

CAPACITY BUILDING WORKSHOP ON CHILD LABOUR:

COMMUNICATION WITH CHILDREN AT RISK OF/ IN SITUATIONS OF CHILD LABOUR

29TH- 30TH NOVEMBER 2022

HILTON HOTEL AND CONFERENCE CENTRE

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LABOUR INSPECTORATE UNIT

- ◉ Consists of 14 Labour Inspectors
- ◉ Monitor and Enforce:
 - Minimum Wage Laws
 - Maternity Protection
 - Child Labour
- ◉ 2 Permanent Locations - POS and San Fernando
- ◉ Tobago
- ◉ Decentralisation - Point Fortin, Siparia, Chaguanas, Sangre Grande (Arima soon)

LEGISLATIVE FRAMEWORK

LIU JURISDICTION (Under 16 years) (16 to 18 years)

- ◉ Children Act (Part XIV) (Employment of Young Persons)
Labour Inspectorate Unit

Worst Forms of Child Labour (Under 18 years)

- ◉ Children Act
Child Protection Unit
TTPS
- ◉ Occupational Safety and Health Act
OSHA
- ◉ Trafficking in Persons Act
CTU
- ◉ Children's Authority Act
CATT
specialised agency with the responsibility for the care and protection of children who are at risk

CHILDREN ACT

Children Act - Part XIV - Employment of Young Persons - Definitions

- ◉ Child mean a person under the age of 18
- ◉ Minimum Age for Employment is 16 years - Restrictions in employment for children 16 to 18 years (Children Act and OSH Act)

Exceptions

- ◉ Family Businesses
- ◉ Child in school for general, vocational or technical education or other training institutions

CHILDREN ACT

Children Act - Part XIV

Duties of the Employer

- Keep and maintain a register of every child under 18 - name, address, and date of birth
- The register must be made available on request by a Labour Inspector
- Failure to comply - liable on summary conviction to a fine of \$20,000 and to imprisonment for 1 year

CHILDREN ACT

Children Act - Part XIV

Authority of the Inspector

An inspector has the authority to require a **parent, guardian** or person with responsibility for a child or an **employer** or any other person authorized by an employer:-

- Give him information with respect to wages paid and terms and conditions of service
- Permit him to inspect any record, pay sheet or certificate or representation of age relating to a person under the age of eighteen years

CHILDREN ACT

Children Act - Part XIV

Authority of the Inspector

- An inspector may, at a reasonable time enter the premises where a person under the age of eighteen years is employed
- Search the premises for any book, record, certificate or representation of age or other document
- Examine such book, record, certificate or document

CHILDREN ACT

Children Act - Part XIV

Authority of the Inspector

Where it appears to the Inspector that there has been a contravention of this Act, he may:-

- Require the **parent, guardian, employer**, or any other person in the service of that employer to give him all reasonable assistance with, and to answer all questions
- seize and take away any book, record or other document, relating to a person under the age of eighteen years

CHILDREN ACT

Children Act - Part XIV

Authority of the Inspector

- ◉ An inspector shall not demand entry to any premises except on a warrant of the Court
- ◉ Industrial Court can authorize entry on the premises
- ◉ Inspector may take with him any other person as may be necessary to effect the purpose of his entry
- ◉ Person who obstructs an Inspector shall be dealt with by the Court under the Industrial Relations Act

OSHA ACT

- 54. (1) No young person shall be employed—
 - (a) between the hours of 10.00 p.m. and 7.00 a.m.
 - (c) for more than eight hours a day.
- (2) The hours of employment shall include a rest period of at least one hour.
- (3) No young person shall be required to work more than forty-eight hours in any week.

CHILD LABOUR OFFENCES

- ◉ Breaches are Summary Offences
- ◉ With assistance from the Legal Unit at MoL
- ◉ Inspector refers offence to the Magistrate's Court for determination of penalties

PENALTIES – CHILDREN ACT

SECTION	BREACH	PENALTIES
Section 107 (1)	Failure to keep and maintain a register of every child employed with information of name, address, and date of birth of every child	On summary conviction to a fine of \$20,000.00 and imprisonment for 1 year
Section 110	Parent, guardian or person responsible for a child conduces to employment of a child under the age of 16 years or neglecting to exercise due care	On summary conviction to a fine of \$5,000.00
Section 114	A person who commits an offence under Part XIV where no penalty is prescribed	On summary conviction to a fine of \$25,000.00 and imprisonment for 3 years

CHILD WORK

Not all work done by children should be classified as child labour:-

- Participation in work that does not affect their health and personal development
- Does not interfere with their schooling
- Activities such as helping their parents around the home
- Assisting in a family business
- Earning pocket money during school holidays

Activities can be considered positive and contribute to child's development as well as the welfare of their families:-

- Provide them with skills and experience
- Help to prepare them to be productive members of society during their adult life.

CHILD LABOUR CASE REFERRALS

Case can be referred for follow-up investigation

- ◉ Counter Trafficking Unit
- ◉ Child Protection Unit
- ◉ Children's Authority

Case can be referred for support services to the child and his/her family

- ◉ Ministry of Education
- ◉ Ministry of Social Development and Family Services
- ◉ Children's Authority

CHILD LABOUR PREVENTION

- ◉ Gender and Child Affairs Division, Office of the Prime Minister
- ◉ Ministry of Education
- ◉ Ministry of Social Development and Family Services
- ◉ Ministry of Sport and Community Development
- ◉ Ministry of Youth Development and National Services

NGOs

- ◉ Childline

COMPLAINTS - CHILD LABOUR

YEAR	NO. OF REPORTS	SECTOR
2019	3	Agriculture, Catering
2020	5	Agriculture, Retail
2021	6	Agriculture, Retail
2022 (Oct)	94 - 34 under investigation	Agriculture, Construction (Informal Sector - within the Family)

CHILD LABOUR STEERING COMMITTEE

- ◉ Child Labour is recognised as a cross-cutting issue
- ◉ Established the National Steering Committee for the Prevention and Elimination of Child Labour in February 2019
- ◉ Comprises representatives from fourteen (14) Govt Agencies, two (2) NGOs and the Academia
- ◉ Mandated to oversee the implementation of critical activities associated with the prevention and elimination of child labour
- ◉ Including the conduct of research to better understand the enabling factors and root causes of child labour
- ◉ The Committee has also been charged with the responsibility of developing a National Child Labour Policy and Action Plan

CHILD LABOUR STEERING COMMITTEE

Sub- Committees

- To collect and analyse existing data
- To establish Protocols for collaboration among agencies:-
 - Labour Inspectorate Unit
 - Children's Authority
 - Ministry of Education
 - Ministry of Social Development and Family Services
 - Tobago House of Assembly
 - Counter Trafficking Unit
 - Child Protection Unit
 - Occupational Safety and Health Agency
- To develop a Light and Hazardous Work List

AWARENESS CAMPAIGN

- ◉ Child Labour Art Competition
- ◉ TV and Radio Ads
- ◉ Shopping Mall Visits
- ◉ Visit to Agriculture Markets
- ◉ Child Labour Day March
- ◉ School Visits
- ◉ Collaboration with Child Rights Ambassadors
- ◉ Video Monologue Competition
- ◉ Social Media Campaign - Perception Survey
- ◉ Social Media Influence Campaign
- ◉ Child Labour Survey in Primary Schools

EMERGING ISSUES/CHALLENGES

Covid 19 Pandemic has Increased Vulnerability for Child Labour

- Loss or Reduction in Family Income
- Vulnerable families may have engaged children in child labour as a survival mechanism
- Closure of Schools - Online Classes
- Some Children Unable to Access Online Learning
- May have Dropped Out when School resumed physically
- Migrant Children vulnerable

STRATEGIC COMPLIANCE APPROACH

ILO Support for Labour Inspectors to Address Child Labour

- Capacity Building Workshops
 - ILO Strategic Compliance Model
 - Exchanges with Jamaica and Suriname
- Brazil Project for Caribbean Countries
- Supply of Electronic Devices for Labour Inspectors to use during field visits

THANK YOU!!