fifth edition, 2024

Reflective Pause

We invite you to cut out these rectangles and perform the activity found at the end of this booklet with the objective of reflecting on the possibility of being and building support networks for people living in a trafficking situation.

***Tear off this sheet and cut out these rectangles so you can do the exercise.**

***Origami rectangle to propose a collective exercise.**



***Origami rectangle to remind you that our support networks are stronger than any trafficking network.**



Dettachable Page

Dettachable Page



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ews "



Post



Friday, December 13, 2024

EANNA 2023: Measurement of child labor in Chile includes for the first time unpaid and hazardous domestic care

In its new version, the Survey of Activities of Children and Adolescents makes visible realities that were previously left out of official statistics.

After eleven years, Chile has a new snapshot of child labor thanks to the results of the EANNA 2023. This survey, led by the Ministry of Social Development and Family, in collaboration with the Ministry of Labor and Social Security, the Ministry of Women and Gender Equity, the ILO and UNICEF, introduces a more complete and rigorous measurement, aligned with the new international standards and the Sustainable Development Goals.

Related Services

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INJUV

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Desarrollo Indígena

SENAMA

Servicio Nacional del
Adulto Mayor

SENADIS

Servicio Nacional de
la Discapacidad

Detrás de cada persona q
Gobierno de Chile

Unlike the previous measurement, the 2023 National Survey on Child Labor (EANNA) not only measures paid child labor in economic occupations, but also includes unpaid domestic and care work in hazardous conditions. The Minister of Social Development and Family, Javiera Toro, emphasized: “Incorporating the measurement of unpaid and hazardous domestic and care work performed by children and adolescents has allowed us to make visible a reality that was previously not accounted for when examining child labor, and it shows us that introducing a gender perspective into the measurement of child labor is crucial. Around two-thirds of children and adolescents in situations of child labor are performing domestic and care work considered hazardous, meaning work with long hours or that puts their school attendance at risk. This information allows us to improve the data available to the State so that care systems also incorporate the perspective of children and adolescents.”



ults



survey, administered to 17,659 children and adolescents between the ages of 5 and 17,



provides a detailed overview of child labor in Chile. According to the results, 5.4% of children and adolescents—equivalent to 177,971—perform paid child labor in economic occupations, while



10.2%—equivalent to 366,678—perform unpaid domestic and care work in hazardous conditions. This latter type of work was not included in the 2012 survey.

In total, 15.5% of children and adolescents—507,800 children and adolescents—engage in some form of child labor. The figures for work in employment and other economic activities, as well as unpaid and hazardous domestic and care work, add up to more than 15.5%, because 1.2% of children and adolescents perform both forms of child labor.

El subsecretario del Trabajo, Giorgio Boccardo, junto con relevar el rol de Chile como País Pionero en liderar la Alianza 8.7, enfatizó que dentro de las acciones que se han tomado como Gobierno y Ministerio, está la "Estrategia Nacional para la Erradicación del Trabajo Infantil y la Protección de los Adolescentes que Trabajan. En esta línea, para nosotros es muy importante que adultos, padres, madres, o tutores responsables de los niños, niñas y adolescentes tengan condiciones de Trabajo Decente, ya que su ausencia puede incidir en generar esta problemática. Así, el aumento del salario mínimo, de condiciones para la compatibilización del trabajo con el cuidado, entre otras medidas en que afortunadamente hemos ido avanzando como Gobierno, van en línea para hacer frente a esta situación”.

Diferencias de género, etarias y territoriales

Mientras que los trabajos remunerados y otras actividades económicas tienen mayor prevalencia en los niños y adolescentes hombres (6,6% frente al 4,2% de las niñas), son ellas quienes enfrentan una mayor carga en tareas domésticas y de cuidados no remuneradas y peligrosas (12,3% frente al 10,1% de los hombres).

En cuanto a la edad, los niños, niñas y adolescentes de 9 a 14 años presentan la mayor tasa de trabajo infantil general (20,1%), en comparación con los niños y niñas de 5 a 8 años (9,2%) y adolescentes de 15 a 17 años (14,3%). Esta tendencia se replica en el trabajo doméstico y de cuidados no remunerado y peligroso, mientras que en el trabajo en la ocupación no hay diferencias estadísticamente significativas entre los dos tramos etarios mayores.

En las áreas rurales, el trabajo infantil alcanza un 22,1%, superando en 7 puntos porcentuales al 14,7% registrado en áreas urbanas. Al desagregar por tipo de trabajo, el trabajo en la ocupación en el área rural triplica al del área urbana (13,1% frente al 4,5%), mientras que para el trabajo

Government launches campaign to raise awareness of care work, highlighting the Chile Cuida program

During Care Month, the government launched a new campaign to raise awareness about the importance of care work and the complex reality faced by thousands of people who perform this work unpaid, primarily women. The 2025 campaign aims to highlight this reality in a human way, emphasizing that care work can no longer be invisible or undertaken in isolation. The central message is that behind every caregiver, there is a country that must also care for them.

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doméstico y de cuidados no remunerado y peligroso no se encuentran diferencias significativas entre áreas urbanas y rurales.

La subsecretaría de Evaluación Social, Paula Poblete, subrayó: “los resultados de la EANNA 2023 evidencian que la división sexual del trabajo —la idea de que los hombres trabajan de manera remunerada y las mujeres lo hacen en sus casas de manera no remunerada— comienza a forjarse desde la infancia. Este hallazgo refuerza la necesidad de romper con esa trayectoria para no perpetuar desigualdades de género y socioeconómicas, y permitir la igualdad de oportunidades de desarrollo para todas las niñas, niños y adolescentes en cada rincón del país”.

Finally, the socioeconomic status of the household strongly influences child labor in paid employment and other economic activities. A decrease in the rate of this type of work is observed when the income level of the households of children and adolescents increases. However, this is not the case for unpaid and hazardous domestic and care work, where there are no differences between the national average and the various income quintiles.



The director of the ILO Office for the Southern Cone of Latin America, Fabio Bertranou, emphasized that: “At the ILO, we are very honored to have been able to provide technical support for this initiative. This is not just another survey; it is a fundamental survey for designing and updating child welfare policies that aim to prevent and eliminate child labor in the country.”

For his part, Glayson Dos Santos, from UNICEF, stated: “At UNICEF, we value this survey, which provides us with up-to-date information to take action as a country regarding child labor. According to the Convention on the Rights of the Child, child labor should not be tolerated by society, and specific mechanisms must exist to address this challenge. The State of Chile has tools to combat child labor: the Law of Guarantees, a National Policy for Children and Adolescents, an action plan, and the Local Children's Offices throughout the country, which allow for action to be taken to close this gap. This is a multi-sectoral challenge. To address it, we need the work of everyone—the different state entities, the private sector, and society—so that together we can ensure that children and adolescents have their rights guaranteed and can fully realize their life potential.”

Undersecretary for Children, Verónica Silva, added: “I want to emphasize that this survey asked the children themselves. A methodology was developed where boys and girls acted as informants about their daily life activities, and based on that, an estimate is made of how many children are working in hazardous conditions and the implications of that. Under the Child Protection Law, this information is crucial for refining the interventions carried out by the Local Offices, using this data as an early warning system.”

With these results, Chile reaffirms its commitment to eradicating child labor and protecting children, aligning itself with international treaties and the Sustainable Development Goals. The data will allow for adjustments to public policies to move towards safer and more equitable environments for children and adolescents.

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- Active Transparency
- Declaration of Assets and Interests
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- Lobby: Request for a Hearing
- Chile Atiende
- Comprehensive Citizen Service System
- Offices in the Country
- Public Information Inquiry
- Charter of Citizens' Rights

Internal Use

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- He works at the Ministry
- Internal Mail
- Internal Email (Office 365 Cloud)
- Intranet
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- Supplier Payments SES
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- Payments Issued by the Undersecretariat for Children

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- Keyboard Shortcuts
- Site Map
- Privacy Policy

Budget Law

- Undersecretary of Social Evaluation
- Undersecretary of Social Services
- Undersecretary for Children

Financial Statements

- Undersecretariat of Social Evaluation
- Undersecretariat of Social Services
- Undersecretariat for Children



Information

- Closing Instructions - Annex E SES – 2021 - Undersecretariat of Social Evaluation
- Social Protection Network - Annual Results Report
- Intersectoral Social Protection Quality Improvement Program in Chile - Draft

Ministry of Social Development and Family - Address: Catedral 1575, Santiago - Telephone: +56226751400



Xishui: A case of illegal use of child labor was investigated and dealt with.

Recently, the labor security supervision department of Xishui County successfully investigated and dealt with a case of illegal use of child labor .

It is reported that the case occurred within a cultural and tourism enterprise in the county. After receiving a report from the public, the labor inspection department immediately organized law enforcement personnel to investigate and verify the matter. The investigation revealed that the enterprise was indeed illegally employing a minor under the age of 16. The child laborer was assigned to perform basic tasks such as assisting with parking in the parking lot. The enterprise had not signed a labor contract with him, nor did he receive any labor protection benefits.

In response to the company's illegal use of child labor, the labor inspection department, based on the "Labor Law of the People's Republic of China," the "Law of the People's Republic of China on the Protection of Minors," and the "Regulations on Prohibiting the Use of Child Labor," took serious action against the company and provided legal education to the company's 负责人 (responsible person/manager), explaining the relevant laws and regulations and the importance of protecting minors . Through patient and detailed explanation and persuasion, the company's 负责人 (responsible person/manager) deeply realized their mistake and stated that they would strictly abide by the laws and regulations and prevent similar incidents from happening again.

The handling of this case not only serves as a powerful deterrent to violating companies but also as a profound wake-up call to the entire society. The Xishui County Labor Inspection Department stated that it will continue to intensify enforcement efforts, strengthen cooperation with other departments, establish and improve a long-term regulatory mechanism, and severely crack down on illegal activities that infringe upon the rights of minors, such as the illegal use of child labor. At the same time, it will

further strengthen public legal education and awareness campaigns to enhance the legal consciousness and awareness of protecting minors throughout society, jointly safeguarding the healthy growth of minors.

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Notice from Shenzhen Municipal Human Resources and Social Security Bureau on Issuing the "Shenzhen Municipal Measures for the Publication of

Information on Labor Security

Violations" ◀ Policy Consultation

Source: Shenzhen Municipal Human Resources and Social Security Bureau;

Publication Date: 2018-10-18 09:34:23

Shenzhen Municipal Human Resources and Social Security Bureau Regulations No. 15 of 2018

Human Resources Bureaus of all districts, Social Construction Bureaus of all new districts, and all relevant units:

In order to standardize the publication of information on violations of labor laws and regulations and to raise employers' awareness of compliance with labor laws and regulations, our bureau has formulated the "Shenzhen Municipality Measures for the Publication of Information on Violations of Labor Laws and Regulations," which is hereby issued for your compliance.

This is to inform you.

Shenzhen Municipal Human Resources and Social Security
Bureau

September 25, 2018

Shenzhen Municipality's Measures for Publicizing Information on Labor and Social Security Violations

Article 1. This regulation is formulated in accordance with the Interim Regulations on Enterprise Information Disclosure, the Measures for Public Disclosure of Major Labor Security Violations, and the Interim

Measures for the Management of the "Blacklist" of Wage Arrears to Migrant Workers, in order to standardize the disclosure of information on violations of labor security laws and regulations and raise employers' awareness of compliance with labor security laws and regulations.

Article 2 The term "labor security violation information" as used in these Measures refers to information created or obtained by the municipal human resources and social security department (hereinafter referred to as the municipal human resources and social security department) and the human resources departments of each district (including the social construction departments of each new district, hereinafter collectively referred to as the district human resources departments) during the process of labor security supervision and law enforcement, which is information on employers' violations of labor security laws and regulations.

Article 3 The publication of information on violations of labor protection laws and regulations shall adhere to the principles of legality, fairness, accuracy, and timeliness, and safeguard the legitimate rights and interests of enterprises, protect state secrets, trade secrets, and personal privacy in accordance with the law.

Article 4 The municipal human resources and social security department is responsible for promoting, guiding, coordinating, and supervising the publication of information on labor and social security violations throughout the city, and is also responsible for publishing information on social insurance violations throughout the city.

The human resources departments of each district are responsible for publishing information on labor security violations within their respective jurisdictions, in accordance with their administrative law enforcement authority.

Article 5 Information about employers who have committed serious violations of labor protection laws shall be made public.

The following violations of labor protection regulations are considered serious violations of labor protection regulations:

(i) Cases suspected of the crime of refusing to pay labor remuneration and transferred to judicial authorities in accordance with the law;

(ii) Illegally employing child labor;

(iii) Failing to pay workers' wages in a timely and full manner as stipulated in the labor contract or national regulations, where the amount reaches the threshold for the crime of refusing to pay wages, and failing to pay after being ordered to do so within the specified period;

(iv) Violating working hours and rest/leave regulations, where the circumstances are serious;

(v) Violating special labor protection regulations for female employees and underage workers, where the circumstances are serious;

(vi) Failing to participate in social insurance or pay social insurance premiums in accordance with the law, where the circumstances are serious;

(vii) When a violation of labor protection laws leads to a collective petition, road blockage, attack on Party and government organs by more than 100 workers, or triggers a mass brawl or conflict that results in casualties, seriously affecting social stability, or when a case of infringement on workers' rights is handled and supervised by higher

authorities or reported by the internet or other media, causing a significant impact;

(viii) Other serious violations of labor protection laws and regulations.

Article 6. Information on administrative penalties imposed on employers for violating labor protection laws and regulations shall be made public.

Article 7 The following information shall be included when publishing information on violations of labor protection laws and regulations:

(a) The employer's name, unified social credit code and address, and the name of its legal representative or principal responsible person;

(II) Facts of the violation and legal basis;

(iii) The document number of the administrative penalty decision or order to rectify, the type and basis of the administrative penalty or the basis of the order to rectify, the name of the law enforcement agency and the date.

Article 8 The publication of information on violations of labor security laws shall not disclose state secrets, trade secrets, or personal privacy such as the residence (except for the place of business), portrait, contact information, ID number, and property status of natural persons.

Article 9 The municipal and district human resources departments shall publish information on violations of labor security laws and regulations through the websites of the people's governments at the same level or their own departments, or through bulletin boards, press

conferences, newspapers, radio, television and other means that are easy for the public to know.

The municipal and district human resources departments shall, in accordance with relevant regulations, include information on violations of labor protection laws and regulations in the city's credit information sharing platform, and relevant departments shall, within their respective responsibilities, implement joint disciplinary actions in accordance with laws and regulations.

Article 10 The municipal and district human resources departments shall publish the information within 7 working days from the date of legally serving the administrative penalty decision or confirming the employer's major violation of labor security regulations.

The period for publicizing information on major violations of labor protection laws and regulations is three years; the period for publicizing information on other violations of labor protection laws and regulations is one year.

Article 11. When publicizing labor security violations within its jurisdiction, the district human resources department shall also report the published information to the municipal human resources and social security department. The municipal human resources and social security department may publish information on labor security violations that have a significant impact throughout the city.

Article 12. If the municipal or district human resources departments discover that the published information on labor and social security violations is inaccurate, they shall correct it in a timely manner. If a citizen, legal person, or other organization has evidence to prove that the published information on labor and social security violations is inaccurate, they shall submit a correction application to the publishing department. The publishing department shall verify the information

within 10 working days, and if the information is true, it shall make the correction.

If an administrative penalty or order to rectify is altered or revoked due to administrative review, administrative litigation, or other reasons, the department that published the penalty or order shall correct the published content within 10 working days from the date of alteration or revocation.

Article 13. Staff members of municipal and district human resources departments who abuse their power, neglect their duties, or engage in favoritism or malpractice in the publication of information on violations of labor security laws shall be dealt with in accordance with the law.

Article 14 This regulation shall come into effect on December 1, 2018, and shall be valid for five years. The "Shenzhen Municipality Measures for the Publication of Information on Labor Security Violations by Employers" (Shenzhen Human Resources and Social Security Regulations [2015] No. 12) shall be repealed simultaneously.

Interpretation of relevant policies:

[Interpretation of the "Shenzhen Municipality Measures for the Disclosure of Information on Labor Security Violations"](#)



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Inquiry and complaint hotline: 12333, 12345; Public Security Bureau registration
number: 44030402002847

Shenzhen Municipal Human Resources and Social Security Bureau's complaint email
address: szrlzybzxf@hrss.sz.gov.cn Shenzhen Municipal Social Insurance Fund Management
Bureau's complaint email address: csixf@hrss.sz.gov.cn

Statistical Monitoring Report of China National Program for Child Development (2021-2030) in 2023

National Bureau of Statistics of China 2025-01-25 15:00

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National Bureau of Statistics of China, January 2025

To offer a comprehensive picture of the progress of the China National Program for Child Development (2021-2030) (hereinafter referred to as the Program), the National Bureau of Statistics carried out a thorough analysis of its implementation progress in 2023 in seven aspects: health, safety, education, welfare, family, environment, and legal protection. The analysis drew upon the statistical monitoring indicators and relevant departmental data pertaining to the Program. The results revealed that^[1] the Program made smooth strides in 2023, with improvement in children's health, an effective guarantee for children's safety, comprehensive protection of children's right to access to further consolidated and improved children's welfare, a gradually shaped system of family and childbirth support policies, a continuously growth environment for children, and a further strengthened mechanism for children's legal protection.

I. Children and Health

(I) The level of children's health has markedly improved. It was an ongoing improvement to the children's health service system that strong support for their healthy growth and development. As of the end of 2023, there were 3,063 maternity and child care institutions and children's hospitals across China. The number of personnel working in the maternity and child care institutions was 577,000 and the population practicing (and assistant) pediatric physicians reached 234,000. Additionally, the number of pediatric beds totaled 588,000 nationwide. In 2023, the national neonatal mortality rate, infant mortality rate, and mortality rate for children under the age of 5 were 2.8 per mille, 4.5 per mille, and 0.6 per mille respectively, decreased by 0.3, 0.4, and 0.6 percentage points compared to that in 2022.

(II) Measures for the comprehensive prevention and control of birth defects have been continuously improved. The *2023-2027 Work Plan for Efficient Prevention and Control of Birth Defects* has been issued and implemented to accelerate the development of a more comprehensive prevention and control chain that covers both urban and rural residents and spans all stages including pre-marriage, pre-pregnancy, prenatal, newborn, and childhood. In 2023, the national premarital medical examination rate and the coverage rate of the target population for pre-pregnancy health check were 76.5 percent and 96.9 percent, respectively, marking an increase of 1.7 percentage points and 5.1 percentage points compared to 2022. The rates of prenatal examination and prenatal screening increased by 0.3 percentage points and 2.6 percentage points respectively to 98.2 percent and 91.3 percent, respectively. The rate of newborn visits increased by 0.7 percentage points to reach 97.4 percent.

(III) The capacity of children's health care and medical services has been steadily enhanced. The further implementation of the *Action Plan for Child Health Improvement (2021-2025)* focused on areas such as children's physical growth monitoring, nutrition and feeding guidance, health, eye care, and oral health, with proactive efforts to advance the implementation of the *National Essential Public Health Service Project for Child Health Management*. In 2023, the health management rates for children under the age of 3 and for children under the age of 7 were 95.9 percent and 95.9 percent respectively, marking an increase of 1.0 percentage point compared to 2022. The coverage rate of eye health checks for children aged 0-6 was 95.1 percent, marking an increase of 1.5 percentage points. Vaccines included in the National Immunization Program for eligible children have consistently maintained a vaccination rate of over 90 percent.

(IV) Greater efforts have been dedicated to protecting the physical and mental health of children. The multi-departmental implementation of the *Special Action Plan for Comprehensively Strengthening and Improving the Mental Health Work of Students in the (2023-2025)* were centered around the implementation of targeted initiatives to promote students' mental health, with the goal of enhancing physical fitness and mental well-being of children and adolescents in a holistic manner. In 2023, 56.6 percent of primary and secondary school students reached the *National Standards for Students' Physical Health*, representing an increase of 1.5 percentage points from 2022. The proportion of primary and secondary schools with full-time mental health education teachers were 42.3 percent and 64.8 percent, marking an increase of 6.2 percentage points and 6.2 percentage points, respectively. The proportion of secondary schools that offer education on HIV/AIDS and sex-related courses and activities increased by 0.5 percentage points to reach 96.8 percent.

II. Children and Safety

(I) Greater efforts have been continuously made to prevent and control child injuries. Multiple departments have joined forces to strengthen safety protection in high-risk public areas, with the aim of effectively preventing and responding to incidents such as drowning, while fostering a safe environment for children to grow. As part of the *Action Plan for Students' Traffic Safety Enhancement (2023-2026)*, efforts focused on strengthening patrols and traffic control around school entrances and surrounding roads during peak school hours, aiming to significantly improve traffic safety in the areas surrounding schools.

(II) The regulation and supervision on children's food and products safety have been continuously reinforced. The *Administrative Measures for the Registration of Product Formulas of Infant Formula Milk Powder* have been revised and issued to enforce stricter registration management of infant formula milk powder products, strengthen supervision over the production and business operations of infant formula milk powder and

the quality and safety of such products. Over the past three years, the unqualified rate of infant formula milk powder in supervision and inspections has remained below 0.02 percent. Focusing on food safety in schools, a food safety inspection and rectification campaign launched in the canteens of schools and childcare institutions, with stricter case investigations and harsher punishments. Efforts have been fully equipped the canteens with necessary facilities and to promote the establishment of long-term mechanisms to safeguard the dietary teachers and students.

III. Children and Education

(I) The development of high-quality and inclusive preschool education has been advanced. The multi-departmental issuance of the *Opinion on the Implementation of the Action Plan for the Expansion and Improvement of Elementary Education in the New Era* and implementation of measures to advance inclusive preschool education. In 2023, the gross enrollment rate for preschool education nationwide reached 91.1 percent, representing an increase of 1.4 percentage points compared to 2022. The number of inclusive kindergartens amounted to accounting for 86.2 percent of all kindergartens, up by 1.2 percentage points, and the coverage rate of inclusive kindergartens increased by 1.2 percentage points to reach 90.8 percent.

(II) Compulsory education has been advanced towards high-quality and balanced development. The *Opinions on Building a Quality and Balanced Basic Public Education Service System* have been issued and implemented to promote the high-quality and balanced development of compulsory education, with the increased education funding and the optimized allocation of teaching resources, to ensure different students have equal opportunity for development. In 2023, the consolidation rate of nine-year compulsory education was 95.7 percent, marking an increase of 0.2 percentage points compared to 2022. The total investment in compulsory education nationwide reached 2.8427 trillion yuan^[2], representing an increase of 6.0 percent, which accounted for 44.0 percent of the total national education funding, reflecting an increase of 0.3 percentage points in total per capita education expenditure for regular primary school students nationwide stood at 15,895 yuan, up by 4.3 percent; the total per capita education expenditure for regular junior high school students nationwide stood at 22,054 yuan, up by 2.7 percent. And there were a total of 107,399 schools at the compulsory education level in China, staffed with 10.739 million full-time teachers, with an increase of 85,000 teachers. Of the full-time teachers with a bachelor's degree or above were 83.8 percent, marking an increase of 2.7 percentage points. The proportion of children of migrant workers who are attending public schools (including those benefiting from government-purchased services) at the compulsory education stage was 96.8 percent, marking an increase of 1.6 percentage points.

(III) Greater efforts have been dedicated to building senior high school education in a comprehensive manner. The initiative to develop senior high schools to their full potential continuously expanded the total amount of high-quality educational resources in regular senior high schools and further improved the popularization rate of regular senior high schools. In 2023, the gross enrollment rate for senior high schools increased by 0.2 percentage points from 2022 to reach 91.8 percent. There were a total of 25,000 senior high schools nationwide, with an increase of 150 schools of which 15,000 are regular senior high schools, with an increase of 355 schools. The total number of students enrolled in senior high school education reached 45.922 million, an increase of 576,000 students; and 16.269 million students were admitted in 2023, marking an increase of 56,000 new enrollees.

(IV) The resources for special education have gradually expanded. The in-depth implementation of the "14th Five-Year" *Plan for the Development and Enhancement of Special Education* has brought an increase in the supply of special education resources and has strengthened the integrated development of special education. In 2023, there were 2,345 special education schools nationwide, with an increase of 31 compared to 2022. There were 77,000 full-time special education teachers, up by 6.0 percent; There were 912,000 students enrolled in special education across nationwide, of which 341,000 were enrolled in special education schools, accounting for 37.4 percent; while 571,000 students were enrolled in other schools, making up 62.6 percent.

IV. Children and Welfare

(I) The level of child welfare was continuously improved. The ever-improving system for children's welfare protection and assistance ensured the steady advancement in the basic living security standards for orphans and de facto unsupported children. The average monthly security for de facto unsupported orphans was 1,445.3 yuan, with an increase of 85.8 yuan over 2022, and a total of 6.613 million children were provided with the subsistence allowance. The rehabilitation and assistance system for children with disabilities was comprehensively implemented to ensure the level of rehabilitation support for children with disabilities. In 2023, a total of 468,000 children with disabilities received rehabilitation and assistance, with an increase of 61,000 compared to the previous year.

(II) The grassroots children's work teams provided strong support. The demonstration training for child directors was conducted across the country to reinforce the standardized development of the child director workforce. As the end of 2023, the number of child supervisors and child directors nationwide reached 43,000 and 582,000, respectively, essentially achieving the objective of equipping child supervisors at the township level and child directors at the village level. The number of community-based children's homes in urban and rural areas increased by 2,226 from 2022 to a total of 337,000.

V. Children and Family

(I) The family education guidance service system covering both urban and rural areas was progressively established. The *Law of the People's Republic of China on Family Education Promotion* was strongly publicized, and the *Five-Year Plan on the Guidance and Development of Family Education (2021-2025)* was thoroughly implemented, to accelerate the construction of family education guidance service positions covering both urban and rural areas. In 2023, the number of urban community parent schools or family education guidance service stations was 100,000, and the number of rural community (village) parent schools or family education guidance service stations was 323,000.

(II) The construction of a childcare service supply system accelerated. The *Guiding Opinions on Further Improving and Implementing Supportive Measures for Active Childbearing* should be fully followed, with efforts to increase the supply of childcare services through various channels and create a supportive environment for fertility. As the end of 2023, a total of 99,700 institutions across the country provided childcare services, with a total of 4.77 million childcare spots, and 3.38 million childcare spots for children under the age of 3 per 1,000 people nationwide, an increase of 0.81 from the end of 2022.

VI. Children and Environment

(I) The public cultural services for children were well-secured. The availability of public cultural products for teenagers and children consistently increasing, while the range of public cultural services continued to grow and diversify. In 2023, a total of 45,000 types and 1 million copies (or pieces) of children's books for junior high school and below were published nationwide, an increase of 1,015 types compared to 2022. A total of 2.657 million boxes (or units) of children's audio-visual products were published. The public libraries nationwide held a collection of 2.6 billion children's literature, an increase of 19.438 million. The total broadcast time of children's radio programs, children's TV animations and children's TV programs was 271,000 hours, 473,000 hours and 636,000 hours, respectively. There were 300 million visits to museums by minors throughout the year, which was twice the number of visits in 2022.

(II) The environment for children's growth continued to optimize. Solid strides were made in transforming rural drinking water safety and ensuring water supply security, as well as in the standardized construction of water source areas and the establishment of backup water source areas to ensure the safety of drinking water in both urban and rural areas. In 2023, compliance rate for centralized drinking water source quality in cities above the prefecture level nationwide was 96.5 percent, marking an increase of 0.6 percentage points compared to 2022. As of the end of

tap water coverage rate in rural areas reached 90 percent, an increase of 3.0 percentage points compared to the end of 2022. A regularized one, multi-tiered technical service system for toilet renovation in rural areas has been established to accelerate the seamless integration of toilet renovation with domestic sewage treatment, enhance the quality and effectiveness of rural toilet renovation, and continuously improve the rural environment. As of the end of 2023, the coverage rate of sanitary toilets in rural areas was around 75 percent, an increase of 2.0 percentage points compared to the end of 2022.

(III) The social environment for children's growth has been more harmonious. The *Opinions of the Central Committee of the Communist Party of China on Strengthening the Work of the Young Pioneers in the New Era* have been fully implemented to actively build education resource bases for the Young Pioneers and provide a favorable environment for Young Pioneers to participate in extracurricular activities. In 2023, there were a total of 25,000 community-based practice and education camps (bases) for Young Pioneers, an increase of 24.1 percent compared to 2022. The construction of child-friendly cities continued to progress, with 54 cities having initiated the development of national child-friendly cities as of December 2023.

VII. Children and Legal Protection

(I) Comprehensive judicial protection for minors has been further strengthened. So far, China has taken steps to refine the mechanism of juvenile trial work based on the sound principle that best serves the interests of minors, and judicial protection for minors has been strengthened in various respects. By the end of 2023, there were a total of 2,384 specialized agencies for minor prosecution nationwide, an increase of 177 compared to the end of 2022; there were a total of 2,181 juvenile courts nationwide; and there were a total of 3,066 legal aid institutions, with an increase of 106 compared to 2023, a total of 198,000 instances of legal assistance were provided to minors, marking an increase of 42,000 compared to 2022; Moreover, more minors received judicial assistance from People's Court, the People's Procuratorate and the judicial system, with an increase of 3,449.

(II) Violations and crimes against children were severely punished in accordance with law. The *China's Action Plan to Combat Child Trafficking (2021-2030)* has been thoroughly implemented, with summer security crackdowns and rectification actions conducted for two consecutive years to vigorously combat the trafficking of women and children in strict accordance with the law. In 2023, a total of 436 cases of child trafficking were cracked across the country, and 11,000 cases of child molestation were cracked across the country.

Notes:

[1] The data released in this report were all on a comparable basis. The totals or relative figures for certain data may be subject to discrepancies due to rounding and differences in the choice of measurement units.

[2] The data on education funding for 2023 is sourced from the 2023 Statistical Bulletin on Educational Spending released by the National Bureau of Statistics of the People's Republic of China.



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2023 Hunan Province Labor Security Supervision Public Data


Released by Hunan Provincial Department of Human Resources and Social Security at 09:04 on March 28, 2024.

The following is a public disclosure of labor security inspection data for Hunan Province in 2023 :

In 2023 , the province proactively inspected 10,755 employers , involving 686,300 workers . 2,029 complaints were received , involving 13,833 workers , including 10,288 men and 3,545 women. A total of 1,365 cases were processed and closed throughout the year , categorized by the main violations: 1,041 cases related to wages and 253 cases related to social insurance . 20,058 cases were resolved through coordination , primarily 19,872 cases related to wages .



Organizer: Hunan Provincial Department of Human Resources and Social Security Government Website Identification Code: 4300000025
Address: No. 6, Yinxing Road, Tianxin District, Changsha City (Northwest corner of the intersection of Furong South Road and Youyi Road)
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In the words of Vice President Ana Helena Chacón, “This Administration’s ongoing commitment, evident in the Bridge to Development strategy and the National Development Plan, is to create the conditions for people to escape the vulnerable situations that plunge them into poverty and despair. In this case, the roadmap is clear: to end child labor. Children should be studying, playing, and receiving love from their families; nothing more than that, and any kind of child labor is unacceptable from any perspective.”

The Minister of Labor, Víctor Morales, stated that “child labor is a phenomenon we must address immediately. Our children and adolescents must remain in school; this will undoubtedly allow them to aspire to a more promising future. At the Ministry of Labor, we are making employment a top state priority, and quality jobs require a certain level of training that is being disrupted by the scourge of child labor. Making Costa Rica a child labor-free country will significantly reduce the social gap.”

This strategy to combat child labor, promoted by the current administration, includes the incorporation of new sectors and key organizations to achieve the goal set for 2020 of completely eliminating child labor.

In this regard, Leonardo Ferreira, Deputy Director of the ILO's Decent Work Team for Central America, Haiti, Panama, and the Dominican Republic, noted that “Costa Rica is part of the Latin America and Caribbean Regional Initiative Free of Child Labor and is one of the countries that is in a position to declare itself free of child labor by 2020. This strategy will contribute to accelerating the pace of reduction in the child labor rate and to fulfilling international commitments.” 

The document presented today is the embodiment of the commitments in products and strategic objectives that the institutions or organizations must execute in a given period, meeting management indicators and with the necessary budget to be executed.

Telefónica-Movistar is a pioneering company in Latin America to join this commitment. As Goretti Dañobeitia, head of the Telefónica Foundation in Costa Rica, stated, “In addition to our more than ten-year commitment to eradicating child labor in Latin America through the Telefónica Foundation, the company has also incorporated the issue into its management practices. As a signatory to the United Nations Global Compact, Telefónica-Movistar’s decision to eliminate child labor is unwavering.”

The event, held at the Presidential Palace, was attended by representatives of business chambers, the Costa Rican labor union sector, and the Telefónica-Movistar company, who demonstrated their commitment to eradicating child labor and its worst forms.

Child labor in Costa Rica

Child labor in Costa Rica is defined as “the participation of children under 15 years of age in work” and is prohibited under national law.

Adolescent work is any work activity performed by individuals between 15 and 18 years of age and is permitted as long as it does not harm their educational, physical, and mental development. It is regulated under a special protection regime.

Thus, Costa Rica is committed to preventing and eradicating child labor performed by children under 15 years of age, and its worst forms, as well as protecting the work performed by individuals between 15 and 18 years of age.

According to the National Institute of Statistics and Census (INEC), in 2002 approximately 113,000 children and adolescents between 5 and 17 years of age were engaged in child labor (10.2% of the population in that age group). In 2011, this figure decreased to 47,400,000 (4.6%).

According to projections, in By 2015 there would be fewer than 28,000 children and adolescents in child labor and by 2020 this problem would be completely eradicated.

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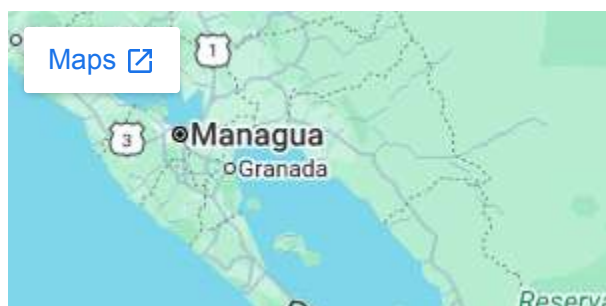
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ECUADOR REDUCED CHILD LABOR BY 11% IN 6 YEARS



week.

Ecuador has fewer cases of child labor than other Latin American countries such as Paraguay, Peru, Bolivia, and Colombia, according to José Rosero, director of the National Institute of Statistics and Censuses (INEC). Furthermore, according to the results of the first National Survey on Child Labor (ENTI) presented yesterday, the population between 5 and 17 years old affected by child labor is approximately 8.56% nationwide; that is, 359,597 children and adolescents, of whom 62.8% are boys and 37.2% are girls.

However, a major achievement is that the country reduced child labor rates from 17% to 6% in six years, stated Labor Relations Minister Francisco Vacas. Child labor is defined as work performed by children between the ages of 5 and 17 for at least one hour per

The survey, conducted in November 2012 in 31,687 households across all 23 provinces, investigated the ethnic groups to which children belong. 29% of the children self-identified as Indigenous; 9.2% as Montubio; and 7% as Mestizo. According to the results, of all children and adolescents residing in rural areas, 15.5% work, compared to 4.3% in urban areas.

The province with the highest concentration of child labor in the Central Highlands is Cotopaxi, which registers the highest number of children in working conditions at 25.1%. Meanwhile, Manabí, located on the Coast, is the province with the lowest rate of child labor, at 4.4%.

There are several reasons why children work. 60.4% of the children surveyed indicated they work to help at home; 52.6% to acquire skills; 17.7% to distance themselves from bad influences; and 16.5% to avoid studying because they don't like it. Of all the children who work, 75.1% attend a school, and 85% of them are in primary education.

Minister Vacas assured that on September 1st, approximately 15,000 to 17,000 inspections will begin nationwide to eradicate child labor and exploitation. He added that fines will be more severe, with those responsible for child labor having to pay \$1,500 per child, and the children receiving 50% of that amount.

In 2007, the Ecuadorian government took on the challenge of eradicating child labor, making this goal a state policy. Generating reliable data on this issue is part of the government's efforts to achieve the objective of a country free of child labor. Finally, this survey reflects the clear political will of the National Government to prioritize the eradication of child labor in Ecuador.

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November 19, 2018 at 3:23 PM

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2.



Franklin Siguencia Astudillo

December 21, 2018 at 0:58

Good evening, I need more information on child labor, specifically child begging, preferably up-to-date. I will be using this information for academic purposes. I am a Master's student in Design and Art Direction at the University of Cuenca, Faculty of Design.

Thank you for your time and information.

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Franklin Siguencia.

o

José Luis Vásquez

January 10, 2019 at 4:31 PM

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national level.

The Coordinating Ministry of Social Development (MCDS), together with the Ministry of Labor Relations and the National Institute of Statistics and Censuses (INEC), presented at a press conference the results of the first National Survey of Child Labor (ENTI), which will be a fundamental tool for the definitive eradication of child labor throughout the country.

The data collected in this survey will serve as a basis for implementing precise public policies in different sectors affected by this problem, by having specific data on the population aged 5 to 17 years, affected by child labor, which reaches around 8% at the

In this regard, the Ministry of Economic and Social Inclusion “will be able to use this data to promote special protection projects, to implement strategies aimed at identifying where working children are, proposing educational activities or programs linked to making the most of their free time, with awareness-raising efforts for their families,” said Cecilia Vaca Jones, Coordinating Minister of Social Development.

This survey reflects the National Government's clear political commitment to prioritizing the eradication of child labor in Ecuador. Therefore, its objective was to more clearly illustrate the problem through a specific study of 31,867 households with children and adolescents aged 5 to 17. Respondents included both heads of household and the children and adolescents themselves.

The data was collected in November 2012 in all 23 provinces of the mainland. The survey separates three types of study items: child labor, hazardous work, and domestic chores.

According to this survey, 8.56% of children and adolescents between the ages of 5 and 17 work in the country. 62.8% of working minors are boys, compared to 37.2% girls. The survey also found that of all working children and adolescents, 75.1% attend school, and of those, 85% are in primary education. 60.4% of working minors do so to help their families, while 16.5% stated they are not interested in education. The survey also revealed that of the 8.6% of working children and adolescents, 56% perform activities considered hazardous.

Regarding domestic chores, the study shows that 13.5% of children between the ages of 5 and 17 dedicate more than 14 hours per week to this activity, and 67.6% of them are girls. Domestic chores include cleaning the house, laundry, preparing food, caring for others, helping with schoolwork, and other tasks. Highlighting these findings is one of the survey's most significant contributions, as domestic chores expose girls and adolescent women to a vulnerable situation because they are performed behind closed doors, in their homes. This hinders efforts to protect them from abuse and exploitation, which usually manifests as long working hours, little or no pay, performing tasks inappropriate for their age, and even, in some cases, harassment or sexual abuse. This lack of protection can also lead to girls becoming victims of human trafficking for labor or sexual exploitation.

The data collected also showed that 12.6% of children and adolescents who perform domestic chores do not attend school. In 2007, the Ecuadorian government took on the challenge of eradicating child labor, making this goal a state policy. Generating reliable data on this issue is part of the government's efforts to achieve the objective of a country free of child labor. The director of the National Institute of Statistics and Censuses (INEC) noted that Ecuador has fewer cases of child labor than other countries such as Paraguay, Peru, Bolivia, and Colombia.


The results that we can access through this survey, within the INEC website (www.inec.gob.ec), are divided into different specific ranges such as provinces, ethnic groups, labor incidence and labor activity, providing all organizations and citizens with specific information to control and prevent child labor.

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 Mail ([https://www.desarrollohumano.gob.ec/se-presentaron-los-resultados-de-la-primera-encuesta-de-trabajo-infantil-en-ecuador/](mailto:?subject=Ministerio de Desarrollo Humano: ECUADOR CONTINÚA EN LA LUCHA POR ERRADICAR EL TRABAJO INFANTIL&body=ECUADOR CONTINÚA EN LA LUCHA POR ERRADICAR EL TRABAJO INFANTIL %0D%0A %0D%0A El Ministerio Coordinador de Desarrollo Social (MCDS), junto al Ministerio de Relaciones Laborales y el Instituto Nacional de Estadísticas y Censos (INEC), presentaron en rueda de prensa los resultados de la primera Encuesta Nacional de Trabajo Infantil (ENTI), la cual será una herramienta fundamental para la erradicación definitiva del trabajo infantil en todo el país. Los datos recopilados en esta... %0D%0A Leer más: <a href=))

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TRABAJO INFANTIL EN EL SALVADOR

PERIODO 2000 - 2023



MINISTERIO DE TRABAJO



TRABAJO INFANTIL EN EL SALVADOR 2000-2023

El artículo 35 de la Constitución de la República de El Salvador, precisa que *“el Estado protegerá la salud física, mental y moral de los menores, y garantizará el derecho de estos a la educación y a la asistencia”*. El trabajo infantil es una actividad que obstaculiza el desarrollo pleno, esparcimiento y educación de los infantes, y para la Organización Internacional del Trabajo (OIT), constituye *“todo trabajo que priva a los niños de su niñez, su potencial y su dignidad, y que es perjudicial para su desarrollo físico y psicológico”* (OIT, 2019).

Según el Ministerio de Trabajo y Previsión Social (2015), se considera en situación de trabajo infantil a todas las personas (niñas, niños y adolescentes) entre las edades de 5 a 17 años, realizando una actividad económica por un mínimo de una hora.

De acuerdo a un informe del Programa Understanding Children’s Work (UCW) de Unicef (2013), el trabajo infantil tiene repercusiones en la vulnerabilidad y marginación de una proporción importante de la población, y marca de por vida la productividad, remuneración y empleo de estos niños. Dado que el Estado es el responsable de garantizar el cumplimiento de los derechos de la niñez trabajadora, resulta relevante y de suma importancia que el Ministerio de Trabajo y Previsión Social realice un monitoreo constante de esta situación.

POBLACIÓN DE NIÑOS, NIÑAS Y ADOLESCENTES (NNA)

En primer lugar, es preciso hacer una caracterización de la población en estudio, que es la población de niños, niñas y adolescentes (NNA). Según la Encuesta de Hogares de Propósitos Múltiples (EHPM) de los años 2000-2023, la población entre los 5 y 17 años ha disminuido a lo largo del período, a pesar de haber presentado un rápido crecimiento hasta el año 2006, con un total de 2,165,713 (31.0 % de la población total).

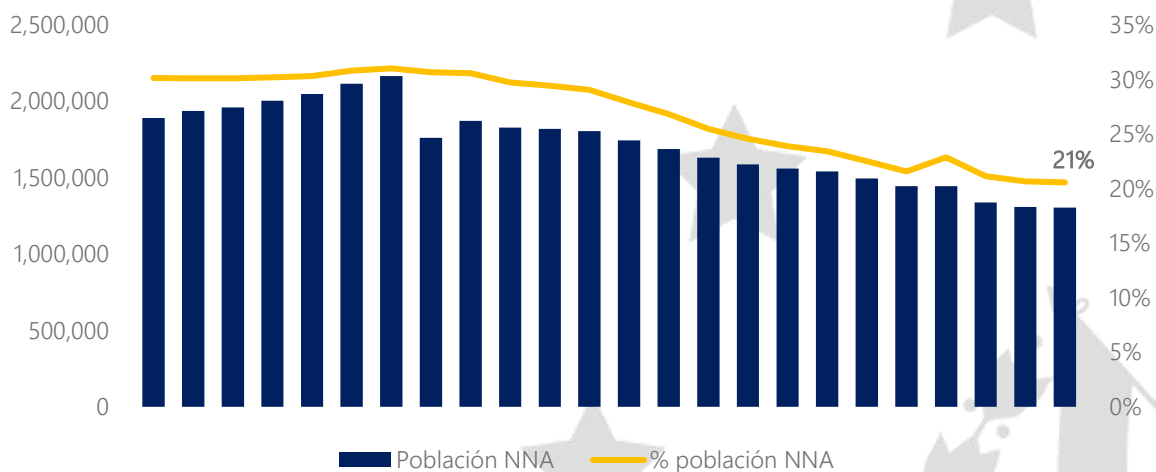
De hecho, en el 2007 la población de dichas edades decreció 18.6 puntos porcentuales respecto a 2006, y esta tendencia decreciente se observa hasta el año 2023, donde la población de 5 a 17 años asciende a 1,303,860 representando el 20.6 % de la población total (ver gráfico 1).

Esto puede resultar extraño ya que el 47.9% de la población total salvadoreña es igual o menor a 29 años (ONEC, 2024). No obstante, cabe destacar que la tasa de natalidad ha tenido una tasa decreciente permanente —pasó de 25.5 nacimientos por 1000 habitantes en el 2000 a 18.6 en 2020— y la tasa de fertilidad ha pasado de 2.98 infantes nacidos por mujer en el 2000 a 2.09 en 2020¹, lo que puede reflejar una tendencia de la población joven a tener pocos hijos o

¹ Para mayor información, consultar en: <https://www.indexmundi.com/g/g.aspx?v=31&c=es&l=es>

ninguno, explicando también la disminución de la población de NNA y su participación en el total en los años de estudio.

Gráfico 1. El Salvador. Población NNA (5 a 17 años) en número de personas (eje izquierdo) y como porcentaje de la población total (eje derecho). Periodo 2000-2023



Fuente: elaboración propia con base en cifras de la EHPM, varios años.

SITUACIÓN DEL TRABAJO INFANTIL EN EL SALVADOR

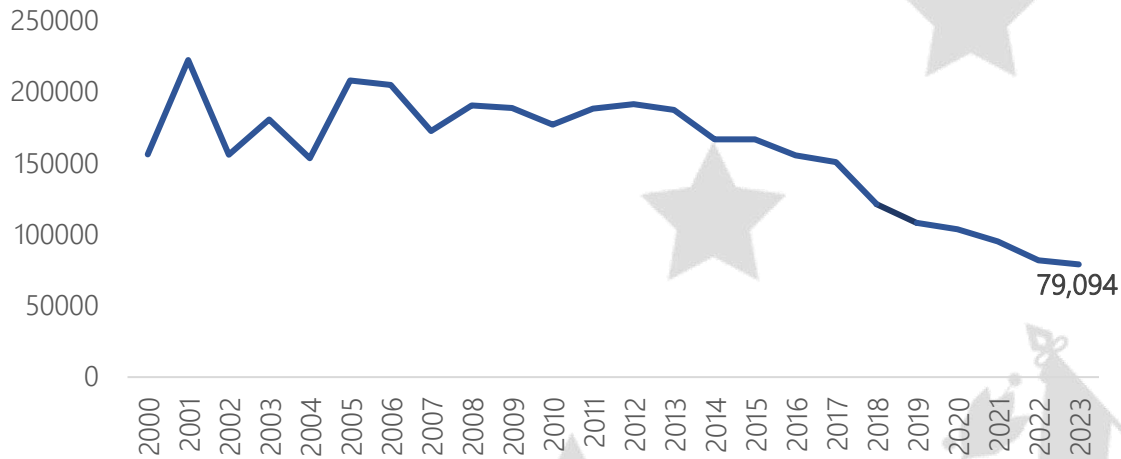
El análisis del trabajo infantil debe ser abordado con cuidado, y con el objetivo de focalizar y determinar de mejor manera los tipos de trabajo infantil, la Oficina Nacional de Estadística y Censos (ONEC) define tres categorías principales:

- La primera categoría es el trabajo realizado por NNA que sean menores a la edad mínima de admisión al empleo, tomando en consideración que, en El Salvador, la edad mínima para trabajar es de 14 años (Ministerio de Trabajo y Previsión Social, 2015).
- La segunda categoría, considera el trabajo peligroso para NNA de 14 a 17 años, aquel que por su naturaleza o las condiciones en las que se desarrolla —largas jornadas de trabajo (un adolescente de 14 o 15 años no podrá trabajar más de seis horas diarias o 34 horas semanales, y los adolescentes de 16 y 17 no podrán trabajar más de 8 horas diarias o 44 horas semanales), trabajo nocturno, utilización de herramientas peligrosas, exposición al humo, etc.—, pone en riesgo el bienestar físico, mental o moral de dicho segmento poblacional (Ibíd.).
- Finalmente, la tercera categoría, se refiere al trabajo permitido, para aquellas personas entre los 14 y 17 años, que se encuentran en edad de trabajar.

En El Salvador entre el año 2000 y 2023, la población NNA que no trabaja ha representado entre el 85.5 % y 93.9 % aproximadamente; no obstante, la cantidad de NNA que realizan

trabajo infantil y trabajo permitido ha sobrepasado las 200,000 personas en estos años. En el 2023, dicha población ascendió a 79,094 menores (ver gráfico 2).

Gráfico 2. El Salvador. Población NNA que trabaja. Periodo 2000-2023



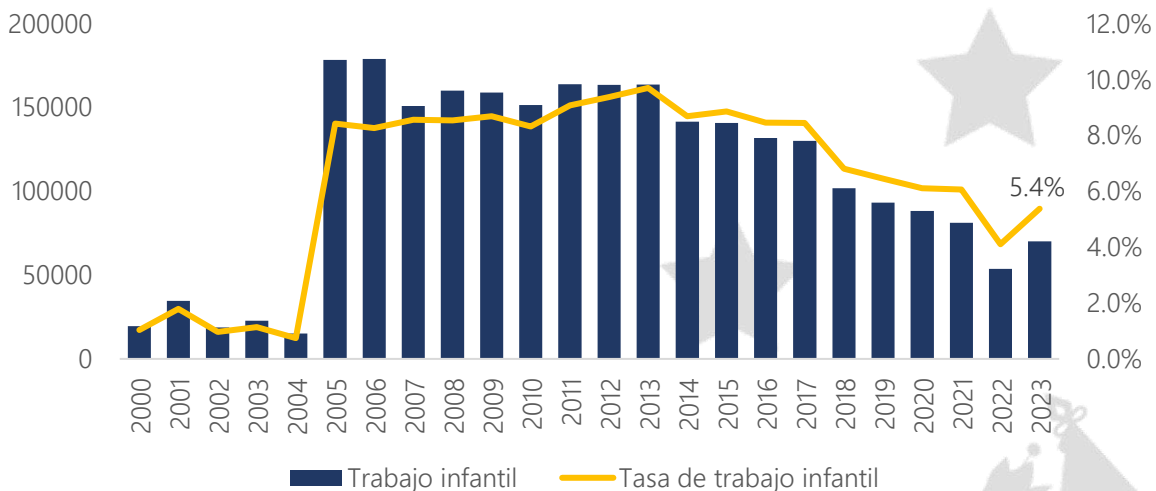
Fuente: elaboración propia con base en cifras de la EHPM, varios años.

Hasta el año 2004, el trabajo mayormente desempeñado por los NNA era trabajo permitido, pero a partir de 2005 las EHPM comenzaron a indagar y a capturar información sobre el trabajo infantil por debajo de la edad mínima y trabajo infantil peligroso, para fortalecer y profundizar el análisis sobre el trabajo infantil en el país.

Este aumento en la identificación del trabajo infantil a partir de este año indica que ahora se está capturando de manera más efectiva un porcentaje significativo de trabajo infantil en condiciones peligrosas, lo que refleja una mejora en la recopilación de datos de la EHPM. Desde ese año, el trabajo infantil representa más del 80.0 % de la población NNA que trabaja. En 2023, la cantidad de NNA en situación de trabajo infantil ascendía a 70,171 menores, por lo que la tasa de incidencia del trabajo infantil a nivel nacional fue de 5.4 % en 2023.

En todo el período 2000-2023, aproximadamente el 72.5 % de los NNA en trabajo infantil son niños, y el 27.5 % niñas. En 2023, el 76.5 % de los NNA en trabajo infantil eran niños, mostrando una diferencia marcada por sexo. Esto, como se verá más adelante, responde a las necesidades de tiempo y esfuerzo físico primordialmente en la agricultura, lo cual, por los roles de género en la asignación del trabajo, está reservado para el sexo masculino.

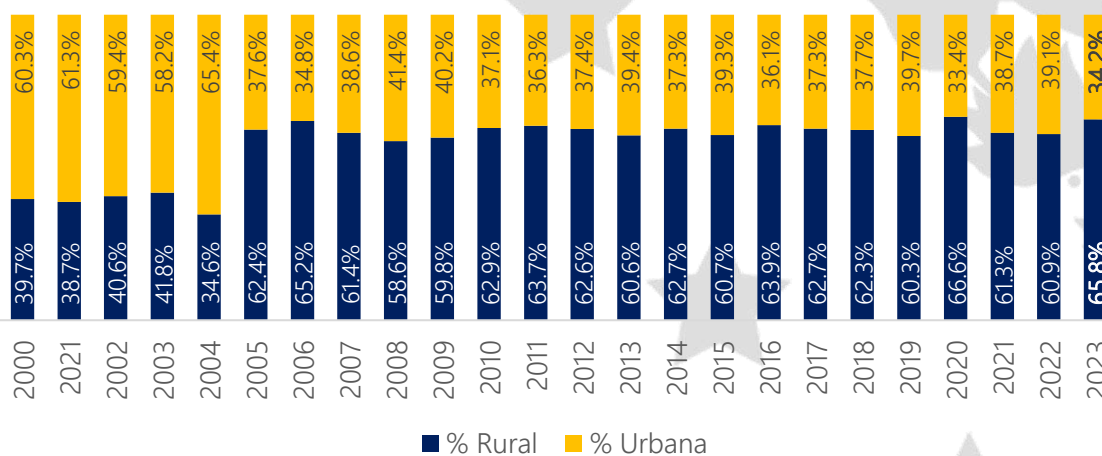
Gráfico 3. El Salvador. Población NNA en situación de trabajo infantil en personas (eje izquierdo) y porcentaje (eje derecho). Periodo 2000-2023



Fuente: elaboración propia con base en cifras de la EHPM, varios años.

Al analizar la división del trabajo infantil por área, se puede ver una predominancia del trabajo infantil en el área rural, pues en promedio el 61.3 % del trabajo infantil entre 2000-2023 se encontraba en el área rural, y en 2023 el 65.8 % de los niños en trabajo infantil residían en el área rural, mientras que el 34.2 % se encontraban en el área urbana.

Gráfico 4. El Salvador. Población NNA en situación de trabajo infantil según área de residencia (%). Periodo 2000-2023



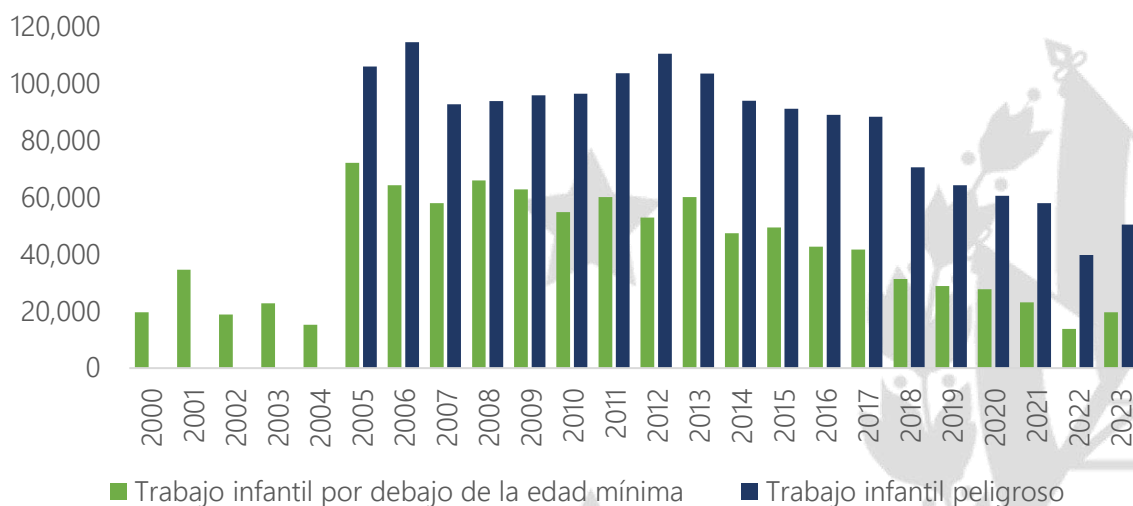
Fuente: elaboración propia con base en cifras de la EHPM, varios años.

Como se mencionó anteriormente, a partir de 2005 se comienza a capturar información sobre el trabajo infantil peligroso en las encuestas de hogares, y se observa que, con respecto al

trabajo infantil por debajo de la edad mínima, el trabajo infantil peligroso predomina en todo el período de estudio.

Teniendo en cuenta que, por su naturaleza, este segmento poblacional es una población vulnerable, al exponerse a trabajos en condiciones inadecuadas, se pone en riesgo el desarrollo pleno de la niñez y juventud salvadoreña. Esto corrobora los hallazgos hechos por el UCW (2013), pues afirma que *"las condiciones peligrosas son alarmantemente comunes en los lugares de trabajo donde se encuentran niños de El Salvador"* (2013, p 18).

Gráfico 5. El Salvador. Población NNA que trabaja, según situación de trabajo infantil.
Periodo 2000-2023



Fuente: elaboración propia con base en cifras de la EHPM, varios años.

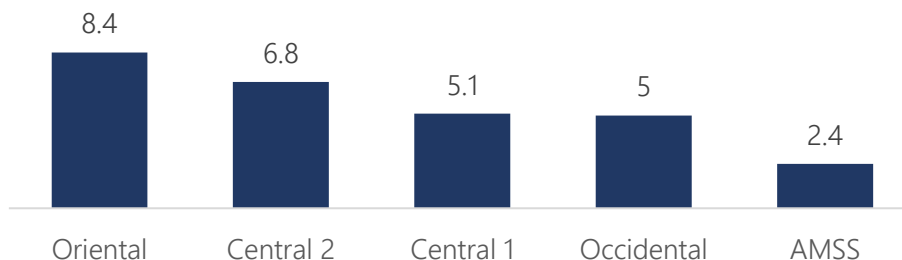
En promedio, el 62.2 % del trabajo infantil en todo el período de estudio era trabajo infantil peligroso, y en 2023 50,507 NNA se encontraban en situación de trabajo infantil peligroso, representando el 71.9 % del total. Es relevante observar a partir de estos datos que lo preocupante del trabajo infantil en el país es que, además de ocupar niños que no deberían realizar este tipo de actividades, se están ocupando en modalidades peligrosas e inadecuadas para ellos.

CARACTERIZACIÓN DEL TRABAJO INFANTIL EN 2023

Tomando de referencia los datos más recientes disponibles (2023), se puede indagar más a profundidad sobre el trabajo infantil. En cuanto a la incidencia del trabajo infantil por regiones, de acuerdo al gráfico 6 se puede ver que la tasa de trabajo infantil es mayor en la zona oriental del país con un 8.4%, seguido de la zona Central 2 con 6.8%, y Zona Central 1 con 5.1%, la Zona Occidental con 5.0% y AMSS con 2.4%, mostrando la tasa más baja en el país. Esto puede ser

de utilidad para focalizar geográficamente programas y planes de inspección para erradicar el trabajo infantil.

Gráfico 6. El Salvador. Tasa de trabajo infantil por región. 2023



Fuente: elaboración propia con base en cifras de la EHPM, 2023.

En cuanto a la incidencia del trabajo infantil según rama de actividad económica, se puede ver en la tabla 1 que es en la agricultura, ganadería, silvicultura y pesca que se concentra un 38.2% del trabajo infantil total, seguido del comercio, hoteles y restaurantes con un 32.0 % del total. En estas dos actividades se concentran 49,301 (70.2%) niños, niñas y adolescentes, por lo que, al momento de focalizar las intervenciones dedicadas a la erradicación del trabajo infantil, se podrían priorizar este tipo de actividades.

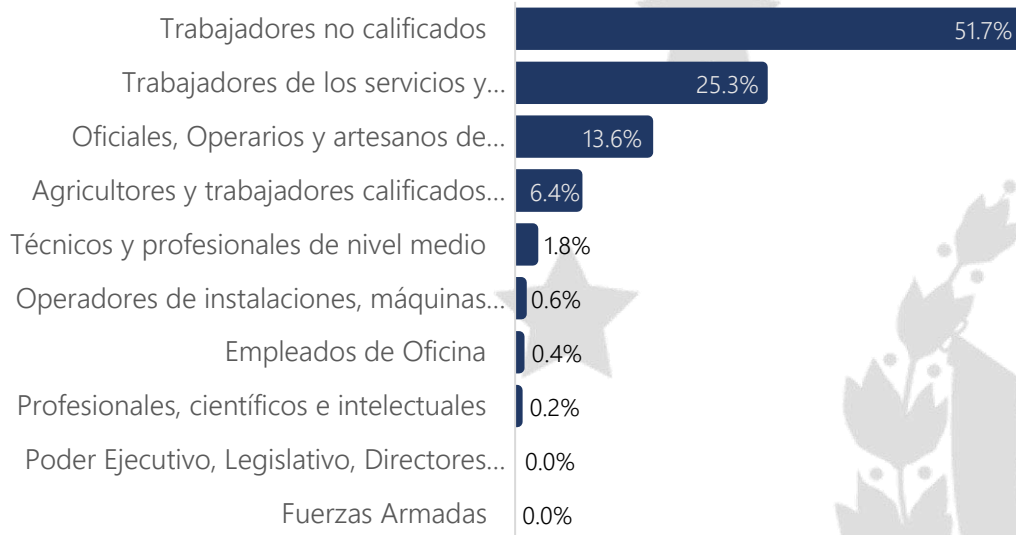
Tabla 1. El Salvador. Trabajo infantil según rama de actividad económica. 2023

Clasificación Industrial Internacional Uniforme de todas las actividades económicas, Rev. 4	Trabajo infantil 2023	
Agricultura, ganadería, caza y silvicultura	26,812	38.2%
Comercio, hoteles y restaurantes	22,489	32.0%
Construcción	7,819	11.1%
Industrias manufactureras	7,680	10.9%
Hogares con servicios domésticos	1,673	2.4%
Pesca	1,207	1.7%
Transporte, almacenamiento y comunicaciones	1,058	1.5%
Servicios comunales sociales y de salud	795	1.1%
Intermediación financiera, inmobiliarias	396	0.6%
Explotación de minas y canteras	129	0.2%
Enseñanza	114	0.2%
Suministro de electricidad, gas y agua	0	0.0%
Administración pública y defensa	0	0.0%
Actividades de organizaciones y órganos extraterritoriales	0	0.0%
Total	70,171	100.0%

Fuente: elaboración propia con base en cifras de la EHPM, 2023.

De acuerdo a la EHPM de 2023, la mayoría (36,273) de NNA en trabajo infantil se emplearon como trabajadores no calificados (51.7 %), mientras que el 25.3% (17,734) se ocuparon como trabajadores de los servicios y vendedores de comercios y mercados, por lo que el 77.0% (54,007) de los NNA en situación de trabajo infantil se ocupan en trabajos no calificados o con bajo nivel de tecnificación (ver gráfico 7).

Gráfico 7. El Salvador. Población NNA en situación de trabajo infantil según clasificación de la ocupación (%). 2023

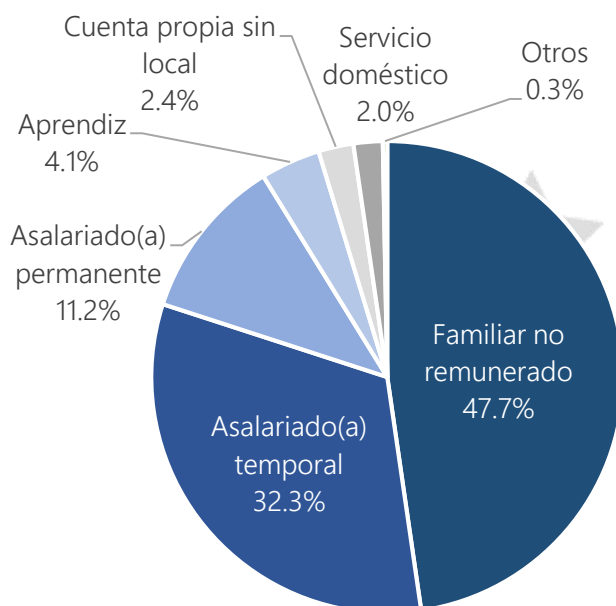


Fuente: elaboración propia con base en cifras de la EHPM, 2023.

Cabe destacar que el 64.1 % (44,960) de los NNA en trabajo infantil en 2023 están en situación de no pobres. El 22.4% (15,724) se encuentran en situación de pobreza relativa, y el 13.5% (9,488) en pobreza extrema (ONEC, 2024).

Por último, en cuanto a la situación de la ocupación de los NNA en situación de trabajo infantil, se puede ver que en 2023 el 47.7 % se ocupaba como familiar no remunerado. Es decir que casi la mitad no reciben ninguna retribución por el aporte que realizan a su hogar. El 32.3 % reporta ser asalariado temporal, y el 11.2 % asalariado permanente. El 4.1 % reportaba ocuparse como aprendices, el 2.4% estaba como cuenta propia sin local. y el 2.0 % como servicio doméstico (ver gráfico 8).

Gráfico 8. El Salvador. Población NNA en situación de trabajo infantil según categoría ocupacional (%). 2023



Fuente: elaboración propia con base en cifras de la EHPM, 2023.

CONCLUSIONES

A partir de esta breve caracterización se pueden tomar decisiones para focalizar las intervenciones para erradicar el trabajo infantil de acuerdo a ciertas características que tienen una mayor incidencia del fenómeno. De acuerdo a las cifras de la EHPM, la cantidad de NNA que trabajan ha venido en disminución en los últimos años, y la tasa de trabajo infantil ha descendido significativamente. No obstante, según datos disponibles de UNICEF (2018), El Salvador es el cuarto país con una mayor tasa de trabajo infantil en Latinoamérica y el Caribe, tomando en cuenta 11 países de la región.

En cuanto al sexo, se observa que el trabajo infantil afecta más a niños y adolescentes masculinos. No obstante, es probable que la labor doméstica realizada por las niñas esté subestimada en las estadísticas, lo que subraya la necesidad de incluir esta dimensión en las estimaciones. Este fenómeno revela cómo, desde temprana edad, se perpetúan los roles de género y la división sexual del trabajo, lo que tiene repercusiones en el desarrollo de los infantes y jóvenes.

Además, el trabajo infantil se concentra en el sector de agricultura, especialmente en áreas rurales, aunque también se registra una significativa participación de niños, niñas y adolescentes en actividades comerciales.

Por lo tanto, es fundamental que el Ministerio de Trabajo y Previsión Social (MTPS) priorice la protección de los derechos de los NNA en situación de trabajo infantil, y con el afán de cumplir el convenio 182 de la OIT sobre las peores formas de trabajo infantil, implementar políticas públicas integrales en coordinación con otras instituciones de gobierno que tengan como objetivo erradicar los trabajos peligrosos y el trabajo infantil en todas sus formas. Asimismo, los planes de inspección especiales diseñados para erradicación del mismo deben tomar en consideración la caracterización del trabajo infantil en el país e incluir un análisis e intervención específica en zonas y territorios con mayor riesgo de trabajo infantil. Para ello, se debe considerar el desarrollar articulaciones con los gobiernos locales.

Además, se debe fortalecer la colaboración con organizaciones no gubernamentales y la sociedad civil para implementar programas que ofrezcan alternativas económicas a las familias en situación de pobreza, así como acceso a servicios educativos de calidad. Esto contribuirá a romper el ciclo de pobreza y a reducir la incidencia del trabajo infantil en El Salvador. Así como promover campañas de sensibilización para crear conciencia sobre los riesgos del trabajo infantil y la necesidad de garantizar un entorno seguro y propicio para el aprendizaje.

Finalmente, es importante impulsar políticas de empleo y una estrategia nacional de generación de empleo decente para mejorar las oportunidades de empleo e ingreso de la población en edad de trabajar pues el trabajo infantil está estrechamente vinculado a la situación de pobreza en los hogares y es, por tanto, una variable que determinante en la incidencia del trabajo infantil en el país.

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Speeches in the National Assembly

Appointment Of A Commission Of Inquiry To Investigate The Incidence Of Trafficking In Persons In Guyana

Speech delivered at: 57thSitting - Tenth Parliament - 22 May, 2013 (<https://www.parliament.gov.gy/sittings/detail/57thsitting-tenth-parliament>)

22 May, 2013

7139

Ms. Ferguson: Mdm. Deputy Speaker, I rise to give voice and support to the motion “Appointment to the Commission of Enquiry to Investigate the Incidence of Trafficking in Persons in Guyana” standing in my colleague’s name, the Hon. Member and Leader of the Opposition, Mr. David Granger. Like my other colleagues I would like to empathise with the families and relatives of those persons who endured an experience of trafficking in persons. Credit must also be given to the Guyana Women Miners Association for the sterling efforts they are making without any subvention coming from Central Government.

Mdm. Deputy Speaker, with your indulgence permit me to give a definition of trafficking in persons, the key concept in the motion. It is the recruitment, transportation, transfer, harbouring or receipt of a person by means of a treat, or use of other means of coercion, or by abduction, fraud, deception, abuse of power of a position of vulnerability, or the giving or receiving of payments or benefits to achieve the concept of a person having control over another person for the purposes of exploitation. I must let this Hon. House know that this very definition is enshrined in the Combating Trafficking in Persons Act 2 of 2005.

The motion before this House is relatively a simple one. This is so since it is common to the natural eyes that trafficking in persons in our Nation has been deemed as a scourge. It must be noted that human trafficking is a rapidly expanding phenomenon and is said to have many faces including domestic violence, servitude, forced labour and sexual labour.

In examining the United States Department of State Report for 2011 and 2012 respectively, for trafficking in persons in Guyana I found them both to be wearying even though there is a slight variation between the two reports. They have rated Guyana as tier two and indicated that Guyana is a source and destination country for men, women and children subjected to sex trafficking and forced labour. The report further alluded to the fact that Guyanese women and girls have become vulnerable to prostitution while our children are forced to work in hazardous conditions. Previously reported

reference has been made of Guyana's track record in addressing this issue since the Government of Guyana seems reluctant in adhering fully with the minimum standards set out to eliminate trafficking. However, mention was made of the significant efforts being made.

Mdm. Deputy Speaker, I must let you, or this Hon. House, know that the Minister of Human Services, the Hon. Jennifer Webster, reported in the Guyana Times dated Friday 7th December, 2012, and this is what the Hon. Minister said:

"Meanwhile Human Services Minister Jennifer Webster who also addressed the opening said the government recognises the need for robust response in this regard. According to her TIP is a key component of the national action plan and steps have been taken to arrest this phenomenon. She further went on to say that in light of this the Government of Guyana and the United Nations Development Fund more or less discussed the issue of trafficking in persons."

United States Embassy Political and Economic Section Chief Michael Fraser said that Trafficking In Persons (TIP) is a debasement of humanity and the countries social fabric. He went on to say that it distorts markets and impacts legitimate businesses. To this end he said that the injustice of human trafficking, more aptly modern slavery, fuels violence and organised crime. Our work fulfilling the promise of freedom should not be only the pursuit of justice but also the restoring of what was taken away. We should aim not only to put an end to this crime but also to ensure that survivors can move beyond their exploitation and live the lives they choose for themselves according to Mr. Fraser.

What is further revealing in the reports is the continuous rhetoric from higher levels of Government with the aim of minimising the potential scope of human trafficking. Poor results in the area of victim protection and the lack of action against official complicity of human trafficking are major obstacles to future progress.

I do not want to take up much of the Assembly's time to the other concerns raised in the report. I encourage Hon. Members to familiarise themselves with this report.

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Speech delivered by:

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19 March, 2026

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(<https://www.parliament.gov.gy/media-centre/press-releases/charge-daffaires-of-argentina-to-guyana-pays-a-courtesy-call-on-speaker-of-the-national-assembly>) (<https://www.parliament.gov.gy/media-centre/press-releases/argentinas-charge-daffaires-pays-a-courtesy-call-on-speaker-of-the-national-assembly>)



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Speeches in the National Assembly

Appointment Of A Commission Of Inquiry To Investigate The Incidence Of Trafficking In Persons In Guyana

Speech delivered at: 57thSitting - Tenth Parliament - 22 May, 2013 (<https://www.parliament.gov.gy/sittings/detail/57thsitting-tenth-parliament>)

22 May, 2013

7139

Ms. Ferguson: Mdm. Deputy Speaker, I rise to give voice and support to the motion “Appointment to the Commission of Enquiry to Investigate the Incidence of Trafficking in Persons in Guyana” standing in my colleague’s name, the Hon. Member and Leader of the Opposition, Mr. David Granger. Like my other colleagues I would like to empathise with the families and relatives of those persons who endured an experience of trafficking in persons. Credit must also be given to the Guyana Women Miners Association for the sterling efforts they are making without any subvention coming from Central Government.

Mdm. Deputy Speaker, with your indulgence permit me to give a definition of trafficking in persons, the key concept in the motion. It is the recruitment, transportation, transfer, harbouring or receipt of a person by means of a treat, or use of other means of coercion, or by abduction, fraud, deception, abuse of power of a position of vulnerability, or the giving or receiving of payments or benefits to achieve the concept of a person having control over another person for the purposes of exploitation. I must let this Hon. House know that this very definition is enshrined in the Combating Trafficking in Persons Act 2 of 2005.

The motion before this House is relatively a simple one. This is so since it is common to the natural eyes that trafficking in persons in our Nation has been deemed as a scourge. It must be noted that human trafficking is a rapidly expanding phenomenon and is said to have many faces including domestic violence, servitude, forced labour and sexual labour.

In examining the United States Department of State Report for 2011 and 2012 respectively, for trafficking in persons in Guyana I found them both to be wearying even though there is a slight variation between the two reports. They have rated Guyana as tier two and indicated that Guyana is a source and destination country for men, women and children subjected to sex trafficking and forced labour. The report further alluded to the fact that Guyanese women and girls have become vulnerable to prostitution while our children are forced to work in hazardous conditions. Previously reported

reference has been made of Guyana's track record in addressing this issue since the Government of Guyana seems reluctant in adhering fully with the minimum standards set out to eliminate trafficking. However, mention was made of the significant efforts being made.

Mdm. Deputy Speaker, I must let you, or this Hon. House, know that the Minister of Human Services, the Hon. Jennifer Webster, reported in the Guyana Times dated Friday 7th December, 2012, and this is what the Hon. Minister said:

"Meanwhile Human Services Minister Jennifer Webster who also addressed the opening said the government recognises the need for robust response in this regard. According to her TIP is a key component of the national action plan and steps have been taken to arrest this phenomenon. She further went on to say that in light of this the Government of Guyana and the United Nations Development Fund more or less discussed the issue of trafficking in persons."

United States Embassy Political and Economic Section Chief Michael Fraser said that Trafficking In Persons (TIP) is a debasement of humanity and the countries social fabric. He went on to say that it distorts markets and impacts legitimate businesses. To this end he said that the injustice of human trafficking, more aptly modern slavery, fuels violence and organised crime. Our work fulfilling the promise of freedom should not be only the pursuit of justice but also the restoring of what was taken away. We should aim not only to put an end to this crime but also to ensure that survivors can move beyond their exploitation and live the lives they choose for themselves according to Mr. Fraser.

What is further revealing in the reports is the continuous rhetoric from higher levels of Government with the aim of minimising the potential scope of human trafficking. Poor results in the area of victim protection and the lack of action against official complicity of human trafficking are major obstacles to future progress.

I do not want to take up much of the Assembly's time to the other concerns raised in the report. I encourage Hon. Members to familiarise themselves with this report.

I further hasten to say that, most importantly, the reports comprehensively give an assessment of the three "Ps" on trafficking in persons. We would have heard earlier speakers alluding to these three "Ps": Prevention, Protection and Prosecution. However, the Hon. Member Minister Webster further added a fourth "P". She said, I think it was Partnership.

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"Brooms and her members had travelled into the area after receiving repeated calls from concern persons who said that some girls were being kept against their will. Immediately, after the capture of these girls, the little one held on to her and started to cry and told her she wanted to leave and said she was only 14 years old and the other one is 18 years old. They told her she wanted to leave too, but 'how they took away their bags and tell her she can't go anywhere'.

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The National Survey of Child Labor in Honduras (ENTIH) is announced

The tool will allow for better data and statistics to be obtained to address this problem.



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By SETRASS October 26, 2020



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By SETRASS October 14, 2020

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Campaign launched to eliminate child labor

Ministry of Labor and World Vision:

Campaign launched to eliminate child labor



- *The International Labour Organization (ILO) declared 2021 as the International Year for the Eradication of Child Labour.*
- *In Honduras, according to data from the National Institute of Statistics, 364,765 minors, between 5 and 17 years of age, work.*

Tegucigalpa, April 14, 2021 - In the context of the commemoration of the International Year for the Elimination of Child Labor, the Ministry of Labor and Social Security, together with World Vision Honduras, launches a campaign for the *"Elimination of Child Labor"* .

In July 2019, the United Nations General Assembly, under the leadership of the International Labour Organization (ILO), declared 2021 as the International Year for the Eradication of Child Labour.



This declaration underlines the commitment of Member States to “take immediate and effective measures to eradicate forced labor, end contemporary forms of slavery and human trafficking and ensure the prohibition and elimination of the worst forms of child labor, including the recruitment and use of child soldiers, and, by 2025, end child labor in all its forms.



The Minister of Labor, Olvin Villalobos, stated that *“Honduras celebrates the UN’s designation of 2021 as the International Year for the Elimination of Child Labor, and as a government we join in and reaffirm our commitment to continue working hand in hand and in coordination with other entities to promote measures that will allow us to make this dream, which the United Nations has promoted globally, a reality.”*

Furthermore, I emphasize that *“it is our duty to prevent children from doing these types of work, and we must prioritize their education; the only work they should be doing is in the classroom, training and educating themselves, and it is our duty to ensure that this right is conscious, natural, and progressive.”*

Virtual Launch

The campaign launch took place across various virtual platforms and was attended by authorities from the Ministry of Labor, World Vision Honduras, the Honduran Council of Private Enterprise (COHEP), the Coordinator of Private Institutions for Girls, Boys, Adolescents, Youth and their Rights (COIPRODEN), the Unitary Confederation of Workers (CUT), and the International Labour Organization (ILO).

This campaign is focused on uniting efforts and promoting activities to eradicate forced labor and child labor in all its forms before 2025.

Durante el foro, los actores coincidieron en que la actual pandemia de la COVID-19 representa una amenaza, situación que podría empujar más niños al trabajo infantil, por lo tanto ahora más que nunca es importante unir esfuerzos para hacer frente al trabajo infantil, dar seguimiento y cumplimiento a la alianza mundial 8.7.

De igual manera, continuar impulsando medidas para alcanzar la meta 8.7 de los Objetivos de Desarrollo Sostenible, en la cual 22 países pioneros y 230 organizaciones asociadas se han comprometido a acelerar las medidas, intercambiar conocimientos y aplicar soluciones innovadoras.

Desarrollo

Por su parte, el Viceministro de Trabajo, Cristóbal Corrales, quien fue el encargado de inaugurar el foro virtual, manifestó *“como país no podemos seguir diciendo que avanzamos hacia el desarrollo, si no nos hacemos cargo de este hecho que, entre otras cosas, perpetua la desigualdad enormemente, porque cada niño o niña que trabaja queda en desventaja”*.



Agregó, *“Yo personalmente soy un convencido que niños, niñas no deberían trabajar y en el caso de los adolescentes el trabajo no debe de ser excusa para interrumpir sus estudios y aspiraciones lúdicas. Un niño o niña que trabaja tiene menos tiempo y menos energía para dedicar a sus estudios, la recreación, el descanso o la música ¿no es verdad?”*.

Elementos de la campaña

La campaña lleva dentro de sus componentes; Asegurar el presupuesto público adecuado, mejorar la aplicación de las leyes, llegar con servicios de educación, salud y empleo a poblaciones vulnerables.

También incrementar la productividad de las empresas con pleno respeto de los derechos laborales, y con responsabilidad social, construir cadenas de valor libres de trabajo infantil y construir conciencia y el compromiso social.

Cifras

En Honduras, según datos del Instituto Nacional de Estadísticas, 364,765 menores, entre 5 y 17 años de edad, trabajan. De este total, el 66.8% se concentra en el área rural, mientras que el restante 33.2% está en el área urbana.

Del total de la población que trabaja el 73.7% son niños y el 26.3% son niñas. El trabajo infantil se agrupa principalmente en las actividades de Agricultura, Silvicultura, Caza y Pesca (48.3%), Comercio por Mayor / menor (18.5%), Industria manufacturera (7.6%) y Construcción (3.8%).

#trabajo infantil

#Visión Mundial

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Centros de cuidado infantil son beneficiados con cunas

Por jlagos 9 enero, 2017

El Sistema de la República de Honduras, a través del Sistema Nacional de Datos de Salud (SNADS), informa a la población lo siguiente:

El Laboratorio Nacional de Virología (LNV) realizó 189 pruebas para diagnosticar el Síndrome Coronario COVID-19, resultando 47 POSITIVAS, comunicando así un total de 47 casos del virus a nivel nacional, los cuales están corresponden a varios departamentos y se detallan en:

- Paciente 175: Mujer de 70 años residente de La Unión, departamento de Cortés
- Paciente 174: Mujer de 63 años residente de El Progreso, departamento de Yoro
- Paciente 173: Hombre de 61 años residente de San Pedro, Sula, departamento de Cortés
- Paciente 172: Mujer de 54 años residente en el Distrito Central, departamento de Francisco Morazón
- Paciente 171: Hombre de 47 años residente en el Distrito Central, departamento de Francisco Morazón
- Paciente 170: Hombre de 58 años residente en el Distrito Central, departamento de Francisco Morazón
- Paciente 179: Mujer de 47 años residente de Las Vegas, departamento de San Bartolomé
- Paciente 180: Mujer de 61 años residente de Las Vegas, departamento de San Bartolomé
- Paciente 181: Hombre de 57 años residente de Las Vegas, departamento de San Bartolomé
- Paciente 182: Mujer de 64 años residente en el Distrito Central, departamento de...

47 nuevos casos de COVID-19, comunicado

Por SETRASS 1 abril, 2020

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HKSAR Government strongly opposes US Traffickin

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HKSAR Government strongly opposes US Trafficking in Persons Report 2023

The Government of the Hong Kong Special Administrative Region (HKSAR) today (June 16) vehemently refuted the assessment about Hong Kong in the Trafficking in Persons Report 2023 (Report) of the Department of State of the United States (US).

A spokesman for the HKSAR Government said, "We noted the rating of Hong Kong is adjusted upward to Tier 2 in the Report. The HKSAR Government strongly disapproves of and firmly rejects the unsubstantiated remarks in the US' Report against the situation of Hong Kong. Trafficking in persons (TIP) is never a prevalent problem in Hong Kong, and there has never been any sign that Hong Kong is being actively used by syndicates as a destination or transit point for TIP."

The spokesman added, "The HKSAR Government has all along been making proactive and multi-pronged efforts in the fight against TIP, and injected an enormous amount of resources to combat TIP and enhance the protection and well-being of foreign domestic helpers (FDHs) in Hong Kong. A high-level Steering Committee to Tackle TIP and to Enhance Protection of FDHs was established in March 2018 and it promulgated the Action Plan to Tackle TIP and to Enhance Protection of FDHs in Hong Kong with multi-faceted and targeted measures, covering victim identification, investigation, enforcement, prosecution, victim protection and support, prevention, and partnership with different stakeholders. By the end of 2019, all measures in the Action Plan have been firmly put in place.

"Despite the challenges posed by the COVID-19 pandemic over the past three years or so, the HKSAR Government sustained its wide-ranging anti-TIP efforts. In 2022, the HKSAR Government spared no effort as before to conduct initial screenings of all persons vulnerable to TIP risks, including illegal immigrants, sex workers, illegal workers, FDHs, and imported workers and other suspected victims, who came to the attention of the departments concerned."

In particular, an FDH Special Investigation Section was established in December 2019 in the Immigration Department (ImmD) to step up scrutiny of FDH visa applications to facilitate identification of potential TIP victims and cases of exploited FDHs. The ImmD will render assistance as appropriate to FDHs who have been abused or exploited. For FDH established to be a victim of a criminal case who needs to stay in Hong Kong to assist in investigation or act as a witness in legal proceedings, the ImmD will waive the fee for his/her extension of stay. Also, the ImmD will keep records of such cases and take them into account in considering any future applications from employers concerned. If there is evidence that an employer has abused or exploited his/her FDH, his/her future application for employing FDH will normally not be approved.

The spokesman said, "The HKSAR Government reiterates its commitment to safeguarding the

employment rights and benefits of FDHs, who are offered statutory protection under the Employment Ordinance (Cap. 57) as well as additional benefits in accordance with a Government-prescribed Standard Employment Contract. The Foreign Domestic Helpers Division of the Labour Department (LD) renders one-stop support for FDHs, including maintaining a dedicated 24-hour hotline for FDHs, providing advice on employment matters, assisting FDHs to seek help from relevant authorities, co-operating with consulates general and the civil society, and publicising the rights and benefits of FDHs through various channels.

"Regarding the 'two-week rule', i.e. an FDH shall leave Hong Kong upon completion of employment contract or within two weeks from the date of early contract termination, whichever is the earlier, its purpose is to allow sufficient time for FDHs to prepare for their departure. Also, this rule has allowed sufficient flexibility to cater for exceptional circumstances and does not preclude FDHs from working in Hong Kong again after returning to their place of origin. Exploitation of FDHs is never tolerated in Hong Kong. FDHs who have been abused or exploited could apply for change of employer in Hong Kong without first returning to their places of origin. FDHs abused or exploited should not feel inhibited from lodging complaints against their employers.

"As for the 'live-in requirement', it underpins the long-established Government policy that priority in employment should be given to the local workforce and importation of workers will only be allowed when there is proven manpower shortage in specific trades that cannot be filled by local workers. It is along this policy objective that live-in FDHs have been imported since the 1970s to meet the shortage of local live-in domestic helpers."

The spokesman stressed, "In 2022, around 1 200 frontline officers of the HKSAR Government received anti-TIP training. On the other hand, some 7 600 initial screenings were conducted with a record-high of 32 TIP victims identified. Among the 32 TIP victims, one victim involved a foreigner being trafficked into Hong Kong, while 31 were related to Hong Kong residents involved in the employment fraud in Southeast Asian countries being trafficked out of Hong Kong. The swift identification of 31 victims from the employment fraud, in particular, speaks for the effectiveness of the HKSAR Government's TIP victim screening mechanism and the fact that TIP is never tolerated in Hong Kong."

On the so-called claim about the lack of composite trafficking legislation in Hong Kong, the spokesman said, "The HKSAR Government maintains the view that its current legislative framework, which comprises over 50 legal provisions against various TIP conducts, provides a comprehensive package of safeguards comparable to composite TIP laws found in other jurisdictions and has served Hong Kong well. It should be emphasised that every jurisdiction should have its latitude to determine the best legal framework to tackle the issue and there is simply no one-size-fits-all solution. There is no indication to suggest that the effectiveness of the HKSAR Government's anti-TIP efforts has been undermined without composite trafficking legislation.

"It is most inconceivable for the US Department of State to ignore the HKSAR Government's strenuous efforts in combating TIP, persistently attack our multi-legislation approach, and insist that Hong Kong must introduce a composite TIP law, which totally expose the US' double standards. Ignoring our efforts and achievements solely because we adopt a multi-legislation approach to tackle TIP seriously calls into question the credibility and objectivity of the US' Report.

"Hong Kong law enforcement agencies have all along remained vigilant in investigation and

enforcement. The Police continued to commit significant efforts to combating vice activities including prostitutions in 2022. Some 60 anti-vice operations were mounted and over 300 persons were arrested for the offence of keeping a vice establishment or prostitution-related crimes under the Crimes Ordinance (Cap. 200), representing a year-on-year 10 percent increase in terms of the number of arrestees. At the same time, 38 FDH employers were prosecuted for aiding and abetting their FDHs in breaching the latter's conditions of stay, and five FDH employers were prosecuted for other offences such as common assault, wounding, indecent assault and rape.

"The LD continues to take rigorous enforcement actions against employment agencies (EAs) in breach of the Employment Ordinance, the Employment Agency Regulations (Cap. 57A) and the Code of Practice for EAs, including overcharging commission from job seekers, unlicensed operation, withholding of personal properties of FDHs, or being involved in the financial affairs of FDHs such as money lending. The LD investigates each and every complaint case promptly and prosecutes cases where there is sufficient evidence. In 2022, the LD conducted about 1 700 regular or surprise inspections to EAs, issued over 800 warnings, successfully prosecuted three EAs and revoked the licence of one EA. In addition, swift actions were taken in cancelling the licence of an EA specialising in arranging FDHs from a particular foreign country to Hong Kong in connection with a staff member of the EA being convicted of overcharging of commission."

The spokesman added, "The US Department of State's remarks about the Hong Kong National Security Law in the Report amount to nothing but sheer political smears against Hong Kong. The Hong Kong National Security Law clearly stipulates four categories of offences endangering national security, with the elements of the offences, the penalties, mitigation factors and consequences clearly prescribed. Any law enforcement actions taken by Hong Kong law enforcement agencies are based on evidence, strictly according to the law, and for the acts of the persons concerned. Acts and activities endangering national security are distinctly different from normal interactions. Law-abiding people will not unwittingly violate the law."

The spokesman stressed, "As a responsible member of the international community, the HKSAR Government will continue its firm commitment to contributing to the global efforts for this important cause."

Ends/Friday, June 16, 2023
Issued at HKT 1:30

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LCQ5: Combating trafficking in persons

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LCQ5: Combating trafficking in persons

Following is a question by Hon Dennis Kwok and a reply by the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, in the Legislative Council today (March 21):

Question:

Last year, Hong Kong was placed, for the second consecutive year, on the Tier 2 Watch List in the Trafficking in Persons Report published annually by the Department of State of the United States, indicating "a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons ("TIP") from the previous year" on the part of Hong Kong. Moreover, the High Court pointed out in a judgment handed down in 2016 on a judicial review case that the Government had failed to fulfill its obligation to protect the right, under Article 4 in Part II (Hong Kong Bill of Rights) of the Hong Kong Bill of Rights Ordinance, of the applicant in that case of not being subjected to forced labour or TIP. In particular, the Court stated that the critical flaw in the Government's fulfilment of its obligations under Article 4 of the Hong Kong Bill of Rights was the lack of a criminal offence and penalty that addressed the prohibited concept of forced or compulsory labour. Despite the Government's repeated claim that TIP has been effectively dealt with by the various pieces of legislation, some human rights organisations have expressed concern that the current legislative framework fails to combat all forms of TIP as defined under Article 3(a) of the Palermo Protocol, nor can it effectively pursue syndicates or persons benefiting from the proceeds obtained from such activities. In this connection, will the Government inform this Council whether it will conduct a comprehensive review of the policies and measures in place in relation to TIP and forced labour, and introduce dedicated and comprehensive criminal legislation and penalties to prohibit such acts; if so, of the details (including timetable); if not, the reasons for that?

Reply

President,

Trafficking in persons (TIP) is a heinous crime that is not tolerated in Hong Kong. Our well-established legal framework, stringent enforcement actions, independent judicial system, respect for the rule of law in society as well as our clean government have placed us on a solid footing to combat TIP. The Government has always attached great importance to anti-TIP work, responding to this evolving international issue through targeted and multi-pronged measures (which are now under continuous review and updating) in areas including victim identification, law enforcement, prosecution, victim protection, enhancement in staff training and forming partnership with local and overseas stakeholders.

The Government does not agree that the existing legislation of Hong Kong cannot effectively combat

and prevent TIP. At present, our legislation has provided an adequate and solid legal framework to effectively combat TIP crimes. Although Hong Kong does not have a single piece of legislation prohibiting TIP and the Palermo Protocol has not been applied here, the legislation of Hong Kong has already covered the conduct of "TIP" as defined in the Palermo Protocol, mainly including the following six aspects:

- (1) Crimes Ordinance (Cap. 200) prohibits TIP to or from Hong Kong for the purpose of prostitution; harbouring another person or exercising control or direction over another person for the purpose of that person's prostitution or that that person shall do unlawful sexual acts with others; and any other person from procuring another person to become a prostitute or cause prostitution of that person in Hong Kong or elsewhere. It also prohibits other crimes including rape, procuring another person by threats to do unlawful sexual acts with others and criminal intimidation;
- (2) Human Organ Transplant Ordinance (Cap. 465) prohibits commercial dealings in human organs;
- (3) Prevention of Child Pornography Ordinance (Cap. 579) prohibits printing, making, producing, reproducing, copying, importing or exporting, publishing and possessing child pornography;
- (4) Immigration Ordinance (Cap. 115) prohibits arrangement for an unauthorised entrant to Hong Kong and employing illegal workers;
- (5) Employment Ordinance (Cap. 57) imposes criminal liability on employers involved in non-payment, under-payment of wages or delay in payment of wages, failure to grant rest days and statutory holidays to employees; and
- (6) other relevant ordinances which prohibit such crimes as assault, forcible taking or detention of persons with intent to sell him or her, child abduction, deception and blackmail, etc.

The most serious penalty for the above offences is life imprisonment.

Although TIP is neither widespread nor prevalent in Hong Kong, the Government has been keeping a close watch on the trend of TIP crimes to make timely responses to the rapidly changing crime situation as well as modus operandi of criminals, and keeping abreast of the enforcement of existing legislation with regard to prevailing circumstances so as to propose legislative amendments if necessary.

To enhance prosecutors' awareness of TIP and forced labour, the Department of Justice incorporated a new paragraph titled "Human Exploitation Cases" in the Prosecution Code published in 2013, with a view to providing guidance to prosecutors as to what may amount to TIP and exploitation, as well as the proper approach to handle the cases concerned.

In addition, the Government attaches great importance to protecting the rights and benefits of foreign domestic helpers (FDHs). At present, there are about 370 000 FDHs in Hong Kong assisting local families in household chores and taking care of the elderly and children in our families, thereby unleashing the local labour force and making significant contribution to Hong Kong's economic development. In order to prevent FDHs from falling victim to TIP, we will further enhance the protection for FDHs and maintain Hong Kong as an attractive place of work for FDHs. The Employment (Amendment) Ordinance 2018 came into effect on February 9 this year, significantly increasing the maximum penalties for the offences of

overcharging of commission from job-seekers and unlicensed operation by employment agencies (EAs) from a fine of HK\$50,000 by seven times to HK\$350,000 and imprisonment for three years. The statutory time limit for prosecuting these two offences has also been extended from six months to 12 months, and the scope of the overcharging offence has been expanded to cover the management and employees of EAs in addition to the licensee. These measures have significantly increased the deterrent effect and provided better protection for all job-seekers, including of course, FDHs.

Combating TIP requires the concerted efforts of various bureaux and departments of different disciplines. To ensure the effective implementation of their work and heighten public awareness of TIP, the Government has decided to establish a high-level Steering Committee, chaired by the Chief Secretary for Administration, with the Secretary for Security and Secretary for Labour and Welfare as the vice-chairmen and relevant department heads as members. The Steering Committee will offer strategic steer in respect of tackling TIP and enhancing the protection of FDHs; formulate and monitor the full implementation of the "Action Plan to Tackle Trafficking in Persons and to Enhance Protection of Foreign Domestic Helpers in Hong Kong" (the Action Plan in short); and ensure the provision of adequate resources to the relevant bureaux and departments for the effective implementation of the Action Plan.

The major new initiatives set out in the Action Plan include:

- (i) expanding the TIP victim screening mechanism by introducing a new victim identification mechanism in the Labour Department for the early identification of FDHs being exploited or abused and provision of appropriate assistance;
- (ii) expanding the victim screening mechanism currently in place in 12 police districts to all 24 police districts in the territory;
- (iii) setting up dedicated teams in relevant departments to ensure high efficiency in investigation and law enforcement, and to facilitate further enhancement of inter-departmental co-operation;
- (iv) setting up a dedicated hotline with interpretation services to enhance assistance to FDHs; and
- (v) stepping up co-operation with major FDH-sending countries, such as enhancing high-level exchanges between governments to understand each other's latest policy developments and discuss issues of mutual concern; and conducting local publicity activities there to promote FDHs' lawful interests in Hong Kong and various protective measures available.

The Government will announce the establishment of the Steering Committee and details on implementing the Action Plan later today.

Finally, President and members, I must reiterate that TIP and exploitation of FDHs are absolutely not tolerated in Hong Kong. The Government will implement various measures under the Action Plan to continue its dedicated efforts in combating TIP and enhancing the protection of FDHs, including close monitoring of the latest modus operandi of criminals and introducing further initiatives as and when necessary. We will also continue our close co-operation with community organisations and the international community.

As regards the judicial review case mentioned in the Hon Dennis Kwok's question (i.e. ZN v. Secretary for Justice and others, HCAL 15/2015), the Government does not agree with the conclusion and judgment of the Court of First Instance and has lodged an appeal. As the Court of Appeal will hear the case in May this year, it is inappropriate for the Government to make further comment on the case at this stage.

Thank you, President.

Ends/Wednesday, March 21, 2018

Issued at HKT 13:51

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CHAPTER 9

Labour Department

Occupational safety and health

**Audit Commission
Hong Kong
27 October 2017**

This audit review was carried out under a set of guidelines tabled in the Provisional Legislative Council by the Chairman of the Public Accounts Committee on 11 February 1998. The guidelines were agreed between the Public Accounts Committee and the Director of Audit and accepted by the Government of the Hong Kong Special Administrative Region.

Report No. 69 of the Director of Audit contains 9 Chapters which are available on our website at <http://www.aud.gov.hk>

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OCCUPATIONAL SAFETY AND HEALTH

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OCCUPATIONAL SAFETY AND HEALTH

Executive Summary

1. “Safety and Health at Work” is one of the Labour Department (LD)’s programme areas. The aim of the programme area is to ensure that risks to the safety and health of people at work are properly managed by legislation, enforcement, education and publicity efforts. For 2017-18, the estimated expenditure for the programme area is \$510 million.

2. Occupational safety and health is regulated mainly through: (a) the Factories and Industrial Undertakings Ordinance (FIUO – Cap. 59); and (b) the Occupational Safety and Health Ordinance (OSHO – Cap. 509). The FIUO was enacted in 1955 to provide for the safety and health protection for workers in the industrial sector. It applies to industrial undertakings such as factories, construction sites and catering establishments. The OSHO was enacted in 1997 to extend the safety and health protection of employees to the majority of economic activities. It covers almost all workplaces.

3. The Occupational Safety and Health Branch (OSHB) of the LD is responsible for work related to occupational safety and health. As at 31 March 2017, the OSHB had a staff establishment of 642. The Audit Commission (Audit) has recently conducted a review of the LD’s work in occupational safety and health.

Occupational safety: inspection and enforcement

4. *Need to strengthen enforcement of notification requirement for Notifiable Workplaces.* The OSHB is responsible for carrying out inspections of workplaces and initiating enforcement action where necessary. There are two types of workplaces, namely building and engineering construction (BEC) workplaces (i.e. construction sites) and non-BEC workplaces. As at September 2017, information on 36,692 BEC workplaces and 141,206 non-BEC workplaces was kept in the OSHB’s database. The LD’s focus of inspection is placed on: (a) BEC workplaces; and (b) non-BEC workplaces subject to statutory workplace notification requirements

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(hereinafter referred to as Notifiable Workplaces). The person having the management or control of a Notifiable Workplace is required to notify the LD of the workplace before commencement of operation. Audit examined the LD's investigations of 20 accident cases that occurred in 2016 at Notifiable Workplaces and found that the persons concerned of eight (40%) Workplaces had not submitted the required statutory notifications to the LD before the LD's investigations. These eight Workplaces had commenced operation for 90 days to 18 years and 5 months. Audit checked the records for the period January 2012 to July 2017 and noted that no prosecution had been taken by the LD against non-compliance of the notification requirement (paras. 2.2 to 2.5).

5. ***Need to review notification requirement for BEC workplaces.*** Although the construction industry is accident-prone, unlike the notification requirement for Notifiable Workplaces, notification of BEC workplaces is only required to be submitted within seven days after commencement of the construction work. The current notification requirement for BEC workplaces leaves a time gap between the commencement of work and the notification submitted to the LD (para. 2.8).

6. ***Need to review the list of hazardous trades.*** The LD gives inspection priorities to workplaces of 23 hazardous non-BEC trades, which are identified by the LD according to the assessment of the prevailing risks. The last review of the list of hazardous trades was completed in January 2013. The review recommended that similar review should be conducted at a three-year interval. Not until July 2017 did the LD commence a new round of review, which may take about one and a half years to complete (paras. 2.3, 2.9 and 2.10).

7. ***Need to clear backlog and improve documentation for inspection work.*** The LD has a bring-up system for workplace files to be brought up for inspections. If the file is not brought up and assigned to an inspecting officer on the scheduled date, it is counted as a backlog. Audit noted that, as at 31 March 2017, there were 6,074 backlog cases of inspection on inactive BEC workplaces (i.e. construction sites where works were carried out intermittently or sites under defects liability period), and 23,414 backlog cases on non-BEC workplaces. The LD had not monitored whether inspections were carried out according to schedule. Audit examined 80 inspections carried out by the LD in the period from 1 April 2016 to 31 March 2017 and found that 24 (30%) inspections were conducted more than 90 days after the workplace files were brought up. Audit also noted that inspecting officers only documented the irregularities identified during

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inspections, but not the details of inspection work carried out, such as the work processes examined and the results of such examinations. Moreover, the LD reported in its Controlling Officer's Report (COR) the number of inspections conducted by the Operations Division of the OSHB under the FIUO and the OSHO. In the period from 2012 to 2016, the reported number of inspections carried out per year ranged from 123,115 to 131,339. Audit examination revealed that if an inspection was conducted jointly by more than one inspecting officer, the LD counted the number of inspecting officers as the number of inspections conducted. Had an inspection been counted as one irrespective of how many inspecting officers took part in the inspection work, the number of inspections carried out per year during the period would have ranged from 44,756 to 73,565 (paras. 2.15 to 2.17, 2.19, 2.22 and 2.24).

8. ***Need to strengthen deterrent effect of occupational safety legislation.*** In the period from 2012 to 2016, the average amount of fines imposed by the court on cases convicted under the FIUO and the OSHO had increased by 47% from \$7,723 in 2012 to \$11,390 in 2016. Audit analysis of the highest amount and the average amount of fines under the five most common offences of the FIUO and the OSHO revealed that notwithstanding the increase in amount of fines, the highest amount and the average amount were significantly below the maximum amount stipulated in the legislation (para. 2.30).

Occupational safety: training

9. ***Need to improve planning of inspection on mandatory safety training courses.*** Every person engaged in specific high risk sectors, activities or machine operations is required to complete the relevant mandatory safety training (MST) course organised by a training course provider (TCP). In 2016, there were 146 TCPs providing 704 MST courses. The LD conducted 225 inspections on the 146 TCPs and issued 17 warning letters and 5 directions. Of the 225 inspections, 182 (81%) were conducted at the time when there was no course session. As a result, many aspects of the courses could not be observed. Instead, the LD inspected the TCP's documentation (paras. 3.2, 3.4 and 3.6).

10. ***Need to expedite implementation of improvement measures recommended by the 2009 review on MST courses.*** In 2009, the LD conducted a review to devise improvement measures on recognition and monitoring of MST courses. In April 2011, the LD proposed to the Legislative Council Panel on Manpower a

Executive Summary

two-phase approach to implement the improvement measures. Up to August 2017, two of the three Phase One improvement measures, namely the standardisation of course contents and the centralisation of issuance of examination papers for the MST courses, had not been fully implemented. Furthermore, there was also no timetable to implement these measures and the Phase Two measures (paras. 3.7 to 3.9).

11. ***Some Registered Safety Auditors are not Registered Safety Officers.*** The FIUO and its subsidiary regulations stipulated that the contractors or proprietors of some workplaces are required to employ an Registered Safety Officer (RSO) to assist in the promotion of the occupational safety and health, and/or an Registered Safety Auditor (RSA) to audit the required safety management system. To register as an RSA, a person shall be an RSO and fulfil the specified requirements. The designation of an RSA is valid for life while the registration of an RSO is valid for a period of four years subject to renewal or revalidation. Some RSAs will cease to be RSOs after they have become RSAs if they choose not to apply for renewal or revalidation of the RSO registration upon expiry. The lists of RSOs and RSAs as at 31 May 2017 indicated that 29 (2.3%) of the 1,273 RSAs were not RSOs (paras. 3.12, 3.14 to 3.16 and 3.18).

Occupational health

12. ***Need to improve arrangements for medical examination of radiation workers.*** Every year, the Kwun Tong Occupational Health Clinic (KTOHC) reserves a number of sessions exclusively for carrying out medical examinations of workers prone to exposure to radiation. For each session, 30 examinations can be carried out. Audit found that the utilisation of the reserved sessions was decreasing in the period from 2012 to 2017 (up to June): (a) the annual average number of no-show cases per session ranged from 2.7 to 4.2 (11% to 15% of the booked slots); and (b) the average number of booked examinations in each session decreased from 27.8 to 22.9 and the number of sessions in which not more than 20 examinations were carried out increased from 17% to 56% of the total number of sessions. Moreover, the law stipulates that the examinations carried out for the workers' first employment would be provided free of charge, but it does not stipulate that the periodic examinations after the workers' first employment would be provided at a charge or free of charge. Audit noted that workers and their employers were not required to pay any fee for the periodic examinations (paras. 4.4, 4.6 to 4.8, 4.10 and 4.11).

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13. *Need to monitor progress of workplace inspections.* The LD did not monitor the number of outstanding inspections and the delay in carrying out inspections after they were brought up for inspection. Audit reviewed 30 outstanding inspections on occupational health as at 30 June 2017 and found that all of them had been outstanding for more than six months after they were brought up. The outstanding periods ranged from 7 months to 4.25 years, averaging 2.17 years. Audit also reviewed 24 inspections conducted by the LD in the period from July 2016 to June 2017 and found that there were delays in 13 (54%) of the 24 inspections. The delay ranged from 4 days to 3 years, averaging 11 months (paras. 4.18 to 4.20).

14. *Need to improve reporting of performance indicators in COR.* For 2016, the LD reported in the COR that it had achieved 22,629 “investigations/surveys/examinations/assessments/clinical consultations” without the breakdown information. Audit noted that the number comprised 2,983 investigations, 7,018 surveys, 1,471 medical examinations, 713 assessments and 10,444 clinical consultations (para. 4.23).

Audit recommendations

15. **Audit recommendations are made in the respective sections of this Audit Report. Only the key ones are highlighted in this Executive Summary. Audit has recommended that the Commissioner for Labour should:**

Occupational safety: inspection and enforcement

- (a) **step up measures to strengthen the enforcement of the notification requirement for Notifiable Workplaces (para. 2.11(a));**
- (b) **review the reasonableness of the submission deadline for notification of construction work and if necessary, tighten the deadline (para. 2.11(c));**
- (c) **closely monitor the progress of the review of the list of hazardous trades to ensure that it is completed in a timely manner (para 2.11(d));**

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- (d) **take measures to ensure that there is no delay in bringing up cases for inspection and conducting inspections after the cases were brought up for inspection (para. 2.26(a));**
- (e) **take measures to clear the existing backlog of inspections as soon as practicable (para. 2.26(b));**
- (f) **improve the documentation of the inspection work performed (para. 2.26(c));**
- (g) **separately disclose in the COR the number of workplaces inspected (para. 2.26(g));**
- (h) **monitor closely the need to review the labour legislation with a view to strengthening the deterrent effect of the legislation (para. 2.32);**

Occupational safety: training

- (i) **arrange inspections on the TCPs during time period when there are course sessions taking place as far as practicable (para. 3.10(a));**
- (j) **expedite the implementation of the improvement measures recommended by the 2009 review on MST courses (para. 3.10(b));**
- (k) **review whether there is a need to revise the Factories and Industrial Undertakings (Safety Management) Regulation to address the shortcomings that some RSAs are not RSOs (para. 3.25(a));**

Occupational health

- (l) **in collaboration with the Director of Health, take measures to reduce the no-show rate of radiation workers for medical examinations (para. 4.16(a));**
- (m) **monitor the utilisation of time slots reserved for medical examinations for radiation workers to ensure that the clinical resources are optimally utilised as far as practicable (para. 4.16(b));**

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- (n) **in collaboration with the Director of Health, review the justifications for not charging radiation workers or their employers for periodic medical examinations carried out at the KTOHC after the workers' first employment (para. 4.16(c));**
- (o) **closely monitor the progress of workplace inspections (para. 4.21(a));**
- (p) **take measures to minimise the number of outstanding inspections in future (para. 4.21(c));**
- (q) **ascertain the number of existing backlog inspections and take effective measures to clear the backlog as soon as practicable (para. 4.21(d)); and**
- (r) **with a view to enhancing transparency, consider reporting separately in the COR the number of investigations, surveys, examinations, assessments and clinical consultations (para. 4.25(a)).**

Response from the Government

16. The Commissioner for Labour agrees with the audit recommendations.

PART 1: INTRODUCTION

1.1 This PART describes the background to the audit and outlines the audit objectives and scope.

Background

1.2 “Safety and Health at Work” is one of the Labour Department (LD)’s programme areas. The aim of this programme area is to ensure that risks to the safety and health of people at work are properly managed by legislation, enforcement, education and publicity efforts. For 2017-18, the estimated expenditure for the programme area is \$510 million.

Major legislations

1.3 Occupational safety and health is regulated mainly through the following legislations:

- (a) ***Factories and Industrial Undertakings Ordinance (FIUO — Cap. 59)***. The FIUO was enacted in 1955 to provide for the safety and health protection for workers in the industrial sector. It applies to industrial undertakings, such as factories, construction sites, catering establishments, cargo and container handling undertakings, repair workshops and other industrial workplaces. Under the FIUO, there are 31 sets of subsidiary regulations covering various aspects of work activities in industrial undertakings. The subsidiary regulations prescribe detailed safety and health standards on work situations, plant and machinery, processes and substances; and

- (b) ***Occupational Safety and Health Ordinance (OSHO — Cap. 509)***. The OSHO was enacted in 1997 to extend the safety and health protection of employees to the majority of economic activities. It empowers the Commissioner for Labour to make regulations prescribing occupational safety and health standards for working environment. It covers almost all workplaces. In addition to factories, construction sites and catering establishments, other places, such as offices, laboratories, shopping arcades

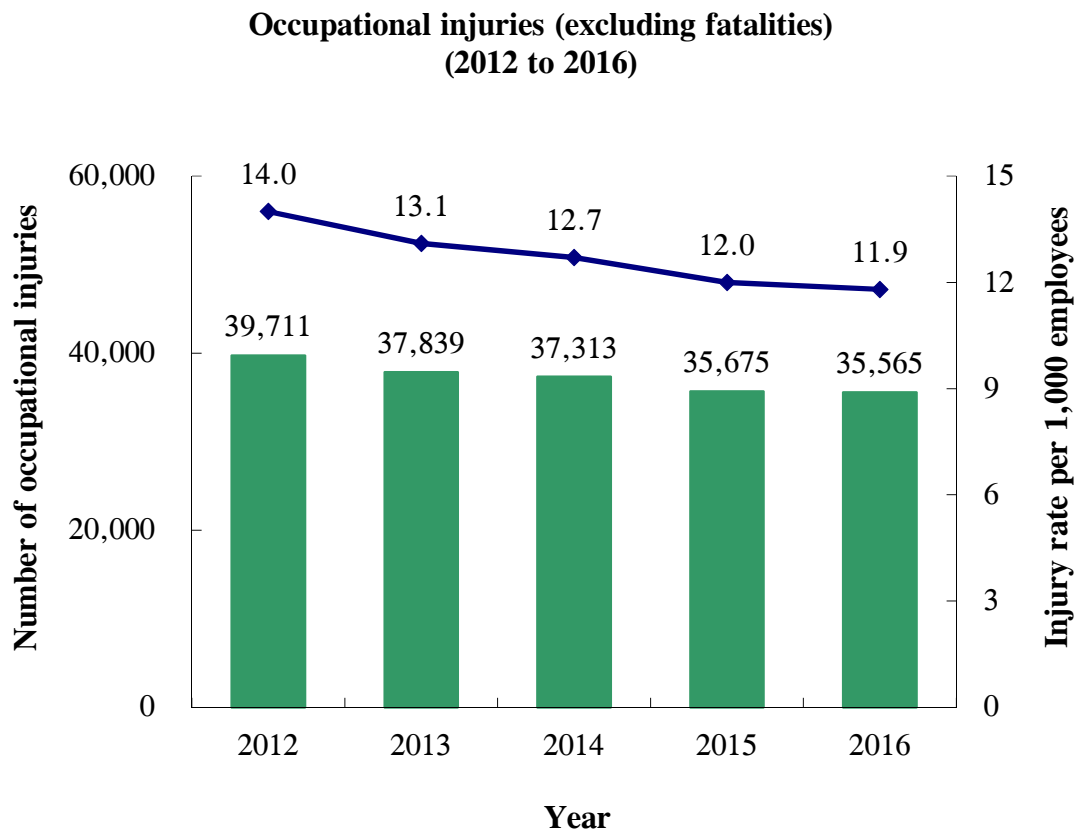
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and educational institutions also come under the ambit of the OSHO. Two sets of subsidiary regulations were made under the OSHO setting out the basic requirements for accident prevention, fire precaution, workplace environment control, hygiene at workplaces, first aid, proper use of display screen equipment as well as what employers and employees are expected to do in manual handling operations.

Occupational injuries and fatalities and occupational diseases

1.4 Figure 1 shows the statistics on occupational injuries (excluding fatalities) for the period from 2012 to 2016. The statistics refer to the numbers of occupational injuries (excluding fatalities) resulting in incapacity for work for a period exceeding three days reported under the Employees' Compensation Ordinance (ECO — Cap. 282). The number of occupational injuries (excluding fatalities) includes industrial injuries (excluding fatalities), which refer to injuries arising from industrial activities in industrial undertakings as defined under the FIUO. Other occupational injuries (excluding fatalities) are cases including non-industrial injuries (excluding fatalities), cases outside Hong Kong, and cases that happened on vessel. Figure 2 shows the statistics on industrial injuries (excluding fatalities) for the same period. As shown in Figures 1 and 2, the number of occupational injuries (excluding fatalities) decreased by 10.4% from 39,711 in 2012 to 35,565 in 2016 and the number of industrial injuries (excluding fatalities) decreased by 13.2% from 12,518 in 2012 to 10,865 in 2016.

Figure 1

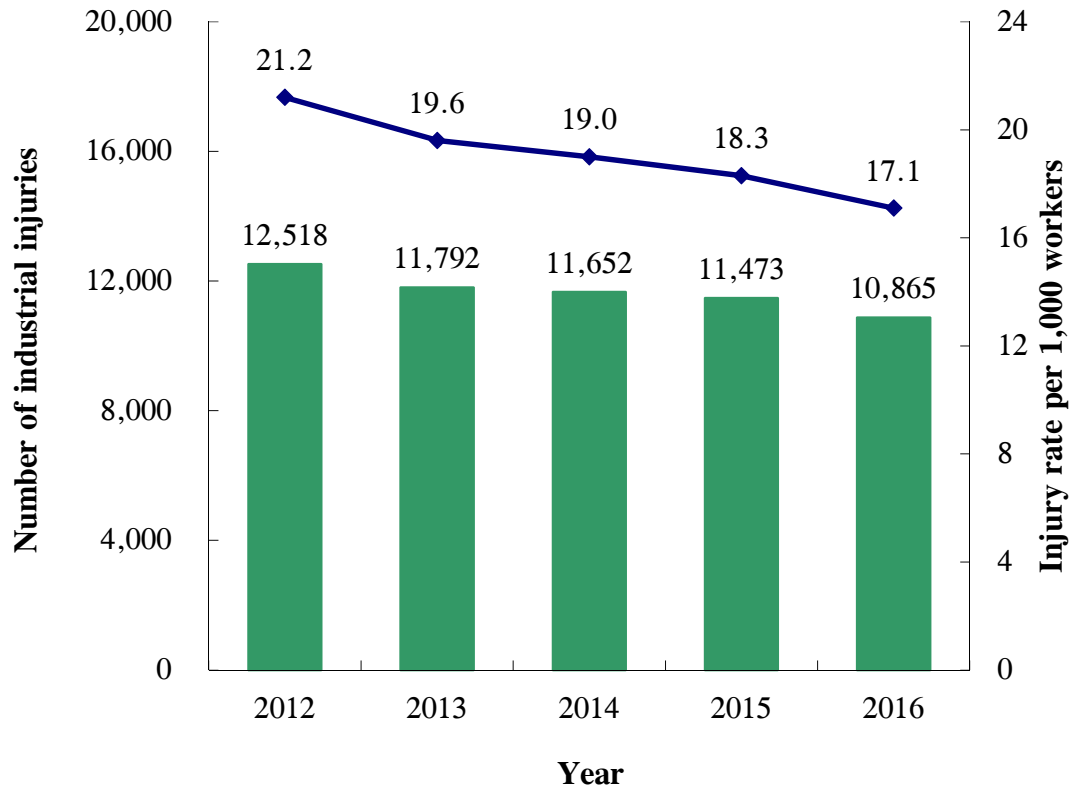


Legend: ■ Number of occupational injuries (excluding fatalities)
◆ Injury rate per 1,000 employees

Source: LD records

Figure 2

**Industrial injuries (excluding fatalities)
(2012 to 2016)**

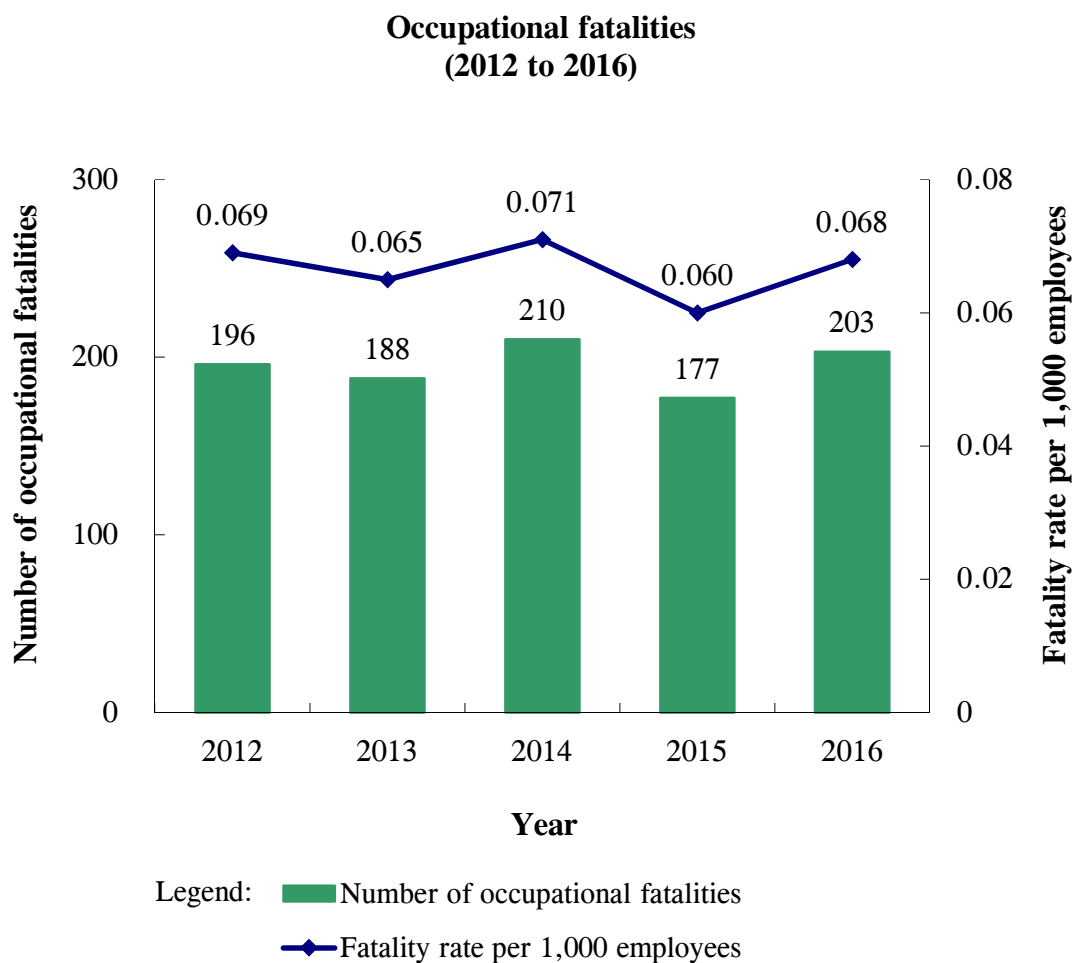


Legend: ■ Number of industrial injuries (excluding fatalities)
◆ Injury rate per 1,000 workers

Source: LD records

1.5 Figure 3 shows the statistics on occupational fatalities for the period from 2012 to 2016. The statistics refer to the numbers of occupational fatalities reported under the ECO. The number of occupational fatalities includes industrial fatalities, which refer to fatalities arising from industrial activities in industrial undertakings as defined under the FIUO. Other occupational fatalities are cases including non-industrial fatalities, natural deaths, cases outside Hong Kong, and cases that happened on vessel. Figure 4 shows the statistics on industrial fatalities for the same period. As shown in Figures 3 and 4, the number of occupational fatalities slightly increased by 3.6% from 196 in 2012 to 203 in 2016 whereas the number of industrial fatalities decreased by 37.9% from 29 in 2012 to 18 in 2016. Figure 5 shows the statistics for the same period on 52 types of occupational diseases as prescribed under the ECO, the Occupational Deafness (Compensation) Ordinance (Cap. 469) and the Pneumoconiosis and Mesothelioma (Compensation) Ordinance (Cap. 360) (see Appendix A).

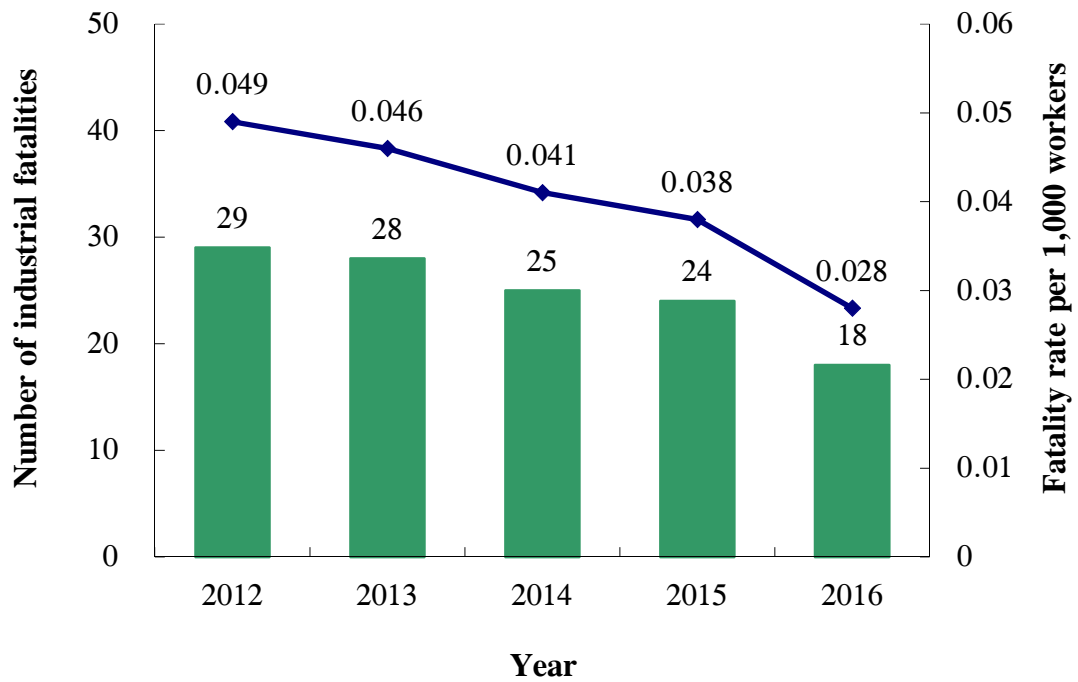
Figure 3



Source: LD records

Figure 4

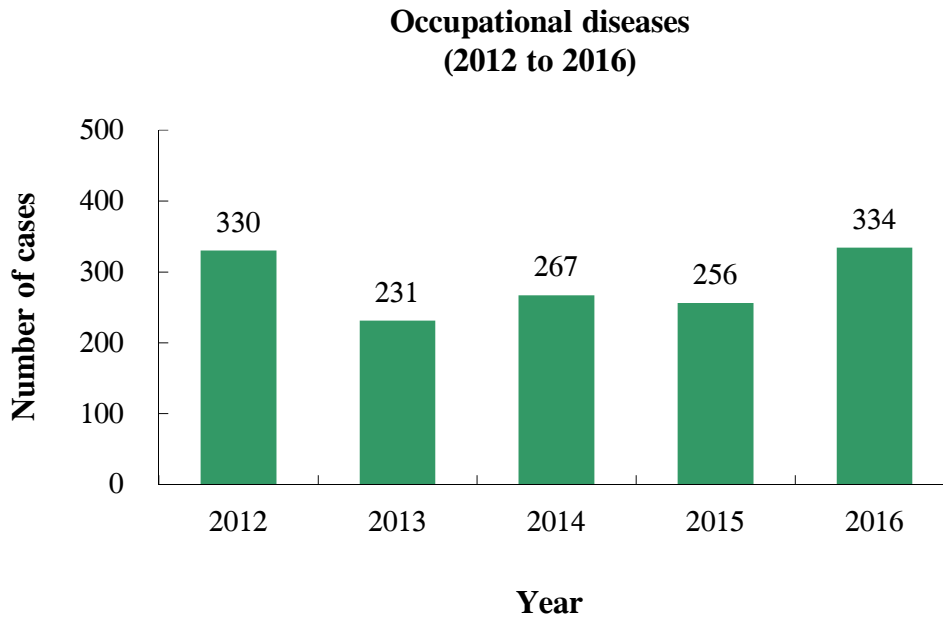
**Industrial fatalities
(2012 to 2016)**



Legend: ■ Number of industrial fatalities
◆ Fatality rate per 1,000 workers

Source: LD records

Figure 5



Source: LD records

Remarks: The statistics refer to the number of confirmed cases of occupational diseases under the ECO, the Occupational Deafness (Compensation) Ordinance and the Pneumoconiosis and Mesothelioma (Compensation) Ordinance (see Appendix A).

Work of the LD on occupational safety and health

1.6 The Occupational Safety and Health Branch (OSHB) of the LD is responsible for work related to occupational safety and health. It is headed by a Deputy Commissioner for Labour. As at 31 March 2017, the OSHB had a staff establishment of 642. The organisation chart of the OSHB is shown at Appendix B. The OSHB is responsible for two types of work:

- (a) ***Occupational safety.*** The major work relating to occupational safety includes:
 - (i) enforcing the OSHO, the FIUO and their subsidiary regulations through carrying out inspections of workplaces to ensure the compliance of the occupational safety requirements under the legislation;

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- (ii) carrying out accident investigations and giving advice to employers, employees and other stakeholders on measures to minimise workplace safety hazards;
 - (iii) offering advice to owners in the planning and layout of factories and workplaces, and in-plant or in-house safety programmes;
 - (iv) providing support services to instil safety concepts to the public at large with a view to inculcating a safety culture among employers, employees and other stakeholders, and to securing their commitment to self-regulation to bring in a safety management approach; and
 - (v) operating the Occupational Safety and Health Training Centre which provides training on occupational safety and health for employees in public and private sectors, gives recognition to mandatory safety training courses, and processes registration of Safety Officers, Safety Auditors and Safety Auditor Training Scheme Operators; and
- (b) ***Occupational health.*** The work relating to occupational health includes:
- (i) providing advisory services to the public on health and hygiene aspects of occupational health problems such as prevention of occupational diseases in workplaces;
 - (ii) conducting field surveys to ensure that the requirements of health and hygiene at workplaces are complied with;
 - (iii) enforcing legislation relating to occupational health and hygiene;
 - (iv) investigating and providing treatment to suspected occupational disease cases; and
 - (v) others (e.g. conducting sick leave clearance interview of employees with compensation claims, organising exhibitions and delivering talks).

1.7 Table 1 shows the performance indicators of the LD's work on occupational safety and health and the related performance reported by the LD in the Controlling Officer's Report (COR) for the period from 2012 to 2016.

Table 1

**Performance on occupational safety and health
(2012 to 2016)**

Major performance indicator	2012	2013	2014	2015	2016	Change between 2012 and 2016 (percentage)
<i>Occupational safety</i>						
Inspections	128,821	123,115	124,907	130,173	131,339	+2,518 (+2.0%)
Investigations of accidents at workplaces	13,442	13,266	14,758	15,046	14,730	+1,288 (+9.6%)
Promotional visits to workplaces	5,373	5,901	5,837	5,994	5,436	+63 (+1.2%)
Talks, lectures and seminars	2,023	1,944	2,047	2,106	2,097	+74 (+3.7%)
<i>Occupational health</i>						
Investigations/ surveys/ examinations/ assessments/ clinical consultations	26,437	25,286	22,164	21,592	22,629	-3,808 (-14.4%)

Source: Audit analysis of LD records

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Audit review

1.8 In March 2005, the Audit Commission (Audit) completed an audit review of the LD's work in work safety at construction sites. The results were reported in Chapter 8 of the Director of Audit's Report No. 44 of March 2005.

1.9 In March 2017, Audit commenced a review of the LD's work in occupational safety and health. The audit has focused on the following areas:

- (a) occupational safety: inspection and enforcement (PART 2);
- (b) occupational safety: training (PART 3); and
- (c) occupational health (PART 4).

Audit has found room for improvement in the above areas and has made a number of recommendations to address the issues.

General response from the Government

1.10 The Commissioner for Labour agrees with the audit recommendations. He finds the Audit Report constructive and thanks Audit for its advice.

Acknowledgement

1.11 Audit would like to acknowledge with gratitude the full cooperation of the staff of the LD during the course of the audit review.

PART 2: OCCUPATIONAL SAFETY: INSPECTION AND ENFORCEMENT

2.1 This PART examines the LD's inspection and enforcement effort to improve occupational safety. Audit has found that there is scope for improvement in the following areas:

- (a) identification of workplaces for inspection (paras. 2.3 to 2.12);
- (b) inspection work (paras. 2.13 to 2.27); and
- (c) enforcement action (paras. 2.28 to 2.33).

Background

2.2 The Operations Division of the OSHB is responsible for carrying out inspections of workplaces and initiating enforcement action where necessary. As at 31 March 2017, the Operations Division had a staff establishment of 351 and a staff strength of 314. The Division comprises:

- (a) ***Operational Regions.*** There are four Operational Regions, namely Hong Kong and Islands, Kowloon, New Territories East, and New Territories West. They are responsible for carrying out inspections of workplaces within their geographical boundaries. Each Region is sub-divided into two streams, one for the building and engineering construction (BEC) workplaces (i.e. construction sites), and the other for non-BEC workplaces (i.e. workplaces other than construction sites). In the four Regions, there are a total of 22 BEC offices and 20 non-BEC offices; and
- (b) ***Integrated Services Group (ISG).*** The ISG consists of 11 Offices/Teams:
 - (i) three Mega Infrastructure Project (MIP) Offices responsible for overseeing the safety of construction work of MIPs such as the Hong Kong-Zhuhai-Macao Bridge project and the Shatin to Central Link project;

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- (ii) three Airport and Railways Offices responsible for overseeing the safety of all workplaces in relation to the airport and railway construction and operation (including properties managed by the railway operator);
- (iii) four Integrated Services Teams responsible for carrying out inspections of large chain establishments (such as supermarkets) by adopting a multi-disciplinary approach (i.e. tackling problems relating to both occupational safety and occupational health); and
- (iv) one temporary Surveillance Team responsible for overseeing the high pressure compressed air work associated with the Hong Kong-Zhuhai-Macao Bridge project.

Identification of workplaces for inspection

Inspection strategy

2.3 There are two types of workplaces, namely BEC workplaces and non-BEC workplaces (see para. 2.2(a)). As at September 2017, information on 177,898 workplaces was kept in the OSHB's database. These workplaces comprise 36,692 BEC workplaces and 141,206 non-BEC workplaces. The LD adopts a risk-based inspection strategy as follows:

- (a) focus of inspection work is placed on:
 - (i) BEC workplaces; and
 - (ii) non-BEC workplaces which are subject to statutory workplace notification requirement (see para. 2.4(b)); and
- (b) inspection priorities are also given to workplaces of 23 hazardous non-BEC trades (see Appendix C and para. 2.9). The list of 23 hazardous trades was drawn up according to the assessment of the prevailing risks.

Statutory workplace notification requirements

2.4 The FIUO and its subsidiary regulations stipulate requirements for the proprietors and contractors of some workplaces to give the LD notifications of their workplaces. The requirements are:

- (a) ***BEC workplaces.*** According to the Construction Sites (Safety) Regulations (Cap. 59I), a contractor undertaking construction work shall furnish the Commissioner for Labour with information (Note 1) on the construction work within seven days after commencement of the work. A contractor is not required to give notification of the work he undertakes if:
 - (i) he has reasonable grounds for believing that the work will be completed in a period of less than six weeks; or
 - (ii) not more than ten workmen are or will be employed on the work at any one time; and

- (b) ***Non-BEC workplaces.*** According to the FIUO, the person (i.e. the proprietor) having the management or control of a Notifiable Workplace shall give the Commissioner for Labour notification of the workplace before commencement of operation. Notifiable Workplace means:
 - (i) any factory, mine or quarry; and

Note 1: *Information that should be furnished includes: (a) the contractor's name and address; (b) the name and address of every subcontractor employed on the work; (c) the location of the construction site; (d) the nature of the work; (e) the date upon which the work was commenced; (f) whether any mechanical power is being or will be used in connection with the work and its nature; and (g) the expected duration of the work.*

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- (ii) any premises or place in which a Dangerous Trade (Note 2) or Scheduled Trade (Note 3) is carried on or is proposed to be carried on.

A proprietor or contractor who fails to comply with the requirements is liable to a maximum fine of \$10,000.

Need to strengthen enforcement of notification requirement for Notifiable Workplaces

2.5 A proprietor who fails to give the notification under the FIUO not only commits an offence and may be prosecuted, but may also deprive himself of an opportunity of being advised by the LD to improve the safety and health conditions of his workplace in the early stage of operation. In order to ascertain if effective action had been taken by the LD to ensure compliance with the notification requirement, Audit examined the LD's investigations of 20 accident cases that occurred in 2016 at Notifiable Workplaces. Audit found that the proprietors of eight (40%) Notifiable Workplaces had not submitted the required statutory notifications to the LD before the LD's investigation. According to the FIUO, the notifications should be submitted before commencement of operation. These eight Workplaces had commenced operation for 90 days to 18 years and 5 months prior to the LD's investigations (see Table 2). Audit checked the records of the LD for the period from January 2012 to July 2017 and noted that no prosecution had been taken by the LD against non-compliance of the notification requirement. Audit considers that the LD needs to step up measures to strengthen the enforcement of the notification requirement for Notifiable Workplaces.

Note 2: *Examples of Dangerous Trade defined under the FIUO include: (a) boiler chipping; (b) vermillion manufacture; (c) chromium plating; and (d) the manufacture of hydrochloric, nitric or sulphuric acids.*

Note 3: *Examples of Scheduled Trade defined under the FIUO include: (a) any industrial undertaking involving the use of any dangerous goods specified in Category 5 in the Schedule to the Dangerous Goods (Application and Exemption) Regulations (Cap. 295A) and for which a licence is required under the Dangerous Goods Ordinance (Cap. 295); and (b) any industrial undertaking involving the use of any X-ray or radioactive substance.*

Table 2

**Time lapse between operation commencement date
and LD's investigation date**

Time lapse	Number of workplaces
90 days to 1 year	2 (25%)
> 1 year to 2 years	1 (12.5%)
> 2 years to 3 years	3 (37.5%)
> 3 years	2 (25%) (Note)
Total	8 (100%)

Source: Audit analysis of LD records

Note: The time lapses between the operation commencement date of the workplace and the LD's investigation date of these two cases were 6 years and 4 months, and 18 years and 5 months respectively.

Need to review notification requirement for BEC workplaces and non-BEC workplaces

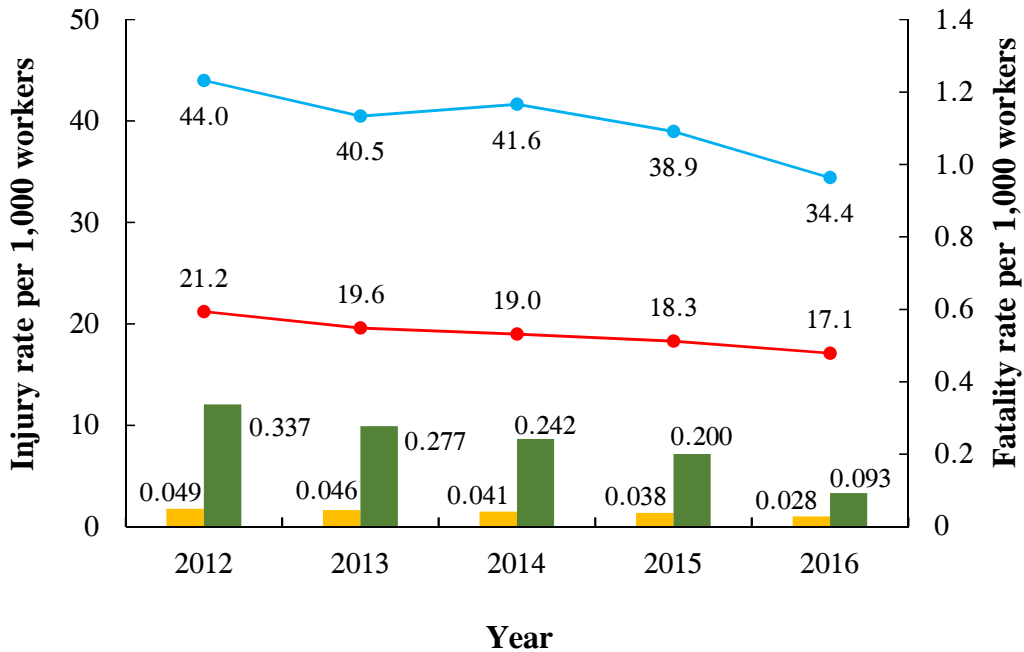
2.6 Although workplaces may be identified by the LD's action (e.g. enforcement campaigns), it is important for the contractors or proprietors to give the LD notifications of their BEC workplaces or non-BEC workplaces so that these workplaces are subject to the LD's inspection and advice. Audit reviewed the notification requirement for BEC workplaces and non-BEC workplaces and identified areas for improvement, as detailed in paragraphs 2.7 to 2.8.

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2.7 *Notification by small BEC workplaces exempted.* A contractor of a BEC workplace is not required to give notification of the work he undertakes if he has reasonable grounds for believing that the work will be completed in a period of less than six weeks or not more than ten workmen are or will be employed on the work at any one time (see para. 2.4(a)). In the period from 2012 to 2016, although the fatality rates and the injury rates (excluding fatalities) per thousand workers of the construction industry decreased from 0.337 to 0.093 and 44.0 to 34.4 respectively (see Figure 6), the number of fatal industrial accidents and the industrial accident rate per thousand workers of the construction industry had been the highest among all trades. In view of the accident-prone nature of the construction industry, there is merit for the LD to consider reviewing the need to tighten the exemption criteria.

Figure 6

Fatality rate and injury rate of construction industry (2012 to 2016)



- Legend:
- Industrial fatality rate per 1,000 workers of all trades
 - Industrial fatality rate per 1,000 workers of construction industry
 - Industrial injury rate (excluding fatalities) per 1,000 workers of all trades
 - Industrial injury rate (excluding fatalities) per 1,000 workers of construction industry

Source: Audit analysis of LD records

2.8 **Seven-day submission deadline for notification of construction work.** According to the FIUO, notification of Notifiable Workplaces should be given to the Commissioner for Labour before the commencement of operation. However, according to the Construction Sites (Safety) Regulations made under the FIUO, notification of construction work is only required to be submitted within seven days after commencement of the work. The current notification requirement leaves a time gap between the commencement of work and the submission of notification to the LD. Given that the construction industry is accident-prone, the LD needs to review the reasonableness of the submission deadline for notification of construction work.

Need to review the list of hazardous trades

2.9 The last review of the list of hazardous trades was conducted by the LD in the period from August 2011 to January 2013. According to the results of the review, 23 trades were identified as hazardous trades (see Appendix C) taking into account:

- (a) the then prevailing accident profiles, technological advancement and socio-economic development; and
- (b) the probability and consequence of accidents in the trades. Trades that were more prone to accidents were included in the list.

The review suggested targetting the workplaces of the 23 trades for proactive monitoring. The review also recommended that similar review should be conducted at a three-year interval to cope with future changes.

2.10 Audit noted that the LD had not commenced a new round of review of hazardous trades until July 2017, more than four years after the completion of the last review. Basing on the experience of the last review, the LD may take about one and a half years to complete the review. Audit considers that the LD needs to complete the review of the list of hazardous trades as soon as practicable and take measures to ensure that such review is conducted regularly in future.

Audit recommendations

2.11 **Audit has recommended that the Commissioner for Labour should:**

- (a) **step up measures to strengthen the enforcement of the notification requirement for Notifiable Workplaces;**
- (b) **consider reviewing the need to tighten the exemption criteria of the notification requirement for BEC workplaces with work that will be completed in a period of less than six weeks or not more than ten workmen are or will be employed on the work at any one time;**

- (c) **review the reasonableness of the submission deadline for notification of construction work and if necessary, tighten the deadline;**
- (d) **closely monitor the progress of the review of the list of hazardous trades to ensure that it is completed in a timely manner; and**
- (e) **take measures to ensure that the list of hazardous trades is reviewed regularly in future.**

Response from the Government

2.12 The Commissioner for Labour agrees with the audit recommendations. He has said that:

- (a) the workplace notification mechanism is complemented by other risk identification approaches in guiding the LD's inspection and enforcement actions. For instance, the LD monitors prevailing risks and conducts enforcement campaigns accordingly targeting at particular trades and particular occupational risks. Through area patrol and various referral schemes under which organisations (e.g. the Housing Authority) inform the LD of construction works carried out at the premises under their management, the LD is able to identify small BEC workplaces which potentially carry higher risks. The LD will review the notification mechanism to expand its coverage to more BEC workplaces; and
- (b) the list of hazardous trades serves as a general reference for the LD to set its work priorities. In addition to the list, the LD also makes reference to the prevailing occupational risks and accident statistics in setting its work priorities. The LD will complete the current review of the list as soon as possible and will take the opportunity to rename the list to better reflect its purpose.

Inspection work

Frequency of inspection

2.13 ***BEC workplaces.*** It was stipulated in the LD's Standing Order that as far as practicable, each construction site (i.e. BEC workplace) should be inspected approximately once every one to three months. Where such a frequency of inspections cannot be maintained, priority should be given to the sites that are more risk-prone (e.g. sites where many workers are often engaged in higher-risk work processes such as work at height, or sites where the contractors have not responded to advice given by the LD previously). Following the principle of the Standing Order, the OSHB sets out the inspection frequency as follows:

- (a) ***Active sites.*** These are sites where works are in progress. They should be inspected at intervals of one to three months; and
- (b) ***Inactive sites.*** These are sites where works are only carried out intermittently (e.g. landscape works) or sites under defects liability period, where further works may have to be carried out. Inactive sites should be inspected at intervals of six to twelve months.

After an inspection was conducted, the Divisional Occupational Safety Officer (DSO) determines the date of the next inspection.

2.14 ***Non-BEC workplaces.*** It was stipulated in the LD's Standing Order that the priority of inspection work is determined according to its nature and urgency. Inspections are divided into two categories:

- (a) ***Inspections of priority cases.*** These are cases that shall be dealt with as soon as possible. Examples of inspections of priority cases are inspections in relation to accident/complaint investigations and follow-up of legal notices. Subsequent to the inspection, the DSO may consider a follow-up inspection necessary and determine the next inspection date (e.g. the inspecting officer could not gain access to the workplace); and
- (b) ***Rated inspections.*** These are cases that are subject to regular inspections. Regular inspections will only be made to workplaces under the hazardous trades. A point rating system is used to determine the inspection frequency of individual workplaces, ranging from once every 6 to 54 months. Each

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workplace is assessed in accordance with a set of 11 elements (e.g. the size of premises and the number of employees) and points will be assigned to each of the 11 elements. Workplaces with higher points will be inspected more frequently.

Backlog in bringing up files for inspections

2.15 The LD has a bring-up system for workplace files to be brought up for inspections. When a workplace file is brought up to the attention of the DSO on the scheduled bring-up date, the DSO will assign the file to the inspecting officers for carrying out inspection. If a workplace file is not brought up to the attention of the DSO on the scheduled bring-up date and not assigned to the inspecting officers, the LD will count it as a backlog. The DSO reports the file backlog situation to the LD Headquarters through the submission of Monthly Progress Reports (MPRs). Table 3 shows the backlog situation at 20 Offices on 31 March 2016 and 31 March 2017. These 20 offices comprised all the 3 MIP Offices of the ISG (see para. 2.2(b)(i)), all the 6 BEC Offices of Hong Kong and Islands Region, all the 5 non-BEC Offices of Kowloon Region and all the 6 non-BEC Offices of New Territories West Region (see para. 2.2(a)).

Table 3
Backlog in bringing up inspections at 20 Offices
(31 March 2016 and 31 March 2017)

Stream	Office	Type of inspection	Number of backlog files		Change (percentage)
			31 March 2016	31 March 2017	
BEC	3 MIP Offices of ISG and 6 BEC Offices of Hong Kong and Islands Region	Active site inspection	0	24	+24 (N/A)
		Inactive site inspection	5,338	6,074	+736 (+14%)
Non-BEC	5 non-BEC Offices of Kowloon Region and 6 non-BEC Offices of New Territories West Region	Follow-up inspection of priority case	0	0	—
		Rated inspection	20,078	23,414	+3,336 (+17%)

Source: Audit analysis of LD records

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Need to monitor time lapse between bring-up date and inspection date

2.16 Audit noted that the LD only monitors the backlog in bringing up the workplace files but not whether inspections are carried out according to schedule. Audit examined 80 inspections conducted by the LD in the period from 1 April 2016 to 31 March 2017 comprising 20 active site inspections, 20 inactive site inspections, 20 follow-up inspections of priority cases and 20 rated inspections conducted by these Offices. Audit found that 24 (30%) of 80 inspections were conducted more than 90 days after the workplace files were brought up (see Table 4). On average, the inspections were conducted 82 days after the bring-up date (see Table 5). According to the MPRs of the 20 Offices, 8 of the 9 BEC/MIP Offices reported no backlog of bringing up active site inspections (Note 4) and all the 11 non-BEC Offices reported no backlog of bringing up follow-up inspections of priority cases in the period from 1 April 2016 to 31 March 2017. In Audit's view, apart from monitoring whether the workplace files are brought up on time, it is more important for the LD to develop a computer system to monitor whether there are delays in carrying out the inspections.

Table 4
Time lapse between bring-up date
and inspection date
(1 April 2016 to 31 March 2017)

Time lapse (days)	Number of inspections (percentage)				
	Active site inspection	Inactive site inspection	Follow-up inspection of priority case	Rated inspection	Total
0 to 14 days	4 (20%)	12 (60%)	3 (15%)	6 (30%)	25 (31%)
15 to 30 days	4 (20%)	2 (10%)	0 (0%)	1 (5%)	7 (9%)
31 to 60 days	6 (30%)	1 (5%)	5 (25%)	3 (15%)	15 (19%)
61 to 90 days	3 (15%)	4 (20%)	1 (5%)	1 (5%)	9 (11%)
91 to 180 days	2 (10%)	1 (5%)	6 (30%)	1 (5%)	10 (13%)
181 to 260 days	1 (5%)	0 (0%)	5 (25%)	2 (10%)	8 (10%)
261 to 455 days	0 (0%)	0 (0%)	0 (0%)	6 (30%)	6 (7%)
Total	20 (100%)	20 (100%)	20 (100%)	20 (100%)	80 (100%)

} 24 (30%)

Source: Audit analysis of LD records

Note 4: One MIP Office reported backlogs in February and March 2017.

Table 5

**Average time lapse between bring-up date
and inspection date for 80 inspections
(1 April 2016 to 31 March 2017)**

Type of inspections	Number of inspections	Average time lapse (days)
Active site inspection	20	54
Inactive site inspection	20	30
Follow-up inspection of priority case	20	107
Rated inspection	20	137
Overall	80	82

Source: Audit analysis of LD records

***Need to clear the backlog
in bringing up workplace files for inspections***

2.17 Audit reviewed the MPRs of the 20 Offices as at 31 March 2016 and 31 March 2017 and found that:

- (a) of the 6 BEC Offices and 3 MIP Offices that are responsible for conducting inspections on inactive construction sites (i.e. sites where works are only carried out intermittently or sites under defects liability period), seven Offices had a total of 6,074 backlog files as at 31 March 2017 (see Table 6). The oldest backlog file was over six years (January 2011). As the typical duration of a defects liability period ranges from six months to one year, many of the inactive construction sites may no longer exist and the inspections on them are no longer possible. Audit considers that the LD needs to endeavour to clear the backlog as soon as possible; and

Table 6**Backlog in bringing up inactive site inspections
(31 March 2017)**

Office		Number of backlog files	Longest delay (no. of months)
BEC Office of Hong Kong and Islands Region	1	1,497	74
	2	1,129	62
	3	1,251	67
	4	1,230	69
	5	797	38
	6	111	31
MIP Office of ISG	1	59	2
Overall		6,074	74

Source: Audit analysis of LD records

- (b) of the 11 non-BEC Offices that are responsible for conducting rated inspections (see para. 2.14(b)), the number of backlog files increased by 17% from 20,078 on 31 March 2016 to 23,414 on 31 March 2017. As at 31 March 2017, the number of backlog files of individual Offices ranged from 471 to 4,445, with an average of 2,129 files (see Table 7). Audit considers that the LD needs to critically review the problem of backlog and take measures to clear the backlog as soon as possible.

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Table 7

**Backlog in bringing up rated inspections
(31 March 2016 and 31 March 2017)**

Region	Non-BEC Office	Number of backlog files		Change (percentage)
		31 March 2016	31 March 2017	
Kowloon	1	4,065	4,445	+380 (+9%)
	2	1,379	1,916	+537 (+39%)
	3	2,577	2,796	+219 (+8%)
	4	2,606	2,666	+60 (+2%)
	5	1,492	1,534	+42 (+3%)
New Territories West	1	1,530	1,785	+255 (+17%)
	2	476	471	-5 (-1%)
	3	1,486	2,859	+1,373 (+92%)
	4	1,820	2,095	+275 (+15%)
	5	1,093	1,116	+23 (+2%)
	6	1,554	1,731	+177 (+11%)
Overall		20,078	23,414	+3,336 (+17%)
Average		1,825	2,129	+304 (+17%)

Source: *Audit analysis of LD records*

Need to improve documentation to cover all important areas of inspection work

2.18 It was stipulated in the OSHB Orders that one of the principles underpinning field operation's approach to inspection is that inspecting officers will strive for a consistent and demonstrably fair approach, i.e. demand similar action for similar circumstances.

2.19 After conducting an inspection, the inspecting officer documents his observations arising from the inspection in a workplace file and submit the file to his DSO for review. Audit noted that apart from updating the particulars of workplaces such as details of management, premises, work process, machinery and materials used, the inspecting officer only documented in the file the irregularities identified during the inspection. The officer did not document details of inspection work carried out, such as the work processes examined and the results of such examinations. Audit considers that in the absence of detailed documentation of inspection work, it would be difficult for the DSOs to ensure that:

- (a) adequate inspection work had been carried out;
- (b) important areas were not overlooked;
- (c) due professional judgement had been exercised to determine whether a situation was irregular; and
- (d) standard of inspection had been consistently applied.

The LD needs to improve the documentation of the inspection work performed to ensure that all important areas are covered. For instance, the LD may consider designing a comprehensive checklist covering all important areas of inspection to document the inspection work. The checklist can also facilitate DSOs' review of inspecting officers' work to ensure that inspections conducted by different officers are carried out properly and consistently.

Need to improve the frequency and sufficiency of supervisory visit

2.20 It was stipulated in the OSHB Guidelines that the following two types of supervisory visits should be conducted:

- (a) ***Re-inspection.*** DSOs are required to randomly re-inspect the workplaces that have been inspected by their inspecting officers to check and verify physically the reliability of the documented events and observations in the workplace files. The number of such re-inspections should not be less than 20% of the total number of supervisory visits; and
- (b) ***Joint inspection.*** DSOs are required to regularly carry out joint inspections with their inspecting officers to appraise their performance and to give them coaching.

2.21 Audit analysed the number of supervisory visits conducted by the DSOs of the 20 Offices (see para. 2.15) in the period from 1 April 2016 to 31 March 2017 (see Table 8) and found areas for improvement in the frequency and sufficiency of the supervisory visits, as follows:

- (a) ***Frequency of supervisory visits not stipulated in guidelines.*** Audit noted that the LD's guidelines only required that the number of re-inspections should not be less than 20% of the total number of supervisory visits. The guidelines did not stipulate the frequency of supervisory visits to be conducted (e.g. as a percentage of the total inspections). The number of supervisory visits conducted by the 20 Offices varied from 13 to 165 and accounted for 0.6% to 6.2% of the total number of inspections conducted. Audit considers that the LD needs to stipulate in the guidelines the frequency of supervisory visits; and
- (b) ***Insufficient re-inspections conducted.*** Audit examined the inspection records of 20 Offices. Of these 20 Offices, 12 (60%) Offices did not comply with the requirement that the number of re-inspections should not be less than 20% of the total number of supervisory visits. Among the 12 Offices, 6 Offices did not conduct re-inspections during the period. Audit considers that the LD needs to take measures to ensure that all Offices comply with the requirement on supervisory visit.

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Table 8

Supervisory visits conducted (1 April 2016 to 31 March 2017)

Office	Number of supervisory visits			Meeting minimum requirement on re-inspection	Number of inspections (b)	Percentage of supervisory visits (c) = (a) ÷ (b) × 100%
	Re-inspection (percentage of total supervisory visits)	Joint inspection (percentage of total supervisory visits)	Total (a)			
1	0	13 (100%)	13	✗	2,317	0.6%
2	8 (25%)	24 (75%)	32	✓	2,534	1.3%
3	0	69 (100%)	69	✗	3,034	2.3%
4	5 (9%)	51 (91%)	56	✗	2,235	2.5%
5	70 (77%)	21 (23%)	91	✓	3,233	2.8%
6	4 (7%)	53 (93%)	57	✗	1,873	3.0%
7	0	60 (100%)	60	✗	1,976	3.0%
8	0	55 (100%)	55	✗	1,773	3.1%
9	57 (55%)	47 (45%)	104	✓	3,381	3.1%
10	15 (15%)	83 (85%)	98	✗	3,023	3.2%
11	9 (18%)	40 (82%)	49	✗	1,414	3.5%
12	0	78 (100%)	78	✗	2,070	3.8%
13	26 (25%)	80 (75%)	106	✓	2,366	4.5%
14	40 (24%)	125 (76%)	165	✓	3,594	4.6%
15	70 (49%)	73 (51%)	143	✓	3,012	4.7%
16	11 (9%)	112 (91%)	123	✗	2,502	4.9%
17	65 (42%)	91 (58%)	156	✓	3,093	5.0%
18	15 (13%)	104 (87%)	119	✗	2,270	5.2%
19	51 (32%)	109 (68%)	160	✓	3,008	5.3%
20	0	150 (100%)	150	✗	2,428	6.2%

Source: Audit analysis of LD records

Need to set suitable performance targets

2.22 The LD reported in its COR two key performance indicators in relation to the field operations conducted by the Operations Division, namely “Inspections under the FIUO and the OSHO” and “Promotional visits to workplaces under the FIUO and the OSHO”. Promotional visits are mostly conducted by the inspecting officers when they visit workplaces for inspections. Inspecting officers would normally conduct promotional visits to sizeable establishments/construction sites. Table 9 shows the targets and actual performance of field operations in the period from 2012 to 2016.

Table 9
Targets and actual performance of field operations
(2012 to 2016)

	2012	2013	2014	2015	2016	Total
<i>Inspections under the FIUO and the OSHO</i>						
Target	113,400	113,400	113,400	114,700	114,700	569,600
Actual	128,821	123,115	124,907	130,173	131,339	638,355
Difference	15,421 (13.6%)	9,715 (8.6%)	11,507 (10.1%)	15,473 (13.5%)	16,639 (14.5%)	68,755 (12.1%)
<i>Promotional visits to workplaces under the FIUO and the OSHO</i>						
Target	4,800	4,800	4,800	4,860	4,860	24,120
Actual	5,373	5,901	5,837	5,994	5,436	28,541
Difference	573 (11.9%)	1,101 (22.9%)	1,037 (21.6%)	1,134 (23.3%)	576 (11.9%)	4,421 (18.3%)

Source: Audit analysis of LD records

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2.23 Performance measures aim at setting specific goals, challenging an organisation to improve. As shown in Table 9, the LD had over-performed in the period from 2012 to 2016 by a significant margin. During the period, the actual performance of the indicator “Inspections under the FIUO and the OSHO” averaged 127,671 per year and exceeded the target by 8.6% to 14.5% while the performance of the indicator “Promotional visits to workplaces under the FIUO and the OSHO” averaged 5,708 per year and exceeded the target by 11.9% to 23.3%. Audit noted that the targets of the two indicators for 2017 remained at the same levels for 2016 (i.e. 114,700 inspections and 4,860 promotional visits). Audit considers that the LD needs to set performance targets at a level that is challenging and yet achievable.

Need to provide adequate elaboration on performance measures

2.24 The inspections conducted by an inspecting officer are reported as his output in the MPR (see para. 2.15). Audit found that:

- (a) if an inspection is conducted jointly by more than one inspecting officer, each individual officer would separately report the inspection as his output. The LD added up their total output for reporting in the CORs. Audit analysis of the LD’s records on inspections conducted from 2012 to 2016 revealed that the numbers of workplaces inspected per year ranged from 44,756 to 73,565 (i.e. one inspection visit to one workplace was counted as one irrespective of how many inspecting officers took part in the inspection work) (see Table 10); and

Table 10

**Number of inspections to workplaces
(2012 to 2016)**

Year	Number of workplaces inspected	Number of inspections reported in COR
2012	73,565	128,821
2013	67,010	123,115
2014	58,897	124,907
2015	61,127	130,173
2016	44,756	131,339

Source: Audit analysis of LD records

- (b) the numbers of inspections reported in the CORs included cases where the workplaces were locked, removed or not in operation. The LD has not kept separate statistics on the numbers of these incidents.

2.25 The LD needs to separately disclose in the COR the number of cases where the workplaces were locked, removed or not in operation, and the number of workplaces inspected.

Audit recommendations

2.26 **Audit has *recommended* that the Commissioner for Labour should:**

- (a) **take measures to ensure that there is no delay in:**
 - (i) **bringing up cases for inspection; and**
 - (ii) **conducting inspections after the cases were brought up for inspection;**
- (b) **take measures to clear the existing backlog of inspections as soon as practicable;**
- (c) **improve the documentation of the inspection work performed;**
- (d) **stipulate in the guidelines the frequency of supervisory visits (for example, as a percentage of the total number of inspections conducted);**
- (e) **take measures to ensure that the requirements on supervisory visit are complied with;**
- (f) **set suitable performance targets for the inspections and promotional visits conducted by the Operations Division at a level that is challenging and achievable; and**

- (g) **separately disclose in the COR the number of cases where the workplaces were locked, removed or not in operation, and the number of workplaces inspected.**

Response from the Government

2.27 The Commissioner for Labour agrees with the audit recommendations. He has said that:

- (a) the LD's inspection strategy is risk-based. The LD places priority on workplaces with higher risk, such as workplaces subject to the statutory notification requirements, active construction sites, priority non-BEC cases, complaint cases, and workplaces carrying prevailing occupational risks at different times. While noting that the backlog cases in bringing up for inspection are low-risk ones, the LD agrees that the backlog situation needs to be addressed in accordance with the risk-based inspection approach. The LD will refine the bring-up system to align it with the LD's risk-based inspection approach;
- (b) inspecting officers are currently required to complete various inspection records and reports after each inspection. The current system also requires the DSOs to sign off every workplace file to ensure that each inspection is conducted properly. The LD will devise a checklist to further strengthen the DSOs' monitoring work;
- (c) the LD will set performance targets for inspections and promotional visits with reference to the manpower situation and the prevailing enforcement strategy; and
- (d) conditions of workplaces can only be ascertained at the point of inspection. In cases where the original workplace is taken up by another business (i.e. removal) or the workplace is accessible although not in operation, the inspecting officer can still conduct an inspection. The LD will include the number of such inspections in the COR.

Enforcement action

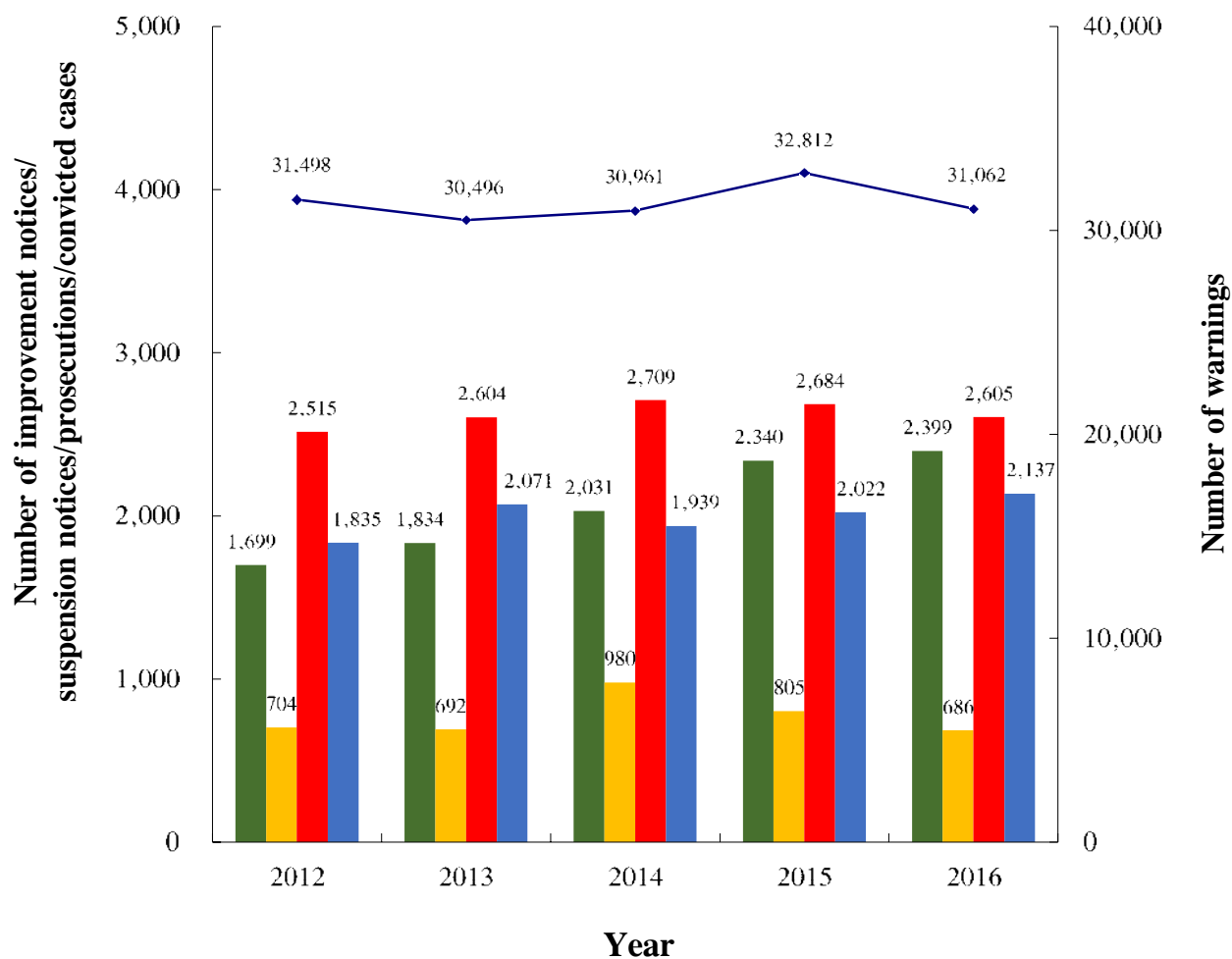
2.28 According to the LD's Standing Order, inspecting officers may take the following enforcement action against any irregularity identified during inspections:

- (a) **Warning.** This is for breaches of safety and health regulations that do not normally give rise to imminent or serious risks of bodily injury (for example, lack of first-aid equipment and persons trained in first-aid);
- (b) **Improvement notice.** This is for breaches of safety and health regulations which are related to risks less serious in nature or where some actions have been taken to reduce the risk substantially despite the fact that the relevant regulations have not been fully complied with (for example, improper use of personal protection equipment);
- (c) **Suspension notice.** This is for suspension of any hazardous work or process or the use of any dangerous equipment which may cause an imminent risk of death or serious bodily injury to workers (for example, lifting appliance being used to carry goods well in excess of its capacity); and
- (d) **Prosecution.** This is for breaches of safety and health regulations that will pose risks of serious bodily injury/ill health or considerable fire hazards.

Figure 7 shows the statistics on the enforcement action taken by the LD and cases convicted for the period from 2012 to 2016.

Figure 7

Enforcement action on irregularities identified during inspections and cases convicted (2012 to 2016)



- Legend:
- Improvement notices
 - Suspension notices
 - Prosecutions
 - Convicted cases
 - ◆ Warnings

Source: Audit analysis of LD records

Remarks: The number of convicted cases in a year includes those cases on which prosecution began in previous years.

Need to strengthen deterrent effect of occupational safety legislation

2.29 During the period 2013 to 2015, the LD considered the issue of the deterrent effect against non-compliance with the legislation related to occupational safety. Since then, the LD:

- (a) had submitted information to the court for reference in sentencing. Such information included the serious consequences arising from the accidents in question, the upward trend of the number of accidents concerned, and the highest penalty imposed on similar cases in the past; and
- (b) depending on the circumstances of individual cases, had requested the Department of Justice (DoJ) to consider filing a review or an appeal to the court in respect of the conviction and the penalty.

2.30 Audit analysed the cases convicted under the FIUO and the OSHO in the period from 2012 to 2016 and found that the average amount of fines imposed by the court on convicted cases had increased by 47% from \$7,723 in 2012 to \$11,390 in 2016 (see Table 11). However, Audit analysis of the highest amount and the average amount of fines under the five most common offences of the FIUO and the OSHO revealed that notwithstanding the increase in amount of fines, the highest amount and the average amount were significantly below the maximum amount stipulated in the legislation (see Table 12).

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Table 11

**Average amount of fine for
convicted cases under FIUO and OSHO
(2012 to 2016)**

Year	Fatal cases		Non-fatal cases		All cases	
	No. of convicted cases	Average fine (\$)	No. of convicted cases	Average fine (\$)	No. of convicted cases	Average fine (\$)
2012	59	14,212	1,776	7,508	1,835	7,723
2013	56	15,959	2,015	7,821	2,071	8,041
2014	143	21,962	1,796	9,419	1,939	10,344
2015	104	19,231	1,918	10,305	2,022	10,764
2016	138	28,022	1,999	10,242	2,137	11,390

Source: *Audit analysis of LD records*

Remarks: *In addition to fines imposed by the court under the FIUO and OSHO, employers are also liable for compensation under the ECO for work injuries and fatalities as well as prescribed occupational diseases of their employees. As the ECO does not limit the civil liability of employers, when the injury or death is caused by the negligence or other wrongful acts of the employers, the employees and family members of the deceased employees may recover compensation and sue for damages as well.*

Table 12

**Highest amount and average amount of fine for
five most common offences under FIUO and OSHO
(2012 to 2016)**

Offence		Number of convicted cases	Maximum statutory fine (\$)	Highest fine imposed (\$)	Average fine (\$)
1	Failure to ensure that suitable and adequate access to and egress from the construction site is provided and properly maintained	545	200,000	80,000	11,633
2	Failure to take adequate steps to prevent any person on the construction site from falling from height (for contractor responsible for the construction site)	1,054		90,000	16,315
3	Failure to take adequate steps to prevent any person on the construction site from falling from height (for contractor who has direct control over the construction work)	922		120,000	11,211
4	Failure to maintain in good condition and free from obstruction the means of escape from the workplace in case of fire	847		70,000	9,674
5	Failure to ensure that all means of escape from the workplace are maintained in a safe condition and kept free from obstruction	577		100,000	12,642

Source: Audit analysis of LD records

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2.31 According to the LD:

- (a) it had already implemented the measures to enhance the deterrent effect against non-compliance with the legislation related to occupational safety (see para. 2.29); and
- (b) legislative amendment would be the remaining way to increase penalty in a substantial manner.

Audit recommendation

2.32 **Audit has *recommended* that the Commissioner for Labour should monitor closely the need to review the labour legislation with a view to strengthening the deterrent effect of the legislation.**

Response from the Government

2.33 The Commissioner for Labour agrees with the audit recommendation.

PART 3: OCCUPATIONAL SAFETY: TRAINING

3.1 This PART examines the LD's work on training on occupational safety. Audit found room for improvement in the following areas:

- (a) mandatory safety training courses (paras. 3.2 to 3.11);
- (b) Registered Safety Officers and Registered Safety Auditors (paras. 3.12 to 3.26); and
- (c) performance reporting (paras. 3.27 to 3.30).

Mandatory safety training courses

3.2 According to the FIUO and its subsidiary regulations, every person engaged in specific high risk sectors, activities or machine operations is required to complete the relevant mandatory safety training (MST) course organised by a training course provider (TCP) and obtain a relevant certificate. There are six types of MST courses. In 2016, there were 146 TCPs providing 704 MST courses. These 146 TCPs issued a total of 349,056 certificates (see Table 13).

Table 13**Number of TCPs, MST courses provided and certificates issued
(2016)**

Type of MST course		Number of TCPs	Number of MST courses provided	Number of certificates issued
1	Confined Spaces Operation Safety Training Course	47	150	43,157
2	Crane Operator Safety Training Course	37	112	5,163
3	Gas Welding Safety Training Course	22	37	7,909
4	Loadshifting Machine Operator Safety Training Course	45	159	13,524
5	Mandatory Basic Safety Training Course	112	243	277,734
6	Person Working on Suspended Working Platform Safety Training Course	2	3	1,569
Overall		146 (Note)	704	349,056

Source: LD records

Note: The numbers of TCPs do not add up because some TCPs provided more than one type of courses.

Monitoring of TCPs

3.3 MST courses provided by TCPs must be recognised by the LD. To assure the quality of the MST courses, the LD promulgated the Approval Conditions setting out the requirements (e.g. course contents and qualification of trainers) for all TCPs to follow.

3.4 The LD has promulgated a set of Guidelines on monitoring the performance of TCPs. Surprise inspections are carried out on TCPs to inspect their conduct of MST courses. To maintain consistency, objectivity and fairness, the LD uses a standard inspection checklist during the inspections. The checklist contains ten aspects (Note 5). Furthermore, the LD complements its TCP inspections with regular undercover inspections which involve inspecting officers in the guise of a course participant (i.e. covert operation). When a breach of the Approval Conditions is found, enforcement action (e.g. issuing warnings or directions or withdrawal of course recognition) will be taken according to the severity of the breach. In 2016, the LD issued 17 warning letters and 5 directions.

Need to improve planning of inspection

3.5 As stipulated in the LD's Guidelines, every TCP should be inspected by the LD at least once a year. The inspection interval of individual TCPs is determined by their business nature:

- (a) commercial operators providing MST courses to the public should be inspected once every three months;
- (b) organisations providing in-house training as well as trade unions and associations should be inspected once every nine months; and
- (c) professional institutions, universities and statutory training bodies should be inspected annually.

Note 5: *The ten aspects are: (a) delivery of course contents; (b) course duration; (c) performance of trainers; (d) training venue and training facilities; (e) trainer to trainees ratio; (f) conduct of examination; (g) keeping of training records; (h) issuing of certificates; (i) enrolment of trainees and complaint procedures; and (j) medium of training.*

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3.6 *Many inspections conducted when there were no course sessions.* Seven of the ten aspects of the inspection checklist can only be observed during course sessions, namely:

- (a) delivery of course contents;
- (b) course duration;
- (c) performance of trainers;
- (d) training venue and training facilities;
- (e) trainer to trainees ratio;
- (f) conduct of examination; and
- (g) medium of training.

In 2016, the LD conducted 225 inspections on 146 TCPs. Audit examination of the inspection records revealed that of the 225 inspections, 182 (81%) were conducted at the time when no course session was available for observation. As a result, many aspects of the courses could not be observed. In these inspections, the LD conducted checking on the TCPs' documentation. Audit noted that it is stipulated in the Approval Conditions that a TCP should submit the course schedule, including the examination timetable, to the LD at least three working days before the commencement of the course. Audit considers that the LD needs to make good use of the information in planning its inspections to arrange as far as practicable more inspections when there is a course session.

Review of MST courses

3.7 In 2009, the LD conducted a review to devise improvement measures on recognition and monitoring of MST courses. The review identified a number of problems such as:

- (a) discrepancies in course contents among the same type of MST courses provided by different TCPs;
- (b) removing part of the course contents by the TCPs without obtaining prior approval from the LD; and
- (c) leakage of examination contents by the TCPs.

3.8 In April 2011, the LD proposed to the Legislative Council (LegCo) Panel on Manpower a two-phase approach to implement the improvement measures. The LD informed the Panel that:

- (a) **Phase One.** In Phase One, three improvement measures would be introduced to all MST courses:
 - (i) standardisation of course contents;
 - (ii) consolidation of the Guidance Notes, which sets out the procedures for a TCP to apply for recognition of a MST course; and
 - (iii) centralisation of issuance of examination papers by the LD; and
- (b) **Phase Two.** Subject to the effectiveness of the improvement measures implemented in Phase One, consider to implement the following improvement measures in Phase Two:
 - (i) accreditation of the TCPs' governance and quality assurance capability;
 - (ii) introduction of a validity period for recognised courses; and

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- (iii) introduction of a demerit point system for the TCPs and strengthening disciplinary action against TCPs with poor performance.

The Panel supported the LD to implement the improvement measures in Phase One and considered that the LD should continue to examine other measures with a view to enabling their early implementation in Phase Two.

3.9 In October 2011, the LD reported the progress of the implementation of improvement measures to the LegCo Panel on Manpower. The LD informed the Panel that:

- (a) the Guidance Notes of all the six types of MST courses were consolidated and came into effect in September 2011; and
- (b) with effect from September 2011, the course contents of the Mandatory Basic Safety Training Course had been standardised and its examination papers had been issued by the LD centrally.

Audit noted that up to August 2017, two of the three Phase One improvement measures, namely the standardisation of course contents and the centralisation of issuance of examination papers for the remaining five types of MST courses had not been implemented. Furthermore, there was also no timetable to implement these measures and the Phase Two measures. Audit considers that the LD needs to expedite the implementation of the improvement measures.

Audit recommendations

3.10 **Audit has *recommended* that the Commissioner for Labour should:**

- (a) **arrange inspections on the TCPs during time period when there are course sessions taking place as far as practicable; and**
- (b) **expedite the implementation of the improvement measures recommended by the 2009 review on MST courses.**

Response from the Government

3.11 The Commissioner for Labour agrees with the audit recommendations. He has said that:

- (a) of the 182 TCP inspections conducted when there were no course sessions, 95 were not only typical inspections but also follow-up on warning/withdrawal cases and complaint investigations. Covert operations are proven to be an effective approach to monitor the effectiveness of MST courses. The LD will review its relevant guidelines with a view to arranging more during-class inspections in conjunction with other surprise inspections and covert operations to achieve the optimal impact; and
- (b) the LD has been focusing its efforts in refining the course content and the Approval Conditions of the Mandatory Basic Safety Training Course, which is required to be taken by all construction workers. The LD will draw up a timetable to guide implementation of the improvement measures on MST courses.

Registered Safety Officers and Registered Safety Auditors

3.12 Under the FIUO, proprietors of industrial undertakings have a general duty to ensure the safety and health conditions of their employees. To further promote occupational safety, the subsidiary regulations set out the following requirements for those more risk-prone industries:

- (a) **Registered Safety Officers (RSOs).** It was stipulated in the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) (FIU (SOSS)) Regulations (Cap. 59Z) that a proprietor of a construction site who is a principal contractor shall employ an RSO on a full time basis when the total number of persons employed on his construction site or sites is 100 or more. The same requirement applies to a proprietor of a shipyard or a container handling workplace if the proprietor employs 100 or more persons in one or more of his shipyards or container handling workplaces. The duties of an RSO are to assist the proprietor of an industrial undertaking in promoting the safety and health of employees, for example:

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- (i) inspecting the workplace to identify potential hazards and reporting the findings with recommendations for correction to the proprietor; and
 - (ii) investigating accidents and dangerous occurrences, and reporting with recommendations for prevention to the proprietor; and
- (b) **Registered Safety Auditors (RSAs).** It was stipulated in the Factories and Industrial Undertakings (Safety Management) (FIU (SM)) Regulation (Cap. 59AF) that a contractor of a single or multiple construction sites having 100 or more workers, or having a construction project with a contract value of \$100 million or more, shall implement a safety management system (Note 6) and appoint an RSA to conduct safety audits on the system at specified regular intervals. The same requirement applies to a proprietor of a single or multiple factories, shipyard business and designated industrial undertaking (i.e. those involved in the generation, transformation and transmission of electricity, town gas or liquefied petroleum gas and in the handling of containers) with 100 or more workers.

Note 6: *The safety management system contains 14 elements. Examples of the elements are: (a) a safety policy which states the commitment of the proprietor or contractor to safety and health at work; and (b) a programme of inspection to identify hazardous conditions and for the rectification of any such conditions at regular intervals or as appropriate.*

3.13 Table 14 shows the numbers of RSOs and RSAs as at the year end of 2012 to 2016.

Table 14
Number of RSOs and RSAs
(2012 to 2016)

Year (as at 31 December)	RSO	RSA
2012	2,546	1,094
2013	2,846	1,137
2014	2,977	1,179
2015	3,260	1,225
2016	3,607	1,261

Source: LD records

Eligibility of RSOs and RSAs

3.14 The LD is responsible for the registration of Safety Officers and Safety Auditors. The eligibility criteria of RSOs and RSAs are set out as follows:

- (a) ***RSOs***. To register as an RSO, a person shall possess one of the specified academic qualifications and other specified requirements (e.g. relevant experience of not less than one year); and
- (b) ***RSAs***. To register as an RSA, a person shall be an RSO and fulfil the specified requirements (e.g. having successfully completed a scheme conducted by a registered Scheme Operator).

Some RSAs are not RSOs

3.15 Prior to June 2002, the designation of an RSO was valid for life. The FIU (SOSS) Regulations were amended in 2002. The amendments provide that the registration of RSOs shall be valid for a period of four years subject to renewal or revalidation. An application for renewal or revalidation of registration shall only be

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approved by the Commissioner for Labour if he is satisfied that the applicant has completed a total of not less than 100 hours of Continuing Professional Development Programmes in occupational safety and health in the four years immediately preceding the application.

3.16 One of the qualifications for registration as an RSA is that the person shall be an RSO. Under the renewal/revalidation requirement for the RSOs, there is a possibility that some RSAs who cease to be RSOs after they have become RSAs. This is because some RSAs, who at the time of registration were RSOs, may choose not to apply for renewal or revalidation after the expiry of the four-year period. In September 2000, the LD consulted the DoJ whether the status of these RSAs would be affected. According to the legal opinion:

- (a) there was no express provision in the FIU (SM) Regulation which nullified the validity of the registration of an RSA when he ceased to be an RSO. It might however be argued that the requirement of being an RSO was a necessary condition for being an RSA; and
- (b) there was no clear authority on the question as to whether the validity of the designation of an RSA would be affected if he was no longer an RSO.

3.17 In response to Audit enquiry, the DoJ advised in October 2017 that:

- (a) according to the FIU (SM) Regulation, where the Commissioner for Labour has ceased to be satisfied that an RSA is competent to be so registered or fit and proper to be so registered, he may refer the matter for hearing by a disciplinary board. After concluding its hearing, the disciplinary board may exonerate the registered person concerned or may do one or more of the following:
 - (i) reprimand the registered person;
 - (ii) cancel the registration of the registered person; and
 - (iii) suspend the registered person's registration for a specified period of time; and

- (b) it appeared that although the Regulation did not expressly enable the Commissioner for Labour to cancel the registration of an RSA if he was no longer an RSO, the Regulation may be resorted to which may result in cancellation of registration of an RSA if the disciplinary board considered it appropriate to do so.

3.18 It was the LD's policy intention that RSAs should also be RSOs. Audit compared the lists of RSOs and RSAs as at 31 May 2017 and noted that 29 (2.3%) of a total number of 1,273 RSAs were not on the RSO list. Unlike RSO, the designation of an RSA is valid for life and an RSA is not required to receive continuous training to ensure that he possesses up-to-date knowledge in promoting safety and health in a workplace. The LD needs to review whether there is a need to revise the FIU (SM) Regulation and, where necessary, consider initiating action to revise the Regulation.

Safety Auditor Training Scheme Operators

3.19 To register as an RSA, one of the specified requirements is that a person shall have successfully completed a scheme conducted by a registered Scheme Operator recognised by the LD (see para. 3.14(b)). The LD has promulgated the Guidance Notes for Registration as a Safety Auditor Training Scheme Operator setting out the criteria and procedures for registration as a Scheme Operator. The LD publishes a list of registered Scheme Operators on its website. As at 30 June 2017, there were 15 registered Scheme Operators.

3.20 According to the Guidance Notes for Registration as a Safety Auditor Training Scheme Operator, Scheme Operators should collect feedback or evaluation of the training schemes from the students and submit a summary with the Scheme Operator's comments to the LD for reference. The Guidance Notes also state that the LD may inspect the conduct of schemes. As stipulated in the LD's Guidelines, the LD should:

- (a) conduct at least one monitoring visit for each round of intake and complete a standard checklist;

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- (b) issue a copy of the completed checklist to Scheme Operators within seven working days after the monitoring visits; and
- (c) conduct at least two independent follow-up inspections to two Scheme Operators selected at random within a year.

3.21 *Need to improve monitoring of Scheme Operators.* In 2016, there were four Scheme Operators who conducted training schemes with a total of seven rounds of intakes. The LD conducted one monitoring visit to each of the seven rounds of intakes. Audit found the following areas for improvement:

- (a) although none of the four Scheme Operators had submitted the summary of students' feedback, the LD did not follow up with the Operators;
- (b) during monitoring visits, the visiting officer should inspect seven aspects according to the checklist (Note 7). However, in all the seven visits only four aspects were inspected. The “examination session”, “issuing of certificates” and “security steps” aspects had not been checked;
- (c) the LD only issued the completed checklists to three Operators after three of the seven visits within seven working days; and
- (d) no follow-up inspections were conducted by the LD.

Audit considers that the LD needs to take measures to strengthen monitoring of the Scheme Operators.

Safety Officer course providers

3.22 To qualify as an RSO, a person shall possess an academic qualification recognised by the LD. An organisation may apply for its academic course to be recognised by the LD by submitting a proposal of the course and a full set of

Note 7: *The seven aspects are: (a) venue features; (b) teaching aids; (c) presentation skills; (d) administration system; (e) examination session; (f) issuing of certificates; and (g) security steps.*

course materials for the LD's vetting. The LD publishes a list of courses as recognised academic qualifications for RSOs on its website. As at 30 June 2017, there were 29 recognised courses provided by ten institutions. Of the 29 courses, 16 were open for enrolment in 2016. The remaining 13 courses were ceased to be provided by the concerned institutions.

3.23 *Guidance Notes on application for recognition of academic course not promulgated.* The LD promulgates Guidance Notes to facilitate the applications. For instance, the LD has promulgated Guidance Notes for application for recognition of MST courses and Guidance Notes for Registration as Safety Auditor Training Scheme Operator. However, Guidance Notes on applications for academic courses as recognised qualifications for RSOs were not promulgated. Audit considers that the LD needs to consider the need to promulgate such Guidance Notes.

3.24 *No guidelines on inspection on recognised academic courses.* The LD had not devised guidelines on conducting inspections on recognised academic courses as qualification for RSOs. In 2016, there were 14 rounds of intakes for the 16 recognised courses. The LD had conducted 13 monitoring visits to the 14 rounds of intakes (Note 8). The LD documented the results of the visits in the same standard checklist used for monitoring visit to Safety Auditor Training Scheme Operator. However, only four of the seven aspects were inspected (i.e. venue features, teaching aids, presentation skills and administration system). Audit considers that the LD needs to devise inspection guidelines on recognised academic courses, specifying detailed inspection procedures such as the inspection frequency and the areas to be inspected (e.g. examination session).

Audit recommendations

- 3.25** **Audit has recommended that the Commissioner for Labour should:**
- (a) **review whether there is a need to revise the FIU (SM) Regulation to address the shortcomings that some RSAs are not RSOs and, where necessary, consider initiating action to revise the Regulation;**

Note 8: *One of the 14 rounds of intakes is a two-year programme. According to the LD, monitoring visit will be arranged in the second year of the programme (i.e. 2017).*

Occupational safety: training

- (b) take measures to strengthen the monitoring of the Safety Auditor Training Scheme Operators;
- (c) promulgate guidelines on applications for academic courses as recognised qualifications for RSOs with a view to facilitating applications; and
- (d) devise internal guidelines on inspections on recognised academic courses for RSOs with a view to enhancing the effectiveness and efficiency of the inspections.

Response from the Government

3.26 The Commissioner for Labour agrees with the audit recommendations. He has said that:

- (a) the LD will take action to ensure that RSAs are RSOs; and
- (b) LD officers sit on the Board of Examination convened for each of the intakes of the Safety Auditor Training schemes where examination papers and certificates issued can be examined. The LD will refine the relevant Guidelines to strengthen monitoring of Safety Auditor Training Scheme Operators.

Performance reporting

3.27 *Documents not available to substantiate actual performance.* The LD has published on its website three performance pledges, namely completion of processing applications within two weeks upon receipt and verification of all relevant information and documentation for:

- (a) registration as Safety Officers or Safety Auditors;
- (b) renewal or revalidation as Safety Officers; and
- (c) recognition of MST courses.

The LD reported on its website that the three pledges were fully met in 2016. However, no supporting documents were available to substantiate that the pledges had been achieved. Audit considers that the LD needs to keep supporting documents to substantiate the levels of performance achieved.

3.28 *Need to develop more performance pledges.* Audit noted that the LD has set two performance pledges on the processing of applications for registration/renewal/revalidation as RSOs and registration as RSAs. However, there was no performance pledge on the processing of applications for:

- (a) the recognition of Safety Auditor Training Scheme Operator; and
- (b) the recognition of academic course for Safety Officers.

Audit considers that the LD needs to consider developing performance pledges in this regard.

Audit recommendations

3.29 **Audit has recommended that the Commissioner for Labour should:**

- (a) **strengthen the monitoring of the processing time of applications for:**
 - (i) **registration as RSOs or RSAs;**
 - (ii) **renewal or revalidation as RSOs; and**
 - (iii) **recognition of MST courses;**
- (b) **keep proper records to substantiate the achievement of performance pledges; and**
- (c) **consider developing performance pledges for processing of applications for the recognition of Safety Auditor Training Scheme Operator and academic course for Safety Officers.**

Response from the Government

3.30 The Commissioner for Labour agrees with the audit recommendations. He has said that there is a mechanism in place to ensure the performance pledges are met. The LD has checked the concerned applications processed in the second half of 2016 and confirmed that the processing time of all applications met the performance pledges. The LD agrees that proper record should be kept in future to strengthen monitoring of meeting the pledges.

PART 4: OCCUPATIONAL HEALTH

4.1 This PART examines the work of the LD on occupational health, focusing on the following areas:

- (a) medical examination of radiation workers (paras. 4.4 to 4.17);
- (b) workplace inspection (paras. 4.18 to 4.22); and
- (c) performance reporting (paras. 4.23 to 4.26).

Background

4.2 The two Occupational Medicine Divisions, and the three Occupational Hygiene Divisions (OHDs) of the OSHB (see Appendix B) are responsible for preventing occupational diseases and promoting health at work (Note 9).

4.3 The work of the divisions mainly includes:

- (a) providing occupational clinical services at the Kwun Tong Occupational Health Clinic (KTOHC) and the Fanling Occupational Health Clinic (Note 10);

Note 9: *Under the OSHB, there are four Integrated Services Teams. These Teams carry out inspections of workplaces to enforce legislation relating to occupational health in addition to occupational safety (see para. 2.2(b)(iii)).*

Note 10: *Consultation at the clinics is by appointment in person or by phone. Doctors' referrals are not required. Consultation fees are set at the same level as other government specialist clinics.*

Occupational health

- (b) providing medical examination services (Note 11) for workers prone to exposure to radiation;
- (c) providing medical examination services for civil servants who are exposed to occupational hazards (Note 12);
- (d) conducting sick leave clearance interview of employees with compensation claims;
- (e) providing advisory services to the public, organising exhibitions and delivering talks on health and hygiene aspects of occupational health issues; and
- (f) conducting inspections and surveys to enforce legislation relating to occupational health and hygiene.

Table 15 shows their outputs in the period from 2012 to 2016.

Note 11: *Under the subsidiary regulations of the Radiation Ordinance (Cap. 303), workers prone to exposure to radiation are required to undergo medical examinations.*

Note 12: *The examinations are conducted at the request of some government departments to safeguard the health of workers prone to exposure to specific occupational hazards (e.g. asbestos and noise).*

Table 15

**Outputs of occupational health work
(2012 to 2016)**

Nature of work	2012 (No.)	2013 (No.)	2014 (No.)	2015 (No.)	2016 (No.)
Clinical consultation	13,007	11,855	10,396	9,054	10,444
Survey (Note 1)	6,676	6,577	6,258	5,978	7,018
Inspection	3,755	3,616	3,492	3,664	4,205
Investigation (Note 2)	2,979	2,884	3,093	3,433	2,983
Medical examination	1,364	1,692	1,929	1,639	1,471
Talk	1,178	1,069	1,186	1,239	1,243
Assessment (Note 3)	2,411	2,278	488	1,488	713

Source: Audit analysis of LD records

Note 1: A survey is an activity which involves detailed examination at the workplace on a particular potential health hazard (e.g. lighting and thermal) or an unhealthy work process which requires detailed scientific measurement. Surveys form part of the work undertaken by LD staff in workplace inspections.

Note 2: These were investigations on occupational diseases or work-relatedness of workers' health problems by doctors of the OSHB.

Note 3: These were assessments of medical fitness for pilots and air traffic control officers.

Medical examinations of radiation workers

4.4 Under the subsidiary regulations of the Radiation Ordinance (Cap. 303), workers prone to exposure to radiation are required to undergo medical examinations for their first employment and subsequently at an interval not exceeding 14 months during the continuance of such employment. The objective is to safeguard the health of the workers and to ensure that they are medically fit for the work.

Occupational health

4.5 The Radiation Board formed under the Radiation Ordinance appoints the Radiation Board Medical Panel to examine workers handling radioactive substances and irradiating apparatus. The Board is chaired by the Director of Health. Panel members are occupational health officers from the Occupational Medicine Division (Clinical Services). In 2016, a total of 834 examinations were carried out at the KTOHC of the Occupational Medicine Division (Clinical Services) (Note 13).

Many reserved time slots not used

4.6 Every year in September, based on the estimated number of radiation medical examinations to be carried out, the KTOHC reserves a consultation room for a number of morning sessions of the forthcoming year exclusively for carrying out the examinations. A medical doctor mans each of the reserved sessions. No other clinical service will be provided by the doctor during the reserved sessions.

4.7 *Some time slots not used due to no-show cases.* For each reserved session, 30 radiation medical examinations can be carried out. Staff of the Department of Health (as secretariat for the Radiation Board) would remind all workers of their appointments three days in advance. The KTOHC's records showed that for each year in the period from 2012 to 2017 (up to June), there were on average 2.7 to 4.2 no-show cases per session. The no-show rates ranged from 11% to 15% (see Table 16).

Note 13: *Upon receipt of applications from hospitals and universities, the Radiation Board Medical Panel may grant approval for them to conduct the concerned medical examinations for their staff at their facilities.*

Table 16

**Analysis of radiation examinations conducted
(2012 to 2017)**

	2012	2013	2014	2015	2016	2017 (Jan to June)
Total						
No. of sessions (a)	30	33	36	38	37	18
No. of examinations (b)	707	787	858	860	834	350
Number of workers booked per session						
Average (c)	27.8	27.2	27.0	25.6	25.2	22.9
Range (d)	21-30	23-30	19-30	21-30	10-30 (Note)	16-29
Number of workers examined per session						
Average (e) = (b) ÷ (a)	23.6	23.8	23.8	22.6	22.5	19.4
Range (f)	18-28	20-29	17-29	15-29	8-29 (Note)	15-24
Number of no-show cases per session						
Average number of cases (g) = (c) - (e)	4.2	3.4	3.2	3.0	2.7	3.5
Percentage of booked slots (h) = (g) ÷ (c) × 100%	15%	13%	12%	12%	11%	15%

Source: Audit analysis of LD records

Note: In one session, there were ten workers booked for examinations and eight workers examined. For each of the other sessions, the number of workers booked ranged from 15 to 30 and the number of workers examined ranged from 14 to 29.

Occupational health

4.8 **Room for reducing the number of reserved sessions.** As indicated in Table 16 (see para. 4.7), the average number of workers booked for medical examinations in each session decreased from 27.8 in 2012 to 22.9 in the first six months of 2017. Further analysis revealed that the number of sessions in which not more than 20 medical examinations of radiation workers were carried out increased from 17% in 2012 to 24% in 2016 and further to 56% (10 of 18 sessions) in the first six months of 2017 (see Table 17).

Table 17

**Analysis of radiation examinations conducted in each session
(2012 to 2017)**

Number of examinations conducted per session	Number of sessions					
	2012	2013	2014	2015	2016	2017 (up to June)
1 – 20	5 (17%)	3 (9%)	5 (14%)	12 (32%)	9 (24%)	10 (56%)
21 – 30	25 (83%)	30 (91%)	31 (86%)	26 (68%)	28 (76%)	8 (44%)
1 – 30	30 (100%)	33 (100%)	36 (100%)	38 (100%)	37 (100%)	18 (100%)

Source: Audit analysis of LD records

4.9 In 2016, the waiting time for clinical consultations at the two occupational health clinics ranged from 7 to 14 days. Tables 16 and 17 indicate that the clinical resources reserved for radiation medical examinations were not optimally utilised. The LD needs to, in collaboration with the Department of Health, monitor the situation and make necessary arrangements with a view to ensuring that occupational clinical resources reserved for radiation medical examinations are optimally utilised as far as practicable. Where resources are available, they should be redeployed to shorten the waiting time for clinical consultations.

Need to review the recovery of examination costs

4.10 Under the subsidiary regulations of the Radiation Ordinance, radiation workers are required to undergo pre-employment medical examinations and periodic examinations thereafter. The regulations stipulate that the examinations carried out for their first employment would be provided free of charge. The regulations do not stipulate that the periodic examinations carried out after their first employment would be provided at a charge or free of charge.

4.11 Audit noted that workers and their employers were not required to pay any fee for the radiation medical examinations conducted at the KTOHC, both for the workers' first employment and after their first employment. The LD had no readily available statistics for the number of pre-employment medical examinations and that of periodic examinations thereafter.

4.12 According to Financial Circular No. 6/2016 issued by the Financial Services and the Treasury Bureau in July 2016, it is Government's policy that fees charged should in general be set at levels adequate to recover the full cost of providing the goods and services. The fees should therefore be set at a level aiming at the attainment of full-cost recovery.

4.13 The LD needs to, in collaboration with the Department of Health, review the justifications for not charging radiation workers or their employers for periodic examinations carried out after the workers' first employment.

Need to improve performance pledge

4.14 For occupational clinical service, the LD has set a performance pledge that clients at the two occupational health clinics would be attended to within 30 minutes of the appointment time.

Occupational health

4.15 For 2016, the LD reported on its website 100% achievement for meeting the performance pledge. Audit examination revealed that although the pledge was originally meant to provide clinical service to clients within 30 minutes of the appointment time, staff at the clinics had interpreted the pledge as referring to the time required to attend to the clients and register their arrival. Hence, the 100% achievement was only the achievement of approaching the clients to register their arrival within 30 minutes.

Audit recommendations

4.16 **Audit has recommended that the Commissioner for Labour should:**

- (a) **in collaboration with the Director of Health, take measures to reduce the no-show rate of radiation workers for medical examinations;**
- (b) **monitor the utilisation of time slots reserved for medical examinations for radiation workers to ensure that the clinical resources are optimally utilised as far as practicable;**
- (c) **in collaboration with the Director of Health, review the justifications for not charging radiation workers or their employers for periodic medical examinations carried out at the KTOHC after the workers' first employment; and**
- (d) **spell out clearly that the performance pledge is to provide clinical service to clients within 30 minutes of the appointment time.**

Response from the Government

4.17 The Commissioner for Labour agrees with the audit recommendations. He has said that the LD will consult the Director of Health on the implementation of those recommendations relevant to the Department of Health.

Workplace inspection

Need to monitor progress of workplace inspections

4.18 Audit noted that the LD did not monitor:

- (a) the number of outstanding inspections, i.e. the inspections already brought up for inspection but not yet carried out; and
- (b) the delay in carrying out inspections after they were brought up.

4.19 ***Long outstanding inspections.*** In 2016, the OSHB conducted 4,205 inspections on occupational health (see Table 15 in para. 4.3). Of the 4,205 inspections, 2,030 (48%) were conducted by the OHD for Hong Kong and Kowloon (OHD(H)). Audit selected 30 outstanding inspections of the OHD(H) as at 30 June 2017 and performed an ageing analysis to ascertain the time lapse since the inspections were brought up. Audit found that all the 30 inspections had been outstanding for more than six months (see Table 18). The outstanding periods ranged from 7 months to 4.25 years, averaging 2.17 years.

Table 18

**Analysis of time lapse of 30 outstanding inspections
(30 June 2017)**

Time lapse	Number of outstanding inspections
> 6 months to 1 year	6 (20%)
> 1 year to 2 years	7 (24%)
> 2 years to 3 years	10 (33%)
> 3 years to 4 years	6 (20%)
> 4 years to 5 years	1 (3%)
Total	30 (100%)

Source: Audit analysis of LD records

Occupational health

4.20 *Long delay in carrying out inspections.* Audit selected two inspections conducted in each month by the OHD(H) in the period from July 2016 to June 2017. For the 24 inspections selected, Audit compared the dates of inspections with the bring-up dates to identify those inspections with delays. Audit found that there were delays in 13 (54%) of the 24 inspections (see Table 19). The delay ranged from 4 days to 3 years, averaging 11 months.

Table 19

**Delay in carrying out inspections
(July 2016 to June 2017)**

Delay (Year)	Number of inspections	
No delay	11 (46%)	} 13 (54%)
≤ 1 year	8 (33%)	
> 1 year to 2 years	4 (17%)	
> 2 years to 3 years	1 (4%)	
Total	24 (100%)	

Source: Audit analysis of LD records

Remarks: The delay ranged from 4 days to 3 years.

Audit recommendations

4.21 **Audit has recommended that the Commissioner for Labour should:**

- (a) **closely monitor the progress of workplace inspections;**
- (b) **compile management information on the outstanding inspections, e.g. the number of and the ageing analysis of such inspections;**
- (c) **take measures to minimise the number of outstanding inspections in future; and**

- (d) ascertain the number of existing backlog inspections and take effective measures to clear the backlog as soon as practicable.

Response from the Government

4.22 The Commissioner for Labour agrees with the audit recommendations. He has said that:

- (a) inspections on occupational health adopt a risk-based approach. The relevant Technical Note of the LD stipulates that workplaces identified as high-risk or moderate-risk should be brought up for inspection within prescribed timeframes;
- (b) under the bring-up mechanism, low-risk cases do not need to be brought up and do not have a prescribed inspection deadline; and
- (c) while noting that all cases of outstanding/delayed inspections identified (except for one) are low-risk cases, the LD agrees that proper use of the bring-up system should be monitored in accordance with the risk-based inspection approach so as to address the backlog situation.

Performance reporting

Need to improve reporting of performance indicators in COR

4.23 For occupational health services, the LD reports the number of “investigations/surveys/examinations/assessments/clinical consultations” in the COR as its performance indicator. For 2016, the LD reported in the COR that it had achieved 22,629 “investigations/surveys/examinations/assessments/clinical consultations” (see Table 1 in para. 1.7). Audit noted that the number comprised:

- (a) 2,983 investigations;
- (b) 7,018 surveys;
- (c) 1,471 medical examinations;

Occupational health

- (d) 713 assessments; and
- (e) 10,444 clinical consultations at the two occupational health clinics.

4.24 Audit found that the information reported in the COR needed improvement. Under the LD's method of calculating the number of surveys:

- (a) for each survey conducted by more than one officer, the LD counted as if there was one survey for each officer; and
- (b) for each survey which lasted for more than one half-day period, the LD counted as if there was one survey for each half-day period.

Audit recommendations

4.25 **Audit has recommended that the Commissioner for Labour should:**

- (a) **with a view to enhancing transparency, consider reporting separately in the COR the number of investigations, surveys, examinations, assessments and clinical consultations; and**
- (b) **review the appropriateness of the existing method of calculating and presenting the number of surveys reported in the COR.**

Response from the Government

4.26 The Commissioner for Labour agrees with the audit recommendations. He has said that owing to the varied complexity of different surveys, the LD reports the number of surveys in such a manner to accurately reflect the manpower deployed to conduct surveys. For instance, for sizeable workplaces such as hospitals, a particular kind of survey may have to be conducted more than once in different locations of the workplace, hence more than one survey will be counted as a result. The LD will provide information on how the surveys are calculated in the COR.

Appendix A
(para. 1.5 refers)

List of occupational diseases
(31 July 2017)

Caused by physical agents	
1	Inflammation, ulceration or malignant disease of the skin or subcutaneous tissues or of the bones, or blood dyscrasia, or cataract, due to electro-magnetic radiations (other than radiant heat), or to ionising particles
2	Heat cataract
3	Dysbarism, including decompression sickness, barotrauma and osteonecrosis
4	Cramp of the hand or forearm due to repetitive movements
5	Subcutaneous cellulitis of the hand (Beat hand)
6	Bursitis or subcutaneous cellulitis arising at or about the knee due to severe or prolonged external friction or pressure at or about the knee (Beat knee)
7	Bursitis or subcutaneous cellulitis arising at or about the elbow due to severe or prolonged external friction or pressure at or about the elbow (Beat elbow)
8	Traumatic inflammation of the tendons of the hand or forearm (including elbow), or of the associated tendon sheaths
9	Carpal tunnel syndrome
Caused by biological agents	
10	Anthrax
11	Glanders
12	Infection by leptospira
13	Pulmonary disease due to the inhalation of the dust of mouldy hay or other mouldy vegetable produce, and characterised by symptoms and signs attributable to a reaction in the peripheral part of the bronchopulmonary system, and giving rise to a defect in gas exchange (Farmer's lung)
14	Infection by organisms of the genus brucella
15	Tuberculosis
16	Parenterally contracted viral hepatitis
17	Infection by streptococcus suis
18	Avian chlamydiosis
19	Legionnaires' disease
20	Severe acute respiratory syndrome
21	Avian influenza A

Appendix A
(Cont'd)
(para. 1.5 refers)

Caused by chemical agents	
22	Poisoning by lead or a compound of lead
23	Poisoning by manganese or a compound of manganese
24	Poisoning by phosphorus or an inorganic compound of phosphorus or the anti-cholinesterase or pseudo anti-cholinesterase action of organic phosphorus compounds
25	Poisoning by arsenic or a compound of arsenic
26	Poisoning by mercury or a compound of mercury
27	Poisoning by carbon bisulphide
28	Poisoning by benzene or a homologue of benzene
29	Poisoning by a nitro- or amino- or chloro-derivative of benzene or of a homologue of benzene, or poisoning by nitro-chlorobenzene
30	Poisoning by dinitrophenol or a homologue or by substituted dinitrophenols or by the salts of such substances
31	Poisoning by halogen derivatives of hydrocarbons of the aliphatic series
32	Poisoning by diethylene dioxide (dioxan)
33	Poisoning by chlorinated naphthalene
34	Poisoning by oxides of nitrogen
35	Poisoning by beryllium or a compound of beryllium
36	Poisoning by cadmium
37	Dystrophy of the cornea (including ulceration of the corneal surface) of the eye
38	Primary epitheliomatous cancer of the skin
39	Chrome ulceration including perforation of nasal septum
40	Primary neoplasm of the epithelial lining of the urinary tract (renal pelvis, ureter, bladder and urethra), including papilloma, carcinoma-in-situ and invasive carcinoma
41	Peripheral poly-neuropathy
42	Localised new growth of the skin, papillomatous or keratotic
43	Occupational vitiligo

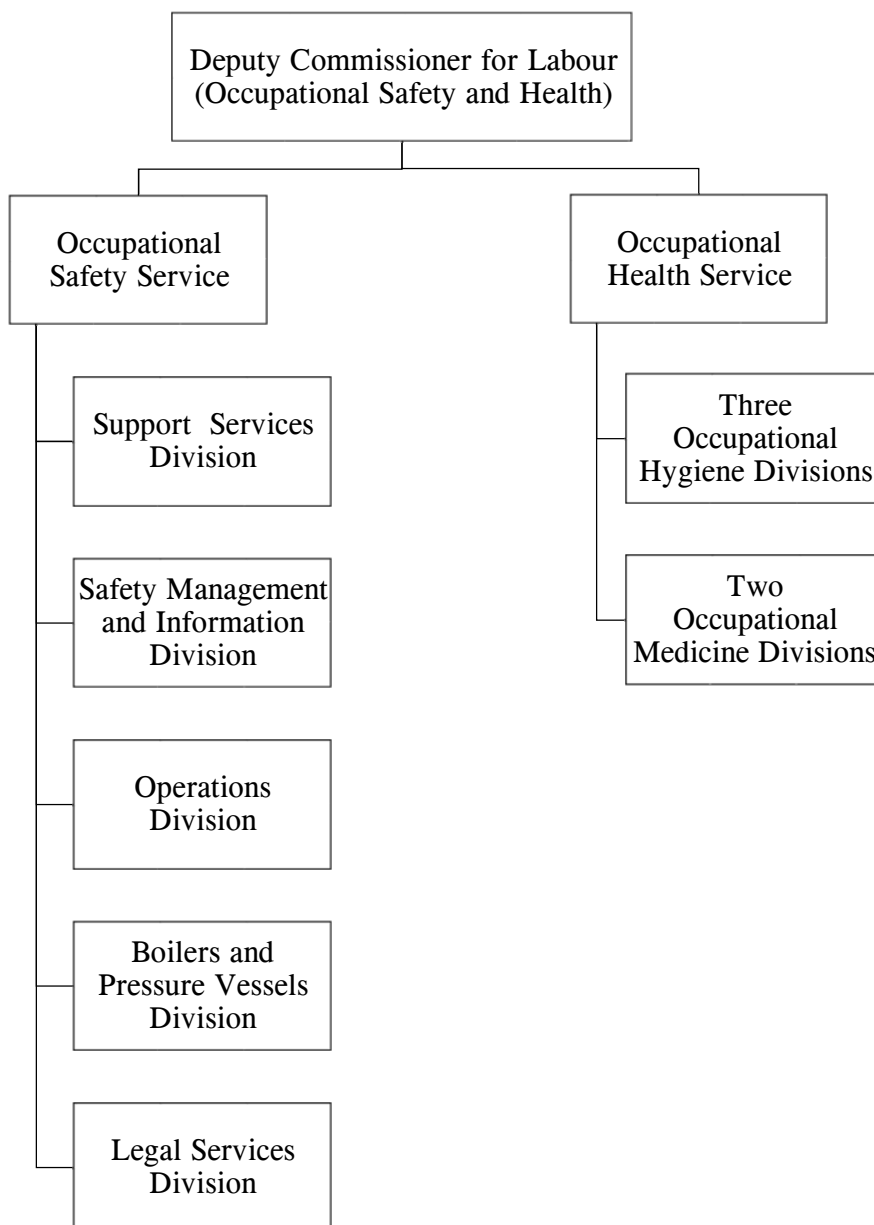
Appendix A
(Cont'd)
(para. 1.5 refers)

Caused by miscellaneous agents	
44	Inflammation or ulceration of the skin produced by dust, liquid or vapour (including the condition known as chloracne but excluding chrome ulceration)
45	Inflammation or ulceration of the mucous membrane of the upper respiratory passages or mouth produced by dust, liquid or vapour
46	Carcinoma of the nasal cavity or associated air sinuses (nasal carcinoma)
47	Byssinosis
48	Occupational asthma
Caused by inhalation of silica or asbestos	
49	Silicosis
50	Asbestosis
51	Mesothelioma
Other	
52	Occupational deafness

Source: LD records

Remarks: Items 1 to 48, items 49 to 51 and item 52 are occupational diseases prescribed under the ECO, the Pneumoconiosis and Mesothelioma (Compensation) Ordinance and the Occupational Deafness (Compensation) Ordinance respectively.

**LD's OSHB:
Organisation chart (extract)
(31 March 2017)**



Source: LD records

**List of 23 trades identified by LD as hazardous trades
(31 July 2017)**

Item	Trade
1	Agriculture and livestock production and agriculture services
2	Beverage manufacturing
3	Catering
4	Container handling services, car parks, toll bridge, road or vehicular tunnel operation
5	Food manufacturing
6	Godowns
7	Hong Kong Government Departments (limited to those trades in individual government workplaces bearing risk levels comparable to other hazardous trades of the list)
8	Hotels
9	Laundries
10	Manufacture of electrical machinery, apparatus, appliances and supplies
11	Manufacture of non-metallic mineral products
12	Manufacture of plastic products
13	Manufacture of wearing apparel
14	Metal products
15	Printing
16	Property management and guard services
17	Repair services
18	Sanitary and similar services
19	Ship building and ship repairing
20	Supermarkets and convenience stores, department stores and fuel related stores
21	Textiles
22	Waste recycling industry
23	Welfare institutions

Source: LD records

Acronyms and abbreviations

Audit	Audit Commission
BEC	Building and engineering construction
COR	Controlling Officer's Report
DoJ	Department of Justice
DSO	Divisional Occupational Safety Officer
ECO	Employees' Compensation Ordinance
FIUO	Factories and Industrial Undertakings Ordinance
FIU (SM)	Factories and Industrial Undertakings (Safety Management)
FIU (SOSS)	Factories and Industrial Undertakings (Safety Officers and Safety Supervisors)
ISG	Integrated Services Group
KTOHC	Kwun Tong Occupational Health Clinic
LD	Labour Department
LegCo	Legislative Council
MIP	Mega Infrastructure Project
MPR	Monthly Progress Report
MST	Mandatory safety training
OHD	Occupational Hygiene Division
OHD(H)	Occupational Hygiene Division for Hong Kong and Kowloon
OSHB	Occupational Safety and Health Branch
OSHO	Occupational Safety and Health Ordinance
RSA	Registered Safety Auditor
RSO	Registered Safety Officer
TCP	Training course provider

Press Information Bureau
Government of India
Ministry of Labour & Employment

13 FEB 2019 5:23PM by PIB Delhi

Welfare and Rehabilitation of Bonded Labourers

In order to assist the State Governments in the task of rehabilitation of identified and released bonded labourers, a Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labour has been in operation since May, 1978. The Central Government has revamped the Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labourers with effect from 17th May, 2016. The salient features of the 'Central Sector Scheme for Rehabilitation of Bonded Labourer, 2016' are as under:

Financial assistance is provided for rehabilitation of a rescued bonded labourer at the rate of rupees one lakh for adult male beneficiary, Rs. 2 lakh for special category beneficiaries such as children including orphans or those rescued from organized & forced begging rings or other forms of forced child labour, and women and Rs. 3 lakh in cases of bonded or forced labour involving extreme cases of deprivation or marginalization such as trans-genders, or women or children rescued from ostensible sexual exploitation such as brothels, massage parlours, placement agencies etc., or trafficking, or in cases of differently abled persons, or in situations where the District Magistrate deems fit. The financial assistance for rehabilitation is 100% funded by the Central Government.

The Scheme also provides for financial assistance of Rs. 4.50 lakh per district to the States for conducting survey of bonded labourers, Rs. 1.00 Lakh for evaluatory studies and Rs. 10 Lakhs per State per annum for awareness generation. Central Government will give 50% of the amount required for conducting Survey, Awareness Generation and Evaluatory Studies in advance. A State may conduct survey once in every three years per sensitive district. A State may conduct five Evaluatory Studies per year.

The release of rehabilitation assistance has been linked with conviction of the accused. However, immediate assistance upto Rs. 20,000/- may be provided to the rescued bonded labour by the District Administration irrespective of the status of conviction proceedings.

The Scheme provides for creation of a Bonded Labour Rehabilitation Fund at District level by each State with a permanent corpus of at least Rs. 10 lakh at the disposal of the District Magistrate for extending immediate help to the released bonded labourers.

The benefits prescribed above shall be, in addition to, other cash or non-cash benefits which a beneficiary under this scheme is entitled to, by or under any other scheme or law applicable for the time being in force.

This information was given by Shri Santosh Kumar Gangwar, Minister of State (I/C) for Labour and Employment in written reply to a question in Rajya Sabha today.

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Government of India
Ministry of Labour & Employment**

05-December-2016 14:50 IST

Rehabilitation of Bonded Labour Scheme-2016

Bonded Labour System has been abolished by law throughout the country with effect from 25th October, 1975 under the Bonded Labour System (Abolition) Ordinance which was replaced by the Bonded Labour System (Abolition) Act, 1976. Under the Act, it is the responsibility of State governments to identify, release and rehabilitate the bonded labour.

The Act affords protection to the freed bonded labourers from eviction from their homestead. District Administration is mandated to restore the bonded labourer to the possession of such homestead or other residential premises as early as practicable. The Act also provides for the economic and social rehabilitation of the freed bonded labourers.

In order to assist the State Governments in the task of rehabilitation of identified and released bonded labourers, a Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labour was in operation since May, 1978. The Government has revamped the Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labourers with effect from 17th May, 2016. The revamped scheme is known as the 'Central Sector Scheme for Rehabilitation of Bonded Labourers, 2016'.

The salient features of the Scheme are as under:

- (1) The revised scheme is a Central Sector Scheme. The State Government is not required to pay any matching contribution for the purpose of cash rehabilitation assistance.
- (2) Financial assistance has been increased from Rs. 20,000/- to one lakh per adult male beneficiary, Rs. 2 lakh for special category beneficiaries such as children including orphans or those rescued from organized & forced begging rings or other forms of forced child labour, and women and Rs. 3 lakh in cases of bonded or forced labour involving extreme cases of deprivation or marginalization such as trans-genders, or woman or children rescued from ostensible sexual exploitation such as brothels, massage parlours, placement agencies etc., or trafficking, or in cases of differently abled persons, or in situations where the District Magistrate deems fit.
- (3) The amount of assistance for survey of bonded labourers is Rs. 4.50 lakh per district.
- (4) The release of rehabilitation assistance has been linked with conviction of the accused. In cases where the trial has not been concluded, but the District Administration has arrived at a prima facie finding and proof of bondage, then the proposal for cash assistance shall not be stopped for want of details of conviction. However, final disbursement of cash assistance and non-cash assistance shall be made upon proof of bondage and other legal consequences as per judicial process.
- (5) Scheme provides for creation of a Bonded Labour Rehabilitation Fund at District level by each State with a permanent corpus of at least Rs. 10 lakh at the disposal of the District Magistrate for extending immediate help to the released bonded labourers.
- (6) The fund is released by the Ministry under the Scheme to the District National Child Labour Project Society and the District Project Society in turn releases the fund to the implementing agencies including the district administration.
- (7) Special care is made available by the State for addressing the needs of the disabled persons, female freed bonded labourers and bonded child labour by providing safe and secure environment for the capacity building of child bonded labourers, facilities for ensuring their proper education, short stay home till education upto class 12th, skill development, marriage assistance etc.
- (8) The benefits prescribed above shall be, in addition to, other cash or non-cash benefits which a beneficiary under this scheme is entitled to, by or under any other scheme or law applicable for the time being in force. Further, the above benefits would be additional to other land and housing elements etc. as mentioned below:
 - Allotment of house-site and agricultural land.
 - Land development.
 - Provision of low cost dwelling units.
 - Animal husbandry, dairy, poultry, piggery etc.
 - Wage employment, enforcement of minimum wages etc.
 - Collection and processing of minor forest products.
 - Supply of essential commodities under targeted public distribution system.
 - Education for children.

The budget allocation available under the Scheme for the current financial year is Rs. three crore. Every bonded labour including child bonded labour in the country is covered under the Scheme. In case of migrant bonded labourers, it is responsibility of the State Governments/Union Territory Administrations, where the bonded labour have been identified, to make arrangements for their repatriation to their native place, if they so desire.

This information was given by Shri Bandaru Dattatreya, the Minister of State (IC) for Labour and Employment, in reply to a question in Lok Sabha today.

AT/YSK