



# EMPLOYERS FIGHT AGAINST CHILD LABOUR PROJECT



***'The Voice of Employers'***

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## ***ECAM'S Vision***

**ECAM is to be a strong development partner and a representative voice of employers**

## ***ECAM'S Mission***

**To provide leadership and guidance on employment, labour and social policy in Malawi**

**To promote best practice and pro-growth policies which enable employers to attain competitiveness and reposition Malawi as the preferred destination for value-added investment.**

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## 1.0 About the Employers Child Labour Project

The Employers Consultative Association of Malawi with support from the International Labour Organization (ACT EMP) is coordinating a project entitled 'Employers Fight Against Child Labour in Commercial Agriculture' The project is funded by the Norwegian Government

ECAM is the only government recognized Employers' body under the ILO Labour Tripartite arrangement. The Association was established in 1963 and registered under the Trustees Incorporation Act .In addition, ECAM is an affiliate member of the International Organization of Employers (IOE) based in Geneva.

ECAM's primary role is to promote and safeguard the interests of employers. Over the years, ECAM has taken on several new areas of responsibility with a view to enhance its effectiveness.

ECAM 's major role is to protect the interest of employers on all socio-economic issues affecting them including HIV/AIDS, Gender and Child Labour.

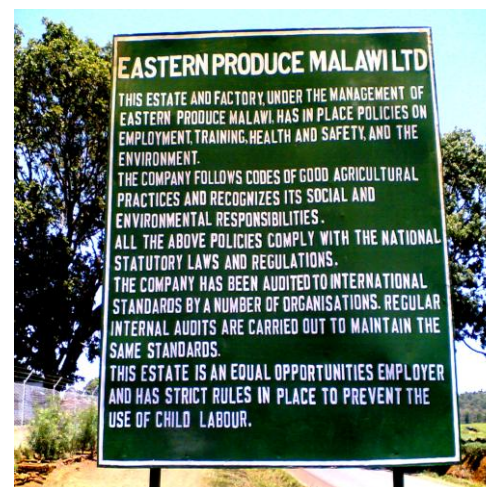


## 2.0 Child

In general, any person under the age of eighteen (18) is designated as a child.

## 3.0 Child Labour

According to the Malawi National Code of Conduct on Child Labour, any work done by a child for more than four hours per day which deprives the child's access to education and is harmful to the child physical, psychological and moral survival, growth and development is child labour.



#### 4.0 Why should Child Labour be a concern to Employers?

Employers who use children risk the dangers of having a poor public image both within and outside Malawi.

Employers who employ children as a source of cheap labour risk the danger of having poor quality products and low productivity as children due to their mental capacity are not as careful and selective as adults.

Employers employing children run the risk of losing the international and local markets for their products as child labour violates national and international laws.

Employers who employ children risk of depleting the source of source of skilled labour as children become involved in child labour instead of going to school.

In the spirit of Corporate Citizenship, Employers need to support the community to fight any social evils including Child Labour.

#### 5.0 The Malawi Constitution -Sec.23

*“children are entitled to be protected from economic exploitation or any treatment of work or punishment that is likely to be hazardous; interfere with their education; or harmful to their health or their physical, mental, or spiritual or social development”*

#### 6.0 The Employment Act # 6 of 2000

*Under Sections 21 through 24, Malawi has set 14 as the minimum Age of employment and further protects the child of Age between 15 and 17 from employment that may be hazardous to any occupation or activity that is likely to be harmful to the child's health, safety, education, morals or development; or prejudicial to the child's attendance at school or any other vocational training programme .*

#### 7.0 ILO Conventions

##### **Convention 138(1973) -**

*Specifies the general minimum age of employment as not less than the age of completion of compulsory schooling and, in any case, not to be less than 15 years.*

*However this Convention provides for those member states whose economies and educational facilities are insufficiently developed to initially specify a minimum age of 14 years.*

##### **Convention 182(1999) - and its accompanying Recommendation (No. 190)**

*Regulates the prohibition and immediate action for elimination of the worst forms of child labour.*

## 8.0 *How can employers help in the fight?*

- Set Company-level anti child labour policies
- Create awareness amongst staff and surrounding communities.
- Coordinate Education, Health and Social Welfare programmes not just for staff but even those in the surrounding communities.
- Ensure working conditions for young persons between 14 and 18 are favourable.

## 9.0 Best practices from some of the sectors

The Tea Sector of Malawi has gone a long way in eliminating child labour in the Industry. A Child Labour Policy exists within the sector and is driven from the Tea Association of Malawi secretariat. The minimum entry point for employment in the Sector is 18 for Field Work and 21 for Factory work. At plantation level almost all companies do have anti-child labour policies embedded within their Terms and Conditions of Service booklets. It is a disciplinary issue to break this provision.

Most Tea Estates run and coordinate Education and Health Care programmes in addition to other Corporate Social Responsibility programmes. Most own schools and clinics within the plantations and have built or donated school blocks to government run primary schools. This is in on top of running School bursary programmes for children of workers living within the Estate compounds.

## 10.0 ECAM 's POLICY STATEMENT ON CHILD LABOUR

The Employers Consultative Association of Malawi(ECAM) recognizes the need for Employers ,as social partners, to get involved in the elimination of child labour and the need to comply with the existing legislation and international standards on Child Labour,

As such ECAM obliges its members and indeed prohibits them from employing children younger than 14, and from employing young persons between the 15 and 18 in work situations that may deprive the person's access to education and would be harmful to the child's physical, psychological and moral survival, growth and development .Further member organizations are seriously obliged to examine their supply chain and ensure there is no child labour in the services provided by the third party contractors.

Finally ECAM recognizes that while the business community has an important role to play ,its role cannot be seen in isolation of the role that other social partners such as Government, Trade Unions, Civil Society and the Community at large *must* also play.