



International
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Safe Work for

outh Kit

**HOW TO USE THE
SAFE WORK FOR YOUTH KIT-USER'S GUIDE
A GUIDANCE NOTE FOR
FISHING INDUSTRY ASSOCIATIONS &
ORGANIZATIONS OF FISHERIES WORKERS
IN MYANMAR**

JUNE 2018

Safe Youth @ Work Project
Myanmar Programme On the
Elimination of Child Labour (My-PEC)

USER'S GUIDE

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International Labour Organization (ILO)

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First published 2018

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How to use the Safe Work for Youth Kit - User's Guide - A guidance note for fishing industry associations & organizations of fisheries workers in Myanmar / International Labour Office, Fundamental Principles and Rights at Work Branch (FUNDAMENTALS), Labour Administration, Labour Inspection and Occupational Safety and Health Branch (LABADMIN/OSH) - Yangon: ILO, 2018.

ISBN: 978-92-2-030861-5 (Print); 978-92-2-030862-2 (Web pdf)

International Labour Office; ILO Fundamental Principles and Rights at Work Branch

Also available in Burmese: လူငယ်များအတွက်ဘေးအန္တရာယ်ကင်းရှင်းသည့် လုပ်ငန်းခွင်စာအုပ်အား မည်သို့အသုံးပြုမည်နည်း။ - မြန်မာနိုင်ငံ ငါးဖမ်းလုပ်ငန်းအသင်း ငါးဖမ်းအလုပ်သမားအဖွဲ့အစည်းများအတွက် လမ်းညွှန်ချက်မှတ်စု၊

ISBN 978-92-2-030863-9 (Print); 978-92-2-030864-6 (Web PDF), Yangon, 2018.

ILO Cataloguing in Publication Data

Acknowledgements

This publication was elaborated by Susan Gunn, the consultant, Nicholas Levintow, CTA of SafeYouth@Work Project, ILO Geneva for FUNDAMENTALS and coordinated by Selim Benaissa from International Labour Organization Yangon Office.

Funding for this ILO publication was provided by the United States Department of Labor under the framework of the Project "Myanmar Programme on the Elimination of Child Labour (My-PEC)" (MMR/13/10/USA), under cooperative agreement number IL-25263-14-75-K and the Project "SafeYouth@Work" (MMR/16/50M/USA), under cooperative agreement number IL-226690-14-75-k-11.

This publication does not necessarily reflect the views or policies of the United States Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the United States Government. 100 per cent of the total costs of the Project "Myanmar Programme on the Elimination of Child Labour (My-PEC)" (MMR/13/10/USA) is financed with federal funds, for a total of 5,000,000 dollars. 100 per cent of the total costs of the Project "Safe Youth @ Work" (MMR/16/50M/USA) is financed with federal funds, for a total of 889,649 dollars.

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Printed in Myanmar. Photocomposed by Swel Taw Offset, Yangon, Myanmar.

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INTRODUCTION

The goal of the *Safe Work for Youth* Kit is to help the Myanmar fishing industry stay free of child labour and ensure that the younger workers in fisheries are safe from exploitative and dangerous work.

Remember . . .

IF CHILDREN ARE WORKING WHO ARE UNDER THE LEGAL AGE (14) ...

THEY ARE CHILD LABOUR!

IF YOUTH UNDER 18 ARE EXPOSED TO SUBSTANTIAL PHYSICAL OR PSYCHOLOGICAL RISK AT WORK ...

THEY ARE CHILD LABOUR!

This set of materials focuses on capture fisheries, whether undertaken on inland waterways or the open sea. It has been developed for the use of organizations of employers and boat owners in the fishing industry, as well as for unions or associations of fish workers. Its purpose is to assist those in a position of leadership in the industry to guide their members in maintaining a safe and legal operation with respect to younger workers.

Main Principles

One of the basic principles underlying *Safe Work for Youth* is that the employer is responsible for occupational health and safety (including protection from psychological abuse) of her/his workers -- and this includes not only regular employees, but also short term hires and family members who help out. Training is the first step in ensuring that young workers are safe, but all too often, short-term employees or members of the family are overlooked or miss out on training. But training is not a one-time event. The boat owner and older fishermen need to create an atmosphere in which young workers feel comfortable in asking questions throughout their workday.

Another core message is that a fishing enterprise which is careful to protect its young workers is also an enterprise which tends to be more efficient and productive. This saves money. Most important, work and working conditions that have consciously been made safe for young workers become safe for adult workers as well. Fewer accidents among all workers = a win-win situation!

A third basic principle is that youth have a right to know the risks, as well as their rights and responsibilities (the 3 R's!). Providing information to youth is never the first or only component of a campaign to protect young workers, but it is an essential component. Many surveys in developed countries show that young workers are not receiving the training they need to be safe at work. They should be getting this information at school, in vocational training programmes, as well as on the job. Learning important safety and health information early in their working lives will help young people



contribute to a “culture of prevention” which is the new approach in occupational health and safety. Well-informed workers are better able to assist the owners and employers in keeping the site safe and productive.

RISKS - RIGHTS - RESPONSIBILITIES

1. **All workplaces have hazards – either in the work itself or in the working conditions. Poor working conditions can make even the safest work hazardous.**
2. **By identifying these hazards ahead of time, it is often possible to substantially reduce them. Reducing risks to an acceptable level is the responsibility of the employer**
3. **Young workers need to know how to recognize hazards and how to protect themselves**
4. **Young workers have unique vulnerabilities. They also have unique strengths. International law gives them the right to special protection until they reach age 18**

THE FISHING INDUSTRY

Worldwide, the fishing industry has the reputation for being one of the most dangerous industries in which to work. There are several reasons for this:

- **Fishing involves exposure to what can be a harsh and unforgiving environment: rain, cold, heat, storms.**
- **Some fishing practices are extremely dangerous, such as using dynamite or cyanide to force fish out of reefs, or use of divers – often young boys – to dive for shellfish, to attach or free nets, or to drive fish into a net.**
- **Perennially wet surfaces are slippery and account for high rates of occupational injuries from slips and falls. Wet conditions also contribute to high rates of occupational disease: skin diseases, respiratory infections.**

Less recognized, but likely to have lasting effects on a young person’s life, are the social impacts. For example,

- **Fishing can have a magnet effect, luring under-age children to drop out of school and come to work, either with their family operation or for hire.**
- **When young workers work closely with adults, isolated from peers and community for extended periods, such as deep-water fishing or on off-shore fishing platforms, or even in boats for many hours, they are put in contact with adult behaviours such as drinking, swearing, drugs, or may be exposed to sexual abuse.**

Fish has always been an important part of the Myanmar diet, but now the fishing industry is of growing importance in the national economy of Myanmar. As international sales expand, the presence of child

labour or of high rates of occupational injury in the industry may exclude Myanmar producers from lucrative value chains and new market opportunities.¹

There is also a high level of competition in the industry which can result in pressures on contractors and site managers to take shortcuts to keep costs low. This may mean even less surveillance than in other work. Most sites are never inspected until a worker is injured or killed.

OVERVIEW OF THE SAFE WORK FOR YOUTH PACKET ON FISHING

I. **For employers:** These materials are for boat owners and other employers in the fishing industry. They include:

“Keep them Safe” is a manual that outlines some of the basic rules and principles to keep in mind when you are working with young workers. It examines areas of risk for young workers and provides tips for what can be done about them. Some of the topics it addresses are:

- Times & hours,
- Hazardous substances,
- Harassment & violence,
- Workers comfort facilities.

Fishing Checklist is a pull-out sheet that is an aid or reminder of likely occupational safety and health risks. While these were usually filled out in the past as part of a formal inspection by a labour inspector, now employers or workers’ representatives are strongly encouraged to use them on a periodic basis to check on the health and safety of the work and the way it is being done. It is especially good when used in participatory way along with the workers.

II. **For young workers:** These materials are designed for young fishing workers, age 14-18. They may be especially useful for workers’ organizations in their organizing and awareness-raising activities.

“Stay Safe” is a short brochure that provides a general introduction on safety and health for youth. Because its underlying theme is young workers’ rights, it is important to have the content and language reviewed for cultural appropriateness.

Fact Sheets are 2-page flyers that are cheap to produce, easy to distribute and quick to read. They include:

- some of the tasks that young people do when they are hired for this type of work.
- top dangers that concern young workers in this industry
- the laws in Myanmar and internationally that protect young workers, which indicates the line between child labour and proper youth employment.
- the responsibilities of the employer in providing a safe place to work.
- true stories about a workplace safety incident

STEPS FOR USING THE KIT

Step 1. Get organized

- ➔ **Partners?** Is your organization launching *Safe Work for Youth* by itself or as part of a larger campaign with other associations or agencies? Doing it together with others is a good way to have an impact.
- ➔ **Purpose?** What do you hope to achieve? The main advantage is that the members of your industry will have fewer accidents that are costly in time and money. But there are other advantages as well. Even individual fishing operations will find *Safe Work for Youth* useful as a way to create a good name or reputation or as a starting point for worker training.

Step 2. Prepare the materials

Fit them to the local situation

- ➔ Have someone actually go out on a fishing operation that has young workers (memory often misses things, observation is the best approach) to make a record of all the tasks and activities that are being done. Include start-up tasks at the beginning of the day too as well as those at the end, such as cleaning up and putting materials and equipment away. Include also the little jobs such as making tea, running errands, purchasing or stacking. If possible, take a photo of job tasks that appear hazardous.
- ➔ Now, put a red line through all tasks and activities that you think might be too heavy or too dangerous for younger workers. Also put a red line through tasks and activities where a young worker would be isolated, which are contaminated, or which might be dangerous for some other reason.
- ➔ Review this list with your worker or employer counterparts to develop a consensus, particularly on those tasks and situations which are dangerous and of high priority for action.

This is your initial “OK” / “Not OK” list for young workers

Fit them to the workers.

- ➔ Can they all read? If not, you want to include a sketch, cartoon or picture of each task that is “Not OK”.
- ➔ Do they all speak the same language? If not, use the picture version or prepare materials in each language spoken.
- ➔ Can you afford to print a copy for each worker? If not, make them into posters instead.
- ➔ Will the workers obey? The best way to get young workers to comply is to have them participate in preparing the guidelines on safe work for fishing and see how this benefits them.



- ➔ Do you know what the young workers are most concerned about? Sit down with a group of young workers and review the OK/NOT OK task list with them to see if there is anything that has been missed. Ask them about the dangers they have faced when fishing: the most serious, the most common, the most likely to happen. Be sure these are included in the materials.
- ➔ Consider what is the best way for young Myanmar fishers to raise questions about a job task or chemical that appears potentially dangerous to them?
- ➔ Who should young workers turn to for training or to seek clarification about how to perform their jobs?
- ➔ Who would be best to support them when dealing with a delicate subject such as violence or sexual harassment?

Add local information

- ➔ Where are fire extinguishers and first aid boxes located?
- ➔ How far is the nearest medical center or clinic?
- ➔ What is the name and contact information of responsible persons in case of emergency?

Step 3. Disseminate & Train

- ➔ Provide boat owners, managers, and employers with copies of “*Keep Them Safe*”.
- ➔ Provide each young worker with the “*Stay Safe*” materials.
- ➔ When new members join the organization, provide each of them with a copy of either “*Keep Them Safe*” or “*Stay Safe*”, depending on their role.¹
- ➔ Organize a training course, under the auspices of your organization, for youth who are starting fishing for the first time.
- ➔ Encourage the local schools to use the “*Stay Safe*” materials in a class.

Even though the packets are targeted to a specific group, as for example *Stay Safe* which is targeted to youth, it is likely that some of the information will be new to other groups as well. Also, by providing the whole kit to other employers, chambers of commerce and similar organizations, and asking them to pass on relevant pieces to their members and their younger workers, it will have the added benefit of providing a wide range of adults with useful information about child labour laws, occupational health and safety, and contacts and resources.

¹ For training courses, it is helpful to have an occupational health and safety institution or medical facility with experience in occupational health to serve as a back-up when questions arise.



ADDITIONAL ACTIVITIES FOR ORGANIZATIONS TO CONSIDER

Paper alone seldom changes people. So it is good to think of using *Safe Work for Youth* materials as part of a broader campaign to protect young workers. Employers and owners of fishing operations or fishworkers' associations can be a potent force for change because they have a reputation for being practical and sensible. If they take the lead, others will follow. A campaign might include:

Gathering information

Facts are the starting point for convincing people to take seriously the occupational health and safety of young persons. If an incident occurs in which a young person has been injured or made ill, use this terrible event to bring about positive change: straight away, launch the campaign to ensure that a situation like this does not ever happen again. Learn all the facts of what happened and discuss how it could have been avoided. Ask those most familiar with the incident if they would be willing to help.

At other times, Workers' and Employers organizations can make an invaluable contribution by documenting incidents and injuries that have occurred in the past.

Strengthening laws

Many people – even officials – do not know what the laws are that provide protection to young workers. Oftentimes there are gaps or inconsistencies between local laws and the international child labour standards. Strengthening and enforcing child labour and occupational health and safety laws gives the necessary foundation for later activities. Do this by:

- supporting regulations that cover all main aspects of occupational health and safety relevant to youth including domestic service, psycho-social risks, night work, combined hours of work and schooling, and new threats such as HIV-AIDS

providing information to labour inspectors, police, and government officials on the special vulnerabilities and rights of young workers, and the work that employers are doing to protect young workers.

- comparing the laws in Myanmar to its official “hazardous child labour list” that was developed in accordance with requirements in ILO Convention 182.
- evaluating how well existing laws are being enforced and whether fishing enterprises that continue to employ young people under 18 in hazardous conditions are penalized.
- using data on workplace injuries and deaths of youth to calculate the cost to the fishing industry as a whole or to individual owners, as a way of getting the attention of key actors.



Raising awareness

Make others conscious of their roles in protecting young workers. Do this by:

- carrying out a public information campaign, perhaps in connection with another event such as World Day Against Child Labour.
- urging occupational health be included in both primary and second school curricula and in vocational training courses.
- reporting any young worker injuries in the fishing sector to the responsible authorities, e.g. ministry of health or ministry of labour.
- offering training courses to employers that shows them how to increase productivity by improving health and safety; the ILO programme entitled “WISE” (*Workplace Improvement for Small Enterprises*) is an excellent example and there are trainers all over the world.
- making presentations to meetings of the employers’ associations, business groups, chambers of commerce, etc. Combine information about young workers with other information they are interested in, such as new laws, health and safety regulations, new resources, international trade and commerce information for exported products.
- Providing other employers of youth with posters to put up in their workplaces and brochures, such as *Five Ways* to hand out to young workers.

FURTHER INFORMATION

ANNEX : INTERNATIONAL LAWS AND RECOMMENDATIONS

ILO Recommendation No. 190

Children below 18 should not be engaged in:

(Section 2):

- (c) (iv) hidden work situations, in which girls are at special risk;

(Section 3):

- (a) work which exposes children to physical, psychological or sexual abuse;
- (b) work underground, under water, at dangerous heights or in confined spaces;
- (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

ILO Convention No. 188

Article 1

- (a) **commercial fishing** means all fishing operations, including fishing operations on rivers, lakes or canals, with the exception of subsistence fishing and recreational fishing;
- (e) **fisher** means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch ...
- (g) **fishing vessel or vessel** means any ship or boat, of any nature whatsoever, irrespective of the form of ownership, used or intended to be used for the purpose of commercial fishing;

Article 19

1. The minimum age for work on board a fishing vessel shall be 16 years. However, the competent authority may authorize a minimum age of 15 for persons who are no longer subject to compulsory schooling as provided by national legislation, and who are engaged in vocational training in fishing.
2. The competent authority, in accordance with national laws and practice, may authorize persons of the age of 15 to perform light work during school holidays. In such cases, it shall

determine, after consultation, the kinds of work permitted and shall prescribe the conditions in which such work shall be undertaken and the periods of rest required.

3. The minimum age for assignment to activities on board fishing vessels, which by their nature or the circumstances in which they are carried out are likely to jeopardize the health, safety or morals of young persons, shall not be less than 18 years.
4. The types of activities to which paragraph 3 of this Article applies shall be determined by national laws or regulations, or by the competent authority, after consultation, taking into account the risks concerned and the applicable international standards.
5. The performance of the activities referred to in paragraph 3 of this Article as from the age of 16 may be authorized by national laws or regulations, or by decision of the competent authority, after consultation, on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons concerned have received adequate specific instruction or vocational training and have completed basic pre-sea safety training.
6. The engagement of fishers under the age of 18 for work at night shall be prohibited. For the purpose of this Article, "night" shall be defined in accordance with national law and practice. It shall cover a period of at least nine hours starting no later than midnight and ending no earlier than 5 a.m. An exception to strict compliance with the night work restriction may be made by the competent authority when:
 - (a) the effective training of the fishers concerned, in accordance with established programmes and schedules, would be impaired; or
 - (b) the specific nature of the duty or a recognized training programme requires that fishers covered by the exception perform duties at night and the authority determines, after consultation, that the work will not have a detrimental impact on their health or well-being.

Article 31

Each Member shall adopt laws, regulations or other measures concerning:

- (a) the prevention of occupational accidents, occupational diseases and work-related risks on board fishing vessels, including risk evaluation and management, training and on-board instruction of fishers;
- (b) training for fishers in the handling of types of fishing gear they will use and in the knowledge of the fishing operations in which they will be engaged;
- (c) the obligations of fishing vessel owners, fishers and others concerned, due account being taken of the safety and health of fishers under the age of 18;
- (d) the reporting and investigation of accidents on board fishing vessels flying its flag; and
- (e) the setting up of joint committees on occupational safety and health or, after consultation, of other appropriate bodies.

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