



International  
Labour  
Organization

# ILO Curriculum on Building Modern and Effective Labour Inspection Systems

Module

**11**

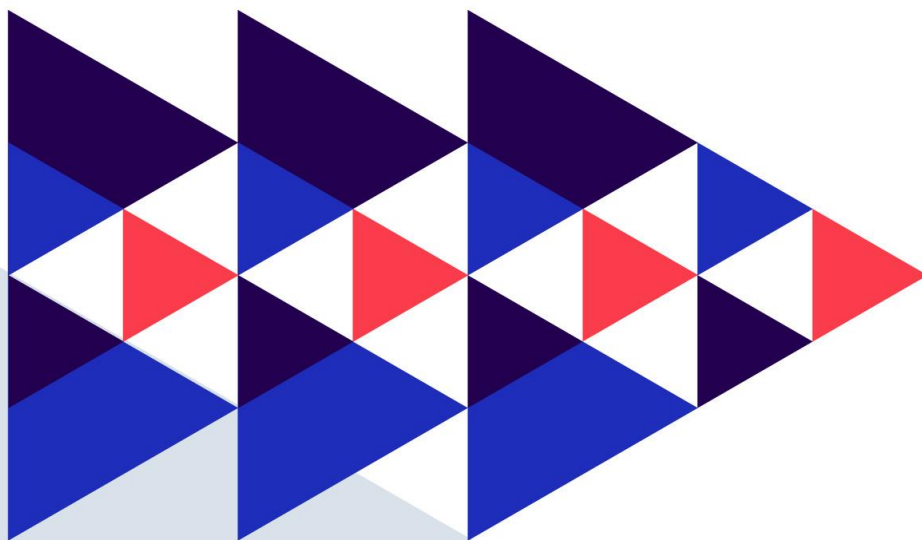
► **Tools for the labour inspectorate**



ILO Curriculum on Building Modern and  
Effective Labour Inspection Systems

► Module **11**

# Tools for the labour inspectorate





### ► What this module is about

This module outlines the most important resources and tools used in many labour inspectorates to facilitate the work of labour inspectors and make their work more efficient. The purpose and usefulness of these tools will be discussed and some examples presented.

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### ► Objectives

This module aims to familiarize participants with the different tools that support the work of both labour inspectorates and individual inspectors. At the end of this module participants will be able to:

- identify the key factors in selecting information and communication technologies that can best meet the needs and requirements of labour inspectorates;
  - describe the purposes, modalities, advantages and disadvantages of checklists as tools for inspection visits;
  - understand the aims of the supporting policy documents;
  - explain the purpose, methods and usefulness of selected forms and resources for both inspectors and stakeholders.
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## ▶ 1. Basic equipment

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To carry out its functions effectively, a labour inspectorate not only needs an adequate number of staff, with appropriate conditions for hiring, training and service, but the said staff must also be given the necessary resources to perform their tasks, and to ensure that their role and the importance of their work is appropriately recognized. The ILO's labour inspection Conventions stipulate that it is the responsibility of the competent authority to make these arrangements.

Under Article 11 of the [Labour Inspection Convention, 1947 \(No. 81\)](#) and Article 15 of the [Labour Inspection \(Agriculture\) Convention, 1969 No. 129](#), the competent authority shall make the necessary arrangements to furnish labour inspectors with local offices suitably equipped in accordance with the requirements of the service and accessible to all persons concerned; the transport facilities necessary for the performance of their duties in cases where suitable public facilities do not exist; and the reimbursement of any travelling and incidental expenses which may be necessary for the performance of their duties.

In some countries, there are no suitably equipped offices. There are frequent reports of insufficient computer equipment, no internet connections, telephones, tables or chairs, and, in the worst cases, sub-standard office accommodation, inadequate space and poor ventilation, including lack of water, electricity and sanitary facilities. In some countries the shortage of resources is so severe that inspectors are unable to carry out most of their tasks for lack of writing materials. However, the trend in most inspectorates is to make computer equipment and modern means of communication available in every office, including internet connections, mobile phones and so on.

The mobile phone is a very important tool during inspection visits, useful for consultation with colleagues and office managers, and with the police in the event of problems. In addition, mobile phones can be used to take pictures, record interviews, measure the sound and lighting environment, and provide directions to the workplace to be inspected.

The factories, companies and workplaces subject to inspection may be located in areas that span thousands of square kilometres. This is why the authorities should furnish labour inspectors with the transport facilities necessary for the performance of their duties, or cover the costs of public transport, or pay an allowance for work-related travel.



### ▶ Transport

In **France**, inspectors share a vehicle fleet used by all the decentralized labour administration services. Where necessary, they are compensated for the use of their own vehicles for work-related travel in the form of a flat-rate travel allowance, which is regularly updated.

In **Jordan**, several inspectors share the same vehicle, coordinating their visits to companies in the same areas.

There are also other resources that inspectors require for their visits. Staff should be equipped with personal protective equipment and, where necessary, with suitably calibrated instruments for measuring the work environment, such as thermometers, hygrometers, light meters, sound meters and dosimeters. They should also have access to the services of an industrial toxicology laboratory for analysing samples, measuring the levels of chemical substances in the workplace atmosphere and identifying hazardous substances.



## ▶ 2. Information management systems

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Sound management of information and statistical data contributes to making an inspectorate more efficient and effective. Decisions on the choice of information management policy demand an objective appraisal of the role of the inspectorate and inspectors in the context of the social and political environments in which they work.

The aim is to create a framework in which policy managers can discuss which of the organization's functions are amenable to information management, and the degree to which information systems can be exploited. An appraisal of this kind should also balance costs against benefits, determine the information flow and data requirements, and keep an open mind on alternative solutions. In short, the appraisal will guide management in drawing up the objectives and plans for an information system.

### 2.1 The need for information

The ILO Conventions do not specifically mention the information resources necessary for the requirements of the service. However, in a scenario in which efficiency, productivity and impact are required from labour inspectorates by governments and society, the presence of adequate information resources within the inspectorate is essential. The objectives of an information system are determined by their purpose, which is to help the user identify needs. But what type of information does the labour inspectorate need? And who are the users of this information?

The primary users are the field labour inspectors. Their task is to ensure that companies are applying the relevant labour regulations. They therefore need to have access to information covering:

- ▶ All labour regulations enforceable by the labour inspectorate, including any recent amendments, circulars and guidance documents on how to interpret the regulations; copies of sectoral or enterprise collective agreements should also be available;
- ▶ Companies on which the labour regulations are enforceable. The quality of the information held by different inspectorates varies greatly: in some countries, the labour inspectorate has problems even knowing the names, addresses and contact details of the companies for which it has responsibility, while other inspectorates have very detailed, regularly updated information of this kind. At the very least, the name, address and contact references of a company, a summary description of its activities and technologies, and reports on previous inspections visits, should be available to the inspectorate;
- ▶ The instructions issued by the central authority and inspection services: circulars, strategic planning documents and orders on how to undertake inspection visits; prescribed inspection forms or checklists for collecting information and dealing with such issues as basic OSH;

- ▶ Action plans, work programmes and inspection orders indicating the sectors or companies to be visited.

Another important category of users of this information are inspectorates' top and middle managers, and central, regional or local directors. As their main functions are to plan, monitor and evaluate the activities of the different inspectorate functions and take decisions on this basis, they should at least have access to the following information:

- ▶ The aforementioned information on the labour regulations and companies subject to inspection;
- ▶ Feedback from labour inspectors' visits, in particular the results of their investigations. Depending on their responsibilities, this information should be processed at local, regional or national level, disaggregated by inspector;
- ▶ Complaints made by workers, workers' representatives, trade unions and other civil bodies;
- ▶ Requests from governmental or judicial bodies;
- ▶ Follow-up on any injunctions or prosecutions initiated, including deadlines, appeals, trials, payment of fines, etc.;
- ▶ Instructions or policy guidelines issued by the ministry of labour or other bodies with hierarchical authority over the labour inspectorate.

Managers and field inspectors are both users and suppliers of the information system. Inspectors provide information on the companies visited, while managers provide information on the instructions, guidelines, programmes of activities and visits to companies, and so on. However, there are other important providers of information, including:

- ▶ Companies directly;
- ▶ Social security agencies;
- ▶ National company registers;
- ▶ Employment injury organizations;
- ▶ Police and immigration authorities;
- ▶ Customs authorities;
- ▶ Tax authorities.

An information system can also provide details of workflow and ensure that actions are taken in a systematic order and within the correct timeframe, thereby promoting compliance with legislation on the part of companies and ensuring that inspectors follow standard operating procedures.

Finally, the information will make it possible to produce statistics for measuring the labour and employment situation, the effectiveness of public policy, and the impact of labour inspection activity. It is also vital for report writing.

## 2.2 Harmonization of labour inspection statistics

LABADMIN/OSH has developed a Guide on Harmonization of Labour Inspection Statistics<sup>1</sup> covering the use of common terms and definitions and common procedures for the collection and compilation of standard labour inspection data. The Guide also contains recommendations that further the objective of harmonizing labour inspection statistics. Labour inspection statistics play an important role in assisting governments, ministries of labour and labour inspectorates in the development of national policies, systems, programmes and strategies for labour inspection. They also enable governments to follow labour market trends and better monitor compliance.

A key issue hindering the development of consistent and coherent labour inspection statistics across countries and for international comparisons is the use of different concepts, definitions and subjects of interest. Drawing on the varied practices in the six pilot countries, as well as the ILO's methodological experience in this field, the Guide presents the main concepts relevant to the recording of labour inspection data, with definitions, as well as the main units and classifications that can be applied to describe systems in a statistically coherent way. Thus, the Guide proposes a clear methodology for the collection and systematization of labour inspection statistics.

## 2.3 Information and communication technologies

Information and communication technologies<sup>2</sup> (ICTs) is a term that covers all technical means for processing and communicating information. It is used to describe digital technologies and methods of communication, as well as techniques for storing and processing information.

Labour inspectorates have traditionally collected, transferred and stored all this information in hard copy format in physical files. Paper records are a good alternative when no electronic infrastructure is available in a country, but there are obvious disadvantages:

- ▶ The sheer volume of the documents containing the information can become a problem for filing and storing.
- ▶ It is difficult to recover the information easily and transfer it “on time”.
- ▶ Although data may exist within the inspectorate, it may not be in a readily available and usable format at the time it is needed.
- ▶ The possible loss of documents and their transfer for consolidation is an important issue.

Increasingly, inspectorates are adopting electronic methods to transfer and store documents. One of the most important tools are databases. The main advantage of databases is their high capacity for storing information and ease of retrieval to meet the different requirements of users. A database can be used to store basic information on companies, such as general details, activities

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<sup>1</sup> [Guide on the Harmonization of Labour Inspection Statistics](#).

<sup>2</sup> [Information and Communication Technology](#), Wikipedia entry.

and the contact references of enterprise and employer. More complex ones can be used to record parameters relating to employment and working conditions, such as number of employees, categories, type of contracts, gender breakdown, number of foreigners and disabled workers employed, hours of work, and collective agreements applicable to the enterprise. They may also incorporate the results of previous inspection activities, such as sanctions applied (improvement and prohibition notices, warning letters and prosecutions), the general attitude of the employer, and previous complaints made. In addition to this information, the most complex databases will record all the activities performed by all inspectors in accordance with individual (or local, regional and national) planning. In any case, the information collected in a database is determined by the purposes to which it will be put. Some of the most common purposes of databases are:

- ▶ **Background information for inspectors:** Inspectors need information on the companies they are due to visit, to enable them to prepare for a visit and thus save time.
- ▶ **Institutional memory:** The knowledge and experience of an inspectorate cannot rest exclusively with individual inspectors and managers, who come and go. An inspectorate needs to develop an institutional “brain” to collect and store all this knowledge and experience of the labour situation in companies inspected over the years.
- ▶ **Planning and “targeting”:** Based on feedback from site visits/inspection reports, databases provide a good basis for setting priorities, targeting companies and planning the inspectorate’s activities. For example, they make it possible to target establishments not previously inspected, or those that had been found to regularly violate their legal obligations. The information they contain also makes it possible to identify the most prevalent issues, based on improvement notices and complaints, with a view to planning campaigns. Database information can also guide the logistical organization of the inspectorate, for example arranging group inspections in the same area by combining routine, special and follow-up visits.
- ▶ **Monitoring compliance:** Feedback from site visits/inspection reports can also be processed to provide information on the level of compliance with regulations. This information could be relevant not only for planning, but also for reporting. In some inspectorates, inspectors are required to collect specific information on employment and working conditions in companies for feeding into the database. In such cases, databases serve as a tool for standardizing the information collected by inspectors.
- ▶ **Recovering information, analysing and reporting:** As already mentioned, one of the functions of a database is to be able to retrieve information when it needed to provide pertinent statistical data. Labour inspectorates (at national, regional and local level) and inspectors need to produce periodic reports (annually in the case of the inspectorate and perhaps weekly/monthly in the case of an individual inspector). Exploiting the functionalities of a database can make it very easy to prepare the information for such reports. The periodic “feeding” of the database by inspectors with details of their activities might even be regarded as constituting the periodic report itself.
- ▶ **Monitoring and control of operations:** Inspectorate managers need to know that inspection visits and other activities are taking place according to schedule. They also need

to recognize any situation requiring rapid corrective action. Databases also enable managers to monitor the operations of individual inspectors and of local or regional offices. This will give them a clear picture on how their resources are being deployed in achieving planned targets.

- ▶ **Performance and impact evaluation:** Another important function of a database is the scope for evaluating the performance and impact of individuals and local offices. This could be important in staff management, planning, reporting, etc. It can also facilitate the calculation of efficiency, effectiveness and impact indicators.

## 2.4 Implementation of an ICT system

Introducing a computerized record system requires careful planning; it is not just a matter of computers. A proper concept for an ICT system must first be in place before a decision can be made on the types of computer hardware and software packages required. When deciding on the implementation of a database, there are a number of considerations to be taken into account.

- ▶ The first is that the introduction of a new information system should be suited to the strategies, objectives and operational procedures of the inspectorate, not the other way round (adaptation of the inspectorate's strategies, objectives and operational procedures to the information system's requirements). The reorganization of an institution's technical infrastructure can often be an opportunity for a deeper reorganization, particularly when introducing new information systems. However, the technical and material means should be in line with the planned reorganization.
- ▶ Following on from the previous consideration, decisions about the functionalities of an ICT system are not a matter for the ICT specialists, as might be thought appropriate. Rather, the technical staff (managers and field inspectors) of the inspectorate should work together with ICT specialists to decide on the scope, purpose, content, users, and methodology of the new information system and databases.
- ▶ The organization's senior management must show **strong leadership** so that staff at all levels and from different backgrounds will "buy into" and support ICT development projects. Without this environment, there is little assurance that success will be achieved.
- ▶ An important part of the implementation process is user involvement and **ensuring the adherence of the main users**. Obviously, the inspectors themselves will need training, guidance and support on how to use the system. Much of the data going into the system will derive from the inspectors; much of it will be specific to conditions on the premises and will require professional assessment. Unless a provider of information can see some gain from it, cooperation and quality will suffer. Sometimes ICT systems are simply tools enabling managers to monitor the performance of the inspectorate staff, or for interaction with final users (workers and employers). However, where the functionalities of an ICT system are concerned, the inspectors must be considered as the primary (though

not exclusive) data users, and their involvement in the early stages of the design will enhance both the quality of the final product and their input.

- ▶ The design of an ICT system (display of the information, mode of operation, flexibility, etc.) should be user-friendly. This factor will play an important part in ensuring adherence and acceptance on the part of users, and the efficiency of the tool. Consultation with representatives of the main users is important for providing feedback to the designers.
- ▶ When considering the operations and functionalities of an information system, labour inspection managers frequently ask for the most complex in terms of the information that can be managed and the operations that can be performed; there is a temptation to adopt the very latest technology. However, inspectorates should **match their technological ambitions to local conditions**, as well as to the available national infrastructure and internal skills.



#### ▶ Labour inspection management information system

With the support of the ILO, some countries have developed a labour inspection management information system. The main features and specifications when the system was developed were:

- ▶ User-friendliness. It was essential that the system could be used by personnel with relatively low computer skills;
- ▶ Easy deployment by use of generic fields. The intention was to develop a system that could be used successfully in different countries without major changes being necessary;
- ▶ Infrastructure costs minimized. It was essential to develop a system that did not require major capital expenditure on equipment;
- ▶ Sustainability. The system would need to provide for easy updating. This would require ministry staff to be trained in how to maintain it.

The information system consists mainly of a “master registry of establishments”; a database where all information is safely and accurately stored; a data capture component (an electronic user interface which is a replica of the current manual labour form used to capture the results of a labour inspection on basic working and employment conditions, labour relations, child labour and OSH); and a reporting engine (for report generation that includes a monthly, quarterly, annual, and trend analysis report on number of inspections to date, violations, wage information, etc.). The system can allow for the storage of any communication that is sent to and from the establishment and local government. The application can be set up to allow for external access by local establishments, if required, and for the integration of other government departments.

The Application will help identify:

- ▶ Industry / sector trends with respect to the most relevant labour and OSH issues;
- ▶ Number of occurrences of incidents;
- ▶ Baselines which improvements can be reported against.

Such information will also provide consistent data and equip the inspectorate to take strategic decisions on a more informed basis. The labour inspectorate will be in a position to provide meaningful data and reports to government officials, social partners and the ILO.

- ▶ It should be emphasized that an ICT system requires inspectorate staff to obtain data and feed the database. The availability of staff and the time that management wants them to dedicate to these tasks are important factors in deciding **what type of information systems is adequate and useful**. Is the inspectorate storing only information relevant for its operations? Is the inspectorate capable of processing and making use of all the information that the inspectors collect and store? It is not infrequent for organizations to collect, record, and store information that is useless or that provides little value for their operations. This reflects poor design and failure to calculate the cost and benefits.
- ▶ **Cost-benefit considerations** are very important: Although the benefits that improved information systems bring to the effectiveness of an inspectorate may not be immediately evident, some cost-benefit conclusions can be drawn in terms of the likely savings in inspector and support-staff time. The way information is collected, the geographic location of the inspectorate offices, the types of analyses to be made, the data required by the users, the volume of data involved and the number of daily transactions either to or from the database will allow some estimate of the hardware, software and communication-network costs.
- ▶ Organizations frequently switch from one ICT system to another. Considering the amount of information that is normally stored on an inspectorate information system, it is important to consider the **exportability** of the data concerned. Otherwise, the prolonged co-existence of several applications may be unavoidable.
- ▶ Sometimes the ICT format is connected to the precise way in which an inspectorate operates. Although this could be an advantage, designers should remember that an ICT system is a long-term investment, and the system should be flexible and **compatible** with possible future changes in the inspectorate's strategies and operations.
- ▶ Labour inspectorate information is very sensitive. Convention No. 81 refers to at least two issues in which confidentiality and professional secrecy are important: commercial secrets and the source of any complaint. There are, however, additional issues that require confidentiality. Consequently, the **privileges and access** of staff to the information held on the system is a very relevant issue.

- ▶ The security of an ICT system is an important concern, not only because of the sensitivity of the information held, but also in consideration of the cost of collection and storage. In addition to the implementation of strong security systems, frequent **back-up copies** should be made to minimize the impact of any fatal problem in the main system.
- ▶ From the outset, it is important to plan for the development of in-house capacity for the management and maintenance of the ICT applications. It is advisable for an inspectorate to have control of its software, as this allows greater freedom to take decisions. Of course, it is also necessary to plan for the training of the system users. **Training** helps staff to assimilate and accept the technology and the associated changes.



## ▶ 3. Labour inspection manuals

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Some inspectorates have developed reference documents to provide guidance and information about inspection duties, enforcement policy, internal operations and procedures, and so on.

They are referred to in different ways: Field Operations Manual in the USA,<sup>3</sup> Methodological Guide of Labour Inspection in Senegal, Handbook of Labour Inspection Procedures in Costa Rica,<sup>4</sup> or simply Labour Inspection Manuals.

These are primarily internal documents, solely for use of labour inspectors, and therefore not released for public access. In any case, they might include sensitive information on internal policy that labour inspectorate managers would not want to share with duty-holders. However, some inspectorates have made their manuals totally or partially available to the general public, with the political purpose of transparency and to raise awareness of what users can expect from the labour inspectorate.<sup>5</sup>

Although the purposes and contents of labour inspectors' manuals vary from country to country, they are important tools for both field inspectors and the labour inspectorate as a whole. As a tool for field inspectors, the manual provides guidance on their day-to-day work, when:

- ▶ planning inspections;
- ▶ preparing for an inspection visit;
- ▶ conducting an inspection;
- ▶ dealing with uncooperative employers/managers;
- ▶ exercising judgment in certain situations;
- ▶ conducting a closing meeting;
- ▶ following up inspection visits and issuing notices;
- ▶ writing reports and keeping records;
- ▶ initiating legal proceedings.

As a tool for the labour inspectorate, the manual reflects the way in which the institution puts into practice the political statements and guidelines included in the national labour inspection policy. It normally details the operations of inspectors on the basis of the explicit or implicit policy guidelines.

The manual also ensures the standardization of procedures across all offices and a common approach (similar cases treated in similar ways). It also provides a standard for inspectors'

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<sup>3</sup> OSHA, USA.

<sup>4</sup> Costa Rica: In Spanish "Manual de procedimientos de inspección de trabajo".

<sup>5</sup> HSE, UK. Operational Procedures; Worksafe New Zealand, Operational policies.

behaviour, against which the action of individual inspectors can be assessed and judged, ensuring their accountability. It is also an indispensable reference for new inspectors in training.

In general, the manual is an open document, subject to ongoing updates. It is improved, adapted and updated in line with new labour legislation, and new policies and strategies adopted by the ministry of labour.

As well as setting forth procedures for inspection visits, the manual may be accompanied by other relevant documents:

- ▶ Code of conduct for inspectors;<sup>6</sup>
- ▶ National labour inspection (enforcement) policy document;
- ▶ Guidelines on policy and strategic issues;
- ▶ Inspection and campaign plans;
- ▶ Checklists, protocols and other useful tools and documents (report templates, applications to a judge, etc.);
- ▶ Circulars with criteria for making decisions in specific cases, e.g. the Enforcement Management Model.



#### ▶ The Enforcement Management Model (EMM), United Kingdom<sup>7</sup>

##### WHAT IS THE EMM?

The Enforcement Management Model (EMM) is a logical system that helps inspectors to make enforcement decisions in line with the Health and Safety Executive's (HSE's) Enforcement Policy Statement (EPS). The EPS sets out the principles inspectors should apply when determining what enforcement action to take in response to breaches of health and safety legislation. Fundamental to this is the principle that enforcement action should be proportional to the health and safety risks and the seriousness of the breach.

##### WHAT IS THE EMM USED FOR?

The EMM provides inspectors with a framework for making consistent enforcement decisions; helps managers monitor the fairness and consistency of inspectors' enforcement decisions in line with HSE's policy; and assists less experienced inspectors in making enforcement decisions. It can also assist others (e.g. those directly affected) in their understanding of the principles inspectors follow when deciding on a particular course of action.

##### WHEN IS IT USED?

Inspectors apply the principles of the EMM in all of their regulatory actions. Enforcing authorities may develop procedures that specify the circumstances in which inspectors will formally use the EMM. Inspectors' enforcement decisions are also sampled and reviewed using the EMM as part of routine monitoring by line managers. This, together with the uses described above, promotes increased consistency and fairness in enforcement.

<sup>6</sup> See ILO, [Global Code of Integrity for Labour Inspection](#).

<sup>7</sup> [The Enforcement Management Model](#), HSE, United Kingdom.

## ▶ 4. Tools for labour inspectorates

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### 4.1 Strategic Compliance Planning for labour inspectorates<sup>8</sup>

In today's world of work, the number of workplaces subject to inspection dwarfs the resources available to inspect them, leading to a situation in which workers are unprotected, violators operate with impunity, and compliant businesses face unfair competition.

The growth of non-standard forms of employment and new technologies (including teleworking) gives rise to new working conditions (wages, working time, etc.), while new work-related hazards often outpace development of the enforcement tools that would empower labour inspectorates to make an adequate response. In this context, the Strategic Compliance Model - proactive, targeted interventions engaging multiple stakeholders and developing partnerships - provides labour inspectorates with a new methodology for achieving compliance, despite limited resources, possibly limited powers, and the need to shoulder greater responsibility in the ever-evolving world of work.

The traditional model focuses on enforcement, which does not necessarily achieve compliance; and even if it achieves compliance in one workplace, this may not be the case in other workplaces in the same sector that have the same business model or present the same issue. The Strategic Compliance Model seeks to ensure compliance in a way that does not necessarily require enforcement or sanction. All workplaces and employers have a positive duty to comply - and most do comply proactively - without enforcement actions. However, not all employers are motivated to comply exclusively on the grounds of a straightforward cost/benefit analysis that weighs the cost of compliance against the cost of non-compliance (high likelihood of getting caught and/or high penalties). Labour inspectors are called to deal with behaviours of many different kinds.

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<sup>8</sup> For further information: ILO approach to strategic compliance planning for labour inspectorates [https://www.ilo.org/labadmin/info/public/fs/wcms\\_606471/lang--en/index.htm](https://www.ilo.org/labadmin/info/public/fs/wcms_606471/lang--en/index.htm) the strategic compliance planning - labmin/osh.



	▶ Traditional enforcement model	▶ Strategic Compliance Model
<b>Aim</b>	Enforcement	Enforcement and compliance
<b>Approach</b>	Reactive (often complaint-driven) and routine	Proactive, targeted (labour inspectorate-driven) and tailored, based on diagnosis of causes of non-compliance
<b>Interventions</b>	Enforcement Education Communication	Enforcement Education Communication Political Systemic
<b>Stakeholders</b>	Workers and their organizations Employers and their organizations	Workers and their organizations Employers and their organizations Government entities Non-governmental entities Media Wild card (any and all others who can influence compliance)
<b>Implementers</b>	Labour inspectorate	Labour inspectorate + stakeholders
<b>Performance measures</b>	Effective and efficient enforcement	Effective and efficient enforcement and sustained compliance

The components of Strategic Compliance Planning<sup>9</sup>



► Explore the labour inspectorate

Step one in Strategic Compliance Planning involves exploring the labour inspectorate, with a focus on three essential areas: its mandate, its resources, and its enforcement and compliance data.

► Explore issues and targets

Step two involves exploring priority compliance issues and targets. “Issues” are legal requirements relating to workers’ conditions of employment and protections at work, which are enforceable by the labour inspectorate. “Targets” are the employers, workers and worksites in an identified region, sector or business model. “Priority issues and targets” are those areas of greatest concern, which have been identified based on the labour inspectorate’s mandate and collected enforcement and compliance data.

<sup>9</sup> ILO approach to the Strategic Compliance planning – Labmin/osh.

▶ Explore influences

Step three involves exploring influences on compliance. In the same way as a doctor must diagnose the causes of an illness before prescribing a cure, the labour inspectorate must identify the causes of compliance and non-compliance, and the stakeholders involved, before devising an intervention.

▶ Explore stakeholders

Step four involves exploring the stakeholders. The labour inspectorate should attempt to identify the possible influence (positive or negative) they might wield, the in-kind resource gaps they might fill, and the connections they might support. The inspectorate should then match stakeholders with the issues and targets over which they have the most influence, tailoring and targeting their influence to have the greatest impact.

▶ Explore interventions

Step five involves exploring interventions. For this purpose, “interventions” comprise all activities, tasks, actions, campaigns and or tactics available to the labour inspectorate, or stakeholders engaged by the labour inspectorate, in achieving effective and efficient influence, enforcement and thus sustained compliance. Given that there are multiple underlying causes of non-compliance, and that employers can be influenced to comply by a variety of factors, promoting compliance requires a diverse intervention mix.

▶ Operationalizing the Strategic Compliance Plan

Step Six involves operationalizing the Strategic Compliance Plan. This means drawing on the previous steps with a view to transforming the tailor-made mix of interventions into an escalation timeline, developing an engagement strategy for the stakeholders, budgeting the plan, and designing indicators to assess performance. When developing an escalation timeline, the labour inspectorate should consider that each intervention is an opportunity to encourage a target to comply. Ordering, combining, and coordinating interventions is therefore a way of gradually turning up the pressure to drive sustained compliance across the target community. A labour inspectorate might carry out inspections in various stages, punctuated by communication or education campaigns; or it might start with a communication campaign, followed by education campaigns and culminating in inspection campaigns.

The Strategic Compliance Model provides the labour inspectorate with an effective methodology, enabling it to achieve compliance outcomes despite limited resources and powers, and the need to shoulder greater responsibility for promoting compliance. Building upon the increasingly compelling and innovative tools and strategies deployed by transformational labour inspectorates, Strategic Compliance Planning provides an additional mechanism that enables all labour inspectorates to make use of the Strategic Compliance Model.

## 4.2 Participative approach to inspection in the informal economy

Labour inspectorates also have to steer their way in informal subsistence economies in which operators are driven by opportunity and set out to circumvent legislation. In response, they need to adapt their approach on a case-by-case basis, using all the means at their disposal (information, awareness-raising and enforcement measures). There is therefore a need for a method that is able to tailor the role of the labour inspectorate to the specific conditions and features of the informal economy, as acknowledged in the [Transition from the Informal to the Formal Economy Recommendation, 2015 \(No. 204\)](#).<sup>10</sup>

When the labour inspectorate intervenes in the informal economy, it faces several difficulties:

- ▶ The (in)accessibility of informal economic units (remote locations, privacy, insecurity);
- ▶ Adapting visits to the size of the economic units;
- ▶ Explaining the labour inspector's mission and promoting a right perception of it;
- ▶ Assessing the employment relationship;
- ▶ Adapting labour inspection visits to circumstances within the informal economy;
- ▶ Making labour legislation, fundamental principles and rights at work, and occupational safety and health measures known to informal economy actors;
- ▶ Conducting visits in such a way as to ensure that they are perceived as positive and are understandable to the informal economy actors involved.

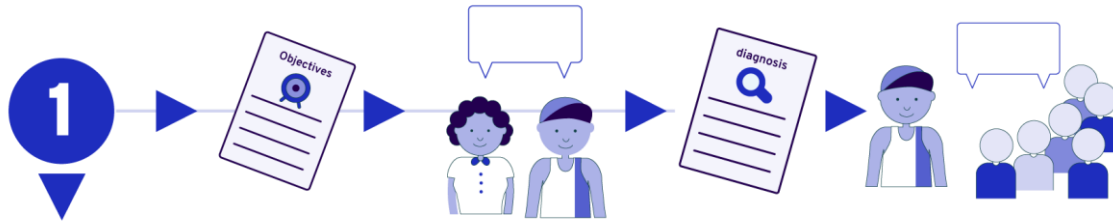
In their strategic planning, labour inspectorates must start by identifying actors who might become allies, then undertake preparatory work in the field. This means exchanging information with the informal economy workers and employers concerned and identifying their needs. The involvement of these actors will make the subsequent action plan achievable, operational and appropriate to the specific circumstances.

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<sup>10</sup> ILO, Recommendation No. 204.

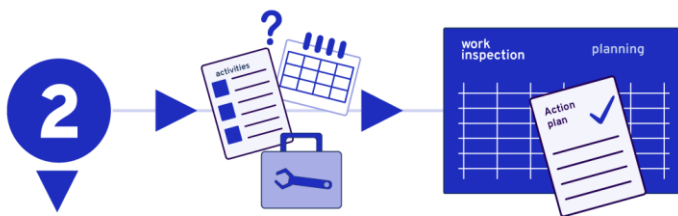
### The participative approach - key components<sup>11</sup>

#### Phase 1: Preparing for the intervention



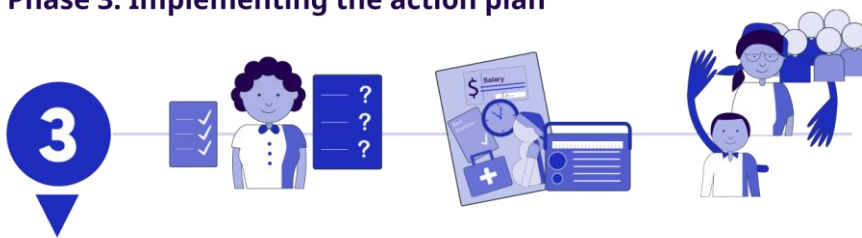
Setting the goals: Meeting the various actors and establishing a working group; assessing the situation; sharing the assessment with the informal economy actors.

#### Phase 2: Developing an action plan



The action plan specifies the actions to be undertaken. It sets out priorities based on the stakeholders' needs and the actual situation prevailing in the sectors it targets. It should also take account of the needs identified during the preparatory stage.

#### Phase 3: Implementing the action plan

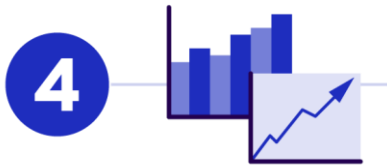


This phase consists of visiting economic units, as well as awareness-raising activities. During this phase, data is collected and reported: the situation prior to the intervention; the activities carried out; and the situation or impact following the intervention.

<sup>11</sup> A Guide on Labour Inspection Intervention in the Informal Economy - A participatory method.



## Phase 4: Monitoring and evaluation



The final evaluation will be used to identify the outcomes achieved and obstacles encountered and, consequently, to improve the planning of future activities. It is essential that qualitative and quantitative indicators be used as part of this process.



### ▶ Example

In **Tunisia**, the arguments put forth for supporting a transition to the formal economy were as follows:

- ▶ Civic arguments: these include the concepts of citizenship and social conscience;
- ▶ Legal arguments: being part of the formal economy is not an option but rather a legal obligation; rights do not exist in the absence of obligations;
- ▶ Social arguments: being part of the formal economy results in social security benefits (care and surgical procedures that are free of charge or inexpensive, access to a pension fund); promoting decent work; and
- ▶ Financial arguments: benefiting from credits available to formal enterprises, benefits under the Tunisian investment incentive code (for example, receiving donations and employer contribution exemptions), and the possibility of participating in trade fairs.

## ► 4. Tools for field labour inspectors

### 4.1 Occupational Safety and Health Guide<sup>12</sup>

The ILO has developed a Guide to assist inspectors and employers in fulfilling their functions by providing information on the management of occupational safety and health (OSH) issues that are common across many sectors of industry. Generic information is also provided, to empower and inform users of this Guide on the actions that employers and workers should take to reduce occupational hazards and risks.

The Guide also provides information for inspectors on how organizations can develop an OSH management system and on topics that employers should consider in order to manage OSH effectively.

Inspectors are empowered to enforce national legislation and thus ensure compliance. It is therefore vital that they are fully conversant with their national legislation and the scope of their authority. Labour inspectors' powers are determined by Article 12 of the Labour Inspection Convention, 1947 (No. 81).<sup>13</sup> Given the international diversity of legislation, it is not possible to cover the subject in the Guide. Readers may be interested in the [ILO Global Database on Occupational Safety and Health Legislation](#), which provides a framework for the main elements of OSH legislation, including OSH management and administration, employers' duties and obligations, workers' rights and duties, and OSH inspection and enforcement.

Even so, the information contained in the Guide details actions that employers and workers can take to ensure safety and health in their workplaces.

Although this Guide was designed for inspectors, it will also be a useful source of information for employers, workers and other interested stakeholders, e.g. consultants, employment injury insurance assessors, and so on.



#### ► The OSH Guide covers the following topics

Introduction and acknowledgements	Organizational matters
How can occupational safety and health be managed	Workers
	Workplaces

<sup>12</sup> Occupational Safety and Health - A Guide for Labour Inspectors and other stakeholders.

<sup>13</sup> Labour Inspection Convention, 1947 (No. 81).

Electrical safety	Pressure equipment
Fire safety	Slips and trips
Harmful chemical and biological agents/substances	Vibration
Machinery, plant and equipment	Working at height
Manual handling	Working in confined spaces
Noise	Vehicles in the workplace
Personal Protective Equipment	

## 4.2 Occupational safety and health guidance in agriculture<sup>14</sup>

Labour inspectors conduct inspections of agricultural undertakings in accordance with Article 16 of the Labour Inspection (Agriculture) Convention, 1969 (No. 129).<sup>15</sup>

They must be conversant with the sector and have a sound knowledge of the organization and management of a typical agricultural business; the challenges faced by all those involved in the work, i.e. the employer and the workers; and the nationally and the internationally recognized safe working practices in the sector.

As with any activity concerning health and safety at work, inspectors will have to demonstrate a number of competences in providing advice to employers and workers, and also in exercising their authority to ensure application of the law and to enforce compliance. To assist inspectors in conducting effective inspections of agricultural undertakings, the ILO has developed a guide focusing on agricultural undertakings, as a complement to its first OSH Guide.

<sup>14</sup> The guide is now being published.

<sup>15</sup> Labour Inspection (Agriculture) Convention, 1969 (No. 129).



► The agriculture-specific guide covers the following topics

The control of risks on agricultural undertakings	Working at height - preventing falls
Young workers	Manual handling
Child labour	Contact with electricity
The site inspection	Welfare at work
Substances hazardous to health	Asphyxiation or drowning
Slip, trip or fall	Being struck by moving vehicles
Safe vehicle operations	Noise
Injury or disease caused by an animal	Closing the inspection
Machinery and work equipment	Determining action to take
Weather	Reporting on the inspection

### 4.3 Guide to Fundamental Principles and Rights at Work (FPRW)

This Guide, incorporating recent developments and relevant national experiences, provides brief, practical information for labour inspectors on dealing with violations of FPRWs. It serves as an introduction to the development of the ILO's international legal framework, namely the key International Labour Standards (ILS), and provides practical guidance on their application and promotion by labour inspectors.

The Guide addresses and provides practical, relevant and applicable methodologies for the enforcement of compliance in respect of child labour, forced labour, freedom of association and collective bargaining, and non-discrimination.

The ILO has also developed other relevant guides:

- ▶ [Conducting Labour Inspections on Construction - A guide for labour inspectors](#)
- ▶ [Investigation of occupational accidents and diseases](#)
- ▶ [Handbook on HIV and AIDS for labour inspectors](#)

## 4.4 Checklists

Some inspectors use checklists during their inspection visits. In general terms, a checklist is a memory aid and helps to ensure consistency and completeness in carrying out a task. There are several reasons why the checklist has become a common tool used by labour inspectors.

- ▶ A checklist can be used as reminder of the key points of a visits, helping with reporting and follow-up, especially (but not exclusively) for newly recruited labour inspectors and in the event of new regulations. It directs inspectors' attention to particular (often priority) topics.
- ▶ Using a checklist ensures the standardization and consistency of inspection visits. All inspectors check the same things in the same way. This may be a requirement of inspection policy.
- ▶ It helps in collecting information relating to each provision of the legislation. It facilitates monitoring of compliance with labour legislation, making employers aware of the key points they must comply with, as well as their level of compliance. It also makes clear that inspectors are not exclusively interested in the identification of violations.
- ▶ It facilitates the collection of homogeneous information on specific topics and its storage in the inspectorate database. Having very specific information means that the follow-up visit can more easily be made by a different inspector. It also it helps in deciding which companies should be targeted for inspection, prioritizing issues to be inspected or deciding on a programme of information and training.
- ▶ It ensures that information is collected in an ordered and structured way, avoiding duplication. General questions come at the beginning, specific ones later. Sometimes the reply to a general question obviates the need for specific ones, saving inspectors' time.

Checklists have the disadvantage of being generic and so cannot be expected to take into account the characteristics of individual companies, with their varying management attitudes, working cultures and environments. There is also a danger that inspectors may rely on them excessively, whereas they should be sufficiently well trained to adapt their approach to different enterprise needs and circumstances without relying on checklists. Checklists can nevertheless serve as useful prompts and reminders during visits, and they can also help to provide the inspectorate with more comprehensive data on particular topics.

A checklist is usually structured in a table format and includes the following items:

- ▶ A heading, including the title of the checklist (and perhaps logos and serial numbers);
- ▶ A box identifying the enterprise or the area of the enterprise in which it will be used (and perhaps another box for the user) and the date;
- ▶ A list of questions or items to be checked (sometimes including references to the relevant legislation);
- ▶ A two- or three-option checkbox (e.g. Yes/No; Compliant/Not compliant; Adequate/Needs improvement/Needs immediate attention) for entering the inspection outcome;
- ▶ A column for the inspector's remarks and any further notes and comments;
- ▶ Verifiers: the methods that the inspector adopted in checking particular items (observation; document review; interview with manager or staff, etc.);
- ▶ A box for requested corrective actions;
- ▶ Guidance notes and instructions, though these may be set out in a separate document.<sup>16</sup>

## 4.5 Checklists on occupational safety and health<sup>17</sup>

There are checklists for different labour inspection topics,<sup>18</sup> but they are especially common for OSH matters. This is because OSH includes a wide range of topics, situations and technologies that may differ widely from one sector of activity to another. Inspectors' varying levels of expertise in OSH matters may be an additional reason for using an OSH checklist. OSH checklists can be designed to be adaptable tools, allowing different users (inspectors, workers, employers) to observe, in an organized manner, the strengths and weaknesses of existing safety and health conditions.

In using an OSH checklist, the inspector or other user should define the physical area to be covered and observe the process and material flow throughout the area. In large- and medium-sized companies, this physical area may range from an individual workstation to several areas or departments which have similar working conditions. In small companies, the entire plant may be covered.

Checklists may relate to general safety and health conditions and apply to all companies, or they may be very specific, covering only a particular sector of activity or dealing with a very particular technical issue. Inspectorates often produce a number of different OSH checklists, covering different topics, risks and sectors.

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<sup>16</sup> For examples, see Annex 3.

<sup>17</sup> Examples of checklists: [http://www.ilo.ch/caribbean/projects/WCMS\\_250143/lang--en/index.htm](http://www.ilo.ch/caribbean/projects/WCMS_250143/lang--en/index.htm).

<sup>18</sup> See Annex 1 for an example from Canada concerning hours of work.

New OSH regulations (Sweden, Norway) or non-binding standards (UK,<sup>19</sup> Australia, New Zealand) require employers to write statements on their policies for ensuring safe and healthy working conditions, and to prepare annual plans for how this is to be achieved. Company managements are being encouraged to adopt a systematic approach and to integrate OSH into their management systems. In such cases, the compliance of the internal safety organization needs to be evaluated. If only formalistic legal OSH requirements are being tested, a checklist will be enough for the inspector to assess the degree of compliance. If the scope of the inspection is to investigate the employer's ability to identify and solve problems, in-depth interviews with all actors, using a more structured and previously tested questionnaire, will be necessary.

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<sup>19</sup> In the case of the UK, this is required by legislation.



### ▶ Checklists on Risk Assessment<sup>20</sup>

The Danish Working Environment Authority has published risk assessment checklists for 60 different sectors or workplaces. These checklists are designed to help small companies carry out the mandatory risk assessment, and they can help you identify the major hazards in your workplace. However, it is still the employer's responsibility to ensure that the risk assessment carried out is appropriate, comprehensive, prepared in cooperation with employees, and monitored regularly so that it can be revised if necessary.

As can be seen in the example below, the checklists contain a series of questions to which the company should answer yes or no. All questions to which the company answers yes constitute a working environment problem that must form part of an action plan which the company must draw up in connection with the checklist.

Accidents	Yes	No
1. Are there workers who take unnecessary risks or do not use personal protective equipment?		
2. Are there accidents that are not investigated in order to prevent reoccurrence of the same accident?		
3. Are there workers who have not been instructed and trained in their job?		
4. Are there workers who do not have the time needed to carry out their tasks in a properly safe manner?		

In relation to the checklists, the company must:

- ▶ Answer all questions on the checklist.
- ▶ Comment on those questions to which the company answers "Yes" in the checklist's action plan.
- ▶ Consider what the cause of the working environment problems noted might be.
- ▶ Draw up solutions to the working environment problems.
- ▶ Comment on who is responsible for solving the working environment problems, and when these are expected to be solved.
- ▶ Comment in writing on key working environment problems in the company that are not highlighted by the checklist.



## 4.6 Other tools for field labour inspectors

Many inspectorates provide other tools for the use of inspectors in their daily tasks. Some of these tools are templates for different purposes. Some of the most common are:

- ▶ Templates for preparing inspection reports;
- ▶ Templates for issuing improvement notices<sup>21</sup> or prohibition notices;
- ▶ Guides to initiating legal proceedings;<sup>22</sup>
- ▶ Standard letters for communication with employers, complainants, courts, etc.

The purpose of these templates is to support inspectors in their tasks and to ensure standardization and consistency.



### ▶ Book of visits (Spain)

In Spain, all companies, establishments and self-employed workers must acquire a visits book when starting up in business. Employers must purchase one, then have it validated at the inspectorate office. The purpose of this book is to collect information on all inspection actions. It should be permanently available for labour Inspectors and other authorized public officials. In it, they record topics reviewed or any incidents arising during each visit or other inspection action.

<sup>21</sup> See Annex 2 for an example of an improvement notice from Oman. There is also a template for an improvement notice produced by Worksafe, Victoria, Australia: <https://www.worksafe.vic.gov.au/resources/provisional-improvement-notice>.

<sup>22</sup> See Annex 3 for an example of explanatory notes for inspectors concerning prosecutions.

## ▶ 5. Forms for stakeholders

Labour regulations usually require employers to collect, process and record information on employment and working conditions in their companies. Employers are required to keep these records for a set period, frequently for several years. The main purpose of these requirements is to provide evidence of compliance with labour legislation. In the following box, there is an example from Ireland.



### ▶ Records to be made available for inspection, Ireland<sup>23</sup>

The following list sets out the standard records which an inspector will require access to during the course of an inspection:

1. Employer registration number with the [Revenue Commissioners](#).
2. Full name, address and PPS number of each employee (full time and part time).
3. [Terms of employment](#) for each employee.
4. Payroll details (gross to net, rate per hour, overtime, deductions, shift and other premiums and allowances, commissions and bonuses, service charges, etc.).
5. Copies of pay slips.
6. Employees' job classification.
7. Dates of commencement and, where relevant, termination of employment.
8. [Hours of work](#) for each employee (including starting and finishing times, meal breaks and rest periods).
9. Register of employees [under 18 years of age](#).
10. Whether board and/or lodgings are provided and relevant details.
11. [Holidays and Public Holiday](#) entitlements received by each employee.
12. Any documentation necessary to demonstrate compliance with employment rights legislation.

Additional records may be required to be kept depending on the sector/business involved and the legislation under which the inspection is being conducted.

<sup>23</sup> Records to be made available for inspection by the National Employment Rights Authority, NERA (Ireland).

Many labour authorities produce forms and templates for recording, briefly and clearly, all the required information. These documents often include instructions for the collection and recording of the data. Labour inspectorates increasingly make these forms and templates available on their websites. These standardized documents are very useful for employers and also for inspectors, because they allow for structured interaction between users and the inspectorate. These forms have different formats in different countries, depending partly on national legislation. The most important and common cover the following areas:

- ▶ Employee information (age, category, gender, type of contract, native or foreigner, social security number, etc.);
- ▶ Employment contracts (an example of an employment contract);
- ▶ Remuneration details (salaries, overtime payments, holiday pay, bereavement leave with pay, allowances, etc.) and hourly/daily/weekly/monthly rates of pay, etc.;
- ▶ Hours of work, rest periods and leave, including holidays;
- ▶ OSH information, such as risk assessment forms, OSH committee minutes, notifications of accidents and diseases.<sup>24</sup>

Others forms and templates are used to facilitate communication between stakeholders and the inspectorate. Some examples of them are:

- ▶ Complaint forms,<sup>25</sup> used by employees or others who wish to make a complaint about a contravention;
- ▶ Objections to a compliance order, enabling an employer to object to or appeal against a compliance order issued by the inspectorate;
- ▶ Assurance of voluntary compliance - A form that employers send to the inspectorate when, having received a warning letter or an improvement notice, they agree to inform the inspector in writing within fourteen (14) days, that remedial action has been completed.

Increasingly, many of these communications can be transmitted electronically, particularly compulsory notifications,<sup>26</sup> and applications for special permits or exemptions.

The use of these forms and documents is often compulsory, when stakeholders, mainly employers, are required to keep records or make official contact with the labour inspectorate. The use of other documents and forms (checklists, risk assessment forms or OSH committee minutes), which serve mainly as guidance tools for the stakeholders, are not compulsory. However, the labour inspectorate has the power to ask companies to provide the information recorded in one of these non-compulsory formats.

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<sup>24</sup> Standard industrial accident and occupational disease notification forms, designed in consultation with insurance or social security institutions, on one hand, and statistical bodies, on the other, can serve as a good basis for identifying and preventing occupational hazards and strengthening cooperation to reduce their incidence.

<sup>25</sup> [National Employment Rights Authority \(Ireland\)](#).

<sup>26</sup> See Annex 4 for an example of a notification form from Singapore concerning young persons employed in an industrial undertaking.



## Exercise 1

<b>TITLE</b>	<i>Identifying the required tools</i>
<b>AIM</b>	To identify the tools developed by the inspectorate and the need and feasibility of adopting new tools to support the work of field labour inspectors.
<b>TASK</b>	<ul style="list-style-type: none"> <li>✓ Working group members should read Sections 4 and 5 of “Tools of the labour Inspectorate”.</li> <li>1. Identify which tools are currently used in your inspectorate and evaluate their usefulness, strengths and weaknesses.</li> <li>2. Identify other tools described in this module that would be useful for the work of inspectors and say why.</li> <li>3. Consider other tools that might be useful in your inspectorate and the feasibility of their implementation.</li> <li>✓ Each group will appoint one member to take notes of the discussions and to present the conclusions in the plenary session.</li> </ul>
<b>TIME</b>	<ul style="list-style-type: none"> <li>✓ 50 minutes for group discussion.</li> <li>✓ 10 minutes for feedback in plenary session for each group.</li> </ul>

► **Tools for labour inspection**

<b>Tools</b>	<b>Are they used?</b>	<b>Usefulness</b>	<b>Feasibility of Implementation</b>	<b>Reasons</b>

Usefulness (1= very useful; 2= sometimes useful; 3= not very useful).

Feasibility of implementation: 1= immediately; 2= short-term (less than two years); 3= medium and long term (more than two years).

## ► Bibliography and additional reading material

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Republic of South Africa. *Documents and Forms of the Department of Labour*.

ILO, 2006. *A Tool Kit for Labour Inspectors: A training and operations manual*, Geneva.

HSE (United Kingdom), 2005. *The Enforcement Management Model*.

HRSDC (Canada), 2021. *Inspections – Canada Labour Code*, (Part III).

HRSDC (Canada), 2021. *Prosecution guide - Canada Labour Code*, (Part II).


OSHA (United States), 2009. *Field Operations Manual (FOM)*.

Swedish Working Environment Authority (SWEA), 2008. *Rules of inspection*

## ► Annex 1. Example of a checklist

PART III INSPECTIONS – OPD 700-8 INSPECTION TEMPLATE: NUMBER I-A CANADA LABOUR CODE – PART III			
Reference	DIVISION I: HOURS OF WORK (STD. 8 & 40)	YES	NO
Subs. 169(1)	Does this employer operate solely under standard hours of 8 and 40?		
Subs. 171(1)	Does this employer require employees to work in excess of the maximum of 48 hours in a week?		
Sect. 173	Does this employer schedule hours of work in a week so that each employee has at least one full day of rest? (ie: wherever practical-Sunday)		
Sect. 174	Does this employer pay overtime wages at the rate of at least time and one half for all hours employees are permitted to work after 8 hours in a day and 40 hours in a week?		
Sect. 174	If overtime is taken in paid time off by mutual agreement, is it taken at time and one half?		
Sect. 176	Has the employer applied for and been granted an excess hours permit?		
Subs. 176(5)	Has the employer reported in writing to the Minister the hours worked pursuant to any s. 176 permit that has been granted?		
Subs. 177(1)	Has this employer required employees to work in excess of the maximum hours of 48 hours in a week for emergency work?		
Subs. 177(2)	Does this employer report emergency hours worked in excess of the maximum hours of work?		
Reg. 24(2)(c)	If wages are paid on any other basis than an hourly rate, has an explanation been recorded?		
Reg. 24(2)(d)	Are daily hours worked recorded? (except if excluded under subs. 167(2) and s. 171 or Reg. 24(3))		
Reg. 24(2)(e)	Does the employer keep records for at least three years after the work is performed for any overtime hours paid to each employee?		
COMMENTS:			
CORRECTIVE ACTIONS TAKEN:			

## ► Annex 2. Example of an improvement notice<sup>27</sup>



No:.....

**Violation Report**

Mr: .....  
Director in charge ( or deputy)

Name of establishment:.....

No. of commercial register/ occupational license:.....

After compliments

Based on the inspection visit we paid to the aforesaid establishment on / / 200 and on / /200 , we observed that you have not complied with the texts and articles of the labor law issued by Royal Decree No. (35/2003) and its executive regulations and decisions mentioned hereinafter:

Article No. (.....)  
Article No. (.....)  
Article No. (.....)  
Article No. (.....)

Due to your failure to comply with the articles of the aforesaid labor law, despite our repeated warnings, the last of which was on -----, your establishment is considered as violating the labor law issued by Royal Decree No. (35/2003) and the Ministry of Manpower has the right to take legal actions against your establishment.

Name of inspector  
Signature of inspector

Seal

**Declaration of director in charge**  
I hereby declare that the establishment has not complied with the texts of the abovementioned labor law.

Name of director in charge  
Signature of director in charge

Seal

<sup>27</sup> Guide to Labour Inspection, Ministry of Manpower, Sultanate of Oman.



## ► Annex 3. Prosecutions under the Canada Labour Code

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### Explanatory notes for inspectors

The heading "Prosecution Proposal" must appear on each page. Number each page of the prosecution proposal and appendices.

#### Title Page

The Title page must contain all the general information required to rapidly understand the nature and urgency of the file and know the contact persons. Indicate the following general information:

Alleged offenders:	Full name
Contraventions:	Nature of contraventions Relevant sections of Part II and the COSHR, or the appropriate regulatory provisions of the Extended Jurisdiction
Date of contraventions:	Actual date of commission of the contraventions
Health and Safety Officer:	Full name Work place address Telephone and fax numbers
Assignment No.:	Assignment number given by LOIS
Limitation date:	Last possible date for laying the information in court: one year from the commission date of the contraventions
Recommendation:	Signature of the Regional Labour or Extended Jurisdiction Head
Date:	Date of signature of the recommendation

The Table of Contents must follow this format and include all of these elements:

## **Table of Contents**

### **Part I** Background

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### **Part II** Identification of alleged offenders

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### **Part III** Proposed charges

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#### **Part IV** Evidence regarding Charge No. 1

Background

List of witnesses

List of evidence and chain of possession

"Can-say"

---

#### Evidence regarding Charge No. 2

Background

List of witnesses

List of evidence and chain of possession

"Can-say"

---

Etc. etc. for each Proposed Charge

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### **Part V** Alleged offenders' statements and "*voir dire*"

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### **Part VI** List of Appendices

► Annex 4. Notification of young persons employed in an industrial undertaking<sup>28</sup>

**Regulation 15**

**THE SCHEDULE**  
**EMPLOYMENT ACT**  
**(CHAPTER 91)**

**EMPLOYMENT (CHILDREN AND YOUNG PERSONS) REGULATIONS**  
**NOTIFICATION OF YOUNG PERSONS EMPLOYED IN AN INDUSTRIAL UNDERTAKING**

**A. PARTICULARS OF EMPLOYER**

Name : \_\_\_\_\_ Telephone No : \_\_\_\_\_  
 Address : \_\_\_\_\_ Nature of Business : \_\_\_\_\_  
 Singapore ( ) \_\_\_\_\_

**B. PARTICULARS OF EMPLOYEE(S)**

S/N	Name (In Block Letter)	NRIC No.	Sex : M/F	Date of Birth	Job Title	Date of Commencement of Employment	Salary per Month/Week/ Day/Hour	Job Description	No. of Hours of Work per day

I hereby declare that all the particulars given in this Notification are true to the best of my knowledge.

\_\_\_\_\_ Date \_\_\_\_\_  
 \_\_\_\_\_ Signature and Name of Employer

<sup>28</sup> Ministry of Manpower, Singapore: <http://www.mom.gov.sg/services-forms/Pages/default.aspx>.

