



International  
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# Independent evaluation of the ILO's strategy and actions for strenghtening labour inspection systems, 2010–2015

October 2015



EVALUATION  
OFFICE

# Independent Evaluation of the ILO's Strategy and Actions for Strengthening Labour Inspection Systems (2010–15)

A summative and formative evaluation  
to inform ILO's future strategy on workplace compliance

October 2015

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## ABBREVIATIONS

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|              |  |
|--------------|--|
| ACI          | Area of critical importance  |
| CEACR        | Committee of Experts on the Application of Conventions and Recommendations |
| CO           | Country office   |
| CPOs         | Country programme outcomes   |
| CTA          | Chief technical adviser  |
| DAC          | Development Assistance Committee (of the OECD)                             |
| DECLARATION  | Programme for the Promotion of the Declaration on FPRW (pre-2014)          |
| DWA          | Decent Work Agenda   |
| DWCP         | Decent Work Country Programme  |
| DWT          | Decent Work Technical Support Team   |
| EO           | Employers' organization  |
| FACB         | Freedom of association and collective bargaining                           |
| FPRW         | Fundamental principles and rights at work                                  |
| GB           | Governing Body   |
| HIV/AIDS     | Human immunodeficiency virus infection/acquired immunodeficiency syndrome  |
| HLE          | High-level evaluation  |
| HQ           | Headquarters   |
| ILC          | International Labour Conference  |
| ILO          | International Labour Organization/Office                                   |
| ILS          | International labour standards   |
| IPEC         | International Programme on the Elimination of Child Labour                 |
| IR           | Implementation report  |
| ITUC         | International Trade Union Confederation                                    |
| LABADMIN/OSH | Labour Administration, Labour Inspection and OSH Branch                    |
| OBW          | Outcome-based work plan  |
| OECD         | Organization for Economic Cooperation and Development                      |



|         |  |
|---------|--|
| OSH     | Occupational Safety and Health   |
| P&B     | Programme and Budget   |
| PAMODEC | Programme to Support the Implementation of the ILO Declaration on FPRW |
| PARDEV  | Partnerships and Field Support Department                              |
| RB      | Regular budget   |
| RBM     | Results-based management   |
| RBSA    | Regular Budget Supplementary Account                                   |
| RBTC    | Regular Budget Technical Cooperation                                   |
| SECTOR  | Sectoral Activities Department   |
| SPF     | Strategic Policy Framework   |
| TA      | Technical assistance   |
| TC      | Technical cooperation  |
| ToR     | Terms of Reference   |
| UN      | United Nations   |
| UNDAF   | United Nations Development Assistance Framework                        |
| UNEG    | United Nations Evaluation Group  |
| WFCL    | Worst forms of child labour  |
| WO      | Workers' organization  |
| XBTC    | Extra-budgetary technical cooperation                                  |

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Any errors or omissions are the responsibility of the Evaluation Office.



# EXECUTIVE SUMMARY

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## INTRODUCTION

### Purpose and scope of the evaluation

1. Every year, the ILO's Evaluation Office (EVAL) holds annual consultations with senior management, the Evaluation Advisory Committee (EAC) and constituents to select topics for independent high-level evaluations (HLEs). In 2014, EVAL was asked to undertake an evaluation of the ILO's strategy to strengthen labour inspection systems in member States for discussion at the 325th Session of the Governing Body in November 2015.
2. The purpose of the evaluation is to provide an objective assessment of the design and implementation of the ILO strategy from 1 January 2010 to 31 December 2014 in order to gauge results and inform future actions. As specified in the agreed Terms of Reference (ToR), the evaluation centres on an analysis of the main approaches pursued by the Office to build, foster and maintain sound national labour inspection systems. It addresses a series of questions related to six evaluation criteria: relevance, coherence, effectiveness, sustainability, impact and efficiency (including management). Based on this analysis, the evaluation highlights lessons and offers recommendations for ILO to consider as it moves forward with the transitional Strategic Policy Framework (2016–17), which includes strengthening workplace compliance through labour inspection, as Outcome 7.

### Evaluation methodology

3. The evaluation builds on the approach presented in EVAL's High-level Evaluation Protocol for Outcome Strategy Evaluation.<sup>1</sup> It is based primarily on qualitative research, drawing on multiple sources of information, including document reviews, analyses of financial and programmatic data, key informant interviews, and a survey of ILO staff. While much of the work deals with issues at the global level, the evaluation also includes case studies of efforts to help strengthen labour inspection systems in six countries: Albania, Bangladesh, Burkina Faso, Colombia, South Africa and Viet Nam.<sup>2</sup> Burkina Faso, Colombia and Viet Nam serve as pilots for work conducted under area of critical importance 7 – workplace compliance through labour inspection (AC7).

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<sup>1</sup> *High-level evaluation protocol for outcome strategy evaluation – protocol 1*. ILO, Evaluation Unit, 2012, [http://www.ilo.org/global/docs/WCMS\\_215858/lang--en/index.htm](http://www.ilo.org/global/docs/WCMS_215858/lang--en/index.htm) [accessed 17 September 2015].

<sup>2</sup> Case study reports are available upon request.

## CONCLUSIONS AND LESSONS LEARNED

### Conclusions

4. Labour inspection is critical to ensuring compliance with national labour laws, but countries face significant challenges in establishing effective system. The Strategic Policy Framework 2010–15 includes Outcome 11 with the objective of strengthening labour inspection systems in line with international standards. The ILO strategy to accomplish this goal largely revolves around supporting the ratification and effective implementation of Labour Inspection Convention, 1947 (No. 81) and Labour Inspection (Agriculture) Convention, 1969 (No. 129).
5. While the overall size and nature of the portfolio is unknown, the Office has clearly undertaken a great deal of activity aimed at strengthening labour inspection. The Organization has taken steps to promote ratification of Conventions Nos. 81 and 129, and supervise their application. It has: provided technical assistance to establish legal frameworks for labour inspection; undertaken assessments/audits of labour inspection systems; helped develop strategies and plans for labour inspectorates as well as tools used by labour inspectors in the inspection process; developed training curricula and provided training to labour inspectors; supported the development of information systems; produced a wide assortment of publications for public distribution; and fostered alliances with international associations.
6. Based on all the evidence marshalled during the course of the study, figure 1 presents the ratings of the evaluation team with respect to the design and implementation of its strategy, and actions to strengthen the labour inspection system over the past four years.

Figure 1. Evaluation criteria ratings

| Criterion      | Very dissatisfied | Dissatisfied | Somewhat dissatisfied | Somewhat satisfied | Satisfied | Very satisfied |
|----------------|-------------------|--------------|-----------------------|--------------------|-----------|----------------|
| Relevance      |                   |              |                       |                    |           |                |
| Coherence      |                   |              |                       |                    |           |                |
| Effectiveness  |                   |              |                       |                    |           |                |
| Efficiency     |                   |              |                       |                    |           |                |
| Impact         |                   |              |                       |                    |           |                |
| Sustainability |                   |              |                       |                    |           |                |

7. The explanations for these ratings are summarized below.

- **Relevance.** The ILO strategy and actions (as designed) to strengthen labour inspection systems have been largely aligned with the needs of member States as reflected in the conclusions and resolution of the 100th Session of the International Labour Conference (2011), observations of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) in supervision reports, and reports of the Decent Work Country Programmes (DWCPs). However, while the findings should not necessarily be generalized to the entire portfolio of technical cooperation (TC) projects, case studies indicate that ILO assistance is not always directed toward key issues that: impinge on the ability of the labour inspectorates to carry out their duties and enforce the law, such as the limitations of the central authority; limit the capacity of courts to adjudicate cases; lack effective mechanisms for collecting penalties; and lack robust case management systems, and reliable labour inspection statistics.

- **Coherence.** In general, the ILO strategy and actions (*as implemented*) have been logical and consistent, focusing on activities for which the ILO is well suited. Messages conveyed to member States by ILO regarding the design and implementation of labour inspection systems are aligned with Conventions Nos. 81 and 129,<sup>3</sup> but would benefit from greater clarification with respect to the following issues: the number of labour inspectors needed to meet mandates; the number of times that enterprises should be inspected given relative risk and available resources; the role of a central authority in federal or decentralized systems; the type of “advice” that labour inspectors should provide to enterprises and workers; the degree of discretion that labour inspectors should exercise in the event of a determination of non-compliance; the nature and magnitude of sanctions needed to dissuade enterprises from violating the law; and the notion of enforcement in systems which rely on courts to impose sanctions. Projects are typically well designed. However, some aspects of design could be improved primarily with respect to the scope of engagements and sequencing of activities. Sometimes, insufficient attention is paid to the nature, magnitude and institutionalization of training for labour inspectors; the design of sanctions and associated administrative and judicial procedures; and the development of comprehensive strategies and operating plans for labour inspectorates. Finally, given the nature of the work, technical assistance/cooperation to strengthen labour inspectorates is directed predominately at national governments but some workers’ organizations would like to play a more direct role in the labour inspection process.
- **Effectiveness.** In general, the ILO has carried out activities and produced outputs consistent with stated plans; outputs have been generally well received by constituents. Between 2010 and 2014, six countries ratified Conventions Nos. 81 and/or 129 and 10 other countries were singled out by CEACR as making significant progress in meeting their obligations under these two conventions. The capacity of labour inspectorates to fulfil their mission has been strengthened in many instances as reflected in: more robust legal frameworks; an increased number and skills of labour inspectors; the adoption of new labour inspection procedures; and greater collaboration with employers’ and workers’ organizations. However, results vary across countries and lack of consistent data limit analysis.
- **Efficiency.** It appears that the Office has carried out activities in an efficient manner but data limitations preclude rigorous analysis. The Office established the Labour Administration and Inspection Unit in 2009 to lead work in this field and merged it with SafeWork to create the LABADMIN/OSH Branch in late 2013. As the lead technical entities, LABADMIN and subsequently LABADMIN/OSH have been assigned principal responsibility for technical backstop of all projects that aim to build the capacity of labour inspectorates, working in conjunction with other technical units that focus on particular subjects of inspection, such as child labour, forced labour, freedom of association, collective bargaining, discrimination, etc. However, the branch has faced difficulties in meeting its mandate due to the lack of explicit office-wide procedures and an overall operational strategy as well as resource constraints, particularly with respect to staff with labour inspection expertise. From a broader institutional perspective, while the Office has established planning and control systems, some deficiencies are apparent. These include: functional limitations in the Integrated Resource Information System (IRIS); the lack of integration of planning, reporting and financial systems; and the absence of a mechanism to independently validate reported results. Well-defined outcomes and indicators are needed to ensure accountability and provide a basis for continuous improvement. Looking ahead, the indicators for Outcome 7 in the transitional Strategic Policy Framework 2016–17 are defined in such a way as it would be possible for ILO to achieve targets without actually strengthening labour inspectorates or demonstrating improvements in compliance.

<sup>3</sup> Including the Protocol of 1995 and associated recommendations.

- **Impact.** Given the lack of consistent and reliable labour inspection statistics, there is little to demonstrate that the degree of compliance with labour laws has improved in member States. In interviews conducted as part of this evaluation, constituents offered different assessments of progress on compliance. While some suggested that significant strides had been made, many felt that the situation had not improved appreciably given the continued lack of enforcement. Representatives of workers' organizations were more likely than other constituents to suggest that compliance with key legal provisions had seen little or no improvement. While ILO seeks to support member States in keeping with international standards as reflected in Conventions Nos. 81 and 129, responsibility for the application of these Conventions rests solely with these States. Achieving greater compliance with applicable laws and regulation is dependent on numerous social, political and economic factors; it requires actions across multiple fronts.
- **Sustainability.** In many cases, improvements in the structures and functions of labour inspectorates have been embodied in law, which will remain in effect unless amended or repealed. However, the likelihood that improvements in the capacity of labour inspectorates will be sustained varies across countries depending on the extent to which changes have been codified in policies, procedures and systems as well as the degree of political commitment, institutional leadership, and ongoing budget support.

## LESSONS LEARNED

8. There are several lessons that can be distilled from the results of the evaluation that have implications for the ILO (and potentially for other organizations) going forward.
  - Projects need to be tailored to conditions within each country, recognizing the specific political situation and capacity of existing institutions.
  - The commitment of government is key and extends beyond ministries of labour.
  - Staffing and the provision of adequate oversight are critical.
  - ILO needs to consider all of the steps that are necessary and sufficient to build the capacity of institutions and strengthen the enforcement of national labour laws.
  - ILO and donors need to be prepared to work on particular reforms in a country over a long period of time.

## RECOMMENDATIONS

9. The results of the evaluation lead to eight recommendations organized under five headings: strategy; organization and staffing; technical assistance; data publication; and information systems. Responsibility for implementing these recommendations is shared among multiple departments and branches.

### ILO Strategy

**Recommendation 1:** In the current and future strategic policy frameworks (SPFs), emphasize the importance of strengthening labour inspectorates to achieve compliance.

| Responsible              | Priority | Time       | Resource |
|--------------------------|----------|------------|----------|
| PROGRAM and LABADMIN/OSH | High     | Short-term | Low      |

## Organization and staffing

**Recommendation 2:** Strengthen LABADMIN/OSH's role as the lead technical unit and add labour inspection expertise.

| Responsible            | Priority | Time        | Resource |
|------------------------|----------|-------------|----------|
| DDG/P and LABADMIN/OSH | High     | Medium-term | Medium   |

## Technical assistance

**Recommendation 3:** Move towards more comprehensive technical assistance, which addresses capacity constraints in labour inspectorates and related public institutions in an integrated manner.

| Responsible                          | Priority | Time    | Resource |
|--------------------------------------|----------|---------|----------|
| Country Offices (COs), DWTs, PROGRAM | High     | Ongoing | High     |

**Recommendation 4:** Place greater emphasis on the development of strategies and operating plans for labour inspectorates.

| Responsible  | Priority | Time    | Resource |
|--------------|----------|---------|----------|
| LABADMIN/OSH | Medium   | Ongoing | Low      |

**Recommendation 5:** Place greater emphasis on building the capacity of ministries of labour (MOLs) to train labour inspectors and other government officials in close coordination with other public institutions dealing with labour inspection issues.

| Responsible              | Priority | Time    | Resource |
|--------------------------|----------|---------|----------|
| LABADMIN/OSH and ILO-ITC | Medium   | Ongoing | Low      |

**Recommendation 6:** Formulate an ILO action plan to support the development and implementation of case management systems for labour inspectorates.

| Responsible unit | Priority | Time implication | Resource implication |
|------------------|----------|------------------|----------------------|
| LABADMIN/OSH     | Medium   | Medium-term      | Low                  |

## Data publication

**Recommendation 7:** ILO should make available labour inspection statistics submitted by countries in annual reports as required by Convention No. 81. This information is essential for internal and external research.

| Responsible | Priority | Time       | Resource |
|-------------|----------|------------|----------|
| NORMES      | Medium   | Short-term | Low      |



### Information systems

**Recommendation 8:** Review the Integrated Resource Information System (IRIS) platforms and develop an action plan to address deficiencies related to coding and integration.

| Responsible | Priority | Time        | Resource |
|-------------|----------|-------------|----------|
| PROGRAM     | High     | Medium-term | High     |

# INTRODUCTION

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## PURPOSE AND SCOPE OF THE EVALUATION

10. The purpose of the evaluation is to provide an objective assessment of the design and implementation of the ILO strategy from 1 January 2010 to 31 December 2014 in order to gauge results and inform future actions. As specified in the agreed Terms of Reference (ToR), the evaluation focuses on an analysis of the main approaches pursued by the Office to build, foster and maintain sound national labour inspection systems. In this regard, it examines the following:
  - (i) The role of labour inspectorates focusing on: “ensuring the protection of both men and women workers in all sectors and at all levels; in ensuring compliance at national level with national labour laws; and, ultimately, in assisting and strengthening the international supervisory system” and needed for achieving decent work and good governance of labour administration;
  - (ii) The degree to which the Office’s labour inspection strategies and activities have effectively promoted the application and enforcement of the relevant international Conventions dealing with labour inspection;
  - (iii) The extent to which the Office’s labour inspection strategy has been effective in enhancing the capacities of labour inspectorates through technical assistance (TA) programmes and projects, including training courses on effective enforcement and compliance with national labour law and international labour standards;
  - (iv) The extent to which ILO labour inspection strategies and activities have been relevant to and coherent with the capacity needs of workers’ and employers’ organizations to impact compliance with labour law, and have enabled tripartite dialogue to address challenges related to labour law requirements and compliance; and
  - (v) The extent to which the Office’s technical cooperation (TC) portfolio has been effective in supporting timely delivery of TA to labour inspectorates and member States.<sup>4</sup>
11. In this regard, the evaluation focuses on activities undertaken by the ILO to promote the ratification and application of relevant Conventions, Protocols and Recommendations – specifically Labour Inspection Convention, 1947 (No. 81) and its Protocol of 1995, and Labour Inspection (Agriculture) Convention, 1969 (No. 129) – and strengthen labour inspection systems in member States in keeping with Outcome 11 of the Strategic Policy Framework 2010–15 (specifically Indicator 11.2) and attendant biennial Programme and Budgets (P&Bs) for 2010–11, 2012–13, and 2014–15. As part of this process, the evaluation looks at areas of critical importance (ACIs) that were included in the P&B 2014–15, specifically ACI 7 – strengthening workplace compliance through labour inspection.

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<sup>4</sup> See Annex A.

12. The evaluation is intended to gauge how well the ILO has performed in addressing challenges faced by labour inspection systems in member States, resulting in institutions that have the capacity to provide information and advice, enforce the labour law, and bring identified problems not covered by existing law to the attention of competent authorities. In so doing, it addresses a series of questions related to six evaluation criteria: relevance, coherence, effectiveness, sustainability, impact, and efficiency (including management). Based on this analysis, the evaluation highlights lessons and offers practical recommendations for ILO to consider as it moves forward with the transitional SPF 2016–17, which includes strengthening workplace compliance through labour inspection as Outcome 7.
13. The principle audience for the evaluation consists of the ILO's Governing Body (GB), ILO senior management, headquarters, regional and country office (CO) staff, decent work country technical support teams (DWTs) specialists, and national tripartite constituents.

## EVALUATION METHODOLOGY

14. The evaluation builds on the approach presented in EVAL's High-level Evaluation Protocol for Strategy and Policy Evaluation.<sup>5</sup> It is based primarily on qualitative research, drawing on multiple sources of information, including document reviews, analyses of financial and programmatic data, key informant interviews,<sup>6</sup> and a survey of ILO staff.<sup>7</sup> While much of the work deals with issues at the global level, the evaluation also includes the preparation of case studies of efforts to help strengthen labour inspection systems in Albania, Bangladesh, Burkina Faso, Colombia, South Africa and Viet Nam.<sup>8</sup> The countries were selected based on the following criteria: level of funding; reported results; regional distribution; and ILO staff nominations of exemplary work. It should be noted that Burkina Faso, Colombia and Viet Nam serve as pilots for work conducted under ACI 7 – strengthening workplace compliance through labour inspection. The activities in the selected countries are not necessarily representative of all the activities that ILO has undertaken to strengthen labour inspection systems in member States during the time period.

<sup>5</sup> *Protocol 1: High-level evaluation protocol for strategy and policy evaluation*, ILO, Evaluation Office, 2015, [http://www.ilo.org/global/docs/WCMS\\_215858/lang--en/index.htm](http://www.ilo.org/global/docs/WCMS_215858/lang--en/index.htm) [accessed 18 Sep. 2015].

<sup>6</sup> More than 125 people were interviewed during the course of the evaluation, including ILO staff and consultants, government officials, labour inspectors, and representatives of workers' and employers' organizations. See Annex B.

<sup>7</sup> The online survey was sent to 80 individuals comprising ILO staff in regional offices, DWCTs and country offices (country sector specialists, programme managers and chief technical advisers – CTAs). Thirty-one replies were received, representing a response rate of 39 per cent. Plans to conduct a survey of tripartite constituents were dropped given the difficulty of establishing a valid sample and the likelihood of a low response rate.

<sup>8</sup> Case study reports are available upon request.

# ILO STRATEGY AND ACTIONS

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## ILO STRATEGY

15. This section of the report describes the strategy that ILO has developed to strengthen labour inspection systems in member States. It begins with a discussion of underlying issues that the strategy is intended to address before turning to a discussion of the elements of the strategy as reflected in key policy statements, biennial P&Bs, and decent work country programmes (DWCPs).

### **Labour inspection is a core function of labour administration.**

16. The ILO Labour Administration Convention, 1978 (No. 150) defines labour administration as “public administration activities in the field of national labour policy.” Labour policy is not defined in the Convention, nor is labour inspection explicitly mentioned. However, Labour Administration Recommendation, 1978 (No. 158) indicates that the functions of the labour administration system include, inter alia, the development and application of labour standards, encouragement of sound labour relations, and the provision of employment services. With respect to labour standards, Recommendation No. 158 states that the “system of labour administration should include a system of labour inspection.”<sup>9</sup>

### **Labour inspection is critical in ensuring compliance with national labour laws, but countries face significant challenges in establishing effective systems.**

17. Although the particular mandate of labour inspectorates varies based on national legislation, labour inspectors are often charged with addressing issues related to employment relations, working conditions, wages and benefits, working hours, occupational safety and health (OSH), child and forced labour, and gender equality and discrimination.
18. Despite the importance of labour inspection systems, numerous reports have documented challenges facing labour inspectorates across the world,<sup>10</sup> including: inadequate legal frameworks; the lack of coherent labour inspection plans; insufficient budgetary resources; difficulties in recruiting and retaining qualified inspectors; deficiencies in staff competencies due, in part, to inadequate training;

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<sup>9</sup> This evaluation focuses on labour inspection. It does not address the other roles that labour administration systems play in member States.

<sup>10</sup> See, for example, ILO: *Strategies and practices for labour inspection*. Governing Body. 297th Session, Geneva, Nov. 2006, GB.297/ESP/3.

poorly designed and/or implemented labour inspection procedures; inadequate case management systems; ineffective sanctions; high rates of informality; and evolving employee relationships.

**To a great extent, the ILO strategy to strengthen labour inspection system revolves around supporting the ratification and effective implementation of key Conventions.**

19. The establishment of sound labour inspection systems has been a priority for the ILO since its inception. The need for effective labour inspection was reflected in the Treaty of Versailles, which established the ILO. It stipulates, “Each State should make provision for a system of inspection, in which women will take part, in order to ensure the enforcement of laws and regulations for the protection of the employed.” Under article 10(2)(b) of the ILO Constitution, the International Labour Office is tasked with helping governments to improve labour inspection systems.
20. Convention No. 81 defines standards for the functions, structure and operations of the labour inspectorate in commerce and industry.<sup>11</sup> According to Article 3(1) of the Convention, the primary functions of a labour inspectorate are threefold: (i) enforce legal provisions relating to conditions of work and the protection of workers; (ii) provide technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions; and (iii) bring to the notice of the competent authority defects or abuses not specifically covered by existing law. It calls, *inter alia*, on ratifying States to: place labour inspection under the supervision and control of a central authority as far as is compatible with administrative practices; promote effective cooperation between the labour inspectorate and other public and private organizations; ensure that labour inspectors are public officials and are independent of changes in government and improper external influences; recruit men and women to be labour inspectors based solely on their qualifications and provide adequate training; maintain a sufficient number of labour inspectors to effectively discharge the duties of the inspectorate; furnish labour inspectors with adequate offices, transportation, equipment and other material resources; provide labour inspectors with proper credentials and empower them to enter workplaces at any time of the day without prior notice and carry out examinations necessary to determine compliance with legal provisions; maintain confidentiality; provide for adequate penalties for violation of the law; and issue annual reports with relevant statistics. Convention No. 129 is similar in content to Convention No. 81 and requires ratifying States to establish a system of labour inspection in agriculture. As of the beginning of the five-year strategy cycle in January 2010, 141 and 48 governments had ratified Conventions Nos. 81 and 129, respectively.<sup>12</sup>
21. In November 2009, as follow-up to the *Declaration on Social Justice for a Fair Globalization* of 2008, the GB approved a six-year plan to promote the widespread ratification and effective implementation of the four governance Conventions: Conventions Nos. 81 and 129, Employment Policy Convention, 1964 (No. 122) and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).<sup>13</sup> The action plan called for the selection of 25 target countries (also referred to as “focus countries”) during year one for particular emphasis and set a “strategic goal” of at least 50 instances where the governance Conventions had been newly ratified by member States and/or progress in the application of these Conventions had been noted by the supervisory bodies. Further, among the 50 instances, it set a sub-target for the ratification of Convention No. 129 by 10 member States. The approved action plan identified activities to be carried out and placed overall responsibility for implementation with the International Labour Standards Department (NORMES), noting that work would be undertaken in collaboration with the relevant technical units, the Bureau for Employers’ Activities (ACT/EMP) and the Bureau for Workers’ Activities (ACTRAV).

<sup>11</sup> The Protocol of 1995 to Convention No. 81 extends application of the Convention to non-commercial workplaces.

<sup>12</sup> See Annex C.

<sup>13</sup> ILO: *Towards widespread ratification and effective implementation of the governance Conventions, plan of action 2010–2016*. (Geneva, 2011).

22. The ratification of Conventions provides the legal basis for international supervision of the application of these instruments at a national level. Regular supervision is carried out by the Committee of Experts on the Application of Conventions and Recommendations (CEACR), based, in part, on reports due under Article 22 of the ILO Constitution.<sup>14</sup> Once a country has ratified an ILO Convention, it is obliged to report regularly on measures it has taken to implement it. In the case of Conventions Nos. 81 and 129, these reports are due every three years. The CEACR makes two kinds of comments on the application of standards – observations and direct requests. Observations contain comments on fundamental questions raised by the application of a particular Convention by a State. These observations are published in the Committee’s annual report. Direct requests relate to more technical questions or requests for further information. These are not published in the report but are communicated directly to the governments concerned and made publicly available online.<sup>15,16</sup> In addition, under articles 24 and 25 of the ILO Constitution, an industrial association of employers or workers has the right to make a representation to the GB against any member State which, in its view, "has failed to secure in any respect the effective observance within its jurisdiction of any Convention to which it is a party". In addition, under articles 26 to 34 of the ILO Constitution, a complaint may be filed against a member State for not complying with a ratified Convention by another member State, which ratified the same Convention, a delegate to the International Labour Conference, or the Governing Body in its own capacity.
23. As discussed below, the Conventions serve as the foundation for TC projects and other forms of TA provided by ILO to member States. In this regard, the CEACR notes those countries that would benefit from TA in its annual reports.

### **The Strategic Planning Framework 2010–15 sets an objective of strengthening labour inspection systems in line with international standards.**

24. The biennial P&Bs approved by the International Labour Conference (ILC) for 2010–2011, 2012–2013 and 2014–2015 are based on the strategy and results framework set out in the Strategic Policy Framework 2010–15. The P&Bs define strategic objectives and intended outcomes, indicate how results will be measured, describe the activities that will be undertaken to achieve results, and present an estimated budget, including the regular budget (RB), regular budget supplementary account (RBSA), and extra-budgetary technical cooperation (XBTC) resources. The programme of work is delivered in member States mainly through DWCPs, which include country programme outcomes (CPOs) aligned to outcomes defined in the P&B. The Office prepares implementation reports every two years, which discuss the results achieved during the respective biennium.<sup>17</sup>
25. In keeping with the SPF 2010-15, the P&B lays out 19 intended outcomes under four strategic objectives. As shown in table 1, Outcome 11 – Labour Administration includes an “indicator” that specifically deals with labour inspection. Specifically, Indicator 11.2 calls for efforts to “strengthen labour inspection systems in line with international labour standards.”<sup>18</sup> Labour inspection is also referenced in the measurement criteria for indicators under two other outcomes: Outcome 6 –

<sup>14</sup> The Committee on the Application of Standards (CAS) is also involved in the supervision process. The annual report of the CEACR is usually adopted in December and is submitted to the International Labour Conference (ILC) the following June, where it is examined by the Conference Committee on the Application of Standards. A standing committee of the Conference, the Conference Committee is made up of delegates from governments, employers, and workers.

<sup>15</sup> CEACR website: [www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/lang--en/index.htm](http://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/lang--en/index.htm) [accessed 18 Sep. 2015].

<sup>16</sup> NORMLEX, Information System on International Labour Standards (ILS) database: <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO> [accessed 18 Sep. 2015].

<sup>17</sup> Programme implementation reports are available for 2010–11 and 2012–13.

<sup>18</sup> To be counted as reportable, results must meet at least two criteria.

Occupational Safety and Health (measurement criteria for indicators 6.1 and 6.2), and Outcome 7 – Labour Migration (measurement criteria for indicators 7.1 and 7.2).<sup>19</sup> However, it should be noted that measurement criteria for these indicators include multiple dimensions of performance. As such, success can be reported without effecting any change in the labour inspection system.

26. As discussed below, depending on the particular biennia, there are a number of other outcomes that discuss labour inspection as part of the strategy, but do not include references to labour inspection in either the indicators or associated measurement criterion. See, for example, the discussion of strategies in the P&B 2014–15 for: Outcome 13 – A sector-specific approach to decent work is applied; Outcome 15 – Forced labour is eliminated; Outcome 16 – Child labour is eliminated, with priority given to the worst forms; Outcome 17 – Discrimination in employment and occupation is eliminated; and Outcome 18 – International labour standards are ratified and applied.

Table 1. Elements of SPF outcomes that reference labour inspection

| Outcome  | Indicator   | Measurement  |
|--|---|--|
| <b>Outcome 11: Labour administrations apply up-to-date labour legislation and provide effective services</b> | Indicator 11.2: Number of member States that, with ILO support, strengthen their labour inspection system in line with international labour standards         | To be counted as reportable, results must meet at least <u>two</u> of the following criteria: <ul style="list-style-type: none"> <li>• The status of labour inspection staff is improved to ensure that public officials have conditions of service that ensure stability of employment and independence in the discharge of their duties and a mandate to impose sanctions (Article 6 of Convention No. 81).</li> <li>• A budgeted training plan for labour inspectors, with due regard to the special duties that may be assigned to men and women inspectors, is implemented by the labour administration system.</li> <li>• A system is established or strengthened in the labour administration so that up-to-date registers, sex-disaggregated data and statistics concerning conditions of employment and work by enterprise are available.</li> <li>• An awareness-raising strategy targeting employers and workers and their organizations on the technical role and scope of labour inspection is implemented by the labour administration system.</li> </ul>  |
| <b>Outcome 6: Workers and enterprises benefit from improved safety and health conditions at work</b>         | Indicator 6.1: Number of member States that, with ILO support, adopt policies and programmes to promote improved safety and health at work                    | To be counted as reportable, results must meet the following criteria: <ul style="list-style-type: none"> <li>• The member State has adopted legislation, a national or sectoral profile, a policy or programme targeted at improving OSH conditions in line with ILO-OSH and labour inspection standards, particularly Conventions Nos. 81 and 129, Occupational Safety and Health Convention, 1981 (No. 155) and Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).</li> <li>• Development of the laws, profiles, policies or programmes is based on tripartite consultation, as documented by written statements of opinion by the social partners or by records of their participation in national tripartite mechanisms for OSH development.</li> </ul>   |
|  | Indicator 6.2: Number of member States in which tripartite constituents, with ILO support, implement programmes to promote improved safety and health at work | To be counted as reportable, results must meet at least <u>one</u> of the following criteria: <ul style="list-style-type: none"> <li>• The member State has incorporated OSH concerns into national development frameworks or similar national policy documents.</li> <li>• A national tripartite mechanism for OSH is established or revitalized so that it functions effectively (meeting regularly and making recommendations to government).</li> <li>• OSH information, awareness-raising and training strategies are designed and implemented by the government and employers' or workers' organizations to help give effect to programmes targeting improvement of OSH conditions, as documented by a schedule and budget allocation for, and reports of, activities.</li> <li>• Labour inspection services carry out more effective and efficient inspections to help ensure application of OSH standards, as documented through evidence in annual reports.</li> <li>• A register and analyses, with sex-disaggregated data, of occupational accidents and diseases are established or upgraded and maintained at national level by the competent authority.</li> </ul> |

<sup>19</sup> Note: one of the measurement criteria for Indicator 10.1 references labour inspection, but this concerns the capacity of workers' organizations rather than the labour inspectorates: "The strategic planning and training programmes [for workers' organizations] cover one or more of the following areas: international labour standards and trade union rights, social dialogue, poverty reduction, wages, employment relations, child labour, migrants, gender equality, employment, social security, informal economy, OSH, Human immunodeficiency virus infection/acquired immunodeficiency syndrome (HIV/AIDS) at the workplace, labour inspection, export processing zones (EPZs), green decent jobs."

| Outcome  | Indicator  | Measurement  |
|--|--|--|
| <b>Outcome 7: More migrant workers are protected and more migrant workers have access to productive employment and decent work</b> | Indicator 7.1: Number of member States that, with ILO support, adopt gender-sensitive labour migration policies to protect migrant workers that reflect the ILO Multilateral Framework and the provisions of relevant international labour standards         | To be counted as reportable, results must meet <u>at least two</u> of the following criteria: <ul style="list-style-type: none"> <li>• A gender-responsive policy to improve the protection of migrant workers is developed, as documented either through legislation, a national development plan, government regulations, or a bilateral agreement/Memorandum of Understanding between the country of origin and the country of destination.</li> <li>• The policy specifically addresses <u>at least one</u> of the following areas: increased equality of treatment and non-discrimination for migrant workers in the workplace; safe recruitment of migrant workers; integration in workplaces and societies of destination; expanded social security coverage for migrant workers; expanded and improved labour inspection coverage of workplaces where migrant workers are employed; measures to prevent migrant workers from falling into situations of trafficking and forced labour.</li> <li>• Ministerial or inter-ministerial capacities to administer labour migration and/or a national tripartite mechanism in charge of monitoring the implementation of the policy are/is established or revitalized, as documented through evidence of recurrent meetings.</li> <li>• A national mechanism for the collection and monitoring of up-to-date sex-disaggregated data on migrant workers is established or upgraded.</li> </ul>   |
|  | Indicator 7.2: Number of member States that, with ILO support, adopt gender-sensitive labour migration policies and practices that reflect the ILO Multilateral Framework with a view to promoting productive employment and decent work for migrant workers | To be counted as reportable, results must meet <u>at least two</u> of the following criteria: <ul style="list-style-type: none"> <li>• A gender-responsive policy or national programme to improve access of migrant workers to productive employment and decent work is developed, as documented either through a national development plan, local or regional development plans and programmes, national labour laws applicable to migrant workers, or integration laws and policies.</li> <li>• The policy or programme specifically addresses <u>at least one</u> of the following areas: skills development and training; prevention of deskilling; recognition of diplomas and competencies; brain drain; accommodating remittance flows and/or their productive use; the link between remittances and socially responsible financial institutions; productive employment of migrant workers upon their return; the link between migration policy and meeting labour market needs.</li> <li>• Government institutional capacities to administer labour migration policy are established or revitalized, in particular effective labour inspection services to monitor decent working conditions in the workplace in destination countries.</li> <li>• Government institutional capacities to administer policies and programmes for return migrants are established or reinvigorated, in particular effective employment services for vocational guidance, placement and labour market reintegration.</li> </ul> |

27. The format for presenting the “strategy” for achieving outcomes varied in each of the three biennia. The strategy for each outcome in the P&B 2010–11 was organized under six headings: experience and lessons learned; labour administration; labour legislation; knowledge and tools; international partnerships; and risks and assumptions. In the P&B 2012–13, the strategy was organized under nine headings: experience and lessons learned; linkages to other outcomes; knowledge development and sharing; gender equality and non-discrimination; building the capacity of constituents; partnerships; communication; technical cooperation; and risk management. The structure was changed again in the P&B 2014–15 and included four headings: strategy goal and focus; means of action and support to constituents; gender equality and non-discrimination; and partnerships.
28. None of the P&Bs contain a separate presentation of the overall ILO strategy to strengthen labour inspection systems in the respective biennia, rather elements of an implicit strategy are reflected in various statements in the discussion of different outcomes.<sup>20</sup> The particular outcomes and language used to describe these elements vary across the three biennia. However, a review of the documents suggests that the strategy has revolved around: the promotion of the ratification of relevant Conventions (particularly Conventions Nos. 81 and 129); assistance with identifying deficiencies in labour inspection systems through periodic audits and ongoing supervision activities; promotion of social dialogue and the provision of technical advice on legislation, policies and programmes; training of labour inspectors; strengthening data collection systems; and promoting information exchange and

<sup>20</sup> See Annex D.



global alliances. Training of labour inspectors is a significant component of the ILO strategy. In this regard, emphasis is placed on the training modules developed by the ILO International Training Centre (ILO-ITC). The P&Bs call for coordination of activities across related outcomes.

29. The P&B for 2014–15 defined eight ACIs for priority action during the biennium. The objective of ACI 7 – Strengthening workplace compliance through labour inspection – is “to develop the capacity of constituents to improve compliance in workplaces with national labour laws and regulation, ratified international labour standards and applicable collective agreements.” In this regard, ACI 7 calls for “enhancing employer and worker collaboration in compliance; strengthening the enforcement and preventive functions of labour inspection and labour administration; providing technical assistance and capacity building to government inspection and enforcement institutions and to social partners; assisting in the design of labour legislation and effective dispute resolution mechanisms; and public–private partnerships.” Burkina Faso, Colombia and Viet Nam were designated as pilots for the implementation of ACI 7.
30. ILO’s biennial programme of work is delivered in member States mainly through DWCPs, which include CPOs aligned to outcomes defined in the P&B. As discussed in more detail below, each CPO is mapped to one of the 19 outcomes without reference to whether the CPO addresses labour inspection.

#### **In late 2011, ILO adopted a plan of action in response to the resolution and conclusions adopted by the 100th Session of the ILC.**

31. In 2011, roughly mid-way through the strategic planning cycle, the ILC took up the subject of labour administration and labour inspection. Based, in part, on the findings of a report prepared by the Office,<sup>21</sup> the ILC highlighted the importance of labour ministries, including labour inspectorates, in furthering the aims of the ILO and achieving the goal of decent work in all member States. The discussion led to the adoption of a resolution and conclusions.<sup>22</sup> The subsequent Action Plan developed by the Office includes the following elements:<sup>23</sup>
  - Promotion of the ratification and effective application of the relevant international labour standards (ILS);
  - Development of strategies and tools to deliver TA to constituents;
  - Building knowledge on labour administration and inspection;
  - Exchange of good practices;
  - Fostering partnerships and horizontal cooperation; and
  - Improving the Office’s capacity and internal coordination in respect of labour administration and inspection.
32. The Action Plan notes, “The strategies designed by the Office will pay particular attention to the promotion, application and enforcement of labour legislation for workers in the public sector and for vulnerable workers, especially those in the informal and rural economies, for domestic workers, and for workers in export processing zones, ever mindful of the 2009 Conference conclusions concerning gender equality at the heart of decent work.”

<sup>21</sup> ILO: *Labour administration and labour inspection*, International Labour Conference, 100th Session, Geneva, 2011.

<sup>22</sup> ILO: *Report of the Committee on Labour Administration, Provisional Record No. 19*, International Labour Conference, 100th Session, Geneva, 2011.

<sup>23</sup> ILO: *Policy development section, provisional report*, Governing Body, 312th Session, Geneva, Nov. 2011, GB.312/POL/6.

## ILO ACTIONS

33. This section of the report describes the actions that ILO has taken to strengthen labour inspection systems in keeping with the strategy. It begins with a discussion of the organizational structure of the ILO before turning to a description of actions taken with respect to different elements of the strategy. The section ends with a discussion of funding allocated to efforts to strengthen labour inspection systems in member States. An assessment of the strategy and actions with respect to the specific evaluation criteria is presented in the next section of the report.

### **ILO established the Labour Administration and Inspection Unit in 2009 to lead work in this field and merged it with SafeWork in 2013 to create the LABADMIN/OSH Branch in late 2013.**

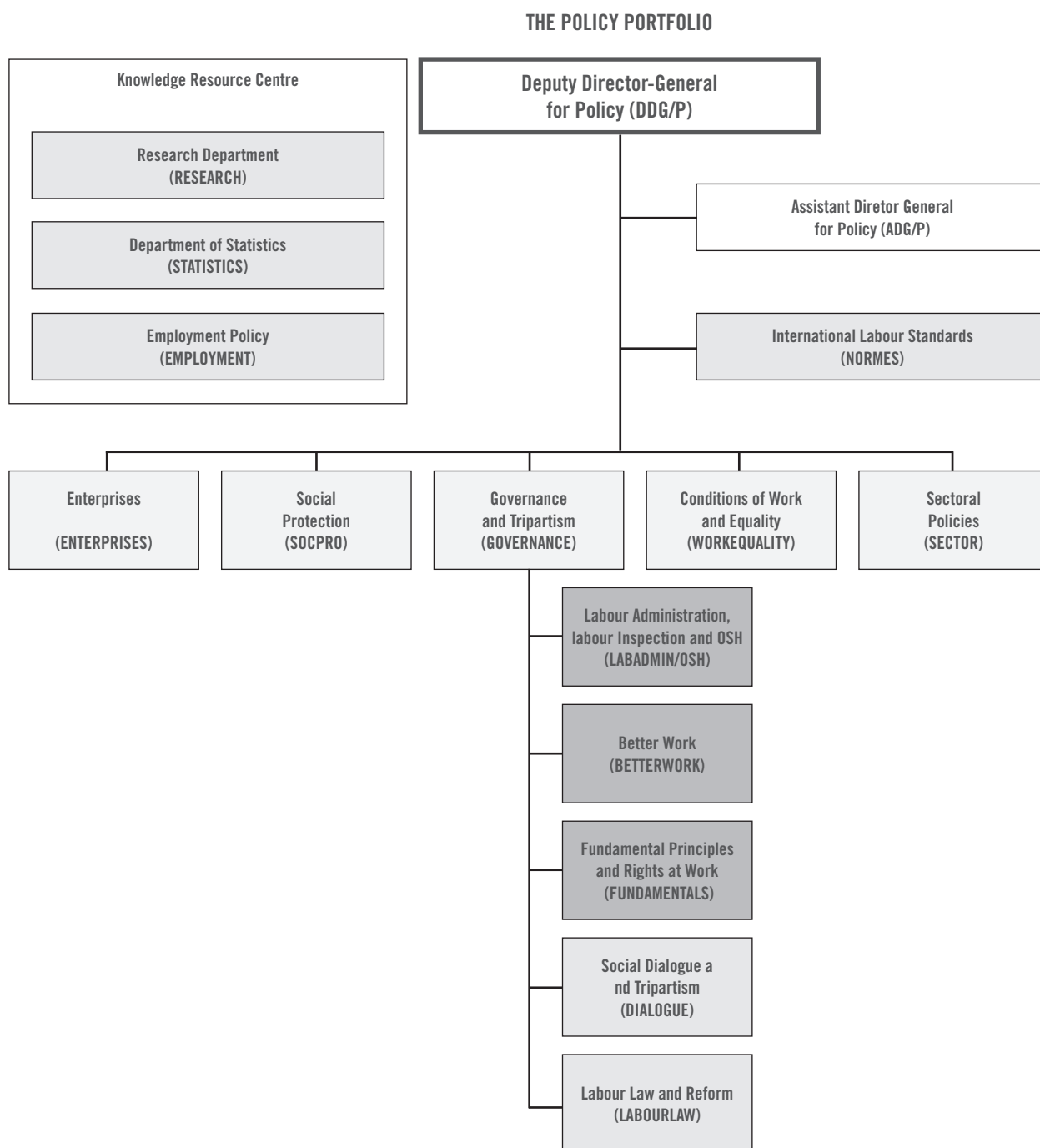
34. The ILO Labour Administration and Inspection Programme (LABADMIN) was established in April 2009 under the Social Dialogue Sector to serve as the technical unit responsible for this field of work. (A separate unit – Occupational Safety and Health Unit (SafeWork) – was established under the Social Protection Sector.<sup>24</sup>) The mandate given to LABADMIN was to help constituents, in particular ministries of labour, promote social dialogue and tripartism, strengthen the enforcement of labour legislation, prevent and/or settle labour disputes, provide assistance with labour market transitions, and establish strong vocational training systems. LABADMIN was charged with leading ILO's work in the field of labour administration and inspection, and mobilizing relevant expertise across the Office. In this regard, given the wide range of technical areas falling under the rubric of labour administration and inspection, coordination between LABADMIN and other ILO technical programmes and units such as SafeWork, NORMES, the Programme for the Promotion of the Declaration on Fundamental Principles and Rights at Work (DECLARATION),<sup>25</sup> the International Programme on the Elimination of Child Labour (IPEC), the Gender Equality and Diversity Branch (GED), the ILO/AIDS and the World at Work Branch (ILO/AIDS), the Skills and Employability Branch (SKILLS), the Labour Migration Branch (MIGRANT), and the Better Work Programme is seen as essential.
35. In late 2013, the Director-General instituted a number of organizational reforms to promote better coordination and collaboration within the Organization and improve the overall efficiency and effectiveness of operations. As part of these reforms, the decision was made to merge LABADMIN with SafeWork to form the LABADMIN/OSH Branch with effect from September 2013 (IGDS No. 342). As shown in figure 2, LABADMIN/OSH is part of the new Governance and Tripartism Department, which is now under the oversight and direction of the Deputy Director-General for Policy (DDG/P).
36. The merger was predicated, in part, on the assumption that combining the technical focus of SafeWork with the legal, policy and administrative expertise of LABADMIN might lead to synergies, innovative global products, and better integrated country programmes. LABADMIN/OSH has developed and implemented workplans guided by the biennial P&B, the OSH Plan of Action 2010-2016 (adopted by the GB at its 307th Session held in March 2010) and the Plan of Action on labour administration and labour inspection (adopted by the GB at its 312th Session held in November 2011).<sup>26</sup>

<sup>24</sup> SafeWork was responsible for developing and implementing ILO's OSH standards and related activities. Its main tasks centred on the development of OSH standards for incorporation into Conventions and Recommendations adopted by the ILC as well as the development of codes of practice, guidelines, technical publications and training materials. SafeWork provided TA services and assistance directly to ILO constituents and backstopped Decent Work Support Team (DWT) Specialists in the design and implementation of TC projects. (OSH issues in maritime industries are under the responsibility of the Maritime Industries Branch of the Sectoral Policies Department – SECTOR.)

<sup>25</sup> Pre-2014.

<sup>26</sup> Written responses provided by LABADMIN/OSH on 8 June 2015.

Figure 2. Organizational structure



37. The Branch currently has 17 staff based in Geneva, three of whom have expertise in labour inspection.<sup>27</sup> Five ILO field specialists based in four offices – Bangkok, Moscow, New Delhi and Santiago – also have expertise in labour inspection. Field specialists report directly to Decent Work Support Team (DWT) directors.

<sup>27</sup> Five former LABADMIN staff, including the former director, either retired or transferred to other departments, branches or offices after the merger all of whom had expertise in labour inspection. The four who are still currently employed are assigned to ILO/International Training Centre (ITC), Field Programmes in Europe and Central Asia (EUROPE), the Governance and Tripartism Department (GOVERNANCE) and the Regional Office RO-Bangkok.

38. As shown in table 2, RB expenditures and Programme Support Income (PSI) by LABADMIN and SafeWork increased during the first two biennia of the strategy cycle, reaching a combined total of US\$11.2 million in 2012–2013. At \$13.0 million, the total budget for LABADMIN/OSH in 2014–15 is roughly 16 per cent higher than expenditures in the previous biennium.

Table 2. Funding for LABADMIN, SafeWork and LABADMIN/OSH

| Unit or Branch | Expenditures 2010–11 |         |           | Expenditure 2012–13 |         |            | Budget 2014–15 |        |            |
|----------------|----------------------|---------|-----------|---------------------|---------|------------|----------------|--------|------------|
|                | RB                   | PSI     | Total     | RB                  | PSI     | Total      | RB             | PSI    | Total      |
| LABADMIN       | 3,868,657            | 294,457 | 4,163,114 | 5,068,392           | 8,8068  | 5,156,459  |                |        |            |
| SafeWork       | 5,622,884            | 0       | 5,622,884 | 5,994,699           | 9,7602  | 6,092,301  |                |        |            |
| Sub-total      | 9,491,541            | 294,457 | 9,785,998 | 11,063,091          | 185,670 | 11,248,760 |                |        |            |
| LABADMIN/OSH   |                      |         |           |                     |         |            | 12,956,870     | 81,756 | 13,038,628 |

Notes: RB = regular budget; PSI = programme support income.  
Source: FINANCE.

39. A breakdown of the amount of funding devoted specifically to labour inspection is not available. Based on personnel counts, somewhere in the order of 18 per cent<sup>28</sup> – roughly \$2.3 million – might be expected to be allocated to labour inspection in the current biennium.

### **ILO has clearly undertaken a great deal of activity aimed at strengthening labour inspection, but the overall size and nature of the portfolio is unknown.**

40. As shown in table 3, the total funding allocated to Outcome 11 over the three biennia is in the order of \$94 million. However, this covers a broad range of activities, some falling well outside efforts to strengthen labour inspection systems. Separate figures for activities conducted under Indicator 11.2 are not available. Similarly, no breakdown is available for expenditures on activities to strength labour inspection systems conducted under other outcomes.<sup>29</sup>

Table 3. Budget and expenditures for Outcome 11

| Resources | Expenditures 2010–2011 | Expenditures 2012–2013 | Budget 2014–2015 |
|-----------|------------------------|------------------------|------------------|
| Regular   | 19,585,190             | 25,734,852             | 26,261,128       |
| Regular   | 1,827,944              | 1,598,580              | NA               |
| Extra-    | 7,705,764              | 4,812,604              | 6,545,000        |
| Total     | 29,118,898             | 32,146,036             | 32,806,128       |

Note: NA = not applicable.  
Source: FINANCE.

41. Most activity to strengthen labour inspection systems takes places at the country-level pursuant to agreed CPOs. Each XTBC- and RBSA-funded project is mapped to a particular CPO in each coun-

<sup>28</sup> The three labour inspection specialists represent 18 per cent of the total LABADMIN/OSH staff. Applying this 18 per cent to total expenditures of \$13 million yields an estimate of \$3.8 million allocated to labour inspection under the auspices of LABADMIN/OSH.

<sup>29</sup> See Management section of this report for discussion on the limitations of current information systems.

try. Each CPO is mapped to one of 19 outcomes. Neither projects, nor CPOs, are coded based on whether they include activities to strengthen labour inspection systems. At this time, the only way to determine the relevant project portfolio is to read descriptions of each and every CPO undertaken between 2010 and 2014, and build a separate analytical database. Given the number of CPOs and multitude of ways in which activities are described, this is a very time-consuming task. While a full analysis of CPOs is outside the scope of this evaluation, a review of a subset of CPOs, for which results were reported in programme implementation reports, demonstrates that at least 92 CPOs in 87 countries included activities to strengthen labour inspection systems in the first two biennia of the strategic planning cycle. CPOs were mapped to 13 different outcomes.

42. As noted above, the ILO's biennial programme of work is delivered in member States mainly through DWCPs. An analysis of the subset of CPOs that reported results under Indicator 11.2 was undertaken to get a better handle on the level of expenditures committed to efforts to strengthen labour inspection. Programme implementation reports for the two biennia (2010–11 and 2012–13) list results for CPOs in 20 countries. However, data in table 4 show expenditures for just seven of the 20 CPOs, totalling \$750,000. Again, some CPOs include components that go beyond strengthening the labour inspection system. As such, figures represent an upward trend on the amount of funding that has been devoted to this effort. For the other 11 CPOs that have reported results, no expenditures were linked to RBSA, Regular Budget Technical Cooperation (RBTC) or XTBC funding. There are two potential explanations: (i) either the CPOs or expenditures were miscoded; or (ii) the CPOs were supported solely through the regular budget.

Table 4. Expenditures on CPOs for which results were reported under Indicator 11.2

| Country                                   | CPO    | Year reported | 2010–11 (\$) |        |         |          | 2012–13 (\$) |        |        |         |
|---|--------|---------------|--------------|--------|---------|----------|--------------|--------|--------|---------|
|   |        |               | RBSA         | RBTC   | XTBC    | Total    | RBSA         | RBTC   | XTBC   | Total   |
| Albania                                   | ALB103 | 2010–11       | 0            | 0      | 265,160 | 256,1560 | 0            | 0      | 0      | 0       |
| Brazil                                    | BRA154 | 2010–11       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| China                                     | CHN151 | 2010–11       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| Dominican Republic                        | DOM102 | 2012–13       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| El Salvador                               | SLV101 | 2010–11       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| Greece                                    | GRC151 | 2012–13       | 0            | 0      | 0       | 0        | 0            | 23,466 | 0      | 23,466  |
| Indonesia                                 | IDN151 | 2012–13       | 0            | 0      | 0       | 0        | 0            | 14     | 15,098 | 29,542  |
| India                                     | IND901 | 2010–11       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| Jordan                                    | JOR127 | 2012–13       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| Sri Lanka                                 | LKA103 | 2012–13       | 39,246       | 33,994 | 0       | 73,2400  | 10,500       | 28,000 | 0      | 38,500  |
| The former Yugoslav Republic of Macedonia | MKD103 | 2010–11       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| Mexico                                    | MEX152 | 2012–13       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| Namibia                                   | NAM176 | 2012–13       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| Oman                                      | OMN126 | 2010–11       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |
| Peru                                      | PER135 | 2010–11       | 0            | 4,862  | 0       | 4,862    | 95,290       | 20,385 | 0      | 115,675 |
|   | ...    | 2012–13       | ...          | ...    | ...     | ...      | ...          | ...    | ...    | ...     |
| Syrian Arab Republic                      | SYR101 | 2010–11       | NA           | NA     | NA      | NA       | NA           | NA     | NA     | NA      |

| Country                  | CPO    | Year reported | 2010–11 (\$) |         |         |         | 2012–13 (\$) |        |        |         |
|--------------------------|--------|---------------|--------------|---------|---------|---------|--------------|--------|--------|---------|
|                          |        |               | RBSA         | RBTC    | XBTC    | Total   | RBSA         | RBTC   | XBTC   | Total   |
| Tanzania, United Rep. of | TZA152 | 2012–13       | NA           | NA      | NA      | NA      | NA           | NA     | NA     | NA      |
| Ukraine                  | UKR155 | 2012–13       | 0            | 0       | 0       | 0       | 44           | 1,364  | 0      | 46,163  |
| South Africa             | ZAF151 | 2010–11       | 0            | 61,698  | 0       | 61,698  | 0            | 8,606  | 12,548 | 21,154  |
|                          | ...    | 2012–13       | ...          |         |         |         |              |        |        |         |
| Yemen                    | YEM101 | 2010–11       | NA           | NA      | NA      | NA      | NA           | NA     | NA     | NA      |
| <b>Total (\$)</b>        |        |               | 39,246       | 100,554 | 265,160 | 404,960 | 150,589      | 96,265 | 27,646 | 274,500 |

Notes: RBSA – Regular Budget Supplementary; Account; RBTC – Regular Budget Technical Cooperation; XBTC – Extra-budgetary Resources for Technical Cooperation.

NA = data not available.

Source: FINANCE.

### **ILO has taken steps to promote ratification of Conventions Nos. 81 and 129, and has provided comments on their application through the supervisory process.**

43. The plan of action to achieve the widespread ratification and effective implementation of the four governance Conventions “is implemented through collaborative action of NORMES, the ILO field offices and relevant technical units, including the Labour Administration and Inspection Programme (LAB/ADMIN), the Industrial and Employment Relations Department (DIALOGUE) and the Employment Policy Department (EMP/POLICY), as well as the Bureau for Employers’ Activities (ACT/EMP), the Bureau for Workers’ Activities (ACTRAV) and the ILO International Training Centre in Turin (ITC).”<sup>30</sup>
44. In May 2012, the Executive Director for the Standards and Fundamental Principles and Rights at Work (FUNDAMENTALS) Branch sent a letter to the 145 member States that had not ratified all of the governance Conventions requesting information on the most recent examination of the Conventions with a view to ratification, the outcome of the examination, ratification prospects and/or obstacles to ratification and technical assistance needs. Forty countries responded to the survey.<sup>31,32</sup> Venezuela was reported as having initiated the ratification process and another 28 countries were deemed to have “prospects for ratification” of one or both Conventions. Nine countries requested TA with respect to the potential ratification of Conventions Nos. 81 and/or 129 – Cape Verde, Ecuador, Eritrea, Gambia, Malaysia, Papua New Guinea, Philippines, Sudan and Viet Nam.<sup>33</sup> These nine countries were also identified by CEACR as warranting TA (see below).
45. The CEACR has highlighted a broad range of issues related to the application of Conventions Nos. 81 and 129 in regular supervision reports. These reports are based on a review of pertinent laws, reports

<sup>30</sup> *Ratification and promotion of fundamental and governance Conventions and implementation of the plan of action for the governance Conventions*, Governing Body, 316th Session, Geneva, Nov. 2012, GB.316/LILS/INF/2.

<sup>31</sup> Ibid. Information was received from 40 governments: Bahrain, Bangladesh, Benin, Botswana, Cambodia, Canada, Cape Verde, Cuba, Cyprus, Ecuador, Eritrea, Gambia, Ireland, Japan, Republic of Korea, Kenya, Kuwait, Kyrgyzstan, Lithuania, Malaysia, Mauritius, Mexico, Morocco, Myanmar, New Zealand, Papua New Guinea, Philippines, Qatar, Samoa, Singapore, South Africa, Switzerland, Sudan, Trinidad and Tobago, United Kingdom, Uzbekistan, United Arab Emirates, United States, Bolivarian Republic of Venezuela and Viet Nam. Results with respect to Conventions Nos. 81 and 129 are summarized in Annex E. None of the 12 countries identified as having “prospects” for ratification of Convention No. 81 ratified the Convention in the subsequent three years; only one of the 25 countries identified as having “prospects” for ratification of Convention No. 129 ratified it.

<sup>32</sup> A similar letter was sent in 2010.

<sup>33</sup> The People’s Republic of China and Lao People’s Democratic Republic have also sought and received assistance from the ILO as they consider the possibility of ratifying Convention No. 81. Written comments from ILO management, 31 August 2015.

submitted by governments under the Conventions, information provided by tripartite constituents and, where available, labour inspection audits/assessments conducted by LABADMIN. NORMES does not maintain a database with coded fields on observations or direct requests made by the CEACR, limiting the ability to undertake a statistical analysis of deficiencies in the application of the Conventions across countries and time. However, a review of CEACR reports and interviews with NORMES staff suggests that comments tend to centre on: the organization and functioning of the labour inspectorate; human and material resources for labour inspection; the status and condition of labour inspectors; the right of free entry into workplaces; freedom to carry out inspections and to effectively enforce penalties for the violation of labour laws; and the publication and communication of annual reports.

46. In its annual reports, CEACR lists countries “where technical assistance would be particularly useful in helping member States to address gaps in law and in practice and in the implementation of ratified Conventions.” Between 2009 and 2014, the CEACR identified 36 countries as warranting assistance related to the application of Conventions Nos. 81 and 129.<sup>34</sup> There is no system in place to track whether countries have received such assistance.

#### **ILO has provided assistance to establish legal frameworks for labour inspection.**

47. At the request of member States, ILO has prepared a series of studies, position papers, and technical memoranda related to labour law reform in particular countries, including implementing rules and regulations. In general, the Office has focused on bringing laws into conformity with ILS as reflected in relevant Conventions. In this regard, drawing on Convention No. 81, ILO has provided comments on provisions specifically related to the labour inspection system such as the organization and functioning of the labour inspectorate, the status and independence of labour inspectors, the right of inspectors to free entry into workplaces, and the freedom to carry out inspections; and sanctions in the event of non-compliance.

#### **ILO has undertaken assessments/audits of labour inspection systems.**

48. Between 2010 and 2014, ILO conducted assessments of labour inspection systems in 22 member States.<sup>35</sup> In general, these exercises were carried out over a period of roughly one month based on a one-week field mission to the country, and a review of legislation and other relevant documents. Roughly, 60 per cent of these reports have been made publicly available on the LABADMIN/OSH website; the others have not been published and/or have been used for internal purposes only. For example, in the case of Bangladesh, according to ILO, “The report was developed in consultation with the DIFE [Department of Inspection for Factories and Establishments], however, [it] was not formally shared with the DIFE and not confirmed by them.”<sup>36</sup>
49. In general, the recommendations are aligned with provisions of Convention No. 81.<sup>37</sup> These recommendations are intended to form the foundation for action plans agreed with governments, which lay out the steps that governments intend to take to implement the recommendation and outline the support the ILO could provide. Effective implementation of the action plans depends on government funding and/or ILO financial support through XBTC or RB funding as set out in the DWCPs.
50. ILO has also developed a self-assessment tool for labour inspectorates to evaluate institutional strengths and weaknesses. Financed under the ILO/Norway partnership, the tool was developed by the ILO International Training Centre (ILO-ITC) in collaboration with LABADMIN. It can be

<sup>34</sup> See Annex F.

<sup>35</sup> See Annex G.

<sup>36</sup> Email from LABADMIN/OSH.

<sup>37</sup> See Annex H

downloaded from the LABADMIN/OSH website;<sup>38</sup> alternatively, a CD-ROM can be requested by email. There are no data available on the number of times that the tool has been downloaded from the website or requested. When asked, for a list of countries that are known to have utilized the tool, LABADMIN/OSH responded, “The tool has been used by labour inspectorates in countries such as Ukraine, [Republic of] Moldova, and Morocco. It is also used by field specialists when preparing and conducting needs assessment.”<sup>39</sup>

### **ILO has helped develop strategies and plans for labour inspectorates as well as tools used by labour inspectors in the inspection process.**

51. ILO has worked with labour inspectorates, typically under the direction of ministries of labour (MOLs), to develop labour inspection policies, plans for the recruitment and development of labour inspectors, and annual inspection plans, including campaigns targeting high-risk sectors. It has also helped develop labour inspection checklists and manuals. The results of the case studies conducted as part of this evaluation suggest that the relative emphasis placed on these activities, mode of engagement with governments, and quality of outputs varies across projects. In some cases, ILO has taken the lead in drafting documents in close collaboration with government officials. In others, ILO has provided advice on the structure and content of documents with government officials assuming sole responsibility for putting pen to paper. The variation is due, in part, to differences in governments’ abilities and level of engagement.<sup>40</sup>

### **ILO has developed training curricula and provided training to labour inspectors.**

52. As noted above, the ILO strategy focuses, to a great extent, on building the capacity of labour inspectors to carry out their functions through training. In this regard, ILO-ITC and LABADMIN/OSH have worked together to develop a training curriculum for labour inspectors – Building Modern and Effective Labour Inspection Systems – consisting of 16 modules.<sup>41,42</sup> Developed under the auspices of a project funded by the Norwegian Government, work on the basic curriculum – Modules 0–12 – was completed in November 2010 and materials were subsequently translated into six languages over course of two years: English (Nov. 2010); Chinese (Nov. 2010); Portuguese (Nov. 2010); Spanish (Jan. 2011); French (Jul. 2012); and Arabic (Oct. 2012). The remaining modules were completed in 2011 and are currently only available in English.<sup>43</sup> The first three modules provide a general

<sup>38</sup> The LABADMIN/OSH website points to the Self Assessment Tool.

<sup>39</sup> Written response provided by LABADMIN/OSH on 9 June 2015.

<sup>40</sup> Written comments from ILO management, 31 August 2015.

<sup>41</sup> Module 0 – Introductory module; Module 1 – The framework of the labour administration system; Module 2 – Introduction to the labour inspection; Module 3 – Policy and planning; Module 4 – Labour inspection: designing strategies for promoting compliance; Module 5 – Cooperation and partnership; Module 6 – Inspection of working conditions; Module 7 – Inspection of employment relationships; Module 8 – Occupational safety and health; Module 9 – Dealing with vulnerable groups of workers; Module 10 – Labour inspection visit; Module 11 – Tools for the labour inspectorate; Module 12 – Institutional capacity development; Module 13 – Labour inspection and gender equality; Module 14 – Managing labour inspection in rural areas; and Module 15 – Field labour inspection in rural areas.

<sup>42</sup> According to LABADMIN/OSH there are now 19 modules with the addition of: Module 16 – Labour inspection in domestic work; Module 17 – Soft skills for labour inspectors; and Module 18 – Accident investigation. In addition to the languages noted above, LABADMIN/OSH reports that the core modules have also been translated into Albanian, Macedonian, Moldovan, and Montenegrin. With respect to the three new modules, Module 16 is available in English and Spanish; the other two new modules are only available in English. Written comments from ILO management, 4 September 2015. Data on delivery of the three new courses is unavailable.

<sup>43</sup> According to LABADMIN/OSH, Module 13 has been translated into Chinese and Spanish, and Modules 14 and 15 have been translated into French and Spanish.



overview of labour inspection within the broader labour administration system. The next three modules deal with issues related to labour inspection policies and strategies. Modules 6–9 tackle the three main areas of labour inspection, namely, working conditions, employment relations, and OSH as well as the issue of vulnerable groups of workers, with particular focus on child labour, human trafficking, forced labour, HIV/AIDS and workers in the informal economy. Module 11 is devoted to the inspection visit, providing guidance and tools for preparing, conducting, reporting and following-up the visit. The last two modules of the core curriculum discuss tools for improving the performance of labour inspectors, with particular emphasis on strengthening their competences. The duration of each of the modules, with the exception of the introductory module (2.5 hours), is 5.5 hours. These courses are intended for labour inspectors in all countries, regardless of the particular legal framework or institutional context. As such, they do not address specific provisions of labour law or related legislation in particular countries.

53. ILO-ITC staff delivered 23 training courses based on these modules between 2010 and 2014.<sup>44</sup> They served as principal instructors but some courses were taught with LABADMIN/OSH staff. Most courses were held in Turin, Italy, although some were also delivered in five other countries, namely, Bangladesh, Nepal, Peru, Singapore and The former Yugoslav Republic of Macedonia. They were attended by a total of 553 participants from 91 countries (75 per cent male and 25 per cent female). The number of times that a particular module has been delivered varies, as does the number of countries that have sent representatives to attend these modules. Seven countries – Brazil, China, Honduras, India, Senegal, South Africa and The former Yugoslav Republic of Macedonia – sent representatives to attend five or more courses over the five-year period. At the other end of the spectrum, officials from more than half of the countries that availed themselves of the training attended only one course. LABADMIN/OSH has also organized training in members States based on the ILO-ITC training modules but there is no central database of training activities and it is difficult to obtain reliable data directly from country offices.<sup>45</sup>
54. The case study reviews suggest that many courses have been provided that do not draw on ILO-ITC training modules. For example, ILO has provided training to labour inspectors in Bangladesh. While some “induction” courses were delivered in conjunction with ILO-ITC, other “basic orientation” courses were developed and provided by Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ). Members of the programme team in Bangladesh also worked with GTZ to provide training for labour inspectors on relevant provisions of the labour law. In the case of Albania, training in 2013–14 focused on OSH, including basic information for labour inspectors, risk assessment at work, safety on construction sites, and enforcement of new OSH Legislation. The latter dealt with regulations introduced pursuant to European Union (EU) directives. While LABADMIN/OSH provided ILO-ITC training materials to project staff, the component coordinator based in Tirana developed a specific curriculum that was used in Albania.
55. According to data provided by ILO, training on HIV/AIDS has been provided to labour officers in some 28 countries,<sup>46</sup> including Sri Lanka where “357 Labour Officers were trained as trainers in 2011/2012 at 13 two-day residential training programmes. In 2013, 245 of the same trainers participated in a one day progress review and refresher training.”<sup>47</sup>

<sup>44</sup> See Annex I.

<sup>45</sup> A review of the P&B implementation reports 2010–11 and 2012–13 references the provision of training based on the ILO-ITC modules in seven countries: Brazil, China, Jordan, Oman, South Africa, Ukraine and the United Republic of Tanzania. Three of these countries – Oman, Ukraine and the United Republic of Tanzania – are not included among the list of 91 countries that participated in courses organized by ILO-ITC.

<sup>46</sup> Email Legal Officer, HIV/AIDS and the World of Work Branch (ILOAIDS) on 23 March 2015.

<sup>47</sup> *Ibid.*

56. ILO-ITC has also organized various colloquia and workshops on labour inspection for government officials and social partners in conjunction with LABADMIN/OSH, and has delivered numerous courses on the subject of OSH in which labour inspectors have participated. LABADMIN/OSH has also organized various similar events.<sup>48</sup>

### **ILO has supported the development of labour inspection indicators and information systems.**

57. Convention No. 81 calls on member States to submit annual reports to the ILO that include the information listed in table 5. As noted above, the CEACR has frequently noted the paucity of data provided in annual reports.

Table 5. Labour inspection statistics listed in Convention No. 81

|                                 |  |
|---------------------------------|--|
| Labour inspectorate staff       | <ul style="list-style-type: none"> <li>• Aggregate number of inspectors</li> <li>• Numbers of inspectors of different categories</li> <li>• Number of women inspectors</li> <li>• Particulars of the geographical distribution of inspection services</li> </ul>   |
| Workplaces liable to inspection | <ul style="list-style-type: none"> <li>• Number of workplaces liable to inspection</li> <li>• Average number of persons employed in such workplaces during the year</li> <li>• Particulars of the classification of persons employed under the following headings: men, women, young persons and children</li> </ul>   |
| Inspection visits               | <ul style="list-style-type: none"> <li>• Number of workplaces visited</li> <li>• Number of inspection visits made, classified according to whether they were made by day or by night</li> <li>• Number of persons employed in the workplaces visited</li> <li>• Number of workplaces visited more than once during the year</li> </ul>   |
| Violations and penalties        | <ul style="list-style-type: none"> <li>• Number of infringements reported to the competent authorities</li> <li>• Particulars of the classification of such infringements according to the legal provisions to which they relate</li> <li>• Number of convictions</li> <li>• Particulars of the nature of the penalties imposed by the competent authorities in the various cases (fines, imprisonment, etc.)</li> </ul> |
| Industrial accidents            | <ul style="list-style-type: none"> <li>• Number of industrial accidents notified and particulars of the classification of such accidents by industry and occupation, cause, and whether fatal or non-fatal</li> </ul>  |
| Occupational diseases           | <ul style="list-style-type: none"> <li>• Number of cases of occupational disease notified</li> <li>• Particulars of the classification of such cases according to industry and occupation, and cause or character, such as the nature of the disease, poisonous substance or unhealthy process to which the disease is due</li> </ul>  |

Source: ILO: *Labour Inspection Recommendation, 1947 (No. 81)*, 30th ILC Session, Geneva, Jul. 1947.

58. NORMES does not enter data provided by member States into a database for analysis nor does it publish data on a regular basis. However, some statistics on labour inspection in 23 countries for the years 2007–2009 were compiled by LABADMIN,<sup>49</sup> and posted on the LABADMIN web-

<sup>48</sup> These include: a workshop on labour inspection and undeclared work in Budapest (2009); a subregional workshop on labour inspection campaigns held in The Federal Yugoslav Republic of Macedonia on 29–30 November 2011; a workshop on workplace compliance through labour inspection held in Turin on 5–6 December 2012; and a workshop on workplace accident investigation held in Turin on 9–10 October 2014. Written comments from ILO management, 31 August 2015.

<sup>49</sup> The data are drawn from “the reports that governments present on the execution of the Convention No. 81 to the ILO, national reports on labour inspection, Eurostat [ ... ], websites of ministries responsible for labour inspection, audits and technical memorandums on the LIS conducted with the collaboration of the ILO regional offices and the programme LAB/ADMIN and verification reports of the implementation of the White Paper recommendations for Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras and Nicaragua.” LAB/ADMIN information resources: [www.ilo.org/labadmin/info/WCMS\\_141079/lang--en/index.htm](http://www.ilo.org/labadmin/info/WCMS_141079/lang--en/index.htm) [accessed 20 Sep. 2015].

site, including the following: (i) number of labour inspectors by gender;<sup>50</sup> (ii) number of inspection actions;<sup>51</sup> and (iii) average number of inspection actions per labour inspector.<sup>52</sup> However, this exercise has not been repeated with more up-to-date data, nor extended to include other countries.

59. Problems inherent in producing comparable data have been cited in numerous reports.<sup>53</sup> In this regard, the lack of standard operational definitions of indicators and the absence of requisite information systems in many countries make it impossible to collect and analyse data in a meaningful way. In response, ILO undertook an initiative to develop a standard methodology for collecting data and producing statistics based on a “pilot” with six countries – Costa Rica, Oman, the Republic of Moldova, South Africa, Sri Lanka and Ukraine.<sup>54</sup> The subsequent report included a series of recommended indicators, and highlighted the need for labour inspectorates to establish information systems that incorporate detailed administrative records. ToRs for “the development/ improvement of data collection” in each of these countries were prepared.<sup>55</sup> Inspectorates receiving assistance were asked to incorporate all the statistical indicators recommended by the ILO into these systems. According to LABADMIN/OSH, databases have been developed and are being used in all of the countries except Ukraine.<sup>56</sup> LABADMIN/OSH was, however, not able to provide statistics from the pilot countries, but noted that they could be found in annual reports submitted pursuant to Conventions Nos. 81 and 129. Nonetheless, the evaluation team was not able to obtain copies of the reports that these countries had submitted to NORMES as they are treated as confidential.
60. ILO provided assistance to strengthen the information system in South Africa under a global project funded by Norway. Focusing on case management, the assistance centred on the preparation of a report submitted to the National Department of Labour, which outlined recommendations with respect to data collection methods and system requirements. Interviews conducted as part of this evaluation suggest that, while the Government purchased computers, tablets and smart phones for labour inspectors, the development of the case management system stalled. A functioning case management system capable of generating labour inspection statistics has not yet been established.
61. Under a project funded by United States Department of Labor (USDOL) entitled, *Promoting Fundamental Principles and Rights at Work in Sri Lanka*, ILO has been working with tripartite constituents in the country to establish a legal framework that complies with international standards, strengthen labour administration, and improve labour-management relations.<sup>57</sup> Led by the CO, with technical backstopping provided by Fundamental Principles and Rights at Work (FUNDAMENTALS), the project has included the development of an information system for the labour inspectorate. An IT

<sup>50</sup> This includes persons “who, for the given period, are formally recognized as labour inspectors and/or exercise labour inspection function...”

<sup>51</sup> This includes “the number of individual workplace visits, follow-up visits and document reviews, as well as advisory or preventative services and consultations carried out by labour inspectors during the period.”

<sup>52</sup> See: *Performance of labour inspection systems, selected countries*, ILO, LAB/ADMIN, Geneva, 2010?, [ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---lab\\_admin/documents/resourcelist/wcms\\_160321.pdf](http://ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/resourcelist/wcms_160321.pdf) [accessed 20 Sep. 2015], which presents information for 23 countries from 2007 to 2009. Although other data are available in the LIS data set prepared by LAB/ADMIN, they are not available online. See also: *Sex-disaggregated data on labour inspectors, selected countries*, ILO, LAB/ADMIN, 2011, [www.ilo.org/labadmin/info/WCMS\\_160319/lang--en/index.htm](http://www.ilo.org/labadmin/info/WCMS_160319/lang--en/index.htm) [accessed 20 Sep. 2015].

<sup>53</sup> See, for example, *General report on labour administration and inspection*, ILO, Geneva, 2011; and *Harmonization of labour inspection statistics*, ILO, Geneva, nd.

<sup>54</sup> According to LABADMIN/OSH, the “countries were selected where there was already a request for assistance or a needs assessment highlighted the need for a case management system.” Email from LABADMIN/OSH, 10 March 2015.

<sup>55</sup> Email from LABADMIN/OSH, 10 March 2015.

<sup>56</sup> Ibid.

<sup>57</sup> The project was launched in September 2009 and is expected to run until 30 September 2016. See: *Technology lightens the load for factory inspector*, ILO, Geneva, 2015, [www.ilo.org/asia/info/public/features/WCMS\\_353256/lang--en/index.htm](http://www.ilo.org/asia/info/public/features/WCMS_353256/lang--en/index.htm) [accessed 20 Sep. 2015].

consultant based in Colombo was hired to develop the system.<sup>58</sup> The same consultant was subsequently retained to develop a management information system (MIS) to support the Labour Law Compliance System (LLCS) in the Philippines. Work on the MIS began in August 2013 as part of a more compressed project with funding provided by USDOL and continued under another USDOL-funded project, which started in December 2014 and is expected to run through to December 2017.<sup>59</sup> The MIS supports the enterprise assessment process and overall case management, including tracking the status of legal proceedings. It includes support for field data entry using android computer tablets. Future work may include the development of a unified enterprise registration system. ILO plans to undertake an evaluation of the project in the Philippines in order to determine how best to proceed with the further development of the system and potential rollout to other countries.<sup>60</sup> While the system was developed, in part, by drawing on the standardized statistical indicators developed by ILO, the extent to which these have been incorporated into the system is not known at this time.<sup>61</sup>

### **ILO has produced a wide assortment of publications for public distribution.**

62. A major component of the strategy calls for ILO to contribute to the knowledge base on labour inspection. In this regard, the Organization has produced numerous documents for public dissemination, but has not yet developed a comprehensive, central repository of its materials.
63. According to LABADMIN/OSH, the Branch maintains an inventory of “global tools” produced in the Branch or under country-specific TC projects in instances where it has provided technical backstopping.<sup>62</sup> As noted by LABADMIN/OSH, “when other branches, departments or field offices implement projects with a labour inspection component, the Branch is not always informed of what was developed at country level...”<sup>63</sup>
64. A further review of ILO websites demonstrates that the list provided by LABADMIN/OSH constitutes only a small fraction of materials developed by the ILO. Table 6 shows the number and the type of the ILO publications dealing with labour inspection issues from 2006 to 2014, which are available on various ILO websites.<sup>64</sup> A total of 175 publications were found and grouped into four types: (i) research papers (studies, working papers and good practices); (ii) training materials (curricula and training modules); (iii) tools (handbooks, guides, manuals and checklists); and (iv) other. Some 115 publications were produced between 2010 and 2014,<sup>65</sup> which is almost double the amount produced in the previous four years. Publications cover a wide spectrum of topics (such as gender equality, child labour, forced labour and trafficking, migrant workers, domestic workers, export processing zones, rural areas, informal economy, undeclared work and HIV/AIDS) as well as specific industries (such as textiles, fishing, maritime, agriculture, forestry and mining). (The case studies suggest that a host of other tools and materials are developed during the course of projects, but are not inventoried or made publicly available.)

<sup>58</sup> Infoshare is registered in the United States as a 501(c)3 tax-exempt organization.

<sup>59</sup> The project has two main components: (i) strengthen the capacities of the Department of Labor and Employment (DOLE) to enforce the LLCS consistent with relevant international standards, in particular with the requirements of Convention No. 81; and (ii) strengthen workers’ and employers’ capacities to play a more active role in the implementation of the LLCS, in particular through joint assessments.

<sup>60</sup> Interview with ILO Labour Inspection Specialist, Bangkok.

<sup>61</sup> Ibid.

<sup>62</sup> See Annex J.

<sup>63</sup> The materials developed by field offices do not appear to be available online.

<sup>64</sup> These include: (i) Labordoc: [www.labordoc.ilo.org/](http://www.labordoc.ilo.org/) [accessed 20 Sep. 2015]; (ii) LABADMIN/OSH website: [www.ilo.org/labadmin/lang--en/index.htm](http://www.ilo.org/labadmin/lang--en/index.htm) [accessed 20 Sep. 2015]; (iii) OSH website: [www.ilo.org/safework/lang--en/index.htm](http://www.ilo.org/safework/lang--en/index.htm) [accessed 20 Sep. 2015]; and (iv) ITC Turin website: [www.itcilo.org/en](http://www.itcilo.org/en) [accessed 20 Sep. 2015].

<sup>65</sup> One research paper, five tools and one other type of publication were produced in the first six months of 2015.

Table 6. Frequency of publications

| Year               | Research papers | Training materials | Tools     | Other    | TOTAL      |
|--------------------|-----------------|--------------------|-----------|----------|------------|
| 2014               | 9               | 0                  | 8         | 0        | 17         |
| 2013               | 17              | 2                  | 4         | 0        | 23         |
| 2012               | 9               | 1                  | 7         | 0        | 17         |
| 2011               | 25              | 0                  | 3         | 3        | 31         |
| 2010               | 13              | 3                  | 3         | 1        | 20         |
| Subtotal 2010–2014 | 74              | 6                  | 30        | 5        | 115        |
| Subtotal 2006–2009 | 32              | 8                  | 17        | 3        | 60         |
| <b>Total</b>       | <b>105</b>      | <b>14</b>          | <b>42</b> | <b>7</b> | <b>168</b> |

Source: ILO

65. The LABADMIN website was launched on 15 December 2010. Between the launch date and 31 December 2014, there were 121,311 sessions undertaken by roughly 38,000 users.<sup>66</sup> In order of magnitude, users in the United States, Switzerland, United Kingdom, India, United Republic of Tanzania, Spain, France, Mexico, South Africa, Italy, Colombia, Canada, Germany, Australia, Peru and Belgium represent more than half of all sessions recorded during this time period. On average, each session lasted just over two minutes and included two page views. Roughly 60 per cent of all sessions involved single-page visits, where the user left the site from the entrance page without any further interactions (i.e. bounce rate). The amount of traffic on each of the separate pages included in the website varied significantly.<sup>67</sup> The most viewed PDF publication – *Inspección del trabajo: lo que es y lo que hace. Guía para los trabajadores* – had 3,900 views over the period.

#### LABADMIN/OSH has continued to foster alliances with international associations.

66. LABADMIN/OSH has worked with various associations, including the African Regional Labour Administration Centre (ARLAC), the Arab Centre for Labour Administration and Employment (ACLAE), the International Association of Labour Inspection (IALI), the Network of Training Institutions in the Field of Labour (RIIFT), and the Senior Labour Inspectors' Committee (SLIC). Activities consisted primarily of jointly organizing events, and participating in meetings, conferences and working groups.<sup>68</sup>

<sup>66</sup> The Safework website (also being managed by the new LABADMIN/OSH Branch) performed significantly better with 1,546,191 sessions, 4,004,160 page views and 1,058,030 users.

<sup>67</sup> See Annex K for list of most visited pages with PDF files available for download.

<sup>68</sup> See Annex L.

## PRINCIPAL FINDINGS WITH RESPECT TO EVALUATION CRITERIA

67. This section presents an assessment of the performance of ILO with respect to the six evaluation criteria listed in table 7.

Table 7. Evaluation criteria

| Criterion             | Definition  |
|-----------------------|---|
| <b>Relevance</b>      | The extent to which the objective of strengthening labour inspection systems and related ILO strategy and actions (as designed) are consistent with ILO policy, the decent work agenda, and constituent priorities and needs.   |
| <b>Coherence</b>      | The extent to which ILO strategy and actions (as implemented) have been logical and consistent, focusing on activities for which the ILO is best suited   |
| <b>Efficiency</b>     | The extent to which ILO has used available resources economically to generate results as well as the extent to which the ILO's organizational structure and management systems are sufficient to accomplish stated goals  |
| <b>Effectiveness</b>  | The extent to which planned outputs have been produced and intended outcomes have been achieved as a result of ILO engagement, particularly with respect to the ratification and application of Conventions Nos. 81 and 129, and concomitant improvements in labour inspection systems. |
| <b>Impact</b>         | The extent to which compliance with national labour laws has increased and resulted in improved employment and working conditions   |
| <b>Sustainability</b> | The extent to which improvements in labour inspection systems have remained in effect since engagement with ILO and/or are likely to persist over time  |

Note: (a) = the ILO evaluation framework includes issues related to management under efficiency.

### RELEVANCE

**The ILO strategy and actions have been largely aligned with the needs of member States.**

68. The importance of effective labour inspection systems to ensure compliance with national labour laws is well recognized. The report of the 100th Session of the ILC (2011), CEACR supervision reports, and labour inspection audits carried out by the ILO have documented weaknesses in existing systems, particularly with respect to the legal framework under which labour inspectorates operate and the institutional capacity of inspectorates to fulfil their mandates. The TA offered by ILO has aimed to address these weaknesses.
69. Tripartite constituents have acknowledged the need to strengthen the labour inspection system in their countries as reflected in DWCPs agreed with the ILO. However, the priority attached to needed

reforms varies across countries and among constituent groups. As shown in Table 8, ILO staff suggest that workers' organizations and governments accord greater importance to strengthening labour inspection systems than employers' organizations. Based on the interviews conducted as part of this evaluation in the case study countries, the evaluation team would generally concur although employers voiced concerns about the need to ensure that rules are appropriate and fairly applied.

Table 8. In general, to what extent have tripartite constituents ... considered the need to strengthen the labour inspection system as a priority?

| ILO constituent          | Respondents (number) | Not        | Low        | Moderate     | High         | Very high    |
|--------------------------|----------------------|------------|------------|--------------|--------------|--------------|
| Workers' organizations   | 29                   | 0.00%<br>0 | 0.00%<br>0 | 6.90%<br>2   | 51.72%<br>15 | 41.38%<br>12 |
| Government               | 29                   | 0.00%<br>0 | 6.90%<br>2 | 10.34%<br>3  | 44.83%<br>13 | 37.93%<br>11 |
| Employers' organizations | 29                   | 3.45%<br>0 | 6.90%<br>2 | 44.83%<br>13 | 27.59%<br>8  | 17.24%<br>5  |

70. Invariably, there are a plethora of issues that need to be addressed to ensure that the labour inspection system operates efficiently and effectively. ILO staff, who responded to the survey, are generally satisfied that projects aim at resolving the most significant constraints in particular countries as shown in table 9.

Table 9. How satisfied are you with the extent to which ILO TC projects aimed at addressing the most significant constraints to building an effective and efficient labour inspection system?

|           | Respondents (number) | Very unsatisfactory | Unsatisfactory | Somewhat unsatisfactory | Somewhat satisfactory | Satisfactory | Very satisfactory |
|-----------|----------------------|---------------------|----------------|-------------------------|-----------------------|--------------|-------------------|
| Responses | 26                   | 0.00%<br>0          | 7.69%<br>2     | 0.00%<br>0              | 15.38%<br>4           | 53.85%<br>14 | 23.08%<br>6       |

### Case studies indicate that ILO assistance sometimes is not directed towards key issues that impinge on the ability of the labour inspectorates to carry out their duties and enforce the law.

71. The case studies revealed that projects may sometimes forego dealing with certain issues that are deemed to be politically sensitive, such as cementing central authority within a national labour inspectorate, extending coverage of the labour inspection system to include informal businesses, rural enterprises, and/or enterprises operating in export processing zones (EPZs), and strengthening the capacity of courts to adjudicate cases referred by the labour inspectorate.

## COHERENCE

### ILO is well placed to address labour inspection issues.

72. ILO strategy and actions have been designed to complement related efforts of constituents, United Nations (UN) partners, and other multilateral and bilateral organizations. They have focused on activities in which ILO has a comparative advantage given its mandate, organizational structure,

technical expertise, and financial resources. As a specialized agency of the United Nations, ILO is tasked with the promotion of labour rights and social justice. Its tripartite nature brings a distinct advantage in dealing with issues that require the joint action of government, employers and workers. It has a great deal of expertise in the field of labour laws, labour administration, and employers' and workers' organizations. Finally, ILO has a demonstrated ability to secure funding for specific TC projects as well as for the institution as a whole.

**Messages conveyed to member States by ILO regarding the design and implementation of labour inspection systems are generally consistent, but would benefit from greater clarification.**

73. ILO relies on multiple communication channels to offer guidance on the legal framework for labour inspection as well as the structure, functions and operations of labour inspectorates. In general, advice provided in ILC reports, CEACR supervision reports, technical memoranda, and other publications revolve around Conventions Nos. 81 and 129 and, as such, are consistent. In this regard, messages conveyed through different channels reinforce each other. For example, labour inspection audits often refer to CEACR comments as a basis for recommendations. Conversely, CEACR supervision reports frequently cite results of these audits in identifying progress made in certain areas or highlighting issues warranting further attention.
74. There are several issues that warrant greater clarity including: the number of labour inspectors needed to meet mandates;<sup>69</sup> the number of times that enterprises should be inspected given relative risk and available resources; the role of a central authority in federal or decentralized systems; the notion of “voluntary” actions in instances where particular behaviour is mandated by law; the type of “advice” that labour inspectors should provide and the difference between such advice and warnings issued prior to the imposition of sanctions; the degree of discretion that labour inspectors should exercise in the event of a determination of non-compliance; the magnitude and nature of sanctions needed to dissuade enterprises from violating the law; and the notion of enforcement in systems which rely on courts to impose sanctions. (See below for more detailed discussion.)

**Projects are generally well designed; however, some aspects of design could be improved.**

75. With two exceptions, ILO staff respondents to the survey are satisfied with project designs, albeit to different degrees as shown in table 10.

Table 10. How satisfied are you with the extent to which ILO TC projects were well designed in terms of stated objectives, underlying logic, sequencing of activities, and coordination with partners and constituents?

|           | Respondents<br>(number) | Very<br>unsatisfactory | Unsatisfactory | Somewhat<br>unsatisfactory | Somewhat<br>satisfactory | Satisfactory | Very<br>satisfactory |
|-----------|-------------------------|------------------------|----------------|----------------------------|--------------------------|--------------|----------------------|
| Responses | 26                      | 0.00%<br>0             | 0.00%<br>0     | 7.69%<br>2                 | 26.92%<br>7              | 46.15%<br>12 | 19.23%<br>5          |

<sup>69</sup> Article 10 of Convention No. 81 calls for a “sufficient number” of inspectors to do the work required; however, it does not include guidance on specific numbers or how sufficiency should be determined. While not official policy, the Office has used the number of labour inspectors per worker in different types of economies as a “reasonable benchmark” for resource requirements: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries. (See: ILO: *Strategies and practice for labour inspection*, Governing Body, 297th Session, Geneva, Nov. 2006, GB.297/ESP/3). While perhaps helpful for comparison purposes, these benchmarks have significant limitations with respect to their use in staffing decisions.



76. The case studies suggest that many projects were well planned; objectives were well defined, activities were clearly specified, and budgets were aligned. However, in other instances, project plans were fairly vague and/or changed soon after project initiation. In addition, the time required to complete tasks was often underestimated. While this may denote a desired flexibility in responding to changing circumstances, it may also be due to inadequate preparatory work.
77. Several issues merit highlighting:

- **Magnitude, timing and institutionalization of training.** As noted in the resolution and conclusions of the 100th Session of the ILC (2011), “Adequate resources must be made available by member States for the design and implementation of budgeted national training programmes with a view to upgrading technical skills, reinforcing ethical behaviour and ensuring independence of labour inspectors (as required under Article 6 of ILO Convention No. 81).” However, ILO training often precedes the development of coherent national training programmes and the commitment of necessary funding in national budgets. In a related vein, while ILO has provided training of trainers (TOTs) workshops to help ensure that institutions have the capacity to provide training to labour inspectors on their own. However, sometimes such workshops are conducted without explicit plans for follow-on training or for the institutionalization of training within the labour inspectorate or another organization with responsibility for training civil servants. Much of ILO training revolve around short courses, which last from three to five days, which is sometimes simply inadequate.

For example, ILO started working with the Department of Inspection for Factories and Establishments (DIFE) in Bangladesh in July 2013, beginning with a needs assessment. A Road Map, Labour Inspection Policy, and Labour Inspection Plan were not developed for another 15–17 months. In the interim, ILO organized training for labour inspectors. The first group of 93 new labour inspectors came on board in December 2013 and initial training was offered the following month. Additional training was provided to this initial cohort as well as three other groups of newly recruited inspectors. At this point, the first cohort has received a total of 12 days’ training with some new labour inspectors conducting inspections with only four days’ training and no effective ongoing mentorship. While plans call for the provision of additional training in the future, the current level of training is not sufficient given the complexity of the job.

- **Design and implementation of sanctions.** While sanctions are a critical component of enforcement, the case studies suggest that the design and implementation of appropriate sanctions and associated administrative and judicial procedures have not received sufficient attention in TC projects. As noted in the conclusion and resolution of the 100th Session of the ILC (2011), “Sufficiently dissuasive sanctions are an indispensable component of any labour inspection system.” In this regard, the need for “dissuasive sanctions” has been raised repeatedly by the CEACR as part of the supervisory process and reiterated in labour inspection audits/assessment carried out by ILO staff. The threat of sanctions is intended to motivate employers to comply with the law in the first place, take corrective action when infractions are identified, and avoid future violations going forward. While the focus has typically been placed on fines, sanctions can also include the revocation of licences and permits, suspension of operations, prohibition of access to government procurement opportunities, and the imposition of prison sentences in certain instances.<sup>70</sup>
- **Labour inspectorate strategy and operating plans.** In many cases, TA provided by ILO has not been directed towards the development of an overall strategy and operating plan for labour inspectorates (as opposed to plans for inspection visits), which lay out: the specific nature of

<sup>70</sup> See ILO: *Labour inspection sanctions: Law and practice of national labour inspection system* (Geneva, Working Document No. 26, 2013).

advisory services to be provided by labour inspectors; approaches to handling complaints/grievances and investigating accidents as required by law; schemes for mounting targeted campaigns in high-risk sectors, including the process for selecting particular enterprises; the role of self-assessments; the discretion of labour inspectors; and the process for issuing warnings and imposing penalties, including related judicial procedures. Similarly, strategies and plans sometimes play short shrift to the organizational structure of the labour inspectorate, staffing needs and plans for staff recruitment and development, transportation requirements, and the development and maintenance of requisite information systems. Finally, planning efforts typically do not include detailed assessments of the resources required for implementation. In this regard, plans need to reflect the real financial constraints under which labour inspectorates operate, and include detailed budgets showing the allocation of resources to different function and activities.

- **Relationship with Better Work (BW).** BW has worked closely with labour inspectorates in participating countries – Bangladesh, Cambodia, Haiti, Indonesia, Jordan, Lesotho, Nicaragua and Viet Nam – since the inception of these programmes. Members of Project Advisory Committees (PAC) include representatives of government (typically ministries of labour), and workers’ and employers’ organizations. BW has trained labour inspectors and provided input on the development of labour inspection tools. It has instituted a zero tolerance protocol whereby findings of child or forced labour or imminent threats to the safety and well-being of workers are reported within 24 hours to relevant authorities. In some countries, it publicly discloses the names of factories that fail to comply with certain critical issues. This policy will be applied to all countries over the next year.<sup>71</sup>

However, there is a sense that some ILO staff and donors see the need for a closer relationship between BW and labour inspectorates under the premise that the BW model might be transferred to the labour inspectorates. So what is the model? Under BW, enterprise advisers employed by ILO undertake assessments of factories to gauge compliance with core ILS and national labour laws using a standard compliance assessment tool. Companies participate voluntarily and BW does not penalize those that are found to be non-compliant. Typically, two enterprise advisers spend roughly two days on-site observing conditions, reviewing documentation, and conducting interviews with managers and workers. They then help factories address identified deficiencies, working in conjunction with a factory-based Performance Improvement Consultative Committee (PICC) to set priorities, develop plans to bring the factory into compliance, and monitor implementation. This entails multiple visits over the course of each year. (In addition, BW offers a wide range of training courses for managers and workers.) With the compliance assessment, enterprise advisers commit roughly 20-person days to each factory per year. Given the time consuming nature of the BW model, each enterprise adviser works on average with 10 garment factories per year.

In contrast, each labour inspector has responsibility for hundreds, if not thousands of enterprises, often including those in the most hazardous industries – mining, chemical and construction – as well as the informal economy and rural areas. Participation is not voluntary; no company can refuse to be inspected by government. Finally, labour inspectors are required to impose sanctions on companies in keeping with the law and approved procedures. While cooperation may be beneficial, as suggested by a senior official in Viet Nam, the BW model does not fit labour inspectorates given their mandate and available resources.

<sup>71</sup> ILO is also considering ways of establishing a “protocol for information sharing on persistently non-performing BW factories.” Written comments from ILO management, 31 August 2015.

**ILO engages primarily with governments in an effort to strengthen labour inspectorates; however, some workers' organizations would like to play a more direct role in the labour inspection process.**

78. Labour inspection is inherently a public function. Efforts to strengthen labour inspection focus primarily on the labour inspectorate. As such, in providing TA, ILO engages primarily with government agencies as indicated by ILO staff in the survey (table 11) and confirmed in case study reviews. However, interviews suggest that some workers' organizations would like to be more actively involved in the labour inspection process, including registering grievances with authorities, accompanying labour inspectors on inspection visits, and monitoring payment of fines and/or actions to bring the enterprise into compliance with labour laws.<sup>72</sup>

Table 11. In general, to what extent has ILO engaged with tripartite constituents during the process of providing assistance to strengthen the labour inspection system in these countries?

|                          | Respondents (number) | No engagement | Low engagement | Moderate engagement | High engagement | Very high engagement |
|--------------------------|----------------------|---------------|----------------|---------------------|-----------------|----------------------|
| Government               | 29                   | 0.00%<br>0    | 0.00%<br>0     | 3.45%<br>1          | 44.83%<br>13    | 51.72%<br>15         |
| Workers' organizations   | 29                   | 0.00%<br>0    | 3.45%<br>1     | 37.93%<br>11        | 48.28%<br>14    | 10.34%<br>3          |
| Employers' organizations | 29                   | 0.00%<br>0    | 6.90%<br>2     | 44.83%<br>13        | 37.93%<br>11    | 10.34%<br>3          |

79. Following a general discussion on labour administration and labour inspection at the 100th Session of the ILC (2011), the GB decided to convene a meeting of experts on labour inspection and the role of private compliance initiatives (PCI). Held in December 2013, the meeting provided an opportunity for constituent representatives to discuss four main topics: the impact of PCI on working conditions; the relationships between PCI and labour inspectorates; the role of government, employers' and workers' organizations with respect to PCI; and the role of ILO "with respect to PCIs, particularly in light of the new area of critical importance (ACI) on strengthening workplace compliance through labour inspection for 2014-15."<sup>73</sup> Within the context of efforts to strengthen labour inspection, recommendations called for launching pilot programmes in selected countries, conducting further research on PCIs, and continuing dialogue among constituents within the framework of the ACI on strengthening workplace compliance through labour inspection.

## EFFECTIVENESS

**ILO has carried out activities and produced outputs consistent with stated plans; outputs have been generally well received.**

80. While a detailed analysis of the multitude of log frames for activities carried out across the globe is well outside the scope of this evaluation, a review of global products and case studies of projects in six countries suggests that ILO has generally undertaken activities and produced outputs as intended.

<sup>72</sup> NORMES has suggested monitoring payments and/or actions to bring the enterprise into compliance with labour laws may not be an appropriate role for workers' organizations. Written comments, 31 August 2015.

<sup>73</sup> ILO: *Final report. Meeting of experts on labour inspection and the role of private compliance initiatives* (Geneva, 2014, MEPCI/2013/7).

81. Government officials and the representatives of employers' and workers' organizations interviewed as part of the evaluation suggest that ILO had been very helpful in addressing needs, particularly given the magnitude and complexity of the problem. With some exceptions, outputs were well received by stakeholders in these countries. Examples follow:

- **Albania.** Constituents praised the ILO for its assistance in helping the government to develop OSH regulations consistent with EU directives. Over the course of 30 months starting in June 2012, 17 directives were transposed and submitted to the responsible ministries for further legislative action. (In addition, a Directive on the Safety of Young Workers was drafted.) As of April 2015, 12 OSH regulations had been adopted by Decision of the Council of Ministers and six others were pending approval.

Under the same project, ILO worked with the government to develop an *Action Plan of Policies on Occupational Health and Safety 2015–2020* to achieve various policy objectives including: completion of the legal framework for OSH; strengthening OSH enforcement institutions (including the State Inspectorate for Labour and Social Services – SILSS); implementation of measures for OSH improvement within enterprises; improvement of public awareness and promotion of OSH; and improvement of monitoring and statistics on workplace accidents and occupational illnesses. It called for an increase in the budget for labour inspection from €1.11 million in 2013 to €1.48 million in 2020 but no further budget details were provided. The plan, which was submitted to the Council of Ministers in December 2014, had not been approved by April 2015. Interviews conducted during this evaluation suggested the government has concerns about the structure and content of the plan, particularly with respect to the proposed budget. While the IPA programme on Human Resources Development ended in January 2015, the DWT/CO-Budapest recently "... accepted to have some working days for revising/costing the OSH Strategic document and Action Plan, within the current RBSA project..."<sup>74</sup>

- **Bangladesh.** ILO has played a key role in managing the building and fire safety inspection programme under the government-run National Initiative established in the wake of the Rana Plaza disaster. It also has helped the government establish a roadmap to strengthen labour inspection services, formulate a National Labour Inspection Policy (not yet approved), and draft a Labour Inspection Plan for 2015. ILO has organized and delivered training, albeit limited, to all 270 existing and new labour inspectors. It has also made it easier for inspectors to conduct visits to enterprises by supplying 95 motorbikes. ILO is in the process of helping the Department of Inspection for Factories and Establishments (DIFE) develop a labour inspection manual, standard operating procedures, and needed information systems. In general, work products have been viewed positively.

One noteworthy exception concerns training. Stakeholders interviewed as part of the evaluation commented on the enthusiasm and commitment of the labour inspectors who were recruited by the government since late 2013, and noted the importance and value of training. However, labour inspectors complained that courses were taught in English (with translation into Bangla) and suggested that the training provided so far had been inadequate. Some called attention to the scale and complexity of the labour law, noting that four days of training on the law was simply too little. They stated that much more time was needed to review all of the provisions for which they were responsible and discuss how to interpret the law in the context of actual conditions in enterprises. They also noted receiving insufficient training on the actual methods that should be employed in carrying out inspections.

- **Burkina Faso.** ILO conducted an assessment of labour administration and the labour inspection system in the country in 2009 and conducted gap analysis in 2010 under the ADMITRA project

<sup>74</sup> "... It will be linked to the Outcome 1 – Implementation of NESS and 5 – Follow-up of IPA 2010 activities." Email from project Chief Technical Advisor (CTA), 14 April 2015.

to serve as the basis for developing an institutional capacity-building strategy for the labour inspectorate.<sup>75</sup> ILO provided TA to the government to formulate a National Labour Policy (NLP), helped develop new labour inspection procedures, and provided training to labour inspectors, primarily on issues related to OSH and child labour. With respect to the latter, the Government of Burkina Faso, with the support of the International Programme on the Elimination of Child Labour (IPEC), trained 291 labour inspectors from the Ministry of Civil Service, Labour and Social Security on child labour issues in 2013. Stakeholders who were interviewed as part of this evaluation expressed their appreciation for the assistance provided by the ILO particularly with respect to the development of the NLP. However, as discussed below, there are still serious concerns about the ability of the labour inspectorate to carry out its duties.

- **Colombia.** Working in conjunction with the MOL, the ILO project team helped develop labour inspection checklists and inspection procedures, including mapping techniques. Tools and procedures have been integrated into the MOL labour inspection manual. The team subsequently provided training to labour inspectors and other personnel in offices across the country.<sup>76</sup> The training included four modules: (i) Administrative Labour Procedures; (ii) Ambiguous and Disguised Employment Relationships, Conduct Prejudicial to the Right of Freedom of Association; and (iv) Competencies of the Division of Inspection, Monitoring, Control and Regional Management. Each module included 3–5 day workshops. Almost 1,000 individuals participated in the training events, the majority of whom participated in all four modules. Key informants interviewed as part of the case study review attested to the usefulness of tools and the quality of training. Nevertheless, some labour inspectors suggested that there was a need for additional training on mediation skills to enable them to work more effectively with employers and trade unions.<sup>77</sup> Going forward, the four modules will be made available to new labour inspectors through online “virtual” classrooms. A high-level official at the MOL indicated that while the training had been effective, it needed to be better anchored in ILO norms and standards. (In this regard, it is important to note that the ILS specialist based in Lima has had only limited involvement in the project.) The project team also provided TA to the Comisión especial de tratamiento de conflictos ante la OIT (CETCOIT) (Special Committee for the Handling of Conflicts referred to the ILO), created in accordance with an agreement dated 31 October 2000 made by the Standing Negotiation Committee on Labour and Wage Policies (CPCPLS). CETCOIT is responsible for addressing conflicts that have arisen in areas governed by ILO Conventions ratified by Colombia relating to freedom of association.<sup>78</sup>

Another element of the project has not been fully implemented. The project included TA for the design and implementation of a computerized information system for the MOL Inspection Unit (IVC). This system was intended to help increase the effectiveness and efficiency of the IVC for the registration and analysis of labour inspection data and reports. The MOL undertook a two-year process of designing a ministry-wide information system, using its own financial and technical resources, with the intention of integrating all databases of the various MOL units. Unfortunately,

<sup>75</sup> The ILO entered into a partnership agreement with the French government to fund a TC project to support the modernization of labour administrations and inspectorates in West Africa (ILO/ADMITRA). Through the ADMITRA project, the ILO has provided support to DWT/CO-Dakar to work with countries under its responsibility, including Burkina Faso.

<sup>76</sup> Training was also provided to trade unions, including representatives of the three major confederations and affiliates. Five priority sectors were targeted: palm oil, sugar, flowers, mining and ports. The training addressed issues related to freedom of association, collective bargaining, collective pacts, and third party contracting. Trade union officials, who were interviewed as part of the case study review, reported that the training provided them with a better understanding of these issues. Training for employers' organizations has been limited.

<sup>77</sup> In this regard, it should be pointed out that Convention No. 81 holds that the functions of labour inspectors should not include acting as conciliators or arbitrators in proceedings concerning labour disputes.

<sup>78</sup> Its powers, constituents and functions are governed from a structural and functional point of view by the Standing Committee which was set up as a constitutional body and which is defined by Act No. 278 of 1996.

due to budgetary constraints, it had to cancel work already started by an external collaborator in early 2015. Realizing the importance of the information system in reaching the project's objectives, the ILO/USDOL project intends to provide significant additional financial and technical resources before the end of 2015 to assist the MOL realize this component of the project.

- **South Africa.** Based, in part, on a needs assessment conducted in 2009, ILO has continued to provide assistance to strengthen the labour inspectorate with funding provided by Norway as well as through RB. In 2010, 30 senior labour inspectors were trained as master trainers and 153 newly recruited labour inspectors in six of the nine provinces received training based on the ILO-ITC modular training package. In addition, ILO helped the MOL to organize a National Policy Conference and hold a series of roundtables on issues related to labour inspection. The ILO also conducted a mission in 2010 to assess potential ratification of Conventions Nos. 81 and 129. In 2011, work centred on the development of a Labour Inspection Training Roadmap in conjunction with the Inspection and Enforcement Services Unit in the MOL as well as the adaptation of the ILO-ITC training modules to the particular situation in the country. Between 2012 and 2014, ILO undertook a study on labour inspection data collection, culminating in a proposed plan of action to strengthen information systems. In general, interviews with tripartite constituents found that those involved were largely positive about the ILO's support to the labour inspectorate. However, the MOL found the inter-agency coordination required for adapting the ILO-ITC training package to be a more complex and time-consuming undertaking than originally envisaged. It also concluded that the scope of the study and the proposal on the information system were too limited, and decided to follow through on its own. Representatives of employers' and workers' organizations would have welcomed more attention being paid to their roles in addressing compliance needs.
- **Viet Nam.** The labour inspection needs assessment report prepared by ILO with funding provided by Norway was well received by constituents. It was used as a "background document" for a national consultative workshop held in September 2012 to lay the groundwork for the preparation of a national plan to strengthen the labour inspection system. The effort to develop the "master plan" was led by the Ministry of Labour and Social Affairs (MOLISA) with the support of ILO. In November 2013, roughly 14 months after the needs assessment was published, the Prime Minister approved the master plan – Strengthening the Inspection Capacity in the Field of Labour, Invalids and Social Affairs until 2020. It called for: the reorganization of the labour inspectorate at national and provincial levels; the development of standards for the recruitment and appointment of inspection officers; an increase in the number of inspection officers to 1,000 (by 2015) and 1,500 (by 2020); the development of a training programme for all inspectors; the development of a "strategic" inspection plan and standard operating procedures; the development of requisite management information systems; and the procurement of needed transportation and other equipment. In order to implement reforms, the plan called for the promulgation of a series of decrees and circulars by the end of 2015.

A subsequent two-year project funded by the Netherlands was scheduled to start in January 2014; however, given delays in recruiting a programme manager, work did not begin in earnest until July 2014 – roughly seven months after approval of the master plan. Since then, ILO has worked with MOLISA officials to: review recruitment, appointment and training policies for labour inspectors; undertake a training needs assessment and develop a national training strategy; review labour inspection tools; and undertake a risk-mapping exercise.<sup>79</sup> Most of these products are still in the process of being developed. In this regard, MOLISA staff have the primary responsibility for drafting policies, strategies, plans, manuals, and tools for the MOLISA Inspectorate. ILO's role is to provide advice. As such, final outputs largely depend on the capabilities of designated

<sup>79</sup> Technical Progress Report and interviews with ILO team in Hanoi.

Table 12. How would you rate the ILO global products that relate to labour inspection?

| Global products                            | Respondents (number) | Don't know  | Very unsatisfactory | Unsatisfactory | Somewhat unsatisfactory | Somewhat satisfactory | Satisfactory | Very satisfactory |
|--|----------------------|-------------|---------------------|----------------|-------------------------|-----------------------|--------------|-------------------|
| Labour inspection training modules         | 28                   | 7.14%<br>2  | 3.57%<br>1          | 0.00%<br>0     | 3.57%<br>1              | 10.71%<br>3           | 32.14%<br>9  | 42.86%<br>12      |
| Self-assessment tools                      | 26                   | 23.08%<br>6 | 3.85%<br>1          | 0.00%<br>0     | 3.85%<br>1              | 19.23%<br>5           | 11.54%<br>3  | 38.46%<br>10      |
| Good practice guides                       | 29                   | 13.79%<br>4 | 3.45%<br>1          | 0.00%<br>0     | 0.00%<br>0              | 17.24%<br>5           | 27.59%<br>8  | 37.93%<br>11      |
| Labour inspection checklists               | 28                   | 14.29%<br>4 | 3.57%<br>1          | 0.00%<br>0     | 7.14%<br>2              | 10.71%<br>3           | 32.14%<br>9  | 32.14%<br>9       |
| Labour inspection needs assessments        | 27                   | 14.81%<br>4 | 3.70%<br>1          | 0.00%<br>0     | 3.70%<br>1              | 22.22%<br>6           | 25.93%<br>7  | 29.63%<br>8       |
| Research publications on labour inspection | 29                   | 13.79%<br>4 | 3.45%<br>1          | 0.00%<br>0     | 0.00%<br>0              | 31.03%<br>9           | 24.14%<br>7  | 27.59%<br>8       |
| International conferences and seminars     | 27                   | 11.11%<br>3 | 3.70%<br>1          | 0.00%<br>0     | 3.70%<br>1              | 25.93%<br>7           | 29.63%<br>8  | 25.93%<br>7       |
| Labour inspection country profiles         | 28                   | 25.00%<br>7 | 3.57%<br>1          | 0.00%<br>0     | 3.57%<br>1              | 21.43%<br>6           | 25.00%<br>7  | 21.43%<br>6       |
| Data on labour inspection systems          | 28                   | 21.43%<br>6 | 3.57%<br>1          | 0.00%<br>0     | 7.14%<br>2              | 28.57%<br>8           | 25.00%<br>7  | 14.29%<br>4       |

Table 13. How would you rate the deliverables produced by ILO during the course of providing assistance to strengthen the labour inspection system in these countries?

| Global products  | Respondents (number) | Not Applicable | Very unsatisfactory | Unsatisfactory | Somewhat unsatisfactory | Somewhat satisfactory | Satisfactory | Very satisfactory |
|--|----------------------|----------------|---------------------|----------------|-------------------------|-----------------------|--------------|-------------------|
| Training for labour inspectors   | 27                   | 7.14%<br>3     | 0.00%<br>0          | 0.00%<br>0     | 7.41%<br>2              | 3.70%<br>1            | 29.63%<br>8  | 48.15%<br>13      |
| Needs assessment (audit) of the labour inspection system               | 27                   | 23.08%<br>3    | 0.00%<br>0          | 0.00%<br>0     | 3.70%<br>1              | 11.11%<br>3           | 25.93%<br>7  | 48.15%<br>13      |
| Content or suggested wording of laws governing the labour inspectorate | 26                   | 13.79%<br>4    | 0.00%<br>0          | 0.00%<br>0     | 3.85%<br>1              | 11.54%<br>3           | 26.92%<br>7  | 42.31%<br>11      |
| Annual labour inspection plan  | 26                   | 14.29%<br>8    | 0.00%<br>0          | 0.00%<br>0     | 7.69%<br>2              | 11.54%<br>3           | 26.92%<br>7  | 23.08%<br>6       |
| Information system used by the labour inspectorate                     | 25                   | 14.81%<br>7    | 0.00%<br>0          | 0.00%<br>0     | 12.00%<br>3             | 20.00%<br>5           | 20.00%<br>5  | 20.00%<br>5       |
| Labour inspection strategy   | 26                   | 13.79%<br>3    | 0.00%<br>0          | 0.00%<br>0     | 15.38%<br>4             | 7.69%<br>2            | 46.15%<br>12 | 19.23%<br>5       |
| Labour inspection checklists and/or manuals                            | 27                   | 11.11%<br>3    | 0.00%<br>0          | 0.00%<br>0     | 7.41%<br>2              | 14.81%<br>4           | 48.15%<br>13 | 18.52%<br>5       |
| Human resource strategy, e.g. recruitment and training plan            | 25                   | 25.00%<br>5    | 0.00%<br>0          | 0.00%<br>0     | 8.00%<br>2              | 24.00%<br>6           | 36.00%<br>9  | 12.00%<br>3       |

counterparts in MOLISA. In an interview conducted as part of this evaluation, the Chief Inspector voiced concern about the scope of the project, given its relatively short duration (essentially 18 months after taking into account the six month delay in recruiting a Chief Technical Adviser – CTA), the limited number of people that the MOLISA Inspectorate has available to commit to the project, and the overall absorptive capacity of the institution.

82. In the survey conducted as part of this evaluation, ILO staff were also asked to rate their satisfaction with global products and key outputs of TC projects. As shown in tables 12 and 13, the vast majority of respondents indicated that they were satisfied with these deliverables.

**The capacity of labour inspectorates to fulfil their mission has been strengthened; however, results vary across countries and lack of consistent data limits analysis.**

83. Document reviews and interviews carried out as part of this evaluation, attest to the myriad changes that occurred in the wake of ILO assistance. Many governments have: strengthened the legal framework for labour inspection; reorganized the labour inspectorate; boosted the number and skills of labour inspectors;<sup>80</sup> provided additional transportation and other materials resources; put in place new labour inspection procedures; installed new management information systems; and established mechanisms to increase awareness of the law. All of this speaks to elements of a stronger institutional capacity.

**Six countries ratified Conventions Nos. 81 and/or 129 between 2010 and 2014, and the CEACR has noted significant progress in 10 other countries.**

84. Since 2009, four countries have ratified Convention No. 81 and five countries have ratified Convention No. 129 (three ratified both), bringing the total signatories to these Conventions to 145 and 53, respectively, as shown in table 14. While progress has been made, the number of countries that ratified Convention No. 129 since 2009 is half of the target set in the action plan for the widespread ratification and application of governance Conventions.<sup>81</sup>

Table 14. Ratifications of Conventions Nos. 81 and 129 between 2010 and 2014

| Country                          | Convention No. 81 | Convention No. 129 |
|----------------------------------|-------------------|--------------------|
| Zambia                           | 23 Dec 2013       | 23 Dec 2013        |
| South Africa                     | 20 Jun 2013       | ...                |
| Togo                             | 30 Mar 2012       | 30 Mar 2012        |
| Czech Republic                   | 16 Mar 2011       | 16 Mar 2011        |
| Fiji                             | 28 May 2008       | 18 Jan 2010        |
| Saint Vincent and the Grenadines | 21 Oct 1998       | 09 Nov 2010        |

Note: ... = not applicable.

Source: ILO (2015). NORMLEX database of ratifications. Available at: [www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO) [9 Feb. 2015].

<sup>80</sup> Some projects have conducted surveys of training participants. Participants typically report being satisfied with training, albeit with some caveats, and having gained new skills. In some cases, this is backed by examinations (including pre- and post-tests). Surveys are generally administered at the end of training courses; as such, they do not provide insight into whether skills have been applied.

<sup>81</sup> ILO: *Towards widespread ratification and effective implementation of the governance Conventions, Plan of Action 2010–2016* (Geneva, 2011).



85. The CEACR expressed “satisfaction” with the progress made by nine countries in the application of Conventions Nos. 81 and/or 129 between 2010 and 2014 as shown in table 15.<sup>82, 83</sup>

Table 15. List of cases for which the CEACR expressed satisfaction 2010–2014

| ILC Session No., Year | Country    | Convention No. | Description   |
|-----------------------|------------|----------------|---|
| 100th Session, 2011   | Bangladesh | 81             | The level of penalties to be imposed for violations of labour legislation has significantly increased.  |
|                       | France     | 81 & 129       | A collective work on <i>Principles of Ethics for Labour Inspection</i> has been published, the preparation of which had been initiated in 2004 and continued with ILO technical support.  |
|                       | Jamaica    | 81             | The process of amending the prescribed fines by the relevant national labour laws has been simplified, and the penalties for breaches of these laws have significantly increased, involving prison sentences in the case of default of payment. Among others, there has been an increase in the fines for the obstruction of labour inspectors in the course of their duty and for failure to notify accidents and occupational diseases. |
|                       | Jordan     | 81             | Along with the strengthening of legal proceedings against employers in breach of legal provisions relating to issues covered by the Convention, blacklists are now published and the enterprises concerned are refused bank guarantees, while undertakings that offer their employees better conditions of work and services are included in a golden list, which helps them obtain bank guarantees.                                      |
|                       | Kenya      | 129            | The scope of the 2007 Labour Institutions Act and the 2007 Occupational Safety and Health (OSH) Act was extended to cover agricultural workers.   |
| 101st Session, 2012   | Norway     | 81             | The number of inspectors has increased, which has resulted in a significant increase in the number of workplaces inspected.   |
|                       | Sweden     | 129            | Constant efforts have been made by the government to provide the labour inspection services with the human and logistical resources they require to carry out their tasks of inspection, education and improving legislation, in particular in the areas of health and safety of agricultural workers and their work environment.   |
| 102nd Session, 2013   | Cape Verde | 81             | New regulations were adopted establishing the obligation to notify the labour inspectorate of cases of fatal occupational diseases.   |
| 104th Session, 2015   | Colombia   | 81             | A legal basis (ministerial decision) has been established, imposing an obligation on labour inspectors to treat as confidential the source of all complaints, and making them liable to disciplinary procedures in the event of non-compliance.   |

Source: EVAL based on CEACR reports, general reports and observations concerning particular countries, 2010–14.

<sup>82</sup> “The Committee of Experts expresses satisfaction in cases in which, following comments it has made on a specific issue, governments have taken measures through either the adoption of new legislation, an amendment to the existing legislation or a significant change in the national policy or practice, thus achieving fuller compliance with their obligations under the respective Conventions. In expressing its satisfaction, the Committee indicates to governments and the social partners that it considers the specific matter resolved. The reason for identifying cases of satisfaction is twofold: to place on record the Committee’s appreciation of the positive action taken by governments in response to its comments; and to provide an example to other governments and social partners which have to address similar issues.”

<sup>83</sup> The Committee has also expressed “interest” on numerous occasions during the 2010–2014 period. As defined by the Committee, “In general, cases of interest cover measures that are sufficiently advanced to justify the expectation that further progress would be achieved in the future and regarding which the Committee would want to continue its dialogue with the government and the social partners. In comparison to cases of satisfaction, cases of interest relate to progress, which is less significant...”

**ILO has reported achieving results in numerous countries in programme implementation reports; however, results appear overstated in some cases.**

86. As shown in table 16, ILO has reported achieving results in 20 countries with respect to Indicator 11.2 during the two biennia (2010–11 and 2012–13).<sup>84, 85</sup> To be counted as reportable under Indicator 11.2, results must meet *at least two* of the following “measurement” criteria: (i) “The status of labour inspection staff is improved to ensure that public officials have conditions of service that ensure stability of employment and independence in the discharge of their duties and a mandate to impose sanctions (Article 6 of Convention No. 81)”; (ii) “A budgeted training plan for labour inspectors, with due regard to the special duties that may be assigned to men and women inspectors, is implemented by the labour administration system”; (iii) A system is established or strengthened in the labour administration so that up-to-date registers, sex-disaggregated data and statistics concerning enterprises’ conditions of employment and work are available”; and/or (iv) “An awareness-raising strategy targeting employers and workers and their organizations on the technical role and scope of labour inspection is implemented by the labour administration system”.

Table 16. Implementation results for Indicator 11.2

| Country                                   | CPO    | Region              | 2010–2011 |           |          |          | 2012–2013 |          |          |          |
|---|--------|---------------------|-----------|-----------|----------|----------|-----------|----------|----------|----------|
|   |        |                     | Criteria  |           |          |          | Criteria  |          |          |          |
|   |        |                     | (i)       | (ii)      | (iii)    | (iv)     | (i)       | (ii)     | (iii)    | (iv)     |
| Albania                                   | ALB103 | Europe-Central Asia | ...       | X         | X        | X        | ...       | ...      | ...      | ...      |
| Brazil                                    | BRA154 | Americas            | X         | X         | X        | ...      | ...       | ...      | ...      |          |
| China                                     | CHN151 | Asia Pacific        | X         | X         | ...      | ...      | ...       | ...      | ...      |          |
| Dominican Republic                        | DOM102 | Americas            | ...       | ...       | ...      | ...      | ...       | X        | X        |          |
| El Salvador                               | SLV101 | Americas            | X         | X         | ...      | X        | ...       | ...      | ...      |          |
| Greece                                    | GRC151 | Europe-Central Asia | ...       | ...       | ...      | ...      | ...       | X        | X        |          |
| India                                     | IND901 | Asia Pacific        | ...       | X         | X        | X        | ...       | ...      | ...      |          |
| Indonesia                                 | IDN151 | Asia Pacific        | ...       | ...       | ...      | ...      | ...       | X        | X        |          |
| Jordan                                    | JOR127 | Arab States         | ...       | ...       | ...      | ...      | ...       | X        | X        |          |
| Mexico                                    | MEX152 | Americas            | ...       | ...       | ...      | ...      | X         | X        | ...      |          |
| Namibia                                   | NAM176 | Africa              | ...       | ...       | ...      | ...      | ...       | X        | ...      |          |
| Oman                                      | OMN126 | Arab States         | X         | X         | X        | ...      | ...       | ...      | ...      |          |
| Peru                                      | PER135 | Americas            | ...       | X         | X        | ...      | ...       | X        | X        |          |
| South Africa                              | ZAF151 | Africa              | ...       | X         | ...      | X        | X         | ...      | ...      |          |
| Sri Lanka                                 | LKA103 | Asia Pacific        | ...       | ...       | ...      | ...      | X         | X        | X        |          |
| Syrian Arab Republic                      | SYR101 | Arab States         | X         | X         | ...      | ...      | ...       | ...      | ...      |          |
| Tanzania, United Rep. of                  | TZA152 | Africa              | ...       | X         | X        | ...      | ...       | ...      | ...      |          |
| The former Yugoslav Republic of Macedonia | MKD103 | Europe-Central Asia | ...       | X         | ...      | X        | ...       | ...      | ...      |          |
| Ukraine                                   | UKR155 | Europe-Central Asia | ...       | ...       | ...      | ...      | ...       | X        | X        |          |
| Yemen                                     | YEM101 | Arab States         | ...       | ...       | ...      | ...      | ...       | X        | X        |          |
| <b>Total</b>                              |        |                     | <b>5</b>  | <b>11</b> | <b>6</b> | <b>5</b> | <b>3</b>  | <b>8</b> | <b>9</b> | <b>5</b> |

Note: ... = not applicable.

Source: EVAL based on data extracted from implementation reports.

<sup>84</sup> Details are provided in Annex M.

<sup>85</sup> ILO has also reported results related to strengthening labour inspection systems under other outcomes.

87. Validating all reported results is outside the scope of this evaluation; however, a review of the experience in Albania and South Africa suggests that some reported results should be treated with caution. For example, with respect to Albania, the P&B Implementation Report 2010–11 states, “An improved information system was developed for better planning and monitoring of inspection activities, with sex-disaggregated data,” noting that ILO had “Provided technical assistance for the design of a registration system for enterprises and inspection activities.” However, the case study prepared as part of this evaluation revealed no evidence that an information system had been developed. In fact, according to DWT/CO-Budapest, “The design of a registration system for enterprises and inspection activities, according to the action plan, was impossible to implement because [of] the lack of IT equipment at central and territorial level.”<sup>86</sup> Similarly, the justification of a budgeted training plan does not appear well substantiated. Providing training to labour inspectors under an ILO project is not the same as establishing a budgeted training plan; the latter implies the notion of a regular system of training as part of human resource development strategy. This was not the case in Albania.
88. With respect to South Africa, the Implementation Report 2010–2011 states that a “Labour Inspection Training Roadmap developed by the Inspection and Enforcement Services Unit in the Ministry was adopted and implemented in 2011.” While the development of the roadmap is noteworthy, the case study review conducted for this evaluation shows that critical elements have not yet been implemented, including a review of competency requirements for labour inspectors and the development of a training policy. Additional results were reported in the Implementation Report 2012–2013, specifically, “The National Department of Labour improved its Inspection Case Management System to facilitate the collection and dissemination of labour inspection data across labour centres in all the nine provinces of the country.” It goes on to note, “the new case management system factored in recommendations of the ILO study concerning the standardisation of instruments for data collection across labour centres as well as provinces to improve data sources and collection methods.” However, as noted above, it appears this is not entirely accurate.

### ILO staff tend to be satisfied with the extent of improvements in labour inspection systems

89. As shown in tables 17 and 18, ILO staff are generally satisfied with the extent to which projects resulted in stronger labour inspection systems, noting improvement across multiple dimensions. Areas where a significant percentage of respondents see little or no gains include: the adequacy of transportation and material resources; increase in the number of labour inspectors; independence of labour inspectors; and adequacy of penalties and legal procedures to enforce compliance.

Table 17. Satisfaction with the extent to which ILO TC projects resulted in stronger labour inspection systems

|           | N  | Very unsatisfactory | Unsatisfactory | Somewhat unsatisfactory | Somewhat satisfactory | Satisfactory | Very satisfactory |
|-----------|----|---------------------|----------------|-------------------------|-----------------------|--------------|-------------------|
| Responses | 26 | 0.00%<br>0          | 0.00%<br>0     | 11.54%<br>3             | 30.77%<br>8           | 38.46%<br>10 | 19.23%<br>5       |

<sup>86</sup> Summary note that -Budapest provided to the consultant at a meeting on 27 February 2015.

Table 18. To what extent has ILO assistance resulted in improvements in the capacity of the labour inspectorates to effectively carry out their mandate in these countries?

| ILO assistance resulting in improvements   | No. | No improvement | Minor improvement | Moderate improvement | High improvement | Very high improvement |
|--|-----|----------------|-------------------|----------------------|------------------|-----------------------|
| Labour inspection procedures, including use of checklists  | 26  | 0.00%<br>0     | 15.38%<br>4       | 11.54%<br>3          | 57.69%<br>15     | 15.38%<br>4           |
| Competency of labour inspectors  | 27  | 0.00%<br>0     | 14.81%<br>4       | 29.63%<br>8          | 40.74%<br>11     | 14.81%<br>4           |
| Number of labour inspectors  | 24  | 12.50%<br>3    | 20.83%<br>5       | 37.50%<br>9          | 16.67%<br>4      | 12.50%<br>3           |
| Organizational structure of the labour inspectorate  | 26  | 7.69%<br>2     | 11.54%<br>3       | 38.46%<br>10         | 34.62%<br>9      | 7.69%<br>2            |
| Case management and other information systems used by the labour inspectorate                        | 26  | 7.69%<br>2     | 19.23%<br>5       | 34.62%<br>9          | 30.77%<br>8      | 7.69%<br>2            |
| Independence of labour inspectors from government changes and improper external influences           | 26  | 15.38%<br>4    | 26.92%<br>7       | 30.77%<br>8          | 19.23%<br>5      | 7.69%<br>2            |
| Legal authority of the labour inspectorate   | 27  | 3.70%<br>1     | 11.11%<br>3       | 44.44%<br>12         | 33.33%<br>9      | 7.41%<br>2            |
| Adequacy of legal procedures to enforce sanctions recommended or imposed by labour inspectorate      | 27  | 18.52%<br>5    | 14.81%<br>4       | 48.15%<br>13         | 11.11%<br>3      | 7.41%<br>2            |
| Adequacy of penalties for violation of legal provisions under the purview of the labour inspectorate | 27  | 18.52%<br>5    | 22.22%<br>6       | 44.44%<br>12         | 7.41%<br>2       | 7.41%<br>2            |
| Efforts by the labour inspectorate to inform enterprises of actions needed to comply with the law    | 25  | 4.00%<br>1     | 20.00%<br>5       | 44.00%<br>11         | 28.00%<br>7      | 4.00%<br>1            |
| Efforts by the labour inspectorate to inform enterprises of their legal obligations                  | 26  | 7.69%<br>2     | 19.23%<br>5       | 50.00%<br>13         | 19.23%<br>5      | 3.85%<br>1            |
| Cooperation and coordination of the labour inspectorate with other relevant government agencies      | 28  | 3.57%<br>1     | 25.00%<br>7       | 39.29%<br>11         | 28.57%<br>8      | 3.57%<br>1            |
| Cooperation and coordination of the labour inspectorate with workers' organizations                  | 27  | 3.70%<br>1     | 22.22%<br>6       | 48.15%<br>13         | 25.93%<br>7      | 0.00%<br>0            |
| Cooperation and coordination of the labour inspectorate with employers' organizations                | 27  | 7.41%<br>2     | 29.63%<br>8       | 40.74%<br>11         | 22.22%<br>6      | 0.00%<br>0            |
| Transportation, equipment and other material resources provided to labour inspectors                 | 26  | 11.54%<br>3    | 38.46%<br>10      | 38.46%<br>10         | 11.54%<br>3      | 0.00%<br>0            |

### Case studies show mixed results with respect to an increased capacity of labour inspectorates to carry out their duties in an efficient and effective manner

90. The case studies provide an opportunity to look more closely at changes in the capacity of labour inspectorates in different countries.

- **Albania.** The ILO conducted an “audit” of the labour inspection system in March 2009. An Action Plan was subsequently developed and agreed with the labour inspectorate in September 2009. It referenced nine of the 19 recommendations in the audit. Significantly, it did not include actions related to recommendations that dealt with the structure and functions of the labour inspectorate. The decision on which recommendations to incorporate in the plan was made by the labour inspectorate. While numerous actions were contemplated in the plan, with the exception of training, none of the other elements were carried out. According to an evaluation of the project conducted in May 2010, the pilot involving inspections in rural areas was never launched. Similarly, planned efforts to establish new labour inspection procedures, simplify administrative procedures for handling sanctions, and formulate a proposal for career development were never instigated. While ILO did retain a consultant to participate in a mission to Tirana to examine the existing information system, no further work was undertaken due to “the lack of computers” in the State Labour Inspectorate (SLI) and other institutions.

ILO carried out a subsequent project with funding provided by the EU, which included a component dealing with the “Modernisation of the State Labour Inspectorate”. The project began in September 2011 and ended in January 2015 with little change in the capacity of the labour inspectorate or other related institutions. A new government took office in September 2013, resulting in major personnel changes throughout government, including the State Inspectorate for Labour and Social Services (SILSS). A new General Inspector was appointed in November 2013 and many of the existing labour inspectors, including some master trainers trained by ILO, were discharged and replaced with new staff between Autumn 2013 and Spring 2014. Although there are a number of vacant positions, no new inspectors have been employed in the past 12 months. Staffing levels remain where they were prior to the project. Moreover, the competence of labour inspectors remains a concern as does the lack of medical personnel trained in occupational health. The ILO delivered one day’s training on OSH to approximately 120 labour inspectors between October and November 2014. Significantly, no training was provided on the use of inspection checklists developed under the project. This amount of training is not sufficient to enable labour inspectors to monitor compliance with OSH regulations. Many of them had been recruited over the previous year, and the extent and nature of training provided to the newly recruited inspectors outside of the ILO project is likely to have been limited. While labour inspectors apparently continue to participate in ad hoc training workshops based on donor interest and funding availability, the inspectorate still appears to lack a formal training plan and budget.<sup>87</sup>

- **Bangladesh.** The Government of Bangladesh has upgraded DIFE so that it is now headed by a General Inspector. It has increased its budget significantly, expanded the number of offices, authorized 575 inspector positions, and recruited 178 additional labour inspectors, bringing the total to 270. (The number of labour inspectors is still well below the level to which the government has committed.)<sup>88</sup> As noted above, ILO has organized training for all existing and new

<sup>87</sup> Interview with General Inspector.

<sup>88</sup> The Joint Statement issued under the Sustainability Compact stated that the government would recruit 200 additional inspectors by the end of 2013. It noted that DIFE would have a total roster of 800 inspectors (the time was not specified). The Road Map developed with the support of ILO indicated that 200 new inspectors would be recruited by October 2014 with a total number of labour inspectors rising to 575 by April 2015.

labour inspectors. However, the magnitude and nature of training provided to particular individuals depend on the cohort. For example, Cohort 1 (recruited in December 2013) has received a total of 12 days' training up to March 2015. The three subsequent cohorts have received only four days' training on either labour law or a basic orientation. Regardless of the training received, all of these individuals are currently in the field carrying out inspections. Labour inspectors have gained new knowledge and skills, but more training is needed to ensure that they are fully competent to carry out their responsibilities. It is planned to provide additional training later this year.

- **Burkina Faso.** While a new National Labour Policy has been adopted, the capacity of the labour inspectorate to carry out its duties and enforce the law remains weak, particularly with respect to the informal economy. The Labour Inspector Corps employs 155 inspectors and 133 controllers. According to interviews with constituents and various reports, the labour inspectorate continues to lack sufficient staff, facilities, equipment, transportation and funding to perform inspections effectively; no funds have been specifically dedicated to the enforcement of child labour laws.<sup>89</sup> Labour inspectors have gone on strike several times for better pay and resources.
- **Colombia.** As noted above, tools and procedures developed under the auspices of the ILO project have been incorporated into the MOL Labour Inspection Manual for use across the country. While the knowledge and skills of labour inspectors appear to have been enhanced as a result of the training, it is less certain whether this has been reflected in actual changes in the field. As noted above, improvements in the ministry-wide information systems have yet to be implemented. With respect to the Comisión especial de tratamiento de conflictos ante la oit (Special Commission dealing with conflicts with the ILO – CETCOIT), key informants and hard data (see below) suggest that the capacity of the Commission to promote social dialogue and resolve complaints has improved.
- **South Africa.** South Africa ratified Convention No. 81 in June 2013 and made a number of organizational changes, including the establishment of the inspection and enforcement services branch in the MOL and the appointment of a Chief Inspector. The budget for inspection and enforcement services was boosted in three consecutive years between 2011 and 2013, allowing for an increase in the number of labour inspectors as well as their annual remuneration (unfortunately the 2014 budget was cut significantly). Still, major elements of the labour inspection training roadmap have not yet been realized. Moreover, while the government has purchased computers and other equipment for labour inspectors, improvements in the case management system have yet to be implemented.
- **Viet Nam.** Following the release of the labour inspection needs assessment; a “master plan” for strengthening the capacity of the labour inspectorate was completed and approved by the prime minister in November 2013. The master plan called, inter alia, for a series of decrees and circulars to be adopted by 2015. According to the ILO CO-Hanoi, a circular on the criteria for appointment of labour inspectors was drafted in late 2014. However, as of April 2015 – roughly 18 months after its approval – all of the other decrees and circulars called for in the master plan have yet to be enacted, whilst other aspects of the legal framework remain unchanged. The legal basis for institutional reforms will not be established until these regulations are put in place.

Currently, there are 471 inspectors, including 47 people within the MOLISA Inspectorate (inspectors and support personnel) and 424 people within the Department of Labour, Invalids and Social Affairs (DOLISA) spread across 63 provinces. According to the Chief Inspector only 150–160 inspectors are dedicated solely to labour inspections; the rest split their time on other duties. While the master plan called for doubling the number of inspectors, this is unlikely to happen given pressure to reduce the number of government employees across the country.

<sup>89</sup> U.S. Department of Labor. Bureau of International Labor Affairs (ILAB): *Burkina Faso. 2013 Findings on the worst forms of child labour* (Washington, DC, 2013).

Moreover, the actual decision on recruitment of personnel rests with the provincial authorities. As far as qualifications are concerned, a circular on the recruitment, appointment and training of inspectors is still being drafted. In this regard, the Ministry of Home Affairs is responsible for policies related to the civil service. So any changes would need to be considered within the framework of broader reforms and would be applicable to all inspectors, not just labour inspectors.

## EFFICIENCY

**In general, ILO provides assistance to member States in an efficient manner; however, data limitations preclude rigorous analysis.**

91. As discussed above, given existing information systems, it is impossible to determine the costs associated with specific activities and reported results. This type of analysis would require data on the cost of all resources used to undertake activities, produce outputs, and generate outcomes.
92. While hard data are limited, as shown in table 19, ILO staff's responses to the survey indicate that they are overwhelmingly satisfied with the extent to which TC projects are carried out without wasting time or money.

Table 19. Satisfaction with the extent to which the ILO carried out TC projects without wasting time or money

| Criterion  | Respondent (number) | Very unsatisfactory | Unsatisfactory | Somewhat unsatisfactory | Somewhat satisfactory | Satisfactory | Very satisfactory |
|------------|---------------------|---------------------|----------------|-------------------------|-----------------------|--------------|-------------------|
| Efficiency | 26                  | 0.00%<br>0          | 3.85%<br>1     | 3.85%<br>1              | 34.62%<br>9           | 34.62%<br>9  | 23.08%<br>6       |

**The case studies point to several inefficiencies on particular projects.**

93. These inefficiencies include wasted time in fielding project teams, duplication of efforts to develop material and tools, and the provision of training in countries with high staff turnover and limited training capacity.

**While generally adequate, project staffing and technical backstopping has been weak in some instances.**

94. One element of the agreed strategy coming out of the 100th Session of the ILC (2011) was to improve "the Office's capacity and internal coordination in respect of labour administration and inspection." With respect to labour inspection, there are a total of 10 people on the ILO staff with expertise in this field – three in LABADMIN/OSH, three in other department/branches, and four field specialists based in Bangkok (as of November 2014), New Delhi and Santiago. (The number of people in LABADMIN/OSH with labour inspection expertise is below the level that existed at the time the LABADMIN unit was established in 2009.) These staff bear primary responsibility for undertaking global projects as well as providing technical backstopping on projects in member States. The workload is quite high and travel requirements are significant.
95. While LABADMIN/OSH is charged with responsibility for coordinating activities related to labour inspection, FPRW has taken the lead in backstopping a number of projects that have dealt directly with labour inspectorates, including projects in Colombia, Egypt, Jordan, Maldives, Morocco, Philippines, Sri Lanka and Zambia. These projects go well beyond dealing with issues related to freedom of association or collective bargaining and include major institutional reforms, substantive

procedural changes, and the development of new information systems. There has been little or no involvement of LABADMIN or LABADMIN/OSH in these projects.

96. The survey of ILO staff was used to gauge the degree to which technical units have engaged with different DWTs during the design and implementation of initiatives to strengthen labour inspection systems. Responses are provided in table 20. Not surprisingly, given its mandate, a majority of respondents reported high or very high engagement with LABADMIN prior to 2013 and LABADMIN/OSH thereafter. However, the extent of engagement was reported to have fallen off somewhat since the merger. In a related vein, four respondents reported that there were instances where LABADMIN/OSH had been unwilling or unable to provide assistance requested by the DWT to help strengthen the labour inspection system since 2013.<sup>90</sup> Only one person indicated that this had occurred prior to the merger. LABADMIN/OSH acknowledges that the Branch declined to provide assistance on at least one occasion after it was determined that a similar project had been completed within the past few years and confirmed by a government official that the assistance requested by the country office was not needed.

Table 20. To what extent have ILO headquarters technical units engaged with the DWTs during the design and implementation of assistance to strengthen labour inspection systems in these countries?

| ILO Branch                | Respondents (number) | No engagement | Low engagement | Moderate engagement | High engagement | Very high engagement |
|---------------------------|----------------------|---------------|----------------|---------------------|-----------------|----------------------|
| LABADMIN (Prior to 2013)  | 24                   | 8.33%<br>2    | 8.33%<br>2     | 4.17%<br>1          | 54.17%<br>13    | 25.00%<br>6          |
| LABADMIN/OSH (Since 2013) | 25                   | 0.00%<br>0    | 16.00%<br>4    | 32.00%<br>8         | 36.00%<br>9     | 16.00%<br>4          |
| DIALOGUE                  | 19                   | 15.79%<br>3   | 31.58%<br>6    | 26.32%<br>5         | 21.05%<br>4     | 5.26%<br>1           |
| NORMES                    | 22                   | 4.55%<br>1    | 40.91%<br>9    | 18.18%<br>4         | 31.82%<br>7     | 4.55%<br>1           |
| ACTRAV                    | 22                   | 18.18%<br>4   | 40.91%<br>9    | 18.18%<br>4         | 22.73%<br>5     | 0.00%<br>0           |
| SafeWork (Prior to 2013)  | 20                   | 20.00%<br>4   | 40.00%<br>8    | 20.00%<br>4         | 20.00%<br>4     | 0.00%<br>0           |
| ILO/AIDS                  | 18                   | 33.33%<br>6   | 22.22%<br>4    | 33.33%<br>6         | 11.11%<br>2     | 0.00%<br>0           |
| ACTEMP                    | 21                   | 28.57%<br>6   | 38.10%<br>8    | 23.81%<br>5         | 9.52%<br>2      | 0.00%<br>0           |
| GENDER Equality           | 18                   | 33.33%<br>6   | 38.89%<br>7    | 22.22%<br>4         | 5.56%<br>1      | 0.00%<br>0           |

97. A few of the country/regional directors interviewed as part of the case study reviews expressed frustration with the lack of technical backstopping from Geneva, noting difficulties in scheduling missions and protracted “negotiations” with individuals to gain their participation. To be effective, ILO needs to be able to provide assistance at the right moment, providing timely technical input in areas where ILO has genuine expertise. However, this is inherently difficult given staffing levels and uncertainty of the nature and timing of requests. Moreover, the role of LABADMIN/OSH in

<sup>90</sup> Respondent reported that there were no instances between 2010 and 2014 where any of the other technical units were unwilling or unable to provide assistance requested by the DWT to help strengthen the labour inspection system.



approving plans for labour inspection projects and providing quality assurance during the course of engagements led by country offices appears to be limited in certain instances. For example, in Albania, while ILO labour inspection specialists participated in seven missions to Tirana during the course of the IPA Programme on Human Resources Development, generally in conjunction with constituent workshops, the extent of technical inputs and review of deliverables – transposed directives, OSH Action Plan, inspection checklists, and training curricula – was limited.<sup>91</sup> Similarly, the technical backstopping on the labour inspection project in Viet Nam has been fairly minimal with little input on the structure or content of materials provided to the government. The DWT in Pretoria reported having had a close working relationship with LABADMIN from 2009–2012. However, the level of TA provided by LABADMIN/OSH fell after the merger. The DWT deems support from headquarters to be vital for a country such as South Africa with limited XBTC funds available for activities to strengthen labour inspection.

98. Permanent ILO staff are supplemented with staff hired on a fixed-term basis with project funding and consultants hired on short-term assignments. Fixed-term staff include CTAs, who are typically engaged for the duration of XBTC projects.<sup>92</sup> CTA positions typically require someone with expertise in labour inspection, solid project management capabilities, good communication skills, and experience working in developing countries. While ILO has been able to retain people with exceptional capabilities to work in some countries, at times, it has proven difficult to find qualified individuals. For example, the CO-Dhaka has been trying to recruit a labour inspection specialist for the past 18 months but to no avail despite raising the position from P4 to P5. The difficulty stems from a shortage of qualified individuals combined with the perception that Dhaka is a hardship post.<sup>93</sup> Similarly, it took more than six months to recruit the CTA for the labour inspection project in Viet Nam, but, after being in the country for one year, the CTA chose not to renew her contract and left six months before the scheduled project completion.<sup>94</sup> While it is uncertain whether this situation is typical across countries, the individual had not worked for ILO on prior assignments and received little orientation on ILO or the situation in Viet Nam before starting work. In the case of Colombia, the CTA has been with the project from the start; she has expertise in labour inspection, prior work experience with both ILO and the donor (USDOL), and prior work experience in Colombia. (There were no country-based CTAs for projects related to labour inspection in either Burkina Faso or South Africa.)
99. In general, survey respondents are satisfied with ILO teams that have provided assistance to strengthen labour inspection systems, particularly with respect to their level of commitment, knowledge and professionalism as shown in table 21.
100. ILO staff are generally satisfied with the teams working on these types of assignments, as shown in table 22. However, they still perceive the lack of staff with requisite technical expertise as well as access to needed funding as the most significant internal constraints to efforts by the ILO to strengthen labour inspection systems in member States.

<sup>91</sup> According to LABADMIN/OSH, “The support provided ... consisted mostly on facilitating information on available resources (including consultants and existing tools), explaining and making sure procedures followed internal rules, looking into terms of reference and organizing activities when requested to do so and informed of on-going action.” Written comments from ILO management, 4 September 2015.

<sup>92</sup> In some cases, donors are reluctant to support the cost of CTAs in project countries given the high expense.

<sup>93</sup> Interview Country Director, Bangladesh.

<sup>94</sup> The project is scheduled to end in December 2015, but it is planned to call for a no-cost, six-month extension to allow sufficient time to complete the project.

Table 21. Overall, how satisfied were you with the ILO team that provided assistance to strengthen the labour inspection system in these countries?

| TA  | Respondents (number) | Very unsatisfactory | Unsatisfactory | Somewhat unsatisfactory | Somewhat satisfactory | Satisfactory | Very satisfactory |
|---|----------------------|---------------------|----------------|-------------------------|-----------------------|--------------|-------------------|
| Level of commitment   | 29                   | 3.45%<br>1          | 0.00%<br>0     | 6.90%<br>2              | 3.45%<br>1            | 44.83%<br>13 | 41.38%<br>12      |
| Knowledge of labour inspection                                      | 29                   | 3.45%<br>1          | 0.00%<br>0     | 0.00%<br>0              | 6.90%<br>2            | 51.72%<br>15 | 37.93%<br>11      |
| Professionalism   | 29                   | 3.45%<br>1          | 0.00%<br>0     | 0.00%<br>0              | 3.45%<br>1            | 58.62%<br>17 | 34.48%<br>10      |
| Ability to diagnose problems  | 25                   | 4.00%<br>1          | 0.00%<br>0     | 4.00%<br>1              | 16.00%<br>4           | 44.00%<br>11 | 32.00%<br>8       |
| Communication and social skills                                     | 29                   | 3.45%<br>1          | 0.00%<br>0     | 0.00%<br>0              | 17.24%<br>5           | 48.28%<br>14 | 31.03%<br>9       |
| Ability to establish a collaborative relationship with constituents | 27                   | 3.70%<br>1          | 0.00%<br>0     | 7.41%<br>2              | 7.41%<br>2            | 51.85%<br>14 | 29.63%<br>8       |
| Ability to develop solutions to identified problems                 | 25                   | 4.00%<br>1          | 0.00%<br>0     | 8.00%<br>2              | 28.00%<br>7           | 32.00%<br>8  | 28.00%<br>7       |
| Knowledge of organizational development and management              | 25                   | 4.00%<br>1          | 0.00%<br>0     | 4.00%<br>1              | 16.00%<br>4           | 52.00%<br>13 | 24.00%<br>6       |
| Knowledge of labour laws  | 27                   | 3.70%<br>1          | 0.00%<br>0     | 0.00%<br>0              | 18.52%<br>5           | 55.56%<br>15 | 22.22%<br>6       |
| Ability to adapt to changing circumstances                          | 27                   | 3.70%<br>1          | 0.00%<br>0     | 7.41%<br>2              | 18.52%<br>5           | 48.15%<br>13 | 22.22%<br>6       |
| Ability to keep to a schedule                                       | 26                   | 3.85%<br>1          | 0.00%<br>0     | 3.85%<br>1              | 15.38%<br>4           | 57.69%<br>15 | 19.23%<br>5       |
| Ability to focus on achieving objectives                            | 28                   | 3.57%<br>1          | 0.00%<br>0     | 0.00%<br>0              | 14.29%<br>4           | 64.29%<br>18 | 17.86%<br>5       |
| Understanding of the particular situation in the country            | 28                   | 3.57%<br>1          | 0.00%<br>0     | 7.14%<br>2              | 25.00%<br>7           | 46.43%<br>13 | 17.86%<br>5       |
| Ability to teach or mentor other people                             | 26                   | 3.85%<br>1          | 0.00%<br>0     | 0.00%<br>0              | 19.23%<br>5           | 61.54%<br>16 | 15.38%<br>4       |

### ILO has established planning and control systems, but some deficiencies are apparent.

101. A number of issues related to planning and control systems, which emerged during the course of this evaluation, are summarized below.

- **Assignment of technical backstopping.** The Partnerships and Field Support Department (PARDEV) is responsible, inter alia, for “resource mobilization and the management and administration of technical cooperation activities and public-private partnerships...”<sup>95</sup> In practice, however, projects normally originate with technical units or country offices, which have ongoing relationships with particular donors.<sup>96</sup> With respect to technical units, the entity that initiated the project is typically designated as the backstopping unit. Each project can only have one technical

<sup>95</sup> Partnership and Field Support Department website: [www.ilo.org/pardev/lang--en/index.htm](http://www.ilo.org/pardev/lang--en/index.htm) [accessed 20 Sep. 2015].

<sup>96</sup> Interview with Partnerships and Field Support Department (PARDEV).

Table 22. To what extent have the following factors posed constraints to efforts by the ILO to strengthen the labour inspection system in these countries?

| Constraints to strengthening labour inspection systems                                   | Respondents (number) | Not a constraint | Minor constraint | Moderate constraint | Substantial constraint | Very substantial constraint |
|--|----------------------|------------------|------------------|---------------------|------------------------|-----------------------------|
| Ability to secure RBSA funding   | 25                   | 12.00%<br>3      | 20.00%<br>5      | 20.00%<br>5         | 20.00%<br>5            | 28.00%<br>7                 |
| Number of staff in HQ technical units with requisite technical expertise                 | 29                   | 6.90%<br>2       | 27.59%<br>8      | 20.69%<br>6         | 17.24%<br>5            | 27.59%<br>8                 |
| Ability to secure XBTC funding   | 27                   | 11.11%<br>3      | 18.52%<br>5      | 22.22%<br>6         | 25.93%<br>7            | 22.22%<br>6                 |
| Number of staff in country/regional office with requisite technical expertise            | 29                   | 0.00%<br>0       | 24.14%<br>7      | 24.14%<br>7         | 31.03%<br>9            | 20.69%<br>6                 |
| Ability to secure RB funding   | 28                   | 7.14%<br>2       | 21.43%<br>6      | 39.29%<br>11        | 17.86%<br>5            | 14.29%<br>4                 |
| Ability of staff in HQ technical units to commit sufficient time to providing assistance | 29                   | 10.34%<br>3      | 13.79%<br>4      | 31.03%<br>9         | 31.03%<br>9            | 13.79%<br>4                 |
| Ability to recruit qualified CTAs  | 24                   | 12.50%<br>3      | 33.33%<br>8      | 20.83%<br>5         | 20.83%<br>5            | 12.50%<br>3                 |
| Ability to recruit qualified external collaborators (consultants)                        | 26                   | 15.38%<br>4      | 23.08%<br>6      | 30.77%<br>8         | 19.23%<br>5            | 11.54%<br>3                 |
| Ability to draw on ILO knowledge-base  | 27                   | 22.22%<br>6      | 18.52%<br>5      | 37.04%<br>10        | 11.11%<br>3            | 11.11%<br>3                 |
| Time required for internal decision-making   | 25                   | 8.00%<br>2       | 24.00%<br>6      | 36.00%<br>9         | 28.00%<br>7            | 4.00%<br>1                  |

Notes: RBSA = Regular Budget Supplementary Account; HQ = headquarters; XBTC = Extra-budgetary technical cooperation; RB = regular budget; CTA = chief technical adviser.

backstopper. It is rare for the responsibility for technical backstopping to be shifted away from the unit that conceived the project and mobilized donor resources even if the Office has charged another unit as the lead for particular fields.

- **Internal information systems.** IRIS was developed almost 10 years ago and rolled out to all field office during the current strategy cycle. The Strategic Management Module (SMM), which includes the P&B module, was first deployed in external offices in 2005, allowing “the field to define outcomes for Decent Work Country Programmes and [enabling] headquarters technical sectors to link staff and non-staff resources to these outcomes.”<sup>97</sup>

While an assessment of IRIS is outside the scope of this evaluation, several issues emerged: (i) projects can only be coded in terms of one outcome and cannot be coded at all in terms of indicators; (ii) budgets and expenditures for components of projects or specific activities cannot be tracked in IRIS but this is done manually by headquarters and field staff; (iii) ILO does not have a time-tracking system to record the amount of time spent by staff on specific projects; and (iv) there is a disconnect between planning, reporting and financial systems, making it difficult to determine spending associated with reported results. As a result, information on the portfolio of projects and other forms of assistance provided to member States to strengthen labour inspection systems is incomplete and potentially inconsistent.

<sup>97</sup> ILO: *Information technology strategy*, Governing Body, 298th Session, Geneva, Mar. 2007, GB.298/PFA/ICTS/2.

- **Monitoring and evaluation (M&E).** ILO has gone a long way towards establishing needed M&E systems. As noted above, the P&B specify intended outcomes along with indicators and associated measurement criteria. PROGRAM is responsible for the preparation of biennial implementation reports. These reports present results achieved during the two years based on information provided by DWTs and country offices on agreed CPOs. The IRIS Strategic Management Implementation Reporting (SM/IR) module enables field offices to report on the achievement of CPOs, which are consolidated by the regional offices and headquarters' technical sectors to inform biennial programme implementation reports. While an assessment of the M&E system is outside the scope of this evaluation, several issues emerged: (i) the strategies for some outcomes deal with labour inspection, but do not include associated indicators; (ii) measurement criteria for some indicators lack clear operational definitions; and (iii) there is no mechanism in place to provide independent validation of reported results.

Looking ahead, the new SPF includes Outcome 7: Promoting workplace compliance through labour inspection, which states, "Labour inspection systems and employers' and workers' organizations are better equipped to achieve workplace compliance with national labour laws, applicable regulations, collective agreements and ratified international labour standards." Given how indicators are defined,<sup>98</sup> it is possible for ILO to achieve targets related to Outcome 7 without actually strengthening labour inspectorates. Moreover, none of the indicators include measures of compliance.

### Coordination of projects within countries has been challenging even under ACI 7.

102. One of the purposes of establishing ACI 7 was to facilitate greater coordination of activities, which cut across different outcomes and projects. As noted above, Viet Nam was designated as a pilot for the implementation of ACI 7. Activities conducted in Viet Nam under ACI 7 are intended to "support efforts under Viet Nam's DWCP 2012–2016 to strengthen the Government's capacity to implement International Labour Standards through strengthened labour administration [Country Priority 3]." Several projects have been included as part of ACI 7: Increasing Workplace Compliance through Labour Inspection; Occupational Safety and Health in Hazardous Work in Viet Nam; Child Labour Prevention and Reduction Project; and Support Development in Industrial Relations, Wage Fixing, and Labour Law Implementation Institutions and Capacity in Viet Nam. While some projects were initiated prior to the advent of ACI 7, the first one listed above – Increasing Workplace Compliance through Labour Inspection – was conceived after the start of ACI and was "designed as a cross-cutting initiative" to provide expertise on compliance and help coordinate activities.<sup>99</sup> There have been frequent informal consultations among project teams. Moreover, the programming unit in Hanoi has organized semi-annual review meetings of staff working on projects designated as part of ACI 7. However, while teams have provided inputs to different projects on occasion, during interviews conducted as part of this evaluation, staff in CO-Hanoi indicated that it has been difficult to coordinate activities related to industrial relations, gender, OSH and labour inspection given different technical departments within the ILO, the varied interests of donors, and locus of responsibility within government. Projects were designed independently, backed by different donors. Each project has a separate steering committee and/or working group. While dealing with compliance issues, some projects included under ACI 7 are not aimed at building the capacity of the labour inspectorate or ensuring greater compliance specifically through labour inspection.

<sup>98</sup> See Annex N.

<sup>99</sup> Management comments, 31 August 2015.

103. In Colombia, the ILO has been supporting the MOL to address three main challenges on labour law compliance. The first two relate to the effective implementation of recent legislation on employment formalization and collective pacts. The third challenge focuses on the need to ensure respect of labour rights for all workers, particularly women, afro-Colombians and young workers. These challenges call for greater effectiveness of the work of labour inspectors in at least two areas: compliance strategies at the sectoral level, especially in the informal, agriculture and mining sectors; and better and more cooperation with social partners. Under ACI 7, these efforts are expected to enhance the effectiveness of ILO's actions and possibly identify good practices that could be shared with other countries addressing similar challenges to workplace compliance.
104. In the case of Burkina Faso, the ILO has provided TA under the French-funded ADMITRA project.<sup>100</sup> This project carried out an assessment of the labour administration and inspection system, and contributed to the design and adoption of a national labour policy. It further provided assistance in the development of a methodological guide to improve national labour inspection services supported by capacity development activities for labour inspectors. The selection of Burkina Faso as a pilot country for ACI 7 seems to centre on the fact that ILO's activities are well anchored on a specific CPO,<sup>101</sup> which targets the capacity development of the MOL to improve workplace compliance in accordance with national labour laws and ILS. There is also a regional CPO for francophone West Africa<sup>102</sup> focusing on developing the capacity of national labour ministries to improve workplace compliance, making it possible for lessons and good practices from Burkina Faso to be shared with other countries in the subregion.
105. Because ACI 7 started implementation in 2014, the first report on results will be presented in 2016 in the Implementation Report 2014–15.
106. Outcome 7 in the transitional SPF 2016–17 spans a wide array of potential activities, which cut across departments, branches and units. Technical assistance/cooperation might focus, inter alia, on: drafting national labour laws and regulations; promoting the ratification and application of “relevant” Conventions – Conventions Nos. 81, 129, 155 and 187 as well as the Employment Policy Convention, 1964 (No. 122) and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) – helping governments to develop policies and plan programmes to “strengthen enforcement, preventative interventions, and workplace compliance;” building the capacity of labour administration institutions; encouraging dialogue among social partners; and improving data collection. Potential synergies within particular countries would depend on the extent to which activities are conceived, designed, and implemented in a comprehensive and integrated manner.

## IMPACT

107. Stronger labour inspectorates are a precursor to actual improvements in compliance. However, as noted above, ILO does not maintain time-series data on the extent of compliance with national labour laws in member States. Without hard data and careful analysis, it is impossible to determine with any degree of certainty whether compliance in member States has improved over time, let alone whether any observed changes are due to ILO interventions. (Note: the ILO has not adopted indicators that deal specifically with changes in compliance with labour laws in member States.)

<sup>100</sup> Projet de modernisation de l'administration et de l'inspection du travail (Project to modernize administration and labour inspection).

<sup>101</sup> Burkina Faso CPO, BFA 904.

<sup>102</sup> SDA 901.

**Most ILO staff, who responded to the survey, report being satisfied with resulting improvements in compliance with labour laws in countries where they have worked.**

108. The degree of satisfaction seems unrelated to the extent of improvement as shown in table 23. For example, 50 per cent of respondents reported that ILO assistance had resulted in “moderate” improvements in compliance. One of these respondents felt that such moderate improvements were “somewhat unsatisfactory”, whilst the rest felt that moderate improvements were satisfactory, albeit to varying degrees. This may be due to differences in the expectations of staff regarding the ability to effect change given the particular situations in the different countries.

Table 23. Satisfaction with improvements in compliance: To what extent has ILO assistance resulted in improvements in compliance with national labour laws?

| Improvement  | Very unsatisfactory | Unsatisfactory | Somewhat unsatisfactory | Somewhat satisfactory | Satisfactory | Very satisfactory | Total         |
|--------------|---------------------|----------------|-------------------------|-----------------------|--------------|-------------------|---------------|
| None         | 0.00%<br>0          | 0.00%<br>0     | 0.00%<br>0              | 0.00%<br>0            | 0.00%<br>0   | 0.00%<br>0        | 0.00%<br>0    |
| Minor        | 0.00%<br>0          | 0.00%<br>0     | 40.00%<br>2             | 60.00%<br>3           | 0.00%<br>0   | 0.00%<br>0        | 19.23%<br>5   |
| Moderate     | 0.00%<br>0          | 0.00%<br>0     | 7.69%<br>1              | 46.15%<br>6           | 38.46%<br>5  | 7.69%<br>1        | 50.00%<br>13  |
| High         | 0.00%<br>0          | 0.00%<br>0     | 0.00%<br>0              | 28.57%<br>2           | 42.86%<br>3  | 28.57%<br>2       | 26.92%<br>7   |
| Very high    | 0.00%<br>0          | 0.00%<br>0     | 0.00%<br>0              | 0.00%<br>0            | 0.00%<br>0   | 0.00%<br>0        | 0.00%<br>0    |
| Column Total | 0.00%<br>0          | 0.00%<br>0     | 11.54%<br>3             | 42.31%<br>11          | 30.77%<br>8  | 11.54%<br>3       | 100.00%<br>25 |

**Case studies point to continued challenges in enforcing compliance with national labour laws.**

109. In interviews with constituents as part of the case study reviews, individuals offered different assessments of progress on compliance. While some suggested that significant strides had been made in securing greater compliance with labour laws, many felt that the situation had not improved appreciably given the lack of enforcement. Representatives of workers’ organizations were more likely than other constituents to suggest that compliance with key legal provisions had seen little or no improvement. In Albania and Viet Nam, there is no evidence to show that compliance has improved. In many respects, the implementation of changes in labour inspection systems is still at an early stage of implementation.

110. A closer look at specific countries follows.

- **Bangladesh.** By the end of March 2015, the number of completed assessments under the National Initiative had reached 665 and 652 for buildings and factories, respectively. While the assessment rate has increased, roughly two years after Rana Plaza, only 36 per cent of the factories targeted under the National Initiative had been assessed. This is due, in part, to challenges in validating the location and operational status of factories and securing the cooperation of building/factory owners.<sup>103</sup> These assessments revealed numerous safety issues. Under the National Initiative,

<sup>103</sup> Report of the CEACR adopted in 2014 and published at the 104th Session of the ILC (2015) – ILO: *Follow-up to the discussion of the Committee on the Application of Standards*, International Labour Conference, 103rd Session, Geneva, 2014. “The Committee notes that the ITUC deplors the lack of progress made by the NTPA concerning the achievement of the abovementioned assessment target of 1,500 inspections by the end of 2014.”

11 factories in five buildings were partially or completely closed. The remainder were allowed to continue to operate while identified problems were addressed. However, as yet, no corrective action plans have been developed. There are no data on the extent to which problems identified in preliminary assessments have been addressed, including whether any of the buildings identified for closure have actually been closed. It is unlikely that building/factory owners will undertake needed actions in the absence of strong sanctions and/or financial incentives. In this regard, the government has not yet established a programme to provide funding for remediation.

More generally, during the focus group session in Bangladesh, labour inspectors noted their lack of power to impose penalties and enforce the law. Follow-up visits reveal that factories typically make some, but not all changes required to comply with the law. The inspectors suggested that fines are still too low and “easy to dodge” if companies refuse to pay. In this regard, the labour inspectorate cannot issue fines directly, but must refer cases of non-compliance to the courts. However, courts are slow to act, mainly because the court system faces a significant backlog and cases can languish for years.

- **Burkina Faso.** There are no hard data available on labour inspection activities. Trade union representatives interviewed as part of this evaluation indicated that workers in the informal sector, which makes up approximately 50 per cent of the economy, continue to be subject to violations of minimum wage and overtime regulations, and OSH standards. With respect to child labour, the Burkina Faso Embassy to the United States has noted that when inspections occur and violations are found, inspection officers issue formal warnings, specifying the required changes and deadlines. If the requirements are not met within the specified timeframe, inspectors are authorized to impose penalties on the employer. To date, no penalties have been issued.<sup>104</sup>
- **Colombia.** The MOL is actively investigating complaints that have been filed by trade unions with respect to freedom of association, collective bargaining, and collective pacts. While there has been an increase in fines levied against enterprises, trade unions indicated that sanctions have not been enforced and fines remain unpaid. However, it appears that the role of CETCOIT in resolving conflict may have improved somewhat over the past three years as shown in table 24.

Table 24. Resolution of cases brought to CETCOIT

| Cases                | 2012 |     | 2013 |     | 2014 |     |
|----------------------|------|-----|------|-----|------|-----|
|                      | No.  | %   | No.  | %   | No.  | %   |
| Total cases          | 39   | 100 | 32   | 100 | 33   | 100 |
| Agreement achieved   | 26   | 67  | 17   | 53  | 25   | 76  |
| Without agreement    | 13   | 33  | 15   | 47  | 5    | 15  |
| Ongoing negotiations | 0    | 0   | 0    | 0   | 3    | 9   |

Source: CETCOIT

- **South Africa.** In interviews conducted as part of the evaluation, constituents voiced different opinions on whether compliance with national labour laws had improved. While government officials point to progress in strengthening the capacity of the labour inspectorate, representatives of employers' and workers' organizations are less convinced that changes have resulted in greater adherence to the law. Both groups believe that there is a need for increased appointments of labour inspectors to enable pro-active monitoring of workplace compliance, especially with

<sup>104</sup> 2013 Report on the Worst Forms of Child labour, Burkina Faso, US Department of Labor's Bureau of International Labor Affairs, Washington, DC, 2013.

regards to wages and inequality in the mining and agricultural sectors. In this regard, income inequality remains extremely high, educational outcomes are poor on average and hugely uneven, and frustration is growing with public oversight of compliance in the work place. Gender inequality remains a major barrier to human development. Although the South African Constitution provides some of the most far-reaching guarantees for gender equality in the world, South Africa ranks 118th globally when gender inequality is measured by income, education and life expectancy. Gender-based violence is prevalent.<sup>105</sup>

## SUSTAINABILITY

### Most ILO staff who responded to the survey report being satisfied with the potential sustainability of improvements in labour inspection system in countries where they have worked.

111. As shown in table 25, more than 90 per cent of respondents are satisfied with the extent to which improvements are likely to persist, with the majority indicating sustainability to be “somewhat satisfactory.”

Table 25. Satisfaction with the extent to which any improvements in the performance of the labour inspection system are likely to persist

|           | Respondents No. | Very unsatisfactory | Unsatisfactory | Somewhat unsatisfactory | Somewhat satisfactory | Satisfactory | Very satisfactory |
|-----------|-----------------|---------------------|----------------|-------------------------|-----------------------|--------------|-------------------|
| Responses | 24              | 0.00%<br>0          | 0.00%<br>0     | 8.33%<br>2              | 54.17%<br>13          | 20.83%<br>5  | 16.67%<br>4       |

### In many cases, improvements in the structures and functions of labour inspectorates have been embodied in law, which will remain effective unless amended or repealed.

112. There are numerous examples of where ILO actions have contributed to legal reforms, including changes in laws and regulations directly related to the structures and functions of the labour inspectorates. In all of the countries selected for the case study, laws and regulations have been promulgated to strengthen the labour inspectorates. However, the status of needed reforms varies, for example, as noted above, the legal basis for many of the proposed institutional reforms in Viet Nam have yet to be enacted.

### However, the likelihood that improvement in the capacity of labour inspectorates will be sustained varies by country.

113. The ability to sustain any gains depends on numerous factors, including the commitment of government leaders, the availability of funding, and the degree to which changes have been institutionalized in the form of policies, procedures and culture. See examples that follow.

- **Albania.** The labour inspectorate currently lacks the institutional capacity to systematically enforce the law. A series of steps needed to strengthen the system, particularly with respect to OSH, are outlined in the OSH Action Plan. It remains to be seen whether the government will be willing and able to take these steps and commit the required resources. The EU-IPA II project on

<sup>105</sup> United Nations Development Programme (UNDP) Gender Inequality Index.



human resources development does not include support for SILSS and additional funding from international donors may be difficult to secure.

- **Bangladesh.** While the government has made a commitment to strengthen the labour inspectorate, a strong foundation is still being put in place. There is no certainty that the labour inspection roadmap, labour inspection policy, or labour inspection plan developed with the assistance of the ILO will be implemented as designed and sustained over time. Senior government officials expressed the view that future budgets will be sufficient to hire the requisite number of labour inspectors and support personnel as well as provide transportation and other resources. However, there is a tremendous amount of work still ahead to put the kinds of people, processes, procedures and systems in place that are needed to operate an effective labour inspectorate.
- **Burkina Faso.** While a new National Labour Policy has been enacted, sufficient resources have not been provided to the labour inspectorate to enable it to carry out its functions consistent with Conventions Nos. 81 and 129.
- **Colombia.** The changes in labour inspection procedures developed with ILO assistance have been codified in a new labour inspection manual developed by the MOL and reinforced through training. While the government has committed to strengthening the labour inspection system by adding 120 new labour inspectors, enforcement of national labour laws remains weak and penalties are often uncollected. However, CETOIT has taken steps to promote better social dialogue and resolve outstanding cases.
- **Viet Nam.** Policies and procedures are still in the process of being formulated. At this point, it is not certain that the government will recruit the number of inspectors envisioned in the Master Plan approved in November 2013 and assign sufficient staff resources to labour inspection. Major challenges arising from decentralization of authority to provincial- and district-level governments persist.
- **South Africa.** While the government continues to voice its commitment to a strong labour inspectorate, after three years of consecutive growth, funding for the inspection and enforcement services was cut in the most recent budget. Another risk for the sustainability of gains made in the strengthening of the labour inspectorate is the slow decision-making process of the National Economic Development and Labour Council (NECLAC), which affects the timely approval and implementation of activities needed to strengthen the labour inspectorate in line with agreed DWCP outcomes.<sup>106</sup>

114. In all cases, an institutional capacity to provide training to new recruits and existing inspectors has yet to be established. Without this capacity, labour inspectorates lack the means to ensure that labour inspectors will have the skills to carry out their duties in the future.

<sup>106</sup> These delays are present despite biannual reporting to labour market chambers since July 2013 on issues relating to labour inspection.

# CONCLUSIONS, LESSONS LEARNED AND RECOMMENDATIONS

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## CONCLUSIONS

115. Labour inspection is critical to ensuring compliance with national labour laws, but countries face significant challenges in establishing effective systems. The SPF 2010–15 set an objective of strengthening labour inspection systems in line with international standards. To a great extent, the ILO strategy to accomplish this goal revolves around supporting the ratification and effective implementation of Conventions Nos. 81 and 129.
116. The Office established the Labour Administration and Inspection Unit in 2009 to lead work in this field and merged it with SafeWork in 2013 to create the LABADMIN/OSH Branch in late 2013. While the overall size and nature of the portfolio is unknown, the Office has clearly undertaken a great deal of activity aimed at strengthening labour inspection. The Organization has taken steps to promote ratification of Conventions Nos. 81 and 129 and supervised their application. It has: provided technical assistance to establish legal frameworks for labour inspection; undertaken assessments/audits of labour inspection systems; helped develop strategies and plans for labour inspectorates as well as tools used by labour inspectors in the inspection process; developed training curricula and provided training to labour inspectors; supported the development of information systems; produced a wide range of publications for public distribution; and fostered alliances with international associations.
117. Conclusions with respect to the evaluation criteria are summarized below.
- **Relevance.** The ILO strategy and actions (*as designed*) to strengthen labour inspection systems have been largely aligned with the needs of member States as reflected in the conclusions and resolution of the 100th Session of the ILC (2011), CEACR observations in supervision reports, and DWCP reports. However, while the findings should not necessarily be generalized to the entire portfolio of TC projects, case studies indicate that ILO assistance is not always directed towards key issues that impinge on the ability of the labour inspectorates to carry out their duties and enforce the law, including: the limitations of the central authority; the limited capacity of courts to adjudicate cases; the lack of effective mechanisms for collecting penalties; and the continued lack of robust case management systems and reliable labour inspection statistics.
  - **Coherence.** In general, the ILO strategy and actions (*as implemented*) have been logical and consistent, focusing on activities for which the ILO is well suited. Messages conveyed to member States by ILO regarding the design and implementation of labour inspection systems are aligned with Conventions Nos. 81 and 129,<sup>107</sup> but would benefit from greater clarification with

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<sup>107</sup> Including the Protocol of 1995 to Convention No. 81 and associated recommendations.

respect to issues, which include: the number of labour inspectors needed to meet mandates; the number of times that enterprises should be inspected given relative risk and available resources; the role of a central authority in federal or decentralized systems; the type of “advice” that labour inspectors should provide to enterprises and workers; the degree of discretion that labour inspectors should exercise in the event of a determination of non-compliance; the nature and magnitude of sanctions needed to dissuade enterprises from violating the law; and the notion of enforcement in systems which rely on courts to impose sanctions. Projects are typically well designed. However, some design aspects could be improved primarily with respect to the scope of engagements and sequencing of activities. Sometimes, insufficient attention is paid to: the nature, magnitude and institutionalization of labour inspector training; the design of sanctions and associated administrative and judicial procedures; and the development of comprehensive strategies and operating plans for labour inspectorates. Finally, given the nature of the work, technical assistance/cooperation to strengthen labour inspectorates is directed predominately at national governments; however, some workers’ organizations would like to play a more direct role in the labour inspection process.

- **Effectiveness.** The ILO has carried out activities and produced outputs consistent with stated plans; outputs have been generally well received by constituents. Between 2010 and 2014, six countries ratified Conventions Nos. 81 and/or 129 and 10 other countries were singled out by CEACR as making significant progress in meeting their obligations under these two Conventions. The capacity of labour inspectorates to fulfil their mission has been strengthened in many instances as reflected in more robust legal frameworks, increased number and skills of labour inspectors; the adoption of new labour inspection procedures; and greater collaboration with employers’ and workers’ organizations. However, results vary across countries and the lack of consistent data limits analysis.
- **Efficiency.** It appears that the Office has carried out activities in an efficient manner but data limitations preclude rigorous analysis. As the lead technical entity, LABADMIN/OSH has been assigned principal responsibility for the technical backstopping of all projects that aim to build the capacity of labour inspectorates, working in conjunction with other technical units that focus on particular subjects of inspection such as child labour, forced labour, freedom of association, collective bargaining, discrimination, etc. However, the branch has faced difficulties in meeting its mandate due to the lack of explicit office-wide procedures, an overall operational strategy and resources, particularly with respect to staff with labour inspection expertise. From a broader institutional perspective, while the Office has established planning and control systems, some deficiencies are apparent. These include: functional limitations in IRIS; the lack of integrated planning, reporting and financial systems; and the absence of a mechanism to independently validate reported results. Well-defined outcomes and indicators are needed to ensure accountability and provide a basis for continuous improvement. Looking ahead, given how indicators for Outcome 7 in the transitional SPF 2016–17 are defined, it would be possible for ILO to achieve targets without actually strengthening labour inspectorates or demonstrating improvements in compliance.
- **Impact.** Given the lack of consistent and reliable labour inspection statistics, there is little hard evidence that the degree of compliance with labour laws has improved in member States. Constituents offered different assessments of progress on compliance in countries visited as part of this evaluation. While some suggested that significant strides had been made, many felt that the situation had not improved appreciably given the lack of enforcement. Representatives of workers’ organizations were more likely than other constituents to suggest that compliance with key legal provisions had seen little or no improvement.
- **Sustainability.** In many cases, improvements in the structure and functions of labour inspectorates have been embodied in law, which will remain in effect unless amended or repealed. However, the likelihood that improvements in the capacity of labour inspectorates will be sustained

varies across countries depending on the extent to which they have been codified in policies, procedures and systems as well as the degree of political commitment, institutional leadership, and ongoing budget support.

118. Based on all the evidence marshalled during the course of the study, figure 3 presents the ratings of the evaluation team with respect to the design and implementation of its strategy and actions to strengthen the labour inspection system over the past four years.

Figure 3. Evaluation criteria ratings

| Criterion      | Very dissatisfied | Dissatisfied | Somewhat dissatisfied | Somewhat satisfied | Satisfied | Very satisfied |
|----------------|-------------------|--------------|-----------------------|--------------------|-----------|----------------|
| Relevance      |                   |              |                       |                    |           |                |
| Coherence      |                   |              |                       |                    |           |                |
| Effectiveness  |                   |              |                       |                    |           |                |
| Efficiency     |                   |              |                       |                    |           |                |
| Impact         |                   |              |                       |                    |           |                |
| Sustainability |                   |              |                       |                    |           |                |

## LESSONS LEARNED

119. There are several lessons that can be distilled from the results of the evaluation that have implications for ILO (and potentially other organizations) going forward.

- **Projects need to be tailored to conditions in each country, recognizing the specific political situation and capacity of existing institutions.** The ability to effect needed reforms is dependent on the strength of political support and the absorptive capacity of relevant government institutions. Projects need to be shaped to fit each country. While all projects draw on the same body of knowledge on international best practices, the process of interacting with constituents as well as any recommendations need to be adapted to the existing situation.
- **The commitment of governments is key, extending beyond MOLs.** Labour inspection is a public function. As such, decisions regarding policies, procedures and resources rest with governments. While the MOLs and labour inspectorates are the primary target of TA, it is important to note that the support of other ministries may be needed to realize reforms, particularly finance, justice and home affairs.
- **Staffing and the provision of adequate oversight are critical.** The quality of research and TA depends primarily on the experience and expertise of the particular individuals assigned to the task. In working with labour inspectorates, project teams need people who have a deep knowledge of labour inspection and understanding of relevant laws, solid project management capabilities, good communication skills, and experience working in developing countries. Assistance needs to be timely based on the pace of progress and government schedules. Assuming that qualified people can be found, it is preferable to have people in the field rather than relying on headquarters staff. Technical backstopping is critical to maintaining quality, particularly in instances where teams are staffed with external consultants.
- **ILO needs to consider all of the steps that are necessary and sufficient to build the capacity of institutions and strengthen enforcement of national labour laws.** Legal reform and capacity building need to be addressed holistically. Capacity building is much more than training; it includes all of the structures, policies, procedures and systems needed to enable labour inspectorates to inform enterprises and workers about their legal obligations and enforce the law in

instances of non-compliance. TA needs to be based on a careful assessment of the constraints to the effective enforcement of labour laws and adjusted in line with changing circumstances.

- **ILO and donors need to be prepared to work on particular reforms in a country over a long period of time.** In general, major reforms require a significant commitment of time and money. The pace of legal reform is outside the control of ILO and new laws and regulations can take years to be enacted. Moreover, legal reforms are typically just the beginning. Typically, a lot of work is needed to ensure that institutions are established and have the capacity to implement policy. In countries where government has limited capabilities, ILO needs to be prepared to put staff and/or consultants in the field for extended periods to work hand-in-hand with government counterparts.

## RECOMMENDATIONS

120. The results of the evaluation lead to eight recommendations organized under five headings: strategy; organization and staffing; technical assistance; data publication; and information systems. Responsibility for implementing the recommendations is shared among multiple departments and branches, as shown below.

### ILO strategy

- **Recommendation 1: In the current and future SPF, emphasize the importance of strengthening labour inspectorates to achieve compliance.** While nongovernmental organizations can help promote compliance, it should be made clear, as suggested by the title of Outcome 7, that the focus rests on labour inspection, and that ILO is dedicated to building the capacity of labour inspectorates to carry out their duties and ensure that enterprises comply with all applicable laws and regulations. In keeping with Conventions Nos. 81 and 129, and within the context of the Labour Administration Convention, 1978 (No. 150), the emphasis should be on: (i) building the capacity of labour inspectorates to enforce legal provisions relating to conditions of work and the protection of workers; (ii) providing technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions; and (iii) bringing to the notice of the competent authorities defects or abuses not specifically covered by existing laws. In many countries, the focus may need to be widened to include the judiciary given the key role that it plays in enforcement. This needs to take into account the broader system of labour administration in member States. Valid and reliable indicators should be developed based on the provisions of Conventions Nos. 81 and 129, including required labour inspection data.

| Responsible units        | Priority | Time implication | Resource implication |
|--------------------------|----------|------------------|----------------------|
| PROGRAM and LABADMIN/OSH | High     | Short-term       | Low                  |

### Organization and staffing

- **Recommendation 2: Strengthen LABADMIN/OSH's role as the lead technical unit and add labour inspection expertise.** LABADMIN/OSH's mandate as the lead technical unit should be reinforced and formalized through appropriate internal governance documents (IGDS) as well as through the articulation of a clear strategy. The strategy should describe how the Branch will be involved in the planning and implementing of technical assistance/cooperation from initial conceptualization and project design to the approval of outputs and conduct of the final evaluation, paying particular attention to coordination, knowledge sharing, and quality assurance. The assignment of responsibility to LABADMIN/OSH has to be accompanied by a commitment to provide the necessary resources. LABADMIN/OSH needs to be staffed with a sufficient number of people with requisite expertise

in the management of labour inspectorates, labour inspection practices and procedures, and support functions, such as communications, human resources, and information systems. From the perspective of providing technical assistance to member States, and depending on the workload and budget availability, consideration should be given to placing more labour inspection specialists in the field.

| Responsible units      | Priority | Time implication | Resource implication |
|------------------------|----------|------------------|----------------------|
| DDG/P and LABADMIN/OSH | High     | Medium-term      | Medium               |

### Technical Assistance

- Recommendation 3: Move towards more comprehensive technical assistance, which addresses capacity constraints in labour inspectorates and related public institutions in an integrated manner.** CPOs should be defined in terms of all activities required to effect desired changes in the structure, functions and operations of labour inspectorates and other key public institutions, such as the judiciary. This should be based on a thorough needs assessment including: a detailed review of applicable laws; organizational structure; labour inspection plans and procedures; labour inspection data; and current staffing and budget. ILO staff should spend extended periods in countries working directly with counterparts in relevant ministries in order to: ensure the accuracy of assessments; appropriateness of recommendations; government commitment to proposed reforms; and institutional capacity building. CPOs need to be adequately funded, drawing from RB, RBSA and XBTC accounts.

| Responsible units                      | Priority | Time implication | Resource implication |
|--|----------|------------------|----------------------|
| Country Offices, LABADMIN/OSH, PROGRAM | High     | Ongoing          | High                 |

- Recommendation 4: Place greater emphasis on the development of strategies and operating plans for labour inspectorates.** In a related vein, ILO should help labour inspectorates develop comprehensive operating plans. Plans should lay out: the specific nature of advisory services to be provided by labour inspectors; approaches to handling complaints/grievances and investigation of accidents; schemes for mounting targeted campaigns in high-risk sectors, including the process for selecting particular enterprises; labour inspection procedures; the discretion of labour inspectors and process for issuing warnings and imposing penalties, including related judicial procedures; and the role of self-assessments, if any. Operating plans should also describe: the organizational structure of the labour inspectorate; staffing needs and plans for staff recruitment and development; transportation requirements; and the development and maintenance of requisite information systems. Plans need to reflect the real financial constraints under which labour inspectorates operate, and should include detailed budgets showing the allocation of resources to different function and activities.

| Responsible units | Priority | Time implication | Resource implication |
|-------------------|----------|------------------|----------------------|
| LABADMIN/OSH      | Medium   | Ongoing          | Low                  |

- Recommendation 5: Place greater emphasis on building the capacity of MOLs to train labour inspectors and other government officials in close coordination with other public institutions dealing with labour inspection issues.** The need for training in every country is unending given staff turnover as well as periodic changes in labour laws and labour inspection procedures. While ILO training can play an important role, it should be anchored in an institution such as the MOL or ministry responsible for civil service administration. ILO should focus on building the capacity of institutions

to develop training curricula that build on international best practice, but are adapted to the particular situation and specific legal provisions in the country. In general, ILO should deliver training, including training of trainers, only after a comprehensive training plan and associated budget have been approved by the government. Based on an assessment of required competencies, the training plan should describe the training curriculum, present a training schedule, specify the institutions responsible for delivery, and indicate explicit budget commitments.

| Responsible units        | Priority | Time implication | Resource implication |
|--------------------------|----------|------------------|----------------------|
| LABADMIN/OSH and ILO-ITC | Medium   | Ongoing          | Low                  |

- Recommendation 6: Formulate an ILO action plan to support the development and implementation of case management systems for labour inspectorates.** LABADMIN/OSH is currently considering how best to support member States' efforts to upgrade case management systems. As part of the process, it is planning to undertake an evaluation of the system developed with ILO support in the Philippines with the aim of determining whether it makes sense to develop the system for application in other countries. This evaluation should be coupled with a broader review of systems currently in use around the world, the magnitude and nature of demand for such systems in developing countries, and potential competitors/vendors. If ILO elects to go down the path of developing a turnkey system, plans will need to address a variety of issues, including title and rights to intellectual property, marketing and sales, product customization, training and technical support, liability concerns, and the procurement policies of ILO and target countries.

| Responsible units | Priority | Time implication | Resource implication |
|-------------------|----------|------------------|----------------------|
| LABADMIN/OSH      | Medium   | Medium-term      | Low                  |

### Data publication

- Recommendation 7:** ILO should make available labour inspection statistics submitted by countries in annual reports as required under Convention No. 81. This information is essential for internal and external research. Publication should begin with data compiled by countries that participated in the pilot to develop harmonized statistics.

| Responsible units | Priority | Time implication | Resource implication |
|-------------------|----------|------------------|----------------------|
| NORMES            | Medium   | Short-term       | Low                  |

### Information systems

- Recommendation 8:** Review IRIS platforms and develop an action plan to address deficiencies related to coding and integration. ILO should review its current information systems and the IRIS Strategic Management Module, paying particular attention to issues related to CPO classification, coding of implementation results, and the integration of programming and financial systems.

| Responsible units | Priority | Time implication | Resource implication |
|-------------------|----------|------------------|----------------------|
| PROGRAM           | High     | Medium-term      | High                 |

## OFFICE'S RESPONSE

The management would like to thank EVAL and all those who have contributed to this important evaluation.

### Recommendation No. 1

At the date of release of the HLE report the Governing Body had already approved the P&B 2016-17 with outcomes and corresponding indicators. It had placed further importance on workplace compliance through labour inspection by elaboration of P&B Outcome 7. The Governing Body also provided guidance on formulation of indicators and measurement criteria for all Outcomes. The Office will establish meaningful indicators for CPOs related to Outcome 7 and will collect relevant data. In preparation of future Programme and Budgets, the LABADMIN-OSH Branch, as the lead technical unit, will seek to incorporate the guidance provided by the high level evaluation.

### Recommendation No. 2

We concur that the mandate of the LABADMIN-OSH Branch should be reinforced and formalized via a directive and through the clear articulation of responsibilities. A comprehensive strategy will be prepared expanding on what is already articulated under Outcome 7 of P&B for 2016-17. We also strongly concur that the Branch and the field need to be staffed sufficiently and with requisite expertise.

### Recommendation No. 3

The field offices will continue to be supported in the development of CPOs and in conducting assessments. This will be done primarily by providing them with means and methodology for conducting the recommended assessments.

Outcome-based Workplanning will be used to identify resource gaps, guide mobilization of extra-budgetary resources and to ensure that all relevant departments and field offices deliver services to constituents in line with the Outcome strategy.

### Recommendation No. 4

We concur with this recommendation and have already identified it as a priority for 2016-17 to develop a comprehensive strategy in this regard with associated materials, tools, guidance and training for labour inspectorates.

### Recommendation No. 5

Training curricula and programmes are planned for 2016-17 linked to comprehensive strategies on workplace compliance through labour inspection. LABADMIN-OSH is also engaged with ministries of labour, national training institutes and national labour inspectorates with solid training experience to pursue joint efforts in collaboration with ITC-ILO.

### Recommendation No. 6

We are conducting feasibility studies and developing Terms of Reference for work on information systems in some countries. This has high resource implications in terms of staff time and funding. Development of a turnkey system would not be ideal as the system has to be specific to each country in terms of institutional mandates and operations, applicable legislation, needs and consistency with other software used by ministries. More information will be collected on good practices.



### **Recommendation No. 7**

Data communicated in the context of article 22 reports should not be made public as per article 23, paragraph 1, of the Constitution. However, where annual labour inspection reports have been made available at the national level as public information, there is nothing to prevent other units of the ILO from using that data for assistance and research purposes.

### **Recommendation No. 8**

The Office is adjusting the Implementation Planning Module of IRIS to address the current limitation in linking CPOs to P&B Outcomes which will also improve reporting of results.

A system is also being developed to better capture the staff time allocated for each Outcome. Long term investment, however, is required to improve the IRIS system to provide a complete resource linking information against different Outcomes.

## ANNEX A. TERMS OF REFERENCE

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### INTRODUCTION

Every year the ILO's Evaluation Office (EVAL) holds annual consultations with senior management, the Evaluation Advisory Committee (EAC) and constituents to select topics for future high level-evaluations. The selection of strategic evaluations customarily focuses on strategic policy outcomes but may also focus on institutional capacities. The constituents requested an *Independent evaluation of the ILO's strategy and actions for strengthening workplace compliance through Labour Inspection* to be undertaken in 2015 for discussion at the 325th session of the Governing Body in November 2015.

The ILO Programme and Budget 2014–15 (the P&B 2014–15) places particular emphasis on eight areas of critical importance (ACIs) in relation to the world of work for priority action. This includes ACI 7 on strengthening of workplace compliance through labour inspection. Each of these ACIs combine work of several of the 19 outcomes of the ILO's Strategic Framework 2010-15 (SPF) and is intended to be linked to these outcomes through their indicators for results monitoring. However, there are no measurable indicators specifically identified for each of the ACIs. As a part of the reform process, the transitional SPF for 2016–17 is being finalized transitioning from the 19 outcomes and related ACIs to a more focused RBM framework of 10 Outcome areas with specific indicators and millstones.

The formative part of this evaluation will focus on providing findings and lessons learned to inform the new outcome strategy for workplace compliance through labour inspection (Outcome 7) in the transitional SPF for 2016–17 while the summative part will pay special attention to assess how effective and relevant the Office's strategies and actions on labour inspection have been. Because labour law compliance is a key condition for effective labour policies and legislation, the evaluation will consider labour inspection as a fundamental pillar of labour administration and as such will seek to extract lessons from the implementation of the Office's strategic policy outcome strategies dealing with labour inspection to inform and guide the way forward to the elaboration of future related policy outcome strategies.

This TORs provide an overview of the evaluation scope and the key issues that have emerged from a desk review of the relevant ILO documents. Given the broad range of departments, branches and units that contribute to the promotion of the ILO's labour inspection strategies, EVAL will conduct a stock-taking exercise to identify the contributions made by the different key players within the ILO organizational structure that have contributed to the implementation of the labour inspection strategies.

### BACKGROUND

The ILO has always recognized the importance of labour inspection. It has been high on the agenda since the Organization was founded over 95 years ago. Whilst, over recent years, there has been a

growing recognition of the increased importance of labour inspection in today's global economy, there has been inadequate recognition of the increasing complexity of labour inspection and the problems experienced in responding effectively to the increasing demands made upon it by the challenges of the twenty-first century.

Labour inspection is a key element of any labour administration system for ensuring the implementation of labour policies and legislation, providing feedback and allowing for a readjustment of these policies as necessary. In recent years, the importance of labour inspection in promoting decent work has been widely recognized. Yet in many countries, the changing world of work with its new employment patterns has been accompanied by reduced government interventions in the workplace. Even where there is a general agreement on the benefits of labour inspection, the real impact of labour inspectors has often been limited, especially among vulnerable or hard-to-reach groups and in the large informal economy. The ILO is working to strengthen labour inspection systems with a view to ensuring labour law compliance through the promotion of relevant international labour standards, and technical advisory services and projects. The evaluation will assess different enforcement schemes and analyse how effectively ILO activities have supported member States in strengthening compliance. Complementary initiatives to labour inspection such as voluntary compliance schemes and other CSR initiatives<sup>108</sup> to address challenges brought forth by the globalized economy will be analyzed as well.

These changes for work place compliance have been underscored by the recent economic crisis and highlight the need for proper application of labour legislation which largely depends on effective enforcement and the enabling support provided by labour inspectorates. Labour inspectors examine how national labour standards are applied in the workplace and advise employers and workers on how to improve the application of national law in such matters as working time, wages, occupational safety and health, and child labour. In addition, labour inspectors should be able to bring to the notice of national authorities loopholes and defects in national law. They play an important role in ensuring that labour law is applied equally to all employers and workers. Because the international community recognizes the importance of labour inspection, the ILO has made the promotion of the ratification of two labour inspection conventions (Nos. 81 and 129) a priority. To date, more than 130 countries (over 70 per cent of ILO member states) have ratified the Labour Inspection Convention, 1947 (No. 81), and more than 40 have ratified Convention No. 129.

Against this background, this high-level evaluation would seek to extract lessons learned to consider as the Office aims to move forward to address labour inspection issues in a more coherent way and taking into account all prevailing relevant ILO instruments.

## PURPOSE

This high-level evaluation of the ILO's strategy on Labour Inspection will assess ILO's performance in implementing labour inspection strategies and activities to extract evidence-based findings, lessons learned and recommendations to inform and guide the elaboration of future labour inspection strategies and interventions. The evaluation will take into account the contextual challenges labour inspectorates face while assessing their mandate, priorities and responsibility to consider workers' needs.

<sup>108</sup> Where labour laws are weak or inadequate "corporate responsibility" as part of global supply chains can fill the gap and promote compliance with higher standard than required by national law. The ILO/IFC Better Work programme is an example of this approach in the footsteps of earlier work of BFC Cambodia and IPEC child labour monitoring schemes.

## SCOPE OF WORK

This evaluation will seek to review the operationalization of the ILO's strategies to support member states in strengthen labour inspectorates over the last two and a half biennia (2010-11, 2012-13 and 2014).<sup>109</sup> To determine the relevance of these strategies to the mandates and recommendations that have emerged from ILC discussions, the Global Reports, and follow-up action plans to address the general discussions on Labour inspection at the 100th Session of the ILC in June 2011,<sup>110</sup> the evaluation will conduct a retrospective review of the ILO's strategies and operational action plans to achieve the stated Programme and Budget (P&B) strategic outcomes on labour inspection as well as the priorities and outcomes of the decent work country programmes or strategies for the countries that will be included in the evaluation sample.

This high-level Strategy evaluation will cover the entire process of ILO's strategies and activities in support of labour inspection and assess the relevance of these strategies with the area of critical importance on workplace compliance (Outcome area 7). This will include, but not be limited to: relevant policy frameworks; main initiatives to turn policy into action; means of action by ILO HQ and regional offices, DWTs and country offices; country programme outcomes (CPOs) expected for countries to implement; and, long term impacts and the sustainability of achievements.

The evaluation will have both a Global and country focus and review ILO's activities carried out over from 2010 through 2015 to develop global products that aim to better support member states strengthen knowledge and skills of labour inspectors to improve compliance and enforcement of labour laws. To this end, the evaluation will focus on the following main areas of ILO action:

- Global products aimed at promoting and providing policy advice and consider action programmes to strengthen the institutional capacity of ministries of labour and inspectorates.
- Technical assistance to support member States' efforts to strengthen labour inspectorates capacities, ensure that registry systems are up-to date and data collected is sex-disaggregated and that statistics concerning conditions of work by enterprise are available.
- Capacity building activities aiming at strengthening the knowledge and skills of labour administrators and inspectors, based on the principles of Conventions Nos 81, 129 and of the Labour Administration Convention, 1978 (No. 150).
- Promoting awareness-raising strategies targeting employers and workers and their organizations on the technical role and scope of labour inspection.

The analysis will aim to assess the effectiveness of the ILO's action on labour inspection, taking into account the relevance of the various activities used to implement the strategic policy outcome strategies to constituents' needs and priorities. In doing so, the evaluation will take stock and assess the various types of global and country-specific products with the respective CPOs linked to workplace compliance through labour inspection.

In particular, the evaluation will analyse the main approaches pursued by the Office to build, foster and maintain efficient national labour inspection systems.<sup>111</sup> The analysis will focus on:

(1) The role of labour inspectorates in "ensuring the protection of both men and women workers in all sectors and at all levels; in ensuring compliance at national level with national labour laws; and,

<sup>109</sup> The term "compliance" was not used prior to the ACI 7 introduction in 2014. Consequently strategies and activities and outcomes that preceded 2014 would not have been informed by that conceptualization of the role of labour inspectorates.

<sup>110</sup> ILO: *Report of the Committee on Labour Administration, Provisional Record* No. 19, International Labour Conference, 100th Session, Geneva, 2011.

<sup>111</sup> ILO: Labour administration and labour inspection: Follow-up to the general discussion at the 100th session of the ILOC, GB312-POL\_6\_[2011-08-0101-1]-En.docx/v2, Geneva, November 2011

ultimately, in assisting and strengthening the international supervisory system<sup>112</sup> needed for achieving decent work and good governance of labour administration;

(2) The degree to which the Office's labour inspection strategies and activities have effectively promoted the application and enforcement of the relevant international Conventions dealing with labour inspection;<sup>113</sup>

(3) The extent to which the Office's labour inspection strategy has been effective in enhancing the capacities of labour inspectorates through technical assistance programmes and projects, including training courses on the effective enforcement and compliance with national labour law and international labour standards;

(4) The extent to which ILO labour inspection strategies and activities have been relevant and coherent with the capacities needs of workers' and employers' organizations to impact compliance with labour law and enable tripartite dialogue to address challenges related to labour law requirements and compliance; and

(5) The extent to which the Office's technical cooperation portfolio has been effective in supporting timely delivery of technical assistance to labour inspectorates and member States.

Moreover, because the successful implementation of a strategy or action plan relies on a coherent approach to delivery and on widespread collaboration across the Office, the evaluation will draw on linkages with other strategic outcomes.

## METHODOLOGY

In accordance with the *ILO's Protocol for high-level strategy evaluations*, this evaluation will be inclusive in nature and seek to involve all key stakeholders through the establishment of an evaluation support group to facilitate information sharing on the various aspects of the labour inspection activities. Ideally, this group will include specialists who will use, or could influence the use of the evaluation results and interact with the evaluators in the selecting or designing of the labour inspection interventions identified for case studies.

The evaluation will be guided by the strategy P&B strategy pertaining to labour inspection and indicators (Outcome 11), and other outcomes that include labour inspection as a key component strategies (i.e. Outcome 6 on OSH, Outcome 7 on Migration, Outcome 10 Workers Organization, Outcome 15 on Forced Labour, Outcome 16 on Child labour and Outcome 17 on elimination of discrimination). These P&B Outcome strategies and indicators and DWCPs and country programme outcomes (CPOs) for the countries selected for the sample shall provide the evaluation framework and guide the formulation of more detailed evaluation questions. These questions will seek to address priority issues and concerns for the national constituents and other stakeholders.

EVAL proposes an effectiveness evaluation approach (also known as outcome evaluation or summative evaluation) with a strong formative component to complement the outcome/summative aspect of the exercise. This would be essential for understanding what has worked and why or doesn't, and to the extent possible identify what other factors (internal and external) have been at work during the implementation of past strategies and actions. To this end, the evaluation will seek to determine the degree to which the ILO strategies for supporting tripartite constituents' efforts to strengthen labour inspection systems have actually translated into improved enforcement and improved workplace compliance.

<sup>112</sup> This is the conclusion of a general survey on labour inspection, which was submitted to the International Labour Conference in June 2006.

<sup>113</sup> Particularly the Labour Inspection Convention, 1947 (No. 81), and its Protocol of 1995; the Labour Inspection (Agriculture) Convention, 1969 (No. 129); and the Labour Administration Convention, 1978 (No. 150).

Qualitative methods will play an important role in the evaluation to seek information with a breadth and depth not possible with quantitative approaches. The evaluation will rely on different methods of gathering qualitative information, namely: 1) interviews and focus groups; 2) structured targeted questionnaires; 4) document and portfolio analysis and 5) selected country case studies.

In seeking answers to these questions, the evaluation will focus on outcomes and immediate outcomes. To this end the following OECD/DAC criteria and questions will guide the assessment:

### **1. Relevance.**

To what extent have the ILO strategies for labour inspection been relevant to the issues and guidance raised in the Report of the Committee on Labour Administration, Provisional Record No. 19, at the 100th Session of the International Labour Conference, Geneva, 2011, and national Decent Work Country programme outcomes?

### **2. Effectiveness**

How have the ILO's labour inspection strategies and actions been designed and implemented?

To what extent have these been effective in helping promote work place compliance through stronger and effective labour inspectorates?

What has been the effect of specific ILO strategy and interventions on specific labour inspection systems?

### **3. Coherence and value added**

To what extent has the ILO's strategy been coherent and complementary (in its design and implementation) with regard to the vertical and horizontal elements of the approach to labour inspection?

Is the strategy coherent and complementary to similar efforts carried out by constituents, UN partners, IFIs?

Is the strategy coherent and complementary to activities being carried out under other ILO SPF Outcome Strategies and activities being implemented by other ILO departments?

### **4. Efficiency**

To what extent have resources been used efficiently and the programme appropriately and adequately resourced?

What were the costs associated with the program / could there have been alternative program designs that rendered results more efficiently?

Is this "technology/tools" the most efficient alternative we have to achieve the desired results?

### **5. Impact**

To what extent have ILO actions had impact in the form of increased capacity, necessary tools and policy improvements needed to work towards the development, implementation and enforcement of labour inspection systems?

### **6. Sustainability**

To what extent have ILO interventions been designed and implemented in ways that have maximized sustainability at country level?

A summary rating shall be expressed at the end of the six evaluation criteria and the respective questions listed above. The evaluation shall use a six -point scale ranging from "highly unsatisfactory" to "highly satisfactory" as defined below:

- Very unsatisfactory: when the findings related to the evaluation criterion show that expected results have not been attained, and there have been important shortcomings, and the resources have not been utilized effectively and/or efficiently;

- Unsatisfactory: when the findings related to the evaluation criterion show that the objectives have not been attained and the level of performance show major shortcoming and are not fully considered acceptable in the view of the ILO national tripartite constituents, partners and beneficiaries;
- Somewhat unsatisfactory; when the findings related to the evaluation criterion show that the objectives have been partially attained and the level of performance show minor shortcoming and are not fully considered acceptable in the view of the ILO national tripartite constituents, partners and beneficiaries;
- Somewhat satisfactory: when the findings related to the evaluation criterion show that the objectives have been partially attained and there that expected level of performance could be for the most part considered coherent with the expectations of the national tripartite constituents, beneficiaries and of the ILO itself;
- Satisfactory: when the findings related to the evaluation criterion show that the objectives have been mostly attained and the expected level of performance can be considered coherent with the expectations of the national tripartite constituents, beneficiaries and of the ILO itself;
- Very satisfactory: when the findings related to the evaluation criterion show that ILO performance related to criterion has produced outcomes which go beyond expectation, expressed specific comparative advantages and added value, produced best practices.

### Document and portfolio review

The first phase of this high-level evaluation will consist of a thorough document review of the policy outcome strategies included in each of the biennia covered by this evaluation as well as for the 2016-17 P&B, documentation pertaining to the elaboration of ACI-7 and the Outcome area 7 which underscores labour inspection as a key element for workplace compliance and will one of the 10 Outcomes areas for the 2016-17 P&B.

EVAL will coordinate the gathering of all relevant documentation from HQ and field prior to the evaluation team's commencement.

Document sources for examination will include:

- The SPF and P&B strategies dealing directly or indirectly with labour inspection for the period covered by the evaluation;
- Outcome-based work planning (OBW) and technical cooperation portfolios and related reviews;
- Implementation planning, management and reporting reports for the labour inspection outcome strategies (information from the IRIS Strategic Management Module)
- Relevant global reports and meta evaluations;
- Relevant DWCPs and logic model (results framework)
- Relevant DWCP HLEs and DWCP;
- Country programme reviews which will have examined recent performance against stated outcomes, determined what has been achieved, and whether strategies being used are efficient and effective;
- All relevant individual programme M&E reports;
- National strategic plans and reports related to labour inspection and workplace compliance; and,
- Other relevant national and UN policy and strategy documents.

The document review will also include the elaboration of desk-based country reviews based on programme and project reports, surveys and SKYPE interviews. These reviews will be conducted by the junior evaluation consultant under the guidance of the evaluation team leader and lead international evaluator.

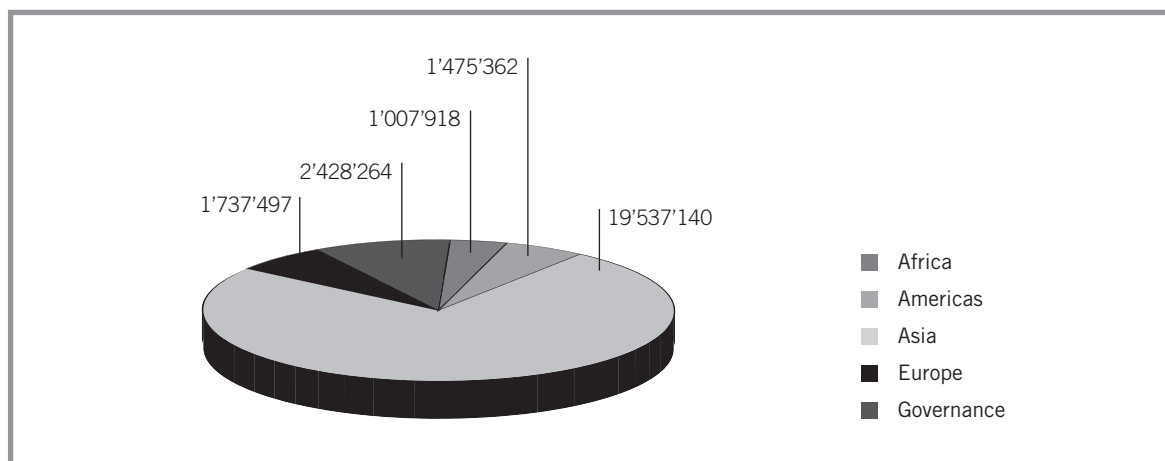
## Evaluation sample

Based on preliminary desk review of project documents, P&B implementation reports and informal consultations, the following countries have been selected for the evaluation sample: Bangladesh, Vietnam, and China in Asia; Macedonia, Moldavia and Montenegro in Europe; El Salvador Colombia and Honduras in Americas; and South Africa and Burkina Faso in Africa; and Oman in the Arab States. This sample was selected based on the following criteria: countries with achievements reported in the P&B implementation reports, regional representation, volume of ILO interventions either through regular budget (RBTC) or extra budgetary (XBTC) resources. The evaluation will also include Global products aiming at strengthening labour inspection systems (GLO552).

Of this proposed sample, the evaluation team will probably visit: Bangladesh, Macedonia, Oman, South Africa, and El Salvador. Desk assessments will be conducted for Vietnam, Moldavia, Montenegro, Colombia, Honduras and Burkina Faso. The country sample and the selection of countries to be visited and desk reviews will be confirmed after consultations with internal stakeholders.

The figure below shows the regional distribution of on-going XBTC portfolio which encompassed a total of 17 operations with a total budget of US\$ 26,274,671.

Figure 4. XBTC Labour Inspection Projects<sup>114</sup>



## Case studies

The purpose of case studies is to conduct in-depth analysis of one set (or unit) of the ILO's strategic and programme means of action aimed at supporting the strengthening of workplace compliance through labour inspection. The case studies will be based on the countries visited seek to determine what happened as a result of ILO's interventions, and determine if these interventions had any observable immediate impacts, and to extent possible determine the links between the observed impacts and the ILO programme.

The evaluation will conduct case studies of the following of ILO's means of action:

- **Technical advice:** to identify the effectiveness of ILO action in identifying gaps in legislation and provide policy guidance.
- **Advocacy & visibility:** to assess the effect ILO action on general awareness, knowledge and understanding of the concepts of hazards and risks, to introduce a systems approach to labour inspection.

<sup>114</sup> Source: PARDEV/scs, excluding agency costs, provision for cost increase and contingency. 15.10.2014.



- **Capacity development:** to assess the extent to which policymakers' and labour inspectors have applied knowledge gained to improve the implementation of standards so as to meet the needs of governments, employers and workers, and to design and implement coherent and relevant national labour inspectorates. Training activities are often conducted in collaboration with the International Training Centre, Turin. ILO staff also receives training to improve their capacities to effectively integrate labour inspection aspects in Decent Work Country Programmes, therefore the case study will also assess the effectiveness of the staff capacity development programme.
- **Knowledge sharing:** information flows and sharing is of crucial importance for the ILO strategy for labour inspection as it seeks to promote workplace complicate. The case study on this mean of action will seek to assess how effectively ILO has promoted and applied knowledge sharing among constituents and ILO staff.

To obtain as complete a picture as possible of the effectiveness of ILO's labour inspections strategies and activities, the case studies will consist of a combination of methods:

Interviews, protocol analysis, field studies and participant focus groups,

- 1) Desk reviews to synthesize and aggregate information such as past evaluations, technical studies, and DWCP reviews from the selected countries and programmes at different times. This will allow greater triangulation while minimizing cost and time being expended on new, possibly repetitive studies.
- 2) Formative critical instance case studies to examine one or more country cases to complementary initiatives to labour inspection that could be considered in future ILO strategies and actions. This method is useful for answering cause and effect questions.
- 3) A completed case study report will have detailed descriptions of what happened, and the context in which it occurred, from multiple viewpoints. The report will feature a factual recounting as well as an interpretation of events.

## EVALUATION MANAGEMENT AND RESPONSIBILITIES

In accordance with ILO evaluation guidelines for independence, credibility and transparency, responsibility for the evaluation will be based in the Evaluation Office in its capacity as an independent entity. The evaluation team will be composed of a Senior Evaluation Officer who will lead and manage a team that shall include an international consultant with expertise in Labour Inspection and previous evaluation experience, and national evaluators and/or research assistants to support each case study and desk reviews. The EVAL's Senior Officer will play a critical coordination role and will be responsible for the evaluation implementation at the national and regional levels and incorporating all results from case studies into the global strategy evaluation. The director of EVAL will provide inputs and guidance throughout the evaluation process.

The Senior Evaluation Officer will manage and lead the evaluation process this will include: (1) conducting two case studies of country not visited, participate in at least two of three evaluation missions conducted by the international consultants, (3) supervise the work of national evaluation specialist(s), review and process the final evaluation report. The international evaluation expert will work in close collaboration with the Sr. evaluation Officer and will be responsible for: (1) providing inputs on the development of methodological approach, (2) drafting an inception report indicating overall methodological approach, including guidance for the development of case studies, country reviews, surveys other data collection tools, (3) conduct at least three case studies and (4) triangulate the information gathered and draft the evaluation report. The national evaluation specialist(s) will provide: (1) specific inputs based on the thematic case studies of clustered labour inspection activities which will provide the basis for the evaluation analysis, (2) conduct country desk country reviews, (3) manage the survey dissemination, gather and analyse data results.

## ANNEX B. LIST OF INTERVIEWS

| NAME                     | TITLE, ORGANIZATION   | COUNTRY    |
|--------------------------|---|------------|
| Dritan YLLI              | General Director, State Labour Inspectorate, Ministry of Social Welfare and Youth               | Albania    |
| Eralda MARIANI           | Public Health Specialist, Ministry of Health  | Albania    |
| Erion MANOHASA           | Former General Inspector, Director of Department on Labour Inspection Strategies                | Albania    |
| Evis SULKO               | Senior Country Operations Officer, The World Bank - Tirana                                      | Albania    |
| Ivan MAJER               | Former Component Coordinator, ILO-EU IPA 2010 project on Human Resources Development in Albania | Albania    |
| Kol NIKOLLAJ             | President, Confederation of Trade Unions  | Albania    |
| Koli SINJARI             | Director, International Relations and Projects, BiznesAlbania                                   | Albania    |
| Maria do Carmo GOMES     | Former CTA , ILO-EU IPA 2010 project on Human Resources Development in Albania                  | Albania    |
| Mimoza HAJDARMATAJ       | Director, EUROSIG - Tirana  | Albania    |
| Xhilda PAPAJANI          | OSH Specialist, SLI Department, Ministry of Social Welfare and Youth                            | Albania    |
| A.N.M. SAIFFUDIN         | Former Director, Bangladesh Garment Manufacturers & Exporters Association (BGMEA)               | Bangladesh |
| Ashiqul Alam CHOWDHURY   | Secretary General, Bangladesh Trade Union Songho  | Bangladesh |
| Aslam SUNNY              | First Vice President, Bangladesh Knitwear Manufacturers & Exporters Association                 | Bangladesh |
| Atiqul ISLAM             | President, Bangladesh Garment Manufacturers & Exporters Association (BGMEA)                     | Bangladesh |
| Faizur RAHMAN            | Joint Secretary, Ministry of Labour and Employment  | Bangladesh |
| Faizur Rahman            | Joint Secretary, Ministry of Labour and Employment  | Bangladesh |
| Farooq AHMED             | Secretary General, Bangladesh Employers Federation  | Bangladesh |
| Gagan Rajbhandari        | Deputy Director, ILO CO-Dhaka   | Bangladesh |
| Hasina BEGUM             | Programme Officer, ILO CO-Dhaka   | Bangladesh |
| Humayun KABIR            | Senior Assistant Chief, Ministry of Labour and Employment                                       | Bangladesh |
| Jochen WEIKERT           | Program Coordinator, Deutsche Gesellschaft für internationale Zusammenarbeit (GIZ) GmbH         | Bangladesh |
| Khadija KHONDKER         | Programme Officer, ILO CO-Dhaka   | Bangladesh |
| Khondakar Mostan Hossain | Joint Secretary, Ministry of Labour and Employment  | Bangladesh |
| Louis B. VANEGAS         | Programme Manager, Better Work - Dhaka  | Bangladesh |
| Manjur Morshed           | Senior Advisor, Deutsche Gesellschaft für internationale Zusammenarbeit (GIZ) GmbH              | Bangladesh |
| Mikail Shipar            | Secretary, Ministry of Labour and Employment  | Bangladesh |

| NAME                        | TITLE, ORGANIZATION  | COUNTRY      |
|-----------------------------|--|--------------|
| Nyske JANSSEN               | Junior Professional Officer (Technical Cooperation), Improving Working Conditions in the Ready-Made Garment Sector, ILO  | Bangladesh   |
| Rafiqul ISLAM               | Additional Secretary of Labour, Bangladesh Garment Manufacturers & Exporters Association (BGMEA)   | Bangladesh   |
| Reaz-Bin-Mahmood SUMON      | Vice President, Bangladesh Garment Manufacturers & Exporters Association (BGMEA)   | Bangladesh   |
| Reddy B. SRINIVAS           | Director, ILO CO-Dhaka   | Bangladesh   |
| Rob Wayss                   | Executive Director, Bangladesh Accord Foundation   | Bangladesh   |
| Roy Ramesh CHANDRA          | Secretary General, Industrial Bangladesh Council   | Bangladesh   |
| S.M. ASHRAFUZZAMAN          | Director of Labour, Department of Labour, Ministry of Labour and Employment  | Bangladesh   |
| Saidul Islam                | Programme Backstopping, ILO CO-Dhaka   | Bangladesh   |
| Santosh Kumar DUTTA         | Joint Secretary, Bangladesh Employers Federation   | Bangladesh   |
| Syed Ahmed                  | Inspector General, DIFE  | Bangladesh   |
| Timothée SOULAMA,           | Administrateur de programme du BIT   | Burkina Faso |
| M. Jean-Marie T. NONGUIERMA | Directeur Général du travail<br>Lieu : Direction Générale du Travail   | Burkina Faso |
| Madame Stella SOME          | La Directrice générale de la protection sociale  | Burkina Faso |
| Joseph O. SANDOUIDI         | Inspecteur du Travail, Directeur de la Régional du Centre  | Burkina Faso |
| Jean Marie NONGUIERMA       | Inspecteur du Travail, Directeur général de Travail  | Burkina Faso |
| Philomène YEMEOGO           | Secrétaire Générale, Conseil National du Patronat Burkinabé  | Burkina Faso |
| Augustin Blaise HIEN        | Secrétaire Générale Confédéral, Confédération Nationale des Travailleurs du Burkina  | Burkina Faso |
| Roch Donatien NAGALO        | Secrétaire Générale, Syndicat National des Commerçants du Burkina  | Burkina Faso |
| Moussa NANA                 | Secrétaire Générale, Fédération Syndicale des Commerçants du Burkina   | Burkina Faso |
| Valkyrie Hanson             | Chief Technical Officer, ILO-USDOL Promoción del Cumplimiento de las Normas Internacionales del Trabajo en Colombia (Promoting Compliance with International Labour Standards in Colombia) | Colombia     |
| Melva Díaz Better           | Project Coordinator, Institutional strengthening component   | Colombia     |
| Beethoven Herrera Valencia  | Project Coordinator, Social Dialogue   | Colombia     |
| Miguel Morantes Alfonso     | Presidente, Confederación de trabajadores de Colombia, CTC   | Colombia     |
| Carolina Trevisi            | Project Coordinator, SCORE   | Colombia     |
| Luciano Sanín               | Director General, Escuela Nacional Sindical  | Colombia     |
| Patricia Marulanda          | Directora, Subdirección de inspección, Ministerio del Trabajo  | Colombia     |
| Stella Salazar Molina       | Subdirectora, Subdirección de inspección, Ministerio del Trabajo   | Colombia     |
| Gloria Gaviria              | Jefe Oficina de Cooperación Internacional; Ministerio del Trabajo  | Colombia     |
| Julio Roberto Robles        | Presidencia, Confederación General del Trabajo, CGT  | Colombia     |
| Myriam Luz Triana           | Secretaria General, Confederación General del Trabajo, CGT   | Colombia     |
| Diógenes Orjuela            | Jefe Relaciones Internacionales, Central Unitaria de Trabajadores de Colombia, CUT   | Colombia     |
| Brenna Dougan               | Labour Attaché, US Department of Labour  | Colombia     |
| Nathan Tenny                | Project Officer, USAID   |              |
| Alberto Echavarría          | Vicepresidente de asuntos jurídicos, ANDI  | Colombia     |
| Agnes FAZEKAS               | Programming, ILO DWT/CO -Budapest  | Hungary      |
| Antonio GRAZIOSI            | Director, ILO DWT/CO-Budapest  | Hungary      |

| NAME                     | TITLE, ORGANIZATION  | COUNTRY      |
|--------------------------|--|--------------|
| Dragan RADIC             | Senior Specialist, ACT-EMP, ILO DWT/CO -Budapest   | Hungary      |
| Ovidiu JURCA             | Senior Specialist, ACTRAV, ILO DWT/CO -Budapest  | Hungary      |
| Sofia AMARAL DE OLIVEIRA | Technical Specialist, WORKQUALITY, ILO DWT/CO-Budapest   | Hungary      |
| El Hadji Mansour SY      | Ministre de Travail, du Dialogue social, des Organisations Professionnelles et des Relations avec les Institutions   | Sénégal      |
| Mamadou Racine Senghor,  | Directeur de la Protection social, Ministère de Travail, du Dialogue social, des Organisations Professionnelles et des Relations avec les Institutions,  | Sénégal      |
| Ndémé Seck Diouf         | Chef de la Division de la Prévention, de l'Hygiène de la Sécurité et de la Santé du Travail, Ministère de Travail, du Dialogue social, des Organisations Professionnelles et des Relations avec les Institutions | Sénégal      |
| Teynab Mbengue Wade      | Directeur de la Recherche et de la Coopération, Ecole National d'Administration  | Sénégal      |
| Ibou Ndiaye              | Pdt Federation Transit Transport and Handling  | Sénégal      |
| Ibrahima Mbaye           | Pdt Association Sénégalaise des Professionnelles des Ressources Humaines   | Sénégal      |
| Marie Christine Coent    | CTA, ADMITRA and POMODEC   | Sénégal      |
| Jules Oni                | Labour Inspection Specialists, DWT/CO-Dakar  | Sénégal      |
| Redha Ameer              | Programme Officer, DWT/CO.Dakar  | Sénégal      |
| Virgil Seafield          | National Dept of Labour  | South Africa |
| Zakes Mokgwatle          | Inspection & Enforcement   |              |
| National Dept of Labour  | South Africa   |              |
| Mahandra NAIDO           | Acting Executive Director, National Economic Development and Labour Council  | South Africa |
| Tsholo Lelaka            | Coordinator Labour Market Chamber, NEDLAC  | South Africa |
| Mr Narius Moloto         | General Secretary, National Council of Trade Unions  | South Africa |
| Tyoty James              | First Deputy-President, Congress of South African Trade Unions (COSATU)  | South Africa |
| Joni Musabayana          | Deputy Director, ILO DWT/CO-Pretoria   | South Africa |
| Limpho Mandoro           | Social Dialogue/Labour Admin Specialist, ILO DWT/CO-Pretoria   | South Africa |
| Sipho Ndlovu             | Senior Programme Officer, ILO DWT/CO-Pretoria  | South Africa |
| Sindile Moitsi           | Programme Officer, ILO DWT/CO-Pretoria   | South Africa |
| Anna TORRIENTE           | Senior Legal Officer, ILO AIDS, ILO HQ   | Switzerland  |
| Corrine VARGHA           | Chief, FPRW, ILO HQ  | Switzerland  |
| Giovanna ROSSIGNOTTI     | Deputy Director PROGRAM, ILO HQ  | Switzerland  |
| Ingrid SIPI-JOHNSON      | Legal Officer, ILO AIDS, ILO HQ  | Switzerland  |
| Kamran FANNIZADEH        | Director, FPRW ILO HQ  | Switzerland  |
| Ingrid CHRISTENSEN       | Senior Specialist, OSH, ILO Bangkok  | Thailand     |
| John RITCHOTTE           | Specialist in Labour Administration and Labour Relations, ILO Bangkok  | Thailand     |
| Karin KLOTZBÜCHER        | Head of Regional Programming Services, ILO Bangkok   | Thailand     |
| Rene RICHARDS            | Specialist in Labour Insoection, ILO Bangkok   | Thailand     |
| Tara RANGARAJAN          | Global Operations Manager, Better Work – Bangkok, ILO  | Thailand     |
| Thetis MANGAHAS          | Deputy Regional Director, ILO Bangkok  | Thailand     |
| Bernhard KELKES          | First Secretary, Economic and Commercial Affairs, Embassy of the Kingdom of Netherlands - Hanoi  | Vietnam      |
| Gyorgy SZIRACZKI         | Director, ILO CO-Hanoi   | Vietnam      |

| NAME                   | TITLE, ORGANIZATION  | COUNTRY |
|------------------------|--|---------|
| Hoa TRAN QUYNH         | Communications Officer, ILO CO-Hanoi   | Vietnam |
| Hue VU KIM             | Project Officer, ILO CO-Hanoi  | Vietnam |
| Joseph NARUS           | Economic Officer, Embassy of the United States of America - Hanoi                              | Vietnam |
| Mr. Long and Ms. Trang | Policy and Development Department, Vietnam Cooperative Alliance                                | Vietnam |
| Mr. Nguyen Van Tien    | Inspectorate, Ministry of Labour, Invalids and Social Affairs                                  | Vietnam |
| Mr. Vu Anh Duc,        | Deputy Director, Industrial Relations Department, Vietnam General                              | Vietnam |
| Ms. Consuelo           | Chief Technical Advisor, Labour Inspection Project, ILO CO-Hanoi                               | Vietnam |
| Ms. Hong Ha            | Programme Manager, Better Work, Vietnam, ILO CO-Hanoi  | Vietnam |
| Nguyen Anh THO         | Deputy Director General, Bureau for Safe Work, Ministry of Labour, Invalids and Social Affairs | Vietnam |
| Nguyen Hoang HA        | Programme Officer, ILO CO-Hanoi  | Vietnam |
| Nguyen THI HAI YEN     | Project Coordinator, Vietnam Industrial Relations Project, ILO CO-Hanoi                        | Vietnam |
| Nguyen VAN BINH        | Deputy Director General, Legal Department, Ministry of Labour, Invalids & Social Affairs       | Vietnam |
| Nienke Trooster        | Mdm Ambassador, Embassy of the Kingdom of Netherlands - Hanoi                                  | Vietnam |
| Phillip HAZELTON       | Chief Technical Advisor, Vietnam Industrial Relations Project, ILO CO-Hanoi                    | Vietnam |
| Phung Quang Huy,       | Director, Bureau for Employers' Activities, Vietnam Chamber of Commerce and Industry           | Vietnam |
| Trang TRAN QUYNH       | Project Officer, PROPEL, ILO CO-Hanoi  | Vietnam |

## ANNEX C. RATIFICATION OF CONVENTIONS NOS. 81 AND 129

| Country (z)                     | C081<br>Labour Inspection Convention, 1947 | C129<br>Labour Inspection (Agriculture) Convention, 1969 |
|---------------------------------|--|--|
| Afghanistan                     |  |  |
| Albania (c)                     | 18 Aug 2004                                | 11 Oct 2007  |
| Algeria                         | 19 Oct 1962                                |  |
| Angola                          | 04 Jun 1976                                |  |
| Antigua and Barbuda (a)         | 02 Feb 1983                                |  |
| Argentina                       | 17 Feb 1955                                | 20 Jun 1985  |
| Armenia                         | 17 Dec 2004                                |  |
| Australia (a)                   | 24 Jun 1975                                |  |
| Austria                         | 30 Apr 1949                                |  |
| Azerbaijan (b)                  | 09 Aug 2000                                | 09 Aug 2000  |
| Bahamas                         | 25 May 1976                                |  |
| Bahrain                         | 11 Jun 1981                                |  |
| Bangladesh                      | 22 Jun 1972                                |  |
| Barbados (a)                    | 08 May 1967                                |  |
| Belarus                         | 25 Sep 1995                                |  |
| Belgium                         | 05 Apr 1957                                | 08 Sep 1997  |
| Belize                          | 15 Dec 1983                                |  |
| Benin                           | 11 Jun 2001                                |  |
| Bolivia, Plurinational State of | 15 Nov 1973                                | 31 Jan 1977  |
| Bosnia and Herzegovina          | 02 Jun 1993                                | 02 Jun 1993  |
| Botswana                        |  |  |
| Brazil                          | 11 Oct 1989                                |  |
| Brunei Darussalam               |  |  |
| Bulgaria                        | 29 Dec 1949                                |  |
| Burkina Faso                    | 21 May 1974                                | 21 May 1974  |

| Country (z)                      | C081<br>Labour Inspection Convention, 1947 | C129<br>Labour Inspection (Agriculture) Convention, 1969 |
|----------------------------------|--|--|
| Burundi                          | 30 Jul 1971                                |  |
| Cape Verde                       | 16 Oct 1979                                |  |
| Cambodia                         |  |  |
| Cameroon (a)                     | 03 Sep 1962                                |  |
| Canada                           |  |  |
| Central African Republic         | 09 Jun 1964                                |  |
| Chad                             | 30 Nov 1965                                |  |
| Chile                            |  |  |
| China                            |  |  |
| Colombia (a)                     | 13 Nov 1967                                | 16 Nov 1976  |
| Comoros                          | 23 Oct 1978                                |  |
| Congo                            | 26 Nov 1999                                |  |
| Costa Rica                       | 02 Jun 1960                                | 16 Mar 1972  |
| Côte d'Ivoire                    | 05 Jun 1987                                | 05 Jun 1987  |
| Croatia                          | 08 Oct 1991                                | 08 Oct 1991  |
| Cuba                             | 07 Sep 1954                                |  |
| Cyprus (b)                       | 23 Sep 1960                                |  |
| Czech Republic (c)               | <b>16 Mar 2011</b>                         | <b>16 Mar 2011</b>                                       |
| Democratic Republic of the Congo | 19 Apr 1968                                |  |
| Denmark                          | 06 Aug 1958                                | 30 Nov 1972  |
| Djibouti                         | 03 Aug 1978                                |  |
| Dominica                         | 28 Feb 1983                                |  |
| Dominican Republic               | 22 Sep 1953                                |  |
| Ecuador                          | 26 Aug 1975                                |  |
| Egypt                            | 11 Oct 1956                                | 20 Jun 2003  |
| El Salvador                      | 15 Jun 1995                                | 15 Jun 1995  |
| Equatorial Guinea                |  |  |
| Eritrea                          |  |  |
| Estonia                          | 01 Feb 2005                                | 01 Feb 2005  |
| Ethiopia                         |  |  |
| Fiji                             | 28 May 2008                                | 18 Jan 2010  |
| Finland (b)                      | 20 Jan 1950                                | 03 Sep 1974  |
| France                           | 16 Dec 1950                                | 28 Dec 1972  |
| Gabon                            | 17 Jul 1972                                |  |
| Gambia                           |  |  |
| Georgia                          |  |  |
| Germany                          | 14 Jun 1955                                | 26 Sep 1973  |
| Ghana                            | 02 Jul 1959                                |  |

| Country (z)                      | C081<br>Labour Inspection Convention, 1947 | C129<br>Labour Inspection (Agriculture) Convention, 1969 |
|----------------------------------|--|--|
| Greece                           | 16 Jun 1955                                |  |
| Grenada (a)                      | 09 Jul 1979                                |  |
| Guatemala                        | 13 Feb 1952                                | 20 May 1994  |
| Guinea                           | 26 Mar 1959                                |  |
| Guinea – Bissau                  | 21 Feb 1977                                |  |
| Guyana (a, b)                    | 08 Jun 1966                                | 19 Jan 1971  |
| Haiti                            | 31 Mar 1952                                |  |
| Honduras                         | 06 May 1983                                |  |
| Hungary                          | 04 Jan 1994                                | 04 Jan 1994  |
| Iceland                          | 24 Mar 2009                                | 24 Mar 2009  |
| India (a)                        | 07 Apr 1949                                |  |
| Indonesia                        | 29 Jan 2004                                |  |
| Iran, Islamic Republic of        |  |  |
| Iraq                             | 13 Jan 1951                                |  |
| Ireland (b)                      | 16 Jun 1951                                |  |
| Israel                           | 07 Jun 1955                                |  |
| Italy                            | 22 Oct 1952                                | 23 Jun 1981  |
| Jamaica (a)                      | 26 Dec 1962                                |  |
| Japan                            | 20 Oct 1953                                |  |
| Jordan                           | 27 Mar 1969                                |  |
| Kazakhstan                       | 06 Jul 2001                                | 06 Jul 2001  |
| Kenya                            | 13 Jan 1964                                | 09 Apr 1979  |
| Kiribati                         |  |  |
| Korea, Republic of               | 09 Dec 1992                                |  |
| Kuwait                           | 23 Nov 1964                                |  |
| Kyrgyzstan                       | 26 Jul 2000                                |  |
| Lao People's Democratic Republic |  |  |
| Latvia (c)                       | 25 Jul 1994                                | 25 Jul 1994  |
| Lebanon                          |  | 26 Jul 1962  |
| Lesotho                          | 14 Jun 2001                                |  |
| Liberia                          | 25 Mar 2003                                |  |
| Libya                            | 27 May 1971                                |  |
| Lithuania                        | 26 Sep 1994                                |  |
| Luxembourg                       | 03 Mar 1958                                | 08 Apr 2008  |
| Madagascar                       | 21 Dec 1971                                | 21 Dec 1971  |
| Malawi                           | 22 Mar 1965                                | 20 Jul 1971  |
| Malaysia                         | 01 Jul 1963                                |  |
| Maldives                         |  |  |



| Country (z)                      | C081<br>Labour Inspection Convention, 1947 | C129<br>Labour Inspection (Agriculture) Convention, 1969 |
|----------------------------------|--|--|
| Mali                             | 02 Mar 1964                                |  |
| Malta (a)                        | 04 Jan 1965                                | 09 Jun 1988  |
| Marshall Islands                 |  |  |
| Mauritania                       | 08 Nov 1963                                |  |
| Mauritius                        | 02 Dec 1969                                |  |
| Mexico                           |  |  |
| Moldova, Republic of (b)         | 12 Aug 1996                                | 09 Dec 1997  |
| Mongolia                         |  |  |
| Montenegro                       | 03 Jun 2006                                | 03 Jun 2006  |
| Morocco                          | 14 Mar 1958                                | 11 May 1979  |
| Mozambique                       | 06 Jun 1977                                |  |
| Myanmar                          |  |  |
| Namibia                          |  |  |
| Nepal                            |  |  |
| Netherlands                      | 15 Sep 1951                                | 29 Jun 1973  |
| New Zealand (a)                  | 30 Nov 1959                                |  |
| Nicaragua                        |  |  |
| Niger                            | 09 Jan 1979                                |  |
| Nigeria (a)                      | 17 Oct 1960                                |  |
| Norway (b)                       | 05 Jan 1949                                | 14 Apr 1971  |
| Oman                             |  |  |
| Pakistan                         | 10 Oct 1953                                |  |
| Palau                            |  |  |
| Panama                           | 03 Jun 1958                                |  |
| Papua New Guinea                 |  |  |
| Paraguay                         | 28 Aug 1967                                |  |
| Peru                             | 01 Feb 1960                                |  |
| Philippines                      |  |  |
| Poland                           | 02 Jun 1995                                | 02 Jun 1995  |
| Portugal                         | 12 Feb 1962                                | 24 Feb 1983  |
| Qatar                            | 18 Aug 1976                                |  |
| Romania                          | 06 Jun 1973                                | 28 Oct 1975  |
| Russian Federation (b)           | 02 Jul 1998                                |  |
| Rwanda                           | 02 Dec 1980                                |  |
| Saint Kitts and Nevis            |  |  |
| Saint Lucia                      |  |  |
| Saint Vincent and the Grenadines | 21 Oct 1998                                | <b>09 Nov 2010</b>                                       |
| Samoa                            |  |  |

| Country (z)                               | C081<br>Labour Inspection Convention, 1947 | C129<br>Labour Inspection (Agriculture) Convention, 1969 |
|---|--|--|
| San Marino                                |  |  |
| Sao Tome and Principe                     | 01 Jun 1982                                |  |
| Saudi Arabia                              | 15 Jun 1978                                |  |
| Senegal                                   | 22 Oct 1962                                |  |
| Serbia                                    | 24 Nov 2000                                | 24 Nov 2000  |
| Seychelles                                | 28 Oct 2005                                |  |
| Sierra Leone (a)                          | 13 Jun 1961                                |  |
| Singapore                                 | 25 Oct 1965                                |  |
| Slovakia (c)                              | 17 Sep 2009                                | 17 Sep 2009  |
| Slovenia                                  | 29 May 1992                                | 29 May 1992  |
| Solomon Islands                           | 06 Aug 1985                                |  |
| Somalia                                   |  |  |
| South Africa                              | <b>20 Jun 2013</b>                         |  |
| South Sudan                               |  |  |
| Spain                                     | 30 May 1960                                | 05 May 1971  |
| Sri Lanka                                 | 03 Apr 1956                                |  |
| Sudan                                     | 22 Oct 1970                                |  |
| Suriname                                  | 15 Jun 1976                                |  |
| Swaziland                                 | 05 Jun 1981                                |  |
| Sweden (b)                                | 25 Nov 1949                                | 14 May 1970  |
| Switzerland                               | 13 Jul 1949                                |  |
| Syrian Arab Republic                      | 26 Jul 1960                                | 18 Apr 1972  |
| Tajikistan                                | 21 Oct 2009                                |  |
| Tanzania, United Rep. of                  |  |  |
| Tanzania. Tanganyika (a)                  | 30 Jan 1962                                |  |
| Thailand                                  |  |  |
| The former Yugoslav Republic of Macedonia | 17 Nov 1991                                | 17 Nov 1991  |
| Timor-Leste                               |  |  |
| Togo                                      | <b>30 Mar 2012</b>                         | <b>30 Mar 2012</b>                                       |
| Trinidad and Tobago                       | 17 Aug 2007                                |  |
| Tunisia                                   | 15 May 1957                                |  |
| Turkey                                    | 05 Mar 1951                                |  |
| Turkmenistan                              |  |  |
| Tuvalu                                    |  |  |
| Uganda (a)                                | 04 Jun 1963                                |  |
| Ukraine                                   | 10 Nov 2004                                | 10 Nov 2004  |
| United Arab Emirates                      | 27 May 1982                                |  |

| Country (z)                       | C081<br>Labour Inspection Convention, 1947 | C129<br>Labour Inspection (Agriculture) Convention, 1969 |
|-----------------------------------|--|--|
| United Kingdom (a)                | 28 Jun 1949                                |  |
| United States                     |  |  |
| Uruguay                           | 28 Jun 1973                                | 28 Jun 1973  |
| Uzbekistan                        |  |  |
| Vanuatu                           |  |  |
| Venezuela, Bolivarian Republic of | 21 Jul 1967                                |  |
| Viet Nam                          | 03 Oct 1994                                |  |
| Yemen                             | 29 Jul 1976                                |  |
| Zambia                            | <b>23 Dec 2013</b>                         | <b>23 Dec 2013</b>                                       |
| Zimbabwe                          | 16 Sep 1993                                | 16 Sep 1993  |

Notes: (a) Excluding Part II of Convention No. 81; (b) has ratified the Protocol of 1995; (c) has accepted Article 5, paragraph 1(a) and (b) of Convention No. 129.  
Source: [www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO::](http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO::) [9 February 2015].

## ANNEX D. P&B STRATEGY TO STRENGTHEN LABOUR INSPECTION SYSTEMS

| Element                                      | Outcome    | 2010-2011  | 2012-2013   | 2014-2015   |
|--|------------|--|---|---|
| Ratification of Conventions                  | Outcome 1  | <ul style="list-style-type: none"> <li>“By decision of the Governing Body, the promotional campaign has been extended to include the four priority Conventions regarded as most significant from the point of view of governance – the Labour Inspection Convention, 1947 (No. 81), ... , Labour Inspection (Agriculture) Convention, 1969 (No. 129), and their related Recommendations will be pursued.”</li> </ul> |   |   |
| Labour Inspection Audits / CEACR Supervision | Outcome 11 | <ul style="list-style-type: none"> <li>“Global tools aimed at strengthening labour administrations, including labour inspection system audits and employment services assessment tools, will be developed through intersectoral collaboration to secure coherence in the services delivered to constituents in this area.”</li> </ul>  | <ul style="list-style-type: none"> <li>“This work will be enriched by demand-driven labour administration and inspection audits, along with five new labour administration and five new labour inspection country profiles, as well as ten updated profiles.”</li> </ul>  | <ul style="list-style-type: none"> <li>“Support to countries, in the form of needs assessments and legal gaps analyses, will continue to sustain efforts towards ratification and implementation of Conventions Nos 81, 129 and 150.”</li> </ul>  |
|  | Outcome 17 |  | <ul style="list-style-type: none"> <li>... in the application of labour inspection Conventions, notably the Labour Inspection Convention, 1947 (No. 81) and Labour Inspection (Agriculture) Convention, 1969 (No. 129), special attention will be paid to the representation of women among labour inspection staff.</li> </ul> |   |
|  | Outcome 18 |  |   | <ul style="list-style-type: none"> <li>There will be a particular focus on reducing implementation gaps in relation to ratified Conventions as identified by the supervisory bodies, through legislative reform, strengthened labour administration and labour inspection systems, improved capacity of the tripartite constituents to address these implementation gaps and the enhancement of national labour dispute settlement mechanisms.</li> </ul> |

| Element   | Outcome    | 2010-2011  | 2012-2013   | 2014-2015   |
|---|------------|--|---|---|
| Promotion of social dialogue and provision of policy Advice | Outcome 5  | <ul style="list-style-type: none"> <li>Research and policy advice on working and employment conditions will provide important inputs into advancing the achievement of the ILO</li> </ul>  |   |   |
|   | Outcome 11 | <ul style="list-style-type: none"> <li>"The Office will help member States reform their labour legislation in accordance with the stipulations of international labour standards and with the most recent labour law trends and good practices."</li> </ul>  | <ul style="list-style-type: none"> <li>"Building on the findings of labour administration and inspection audits, the Office will provide policy advice and consider action programmes to strengthen the institutional capacity of ministries of labour and inspectorates to deliver services."</li> </ul>   | <ul style="list-style-type: none"> <li>"To promote decent work through efficient labour market regulation in less developed economies, emphasis will be put on strengthening the capacity of social partners to engage in policy development. In middle- and higher income countries, the focus will be on contributions to policy debates, including through the analysis of draft laws. New products in the biennium will include a labour law reform toolkit to guide member States in identifying key policy questions, developing policy through effective tripartite processes and legislating and implementing new laws."</li> </ul> |
|   | Outcome 16 |  | <ul style="list-style-type: none"> <li>"Based on national needs and priorities, governments will be helped to develop or revise policies and programmes, and deliver services, on issues such as labour inspection, quality basic education, and lifelong skills development schemes that have positive outcomes on child labour."</li> </ul>   |   |
| Training  | Outcome 8  |  |   | <ul style="list-style-type: none"> <li>"Labour inspectors, labour judges and legal professionals will be trained to promote compliance with non-discriminatory policies and legislation, including dispute resolution mechanisms."</li> </ul>   |
|   | Outcome 11 | <ul style="list-style-type: none"> <li>"The Office will use existing tools and develop new ones in cooperation with the Turin Centre to assist member States to put in place coordinated labour administration systems which will contribute to the development of sound industrial relations systems and enhance labour law enforcement. Support will be provided to labour administrations for developing strategies to reach out to workers in the informal economy in accordance with the Labour Administration Convention, 1978 (No. 150). They will also be sensitized to the need to formulate and implement gender-sensitive national labour policies."</li> </ul> | <ul style="list-style-type: none"> <li>"The Office will further develop training materials and tools for inspectors to effectively identify and eradicate child labour (outcome 16), in close collaboration with the International Programme on the Elimination of Child Labour and the Turin Centre.</li> <li>"Existing modular training materials for labour inspectors and topical guidelines, for instance on undeclared work, will continue to be used and adapted to national contexts to help labour administrators and inspectors enhance their knowledge, skills and working methods."</li> <li>"Building on work begun in 2010–11, training for labour inspectors will be carried out to mainstream gender equality into their functions and thereby promote the principles of the gender equality Conventions."</li> </ul> | <ul style="list-style-type: none"> <li>"ILO support to labour administrations will focus on: (among others) the development of sustainable training plans for inspectors, including through the facilitation of distance learning programmes, particularly for developing countries."</li> <li>"Various products, ranging from the ILO's harmonized statistical methodology on labour inspection to training and advocacy tools on labour inspection campaigns, will support countrylevel activities."</li> </ul>   |

| Element | Outcome    | 2010-2011  | 2012-2013  | 2014-2015   |
|---------|------------|--|--|---|
|         |            |  | <ul style="list-style-type: none"> <li>“The labour inspection training materials developed in 2010–11 with the Turin Centre will be the centrepiece for strengthening the knowledge and skills of labour administrators and inspectors, based on the principles of Conventions Nos 81, 129 and of the Labour Administration Convention, 1978 (No. 150).”</li> </ul>    | <ul style="list-style-type: none"> <li>“The training provided to lawmakers, labour inspectors and judges will help ensure that labour laws are drafted and applied in keeping with the principles of gender equality and nondiscrimination. The training module on labour inspection and gender equality will be adapted to new national contexts, as will guidelines for workplace equality plans.”</li> <li>“ILO training curricula on labour administration and labour inspection will be disseminated and delivered through the Turin Centre in addition to external partners, including the International Network of Training Centres in the Field of Labour, the African Regional Labour Administration Centre, and the Arab Centre for Labour Administration and Employment.”</li> </ul> |
|         | Outcome 13 | <ul style="list-style-type: none"> <li>“Sector-specific manuals or guidelines to assist inspection and enforcement, such as those developed for the implementation of the Maritime Labour Convention, 2006, will be developed.”</li> </ul>           | <ul style="list-style-type: none"> <li>“Training for labour inspectors will continue, using the specific tools developed for labour inspection in the forestry, fishing and maritime sectors, targeting in particular the Asia and Pacific region.”</li> </ul>   |   |
|         | Outcome 14 | <ul style="list-style-type: none"> <li>“Special attention will be paid to the training of labour administrators and labour inspectorates so as to reinforce mechanisms of protection against anti-union discrimination and interference.”</li> </ul> |  |   |
|         | Outcome 15 |  | <ul style="list-style-type: none"> <li>“For governments, sector-specific guidance for labour inspection will be developed, including through an e-learning tool. These new approaches will be tested with constituents in collaboration with the Turin Centre, including through field-based training programmes, targeting Africa and Asia in particular.”</li> </ul> | <ul style="list-style-type: none"> <li>“Emphasis will be put on strengthening the capacity and expanding the reach of labour inspection and other law enforcement agencies in the informal economy to improve identification of forced labour practices and to promote effective remedies.”</li> </ul>  |
|         | Outcome 16 |  |  | <ul style="list-style-type: none"> <li>“Emphasis will be placed on strengthening the capacity of existing public services, such as labour inspection, education and agricultural services, to identify child labour and provide remedial and preventative actions, particularly in informal settings.”</li> </ul>   |
|         | Outcome 17 | <ul style="list-style-type: none"> <li>“Enhancing the capacity of the responsible authorities, including judges and labour inspectors, to identify and address cases of discrimination is also necessary.”</li> </ul>                                | <ul style="list-style-type: none"> <li>“The practical effectiveness of ratification will be enhanced by increasing the capacity of judges, labour inspectors and government officials to ensure the application of equality of opportunity and treatment.”</li> </ul>  | <ul style="list-style-type: none"> <li>“Training, in collaboration with the Turin Centre, will be provided to labour inspectors on detecting and addressing discrimination on all grounds, including sexual harassment and unequal pay.”</li> </ul>   |

| Element                                  | Outcome    | 2010-2011 | 2012-2013  | 2014-2015  |
|--|------------|-----------|--|--|
|  | Outcome 18 |           | <ul style="list-style-type: none"> <li>“Capacity building on international labour standards for tripartite constituents will be pursued and strengthened in cooperation with the Turin Centre, namely through training courses on a range of subject areas covered by international labour standards, including the fundamental Conventions, indigenous peoples’ rights and development, and maritime labour inspection.”</li> </ul>   | <ul style="list-style-type: none"> <li>“Support will be provided, in collaboration with the Turin Centre, to build the capacity of labour administrations and labour inspection systems, including the development of stronger institutional links between national inspection systems and the judiciary and private actors engaged in workplace compliance activities.”</li> </ul>  |
| Data collection / statistics             | Outcome 11 |           | <ul style="list-style-type: none"> <li>“Work will focus on improving labour inspection data collection by advocating for standardized inspection statistics and administrative records to enable greater comparability at the international level and to assist countries in analysing performance and strengthening the planning and monitoring of inspection activities.”</li> </ul>   | <ul style="list-style-type: none"> <li>“ILO support to labour administrations will focus on: (among others) interventions to enhance collection, analysis and comparability of inspection data and results.”</li> <li>“Various products, ranging from the ILO’s harmonized statistical methodology on labour inspection to training and advocacy tools on labour inspection campaigns, will support country-level activities. This will be complemented by the generation of new data and analysis to promote labour law compliance for domestic and migrant workers, as well as improved methods for preventing and investigating work-related injuries and diseases, especially in SMEs.”</li> </ul> |
|  | Outcome 15 |           | <ul style="list-style-type: none"> <li>“The development and application of practical, gender-sensitive indicators of forced labour represent an effective means to strengthen institutional capacities, including those of labour inspectorates, to prevent, identify and respond to violations.”</li> </ul>   |  |
| Information exchange and global alliance | Outcome 11 |           | <ul style="list-style-type: none"> <li>“The Office’s communication strategy is centred on online dissemination of information and knowledge in the areas of labour law (EPLex), labour administration and labour inspection.”</li> <li>“It will convene thematic and sectoral policy forums in light of the conclusions of the general discussion on labour administration and labour inspection to be adopted by the 100th Session of the International Labour Conference in 2011, with a view to facilitating the exchange of national good practices.”</li> </ul> | <ul style="list-style-type: none"> <li>“The ILO will continue to engage with the European Senior Labour Inspectors’ Committee on combating undeclared work, and with the International Association of Labour Inspection on global trends.”</li> </ul>  |

| Element                | Outcome    | 2010-2011 | 2012-2013   | 2014-2015   |
|------------------------|------------|-----------|---|---|
|                        |            |           |   | <ul style="list-style-type: none"> <li>• “The Office will foster new global alliances, in particular by establishing an international network of ministries of labour, including labour inspectorates, to build a professional community of practice. This will complement the Office’s already active involvement in the International Association of Labour Inspection, the Senior Labour Inspectors’ Committee and the Ibero–American labour inspection network, which serve as platforms for disseminating the Office’s work and building partnerships with practitioners.”</li> </ul>    |
| Integration (Linkages) | Outcome 7  |           | <ul style="list-style-type: none"> <li>• “It will complement other ILO means of action to promote compliance with international labour standards and will build on the strong link between equitable working conditions, safe work and labour inspection addressing the specific needs of different economic sectors.”</li> </ul>   | <ul style="list-style-type: none"> <li>• “The role of labour inspection in ensuring the protection of migrant workers will also be documented. This information and analysis will contribute to the development of appropriate tools and methodologies to inform policy initiatives, with a focus on nondiscrimination with respect to labour and social protection. It will also contribute to analytical work to enhance coherence between migration and employment policies, and will inform the development of a good practice compendium on national policies and practices.”</li> </ul> |
|                        | Outcome 11 |           | <ul style="list-style-type: none"> <li>• “In the area of labour inspection, there is potential to maximize the impact of limited resources by focusing on key thematic issues (such as undeclared work, gender equality, child labour and HIV/AIDS) and sectors (such as agriculture and construction).”</li> <li>• “In its continued efforts to help countries combat undeclared work through labour inspection, the Office will continue to combine work in the areas of labour migration (outcome 7) and forced labour (outcome 15).”</li> </ul> |   |
|                        | Outcome 15 |           |   | <ul style="list-style-type: none"> <li>• “ILO support will focus on vulnerable groups of workers, such as groups of migrant workers at risk of trafficking or workers in debt bondage. Means of action will include support for strong labour inspectorates and systems of labour rights settlement, and interventions adapted to specific economic sectors known to be vulnerable to forced labour, with priority given to agriculture and food processing, fishing, manufacturing and domestic work.”</li> </ul>  |



| Element | Outcome    | 2010-2011 | 2012-2013  | 2014-2015   |
|---------|------------|-----------|--|---|
|         | Outcome 16 |           | <ul style="list-style-type: none"> <li>“Given the importance of enforcing child labour laws and policies, work with outcome 11 (labour administration and labour law) will continue to ensure child labour concerns are fully integrated into labour inspection interventions.”</li> </ul>   |   |
|         | Outcome 17 |           |  | <ul style="list-style-type: none"> <li>“In 2014–15, the focus will be on strengthening compliance through labour legislation and labour inspection and improving the collection and analysis of national data on workplace discrimination, in both the formal and informal economies.”</li> </ul>           |
| General | Outcome 6  |           |  | <ul style="list-style-type: none"> <li>“ILO work will focus on strengthening mechanisms for ensuring compliance with national law and regulations, including systems of inspection.”</li> </ul>   |
|         | Outcome 11 |           | <ul style="list-style-type: none"> <li>“The technical cooperation strategy will focus less on individual country programmes and more on the development, testing and delivery of global thematic tools through demand-driven interventions and greater horizontal partnerships between countries.”</li> <li>“The Office will consolidate support for outcome 11 through the creation of a consortium of donors committed to supporting the achievement of the conclusions of the general discussion on labour administration and labour inspection to be adopted by the 100th Session of the Conference in 2011.”</li> </ul> |   |
|         | Outcome 13 |           |  | <ul style="list-style-type: none"> <li>“Results achieved in 2012–13 will inform new programmes addressing labour law reform and strengthening the capacity of labour administration and labour inspection systems to resolve disputes, promote compliance with the law and support enforcement.”</li> </ul> |

## ANNEX E. STATUS OF RATIFICATION PRESENTED IN REPORT TO GB IN 2012

|                      | C081 | C129 | TA Requested |
|----------------------|------|------|--------------|
| Venezuela            |      | ✓    |              |
| Austria              |      | +    |              |
| Benin                |      | +    |              |
| Botswana             | +    | +    |              |
| Cape Verde           |      | +    | C129         |
| Ecuador              |      | +    | C129         |
| Eritrea              | +    | +    | C81, C129    |
| Gambia               | +    | +    | C81, C129    |
| Greece               |      | +    |              |
| Granada              |      | +    |              |
| Jordan               |      | +    |              |
| Kiribati             |      | +    |              |
| Kyrgyzstan           |      | +    |              |
| Malaysia             |      | +    | C129         |
| Myanmar              | +    | +    |              |
| Papua New Guinea     | +    | +    | C81, C129    |
| Philippines          | +    | +    | C81, C129    |
| South Africa         |      | +    |              |
| Sudan                |      | +    | C129         |
| Surinam              |      | +    |              |
| Thailand             | +    | +    |              |
| Trinidad and Tobago  |      | +    |              |
| United Arab Emirates |      | +    |              |
| United Kingdom       |      | +    |              |
| United States        | +    | +    |              |
| Uzbekistan           | +    | +    |              |
| Canada               | +    | ⊖    |              |
| Chile                | +    | ⊖    |              |

|              | C081 | C129 | TA Requested |
|--------------|------|------|--------------|
| Samoa        | +    | ■    |              |
| Viet Nam     |      | NA   | C129         |
| Belarus      |      | ■    |              |
| Brazil       |      | ■    |              |
| Georgia      |      | ■    |              |
| Jamaica      |      | ■    |              |
| Japan        |      | ■    |              |
| Korea        |      | ■    |              |
| Lebanon      |      | ■    |              |
| Mexico       |      | ■    |              |
| Nicaragua    |      | ■    |              |
| Seychelles   |      | ■    |              |
| Switzerland  |      | ■    |              |
| Australia    |      | ⊙    |              |
| Bahrain      |      | ⊙    |              |
| Bangladesh   |      | ⊙    |              |
| Cambodia     | ⊙    | ⊙    |              |
| Cuba         |      | ⊙    |              |
| Cyprus       |      | ⊙    |              |
| Gabon        |      | ⊙    |              |
| Honduras     |      | ⊙    |              |
| India        |      | ⊙    |              |
| Indonesia    |      | ⊙    |              |
| Israel       |      | ⊙    |              |
| Kuwait       |      | ⊙    |              |
| Lithuania    |      | ⊙    |              |
| Mali         |      | ⊙    |              |
| Mauritius    |      | ⊙    |              |
| Mongolia     |      | ⊙    |              |
| New Zealand  |      | ⊙    |              |
| Panama       |      | ⊙    |              |
| Rwanda       |      | ⊙    |              |
| Saudi Arabia |      | ⊙    |              |
| Singapore    |      | ⊙    |              |

✓ Ratification process initiated. + Prospects of ratification. ■ Divergence with national legislation/practice. ⊙ Ratification not considered/deferred/rejected. Shaded cells indicate that the Convention has already been ratified.

## ANNEX F. COUNTRIES DEEMED BY CEACR AS WARRANTING TECHNICAL ASSISTANCE ON CONVENTIONS NOS. 81/129

| Country                          | 2009-2014(a) |
|----------------------------------|--------------|
| Angola                           | 81           |
| Antigua and Barbuda              | 81           |
| Argentina                        | 81, 129      |
| Benin                            | 81           |
| Bolivia, Plurinational State of  | 81           |
| Burkina Faso                     | 81, 129      |
| Cabo Verde                       | 81           |
| Comoros                          | 81, 129      |
| Congo                            | 81           |
| Democratic Republic of the Congo | 81           |
| Djibouti                         | 81           |
| Dominican Republic               | 81           |
| Ecuador                          | 81           |
| Egypt                            | 81           |
| Gabon                            | 81           |
| Grenada                          | 81           |
| Guyana                           | 129          |
| Haiti                            | 81           |
| Indonesia                        | 81           |
| Kenya                            | 81, 129      |
| Madagascar                       | 81           |
| Malawi                           | 81           |
| Mauritania                       | 81           |
| Montenegro                       | 81           |
| Netherlands – Aruba              | 81           |

| Country         | 2009-2014(a) |
|-----------------|--------------|
| Niger           | 81           |
| Panama          | 81           |
| Saudi Arabia    | 81           |
| Senegal         | 81           |
| Solomon Islands | 81           |
| Sri Lanka       | 81           |
| Suriname        | 81           |
| Turkey          | 81           |
| Uruguay         | 81           |
| Yemen           | 81           |
| Zimbabwe        | 81           |

Note: (a) No countries were listed in 2011 or 2014.

Source: Supervision reports.

## ANNEX G. LABOUR INSPECTION AUDITS/ASSMENTS

| Country                | Region                  | Date Completed (a) | On LABADMIN Website |
|------------------------|-------------------------|--------------------|---------------------|
| Bangladesh             | Asia and the Pacific    | 2013               |                     |
| Bosnia and Herzegovina | Europe and Central Asia | 2013               | X                   |
| Uganda                 | Africa                  | 2013               | X                   |
| Cameroon               | Africa                  | 2012               |                     |
| Namibia                | Africa                  | 2012               | X                   |
| Saudi Arabia           | Arab States             | 2012               |                     |
| Sri Lanka              | Asia and the Pacific    | 2012               | X                   |
| Vietnam                | Asia and the Pacific    | 2012               | X                   |
| Gabon                  | Africa                  | 2011               |                     |
| Angola                 | Africa                  | 2010               | X                   |
| Belize                 | Americas                | 2010               |                     |
| Brazil                 | Americas                | 2010               |                     |
| China                  | Asia and the Pacific    | 2010               | X                   |
| Haiti                  | Americas                | 2010               | X                   |
| India                  | Asia and the Pacific    | 2010               |                     |
| Kenya                  | Africa                  | 2010               | X                   |
| Lebanon                | Arab States             | 2010               | X                   |
| South Africa           | Africa                  | 2010               | X                   |
| Syrian Arab Republic   | Arab States             | 2010               | X                   |
| Tanzania               | Africa                  | 2010               | X                   |
| Togo                   | Africa                  | 2010               |                     |
| United Arab Emirates   | Arab States             | 2010               |                     |
| Albania                | Europe and Central Asia | 2009               | X                   |
| Armenia                | Europe and Central Asia | 2009               | X                   |
| Burkina Faso           | Africa                  | 2009               | X                   |
| El Salvador            | Americas                | 2009               | X                   |

| Country             | Region                  | Date Completed (a) | On LABADMIN Website |
|---------------------|-------------------------|--------------------|---------------------|
| Ethiopia            | Africa                  | 2009               | X                   |
| Guatemala           | Americas                | 2009               | X                   |
| Honduras            | Americas                | 2009               | X                   |
| Kazakhstan          | Europe and Central Asia | 2009               | X                   |
| Montenegro          | Europe and Central Asia | 2009               | X                   |
| Oman                | Arab States             | 2009               | X                   |
| Philippines         | Asia and the Pacific    | 2009               | X                   |
| Republic of Moldova | Europe and Central Asia | 2009               | X                   |
| The                 | Europe and Central Asia | 2009               | X                   |
| Yemen               | Arab States             | 2009               | X                   |

Notes: (a) no labour inspection audits/assessment were completed in 2014.

Source: LABADMIN website and email from J. Nunes to F. Guzmán on 2 March 2015.

## ANNEX H. RECOMMENDATIONS OFFERED IN LABOUR INSPECTIONS AUDITS/ASSESSMENTS

| Sub-Category  | COUNT     |
|---|-----------|
| <b>Structure and organization</b>   | <b>31</b> |
| Appropriate adaptations should be made within the structures of the labour inspectorates, including the establishment of new working groups and the reassignment of functions of labour inspectors, etc.  | 10        |
| The government should establish a central authority to supervise and control the activities and issues on labour inspection.  | 9         |
| Human resource department/unit should be established under the central authority for labour inspection to better facilitate recruitment, training, and performance monitoring of labour inspectors.   | 5         |
| There should be adequate coordination between HQ and fields.  | 4         |
| The field offices should have adequate control and certainty in the funding and decision-making of their own activities.  | 2         |
| Regional structure should be reviewed to improve the service coverage of the Ministry.  | 1         |
| <b>Coverage</b>   | <b>12</b> |
| Labour protection services, including labour inspection, should be extended to all categories of workers.   | 9         |
| Labour inspection services should cover the informal economy.   | 3         |
| <b>Functions</b>  | <b>20</b> |
| The inspectorate should pursue a compliance delivery approach of service and advice for the benefit of workers and employers, with an emphasis on education and information, which is consistent with the need to apply penalties and sanctions when appropriate and necessary. | 4         |
| The inspectorate should promote a national prevention culture for a safe and healthy working environment at all levels.   | 4         |
| The functions of labour inspectors should   | 4         |
| A special agency, industrial court, or special labour sections in court should be established to better handle labour disputes and improve the overall efficiency of the labour administration system.  | 4         |
| Inspectors should perform their primary duties of enforcement, advice and information to employers and employees and notifying higher authorities about perceived defects in existing legal provisions, as described in Article 3 of Convention 81.                             | 2         |
| Clear regulations dealing with conciliation, mediation and arbitration should be developed, and relevant education and training should be given to labour officers.   | 2         |
| <b>Legal framework and independence of labour inspectors</b>  | <b>54</b> |
| Working conditions of labour inspectors should be improved to ensure their effective performance and their independence from any improper internal and external influences.   | 16        |
| Relevant labour laws should be revised/harmonized to be more effective.   | 15        |



| Sub-Category  | COUNT     |
|---|-----------|
| The Government should give consideration to ratifying the relevant ILO Conventions on labour inspection (C81, C129 and C150) so as to strengthen the legal basis on which inspectors operate.                         | 11        |
| The Government should ensure to empower the labour officers/inspectors to enforce compliance with the relevant laws.  | 6         |
| Right of inspectors to enter workplaces without prior notice should be ensured.   | 4         |
| A comprehensive, clear definition of all duty-holders including employers and their responsibilities in relevant labour legislation and regulations would make it more applicable and more effectively implementable. | 1         |
| The legislative framework should leave no possibility to the employer to defer his/her civil liability nor, not easily, his/her criminal liability to any other institution or person.                                | 1         |
| <b>Sanctions</b>  | <b>13</b> |
| An effective administrative sanction or fine for violations of the labour laws should be introduced.  | 7         |
| The level of sanctions should be strengthened so as to be reasonably dissuasive.  | 4         |
| In case of violation, the Government should ensure that workers are able to initiate their own claims or the employers to appeal, and are provided with all relevant  | 2         |
| <b>Inspection policy and planning</b>   | <b>39</b> |
| There should be rigorous planning of labour inspection activities reflecting the priorities established in the national inspection policy and also addressing issues related to complaints.                           | 13        |
| Proper mechanisms of collaboration and coordination among the ministry of labour and other concerned institutions should be developed   | 10        |
| National inspection policy should be developed / elaborated in consultation with social partners and stakeholders.  | 9         |
| Institutional agreements on labour inspection should be worked out among the different authorities.   | 5         |
| Joint regional plans and inspections should be systematically developed and implemented addressing specific needs and priorities of the region.   | 1         |
| Policy guidelines and relevant departmental circulars on labour inspection should be consolidated and updated regularly.  | 1         |
| <b>Labour inspector recruitment and training</b>  | <b>79</b> |
| Training and professional development programs should be provided.  | 18        |
| Sufficient number of inspectors should be recruited based on qualifications.  | 16        |
| Sufficient budget should be allocated for recruitment and training of inspectors.   | 13        |
| Training should cover the subjects that address the specific technical knowledge and skills required by new recruits and existing staff to fully carry out their duties.  | 12        |
| The recruitment of inspectors should be strengthened to include technical criteria in the job descriptions that are related to the position being filled.   | 11        |
| Gender balance and equality in employment of labour officers should be improved.  | 5         |
| A realistic and achievable plan should be developed to raise awareness on the new legislation among labour officers, particularly on the means to enforce these laws.   | 4         |
| <b>Material resources</b>   | <b>15</b> |
| Budget support should be increased/allocated to provide the necessary material resources including tools, computers, and vehicles and other transport means   | 14        |
| Each regional office should be equipped sufficient staff with qualifications and other material resources to effectively perform their duties.  | 1         |
| <b>Labour inspection procedures / practices</b>   | <b>37</b> |
| Checklists and/or forms to better guide inspectors for practice and conducting good quality inspection visits should be developed in consultation with technical specialists and social partners.                     | 16        |
| Inspectors should investigate accidents and diseases as often and as thoroughly as possible, especially the fatal and serious injury ones, to establish their causes and to help prevent repetition.                  | 6         |
| More systematic monitoring of inspection activities is needed.  | 6         |

| Sub-Category  | COUNT     |
|---|-----------|
| Consideration should be given to the self-assessment approach to inspection being applied to all low-risk establishments  | 4         |
| The limit on the number of annual planned visits to enterprises should be abolished.  | 3         |
| The cumbersome administrative burden before inspection visits should be reduced.  | 1         |
| Consideration be given to encouraging the involvement of the private sector in technical inspection through a system of accreditation and licensing to competent persons to enable them to inspect designated items of equipment (e.g. cranes, hoists, elevators, boilers) under the overall supervision of the central authority and regional offices.                             | 1         |
| <b>Occupational safety and health</b>   | <b>26</b> |
| An integrated occupational injuries and diseases documentation, notification and investigation system should be developed. A workshop on this matter should be organized with participants from all concerned departments and institutions, including the social partners.  | 11        |
| A National OSH strategy and policy should be developed and implemented, in coordination and collaboration of all partners, including workers' and employers' organizations as well as technical specialists. A national OSH profile needs to be prepared for this purpose.  | 8         |
| The coverage of OSH services should be expanded through integrating the labour inspection and OSH activities as well as through training and increasing staff.  | 5         |
| It is recommended to embed more systematically the concepts and methods of hazard continuous identification, risk assessment and risk control in the relevant OSH law and regulations following international good practices and the ILO guidelines on OSHMS, and to the roles of OSH inspectors in promoting and advising on application of the systematic approach at all levels. | 1         |
| The establishment and regulation of OSH Committees at enterprise level is needed to improve collaboration among social partners.  | 1         |
| <b>Awareness raising and social dialogue</b>  | <b>45</b> |
| Awareness raising campaigns on the role of the labor inspectorate should be undertaken among the social partners. Leaflets and other media tools could be developed.  | 15        |
| Social dialogue and tripartism should be promoted and the social partners should be actively involved in labour inspection activities, including the development and implementation of related policies and strategies.   | 11        |
| Relevant advisory board(s) should be established with clear role, mandate, composition, rules of procedure, and the need to build the capacity of its members in social dialogue.   | 10        |
| Collaboration with the social partners should be strengthened with adequate financial and technical support of the government.  | 8         |
| The government should make strategic efforts to expand the role and influence of social dialogue within the government and beyond to address broader socio-economic policy development.   | 1         |
| <b>Registry, statistics and reporting</b>   | <b>29</b> |
| The government should improve its capacity to gather and analyse labour market information and industrial relations statistics by strengthening the capacity of relevant labour officials through training and by providing the necessary computer equipment to record and analyze the data and to prepare it for publication.  | 9         |
| The registry should be accessible for the labour inspectorate, and a system should be put in place to use the information in the development of labour inspection.  | 6         |
| The government should prepare and publish an annual report on labour inspection in timely manner.   | 6         |
| The annual report should include all the necessary information required in the Conventions.   | 4         |
| Any existing information gaps should be identified and action taken to fill these information needs.  | 3         |
| The government should establish/improve a single, comprehensive and electronic workplace registry, consolidating existing information that is spread across different Ministries, agencies and regional offices.  | 1         |

Source: EVAL based on a review of assessment/audits in Albania, Angola, Armenia, Bosnia and Herzegovina, Burkina Faso, China, El Salvador, Ethiopia, FYR Macedonia, Guatemala, Haiti, Honduras, Kazakhstan, Kenya, Lebanon, Montenegro, Namibia, Oman, Philippines, South Africa, Sri Lanka, Syrian Arab Republic, Tanzania, Uganda, Viet Nam, and Yemen

# ANNEX I. ILO-ITC TRAINING AND WORKSHOP FOR LABOUR INSPECTORS

## TRAINING – LABOUR INSPECTION MODULES

| Location (Country) | Location (City) | Begin Date (DD/MM/YEAR) | Total Duration (days) | Title of Training   | ITC Training Module Codes      | Total No. of Participants | No. of Male Participants | No. of Female Participants | Country Origin of Participants   | Language of Instruction |
|--------------------|-----------------|-------------------------|-----------------------|---|--------------------------------|---------------------------|--------------------------|----------------------------|--|-------------------------|
| Nepal              | Kathmandu       | 01/03/2010              | 3                     | A352557 - Building modern and effective labour inspection system                            | LI Modules 0, 3,4, 5, 10, 11   | 18                        | 15                       | 3                          | NEPAL  | EN                      |
| Italy              | Turin           | 01/07/2010              | n.a.                  | C902900 - Elaboration of training modules on labour inspection in the rural sector          | LI Modules 14-15               | n.a.                      | n.a.                     | n.a.                       | n.a.   | EN                      |
| Singapore          |                 | 22/02/2010              | 5                     | A352710 - Occupational safety and health inspection course for Asian Pacific countries      | LI Modules 3, 4, 5, 10, 11, 12 | 30                        | 26                       | 4                          | BRUNEI DARUSSALAM, CAMBODIA, CHINA, INDIA, INDONESIA, JAPAN, REPUBLIC OF KOREA, LAO PEOPLE'S DEMOCRATIC REPUBLIC, MALAYSIA, MYANMAR, NEPAL, PHILIPPINES, SINGAPORE, THAILAND, VIET NAM | EN                      |
| Italy              | Turin           | 26/04/2010              | 10                    | A502419 - Building modern and effective labour administration and labour inspection systems | LI Module 4,6,7,10,11          | 20                        | 19                       | 1                          | ALGERIA, CANADA, IRAQ, JORDAN, LEBANON, MOROCCO, TUNISIA, YEMEN  | AR                      |
| Italy              | Turin           | 31/05/2010              | n.a.                  | C902844 - Gender and labour inspection training module                                      | LI Module 13                   | n.a.                      | n.a.                     | n.a.                       | n.a.   | EN                      |
| Italy              | Turin           | 08/11/2010              | 10                    | A302698 - Building modern and effective labour inspection systems                           | LI Modules 0-12                | 20                        | 14                       | 6                          | CHINA  | EN/CH                   |
| Italy              | Turin           | 30/08/2010              | 10                    | A902699 - Building modern and effective labour inspection systems                           | LI Modules 4, 12               | 21                        | 17                       | 4                          | INDIA, SOUTH AFRICA  | EN                      |

| Location (Country) | Location (City) | Begin Date (DD/MM/YEAR) | Total Duration (days) | Title of Training   | ITC Training Module Codes    | Total No. of Participants | No. of Male Participants | No. of Female Participants | Country Origin of Participants   | Language of Instruction |
|--------------------|-----------------|-------------------------|-----------------------|---|------------------------------|---------------------------|--------------------------|----------------------------|--|-------------------------|
| India              | New Delhi       | 09/03/2010              | 3                     | A352563 - Strengthening labour administration and labour inspection                 | LI Module 0-12               | 38                        | 37                       | 1                          | INDIA  | EN                      |
| Macedonia, FYR     | Skopje          | 10/05/2010              | 5                     | A452800 - Subregional workshop on the ILO training curriculum on labour inspection  | LI Module 2, 3, 4, 5, 10, 11 | 21                        | 11                       | 10                         | BOSNIA AND HERZEGOVINA, REPUBLIC OF SERBIA, THE FORMER YUGOSLAV REP. OF MACEDONIA  | EN                      |
| Italy              | Turin           | 23/11/2010              | 3                     | A902701 - Building modern and effective labour inspection systems - users' training | LI Modules 0-12              | 19                        | 12                       | 7                          | BRAZIL, CHINA, GUATEMALA, HONDURAS, INDIA, ITALY, REPUBLIC OF MONTENEGRO, SOUTH AFRICA, SWAZILAND, SYRIAN ARAB REPUBLIC, THE FORM. YUGOSLAV REP. OF MACEDONIA  | EN                      |
| Italy              | Turin           | 26/01/2011              | 3                     | A904220 - Building a modern and effective   | LI Modules 0-12              | 27                        | 13                       | 14                         | ANGOLA, BRAZIL, CANADA, CHINA, INDIA, MALAYSIA, NORWAY, SENEGAL, SOUTH AFRICA,   | EN                      |
| Italy              | Turin           | 24/10/2011              | 10                    | A904042 - Labour Administration and Labour Inspection Academy                       | LI Modules 0-12              | 76                        | 49                       | 27                         | AFGHANISTAN, ALGERIA, ANGOLA, ARGENTINA, BRAZIL, CAMBODIA, CAPE VERDE, CHINA, CHILE, COSTA RICA, EGYPT, GUINEA BISSAU, HONDURAS, INDIA, INDONESIA, JORDAN, LEBANON, LESOTHO, MALAWI, MALAYSIA, MALDIVES, MEXICO, REPUBLIC OF MOLDOVA, NAMIBIA, NIGERIA, PANAMA, PERU SENEGAL, SOUTH AFRICA, SRUI LANKA, SUDAN, TANZANIA, THAILAND, THE FORM. YUGOSLAV REP. OF MACEDONIA, TRINIDAD AND TOBAGO, UKRAINE, BOLIVARIAN REPUBLIC OF VENEZUELA, VIETNAM | EN/ES                   |
| Peru               | Lima            | 19/11/2012              | 5                     | A255175 - Taller sobre administración e inspección del trabajo                      | LI Modules 0-13              | 27                        | 15                       | 12                         | ARGENTINA, BOLIVIA, BRAZIL, COLOMBIA, COSTA RICA, DOMINICAN REPUBLIC, ECUADOR, GUATEMALA, HONDURAS, MEXICO, NICARAGUA, PERU, URUGUAY   | ES                      |

| Location (Country) | Location (City) | Begin Date (DD/MM/YEAR) | Total Duration (days) | Title of Training   | ITC Training Module Codes               | Total No. of Participants | No. of Male Participants | No. of Female Participants | Country Origin of Participants  | Language of Instruction |
|--------------------|-----------------|-------------------------|-----------------------|---|---|---------------------------|--------------------------|----------------------------|---|-------------------------|
| Italy              | Turin           | 17/12/2012              | 4                     | A405703 - Gender equality and labour inspection   | LI Module 13                            | 19                        | 7                        | 12                         | BOSNIA AND HERZEGOVINA, REPUBLIC OF MONTENEGRO, REPUBLIC OF SERBIA, SLOVAKIA, THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA   | EN                      |
| Italy              | Turin           | 20/05/2013              | 5                     | A206183 - Fortalecimiento de la inspección del trabajo                                    | LI Modules 0-12                         | 16                        | 7                        | 9                          | ARGENTINA, BOLIVIA, COLOMBIA, COSTA RICA, DOMINICAN REPUBLIC, EL SALVADOR, GUATEMALA, HONDURAS, MEXICO, NICARAGUA, PERU   | ES                      |
| Italy              | Turin           | 07/10/2013              | 3                     | A105479 - Atelier sur la révision des curriculums de formation des inspecteurs du travail | LI Modules 0-12                         | 29                        | 28                       | 1                          | BENIN, BURKINA FASO, CENTRAL AFRICAN REPUBLIC, CHAD, DEMOCRATIC REPUBLIC OF CONGO, FRANCE, GUINEA, MAURITANIA, NIGER, SENEGAL, TOGO, TUNISIA  | FR                      |
| Italy              | Turin           | 08/04/2013              | 10                    | A506423 - Occupational safety and health inspection                                       | LI Module 2, 3 4, 8, 10, 11             | 10                        | 10                       | 0                          | QUATAR  | EN/AR                   |
| Italy              | Turin           | 08/07/2013              | 10                    | A306234 - Training of trainers on labour inspection                                       | LI Modules 2, 3 4, 5, 10, 11            | 17                        | 12                       | 5                          | CHINA   | EN/CH                   |
| Italy              | Turin           | 28/10/2013              | 10                    | A505586 - Labour administration and labour inspection                                     | LI Modules 0-12                         | 12                        | 9                        | 3                          | ALGERIA, EGYPT, TUNISIA   | ENAR                    |
| Italy              | Turin           | 28/10/2013              | 10                    | A906015 - Labour Administration and Labour Inspection Academy                             | LI Modules 0-12                         | 76                        | 59                       | 17                         | BOSNIA AND HERZEGOVINA, BRAZIL, BURKINA FASO, CAMEROON, CHAD, CONGO, ECUADOR, EGYPT, FIJI, GABON, GAMBIA, INDIA, INDONESIA, LEBANON, MALAWI, MOROCCO, MOZAMBIQUE, MYANMAR, NIGER, PAPUA NEW GUINEA, SAMOA, SAUDI ARABIA, SENEGAL, SOUTH AFRICA, TANZANIA, UGANDA, UKRAINE, VIET NAM, ZAMBIA | EN/FR/AR                |
| Bangladesh         | Dhaka           | 15/06/2014              | 5                     | A357483 - Labour inspection induction training: course 2 - linked to P357485              | LI Modules 1, 2, 3, 4, 5, 6 7, 9, 10 11 | 43                        | 41                       | 2                          | BANGLADESH  | EN                      |
| Bangladesh         | Dhaka           | 22/06/2014              | 5                     | A357175 - Labour inspection induction training: course 3 - linked to P357485              | LI Modules 1, 2, 3, 4, 5, 6 7, 9, 10 11 | 39                        | 35                       | 4                          | BANGLADESH  | EN                      |

| Location (Country) | Location (City) | Begin Date (DD/MM/YEAR) | Total Duration (days) | Title of Training  | ITC Training Module Codes                 | Total No. of Participants | No. of Male Participants | No. of Female Participants | Country Origin of Participants | Language of Instruction |
|--------------------|-----------------|-------------------------|-----------------------|--|---|---------------------------|--------------------------|----------------------------|--------------------------------|-------------------------|
| Bangladesh         | Dhaka           | 08/06/2014              | 5                     | A356710 - Labour inspection induction training: course 1 - linked to P357485 | LI Modules 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 | 43                        | 39                       | 4                          | BANGLADESH, INDIA              | EN                      |

## DELIVERY OF ILO-ITC LABOUR INSPECTION TRAINING MODULES

| Module | Title  | No. of | No. of |
|--------|--|--------|--------|
| 0      | Introductory module  | 11     | 79     |
| 1      | The framework of the labour administration system                | 13     | 79     |
| 2      | Introduction to the labour inspection                            | 16     | 81     |
| 3      | Policy and planning  | 18     | 88     |
| 4      | Labour inspection: designing strategies for promoting compliance | 20     | 90     |
| 5      | Cooperation and partnership                                      | 17     | 87     |
| 6      | Inspection of working conditions                                 | 14     | 81     |
| 7      | Inspection of employment relationships                           | 14     | 81     |
| 8      | Occupational safety and health                                   | 11     | 79     |
| 9      | Dealing with vulnerable groups of workers                        | 13     | 79     |
| 10     | Labour inspection visit  | 19     | 90     |
| 11     | Tools for the labour inspectorate                                | 19     | 90     |
| 12     | Institutional capacity development (a)                           | 12     | 85     |
| 13     | Labour inspection and gender equality                            | 3      | 18     |
| 14     | Managing labour inspection in rural areas                        | 1      | NA     |
| 15     | Field labour inspection in rural areas                           | 1      | NA     |

Note: (a) This module deals solely with developing and implementing training programmes for labour inspectors

Source: ILO-ITC

## FREQUENCY OF COUNTRY PARTICIPATION IN ILO-ITC LABOUR INSPECTION TRAINING MODULES

| Number of Courses Attended | Number of Countries                      | Percentage of Countries |
|----------------------------|--|-------------------------|
| 8 courses                  | 1 (India)                                | 1.1%                    |
| 7 courses                  | 0  | 0.0%                    |
| 6 courses                  | 1 (China)                                | 1.1%                    |
| 5 courses                  | 2 (Brazil and South Africa)              | 2.2%                    |
| 4 courses                  | 3 (FYR Macedonia, Honduras, and Senegal) | 3.3%                    |
| 3 courses                  | 14                                       | 15.4%                   |
| 2 courses                  | 21                                       | 23.1%                   |
| 1 course                   | 49                                       | 53.8%                   |
| Total                      | 84                                       | 100.0%                  |

Source: Evaluation Unit based on data provided by ILO-ITC

## OTHER LABOUR INSPECTION WORKSHOPS AND COLLOQUIA

| Location (Country) | Location (City) | Begin      | Total Duration (days) | Title of Training   | Total No. of Participants | No. of Male Participants | No. of Female Participants | Country Origin of Participants   | Language of Instruction |
|--------------------|-----------------|------------|-----------------------|---|---------------------------|--------------------------|----------------------------|--|-------------------------|
| Angola             | Luanda          | 08/03/2010 | NA                    | E152700 - Missão de diagnóstico da inspeção do trabalho de Angola   | n.a.                      | n.a.                     | n.a.                       | n.a.   | PT                      |
| Angola             | Luanda          | 18/10/2010 | 5                     | A152826 - Formação inicial para inspetores do trabalho: formação de formadores                                  | 24                        | 17                       | 7                          | ANGOLA   | PT                      |
| Italy              | Turin           | 01/04/2011 |                       | C904387 - Learning tool on self-assessment of labour inspection   | n.a.                      | n.a.                     | n.a.                       | n.a.   | EN                      |
| Italy              | Turin           | 15/03/2012 | 2                     | A905399 - Expert meeting on labour inspection, compliance and private monitoring: some international reflection | 13                        | 8                        | 5                          | BELGIUM, BRAZIL, CANADA, CHINA, FRANCE, ITALY, NORWAY, PORTUGAL, SPAIN | EN                      |

| Location (Country)  | Location (City)     | Begin      | Total Duration (days) | Title of Training  | Total No. of Participants | No. of Male Participants | No. of Female Participants | Country Origin of Participants  | Language of Instruction |
|---------------------|---------------------|------------|-----------------------|--|---------------------------|--------------------------|----------------------------|---|-------------------------|
| Italy               | Turin               | 05/12/2012 | 2                     | A905675 - Expert colloquium on workplace compliance through labour inspection  | 27                        | 19                       | 8                          | BELGIUM, BRAZIL, CANADA, CHINA, COLOMBIA, DENMARK, EL SALVADOR, INDIA, ITALY, LESOTHO, PORTUGAL, RUSSIAN FEDERATION, SOUTH AFRICA, SPAIN, UNITED KINGDOM, USA, VIET NAM | EN                      |
| Italy               | Turin               | 14/10/2013 | 4                     | A906469 - Improving working conditions on board fishing vessels  | 15                        | 11                       | 4                          | ARGENTINA, BRAZIL, BULGARIA, ITALY, NETHERLANDS, NEW ZEALAND, NORWAY, PERU, PHILIPPINES, PORTUGAL, SOUTH AFRICA, SPAIN, THAILAND, UK                                    | EN                      |
| Italy               | Turin               | 02/06/2014 | 10                    | A507347 - Strengthening labour administration and labour inspection I (Saudi Arabia)   | 29                        | 29                       | 0                          | SAUDI ARABIA  | EN/AR                   |
| Italy               | Turin               | 02/12/2014 | 9                     | A307514 - Workshop on developing a labour inspection plan in Bangladesh - linked to P357485                                      | 15                        | 15                       | 0                          | BANGLADESH  | EN                      |
|                     | Luanda              | 06/12/2010 | 5                     | A152702 - Formação inicial para inspetores do trabalho: formação de formadores em segurança e saúde no trabalho (Luanda, Angola) | 20                        | 13                       | 7                          | ANGOLA  | PT                      |
| Angola              | Luanda              | 28/06/2011 | 3                     | A154277 - Novos desafios da segurança e saúde no trabalho (Luanda, Angola)   | 114                       | 83                       | 31                         | ANGOLA  | PT                      |
| Italy               | Turin               | 13/02/2012 |                       | P104519 - Modernisation de l'administration et de l'inspection du travail pour cinq pays d'Afrique francophone                   | n.a.                      | n.a.                     | n.a.                       | n.a.  | FR                      |
| São Tomé e Príncipe | São Tomé e Príncipe | 23/07/2012 | 4                     | A155284 - Formação em fiscalização na segurança social - linked to P150553 (São Tomé e Príncipe)                                 | 40                        | 23                       | 17                         | SAO TOME AND PRINCIPE   | PT                      |
| Italy               | Turin               | 14/01/2013 |                       | C905699 - Translation and  | n.a.                      | n.a.                     | n.a.                       | n.a.  | FR/ES/AR                |
| Italy               | Turin               | 14/05/2014 | 2                     | A907408 - Labour inspection and psycho-social risks  | 7                         | 4                        | 3                          | BELGIUM, DENMARK, FRANCE, IRELAND, ITALY, NORWAY, SPAIN   | EN                      |



| Location (Country) | Location (City) | Begin      | Total Duration (days) | Title of Training  | Total No. of Participants | No. of Male Participants | No. of Female Participants | Country Origin of Participants  | Language of Instruction |
|--------------------|-----------------|------------|-----------------------|--|---------------------------|--------------------------|----------------------------|---|-------------------------|
| Italy              | Turin           | 19/05/2014 | 10                    | A507350 - Strengthening labour administration and labour inspection II (Saudi Arabia)  | 30                        | 30                       | 0                          | SAUDI ARABIA  | EM/AR                   |
| Italy              | Turin           | 10/11/2014 | 10                    | A907066 - Strengthening and re-engineering labour administration and labour inspection   | 37                        | 19                       | 18                         | ANGOLA, FIJI, INDIA, INDONESIA, MALAYSIA, MOZAMBIQUE, MYANMAR, NAMIBIA, NETHERLANDS, NIGERIA, SAUDI ARABIA, SEYCHELLES, SYRIAN ARAB REPUBLIC, THAILAND, TIMOR LESTE, VIET NAM, ZIMBABWE | EM/PT                   |
| Italy              | Turin           | 30/03/2015 | 3                     | A107194 - Atelier de finalisation du guide méthodologique sur l'inspection du travail dans l'économie informelle - linked to P106177 | 12                        | 8                        | 4                          | BURKINA FASO, COTE D'IVOIRE, MADAGASCAR, SENEGAL, TOGO, TUNISIA   | FR                      |

## ANNEX J. “GLOBAL TOOLS” DEVELOPED AND /OR MAINTAINED BY LABADMIN/OSH (2010–14)

| Title   | Year | Languages       | Source       |
|---|------|-----------------|--------------|
| e-labadminosh (DVD)   | 2014 | En, Fr, Sp      | HQ           |
| How to conduct a training action for labour inspectors - Participants' handbook   | 2014 | En              | HQ           |
| How to conduct a training action for labour inspectors - Trainers' guide  | 2014 | En              | HQ           |
| Labour Inspection guide on psychosocial risks   | 2014 | En              | HQ           |
| Labour Inspection and compliance mechanisms in the Domestic Work Sector   | 2014 | En              | HQ           |
| Handbook on HIV and AIDS for labour inspectors  | 2014 | En              | HQ           |
| Good practices in labour inspection on HIV and AIDS   | 2012 | En              | HQ           |
| Good practices in labour inspection: The rural sector with special attention to agriculture                             | 2012 | En              | HQ           |
| Good practices in labour inspection in Export Processing Zones  | 2012 | En              | HQ           |
| Labour Inspection System - Self Assessment Tool (DVD)   | 2011 | En, Fr, Sp, Ar  | HQ           |
| Labour administrations: Method of assessment (DVD)  | 2011 | En              | HQ           |
| Labour inspection: What it is and what it does - A Guide for Workers  | 2010 | En, Sp, Ch,     | HQ           |
| Labour inspection: What it is and what it does - A Guide for Employers  | 2010 | En, Sp, Ch, Ukr | HQ           |
| Good labour practice compilation of labour inspection practices and guidelines for effective labour inspections in EPZs | 2010 | En              | HQ           |
| Guidelines for improving the ability of labour inspectorates to address undeclared work in Europe                       | 2009 | En              | HQ           |
| Guide méthodologique de l'inspection du travail pour l'économie informelle  | 2015 | Fr              | HQ and Field |
| Guide méthodologique de l'inspection du Travail - Fiche technique annexe sur le VIH et le sida                          | 2011 | Fr              | HQ and Field |
| Guide méthodologique de l'inspection du Travail - Fiche technique annexe sur le VIH et le sida                          | 2011 | Fr              | HQ and Field |
| Labour inspection, gender equality and non-discrimination in the Arab States: guide book                                | 2014 | En              | Field        |
| Inspection manual for wine production (Moldova)   | 2013 | Romanian        | Field        |

| Title   | Year      | Languages     | Source |
|---|-----------|---------------|--------|
| Communication materials on labour inspection (Ukraine)  | 2012      | Ukrainian     | Field  |
| Checklists on gender equality (Ukraine)   | 2012      | Ukrainian     | Field  |
| Manual on labour inspection methodology to address gender discrimination  | 2012      | Ukrainian     | Field  |
| Guide méthodologique de l'inspection du travail en CAR  | 2010      | Fr            | Field  |
| Guide méthodologique de l'inspection du travail au Togo   | 2010      | Fr            | Field  |
| Communication and inspection materials for campaigns in construction (falls from height, excavation, roof works, PPE) (FYR Macedonia, Moldova, Ukraine) | 2011/2012 | Mac, Rom, Ukr | Field  |
| Communication and inspection materials for campaigns in agriculture (machines and pesticides)/ inspection manual for agriculture (Moldova)              | 2011/2012 | Romanian      | Field  |

Note: LABADMIN/OSH also developed *Investigation of Occupational Accidents and Diseases – A Practical Guide for Labour Inspectors* in 2015. It is available in English, French, Spanish, Chinese, Bosnian, Arabic and Vietnamese.

Source: LABADMIN/OSH's written response provided on 8 June 2015

## ANNEX K. LABADMIN/OSH WEBSITE USAGE

### PUBLICATION PDF FILES

| Rank | Title   | URL   | Page Views |
|------|---|---|------------|
| 1    | Labour inspection in Europe: undeclared work, migration, trafficking  | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_120319.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_120319.pdf</a> | 1,773      |
| 2    | Compliance with labour legislation: its efficacy and efficiency / Respect de la législation du travail: effectivité et impact | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_140685.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_140685.pdf</a> | 729        |
| 3    | Good labour practice compilation of labour inspection practices and guidelines for effective labour inspections in EPZs       | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_123651.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_123651.pdf</a> | 552        |
| 4    | The global economic and social crisis and its impact on labour inspection systems   | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_123770.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_123770.pdf</a> | 492        |
| 5    | La inspección del trabajo en Europa: trabajo no declarado, migración y tráfico de trabajadores                                | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_144915.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_144915.pdf</a> | 453        |
| 6    | L'inspection du travail en Europe: travail non déclaré, migration et la traite des êtres humains                              | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_144916.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_144916.pdf</a> | 433        |
| 7    | A comparative overview of terms and notions on employee participation   | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_123713.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_123713.pdf</a> | 414        |
| 8    | Información del Programa sobre Administración e Inspección del Trabajo  | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_116042.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_116042.pdf</a> | 394        |
| 9    | Glossary of Industrial Relations and related terms  | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_111330.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_111330.pdf</a> | 355        |
| 10   | Une Brochure sur le Programme d'administraton et d'inspection du travail  | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_115965.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_115965.pdf</a> | 315        |

Source : LABADMIN/OSH

### INSTRUCTIONAL MATERIAL PDF FILES

| Rank | Title   | URL   | Page Views |
|------|---|---|------------|
| 1    | Inspección del trabajo: lo que es y lo que hace. Guía para los trabajadores | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_152884.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_152884.pdf</a> | 3900       |
| 2    | Inspección del trabajo: lo que es y lo que hace. Guía para los empleadores  | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_152883.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_152883.pdf</a> | 2403       |

| Rank | Title   | URL   | Page Views |
|------|---|---|------------|
| 3    | Labour Inspection: What it is and what it does. A guide for workers   | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141403.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141403.pdf</a> | 1615       |
| 4    | Labour Inspection: what it is and what it does. A guide for employers | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141400.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141400.pdf</a> | 867        |
| 5    | Building modern and effective labour inspection systems               | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141331.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141331.pdf</a> | 670        |
| 6    | Desarrollo de sistemas de inspección del trabajo modernos y eficaces  | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141453.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141453.pdf</a> | 591        |
| 7    | Créer des systèmes d'inspection du travail modernes et efficaces      | <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141454.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/instructionalmaterial/wcms_141454.pdf</a> | 453        |
| 8    | Labour Inspection Audits – A methodology                              | No longer in the published on the website   | 315        |
| 9    | Good Labour Inspection Practices                                      | No longer in the published on the website   | 276        |
| 10   | Programa y Presupuesto de la OIT 2008-09: Auditor                     | No longer in the published on the website   | 236        |

Source : LABADMIN/OSH

## ANNEX L. PARTICIPATION OF LABADMIN/OSH IN EVENTS WITH INTERNATIONAL ASSOCIATIONS

| Event  | Location               | Date              |
|--|------------------------|-------------------|
| International Forum of the Tunisian Association of Labour Inspectors organized in collaboration with IALI              | Tunisia                | 15-16 Apr 2010    |
| SLIC Working Group for preparation of the thematic day for the November SLIC meeting                                   | Brussels               | 6 Jul 2010        |
| Third Conference of the Regional Alliance of Labour Inspections (RALI) of South Eastern Europe, Azerbaijan and Ukraine | Baku                   | 18-19 Nov 2010    |
| Joint Conference of the State Labour Inspectorate of Latvia and IALI   | Riga                   | 11-12 Nov 2010    |
| IALI Executive Committee Meeting   | Geneva                 | 14 Jun 2011       |
| 12th Congress of the IALI  | Geneva                 | 15-16 Jun 2011    |
| SLIC Thematic Day "Occupational Health and Safety in a Dual Labour World"  | Brussels               | 22 Nov 2010       |
| 60th SLIC Meeting, Thematic Day  | Hungary                | 8 Feb 2011        |
| SLIC Workshop on the European Campaign on Risk Assessment in the Use of Dangerous Substances                           | Lisbon                 | 3 Mar 2011        |
| 15th RIIFT Meeting   | Lisbon                 | 19-20 Sep 2011    |
| 61st SLIC Thematic Day and Plenary   | Warsaw                 | 6-7 Dec 2011      |
| SLIC Thematic Day and Plenary Meeting (62nd Meeting),  | Copenhagen             | 21-22 May 2012    |
| SLIC Conference on the EU OSH Strategy 2007-2012   | Copenhagen             | 28-29 Jun 2012    |
| 16th RIIFT Meeting   | Tunisia                | 9-10 Jul 2012     |
| 20th World Congress of Labour and Social Security Law  | Santiago               | 25-28 Sep 2012    |
| SLIC 64th Meeting - Thematic Day and Plenary Meeting   | Dublin                 | 21-22 May 2013    |
| RIIFT Meeting  | Marcy l'Etoile, France | 23-25 Sep 2013    |
| ISLSSL Americas regional Congress  | Guayaquil              | 30 Sep-6 Oct 2013 |
| SLIC 65th Meeting  | Vilnius, Lithuania     | 14-15 Nov 2013    |
| ACLAE Regional workshop on labour inspection and forced labour   | Manama, Bahrain        | 17-21 May 2014    |
| IALI 14th Congress and General Assembly  | Geneva                 | 9-10 Jun 2014     |
| SLIC 67th Meeting  | Rome                   | 14 Nov 2014       |
| ACLAE workshop on labour inspection and child labour   | Khartoum, Sudan        | 12-14 Apr 2015    |

Source: LABADMIN/OSH, written response.

## ANNEX M. RESULTS REPORTED UNDER INDICATOR 11.2

| Indicator 11.2: Number of member States that, with ILO support, strengthen their labour inspection system in line with international labour standards   |                      |   |  |
|---|----------------------|---|--|
| Measurement   |                      |   |  |
| To be counted as reportable, results must meet at least two of the following criteria:  |                      |   |  |
| 1. The status of labour inspection staff is improved to ensure that public officials have conditions of service that ensure stability of employment and independence in the discharge of their duties and a mandate to impose sanctions (Article 6 of Convention No. 81). |                      |   |  |
| 2. A budgeted training plan for labour inspectors, with due regard to the special duties that may be assigned to men and women inspectors, is implemented by the labour administration system.  |                      |   |  |
| 3. A system is established or strengthened in the labour administration so that up to date registers, sex-disaggregated data and statistics concerning conditions of employment and work by enterprise are available.   |                      |   |  |
| 4. An awareness-raising strategy targeting employers and workers and their organizations on the technical role and scope of labour inspection is implemented by the labour administration system  |                      |   |  |
| Country/ Country Programme Outcome (CPO)  | Measurement Criteria | Result Achieved   | ILO Contribution   |
| <b>Africa</b>   |                      |   |  |
| <b>South Africa/ZAF151:</b> Department of Labour and its units, especially the labour inspectorate, are strengthened  | 2                    | <p>There has been more regularity and an increase in the number of labour inspections (from 147,556 in 2009-10 to 192,129 in 2010-11).</p> <p>A Labour Inspection Training Roadmap developed by the Inspection and Enforcement Services Unit in the Ministry was adopted and implemented in 2011.</p> <p>The Ministry of Labour increased budgetary allocations to its Labour Inspection and Enforcement Services unit.</p> | <p>Conducted a labour administration and inspection audit that identified human resource and structural gaps in the Ministry of Labour's administration and inspection systems; subsequent to the audit, organized a series of training of trainers' workshops for senior labour inspectors. Provided training material (ILO-Turin Centre Modular Training Package on Building Modern and Effective Labour Inspection Systems) to the Ministry of Labour to facilitate provincial roll-out trainings of newly recruited labour inspectors. As a result, 30 senior labour inspectors were trained as labour inspection master trainers and 153 newly recruited labour inspectors have been trained in six of the nine provinces in the country.</p>                 |
|   | 4                    | <p>Various initiatives were undertaken to raise awareness of trade unions and employers on the current situation and future prospects of labour inspection in the country, including a strategy for greater partnership between the social partners and government on labour inspection.</p>  | <p>Provided capacity-building assistance for a workshop to strengthen the capacity of trade union shop stewards (representing the three main trade union federations) to foster dialogue on the role of shop stewards in advocating for gender equality on the factory floor, compliance with ratified gender equality conventions and in mainstreaming gender within trade union operational structures and functions. Provided technical assistance to the Ministry of Labour to hold a National Policy Conference on Labour Inspection, attended by worker and employer organizations (2010). One of the resolutions taken at the conference was to foster greater partnership between government and the social partners in the area of labour inspection.</p> |

| Country/ Country Programme Outcome (CPO)   | Measurement Criteria | Result Achieved   | ILO Contribution   |
|--|----------------------|---|--|
| <b>Arab States</b>   |                      |   |  |
| <b>Oman/OMN126:</b> Strengthened labour administration to enforce application of labour law in line with international labour standards  | 1                    | A strong operational and effective Labour Inspection Unit in place with a capacitated team. Number of inspection of establishments carried out by the labour inspectors of the Labour Inspection Unit of Oman reached 12,000 in 2010.   | Undertook a comprehensive programme of activities, which included equipping labour inspectors with key communication skills to enable them to understand laws and regulations. Delivered technical advisory services, training workshops and study tours to train and strengthen labour inspectors on international labour standards issues, including forced labour and trafficking, OSH, working conditions. This included ILO training modules adapted to the Omani context. Number of labour inspectors trained by the ILO reached 170 by end of 2010. |
|  | 2                    | A national budgeted training plan for labour inspectors was developed and agreed upon.  | Initiated and provided technical assistance for designing the national training plan.  |
|  | 3                    | The Labour Inspectorate developed an up-to-date Labour Inspection Management System which contains a comprehensive list of establishments in Muscat and enables the gathering of sex-disaggregated enterprise data. An electronic database of labour inspections is now able to trigger follow-up visits, monitor the performance of inspections by each inspector, and detect violations linked to the corresponding labour law article and to the follow-up to improvement notices sent by inspectors. Created a core group of national trainers on labour inspection as mentors to sustain the capacities. | As part of the comprehensive programme of activities, provided technical assistance for developing the system and training staff.  |
| <b>Syrian Arab Republic/ SYR101:</b> Labour market governance and compliance with DECLARATION and international labour standards improved through strengthened labour administration and labour inspection | 1                    | A new labour law adopted, in consultation with the social partners, in which most of the legislative comments and findings highlighted in the labour inspection audit report have been rectified in line with international labour standards.<br>The new Syrian Labour Law, No. 17 of 2010 improved the status of labour inspectors and ensured their stability of employment by stipulating a clear "Labour inspector" title, which means that labour inspectors are, and remain, employed as such.  | Conducted a labour inspection audit, whose results were discussed and agreed upon with the tripartite partners; most of the recommendations were implemented.  |
|  | 2                    | A budgeted training plan of labour inspectors, for 2010, prepared in collaboration with the Ministry of Social Affairs and Labour (MOSAL), was agreed to and fully implemented.   | Provided technical assistance for establishing a training unit for Labour Inspection at MOSAL and for developing a training programme for labour inspection and OSH, including a training of trainers for specialized labour inspectors.   |
| <b>Yemen/YEM101:</b> National legal framework and capacity of the government and social partners to enforce laws in line with international labour standards improved                                      | 2                    | A budgeted national training plan on labour inspection was developed and fully implemented in 2010.   | Provided technical assistance for developing the national training plan.   |
|  | 3                    | Documentation of labour inspection activities; working conditions in the enterprises improved through the strengthening and development of new labour inspection tools. A new labour inspection checklist was developed and adopted by the Ministry of Labour which extended the quality and extent of information collected during labour inspection visits.   | Developed the new labour inspection checklist and trained labour inspectors on its use.  |



| Country/ Country Programme Outcome (CPO)  | Measurement Criteria | Result Achieved  | ILO Contribution   |
|---|----------------------|--|--|
| <b>Asia- Pacific</b>  |                      |  |  |
| <b>China/CHN151:</b> Labour law enforcement and labour inspection improved for better protection of workers' rights                                 | 1                    | <p>China's Development plan for labour and social security inspection was developed, consolidating the commitment of the government for a strong system of labour inspection. This improved the status of labour inspectors as important social actors in the economic development of the country and provided them with a mandate to exercise their functions with the full support of the government.</p> <p>A three-layer labour inspection network was established, covering provinces, cities and prefectures, for a total of 23,000 full-time labour inspectors. (Training of trainers approach was key to the success of the capacity-building strategy.)</p> <p>Grid and computer-based networks management introduced to modernize the labour inspection system.</p> <p>Channels for international cooperation have been established.</p> <p>Labour Contract Law is under implementation and some of the regulations are under preparation, resulting from ILO work on labour dispatched workers.</p> <p>Government is conducting research for a new regulation on workers in irregular work (i.e. dispatched workers).</p> | <p>Integrated technical assistance on labour inspection into almost all ILO projects and programmes in China, such as projects on anti-discrimination, young migrants, OSH, corporate social responsibility and HIV/AIDS. Provided training to labour inspector trainers and senior managers of labour inspectorates to better understand international good practices on labour inspection, including the ILO Conventions, through training courses at the Turin Centre. Supported the production of the video on Twin Networks Management. Facilitated international exchanges and cooperation to bring the Chinese labour inspection system up to international benchmarks. Provided technical advice and held consultations on research and national efforts on labour dispatched workers.</p> |
|   | 2                    | <ul style="list-style-type: none"> <li>• A budgeted training plan for labour inspectors was issued in 2010.</li> <li>• Training of trainers programme for labour inspectors launched in 2010 to enhance the capacity building of labour inspectorates in all provinces.</li> <li>• The ILO's work has influenced the setting up of a team of national experts to support the training of trainers programme, which will be further assisted by the ILO and the Labour Inspection Bureau for the continued improvement of their services.</li> <li>• Following the study tour organized by the ILO to Spain and France, the Government has prepared plans for establishing a training centre for labour inspectors.</li> </ul>  | <ul style="list-style-type: none"> <li>• Provided capacity building through training of 80 master trainers.</li> <li>• Sensitized senior labour inspectors in 2010-2011 through workshop and advocacy on the emerging challenges in the world of work, such as non-discrimination, gender equality, corporate social responsibility, child and forced labour, and green jobs.</li> <li>• Published Chinese edition of the ILO training manual on building modern and effective labour inspection services in 2011.</li> <li>• Developed a bilingual brochure and publication on Labour Inspection in China; prepared guidelines and materials for better implementation of Labour Contract Law.</li> <li>• Reviewed a new regulation on workers in irregular work.</li> </ul>                      |
| <b>India/IND901:</b> Labour inspection systems are strengthened and modernized and their staffs are empowered in performing labour inspection tasks | 2                    | <p>The State Governments of Bihar and Maharashtra have put in place a long-term training plan (with budget support) for their labour inspection officials.</p>   | <p>Provided technical assistance to carry out training programmes, revise practices and procedures and prepare and/or revise labour inspection manual. Organized study tours to see and learn from more developed systems of labour administration and labour inspection. Facilitated and encouraged experience sharing and South-South cooperation on labour administration.</p>  |
|   | 3                    | <p>A new State-specific labour inspection manual was prepared for Maharashtra in September 2010 and procedures and practices have been modified with new and improved forms and checklists.</p>  |  |
|   | 4                    | <p>The labour administration has implemented an awareness-raising strategy, including capacity-building activities targeting the social partners, to enlist their cooperation and improve social dialogue to strengthen labour inspection and labour administration.</p>   |  |

| Country/ Country Programme Outcome (CPO)  | Measurement Criteria | Result Achieved  | ILO Contribution   |
|---|----------------------|--|--|
| <b>Americas</b>   |                      |  |  |
| <b>Brazil/BRA154:</b> Policies to strengthen labour administration and inspection are designed and implemented                                | 1                    | La inspección del trabajo en Brasil es muy profesional y ha sido fortalecida en los últimos años. En 2010 aproximadamente 122 nuevos inspectores de trabajo fueron contratados por concurso público. En 2011 fueron contratados aproximadamente 200 nuevos inspectores.  | Los esfuerzos realizados por la OIT en el período se concentraron en la sistematización de las buenas prácticas de la inspección del trabajo en Brasil para fortalecer la Cooperación Sur-Sur entre Brasil y otros países en esa materia. Además, la OIT ha apoyado la introducción y/o el fortalecimiento de otros temas innovadores en la inspección del trabajo en Brasil (empleos verdes e igualdad y no discriminación de género y raza). En la Conferencia Internacional del Trabajo (CIT) de 2010, la Secretaría de Estado de la Inspección del Trabajo de Brasil fue elegida como relatora de la Comisión de la Administración del Trabajo, además la CIT de 2010 tuvo la participación del Sindicato Nacional de los Inspectores del Trabajo (SINAIT).                                      |
|   | 2                    | Se ha presupuestado el desarrollo por parte de La Secretaría de Inspección del Trabajo (SIT) del Ministerio del Trabajo y Empleo (MTE) la creación de una Escuela Nacional de Inspección del Trabajo y las acciones preliminares se han ejecutado.   | La OIT hizo la traducción y validación de la versión preliminar del módulo de capacitación sobre Igualdad de Género e Inspección del Trabajo desarrollado por Turín. La OIT apoya a la Secretaría de Inspección del Trabajo (SIT) a conocer distintos modelos internacionales de escuelas de inspección para su implementación en Brasil. Inspectores brasileños han sido formados como formadores en los módulos de inspección de la OIT en Turín. Fue realizado el curso piloto «Inspección del Trabajo y Empleos Verdes: un nuevo enfoque para la promoción del trabajo decente» en el Estado de Mato Grosso, en el ámbito de la Agenda Mato Grosso por el Trabajo Decente. Como resultado, se realizó un informe final que servirá de insumo para un eventual módulo de capacitación en el tema. |
|   | 3                    | El Sistema Federal de Inspección del Trabajo (SFIT) pasó por una actualización y mejoramiento. El nuevo sistema SFIT-Web es más claro y con interface más simples que lo anterior.   | La OIT ha prestado asistencia técnica en los sistemas de inspección laboral, incluso para el Sistema de Informaciones sobre Foco de Trabajo Infantil (SITI).   |
| <b>El Salvador/SLV101:</b> El sistema de inspección de trabajo modernizado y fortalecido, en respuesta al pilar II (I) del PME de El Salvador | 1                    | Plan Estratégico Institucional (PEI) del Ministerio incorporo como prioridad el desarrollo de un plan de carrera institucional.<br>El Ministerio de Trabajo y Previsión Social (MTPS) adoptó y presentó al Congreso una propuesta de reforma de la Ley de Organización y Funciones del MTPS (LOFT) con referencia expresa a estas garantías.<br>En mayo 2010 se promulgó la Ley de Prevención de Riesgos en los lugares de Trabajo, que establece entre otras disposiciones, la integración de la inspección de trabajo y de Seguridad e Higiene, bajo una autoridad central, un solo procedimiento y un inspector polivalente además se modificó el régimen de infracciones y multas para la inspección de seguridad y salud en el trabajo que entra en vigencia en noviembre 2011. | La OIT brindó asistencia técnica para la elaboración del PEI, y para talleres y asistencia técnica al equipo responsable de la propuesta de reforma de ley en MTPS.  |
|   | 2                    | 265 inspectores de trabajo del Ministerio de Trabajo y Previsión Social (MTPS) tienen nuevas capacidades para la polivalencia: seguridad y salud en el trabajo, género, redacción de actas y procedimiento de inspección del trabajo, y cuentan con una partida presupuestaria a tal efecto. Esto que les ha permitido tener las capacidades para ejecutar una inspección de trabajo integrada con la seguridad y salud.   | La OIT proporcionó asistencia técnica para el diseño y el desarrollo de un programa de capacitación de inspectores y personal de la inspección (265 participantes a nivel nacional); la elaboración de materiales didácticos de capacitación de inspectores; un programa piloto de inspecciones integrales.  |
|   | 4                    | El MTPS cuenta con un plan de comunicación institucional, con lo cual se desarrolló una campaña de vulgarización, que ha permitido que el Ministerio comunique su quehacer y rinda cuentas a los actores sociales y por ende ciudadanos, entre otros aspectos, sobre la actividad inspectiva.  | La OIT brindó asistencia técnica para la organización de la actividad, inclusive talleres con organizaciones sindicales sobre el servicio público de inspección y reuniones técnicas subregionales (2010 y 2011) con participación de representantes del sector empleador y laboral sobre prioridades de la inspección.  |

| Country/ Country Programme Outcome (CPO)   | Measurement Criteria | Result Achieved  | ILO Contribution   |
|--|----------------------|--|--|
| <b>Peru/PER135:</b> Inspección de trabajo con los conocimientos y herramientas técnicas para la atención del trabajo infantil, la trata de personas y el trabajo forzoso | 2                    | Inspectores de trabajo capacitados en las NIT con énfasis en la estandarización de criterios de aplicación conforme a la legislación nacional y NIT y con un presupuesto ad hoc destinado al efecto.   | La OIT apoyó al Ministerio en el desarrollo de los contenidos de la capacitación   |
|  | 3                    | Un nuevo sistema de compilación de datos de la inspección al interno del Ministerio de trabajo, ha sido desarrollado y se encuentra en periodo piloto.   | La OIT puso en marcha acciones para la definición de necesidades y diseño de estrategias para mejorar la capacidad de la inspección de trabajo en la lucha contra el trabajo forzoso, así como en la recopilación de la data.                      |
| <b>Europe- Central Asia</b>  |                      |  |  |
| <b>Albania/ALB103:</b> Strengthen the effectiveness of labour inspection   | 2                    | A budgeted national training plan was developed, including a translated training curriculum on labour inspection.  | With the Government, co-organized two national training activities, in which the national training strategy was developed. Trained labour inspectors on modern inspection techniques   |
|  | 3                    | An improved information system was developed for better planning and monitoring of inspection activities, with sex-disaggregated data.   | Provided technical assistance for the design of a registration system for enterprises and inspection activities.   |
|  | 4                    | The awareness of the social partners on the role and current situation of labour inspection in the country was raised, as a means to promote improved and ongoing collaboration between the social partners and the government in the area of labour inspection. | With the Government, organized a workshop on labour inspection for the social partners to consider a strategic approach to improving their awareness on labour inspection and to improve collaboration between the different parties in this area. |
|  | 2                    | A training strategy was implemented to train labour inspectors in modern inspection techniques, including empowering national inspectors to become trainers on labour relations, OSH, and inspection strategies and methods.                                     | Provided technical assistance to the government to jointly adapt existing training materials to Macedonian, conduct training of inspectors and deliver training for labour inspectors on monitoring gender equality during visits.                 |
| <b>Former Yugoslav Republic of Macedonia /MKD103:</b> Strengthen the effectiveness of the labour inspection system   | 4                    | A strategy for raising the awareness of the social partners on labour inspection was developed in order to improve collaboration between the labour inspection system and workers and employers.   | Prepared separate awareness-raising materials for workers and employers on the role of labour inspection. With the Government, organized a workshop on labour inspection for the social partners.  |

## PROGRAM IMPLEMENTATION REPORT, 2012–13

| Country/ Country Programme Outcome (CPO)   | Measurement Criteria | Result Achieved   | ILO Contribution   |
|--|----------------------|---|--|
| <b>Africa</b>  |                      |   |  |
| <b>Tanzania/TZA152</b><br>Labour Inspection / Capacity of labour institutions to implement labour laws enhanced      | 2                    | The Government implemented its labour inspection training plan and strengthened the knowledge and skills of inspectors to better exercise their functions   | The ILO facilitated capacity building training for 75 labour officers and prosecutors under the labour departments of the Ministries of labour in both Mainland and Zanzibar, using the Turin Centre curriculum.   |
|  | 3                    | A statistical system for data that facilitates the recording, storing and dissemination of labour inspection reports has been established.  | ILO provided technical support for establishment of the data system as well as during the preparation of the annual labour administration and inspection report.<br>The ILO provided technical support as well as facilitated technical consultation meetings for the development of labour inspection forms, which will improve the gathering of data from labour inspection activities.  |
|  | 4                    | Labour inspectorate, social partners and the broader public have increased awareness about labour law compliance and the role and scope of labour inspection.   | The ILO facilitated a workshop on collaboration between the labour inspectorate and social partners on the technical role and scope of labour inspection.<br>It also facilitated a bipartite workshop for workers' and employers' organisations focussing on understanding the Labour Act 2007. The ILO developed a booklet which functions as a guide for the new Labour Act 2007. Initially, 500 copies of the booklet were printed in four local languages and disseminated in various locations around the country.<br>The ILO also involved the social partners in the training activities conducted for labour inspectors in order to raise awareness among workers and employers to the work of labour inspectors and to foster mutual understanding and collaboration.<br>Social partners and all public inspection agencies were brought together to discuss how to improve collaboration in labour law compliance and how to strengthen the labour advisory council around the subject of labour inspection. |
| <b>South Africa/ZAF151</b><br>Department of Labour and its units especially the labour inspectorate are strengthened | 1                    | Government improved conditions of service for labour inspectors through increased budgetary allocations for the Inspection and Enforcement Services Unit in the Ministry of Labour.<br>The 2013 Budget released by National Treasury in February 2013 makes a progressive increase in resource allocations towards the labour inspectorate with the expressed purpose of improving the remuneration of labour inspectors in the department. | The ILO has had an on-going partnership with the National Department of Labour to lend technical and capacity support towards strengthening the Labour Inspection and Administration system.<br>Steps undertaken by Government towards increasing budgetary allocations for inspection and enforcement services draw quite significantly from ILO advisory support and in particular a recommendation from the South Africa Labour Administration needs assessment conducted by the ILO at the request of the Department. The assessment report recommended that the Department of Labour re-examine existing salary scales of labour inspectors with the purpose of upgrading existing salary scales that will factor in their quasi-judicial functions of labour inspectors.<br>The Minister of Labour in her 2012 Budget Vote speech in Parliament acknowledged the role played by the ILO in providing assistance to the Ministry towards strengthening the labour inspectorate.                                   |

| Country/ Country Programme Outcome (CPO)   | Measurement Criteria | Result Achieved  | ILO Contribution   |
|--|----------------------|--|--|
|  | 3                    | The National Department of Labour improved its Inspection Case Management System to facilitate the collection and dissemination of labour inspection data across labour centres in all the nine provinces of the country. In particular the new case management system factored in recommendations of the ILO study concerning the standardisation of instruments for data collection across labour centres as well as provinces to improve data sources and collection methods. | The ILO provided technical support towards a study to analyse labour inspection data sources and to update data collection methods of the labour inspection systems of the Department of Labour. The final report of the study and accompanying recommendations were submitted to the National Department of Labour.   |
| <b>Arab States</b>   |                      |  |  |
| <b>Jordan/IOI127</b><br>Labour inspection system modernized, strengthened and able to effectively monitor the enforcement of labour legislation            | 2                    | National labour inspection policy and strategy adopted in consultation with the social partners. An action plan for promoting labour inspection services, on the basis of the labour inspection audit report, and for promoting collective bargaining in Jordan, was developed in May 2012. Labour inspection tools (Guide to Labour Inspection and LI checklists) revised in consultation with the social partners.   | <ul style="list-style-type: none"> <li>Labour inspection needs assessment mission conducted and report produced by ILO with findings and recommendations.</li> <li>Tripartite workshops conducted and technical support provided by the ILO for revising the National labour inspection policy and strategy and the labour inspection tools</li> <li>Training of Trainers program on labour inspection completed</li> <li>Labour inspectors trained on ITC-ILO curriculum on modern labour inspection techniques and practices</li> </ul>  |
|  | 3                    | An automated labour inspection system and an electronic database of all enterprises in the country established, to which the labour law applies. Data collection and statistical system of the labour inspectorate are improved.   | <ul style="list-style-type: none"> <li>ILO provided advisory services and technical support on the functioning and content of a labour inspection information system.</li> <li>A labour inspection audit conducted, which seeks to depict and analyze the various aspects of Labour inspection.</li> <li>A labour inspection statistics profile prepared.</li> </ul>   |
| <b>Asian and the Pacific</b>   |                      |  |  |
| <b>Indonesia/IDN151</b><br>Better working environment and labour administration through the implementation of International principles and rights at works | 2                    | The curriculum for the training of labour inspectors was revised and improved. Labour inspectors have updated their knowledge on labour standards including occupational safety and health.  | <p>ILO provided inputs for improving the training curriculum for the labour inspectors through the delivery of training on Building Modern and effective Labour Inspection system, including the creation of a pool of trainers for the induction training of labour inspectors. The revised curriculum was based on the ITC-ILO curriculum for labour inspectors.</p> <p>ILO's Better Work Indonesia program organised refresher courses for 60 local labour inspectors. The training specifically targeted five provinces and districts where BWI registered garment factories are present.</p> <p>With Korean funding the ILO provided a series of training on OSH issues in labour inspection (e.g. chemical safety/major hazards, OSH in small enterprises, OSHMS, national OSH governance) to labour inspectors (locally as well as centrally).</p> <p>With Norwegian funding, the ILO organized a Labour Inspectors' training of trainers on Promoting Gender Equality and Non-Discrimination in the Workplace.</p> |
|  | 3                    | The data collection and analysis are improved by the labour inspection unit of MOMT, by including sex-disaggregation of data and introducing standardized labour inspection indicators into their database.  | ILO provided technical expertise in reviewing the data collection and analysis system in labour inspection through the piloting of a self-assessment tool prepared by the Turin Centre and through a pilot project on harmonizing labour inspection data.  |

| Country/ Country Programme Outcome (CPO)  | Measurement Criteria | Result Achieved  | ILO Contribution   |
|---|----------------------|--|--|
|   | 4                    | Establishment of a tripartite labour inspection committee.   | ILO facilitated consultation meetings for the establishment of the tripartite labour inspection committee. This development followed work by the Office to instigate closer tripartite collaboration on labour inspection after the adoption of a declaration at the tripartite national labour inspection conference, in the previous biennium.   |
| <b>Sri Lanka/LKA103</b><br>Improved labour administration system and machinery for better employment practices                    | 1                    | A National Labour Inspection Policy has been drafted by the Department of Labour for Sri Lanka to bring the practices and policies in line with ILO Convention 81. The policy will be launched in October 2013.  | A labour inspection audit was undertaken by the ILO where key changes and recommendations were proposed, which led to the formulation of the National Labour Inspection Policy.  |
|   | 2                    | A five year target oriented corporate plan has been developed and started to be implemented together with the Department of Labour.  | The corporate plan has been developed in line with ILO labour inspection audit recommendations.  |
|   | 3                    | The Department of Labour launched an online system, the Labour Inspection Systems Application (LISA), which captures labour inspection and other process data from labour administration for better compliance and outreach countrywide.   | The ILO coordinated the full software development process and technical specifications in the system designs.  |
| <b>Europe</b>   |                      |  |  |
| <b>Ukraine/UMR155</b><br>The labour inspection system is strengthened and modernised in line with international labour standards. | 2                    | The labour relations inspectorate developed a training strategy and programme, trained all the directors of regional offices, set up an internal training group and has trained labour inspectors from all regional offices.   | The ILO assessed the training needs, provided the inputs for the training strategy, organized a training of trainers, adapted 13 training modules on labour inspection and backstopped the following trainings organized by a part of the previously 20 trained labour inspectors and directors. In total, the trainings involved more than 150 labour inspectors.   |
|   | 3                    | The labour relations inspectorates disposes of an updated electronic registration system, with gender disaggregated data and incorporating the recently ILO's recommended minimum statistical labour inspection indicators. The staff was trained on the use of the system.  | The ILO assessed the needs to upgrade the system, developed the TOR with the technical parameters, selected a service provider to develop, test and implement the software, and organized training for users and administrators. The statistical indicators used and available both to the OSH and to the labour relations inspectorates were identified and a set of minimum indicators was recommended and later on included on the new registration system of the labour relations inspectorate.  |
|   | 4                    | A campaign on the role of labour inspection and on working conditions was developed, involving the government and social partners.. The labour inspectorate organized press conferences, TV and radio interviews, internet blogs, open door days, seminars for employers, group consultations for workers and employers, and billboards. The government estimated that more than 200,000 people were directly covered. | The ILO jointly organized the events and produced the printed resources. Guidelines were also produced and delivered to constituents on how to develop awareness raising campaigns. A set of four leaflets and a poster were designed and released in all regions. Two books on the role of labour inspection for social partners were adapted, printed and distributed. The campaign total prints run 12,800 copies. Two workshops were organized to strengthen the relations between both labour inspectorates (OSH and labour relations), EO's and TU's |
| <b>Greece/GRC 151</b>   | 3                    | The Government created a new standalone system for the collection of labour inspection data, connected with the social security and tax authorities to assist in combatting against undeclared work.   | The ILO provided technical assistance based on the results of a global pilot project on harmonizing labour inspection statistics.  |

| Country/ Country Programme Outcome (CPO)   | Measurement Criteria | Result Achieved  | ILO Contribution   |
|--|----------------------|--|--|
|  | 4                    | A tripartite consultative committee on labour inspection was re-established at the national level in addition to two provincial committees.  | The ILO carried out a needs assessment of the labour inspection system that included recommendations on improving social dialogue in the area of labour inspection. The ILO further provided technical assistance on the setting up of these committees.   |
| <b>Americas</b>  |                      |  |  |
| <b>Peru/PERI35</b><br>Inspección de trabajo con los conocimientos y herramientas técnicas para la atención del trabajo infantil, la trata de personas, el trabajo forzoso y la seguridad y salud en el trabajo | 2                    | La Dirección General de Inspección ha elaborado un plan de formación para los inspectores de trabajo y se han capacitado a todos los funcionarios a nivel nacional   | La OIT ha propuesto los contenidos y metodología del plan de capacitación, usando la Guía de capacitación, y ha acompañado técnicamente el desarrollo de las capacitaciones  |
|  | 3                    | El Ministerio de Trabajo ha reforzado el área de inteligencia inspectiva, responsable del sistema de registro y análisis de la información, desde donde se elabora el plan anual de inspección de trabajo  | La OIT ha asesorado al Ministerio en la creación de la unidad de inteligencia inspectiva, ha capacitado a los funcionarios responsables de esa unidad y ha propuesto una metodología de trabajo para la elaboración del plan anual de inspección para el 2014  |
| <b>Dominican Republic/ DOM102</b><br>La administración del trabajo, con el apoyo de la OIT, presta servicios eficaces para el cumplimiento de la legislación laboral.  | 3                    | El Ministerio de Trabajo, a través del mejorado anuario estadístico 2011-2012, utiliza y diseña información consolidada, actualizada y desagregada por sexo acerca de la situación nacional del trabajo, en particular sobre las condiciones de empleo y de trabajo por empresa.   | La OIT, con el apoyo financiero del Gobierno de Estados Unidos, brindó asistencia técnica para el mejoramiento de los sistemas de información (Anuario Estadístico 2011 y 2012, así como capacitación especializada de funcionarios).  |
|  | 4                    | El Ministerio de Trabajo desarrolló exitosamente con empleadores y trabajadores un plan piloto de sensibilización sobre el alcance y la importancia de la inspección del trabajo a nivel local en el sector de turismo que está siendo multiplicado por el Ministerio en otras zonas turísticas del país y otros sectores productivos. | Con el apoyo financiero del Gobierno de Estados Unidos, la OIT desarrolló un Plan Piloto de Administración de Trabajo Local en Bávaro, que incluye diálogo, la cooperación tripartita, la difusión de derechos laborales, el mejoramiento de las capacidades de los funcionarios del Ministerio de Trabajo, así como la información especializada a trabajadores y empleadores y actores sociales de la localidad. |
| <b>Mexico/MEX152</b><br>Gestión de la inspección laboral profesionalizada y más efectiva, en el ámbito federal y estatal.  | 1                    | La Secretaría del Trabajo y Previsión Social STPS adoptó un nuevo Reglamento General de Inspección del Trabajo y Aplicación de Sanciones para inspectores, para profesionalizar su servicio, mejorar sus condiciones de trabajo y transparentar los procedimientos de inspección del trabajo.  | La OIT emitió observaciones y comentarios en el marco de su participación en la Subcomisión sobre Vigilancia e Inspección del Trabajo de la Comisión Consultiva Nacional de Seguridad e Higiene en el Trabajo COCOMASHT.   |

| Country/ Country Programme Outcome (CPO) | Measurement Criteria | Result Achieved   | ILO Contribution   |
|--|----------------------|---|--|
|  | 2                    | La STPS, a través de la Dirección General de Inspección Federal del Trabajo ha elaborado un plan de capacitación para los inspectores federales y estatales del trabajo y para los 400 inspectores de nuevo ingreso, con la finalidad de formar capital humano en materia de seguridad y salud en el trabajo, dentro de las estructuras de la administración pública federal y estatal, con un enfoque preventivo y a partir de las mejores prácticas en la materia y orientará a los inspectores sobre su mandato, programación, desahogo, documentación, evaluación y seguimiento a las inspecciones. | La OIT llevó a cabo la coordinación del diseño y la asistencia técnica del curso a distancia sobre la Inducción a la Inspección en seguridad y salud en el trabajo y del curso de Habilidades interpersonales. |
|  | 4                    | La Subcomisión para el Fortalecimiento de la Verificación del Cumplimiento de Obligaciones en materia de seguridad y salud en el trabajo, órgano tripartito presidido por la STPS, ha llevado a cabo diversas reuniones de sensibilización para la adopción de un estándar de competencias sobre «Verificación de las condiciones de Seguridad e Higiene en los Centros de Trabajo».  | La OIT participó en las reuniones de sensibilización, además aportó asistencia técnica para la elaboración del estándar.   |



## ANNEX N. FRAMEWORK FOR OUTCOME 7 IN TRANSITIONAL SPF 2016–17

### Indicators

|   |   |
|---|---|
| <b>Indicator 7.1:</b> Member States that have improved legal frameworks, policies, plans or strategies to strengthen workplace compliance in line with international labour standards, national labour laws and collective agreements   |   |
| <p><b>Results criteria</b></p> <p>Reportable results must meet one or more of the following criteria:</p> <ol style="list-style-type: none"> <li>1. Government drafts or revises national laws or regulations improving working conditions or occupational safety and health in accordance with international labour standards.</li> <li>2. Government develops a policy, plan or strategy at the national or sectoral level strengthening enforcement, preventive interventions and workplace compliance.</li> <li>3. Government takes specific measures towards the ratification or application of relevant Conventions.</li> </ol> | <p><b>Target</b></p> <p>19 member States (5 in Africa, 5 in the Americas, 2 in Arab States, 5 in Asia–Pacific, 2 in Europe–Central Asia)</p> <p><b>Means of verification</b></p> <p><i>Official Gazette</i>; ministry reports; reports of the Committee of Experts on the Application of Conventions and Recommendations; reports on the implementation of the plan of action towards widespread ratification and effective implementation of the governance Conventions (2010–16) and the plan of action to achieve widespread ratification and effective implementation of the occupational safety and health instruments (Convention No. 155, its 2002 Protocol and Convention No. 187 (2010–16)).</p> <p><b>Baseline</b></p> <p>To be set at the end of the 2014–15 biennium.</p> |
| <b>Indicator 7.2:</b> Member States that have improved their institutional capacity or strengthened collaboration with social partners and other institutions and partners to improve workplace compliance  |   |
| <p><b>Results criteria</b></p> <p>Reportable results must meet one or more of the following criteria:</p> <ol style="list-style-type: none"> <li>1. Labour administration institutions are established or take new initiatives to improve workplace compliance.</li> <li>2. National tripartite or bipartite social dialogue mechanisms take measures to improve workplace compliance.</li> <li>3. Government applies inter- or intra-institutional coordination mechanisms at the national or sectoral level to improve workplace compliance, including cooperation with private or non-profit compliance initiatives.</li> </ol>    | <p><b>Target</b></p> <p>20 member States (6 in Africa, 5 in the Americas, 2 in Arab States, 5 in Asia–Pacific, 2 in Europe–Central Asia)</p> <p><b>Means of verification</b></p> <p>Labour inspection reports; Ministry of Labour reports; project reports; impact assessment reports; reports from employers' and workers' organizations; reports of the Committee of Experts on the Application of Conventions and Recommendations.</p> <p><b>Baseline</b></p> <p>To be set at the end of the 2014–15 biennium.</p>   |

| <b>Indicator 7.3:</b> Member States, social partners and other stakeholders that improve their knowledge and information systems to support workplace compliance   |   |
|--|---|
| <p><b>Results criteria</b></p> <p>Reportable results must meet one or more of the following criteria:</p> <ol style="list-style-type: none"> <li>1. Labour inspectorates and social partners take measures to improve workplace compliance in priority sectors using knowledge products or tools developed with ILO assistance.</li> <li>2. Labour administration and related authorities establish or expand databases and statistics to better plan, implement and monitor workplace compliance strategies.</li> </ol> | <p><b>Target</b></p> <p>10 member States (2 in Africa, 2 in the Americas, 1 in Arab States, 3 in Asia–Pacific, 2 in Europe–Central Asia)</p> <p><b>Means of verification</b></p> <p>Labour administration and labour inspection reports; labour force surveys; reports of the Committee of Experts on the Application of Conventions and Recommendations; reports on the implementation of the plan of action to achieve widespread ratification and effective implementation of the occupational safety and health instruments (Convention No. 155, its 2002 Protocol and Convention No. 187 (2010–16)).</p> <p><b>Baseline</b></p> <p>To be set at the end of the 2014–15 biennium.</p> |

## Strategic budget

| <b>Outcome 7:</b> Promoting workplace compliance through labour inspection | Proposed regular budget 2016–17 (US\$) | Estimated extra-budgetary expenditure 2016–17 (US\$) |
|--|--|--|
|  | <b>68 492 323</b>                      | <b>53 300 000</b>                                    |

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