



International
Labour
Organization



Strategic Compliance
Planning in action
Stories of change



**Strategic Compliance
Planning in action**
Stories of change

Copyright © International Labour Organization 2023

First published 2023



This is an open access work distributed under the Creative Commons Attribution 4.0 International License (<https://creativecommons.org/licenses/by/4.0/>). Users can reuse, share, adapt and build upon the original work, as detailed in the License. The ILO must be clearly credited as the owner of the original work. The use of the emblem of the ILO is not permitted in connection with users' work.

Attribution – The work must be cited as follows: International Labour Office, Strategic Compliance Planning in action: Stories of Change, 2023.

Translations – In case of a translation of this work, the following disclaimer must be added along with the attribution: This translation was not created by the International Labour Office (ILO) and should not be considered an official ILO translation. The ILO is not responsible for the content or accuracy of this translation.

Adaptations – In case of an adaptation of this work, the following disclaimer must be added along with the attribution: This is an adaptation of an original work by the International Labour Office (ILO).

Responsibility for the views and opinions expressed in the adaptation rests solely with the author or authors of the adaptation and are not endorsed by the ILO.

All queries on rights and licensing should be addressed to ILO Publishing (Rights and Licensing), CH-1211 Geneva 22, Switzerland, or by email to rights@ilo.org.

ISBN

9789220389706 (print)

9789220389713 (web PDF)

The designations employed in ILO publications, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by the International Labour Office of the opinions expressed in them.

Reference to names of firms and commercial products and processes does not imply their endorsement by the International Labour Office, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval.

Information on ILO publications and digital products can be found at: www.ilo.org/publns.

► Acknowledgements

This publication was prepared by the ILO Labour Administration, Labour Inspection and Occupational Safety and Health Branch (LABADMIN/OSH), of the Governance and Tripartism Department. The document was initiated and drafted by Valkyrie Hanson, Technical Specialist for Strategic Compliance and Rumsha Shahzad.

We would like to express our sincere gratitude to the labour inspectorates of Botswana, Colombia, Eswatini, Indonesia, Kurdistan Region of Iraq, Madagascar, Namibia, the Occupied Palestinian Territory, the Philippines, Senegal, Trinidad and Tobago, and Uzbekistan. Without their commitment and dedication to Strategic Compliance Planning, there would be no stories of change to share. We would also like to acknowledge the contributions of our colleagues Amin Al-Wreidat, Bernard Foe Andegue, Paola Campuzano Jaramillo, Jingyu Chen, Andrew Christian, Hamidulla Hamdamov, Zryan Khidhir, Frédéric Laisné-Auer, Liphon Mandoro, Marwa Maridadi Phaniel, Tzvetomira Radoslavova, Antonio J. Robalo dos Santos, René Robert, Gerald Tembo and Samuele Violini. Their technical contributions and support throughout the implementation of the pilot projects allowed us to capture the quantitative and qualitative results of our Member States' implementation of the Strategic Compliance Planning methodology.

TABLE OF CONTENTS

▶ Contents	3
▶ Acknowledgements	4
▶ Introduction	5
▶ Infographic	7
▶ Africa	8
Botswana	8
Eswatini	10
Madagascar	12
Namibia	14
Senegal	17
▶ Americas	18
Colombia	18
Trinidad and Tobago	20
▶ Arab States	22
Kurdistan Region of Iraq	22
Occupied Palestinian Territory	24
▶ Asia and the Pacific	26
Indonesia	26
Philippines	28
▶ Eastern Europe and Central Asia	29
Uzbekistan	29

► Introduction



These stories of change chronicle practical uses of the ILO's Strategic Compliance Planning methodology (SCP) to help labour inspectorates achieve measurable improvements in labour law compliance for over 500,000 workers. Each of the stories from 12 ILO Member States introduces the labour inspectorate and its capacities and outlines the sectors and compliance issues for which it piloted SCP.

The stories highlight the common challenges faced by labour inspectorates across the world and how SCP was applied as a practical solution. While these inspectorates received technical guidance from the ILO on using the methodology, the interventions were carried out with their own resources.

High-performing labour inspectorates are crucial for protecting labour rights and the rule of law, in line with international labour standards. Employers have a responsibility to comply with legislation, while workers and their representatives can advocate for better working conditions. However, it is incumbent upon governments to ensure compliance, including through enforcement where necessary, notwithstanding limited resources and enforcement powers.

The ILO's Approach to Strategic Compliance Planning for Labour Inspectorates is a six-step exercise to formulate, sequence and operationalize broader thinking and action, to help labour inspectorates achieve greater compliance with labour law. The flexible and dynamic nature of this exercise allows labour inspectorates to develop a short-term inspection strategy for a specific issue, or to come up with a comprehensive proactive compliance strategy targeting multiple issues for a long-term inspection plan. It also covers contingencies that fall between these two options.

The methodology gives labour inspectorates the tools and support to undertake diverse interventions. It helps enhance their targeting of priority sectors, duty holders, and workplaces using data for evidence-based decision-making. In total, labour inspectorates from nine countries piloted enhanced targeting strategies.

The SCP approach encourages partnerships between labour inspectorates and other stakeholders, both traditional and non-traditional. This is done by expanding networks and initiating dialogue on labour law compliance. All 12 labour inspectorates developed new strategic partnerships with a combined total

of 60 new institutional stakeholders. Three inspectorates formalized those relationships through memoranda of understanding.

Moreover, SCP improves opportunities for stakeholders to learn from each other by sharing insights into the most significant or common compliance issues and how to remediate them. It also facilitates the development of joint communication campaigns. For example, six inspectorates deployed new communication strategies.


SCP enhances frontline delivery of labour inspection services by assisting labour inspectorates in developing or enhancing practical tools (for example standard operating procedures, checklists and inspection guides), providing guidance on how to improve the

efficiency and impact of administrative procedures, clarifying how legal provisions should be applied in practice, and providing pointers on how to close implementation gaps to enhance compliance outcomes. Working through the methodology, four inspectorates developed new inspection checklists, seven redesigned inspection protocols, five strengthened enforcement powers and two streamlined their processes for the civil prosecution of labour violations.

The aim of sharing these stories is to show the tangible benefits that can be achieved through SCP. They show how a different way of approaching their work enabled labour inspectorates to enhance compliance without additional resources.



Stories of Change Strategic Compliance Planning in action

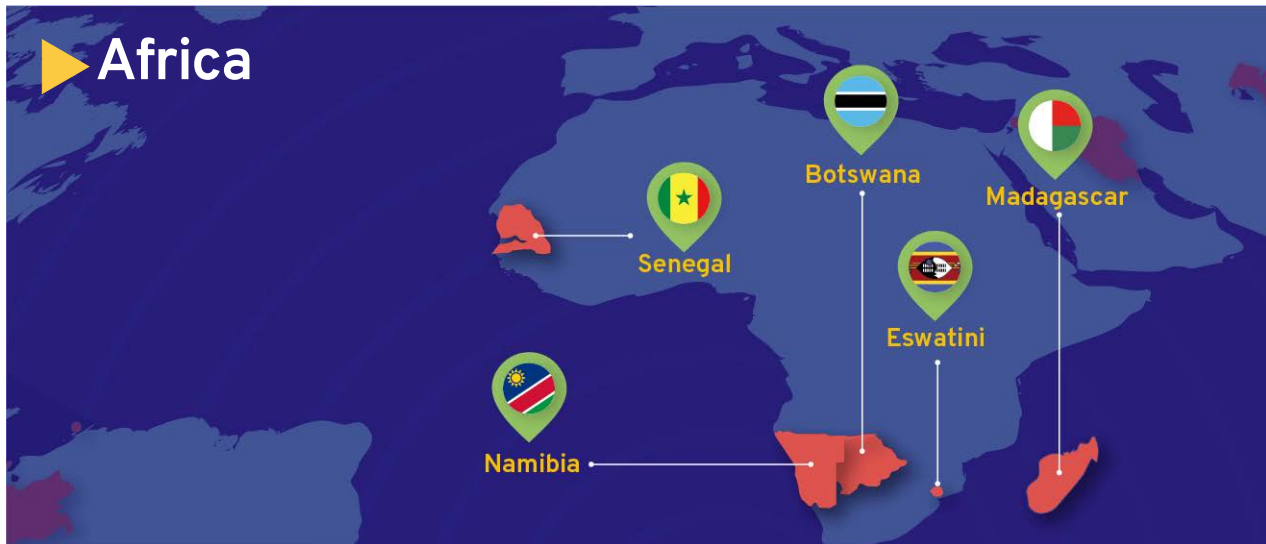
 Listen to our Stories of Change

-  13 economic sectors reached.
-  526,721 workers benefitted.
-  62 strategic partnerships formed.

-  5 Member States exchanged ideas through south-south cooperation on tackling non-compliance in sectors they have in common.
-  2 Member States optimized procedures to prosecute non-compliance.
-  4 Member States signed Memoranda of Understanding with other public entities to formalize collaboration.

-  12 Member States piloted evidence-led strategies to target likely non-compliant duty holders.
-  8 Member States expanded their internal registry of economic units.
-  6 Member States developed new communication strategies to promote labour law compliance.

-  7 Member States conducted joint inspections to overcome resource gaps.
-  4 Member States refined inspection checklists.
-  7 Member States developed new procedures.



Botswana

The Department of Labour and Social Security of the Ministry of Labour and Home Affairs¹ deployed Strategic Compliance Planning (SCP) in the private security services (PSS) sector. The services sector, which includes PSS, represents 65.76 per cent of GDP and 62 per cent of formal sector employment.² Botswana is one of the top 20 countries that dominate the PSS sector, accounting for 0.7 per cent of the total global PSS workforce.³ Identified areas of non-compliance in PSS in Botswana include underpayment of wages and arrears in social protection contributions.

Labour inspectorate: The Department of Labour and Social Security is mandated to promote compliance with labour law. The labour inspectorate employs 53 inspectors and typically sets a target of approximately 4,560 initial inspections a year of randomly selected duty holders. Resource constraints limit its ability to conduct the necessary follow-up actions to verify that non-compliant duty holders come into compliance following initial inspections. Labour inspectors in Botswana do not have the power to issue sanctions or penalties and can only recommend that the public prosecutor bring charges. As few as three prosecutions for labour law violations are undertaken each year.

Enhanced targeting: The absence of systemized inspection data impedes the ability of the

SCP snapshot

- **Target sector:** Private security services
- **Target issues:** Underpayment of wages and arrears in social protection contributions
- **Workers benefiting:** 6,564
- **Stakeholders engaged:** 3
- **Targeting of non-compliant duty holders/use of resources:**
 - **Baseline campaign:** 32% of resources used on non-compliant duty holders
 - **Subsequent campaign:** *Forthcoming*
- **Change in compliance:**
 - Correction of non-compliance after advice and guidance: 13%
- **Reference period:** 2020–2022

labour inspectorate to (1) identify the type or prevalence of non-compliance in each sector, (2) adequately target likely non-compliant enterprises within that sector, or (3) assess effectiveness of interventions to bring identified non-compliant duty holders into compliance. To overcome this knowledge gap for PSS, the inspectorate designed and conducted a baseline inspection campaign. The inspectorate randomly selected 165 PSS duty holders with over 6,564 workers for inspection. The results of the baseline campaign yielded critical data to enhance targeting in subsequent

¹ Previously the Ministry of Employment, Labour Productivity and Skills Development.

² Aaron O’Neil, “Botswana: Distribution of gross domestic product (GDP) across economic sectors from 2010 to 2020”, Statista, 8 December 2022; The World Bank, “Employment in services (% of total employment) (modeled ILO estimate) – Botswana”, January 2021.

³ ILO, “Statistical profile Private Security Services Sector”, 22 February 2022.

campaigns. The baseline campaign confirmed that underpayment of wages, overtime and social protection contributions were the most common types of non-compliance in PSS. The data from initial inspections showed that only 32 per cent of the randomly selected duty holders were found non-compliant. Put another way, the labour inspectorate spent 68 per cent of limited resources inspecting compliant duty holders. However, the inspectors collected data about both compliant and non-compliant duty holders that was helpful in identifying potential characteristics that might indicate that a duty holder is likely to be non-compliant. Lastly, the data for follow-up inspections showed that 13 per cent of the 32 per cent non-compliant duty holders came into compliance based on advice and guidance. Advice and guidance therefore had a 13 per cent effectiveness rate in bringing targeted duty holders into compliance. The labour inspectorate is currently undertaking a subsequent inspection campaign targeting PSS duty holders using the analysis from the initial inspection campaign. The labour inspectorate anticipates that the enhanced targeting will find a greater number of non-compliant duty holders during initial inspections than were found during the baseline inspection campaign.

Strategic partnership: To expand its reach and enforcement power, the inspectorate deepened collaboration with the Ministry of Defence and Security (MDS). The MDS is responsible for registering and regulating security companies. In 2020, the full implementation of the Private Security Services Act of 2015 granted labour

inspectors new powers to check records and working conditions. This opened the door for high-level engagement between the MDS and the inspectorate, leading to joint inspections and the establishment of referral mechanisms between the two entities. Joint inspections enabled the inspectorate to conduct 138 additional inspections in the PSS sector that would not have been possible within the labour inspectorate's financial resources. The referral mechanism enabled labour inspectors to recommend that the MDS revoke licenses for labour law non-compliance. As the labour inspectorate does not have the power to directly issue sanctions or penalties, the ability to recommend the revocation of licenses enhances the inspectorate's dissuasive power. The inspectorate is currently in the process of engaging government buyers (that is, ministerial heads of procurement) to include costs for the minimum wage, overtime premiums, paid holidays and severance benefits in the list of the supplier's costs to be submitted in the context of public invitations to tender for PSS. If successful, this would ensure that PSS suppliers applying for public contracts make allowance for the costs required to meet their obligations under labour law.

Strategic communication: To ensure constituents are updated on changes to the law in real time, the inspectorate, for the first time ever, used social media platforms rather than conventional brochures to educate the public about recent changes to the minimum wage. This expanded the inspectorate's reach to a wider audience.

Eswatini

The Ministry of Labour and Social Security (MOLSS) of Eswatini deployed SCP to tackle underpayment of wages and social protection benefits in three sectors, private security services (PSS), retail and transportation. The PSS sector employs around 12,000 people.⁴ Retail makes up 13.6 per cent of the country's GDP.⁵ Identified areas of non-compliance in these sectors in Eswatini include underpayment of wages, overtime and allowances, and arrears in social protection contributions.

Labour inspectorate: The MOLSS is mandated to enforce labour law for a workforce of 365,000 formal workers.⁶ The labour inspectorate employs 16 inspectors, and each inspector typically conducts a minimum of 18 initial inspections a month of randomly selected duty holders. Resource constraints limit its ability to conduct the necessary follow-up actions to verify that non-compliant duty holders come into compliance following initial inspections. Labour inspectors in Eswatini do not have the power to directly issue sanctions or penalties but can recommend that the Director of Public Prosecution bring charges. As few as three prosecutions for labour law violations are undertaken each year.

Enhanced targeting: The absence of systemized inspection data impedes the labour inspectorate's ability to (1) identify the type or prevalence of non-compliance in each sector, (2) adequately target likely non-compliant enterprises within that sector, or (3) assess the effectiveness of interventions to bring identified non-compliant

SCP snapshot

- **Target sector:** Private security services; retail; transportation
- **Target issues:** Underpayment of wages and arrears in social protection contributions
- **Workers benefiting:** 3,406
- **Stakeholders engaged:** 17
- **Targeting of non-compliant duty holders/use of resources:**
 - **Baseline campaign:** 25% of resources used on non-compliant duty holders
 - **Subsequent campaign:** *Forthcoming*
- **Change in compliance:**
 - Correction of non-compliance after advice and guidance: 8%
- **Reference period:** 2020–2022

duty holders into compliance. To overcome this knowledge gap for the three priority sectors, the inspectorate designed and conducted a baseline inspection campaign. The inspectorate randomly selected 12 duty holders in the retail sector, 12 in the PSS sector and 55 in the transport sector with over 3,406 workers across the three sectors. The results of the baseline campaign yielded critical data to enhance targeting in subsequent campaigns. The baseline campaign confirmed that underpayment of wages and social protection contributions were the most common types of non-compliance in the PSS sector. The data for initial inspections showed that only 25 per cent of the randomly selected duty holders were found non-compliant. Put another way, the labour inspectorate spent 75 per cent of limited resources inspecting compliant duty holders. However, the inspectors collected data about both compliant and non-compliant duty holders that was helpful in identifying potential characteristics that might indicate a duty holder is likely to be non-compliant. Lastly, the data for follow-up inspections showed that 8 per cent of the 25 per cent non-compliant duty holders came into compliance based on advice and guidance. Advice and guidance therefore had an 8 per cent effectiveness rate bringing targeted duty holders into compliance.



⁴ Sabelo Gumedze, *Baseline study on private security regulation in the southern Africa region*, (DCAF Geneva Centre for Security Sector Governance, 2020).

⁵ Africa-Press, “Retail, wholesale’s lowest GDP in 3 years”, 6 April 2022.

⁶ The World Bank, “Labor force, total – Eswatini”. World Development Indicators database, accessed 11 March 2023.



The labour inspectorate is currently undertaking a subsequent inspection campaign targeting PSS duty holders using the analysis from the initial inspection campaign. The labour inspectorate anticipates that the enhanced targeting will find a greater number of non-compliant duty holders during initial inspections than were found during the baseline inspection campaign.

Strategic partnerships: The baseline inspection campaign confirmed the high prevalence of underpayment of social protection contributions. To address this, the inspectorate amended the labour inspection form to include a section on statutory deductions. It also issued an invitation to the Eswatini National Provident Fund (ENPF) for joint inspections to verify compliance with statutory deductions. The new form and collaboration with the ENPF enabled the inspectorate to verify whether enterprises were contributing to the provident fund and refer cases to the ENPF where non-compliance was found.

The baseline inspection campaign also revealed high rates of non-compliance in the PSS sector among holders of government contracts. To enhance labour law compliance in public contracts, a memorandum of understanding between the MOLSS and the Eswatini Public Procurement Regulatory Agency was developed and is in the final stages of approval. The memorandum of understanding will make it obligatory for companies who are applying for public contracts to obtain a labour compliance certificate and will include labour law compliance clauses in public contracts where they did not exist before. The MOLSS is also finalizing memorandums of understanding with Eswatini's Conciliation Mediation Arbitration Commission,

the Micro Project Unit (the agency within the Ministry of Economic Planning that is responsible for micro projects), the Ombudsman's Office, Eswatini Revenue Services and the licensing department of the Ministry of Commerce. It is also working with an additional seven entities to develop synergies for improved labour law compliance.

Enhanced prosecution: To overcome barriers to prosecution for labour law violations, the labour inspectorate collaborated with the Director of Public Prosecution to streamline prosecution processes and build the capacity of inspectors to collect and present evidence for use in prosecutions. Successful prosecution of non-compliance can serve as an effective deterrent to non-compliance. To this end, all regional offices will deploy their training when instituting prosecutions within their jurisdictions.

Improved identification of workplaces liable for inspection: The MOLSS is collaborating with the National Security Unit of the Prime Minister's Office and the Ministry of Finance's Tender Board to create a single comprehensive list of private security providers. This will help bridge the information gap between entities about the economic units subject to inspection.

“It [the SCPortal] keeps us up to date. There is something now that we have to actually look at and see where we are. It allows the focal teams in the regions to track follow-ups, when and where they have to do the initial inspection. It keeps everyone on their toes, so we do all our work using the available resources.”

Madagascar

The Ministry of Labour, Employment, Civil Service and Labour Laws deployed SCP to promote the occupational safety and health (OSH) of workers in the textile sector. Textiles are the largest manufacturing sector in the country, contributing 20 per cent of GDP, employing more than 180,000 people and making up a third of total exports.⁷ OSH-related issues, including those related to the COVID-19 pandemic, are among the non-compliance issues identified in the sector.

Labour inspectorate: The labour inspectorate is mandated to enforce labour law for a total workforce of 14.8 million people.⁸ The labour inspectorate employs 129 labour inspectors and 137 labour controllers. It typically conducts around 20 initial inspections per inspector annually of randomly selected duty holders. Resource constraints limit its ability to conduct the necessary follow-up actions to verify that non-compliant duty holders come into compliance following initial inspections. Labour inspectors do not have the power to directly issue sanctions or penalties but can recommend prosecution. As few as 5 prosecutions for labour law violations are undertaken each year.



SCP snapshot

- **Target sector:** Textiles
- **Target issues:** Occupational safety and health and COVID-19
- **Workers benefiting:** 63,900
- **Targeting of non-compliant duty holders/use of resources:**
 - **Baseline campaign:** 88% of resources used on non-compliant duty holders
 - **Subsequent campaign:** SCP extended to other sectors and multi-year action plan built
- **Change in compliance:**
 - Correction of non-compliance after advice and guidance: *Forthcoming*
- **Reference period:** 2020–2022

OSH committees: To promote workplace level social dialogue on OSH, the labour inspectorate encouraged 56 per cent of target employers to create OSH committees, which are not required under national law. The positive impact of these committees in workplaces eventually inspired 90 per cent of duty holders in the textile sector of Tananarive to adopt OSH committees by the end of 2022. This contributed to a 60 per cent increase in OSH-related compliance in subsequent inspection campaigns.

Improved identification of workplaces liable for inspection: To make it easier for labour inspectors to identify duty holders for inspection, the labour inspectorate collaborated with the Economic Development Board of Madagascar (a one-stop shop that facilitates the creation of companies in Madagascar) and the Groupement des Entreprises Franches et Partenaires (the Free Trade Zone Companies' Organization) to create the first comprehensive list of textile employers in the region.

Improved risk assessment and strategic adaptation for COVID-19: A strategic compliance plan was first drawn up to monitor general OSH issues in the textile sector. However, given

⁷ ILO, "ILO launches a new report on decent work for a fair, resilient, and sustainable textile and clothing supply chain in Madagascar", 14 November 2022.

⁸ Trading Economics "Madagascar - Labor Force, Total", accessed 11 March 2023.

the COVID-19 outbreak and the flexibility of the planning method, the plan was adapted to enable companies to respond to the new risk. In response, targeted duty holders implemented concrete mitigation measures to reduce the spread of the disease and protect workers' health while ensuring the continuity of industrial activities. The labour inspectorate also realized that an effective response to COVID-19 required a more systemic approach to managing OSH generally within workplaces. Target duty holders were therefore encouraged to draw up a single risk document (SRD) that included a biological risk assessment component and prevention plans, which are not required by law. As a result, 19 per cent of target duty holders voluntarily conducted risk assessments using an SRD. This too led to a spillover effect. The labour inspectorate has recorded a gradual increase in the number of duty holders seeking advice or support in the field of OSH in the regions where interventions have taken place. Likewise, duty holders' subcontractors have also been directly or indirectly impacted by the new practices in the sector.

Enhanced enforcement: The labour inspectorate developed new inspection checklists for working conditions and OSH (including monitoring the safety and health of young workers). It also developed a sample improvement notice to be used when non-compliance is found. The tools were validated by the Ministry of Labour and all labour inspectors and controllers are being trained to systematically use them during inspection visits. In terms of labour law reform, the labour inspectorate is working to design

a mechanism to issue direct administrative sanctions. In addition, it is in the process of drafting regulations for a law that allows inspectors to halt work if there is a risk of imminent harm. These changes will significantly strengthen the labour inspectorate's enforcement power in the short term and its dissuasive power in the long term.

Institutionalization of SCP methodology: Given the success of the SCP pilot, the Ministry of Labour decided to integrate SCP into its overall inspection planning. In 2021, the labour inspectorate developed a new strategic compliance plan aimed at formalizing informal jobs in formal enterprises, particularly in respect of the enrolment of workers with the social security fund, employment contracts, OSH, payment of the minimum wage and access to annual leave. A total of 325 duty holders with 47,604 workers in call centres, mining, security services and the retail sector were reached. In 2022, the labour inspectorate designed a multi-annual national strategic compliance plan that targeted OSH, child labour and formalization in four sectors (construction, textiles, mines and vanilla). In addition, modules on inspection visits and SCP were included in the training programme for labour inspectors at the National School of Administration (the public administration training school), achieving sustainable results in terms of labour inspection intervention capacities for compliance, decent work and economic development of the country. The 16-hour module is delivered by the members of the Strategic Compliance Task Force that designed and implemented the SCP pilot.



“This is the first time, thanks to the strategic plan, that occupational safety and health committees [have been formed]. I believe we have reached 90% of the textile companies in Antananarivo, Analamanga region [Madagascar's capital and largest city]. They have established occupational safety and health committees since our intervention. This is a result that we could not have imagined some years ago as an occupational safety and health committee is not mandatory and not required by the Labour Code. However, thanks to strategic [compliance] planning, our intervention and the dialogue that we established with social partners, we have achieved these results.”





Namibia

The Ministry of Labour, Industrial Relations and Employment Creation (MLIREC) piloted SCP in the fishing sector to support the implementation of the ILO Work in Fishing Convention, 2007 (No. 188), ratified in 2018. Fishing is one of Namibia's top industries, contributing about 3 per cent of GDP since 2007 and about 20 per cent of export earnings.⁹ It currently employs more than 16,000 workers, 60 per cent of whom work at sea.¹⁰ Identified areas of non-compliance include overtime beyond the statutory maximum and insufficient rest periods.

Labour inspectorate: The Directorate of Labour Services (DLS) ensures the enforcement of statutory provisions on general working conditions (working time, wages, unfair dismissal, employment of children and young persons) for a workforce of 938,978 formal sector workers.¹¹ The inspectorate employs 57 labour inspectors and 24 OSH inspectors and typically conducts 2,100 initial inspections a year. Labour inspectors in Namibia do not have the power to directly issue sanctions or penalties

SCP snapshot

- ▶ **Target sector:** Fishing
- ▶ **Target issues:** Overtime, meal breaks, rest periods
- ▶ **Workers benefiting:** 306
- ▶ **Stakeholders engaged:** 4
- ▶ **Targeting of non-compliant duty holders/use of resources:**
 - **Baseline campaign:** 21% of resources used on non-compliant duty holders
 - **Subsequent campaign:** 100% of resources used on non-compliant duty holders
- ▶ **Change in compliance:**
 - Correction of non-compliance after advice and guidance and enforcement: *Forthcoming*
- ▶ **Reference period:** 2022

but can recommend that public prosecutors bring charges. As few as two prosecutions for labour law violations are undertaken each year.

⁹ International Trade Administration, "[Namibia – Country Commercial Guide](#)", 3 October 2022.

¹⁰ ILO, [Sustainable supply chains to build forward better](#), 2020.

¹¹ The World Bank, "[Labor force, total – Namibia](#)". World Development Indicators database, accessed 11 March 2023.

Traditional Approach 2020

- 1 Inspections of basic conditions of employment.
- 2 Inspections of records in onshore offices.
- 3 Limited interviews with fishers, when found in the offices.
- 4 Standard inspection checklist.
- 5 Inspections by the MLIREC (DLS).
- 6 No inspections on presumption of indefinite employment in seasonal work under section 128C of the Labour Act.

Strategic Approach 2022

- 1 Inspections of basic conditions of employment and OSH.
- 2 On-board inspection of vessels followed by review of records in onshore offices.
- 3 Interviews with the majority of fishers on board vessels.
- 4 Standard inspection checklist and specialized inspection protocol for the fishing sector.
- 5 Joint inspections by the MLIREC (DLS), MWT (DMA) and MFMR.
- 6 Collection of information about the types and duration of contracts in the fishing sector, to make a determination if/how to apply the presumption of indefinite employment in seasonal work under section 128C of the Labour Act to the fishing sector.

Enhanced inspection protocol: In 2020, the labour inspectorate conducted a baseline inspection campaign in the ports of Walvis Bay and Lüderitz. It found only 21 per cent of duty holders to be non-compliant. The inspectorate suspected that this compliance rate did not match reality in the sector. Deploying the SCP methodology, it identified five potential obstacles and solutions to the effective detection of violations.

In the 2020 inspection campaign, the MLIREC inspected records in onshore offices because inspectors were not certified to board vessels. Office visits afforded inspectors little access to fishers for interviews. To address these issues, in advance of the 2022 inspection campaign, labour

inspectors were provided with safety training to allow them to board vessels. As a result, 100 per cent of duty holders were found to have committed at least one violation. In addition, group interviews with fishers provided labour inspectors with valuable insights about conditions of employment and fishers with a rare opportunity to ask questions and raise concerns about their rights and duties. Most fishers were unfamiliar with their rights and duties under labour law or their collective bargaining agreement (where applicable) and the role of labour inspectors.

In the 2020 inspection campaign, the MLIREC used a standard inspection checklist. During the 2022 joint inspection campaign, the inspectorate incorporated fishing-sector specific guidance for on-board inspections.

Previously, the MLIREC conducted inspections in the fishing sector without collaborating with other relevant regulatory agencies, namely the Directorate of Maritime Affairs (DMA) of the Ministry of Works and Transport (MWT) and the under the Monitoring, Control, and Surveillance (MCS) programme of the Ministry of Fisheries and Marine Resources (MFMR). During the pilot, the MLIREC jointly conducted inspections with these agencies, which brought several advantages:

- Improved hazard identification and elimination or minimization of risk specific to the fishing sector. MLIREC OSH inspectors learned about OSH hazards specific to the fishing sector.



MWT (DMA) maritime surveyors learned about OSH hazards under the Labour Act.

- Enhanced sanctioning of OSH violations. The MLIREC has the power to issue compliance orders when OSH violations are found. However, such orders are not issued on the spot and do not stop work. The MWT (DMA) has the power to detain vessels and make them correct hazardous conditions before a vessel is allowed to leave port. This power was used to detain three vessels.
- Greater access to fishers for interviews. The document review portion of the inspections by MLIREC OSH inspectors, the MWT (DMA) and the MFMR (MCS) occurred in parallel with worker interviews conducted by MLIREC labour inspectors. This kept the bridge crew occupied and made it easier to conduct group interviews with workers without observation or interference.
- Spillover effect to other vessels belonging to the same company. Over the course of the campaign, it became clear that vessel owners who had their vessels inspected at the beginning of the week had attempted to correct similar deficiencies in their other vessels before they arrived at or departed port.

Lastly, in the 2020 inspection campaign, although the inspectorate noted in its first round of inspections that “most employers in the industry are still practising the precarious job arrangements of casual, seasonal, part-time and trip-per-trip short term employment, with the exception of a few permanent jobs”, they did collect information about fishers’ employment relationships. During the pilot, the MLIREC used a questionnaire to inform its analysis about whether to apply the presumption of indefinite employment in seasonal work under section 128C of the Labour Act.

Empowerment of social partners: OSH inspectors are not present on board vessels while workers are fishing. The MLIREC cooperated with the Namibian Maritime and Fisheries Institute to



build the capacity of MCS fishery observers and trade union shop stewards to identify hazards and eliminate or minimize risks on board vessels while they are in operation.

Implementation in practice of International Labour Standards: The new variation of chapter 3 of the Labour Act, with provisions that apply to employers and workers in the fisheries industry in Namibia, was gazetted on 01 March 2023 and will be in force for a period of five years. The new provisions are aimed at enhancing decent working conditions for fishers and outlines the total ordinary working hours, overtime, meal intervals, daily spread-over, and weekly rest period in line with the ILO Work in Fishing Convention, 2007 (No.188). To ensure these provisions are reflected in written contracts for all workers, a tripartite working group approved model fixed-term and indefinite contracts for fishers.



Senegal

The Ministry of Labour, Social Dialogue and Relations with Institutions in Senegal deployed SCP in the construction sector, which accounts for 7 per cent of the country's GDP.¹² The labour inspectorate targeted non-compliance with the provision and use of personal protective equipment (PPE), OSH issues such as falls from height and manual handling, and child labour.

Labour inspectorate: The labour inspectorate is mandated to ensure compliance with labour law in respect of 4,377,305 formal workers. The labour inspectorate employs 134 inspectors¹³ and typically conducts 4,000 initial inspections a year. Labour inspectors do not have the power to issue sanctions or penalties and can only recommend to the public prosecutor that charges are brought. A negligible number of prosecutions for labour law violations are undertaken each year. Labour inspectors can issue work stoppage orders and administrative sanctions, but this power has not been fully utilized.

Improved enforcement: Due to inefficiencies in the judicial system, labour inspectors are reluctant to use judicial measures to enforce labour law compliance. Through SCP, for the first time ever, the inspectorate decided to utilize work stoppages as an enforcement measure to ensure compliance and avoid judicial delays. The inspectorate is also considering the use of administrative sanctions which can be enforced without the need for judicial involvement.

SCP snapshot

- ▶ **Target sector:** Construction
- ▶ **Target issues:** PPE, OSH (falls from height; manual handling), child labour
- ▶ **Workers benefiting:** 3,196
- ▶ **Stakeholders engaged:** 4
- ▶ **Targeting of non-compliant duty holders/use of resources:**
 - **Baseline campaign:** 92% of resources used on non-compliant duty holders
 - **Subsequent campaign:** *Forthcoming*
- ▶ **Change in compliance:**
 - Correction of non-compliance after advice and guidance: *Forthcoming*
- ▶ **Reference period:** 2022-2023

Institutionalization of capacity-building: Following the success of the SCP in construction, a multi-sectoral plan was developed, targeting construction and expanded to agriculture, mining, transportation, and the hotel and restaurant sectors. As part of the strategic compliance plan, a task force of inspectors trained by the International Training Centre of the International Labour Organization (ITC-ILO) was established to disseminate the skills acquired by labour inspectors in the sectors targeted by the plan. This sharing of training with their peers promotes a uniform application of labour regulations throughout Senegal. In addition, the Senegalese National School of Public Administration (École nationale d'administration publique) is further institutionalizing this training by including a course on OSH and child labour taught by labour inspectors trained by the ITC-ILO.

¹² Trading Economics, "[Senegal GDP Annual Growth Rate](#)", accessed 25 April 2023.

¹³ ILO, "[Direct Request \(CEACR\) - adopted 2020, published 109th ILC session \(2021\), Labour Inspection Convention, 1947 \(No. 81\) - Senegal \(Ratification: 1962\)](#)".



Colombia

The Ministry of Labour of Colombia deployed SCP to promote formal employment in former conflict zones. Colombia's half-century-long civil war ended in 2016 with the signing of a peace agreement. The agreement made possible access to rural areas that were previously ungovernable combat zones

Strategic outreach: The labour inspectorate collaborated with multiple government agencies to deploy joint mobile outreach units to reach workers in former conflict zones. The mobile unit included local mayors and representatives of the Colombian Institute of Family Welfare, the family compensation funds, the Public Employment Agency, the National Training Service, pension institutions (UGPP and COLPENSIONES) and others. The outreach aimed to formalize employment relationships and ensure workers were aware of their rights and how to access critical government services. As a result of these interventions, 11 out of every 100 workers contacted by the mobile inspection units in former conflict zones had their employment formalized with written contracts and registration in the social security system.

Stakeholder collaboration: Broad stakeholder engagement of the labour inspectorate through SCP also led the palm oil employers' association

SCP snapshot

- **Target sector:** Former conflict zones
- **Target issues:** Informal employment
- **Workers benefiting:** 772
- **Reference period:** 2022-2023

(FEDEPALMA) to design a private sector strategy to promote formalization in former conflict zones. A self-evaluation tool (Formalizometro) was conceptually designed to allow duty holders to determine their level of compliance with laws related to ambiguous and disguised employment relationships. A mentor programme was initiated for large and medium-sized enterprises to mentor small and medium-sized enterprises on issues relating to formal employment.

A quote box with a yellow background and a dashed border. On the left, there is a small video frame showing Nubia Ariza Tovar, Inspector General of Labour, Ministry of Colombia, speaking. Below her name is the text 'We are aiming to show not only the importance'. To the right of the video frame is a large blue quotation mark. The quote text is: "We are aiming to show not only the importance of following the rules just for the sake of it, but to give workers in the region the opportunity to have stability and guarantees, which also gives opportunities to enterprise owners."



This programme was piloted with 80 target enterprises. As a result of these interventions, 772 workers had their employment formalized through direct employment relationships.

Strategic communication: To reach the target population, innovative communication strategies tailored to each region were deployed: radio spots, local television programmes, virtual fairs, live streaming on social media and informative in-person meetings in remote municipalities.



This exercise involved collaboration with numerous stakeholders to expand reach and maximize limited resources.



“At the intervention fair, where all stakeholders participated, companies came in asking for information. I mean, we didn’t have to go to them, they came to the team asking questions. I want to work towards formalization, and they [the enterprises] were on the same page as us, asking to be part of this team.”

Trinidad and Tobago

The Labour Inspectorate Unit of the Ministry of Labour (MOL) piloted SCP to combat child labour in street vending. More than 5,000 cases of child labour were estimated in Trinidad and Tobago in 2014 and despite declining numbers it remains a persistent challenge.

Labour inspectorate: The Labour Inspectorate Unit is mandated to enforce labour law in relation to the minimum wage and rate of pay; hours of work and overtime; public holidays; meal and rest periods; holiday and sick leave; maternity benefits; and child employment. The Labour Inspectorate Unit currently has a complement of 14 inspectors and typically conducted over 1,200 inspections per annum pre-COVID. However, due to government measures implemented to reduce the spread of the virus, this figure dipped to 455 in 2020, 119 in 2021 and 701 in 2022. The Labour Inspectorate Unit has set a target of 1,500 inspection visits for 2023. Labour inspectors in Trinidad and Tobago can refer cases of non-compliance by employers to the Industrial Court for penalties to be determined. However, no cases were referred over the last three years.

Strategic partnership: Nine public institutions, including the Child Protection Unit, the Occupational Safety and Health Agency, the Children’s Authority of Trinidad and Tobago, the Counter Trafficking Unit, the Ministry of Education, the Ministry of Social Development and Family Services, the Tobago House of Assembly, and the Ministry of Labour have various regulatory mandates related to the issue of child labour. To ensure cases of child labour are detected and dealt with by the appropriate agencies involved, the MOL is coordinating the development of protocols for a referral mechanism among the various agencies. The Ministry of Labour and the Ministry of National Security have signed a memorandum of understanding to formalize the collaboration between the Labour Inspectorate Unit and the Counter Trafficking Unit with a view to the joint protection of residents, including migrant children, from human trafficking, the worst forms of child labour and labour exploitation.

SCP snapshot

- **Target sector:** Street vendors
- **Target issues:** Child labour
- **Workers benefiting:** 430
- **Stakeholders engaged:** 9
- **Improvement in targeting of non-compliant duty holders (or use of resources):**
 - **Baseline campaign:** 37% of resources used on non-compliant duty holders
 - **Subsequent campaign:** *Forthcoming*
- **Improvement in compliance:**
 - Change in compliance from initial to follow-up inspection: *Forthcoming*
 - Change in compliance from baseline to subsequent campaign: *Forthcoming*
- **Reference period:** 2022

Enhanced inspection protocol: Many children working as street vendors do so without the presence of parents or guardians. This presents a challenge for the inspectorate when seeking to interview the children. To address this issue, labour inspectors received training from the Children’s Authority of Trinidad and Tobago (CATT) on proper interviewing techniques. The two agencies are also collaborating to develop an interview form for use by inspectors when interviewing children. The ILO facilitated a capacity-building workshop with the CATT to build awareness among labour inspectors and other key partner agencies of the psycho-social and legal considerations involved in communicating with children who may be suspected or actual victims of child labour.

Enhanced prosecution: To facilitate the prosecution of persistently non-compliant enterprises and streamline prosecution processes, the Labour Inspectorate Unit is collaborating with the Occupational Safety and Health Authority and Agency, which has a higher rate of prosecution, to improve the Labour Inspectorate Unit’s ability to prosecute labour violations.

Strategic communication: Child labour is inherently difficult to detect and cultural views about child labour mean few people are forthcoming with information about child workers. To address both issues, the Labour Inspectorate Unit's Communications Unit in collaboration with the Labour Market Information Unit developed a strategic communication campaign with traditional and social media components. Social media campaigns have been launched, which included a Facebook poll that received 894 responses over a three-month period. To capture further reporting data from the public on where children are seen working, the MOL conducted an e-survey on the perception of child labour, which included information on the locations where children work and types of child labour, receiving 90 responses to date including two reports from Tobago. This led to 36 referrals of child labour cases being made. Based on the information received, the Labour Inspection Unit conducted surveillance of locations where child labour was suspected. The surveillance identified four cases for further investigation. The Communications Unit leveraged the social media platforms of local influencers to spread awareness of child labour. This boosted the MOL's efforts considerably,

extending its reach to over 9,000 people and achieving over 5,000 views of videos posted by the three influencers on social media. Visits were also made to four primary schools within communities where there were children working according to public reports. As a result of this direct outreach, 149 children were made aware of the issues surrounding child labour and over 100 children reported that they had seen children working, with the majority providing locations. Of these, 13 cases were identified at two of the schools, requiring further investigation. During the school visit, one child admitted on the survey form to working in the market. One suspected case of "the worst forms of child labour" (that is, a child's sexual exploitation) was also identified and referred to the Child Protection Unit for further investigation. The MOL continues to conduct awareness building and preventive initiatives by using the mainstream media of television and radio, hosting competitions and art exhibitions and also collaborating with private and public stakeholders to engage a larger share of the population on the topic with a view to enhancing monitoring, public reporting and prevention.





Kurdistan Region of Iraq

The Ministry of Labour and Social Affairs (MOLSA) of the Kurdistan Region of Iraq piloted SCP in iron and steel processing in the industrial sector and pomegranate and grape in the agriculture sector. Identified areas of non-compliance include underpayment of wages, arrears in social protection contributions and undeclared work.

Labour Inspectorate: The labour inspectorate is mandated to enforce labour law for a total workforce of almost of 11 million people.¹⁴ The labour inspectorate employs 12 inspectors and typically conducts approximately 3,700 initial inspections a year of randomly selected duty holders. Resource constraints limit its ability to conduct the necessary follow-up actions to verify that non-compliant duty holders come into compliance following initial inspections. Labour inspectors do not have the power to issue sanctions or penalties and can only recommend that the public prosecutor bring charges.

Enhanced targeting: The absence of systemized inspection data impedes the labour inspectorate's ability to (1) identify the type or prevalence of non-compliance in each sector, (2) adequately target likely non-compliant enterprises within that sector, or (3) assess the effectiveness of interventions to bring identified non-compliant

SCP snapshot

- **Target sector:** Iron, steel, pomegranate and grape processing
- **Target issues:** Wages, social protection, illegal informal employment
- **Workers benefiting:** 3,499
- **Stakeholders engaged:** 5
- **Targeting of non-compliant duty holders/use of resources:**
 - **Baseline campaign:** 64% of resources used on non-compliant duty holders
 - **Subsequent campaign:** *Forthcoming*
- **Change in compliance:**
 - Correction of non-compliance after advice and guidance: 15%
- **Reference period:** 2022

duty holders into compliance. To overcome this knowledge gap for iron, steel, pomegranate and grape processing, the inspectorate designed and conducted a baseline inspection campaign.

The inspectorate collaborated with Social Security Department of the MOLSA, the Ministry of Trade, the Ministry of Agriculture and Water Resources and the Directorate of Registration to pull together a comprehensive list of duty holders in the sectors involved. It then selected 22 duty holders for inspection that had certain

¹⁴ Trading Economics, "[Iraq - Labor Force, Total](#)", accessed 27 February 2023.



characteristics that might indicate they were likely to be non-compliant. The data from initial inspections showed that 64 per cent of the randomly selected duty holders were found non-compliant. Put another way, the labour inspectorate spent 36 per cent of limited resources inspecting compliant duty holders. The data for follow-up inspections showed that 15 per cent of the 64 per cent non-compliant duty holders came into compliance based on advice and guidance. Advice and guidance therefore had an 15 per cent effectiveness rate in bringing targeted duty holders into compliance. The labour inspectorate is currently undertaking a subsequent inspection campaign using the analysis from the initial inspection campaign.

The labour inspectorate anticipates that the enhanced targeting will find a greater number of non-compliant duty holders during initial inspections than were found during the baseline inspection campaign.

Strategic communication: To enable workers to communicate directly with the inspectorate, 20,000 complaint cards were developed in three languages, with information on where and how to complain. Brochures to promote awareness of labour law compliance among employers and workers were also designed.

Occupied Palestinian Territory

The Ministry of Labour piloted SCP in the education sector with a focus on early education (kindergartens and preschools). The care services sector is one of the biggest in the Palestinian economy, employing 15 per cent of the total workforce (about 20,000 workers).¹⁵

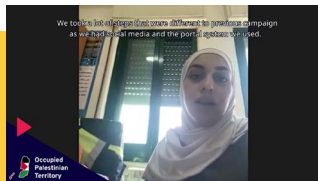
Labour inspectorate: The labour inspectorate is mandated to promote compliance with labour law for a workforce of 1,220,000 people.¹⁶ The labour inspectorate employs 40 inspectors in the West Bank and 30 in Gaza. Labour inspectors do not have the power to issue sanctions or penalties and can only recommend that the public prosecutor bring charges. A negligible number of prosecutions for labour law violations are undertaken each year.

SCP snapshot

- **Target sector:** Early education
- **Target issues:** Wages, social protection
- **Workers benefiting:** 6,500
- **Stakeholders engaged:** 2
- **Reference period:** 2020-2021

Enhanced targeting: The absence of systemized inspection data impedes the labour inspectorate’s ability to (1) identify the type or prevalence of non-compliance in each sector, (2) adequately target likely non-compliant enterprises within that sector, or (3) assess effectiveness of interventions to bring identified non-compliant duty holders into compliance. To overcome this knowledge gap for early education services, the inspectorate designed and conducted a baseline inspection campaign. The inspectorate targeted the 819 duty holders, with over 6,500 workers, registered in the Ministry’s internal database for inspection. The results of the baseline campaign yielded critical data to enhance targeting in subsequent campaigns. During the baseline campaign, the inspectorate suspected that their internal list did not represent the real number of workplaces in the early education sector. The inspectorate collaborated with the Ministry of Education (MOE) to create a comprehensive list of kindergartens, which led to the registration of 700 new workplaces in the inspectorate’s database.

Strategic partnership: To enhance the inspectorate’s deterrent effect in respect of non-compliant duty holders, the inspectorate collaborated with the MOE to develop a referral mechanism between the two authorities to be used when labour law violations or unlicensed duty holders were identified. This promotes the formalization of kindergartens and increases the perception of risk for non-compliant companies as they no longer only face sanctions from the MOL but also potential adverse effects on their operating licenses from the MOE.



“We took a lot of steps that were different to our previous campaigns as we had social media and the SCPortal that we used.”



“We spread awareness to more than 800 nurseries. Each nursery has at least two to eight workers. All of those whom we met are now aware. They didn’t know that there was this support for their rights from the Ministry of Labour. Through the brochures we distributed, they also now know about their fundamental rights, that they must take holidays and be paid. They also know there is a telephone number they can call to complain, submit their problems or claims, or ask for advice they need.”

¹⁵ Belal Fallah, [The Care Economy in Palestine: Towards recognizing, reducing and redistributing unpaid care work](#) (UN Women, 2020).

¹⁶ The World Bank, [“Labor force, total – West Bank and Gaza”](#), World Development Indicators database, accessed 27 February 2023.



Strategic communication: To directly target workers in the sector, the inspectorate developed a brochure on common compliance issues for the sector and a business card with information on how and where to submit complaints. To date, 545 copies of the brochure and card

have been distributed in kindergartens both during inspection visits and through sustained collaboration with the MOE. The inspectorate noted that this led to an increase in the number of actionable complaints from workers in the kindergarten sector.



Indonesia

The Ministry of Manpower piloted SCP in the palm oil and fishing sectors. Indonesia is the number one global producer of palm oil. It accounts for 4.5 per cent of GDP, with nearly 3,000 companies and around 3.78 million plantation workers, 70 per cent of whom do not have formal contracts.¹⁷ The fishing sector represents 2.6 per cent of GDP¹⁸ and employs about 12 million people.

Labour inspectorate: The labour inspectorate is mandated to ensure compliance with labour law in a country with 26.7 million business units and a labour force of 138 million people. The labour inspectorate employs 1,686 inspectors and in 2021 conducted 12,328 inspection visits.



SCP snapshot

- **Target sector:** Palm oil; fishing
- **Target issues:** Wages, social protection
- **Stakeholders engaged:** 5
- **Reference period:** 2018-2019

Enhanced inspection protocol:

- **Palm oil:** Through tripartite stakeholder collaboration, the labour inspectorate developed a field guide to standardize inspections in the palm oil sector, with a focus on priority OSH and labour law violations. Standardized inspections have enabled inspectors to enhance process efficiency, streamline inspection actions and collect consistent data on inspection visits. These efforts support a 2019 presidential instruction concerning sustainable palm oil production in Indonesia.
- **Fishing:** Through tripartite stakeholder collaboration and ILO assistance, the labour inspectorate developed a Field Guide on Labour Inspection On-Board Fishing Vessels to standardize portside inspections and improve collaboration with other regulators operating in this vital sector. This is in addition to a Memorandum of Understanding between

¹⁷ Grace Dungey, "Labor groups seek to build on Indonesian palm oil court win in new cases", Mongabay, 3 October 2022.

¹⁸ Statista, "Contribution of fisheries to GDP Indonesia 2014-2021", 12 December 2022.

the Ministry of Manpower and the Ministry of Maritime Affairs and Fisheries, which includes efforts towards joint labour inspections and the harmonization of fishing regulations for improved worker protection.

Stakeholder collaboration:

- **Palm oil:** A joint inspection campaign between the labour inspectorate and BPJS, Indonesia’s social security agency, focused strategically on influential economic units to achieve a spillover effect in the palm oil sector. An initial targeting of five enterprises with 3,000 workers eventually led to the registration of 10,000 workers with the social security system.
- **Fishing:** The fishing sector is regulated by three distinct agencies, which presents a challenge for effective labour law enforcement. Through SCP, the Directorate General for Labour Inspection and Occupational Safety and Health (Labour Inspection DG) under the Ministry of Manpower (MOM), the Ministry of Maritime Affairs and Fisheries (MOMAF), and the port authority under the Ministry of Transportation Directorate General of Sea Transportation (DGST) came together to design the first ever joint inspection campaign. Together, they developed joint strategic compliance plans for each of the priority provinces, including several strategic interventions designed to improve the coordination of joint information gathering, inspection visits and awareness-raising activities. While coordination meetings on fishing and working conditions had previously been held at the national level,



“We received support from other institutions like the BPJS Kesehatan [the Indonesian social security agency]. We started with good communication and have continued in the same way. They gave us data and asked us as the labour inspectorate to conduct inspection visits.”



“This strategy really needed to be drawn up in order to speed the process up and make it easier for us to carry out inspection visits, so we are not alone but are supported by other stakeholders, especially social security offices. We now also coordinate before carrying out inspection visits to enterprises.”

this initiative targeted regulators in priority fishing provinces to trigger workplace-level planning and action.

Implementation of the strategic compliance plans led to joint inspections using the Field Guide conducted by the MOM, MOMAF and the DGST at the Port of Benoa, Bali, in May and June 2019, and to coordinated awareness-raising campaigns on labour rights and OSH hazards organized through cooperation between the MOM and the trade unions in the fishing sector in the province of North Sulawesi.

More recently in 2023, an Inter-Ministerial Coordination Meeting was held to validate improvements to the Field Guide and to plan joint inspection operations in the Port of Belawan in North Sumatra and Probolinggo Port in East Java. This continues efforts by the Indonesian Government, with ILO support, to strengthen collaboration and cooperation among relevant ministries to improve working conditions in the fishing sector.



“Because we did inspection visits to 5 enterprises, we believe all 19 enterprises will start to undertake compulsory reporting [to the BPJS Kesehatan].”

Philippines

The Department of Labour and Employment (DOLE) piloted SCP in 2016 to combat disguised employment relationships. This was the result of a change in administration in 2016, when the Government prioritized combating the widespread use of illegal contract labour, known as contractualization or “endo” contracts. As a key component of this initiative, the Government emphasized the labour inspectorate’s enforcement role.

Labour inspectorate: The DOLE is mandated to ensure compliance with labour law in the formal sector in a country with 278,181 establishments and a labour force of 51.2 million people. In 2022, 568 labour inspectors visited a total of 81,314 establishments.

Prioritization of a compliance issue: Prior to piloting SCP, by the end of 2017, the DOLE had regularized 125,000 contractual workers, approximately 62 per cent of its 2017 target of 200,000 workers.¹⁹ In a series of activities carried out in 2018, the ILO together with DOLE introduced SCP to all regions to develop tripartite strategic compliance plans that focused on priority sectors and compliance challenges in each locality with a view to stepping up the Government’s strategy against illegal forms of contractualization. By the end of 2018, the DOLE had surpassed its target of 300,000 formalized workers for the year by regularizing 411,449 workers, 35 per cent of them pursuant to a compliance order and 65 per cent through voluntary compliance on the part of the employer.²⁰ Moreover, officials claim to have observed fewer registrations of contractors and subcontractors, suggesting a change in business practice and a move away from the use of endo contracts.²¹

Strategic engagement of tripartite partners: With the ILO’s support, the DOLE has developed subsequent strategic compliance plans for export processing zones, agriculture, fishing, services, mining, telecommunications,

SCP snapshot

- **Target sector:** Illegal subcontracting
- **Workers benefiting:** 411,499
- **Reference period:** 2018

construction and private security agencies, involving worker and employer representatives at each stage of the planning process to analyse priority industries and compliance issues and to develop complementary actions beyond those of the inspectorate.

“ The Philippines DOLE found that only a few inspections had been conducted in hazardous workplaces and vulnerable sectors. To address these gaps, the Department utilized Strategic Compliance Planning in developing a proactive inspection strategy for several compliance priorities.

The strategic compliance plan adopted a bottom-up approach, where regional managers analysed compliance gaps covered enterprises, the root causes and drivers of non-compliance, and identified interventions that will create an immense impact on the lives of workers. This approach allowed for a more targeted and efficient use of resources and enabled the Department to address the specific compliance challenges faced by enterprises in different regions.



¹⁹ Sofia Tomacruz, “TIMELINE: Duterte’s promise to abolish endo”, Rappeler IQ, 1 May 2018.

²⁰ Samuel Medenilla, “Sans policy, DOLE vows few ‘endo’ cases in 2022”, Business Mirror, 16 June 2018; Samuel Medenilla, “DOLE: Regularized workers to reach 600K”, Business Mirror, 13 August 2018; Mayen Jaymalin, “Nearly 500,000 ‘endo’ workers regularized in 2018 – DOLE”, The Philippine Star, 20 December 2018.

²¹ Samuel Medenilla, “Stricter DOLE rules force nearly 1,000 contractors out of business”, Business Mirror, 18 March 2018.



Uzbekistan

The State Labour Inspectorate of Uzbekistan (SLI), worked with the social partners to deploy SCP in the textile and sericulture sectors. The agricultural sector, of which sericulture is a part, accounts for approximately 25 per cent of GDP and 26 per cent of employment.²² The textile sector accounts for approximately 14 per cent of the country's manufacturing GDP and there are close to 7,000 small, medium-sized and large textile enterprises in the country.²³ The most common types of non-compliance include underpayment of remuneration; failure to register contracts; breach of leave provisions; non-observance of medical examination requirements; failure to ensure OSH training or OSH briefing for workers; inadequate provision of personal and collective protective equipment; and violation of rules on working and rest hours.

Labour inspectorate: The SLI is mandated to ensure compliance with labour law in a country with a labour force of more than 14 million people.²⁴ The labour inspectorate employs 300 inspectors and conducts an average of 23,542 inspection visits yearly.

Strategic engagement of tripartite partners: The SLI is not mandated to conduct inspection visits of non-state entities without prior

SCP snapshot

- **Target sector:** Textile; sericulture
- **Target issues:** Wages, hours, OSH and contracts
- **Workers benefiting:** 16,699
- **Stakeholders engaged:** 5
- **Targeting of non-compliant duty holders/use of resources:**
 - **Baseline campaign:** 62% of resources used on non-compliant duty holders
 - **Subsequent campaign:** *Forthcoming*
- **Change in compliance:**
 - Correction of non-compliance after advice and guidance: *Forthcoming*
- **Reference period:** 2022-2023

approval from the Business Ombudsman of Uzbekistan, which is rarely granted. To overcome this bottleneck, the Ministry of Employment and Poverty Reduction, the Federation of Trade Unions of Uzbekistan, the Confederation of Employers of Uzbekistan, the Uzbekistan Textile and Garment Industry Association and the Association of the Uzbek Silk Industry signed a joint decision to conduct “compliance-monitoring visits” rather than labour inspection visits.

²² International Trade Administration, “Uzbekistan – Country Commercial Guide”, 8 July 2022.

²³ CEIC Data, “Uzbekistan UZ: GDP: % of Manufacturing: Textiles and Clothing”, accessed 26 April 2023.

²⁴ The World Bank, “Labor force total – Uzbekistan”, World Development Indicators database, World Development Indicators database, accessed 15 February 2023.



Establishing a baseline level of compliance:

The sericulture sector was a previously under-explored sector for the SLI. To gather baseline information on levels of non-compliance in this sector, the SLI analysed data provided by tripartite partners to select 21 duty holders for compliance monitoring. To enhance detection of non-compliance and ensure an effective use of resources, a questionnaire, specific to the sericulture sector, was developed. As a result of strategic targeting and tools fit for purpose, 62 per cent of monitoring visits detected non-compliance.

Strategic follow-up visits: Due to the difficulty of obtaining the Business Ombudsman’s approval to conduct subsequent inspection visits, the SLI will collect written reports from non-compliant duty holders. The SLI, in coordination with the Federation of Trade Unions and the Confederation of Employers of Uzbekistan, will also develop strategic communication using social media to raise awareness of areas of non-compliance and to further collect data on the number of enterprises which came into compliance following advice and guidance provided during the monitoring visits.



ilo.org

**International Labour Organization
Route des Morillons 4
CH-1211 Geneva 22
Switzerland**