



International  
Labour  
Organization

**Building the capacities of the  
Ministry of Social Affairs and  
Labour to ensure labour law  
compliance in the Haitian  
apparel sector**  
Project results - 2014-2017







## MAST/DIECCTE collaboration in Guadeloupe

The project established collaboration between the Guadeloupe Department of Enterprise, Competition, Consumer Affairs, Labour and Employment (DIECCTE) and the MAST.

In this context, the Task Force of inspectors visited Guadeloupe a first time to better understand the organization of the French labour inspection system, to improve the control methodology of inspection visits and to better manage the process surrounding inspection visits, particularly in terms of their

preparation and follow-up. The visit also allowed the French authorities to better understand Haiti's economic reality and administrative practices.

Following this initial visit, the Haitian and French authorities indicated their willingness to continue their cooperation.

This resulted in the organization of a training of trainers within the DIECCTE, targeting MAST managers as well as selected Haitian and French inspectors. The training sessions were facilitated by Expertise France, the French agency for international technical expertise. One of the expectations of the project was that Task-Force Inspectors and Directors would share the knowledge and skills

they acquired during the project with all their colleagues using the trainings materials developed.

This collaboration enabled the inspectors and managers of the MAST to benefit from high-level expertise while promoting regional collaboration within the French-speaking Caribbean region and could hopefully continue after the project's closure.

## The Project

Haiti is extremely vulnerable to natural disasters and remains the poorest country on the American continent. According to the latest household survey (2012), more than 59% of the population lives below the poverty line, set at \$2.41 a day, and more than 24% below the extreme poverty line (\$1.23 a day).

The inspectors and conciliators of the Ministry of Social Affairs and Labour (MAST), as well as the office of the Labour Ombudsperson do not have the means and skills necessary to prevent and solve labour disputes and ensure compliance with labour laws in Haiti. The ILO focuses on strengthening the

capacities of the MAST to enhance labour law compliance in the apparel sector of the country.

The project, funded by the United States Department of Labor (USDOL), in complementarity with Better Work Haiti, strengthened the capacities of the MAST and its labour inspectors to make inspection visits more efficient.

In order to do so, the project established a "Task Force" of labour inspectors who received intensive trainings and are now able to share their skills and knowledge with the rest of the inspectorate.

In parallel, the project provided specific training to the MAST conciliators and the office of the Labour Ombudsperson to ensure that these services are properly

equipped to prevent and solve labour disputes.

As the Government is not the only actor that can play a role in ensuring compliance with labour laws, the project also supported the employers' and workers' engagement in this process.

Finally, this system is only viable if appropriate sanctions apply to those who violate the law. For this reason the project supported the training of judges involved in labour law cases.

## ILO-EMA: Training of Judges on International Labour Standards

In order to institutionalize the training of judges on international labour law and its use by National Courts, the project collaborated with the Haitian National School of Magistrates (EMA) to ensure that initial and continuing training is included in the institution's official curriculum. To institutionalize training within the EMA, the project implemented the following activities:

- + A collaboration agreement between the ILO's International Training

Centre (ITC) and the Haitian School of Magistrates (EMA) was signed at the end of 2016;

- + 27 judges participated in training on International Labour Standards and their use by national judges in Haiti in February 2017. Four of the EMA trainers collaborated in this training;

- + Seven EMA trainers participated in the training of trainers specializing on international law held at the ITC headquarters in Turin, Italy;

- + Upon their return, the EMA trainers developed a training curriculum

on International Labour Standards and their use by national judges and integrated it into the initial training of EMA.

As a result, all future Haitian judges will receive in-depth training on International Labour Standards and their use in national law during their Master's degree at the School of Magistrates. This will enable them to better inform their judicial decisions in the area of labour law and strengthen the rule of law in Haiti.

## Key results

- + **18 MAST representatives**, constituting a **Task Force** made up of 11 labour inspectors and 7 managers from the Labour Directorate received extensive training on labour inspection. Members of the Task Force have in turn begun to train the other labour inspectors of the Ministry, thus multiplying the impact of ILO training.
- + Between July 2016 and December 2017, **269 violations were reported during 174 inspection visits. 62%** of these offences resulted in a procedural act.
- + **Three profiles of junior and senior** posts were developed in order to increase staff motivation, reduce turnover rates and allow for career progression within the labour inspectorate.
- + **12 conciliators** were identified and then trained, in consultation with the Department, thanks to the support of the United States Federal Mediation and Conciliation Service (FMCS).
- + **Equipment such as a vehicle and laptops** were provided to the Directorate of Labour to facilitate the work of the Directorate and in particular of the Task Force members.
- + Collaboration within the French-speaking Caribbean region was strengthened thanks to **two exchange visits in Guadeloupe** between Task Force members and French labour inspectors.
- + **2 tools**, a manual of Labour Inspection and a Guide on Occupational Safety and Health applied in the textile sector were developed.



Labour inspector at the Haitian Ministry of Social Affairs and Labour (MAST) and member of the Task Force: "Thanks to the Project, the service is able to carry out inspection visits in due form, in terms of both fundamental rights at work and occupational safety and health".





## The HOPE II Act and the Project

The U.S. Congress passed the HOPE Act in 2006, which broadened pre-relevant treatments for Haitian textile products. In 2008, these treatments were extended by the HOPE II Act, which also introduced programmes to strengthen and monitor working conditions in the textile sector (known as the TAICNAR programme). In 2010, the HELP law was enacted to further expand these preferential treatments until 2020. In order to comply with the HOPE/HOPE II and HELP laws, Haiti worked with

the ILO to develop a USDOL-funded technical assistance programme aimed at:

- Assessing and promoting compliance with core labour standards and national labour legislation in factories eligible for preferential tariffs under HOPE II.
- Providing support to the Haitian government to strengthen their capacity in the inspection and control process of factories.

The project described in this brochure aimed to implement the second component of this programme. The first component is currently being implemented by the ILO-Better Work Haiti programme.

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Funding is provided by the United States Department of Labor under cooperative agreement number IL-21178-10-75-K.