



International  
Labour  
Organization

THE GOOD PRACTICES OF **LABOUR INSPECTION** IN BRAZIL

THE PREVENTION AND ERADICATION OF  
**Child Labour**

Secretariat of  
Labour Inspection

Ministry of  
Labour and Employment

ILO Office  
in Brazil

Labour Administration  
and Inspection Programme



# THE GOOD PRACTICES OF LABOUR INSPECTION IN BRAZIL:

## The Prevention and Eradication of Child Labour

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## PREFACE

The existence of an efficient labour inspection system, capable of facing the challenges of an increasingly complex and changing society and productive system is a central element for the promotion of decent work. A properly functioning inspection system is vital for guaranteeing the effective enforcement of labour legislation and the protection of workers. Labour inspection increases the effectiveness of labour and employment policies, contributing to social inclusion through work and, consequently, broadening citizenship. Labour inspectors are agents of the State who work with the concrete and quotidian reality of labour relations and conditions, directly contributing to the promotion of decent work for all.

The creation and strengthening of labour inspection as a fundamental instrument for guaranteeing labour rights has been a constant concern for the International Labour Organisation (ILO) since its inception in 1919. In 1947, the ILO adopted Convention No. 81 concerning Labour Inspection and, in 1969, Convention No. 129 concerning Labour Inspection in Agriculture. In 2008, with the Declaration on Social Justice for a Fair Globalization, these conventions became a priority and were acknowledged as some of the most significant International Labour Standards from a governance point of view. This process culminated in 2009 with the launching of the Labour Administration and Inspection Programme (LAB/ADMIN).

The Decent Work Hemispheric Agenda (DWHA) and the Brazilian Decent Work National Agenda (ANTD), both launched in 2006, as well as the National Plan for Employment and Decent Work (2010), and the state-level agendas for decent work (in the states of Bahia and Mato Grosso), acknowledge that the role of labour inspection is essential to improve labour conditions and relations.

The Brazilian Federal Government, through the Ministry of Labour and Employment (MTE) and the Secretariat of Labour Inspection (SIT), acknowledge the crucial role of labour inspection services and, throughout the years, has worked to constantly strengthen it, adapting its services to new realities and providing solutions to new challenges with vigour and determination.

The ILO acknowledges that Brazil is well-suited to share its good practices with other inspection services. A good practice is every experience that, in its totality or in part, is proven to work with a positive impact. The good practices of labour inspectors' interventions reflect not only the enforcement of the law, but also practices, often creative and innovative, capable of providing legal and technical solutions that also work as positive incentives for companies to comply with the law.

In this context, with the objective of contributing to the production and diffusion of acquired knowledge concerning labour inspection, the ILO and the SIT established a partnership within the technical cooperation project "Strengthening of Labour Inspection Services," sponsored by the Norwegian Government, to systematise some good labour inspection practices in Brazil that can be replicated due to their proven relevance, impact, and sustainability.

This partnership is embodied in the collection "The Good Practices of Labour Inspection in Brazil," comprised of four publications on the labour inspection system in Brazil and the Brazilian labour inspection experiences in the following areas: eradication of child labour; combating forced labour; and the maritime sector.

The areas selected for this systematisation reflect some of the intervention priorities for both the MTE and the ILO, and contribute to making themes that have recently and constantly been in the country's political agenda be understood with a approach centered on labour inspection. Many of the measures adopted are creative and unique and reflect the evolutionary and modernisation process of labour inspection in Brazil. This series also provides an opportunity to reflect on the advances, lessons learned, and necessary improvements for inspection activities and, in a direct and practical manner, contributes to broaden the knowledge base about the issue already existent in the country.



Based on these good practices, some common points can be identified, indicating some characteristics that could be replicated and adapted to other realities:

1. One fundamental aspect for improving inspection procedures is being able to count on **reliable databases**, suitable for an effective “intelligence” system for identifying which enterprises are to be inspected, as well as for collecting and systematising information on completed inspections. The importance of relying on these sources of information stands out in all the good practices analysed. This is the case of the Federal System of Labour Inspection (SFIT), the Information System on Child Labor Hotspots (SITI), and the Slave Labour Monitoring System (SISACTE).
2. The **adaptation** of the Special Group of Mobile Inspection model used in combating forced labor to the maritime sector, with the creation of the National Mobile Group for the harmonisation of procedures in different Brazilian states, shows how certain tools or processes can be successful in other inspection areas, when implemented with the necessary modifications.
3. The **coordination with other government entities** and the State can significantly boost inspection results, especially in countries where resources are scarce and the number of inspectors may not be ideal. This is the case of the experiences in combating child labour, combating forced labour, and fishery inspection, just to cite a few examples.
4. On the other hand, an **inspection coordinated with social partners**, especially worker and employer organizations, augments the efforts to improve work conditions and business competitiveness. The experience of the Naval Industry Tripartite Commission and the National Commission for the Eradication of Child Labour (which also includes civil society organisations) are platforms where these issues are exemplified.

We hope that these publications will be useful not only in disseminating the Brazilian experience, but will also contribute significantly to the strengthening and modernisation of inspection services and

the exchange of labour inspection experiences that Brazil has been developing with other Latin American countries and other regions of the world. We also hope it will stimulate reflection, within and outside Brazil, on how to implement innovative responses to the current challenges of the world of work.

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Ministry of Labour and Employment

## List of Abbreviations

CONANDA	National Council for the Rights of the Child and the Adolescent ( <i>Conselho Nacional dos Direitos da Criança e do Adolescente</i> )
CONAETI	National Commission for the Eradication of Child Labour ( <i>Comissão Nacional de Erradicação do Trabalho Infantil</i> )
ECA	Statute of the Child and Adolescent ( <i>Estatuto da Criança e do Adolescente</i> )
FNPETI	National Forum for the Prevention and Eradication of Child Labour ( <i>Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil</i> )
GECTIPAs	Special Groups to Combat Child Labour and Protect Adolescent Workers ( <i>Grupos Especiais de Combate ao Trabalho Infantil e de Proteção ao Adolescente Trabalhador</i> )
IBGE	Brazilian Institute of Geography and Statistics ( <i>Instituto Brasileiro de Geografia e Estatística</i> )
ILO	International Labour Organization
MDS	Ministry of Social Development and Fight against Hunger ( <i>Ministério do Desenvolvimento Social e Combate à Fome</i> )
MPT	Labour Prosecutions Office ( <i>Ministério Público do Trabalho</i> )
MTE	Ministry of Labour and Employment ( <i>Ministério do Trabalho e Emprego</i> )
PAI	Programme of Integrated Action ( <i>Programa de Ação Integrada</i> )
PNAD	National Sample Survey of Households ( <i>Pesquisa Nacional por Amostra de Domicílios</i> )
PPA	Multi-Year Plan ( <i>Plano Plurianual</i> )
SIT	Secretariat of Labour Inspection, of the Ministry of Labour and Employment ( <i>Secretaria de Inspeção do Trabalho</i> )
SITI	Information System of Child Labour Hotspots in Brazil ( <i>Sistema de Informações sobre Focos de Trabalho Infantil no Brasil</i> )
SRTE	Regional Superintendence of Labour and Employment ( <i>Superintendência Regional do Trabalho e Emprego</i> )
TAC	Conduct Adjustment Term ( <i>Termo de Ajuste de Conduta</i> )
TIP List	List of the Worst Forms of Child Labour
UNICEF	United Nations Children's Fund





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# The good practices of labour inspection in Brazil:

## The prevention and eradication of child labour

### 1. Introduction: short description of the practice

This document describes the efforts undertaken by the Brazilian Ministry of Labour and Employment (MTE), through its Secretariat of Labour Inspection (SIT), in order to withdraw working children and adolescents from the labour market, referring them to a social protection network, in order to prevent child labour, and to protect the rights of adolescent workers<sup>1</sup>.

This is primarily carried out by MTE's labour inspectors<sup>2</sup>, mainly through inspection visits, the development of assessments, the maintenance of an Information System of Child Labour Hotspots in Brazil (SITI) and educational activities such as campaigns, lectures and seminars.

### 2. The Beginning of the Practice

It was in the 1990s that the Brazilian labour inspection began to give priority to the combat of child labour. One of the events that marked this prioritization was the creation by the MTE of the State Commissions to Combat Child Labour (*Comissões Estaduais de Combate ao Trabalho Infantil*) in 1995. These Commissions were formed by groups of inspectors specialised in the subject. Nonetheless, this was not an

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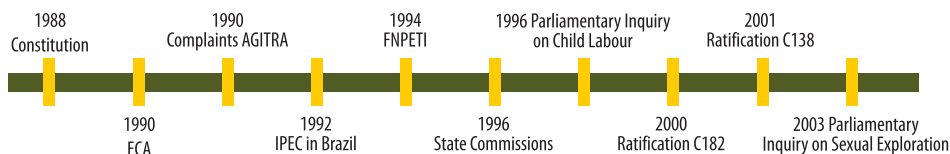
<sup>1</sup> According to Brazilian legislation, the minimum age for admission to work or employment is 16; as an apprentice from the age of 14. Adolescents between 16 and 18 years of age enjoy special protection, not being allowed to work in activities which, due to their condition and nature, may affect their development, such as night work or activities that pose risks to their health, described in Decree 6481 of 2008 about the worst forms of child labour. From 18 years of age, the individual is considered an adult.

<sup>2</sup> In Brazil, labour inspectors are referred to as "labour fiscal auditors" (*auditor-fiscal do trabalho*).

isolated event and it is therefore worth mentioning nine other events that marked the development of the effort to prevent and eradicate child labour in Brazil:

- 1988 - Enactment of the new Federal Constitution;
- 1990 - Adoption of the Statute of the Child and Adolescent (ECA);
- 1990 - Complaints made by the Rio Grande do Sul Association of Labour Inspectors (AGITRA - *Associação Gaúcha dos Inspectores do Trabalho*) at the international level, including within the International Labour Organisation, about a significant increase in problems related to child labour in Brazil (ILO, 2003: 40);
- 1992 - Implementation in Brazil of the International Programme for the Elimination of Child Labour (IPEC) of the International Labour Organisation (ILO);
- 1994 - Establishment of the National Forum for the Prevention and Eradication of Child Labour (FNPETI);
- 1996 - Establishment of a Joint Parliamentary Inquiry Commission within the National Congress in order to investigate the complaints reported by the media in August 1995 about working children and adolescents in Brazil;
- 2000 - Ratification of ILO Convention no. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999);
- 2001 - Ratification of the ILO Convention no. 138 concerning the Minimum Age for Admission to Employment (1973);
- 2003 - Establishment of a Congressional Parliamentary Inquiry Commission in order to investigate situations of violence and networks of commercial sexual exploitation of children and adolescents in Brazil.

Figure 1: Events that marked the development of child labour inspection in Brazil



## 3. Context

### 3.1. BACKGROUND

Child labour has been part of the Brazilian reality since the outset of its colonization in the 16<sup>th</sup> century. By the 1980s, the combination of at least three factors had contributed to a dramatic increase in the number of working children and adolescents:

- Growth of the youth population - the population explosion that took place in Brazil since the 1960s resulted in a significant increase in the proportion of children and teenagers aged between 5 and 17 years (Brazil, 2004);
- Increase in the concentration of wealth - there is a strong relationship between child labour and poverty, inequality and social exclusion. From the 1970's onwards, Brazil experienced a sharp increase in the concentration of wealth, which was aggravated during the economic crisis of the 1980s (Brazil, 2004);
- A culture favourable to child labour - there was (and to a lesser extent there still is) a deep-rooted perception in Brazilian society that child labour was not a problem but a solution for a poor child. While a hard-working child was seen as an example of virtue, an unoccupied child was seen as a problem. Following this same logic, education for poor children, if dissociated from any immediate economic benefit, was considered unnecessary and even a waste of time. Child labour, on its part, was seen as a preventive measure, since idleness could lead to delinquency (Brazil, 2004).

In this context, inspection activities against child labour found little support in society, because it supposedly deprived the child of an opportunity and the family of an essential source of income for its subsistence. The labour inspector could only remove the child from his/her work and punish the company. Since the inspector worked in isolation, his/her action was focused on punishing irregularities. Thus, even if he/she identified the problem and was sensitive to it, the conditions of those children could not be changed, because there were few mechanisms to act upon due to the lack of inter-institutional coordination. It was therefore clear that child labour, as a multi-causal problem, demanded the integration of actions by different governmental institutions and civil society organisations.

In the late 1980s and early 1990s, this problem had reached unsustainable proportions from a political and moral point of view. According to the first National Plan for the Prevention and Eradication of Child Labour



and Protection of Adolescent Workers, in 1992, the number of working children and adolescents between 5 and 14 years of age reached the milestone of 4.1 million, constituting 12.13% of this age group (Brazil, 2004). Even more alarming, according to estimates by the International Labour Organisation, in the early 1990s, the number of working children and adolescents between 5 and 17 years of age surpassed 10 million, most of which received little or no remuneration for the work undertaken (ILO, 2003). This critical situation led to a large popular mobilization, with campaigns by civil society organisations at the national and international level. The result was that the Brazilian government finally recognized that child labour was a problem that deserved priority.

In this context, the legal basis for the prioritization of the fight against child labour were included in the 1988 Federal Constitution and in the Statute of the Child and Adolescent (ECA), approved in 1990. The ECA, one of the world's most advanced legal instruments for the protection of children and adolescents, created a system of rights assurance in order to enable the coordination and integration of governmental agencies and civil society organisations. However, its implementation encountered great difficulties since the beginning, mainly due to institutional deficiencies in a great number of municipalities. Specifically regarding to child labour, the development of the labour inspectorate and the performance of the inspector as a facilitator contributed significantly to reverse this situation.

### 3.2. THE LEGAL GROUNDS FOR THE INSPECTION OF CHILD LABOUR IN BRAZIL

- ▶ **International agreements and conventions** – The Brazilian legislation related to combating child labour and labour inspection is anchored in various international agreements and conventions, such as:
  - **The United Nations Convention on the Rights of the Child** of 1989, which, in its Article 32, states that no form of economic exploitation of children (younger than 18 years of age) will be allowed. Exploitation is considered as any kind of work that interferes with the child's education.
  - **The ILO Convention no. 138 concerning Minimum Age for Admission to Employment (1973)**, ratified by Brazil in 2001, demands that every country determines a minimum age for admission to employment, taking into account the parameters established in the Convention.
  - **The ILO Convention no. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of**



**Child Labour (1999)**, ratified by Brazil in 2000, deals with the worst forms of child labour, of which eradication should be prioritized.

- **The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children** (also referred to as **the Trafficking Protocol**), adopted in 2000, is one of the additional protocols to the UN Convention against Transnational Organized Crime and provides for the criminalization of trafficking in persons aimed at any form of sexual exploitation. This protocol entered into force internationally in 2003 and was ratified by Brazil in 2004.

Concerning the Brazilian legislation, it is important to note that it considers a 'child' a person under 12 years of age and an 'adolescent' an individual aged between 12 and 18, unlike the international conventions that define 'child' as a person under 18 (Brazil, 2004). The main national legal instruments in the country that deal with this subject are:

- ▶ **The 1988 Federal Constitution**, which provided the legal basis for the creation and adoption of the Statute of the Child and Adolescent.
  - It is considered the duty of the family, the society and the state "to ensure to children and adolescents, with absolute priority, the right to life, health, nourishment, education, leisure, professional training, culture, dignity, respect, freedom, and family and community life, as well as to guard them from all forms of negligence, discrimination, exploitation, violence, cruelty, and oppression" (Article 227).
  - Stipulates that the minimum age for admission to work is 16 years of age. Work between 14 and 16 years is permitted only under the system of apprenticeship. Under the age of 18, work that is dangerous, unhealthy, hazardous, nocturnal or harmful to the individual's physical, mental, moral or social development is prohibited (Article 7; paragraph XXXIII, as amended by Constitutional Amendment N°. 20).
- ▶ **Statute of the Child and Adolescent - ECA** (*Estatuto da Criança e do Adolescente*; Law N°. 8069/1990) - its adoption by Congress was the main landmark in the development of a legal framework for the defence of children and adolescents' rights in Brazil. It repealed the Minor's Code (*Código do Menor*), which emphasized the figure of the "juvenile offender" and the punitive action of the state, considering the 'minor' (under 18 years of age) that did not study or work as a potential offender (Brazil 2004). The ECA, in turn, focuses on ensuring the rights of children and adolescents. The Statute:

- Provides for the implementation of a System of Rights Assurance and a Protection System, detailing who is responsible for ensuring these rights. It establishes the National Council for the Rights of the Child and Adolescent (CONANDA) and the state and municipal Councils of Rights, which are responsible for the organization of civil society's participation in the formulation and implementation of social policies and in the definition and monitoring of programmes. It also establishes the Councils of Guardianship at the municipal level with the responsibility of ensuring compliance with the rights of children and adolescents (Articles 88, 131 and 132).
  - Deals with the protection of adolescent workers (Articles 60 and 69).
- **Apprenticeship Law (Law N°. 10.097/2000)** - The Apprenticeship Law, regulated by **Decree No. 5.598/2005**, amended the Brazilian Consolidation of Labour Laws (CLT - *Consolidação das Leis Trabalhistas*). It requires that all medium and large sized enterprises hire a number of teenagers and young adults between 14 and 24 years of age as apprentices, which should be equivalent to a minimum of 5 % and a maximum of 15% of the staff whose duties require professional training. The young apprentice must simultaneously work, receive training, attend school (if primary education has not been completed), and be enrolled in and attending a vocational education institution that has an collaboration agreement with the enterprise.
- **Decree No. 6481/2008** - Regulates Article 3, paragraph "d", and Article 4 of the ILO Convention no. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999), and:
- Approves the List of the Worst Forms of Child Labour (TIP List), with 93 items (Article 1) and prohibits the employment of individuals younger than 18 years of age in the activities described therein (Article 2);
  - Provides that the TIP List shall be periodically examined and, if necessary, revised in consultation with the relevant employers and workers organizations, being the responsibility of the Ministry of Labour and Employment (MTE) to organize the applicable examination and consultation processes (Article 5).
- **Amendment to the Constitution 138/2003** – known as the Youth Constitutional Amendment Bill (*PEC da Juventude*) and enacted by Congress on 13 July 2010, includes teenagers and young adults from 15 to 29 years of age among the Brazilian government's priorities in

relation to rights such as healthcare, nourishment, education, leisure, professional training and culture.<sup>3</sup>

### 3.3. THE LABOUR INSPECTORS

Labour inspection is the responsibility of the Federal Government, but its implementation takes place in a decentralized manner through the 27 Regional Superintendencies of Labour and Employment - SRTEs (until 2008, called Regional Labour Precinct- DRTs), MTE's state-level units, present in the 26 states and the Federal District.

In 1985, the Secretariat of Labour Inspection initiated a process of expanding its capacity, by increasing the number of labour inspectors (which had its apex in 1996) and by achieving the positioning of the labour inspection career as one of the better-paid jobs within the federal civil service (Pires, 2009a). The recruitment of labour inspectors is done through a highly competitive public service examination, being a minimum requirement the possession of a college degree.<sup>4</sup> Once hired, the new inspectors undergo a few months of training, part of which takes place in his/her respective SRTE and part at SIT, in the capital city. During this training, special attention is paid to issues such as combating child labour and work conditions analogous to slavery. In addition to improving their knowledge on legislation, they learn, for example, interrogation and safety techniques when first approaching children and adolescents.

The labour inspectors' competence concerning the inspection of child labour is mainly based on the 1988 Federal Constitution and on the Labour Inspection Rules and Procedures (RIT - *Regulamento da Inspeção do Trabalho*) updated by Decree No. 4552 of 2002. The Constitution grants the Union the power to organize, maintain and carry out labour inspection (Article 21, section XXIV). Decree No. 4552 endows inspectors with the power to, among other things, enter workplaces without prior notice or authorization, interrogate employers and employees, examine books and documents, seize materials, equipments or documents, stop construction works, interdict businesses, machinery or equipments and issue infraction reports that can lead to the imposition of administrative fines. A key instrument related to the inspection of child labour is the Normative Instruction (IN) nº. 66/2006 (repealed by IN nº. 77/2009),

<sup>3</sup> There is also the Youth Statute (PL 4529/04) that outlines the rights and duties of youth aged 15 to 29 years, guaranteeing them a minimum legal framework and active participation in policy-making. The Statute is pending in Congress. The state of São Paulo has already approved a Statute at the state-level on the subject.

<sup>4</sup> In the public service exams held in March 2010, for example, there were 54,681 candidates vying for 234 positions (<http://www.esaf.fazenda.gov.br>).

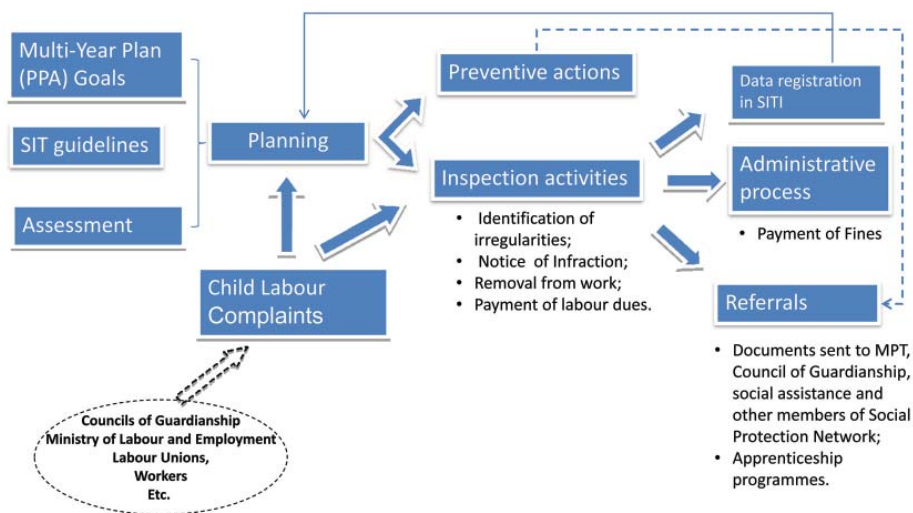
which gives absolute priority to complaints about child labour and grants the labour inspector the necessary tools to identify and withdraw children and adolescents from work. In general, the inspection visits take place according to service orders that indicate the companies or sites to be inspected, following the SRTE's planning and in accordance with guidelines from the SIT. Labour inspectors enjoy stability in their careers and, even when based in the SRTEs, they are technically directly subordinated to the national authority. These are two factors that ensure their relative autonomy (Cardoso & Lage, 2005; Pires 2009th; Vilela). The evaluation of the inspector's performance is centralized by SIT. Until recently, it was done in line with two different management systems, both competing and complementary (Pires, 2009a):

- The first one is based on individual performance goals (as, for example, number of registered workers per month) and on individual and territorially circumscribed inspections;
- The second one is based on teams of labour inspectors involved in specific projects such as combating child labour and the eradication of labour conditions analogous to slavery. In this case, performance is evaluated based on (partial) reports, with the use of quantitative and qualitative data that determine the continuity of the projects or the revision of their goals and procedures. This model allows inspectors to fulfil specific roles in the composition of their tasks (such as coordination, planning, process analysis, or development of special programmes), which are registered as 'special activities'. However, they are also subject to the same performance requirements as the other inspectors.

SIT is currently (2010) undergoing a transition phase, in which an evaluation system based on the second model is being consolidated in all spheres of activity of labour inspection.

## 4. General Strategy

Figure 2: The Steps of the Child Labour Inspection



### 4.1. PLANNING INSPECTION ACTIVITIES

The annual planning of inspection activities is done by the SRTEs, based on SIT's guidelines and when finalized should be approved by the Secretariat.<sup>5</sup> Every year, SIT defines the themes of the national projects, which must be carried out by all Superintendencies.

The SRTEs must also be guided by the data resultant from the assessment (or diagnosis) undertaken in their respective regions. They should also take into account the necessity to ensure compliance with the goals stated in the Multi-Year Plan (PPA)<sup>6</sup>. Since mid-2009, for example, SIT's guidelines prioritize the worst forms of child labour (TIP list)<sup>7</sup>. The TIP list names 93 activities, from which each SRTE should focus on those of higher priority within its region.

<sup>5</sup> The planning is guided by the Ordinance No. 546 of 2010, which repealed the Normative Instruction No. 67/2004.

<sup>6</sup> The Multi-Year Plan sets out the key objectives and actions of the executive branch of government, including budget, for a period of four years (Article 165 of the Federal Constitution and regulated by Decree 2829 of 29 October 1998). It establishes the labour inspection's priority issues and major goals.

<sup>7</sup> Approved by Decree 6.481/2008, where all the activities are listed:  
[http://www.planalto.gov.br/ccivil\\_03/\\_Ato2007-2010/2008/Decreto/D6481.htm](http://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2008/Decreto/D6481.htm)



**Box 1: The diagnosis conducted by the SRTEs:**

The regional assessment is conducted based on preliminary statistical data about the region (such as the National Sample Survey of Households - PNAD) and data about the productive sectors and their production cycles (crops, harvests, etc).

The following three aspects must be included:

1. socioeconomic (economic activities and their geographic distribution, paying attention to changes in the previous three years; Human Development Index and Gross Domestic Product);
2. labour market (including apprenticeships, information on the formal and informal labour market with a focus on the changes in the previous three years);
3. labour inspection interventions (history of inspection activities during the previous 3 years).

Moreover, since the implementation of a new methodology in 2010, the diagnosis must include the availability of inspectors, the financial resources available, external demands (e.g. from the Labour Prosecutions Office and from labour unions) and internal demands (raised by inspectors themselves).

Between 2005 and 2008, SIT's guidelines included four major annual operations to combat child labour. These operations consisted of integrated inspection actions (focused on economic activities that historically have had high rates of child labour, whether in the formal or the informal sector) and actions aimed at strengthening cooperation and awareness-raising.

Until 2010, the performance evaluation of each SRTE was done annually. Thereafter, this assessment became quarterly, creating the possibility of modifying what was originally planned for the remainder of the year. This more frequent evaluation was made possible, among other factors, by a greater availability of information and better documentation of the activities and their results.

**4.2. THE INSPECTION VISITS**

Inspection activities are carried out according to the annual planning, as discussed above, or when triggered by complaints, usually from the Councils of Guardianship, the Labour Prosecutions Office or other partners of the MTE, such as the other members of FNPETI. Since 2006,

complaints concerning child labour have had **absolute priority** (MTE Normative Instructions N°. 66/2006 and N°. 77/2009).

Inspection visits consist basically of visits to businesses or workplaces, in urban and rural areas throughout the country, carried out by labour inspectors. They generally follow the following steps:

1. Identification of prematurely working children and adolescents;
2. Filling out a *Physical Examination Form* (in annex) with information about the child or adolescent and about the characteristics of the work;
3. When it is possible to identify the employer, he/she receives a *Term of Withdrawal from Labour* (in annex) that indicates the removal of the child from the job;
4. Issue infraction reports, if applicable;

### **Box 2: The Workers' Support Fund (FAT - Fundo de Amparo ao Trabalhador)**

The infraction reports issued during the inspection visit generate an administrative process whereby the offender, if convicted, has to pay the fines. The resources raised by the fines are sent to the Workers' Support Fund (FAT), a social fund, linked to the MTE, with the objective of funding the Unemployment Benefit Programme, salary bonuses and economic development programmes.

5. Referrals through the *Term of Request for Measures* (in annex) usually sent to the Council of Guardianship, the Secretariat of Social Welfare and the Labour Prosecutions Office. The main purpose of the referrals is that children and adolescents removed from work are, according to each case, included in programmes of social assistance, education, healthcare services and apprenticeship (MTE Normative Instruction N°. 66, of 13 October 2006, and N°. 77, of 3 June 2009);
6. Register the information gathered during the inspection visit into the Information System of Child Labour Hotspots in Brazil (SITI, which will be explained below).

**Box 3: The role of the Labour Prosecutions Office (MPT)**

In addition to the complaints received by MPT, labour inspectors can also send them back copies of reports on the irregularities found. Based on these reports, MPT opens a Civil Inquiry that leads to one of two following possibilities:

- i. the accused may sign a Conduct Adjustment Term (TAC), taking responsibility to correct the irregularities and, depending on the severity of the case, to pay compensation for the collective damage caused to workers;
- ii. if the accused refuses to sign a TAC, MPT can file a Class Action Lawsuit (Ação Civil Pública) in the Labour Court, which judges its merit.

**Box 4: The social welfare programmes**

For **children**, the social welfare programmes include actions to keep them full-time at school, by conditioning income transfers to school attendance, participation in social, educational and healthcare projects (such as the Bolsa Família/PETI programme, coordinated by the Ministry of Social Development and Fight against Hunger - MDS).

For **adolescents** older than 14 years of age, there are the 'Apprenticeship' or the 'Projovem-Adolescente' programmes, which offer vocational-technical training in the workplace, in accordance with the Apprenticeship Law. The main objective of this modality has to do with learning and not with producing. The adolescent or young adult must have his/her work permit status as an apprentice.

**4.3. PREVENTIVE ACTIONS**

Labour inspectors' actions for the prevention of child labour consist mainly of awareness-raising through the production and distribution of educational material on the negative impacts of child labour, lectures, seminars, debates, regional and national awareness-raising campaigns and, more recently, the maintenance of an online database, the SITI. Most of these activities are pursued in partnership with the National and State Forums for the Prevention and Eradication of Child Labour. Generally, inspection visits are preceded by awareness-raising measures to inform children, employers and families about the risks of child labour. Other times, labour inspectors also engage in a dialogue with family members, employers, labour unions and/or local government representatives to look for solutions.

**Box 5: Two examples of preventive actions**

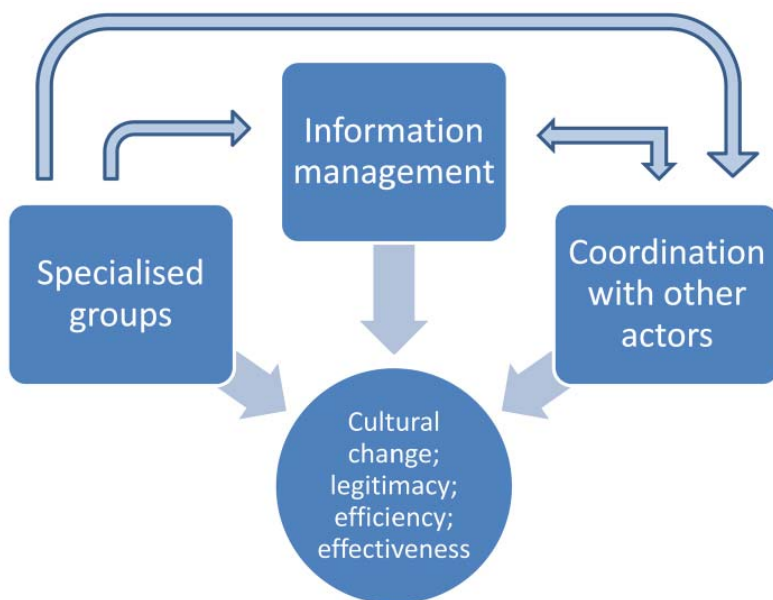
- **The National Caravan for the Eradication of Child Labour**, carried out from 18 June to 13 December 2004, was organized by FNPETI and IPEC in partnership with 26 State Forums and the Forum of the Federal District, counting on the active participation of MTE's labour inspectors. In the 26 states and the Federal District, children and adolescents who had been workers developed proposals to eradicate child labour. During public hearings, these proposals were presented to the state governors, who signed a document committing to the implementation of policies to eliminate child labour. This term was also signed by the Brazilian President.
- Activities carried out in occasion of the **four annual operations** between 2005 and 2008. As mentioned above, these operations consisted of major mobilizations for the pursuit of integrated labour inspection actions, aimed at economic activities or occupations that historically have had high rates of child labour, as well as of actions aimed at cooperation and awareness-raising. Several activities were carried out, such as caravans and seminars with partners of the social protection network and representatives of employers and labour unions. The great publicity about these operatives in the media contributed to highlighting the importance of the issue in the public agenda.

## 5. The development of the practice

The child labour inspection activities in Brazil have been developed based on three main pillars: 1. the constitution of groups of inspectors specialized in the topic and/or exclusively dedicated to it; 2. the production, processing and dissemination of information; 3. and coordination with other governmental actors and with civil society organizations. This section describes how these elements relate to each other and how they led to greater efficiency and effectiveness<sup>8</sup> in the inspection of child labour.

<sup>8</sup> We understand for 'efficiency' the rational use of technical, human and organizational resources and for 'effectiveness' the outcomes and impacts of the practice.

Figure 3: The bases on which inspection of child labour activities developed in Brazil



### 5.1. SPECIALISED GROUPS

The fight against child labour requires special capacities and actions from the labour inspector. Therefore, the development of child labour inspection in Brazil was only possible due to the creation, at the outset, of groups of inspectors specialised in the subject. These labour inspectors functioned as hubs of knowledge accumulation, as reference and as pivots in the cooperation among institutions devoted to the prevention and eradication of child labour.

There are several arguments in favour of the constitution of groups of specialized labour inspectors. As mentioned, labour inspection is a complex realm that encompasses a wide-range of activities: from actions focused on tax collection to actions of a more direct social character<sup>9</sup>. Moreover, the fight against child labour (including actions aimed at awareness-raising, inspection visits and the coordination with institutions of the

<sup>9</sup> The enforcement of labour laws involves dealing with “922 articles of the CLT (Consolidation of Brazilian Labour Laws), 46 articles of the Federal Constitution, 79 ILO Conventions, 30 health and safety norms (which correspond to over 2000 items) and many other administrative acts and judicial decisions” (Pires, 2009b). In addition, the approximately 3,000 labour inspectors are responsible for inspecting the activities of more than 78 million workers in the formal and informal sectors in the 5,564 Brazilian municipalities (Pires, 2009a).

social protection network) demands much investment by the inspector – as mentioned earlier, the inspection visits related to child labour are often preceded by several awareness-raising activities). Sometimes, it takes months of dialogue with employers, labour unions and/or governmental and civil society organisations. For this reason, labour inspectors need flexibility in order to dedicate themselves intensively to activities that can take months before showing measurable results. Moreover, they must be well familiarised with the social protection network and the skills and capabilities of other actors. The specialisation also allows labour inspectors to develop a greater understanding of the specific legislation and of the context in which violations occur, as well as the difficulties faced by employers when trying to comply with the law.

For these reasons, one of the milestones in the development of the inspection of child labour in Brazil was the creation, in 1995, by MTE, of the State Commissions to Combat Child Labour, special groups of labour inspectors with the main purpose of conducting an assessment of the main hotspots of child labour in the country. In 1997, these Commissions turned into the Centres to Combat Child Labour and Protect Adolescent Workers, which, in addition to further developing the assessments, sought partnerships to enable combating the utilization of child labour. In 2000, these Centres made way for the Special Groups to Combat Child Labour and Protect Adolescent Workers (GECTIPAs), which were remarkably successful.

### **5.1.1. The GECTIPAS**

The Special Groups to Combat Child Labour and Protect Adolescent Workers were created in March 2000 and extinguished in October 2004 (MTE Ordinance N°. 7 and N°. 541, respectively). In each state and in the Federal District, these groups relied on at least two labour inspectors exclusively dedicated to the combat of child labour: a coordinator and a deputy coordinator.

During the four and a half years of operation, the GECTIPAs functioned as a special cell to generate knowledge and institutional capacity, which could be partly mainstreamed throughout the whole structure of the labour inspection. They intensified the work begun by the Centres, identifying hotspots of child labour and seeking partnerships to enable prevention and repression.

At first, the group concentrated their activities in the supply chains of greater impact in the formal sector such as, for example, the production of sugar cane, charcoal, oranges, shoes, and sisal. The structure generated by the GECTIPAs enabled an intensive exchange of experiences among labour inspectors from different parts of the country, leading, as a



result, to a great improvement of the practice, including significant development in the standardization of techniques and procedures.

Due to their commitment, GECTIPAs' members became important facilitators during the development of the State Forums for the Prevention and Eradication of Child Labour (which will be described below) and of the entire children and adolescent protection network. They were also pivotal in the cooperation between the Ministry of Labour and Employment and the Ministry of Social Development and Fight against Hunger, a partnership that led to a remarkable development of the social programs aimed at combating child labour, such as the Programme to Eradicate Child Labour - PETI (Brazil, 2004).

## 5.2. PRODUCTION, PROCESSING AND DISSEMINATION OF INFORMATION

After the extinction of the GECTIPAs in 2004, the fight against child labour continued to receive special attention from the MTE, becoming a mandatory inspection project in all SRTEs. Hence, the systematisation of all the information generated by these Groups through publications and the development of an interactive database – the Information System of Child Labour Hotspots in Brazil (SITI) – were important instruments that contributed to the mainstreaming of all the knowledge accumulated.

### 5.2.1. Brief background

In October 1996, the Ministry of Labour and Employment published the Preliminary Assessment of Hotspots of Working Children and Adolescents in Brazil, prepared by means of the data collected by the State Commissions to Combat Child Labour. The assessment exposed the main spots of the problem by region, identifying the economic activities that represented the greatest risks to health of children and adolescents. This data became the basis for the planning of inspection activities for the following year. As a consequence, from that moment on, inspection activities became more focused, with increased efficiency, and contributed to the coordination with other actors within and outside the government.

This experience evolved and led to a series of publications starting in 1999 of the Indicative Map of Child and Adolescent Labour, which was edited with the information collected by labour inspectors. Just as the Preliminary Assessment, this data served as basis for planning inspection activities and, in addition, began to be utilized as reference material for other entities, becoming an important tool to identify children and adolescents in the labour market, especially those undergoing adverse conditions.

**Box 6: History of the production and dissemination of information:**

- **1996** – publication of the Preliminary Assessment of Hotspots of Working Children and Adolescents in Brazil
- **1999** – publication of the First Indicative Map of Child and Adolescent Labour
- **2008** – launching of the Information System of Child Labour Hotspots in Brazil - SITI

The success of this practice led to its improvement. The main limitations of the Indicative Map were: the difficulty to update it, the delay in the publication of new versions, and the limited possibilities of research that it offered since it was a static map. For this reason, the Ministry of Labour and Employment, in partnership with the ILO, developed the Information System on Child Labour Hot-Sports in Brazil, launched in June 2008.

**5.2.2. Information System on Child Labour Hotspots in Brazil – SITI**

SITI is the first online information system focused on child labour that is open to the public.<sup>10</sup> Unlike the Indicative Maps, SITI is frequently updated, allowing inspection activities to turn into a constant mapping of child labour in the municipalities visited, in an attempt to monitor the dynamics of the use of child labour. Thus, SITI continues the accumulation of information begun with the Preliminary Assessment and later the Indicative Maps. This knowledge accumulation increases the labour inspectors' capacity, facilitating the exchange of experiences between regions and providing technical expertise that improves their action. Furthermore, it has an incorporated search engine, making the information available in an interactive manner.

This system, besides representing a leap in the professionalization of the Secretariat of Labour Inspection information management, has a great potential to support actions within and outside the government, to increase the transparency of inspection activities, to grant visibility to the work of labour inspectors, and to make publicly known the sectors that exploit child labour.

<sup>10</sup> SIT also counts with another computerised information management system (the Federal System of Labour Inspection - SFIT), where the data related to the inspection activities is processed. However, SFIT is not public and is relatively limited from the standpoint of those seeking information on child labour, since it is not focused on this issue. It aims to register labour inspectors' activities in all areas in order to assist the internal management of the secretariat, such as the evaluation of inspectors' performance.

### 5.3. COORDINATION WITH OTHER ACTORS

In the early 1990s, there were a number of initiatives by the Brazilian government and civil society against child labour. However, these efforts were still modest and fragmented, lacking centralizing forces that could turn them into coherent and effective programmes and, consequently, could multiply and increase the outreach of the actions. The performance of labour inspectors was also affected because of the lack of social programmes and partnerships to support their work. In this context, the inspection of child labour has developed along with the establishment of an institutional network, which led to a remarkable increase in the efficiency and effectiveness of the labour inspectors' work which, at the same time, was strengthened by it.

In the process of formulation, implementation and monitoring of public policies, this institutional network brings together capacities and efforts through two lines of coordination:

- Firstly, there is an **integrated effort of the government and society**. Through a quadripartite cooperation (which unites government, representatives of employers and workers, along with establishing a platform for dialogue with non-governmental organizations involved in combating child labour), the MTE sought to coordinate, strengthen and give visibility and legitimacy to the actions undertaken by these entities.
- Secondly, the **integration of different levels** (federal, state and local levels) **and sectors of the government** (involving the sectors of labour, justice, education, social welfare, healthcare, etc.). This coordination is important in order to better elucidate the sphere of action of each institution, fostering partnerships and increasing the coherence of actions.

The labour inspectors acted as pivots in these two lines of alliances, be it during the creation and coordination of the State Forums for the Prevention and Eradication of Child Labour or in the coordination of joint actions. Social mobilization, often led by labour inspectors, has become an essential part of their work, supporting and giving legitimacy and sustainability to their inspection activities.

Four institutional platforms are important for the understanding of the development of child labour inspection in Brazil. The first two were created by ECA, are not specific to combat child labour, and do not have labour inspectors amongst their members: the Councils of Rights for the Child and Adolescent and the Councils of Guardianship. The other

two are specific to combating child labour and have labour inspectors amongst their members and often in their coordination: the Forum for the Prevention and Eradication of Child Labour; and the National Commission for the Eradication of Child Labour (CONAETI).<sup>11</sup>

Figure 4: Institutional platforms for social dialogue

ECA	Quadripartite Bodies
<b>Councils of Rights</b> <ul style="list-style-type: none"> <li>• Deliberative and programmatic;</li> <li>• Municipal, state and federal levels.</li> </ul>	<b>Forums</b> <ul style="list-style-type: none"> <li>• Propositional;</li> <li>• Coordination, mobilisation and issues complaints;</li> <li>• State and federal levels;</li> <li>• There are also regional (intrastate) and municipal Forums.</li> </ul>
<b>Councils of Guardianship</b> <ul style="list-style-type: none"> <li>• Implement full protection;</li> <li>• Municipal level.</li> </ul>	<b>CONAETI</b> <ul style="list-style-type: none"> <li>• Assist public policy formulation and monitor its implementation (e.g. National Plan)</li> <li>• National level</li> </ul>

### 5.3.1. Institutional spaces created by ECA (1990)

Within this network, it is worth highlighting the institutional platforms of coordination created by the Statute of the Child and Adolescent: the Councils of Rights, at the municipal, state, and federal levels; and the Councils of Guardianship, at the municipal level.

The Councils of Rights of the Child and Adolescent, are entities where civil society and the government are equally represented. They are deliberative and programmatic, being responsible for the formulation and/or adoption of public policies aimed at protecting the rights of children and adolescents at the local, state and federal levels.

<sup>11</sup> There are also the Committees to Combat the Violence towards and Sexual Exploitation of Children and Adolescents, in which SIT has a plays a role of facilitation and collaboration. However, these are not central to the labour inspectors' performance when fighting child labour.

The Councils of Guardianship are composed of members of civil society and are responsible for ensuring compliance with the rights of the child and adolescent. They work in coordination with the Municipal Councils of Rights of the Child and Adolescent, and deal with individual cases of rights violation, contacting the responsible entities and advising the families. Inspections and awareness-raising activities undertaken by labour inspectors at the local level, often involve partnerships with the Councils of Guardianship.

### **5.3.2. The National Forum, the State Forums and the Forum of the Federal District**

Alongside the Councils, the National Forum for the Prevention and Eradication of Child Labour (FNPETI) was established in 1994 as a quadripartite body<sup>12</sup>, bringing together state institutions, international agencies, Councils of Rights, organizations of employers, associations of workers and NGOs. Unlike the Councils of Rights, the forums are not deliberative, but propositional, working as bodies for coordination, mobilization and denunciation. The creation of the Forum reinforced the view of child labour as a multi-causal problem that demands a cross-sector approach, including considerations of access to education and good healthcare, poverty eradication, income generation, among others (ILO, 2003).

The participation of the Ministry of Labour and Employment was a key component in the establishment of FNPETI. The MTE was responsible for the Forum's coordination during its first three years through its Secretariat of Labour Inspection (SIT). Since 2003, the Ministry is a permanent member of the Forum's joint coordination committee, together with the ILO, UNICEF and the MPT.

#### **Box 7: The Programme of Integrated Action**

FNPETI's first major initiative was the development of the Programme of Integrated Action (PAI - Programa de Ação Integrada) in 1995 in the state of Mato Grosso do Sul, in partnership with the ILO and the State Government. The Programme was part of an intervention to eliminate child labour in charcoal production in the state. PAI coordinated the actions of various segments of society, including government agencies, international organizations and civil society organizations. Its success turned it into a model for posterior interventions throughout the country.

<sup>12</sup> Quadripartite entities unite actors from the government, representatives of employers and workers, and civil society.



After a successful experience in the state of Mato Grosso do Sul (see Box 7), FNPETI focused on the creation and coordination of the National Network of State Forums for the Prevention and Eradication of Child Labour, which was consolidated in 2003. The network is formed by entities that replicated FNPETI's model at the state-level and at the level of the Federal District. The role of the Ministry of Labour and Employment, and therefore its labour inspectors, was instrumental in the creation of this network. Moreover, since SIT encourages the Regional Superintendencies to have representation in them, it is common that the same inspector who coordinates the fight against child labour in the SRTE is also the leader of the State Forum.

Besides the National Forum, the State Forums and the Forum of the Federal District, there are also some regional forums and intra-state forums as well as forums at a more local level (municipal and inter-municipal). There are specialized forums dedicated to the issues of commercial sexual exploitation and child labour in the 27 federal units (26 states and the Federal District).

On the one hand, the participation of labour inspectors gives more legitimacy and recognition to the Forums, in addition to strengthening initiatives, leading to an increased support from civil society organizations. On the other hand, the forums give the labour inspectors the capillarity so that they can learn first-hand the demands and concerns of civil society. It is important to highlight that, in addition to being partners, the Forums may also play a role of watchdogs, monitoring the performance of the Secretary of Labour Inspection, as well as that of the Regional Superintendencies, and pointing out what can be improved. In this sense, MTE's proximity to the other members of the Forums contributes to a better dialogue between government and society.

### **5.3.3. CONAETI**

The National Commission for the Eradication of Child Labour (CONAETI) is a quadripartite entity (uniting government, representatives of employers and of workers, and civil society), coordinated by the Ministry of Labour and Employment. It was established in 2002 in order to fulfil the international commitments made by Brazil when it ratified ILO Conventions no. 138 and no. 182.

Some of CONAETI's main objectives are the development, follow-up, and monitoring of the implementation of the National Plan for the Prevention and Eradication of Child Labour and Protection of Adolescent Workers. The first version of the Plan was published in 2004 and the second in 2010. The

Plan aims to coordinate the activities of the various entities that comprise CONAETI, assigning roles and responsibilities in respect to short, medium and long term actions in order to eradicate the worst forms of child labour by 2015 and drastically reduce the other forms during the same period. The other objectives of CONAETI include to regulate and adapt the national legislation according to the dispositions of ILO Conventions no. 138 and no. 182 and to analyze and redefine the dangerous and unhealthy activities prohibited for teenagers under the age of 18. In this sense, CONAETI revised the list of activities defined by MTE's ordinances since 2001<sup>13</sup> and formulated a list of Worst Forms of Child Labour (TIP List). In 2008, this list put into practice through a presidential decree (Decree No, 6481/2008, described in part 3.2 – Legal Grounds for the inspection of child labour in Brazil). CONAETI counts with the active participation of MTE's labour inspectors, including in its coordination.

## 6. Results

In the last few years, positive changes have taken place in terms of an increase of the efficiency of labour inspection in Brazil; the increased professionalization of the career of labour inspector; and in terms of the institutional development of SIT. Specifically concerning child labour, the accumulation of knowledge, enabled by the assessments and by the information provided by different partners, allowed for more focused inspection activities on the main hotspots where child labour could be found, maximizing their impact.

Between 2000 and 2009, different inspection activities removed 97,460 children from work, as can be seen in the table below:

*Table 1.*

*Number of working children and adolescents removed from work by labour inspectors*

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	TOTAL
14404	18537	10289	11897	4040	7748	12458	7999	5767	4321	97460

Source: SIT/MTE

In 2007, labour inspection visits began to be recorded: by 2009, 3,330 had been undertaken. However, these numbers do not do justice to the impact of the labour inspectors' actions, since the result of their work is

<sup>13</sup> The list was established by Ministerial Ordinance no. 20 of 13 September 2001 and modified by Ordinance no.4 of 21 March 2002.

not only translated into number of children and adolescents removed from the labour market, but also in the prevention of child labour. Moreover, the more successful the efforts to combat the problem are, the fewer children are found working.

Hence, it is also important to mention that labour inspectors' actions contributed to increasing the visibility of the issue of child labour on the public agenda. There was a noticeable shift in the attitude of the media, of governmental institutions, of associations of employers and workers, in addition to thousands of families reached by the awareness-raising activities, who started obtaining information on the negative impacts of premature labour.

According to data from the National Sample Survey of Households (PNAD/IBGE), in 1992, an estimate of 19.9% of children and adolescents between 5 and 17 years of age was working. In 2008, the proportion of the population in this age group working had fallen to 10.2%.

## 7. Innovation

One of the main innovations of this practice is that children and adolescents are not seen as offenders but instead as victims that need protection. The role of labour inspectors in this context is no longer only one of repression but also of guarantors of rights. Considerably symbolic in this regard is the fact that, whenever an inspector withdraws a child or adolescent from irregular work, he/she proceeds to ensure the payment of all labour dues related to the period worked in order to guarantee the young worker's rights. Thus, the removal of the child or adolescent from work and his/her referral to the social protection network are essential to the inspector's performance.

In this context, another major innovation was the fact that groups of inspectors became specialized in combating child labour in order to contribute to building the institutional arrangement necessary to increase the efficiency of their actions. Since then, the labour inspectors are also dedicated to the production and dissemination of information, to the coordination of a social protection network, and to the participation in the development of public policy. This allowed for a number of innovations:

- A labour inspection that is better planned and therefore more focused and efficient;
- The concerted action of several actors helped to increase legitimacy, credibility, and the coherence of actions, as well as cultural and institutional change;

- The development of mechanisms to process and disseminate information allowed for better cooperation between various actors, in addition to providing visibility and credibility to the work of labour inspectors.

## 8. Lessons learned

One of the most significant lessons that were learned about the eradication of child labour was that the recidivism was reduced drastically due to the coordination and collaboration with other government agencies, which allowed labour inspectors to refer children and adolescents removed from work to social assistance programmes, increasing the impact of their actions.

In this sense, the Normative Instruction Nº. 77 recognizes that the labour inspector can engage in the coordination with other actors, as well as in awareness-raising activities, without prejudice of the specific inspection activities concerning child labour that have to be undertaken. In this sense, the fight against child labour contributed to lead the inspection towards a working model based on specific projects and group work, during the inspection activities and in their follow-up.

## 9. Sustainability of the practice

The inspection of child labour in Brazil has improved anchored to the development of a quadripartite network of actors, which makes it more resilient to political changes. Therefore, its sustainability depends on the strengthening of the mediation and coordination platforms, represented mainly by the Councils of Rights, FNPETI, the State Forums and CONAETI.

It is also interesting to note that there is an increasing interest of various institutions to use of data produced by the Secretariat of Labour Inspection on the employers of child labour. They are interested in using it in order to, for example, limit access to credit and public biddings. Following the same logic, there is a great pressure by civil society organisations so that large companies assure consumers that neither they nor their suppliers use child labour. In this sense, the Information System on Child Labour Hotspots in Brazil – which was improved in July 2010 to acquire a friendlier interface and better search engines – has the flexibility to allow for updates and adaptations to new necessities that may arise.

## 10. Replicability of the practice

The lessons learned during the development of the inspection of child labour in Brazil may be of interest to middle-income countries that also have a limited number of inspectors and restricted institutional capacity. Some strategies that have proven capable of increasing the efficiency of the use of the limited resources could be adapted and replicated:

- The creation of groups of specialized inspectors;
- The assessment of hotspots of child labour to guide the planning of inspection activities;
- The development of mechanisms to process and disseminate information;
- And the investment in quadripartite platforms (comprised of government, employers, workers and civil society) of coordination and mediation.

It is worth mentioning, however, that the success of this practice in Brazil was only possible due to an effective commitment towards the issue by various actors that becomes clear when looking at several factors:

- The investment by the Ministry of Labour and Employment in awareness-raising campaigns (e.g. the annual campaigns on June 12<sup>th</sup> and October 12<sup>th</sup>, the National Caravan in 2004 and the Mato Grosso do Sul State Caravan in 2009);
- The incentive for labour inspectors to take part in the platforms of mediation and coordination;
- The priority given to complaints about child labour;
- The requirement that every service order for inspection visits must include an element related to the combat of child labour;
- The efforts to mainstream the capacity generated by the specialized groups throughout the whole structure of labour inspection.



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- **Ministry of Health: Workers’ Health; National Policy for the Healthcare of Working Children and Adolescents**  
<http://portal.saude.gov.br>
- **Ministry of Social Development and Fight against Hunger: Bolsa-família; Programme to Eradicate Child Labour – PETI**  
<http://www.mds.gov.br/bolsafamilia>  
<http://www.mds.gov.br/assistenciasocial/peti>
- **Ministry of Labour and Employment – MTE**  
[http://www.mte.gov.br/trab\\_infantil/default.asp](http://www.mte.gov.br/trab_infantil/default.asp)
- **National Forum for the Prevention and Eradication of Child Labour - FNPETI**  
<http://www.fnpeti.org.br>
- **National Sample Survey of Households – PNAD/IBGE**  
<http://www.ibge.gov.br>
- **Information System on Child Labour Hotspots in Brazil – SITI**  
<http://sistemasiti.mte.gov.br>
- **School of Financial Administration (*Escola de Administração Fazendária* – ESAF)**  
<http://www.esaf.fazenda.gov.br>

## INTERVIEWS

- **Isa Maria de Oliveira:** executive secretary of the National Forum for the Prevention and Eradication of Child Labour;
- **Katleem Marla Pires de Ayres:** labour inspector at the SRTE of the State of Goiás; worked with child labour (in SRTE/GO) from 2005 to 2009; participated in the coordination of the Goiás State Forum for the Prevention and Eradication of Child Labour; represented the National Association of Labour Inspectors (SINAIT) in FNPETI;
- **Luiz Henrique Lopes:** head of the Division of Inspection of Child Labour (DFIT), of the Secretariat of Labour Inspection (SIT/MTE);

- **Marinalva Cardoso Dantas:** labour inspector at the SRTE of the State of Rio Grande do Norte, coordinator of the Rio Grande do Norte State Forum for the Prevention and Eradication of Child Labour;
- **Miriam Maria José dos Santos:** vice-coordinator of the Minas Gerais State Forum for the Prevention and Eradication of Child Labour; member of CONANDA and CONANDA's representative at CONAETI;
- **Regina Rupp:** labour inspector; coordinator of the project to combat child labour at the SRTE of the State of Mato Grosso do Sul;
- **Renato Mendes:** coordinator of the International Programme on the Elimination of Child Labour (IPEC) at the ILO Office in Brazil.

## 12. References

### **Secretariat of Labour Inspection / Ministry of Labour and Employment**

#### **Department of Labour Inspection - DEFIT / Division of Inspection of Child Labour**

Esplanada dos Ministérios Bl. F  
 Anexo - Ala B - 1º Andar  
 Brasília – DF / Brazil - 70059-900  
 Telephone number: + 55 (61) 6617-6638

### **International Programme on the Elimination of Child Labour – IPEC / ILO Brazil**

Setor de Embaixadas Norte, Lote 35  
 Brasília – DF / Brazil - 70800-400  
 E-mail: [brasilia@oitbrasil.org.br](mailto:brasilia@oitbrasil.org.br)  
 Telephone number: +55.61.2106-4600  
 Fax: +55.61.3322-4352



Photo: Sérgio Carvalho



## ANNEX

**Practical Tools utilized by Labour Inspectors in the identification of child labour.<sup>14</sup>**

### ANEXO I: Physical Examination Form

INSPECTION ACTIVITY	PLACE	DATE	SOURCE OF COMPLAINT
	LABOUR INSPECTOR	CIF	
DATA OF THE CHILD WORKER	FIRST NAME	LAST NAME	
	DATE OF BIRTH	GENDER:	
		<input type="checkbox"/> MALE	<input type="checkbox"/> FEMALE
	PARENTS' NAMES		
	HOME OR SCHOOL ADDRESS		
SOCIAL INFORMATION	STUDIES	SCHOOL'S NAME	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		
INFORMATION ABOUT THE WORK	EMPLOYER'S NAME	TIME WORKED	
	WORKPLACE (Complete address)		
	WORK HOURS (daily and weekly)		
	REMUNERATION	RATE OF PAYMENT (daily, weekly, monthly)	TYPE OF PAYMENT
	ECONOMIC ACTIVITY		
	TYPE OF OCCUPATION		
GENERAL WORK CONDITIONS	MEALS IN THE WORKPLACE	HOUSING IN THE WORKPLACE	DAANGEROUS WORK
	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
	INSALUBRIOUS WORK	SHOWS ILLNESS SYMPTOMS	
	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
COMPLEMENTARY INFORMATION			

<sup>14</sup> These instruments are part of the annex of Normative Instruction no. 77 that provides for labour inspection activities to combat child labour and to protect the adolescent worker. [http://www.mte.gov.br/legislacao/instrucoes\\_normativas/2009/in\\_20090603\\_77.pdf](http://www.mte.gov.br/legislacao/instrucoes_normativas/2009/in_20090603_77.pdf)



## Annex II

MINISTRY OF LABOUR AND EMPLOYMENT

SECRETARIAT OF LABOUR INSPECTION

REGIONAL SUPERINTENDENCE OF LABOUR AND EMPLOYMENT OF THE  
STATE OF \_\_\_\_\_

### TERM OF WITHDRAWAL FROM WORK

In the exercise of the powers conferred by Articles 407, caput, of the Consolidation of Brazilian Labour Laws, I DETERMINE that Mr./Mrs.\_\_\_\_  
\_\_\_\_\_, acting in the quality of \_\_\_\_\_,  
provides immediately for the removal from work of the children and/or adolescents listed below from work, proceeding to the payment of their labour rights related to the provision of services, including the values corresponding to the Employee's Severance Guarantee Fund (FGTS - Fundo de Garantia do Tempo de Serviço), regardless of the nature of the work done, within \_\_\_\_\_ (\_\_\_\_\_) days.

\_\_\_\_\_, \_\_\_\_/\_\_\_\_/\_\_\_\_

Place and date

\_\_\_\_\_

EMPLOYER

\_\_\_\_\_

LABOUR INSPECTOR

List of withdrawn workers:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Annex III

MINISTRY OF LABOUR AND EMPLOYMENT

SECRETARIAT OF LABOUR INSPECTION

REGIONAL SUPERINTENDENCE OF LABOUR AND EMPLOYMENT OF THE  
STATE OF \_\_\_\_\_

To \_\_\_\_\_

### TERM OF REQUEST FOR MEASURES

In attention to the provisions in the caput of Article 4, observing the provisions "a" and "b" of its sole paragraph, as well as the provisions of Article 5, of Law No. 8069 of 13 July 1990, which provides for the Statute of the Child and Adolescent - ECA, I notify this institution that, during a labour inspection visit carried out in the period from \_\_\_\_ / \_\_\_\_ / \_\_\_\_ to \_\_\_\_ / \_\_\_\_ / \_\_\_\_, in the municipality of \_\_\_\_\_ in the state of \_\_\_\_\_, the children and/or adolescents identified in the attached Physical Examination Forms were found working, characterizing therefore violation of rights guaranteed under the Constitution and ECA.

In view of the rights and legal warranties related to the special protection of the childhood and adolescence, I submit this TERM OF REQUEST FOR MEASURES, for information and applicable actions.

\_\_\_\_\_, \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Place and date

\_\_\_\_\_

LABOUR INSPECTOR

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Labour Inspection  
Ministry of Labour  
and Employment**

