



THIRD ITEM ON THE AGENDA

**Strategies and practice
for labour inspection**

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I. Introduction

1. Discussion of the General Survey on labour inspection at the 95th Session (2006) of the International Labour Conference confirmed widespread tripartite commitment to labour inspection as a fundamental instrument in implementing decent work.¹ “A functioning labour inspection system was part of an effective labour administration system and a basic condition for good governance in the world of work.”² “The positive impact of the work of inspectors on employees’ conditions of work, the promotion of their rights but also sustainable economic growth was undeniable.”³ This is reflected in the 135 ratifications to date of the Labour Inspection Convention, 1947 (No. 81). It is classified as a “priority” Convention because of its importance to the international labour standards system and has defined a common foundation for the work of labour inspection services in many countries.
2. Looking to the future, the Conference discussion also highlighted that labour inspection is faced with a multitude of challenges. These include the fragmentation of work and the restructuring of employment patterns as a result of technological change and increased international competition, coupled with increased focus on the effective implementation through national laws of the ILO’s international labour standards. However, in many countries, the General Survey revealed that increased calls on inspection functions and responsibilities have not been matched by an increase in the number of qualified inspectors, office and transport facilities and the budgetary resources needed to provide an effective service.
3. The request by the Officers of the Committee on Employment and Social Policy for a discussion of labour inspection is thus most timely. This paper opens with a brief overview of labour inspection and the international labour standards that have helped shape national systems. It then highlights some of the major challenges facing labour inspection services. The role of the ILO in support of labour inspection services is identified and proposals for future action suggested.

II. Background

4. In its final remarks, the Committee of Experts’ 2006 General Survey report called on governments to recognize the “vital contribution to development and social cohesion made by an efficient labour inspection service”.⁴ The Committee noted that it had been “struck by the significant contribution that labour inspection, under the terms of Conventions No. 81 (on labour inspection in industry and commerce) and No. 129 (on labour inspection

¹ General Survey of the Committee of Experts on the Application of Conventions and Recommendations on labour inspection, Report III (Part 1(B)), 95th Session (2006), ILC, and report of the Committee on the Application of Standards, Part One, *Provisional Record* No. 24.

² Employer spokesperson (Mr. Potter), Committee on the Application of Standards, ILC, 2006, *Provisional Record* No. 24, Part One, para. 90.

³ Worker spokesperson (Mr. Cortebeeck), *op. cit.*, para. 109.

⁴ ILO: General Survey, 2006, *op. cit.*, para. 371.

in agriculture), has to make to the achievement of the ILO's Decent Work Agenda".⁵ The majority of speakers in the Conference Committee shared these sentiments.

5. In the discussions on the 2006 report, the Employer members considered that effective labour inspection promotes a stable business climate, which in turn is an essential element for competitiveness, economic growth and job creation. The Workers felt it was of crucial importance that all countries recognize the pre-eminent role labour inspection played, not only on the health of workers, but also on the health of the economy. Both groups, as well as the bulk of Government delegates, agreed that a well-organized labour inspection service with appropriate resources and adequate legal instruments was an important component of economic and social development.
6. Given its particularly high level of ratifications (135), the Labour Inspection Convention, 1947 (No. 81), serves as a good international guide to common features of the service. It defines the main functions of labour inspection as "to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work".⁶ The powers of enforcement, and the right to enter workplaces, set out in Article 12 of Convention No. 81, differentiate labour inspection from other activities in the area of labour administration. Article 15 of the Convention further specifies the duty of inspectors to be independent and impartial in the exercise of these powers.
7. Labour inspection is generally organized as a part of an overall labour administration system typically under the authority of the ministry of labour.⁷ The Labour Administration Convention, 1978 (No. 150), and its accompanying Recommendation (No. 158), set out the overall duties of a labour administration as including labour inspection. The quality of the overall labour administration system is vital to the effectiveness of a labour inspectorate.
8. While almost every country has a labour inspection service, often corresponding closely to the framework of Convention No. 81, there are important differences in the way labour inspection is organized in ILO member States. National laws and enforcement priorities vary. For example, there are differences in the way various inspection functions are organized. For example, dossiers on particular workplaces could be opened following regular proactive prevention and control activities on the one hand, or in reaction to complaints or occupational accidents on the other.⁸ The issues raised in both cases can sometimes be very specific but often cover several infringements of different aspects of labour law. Most inspectorates combine advice and sanction but the balance of approach does differ.
9. Although the precise mandates of inspectors vary according to national legislation, amongst the many issues in the workplace which labour inspectors are called upon to address are: occupational safety and health; conditions of work; forced labour; child labour; employment relations; social security; gender equality and discrimination; illegal employment; and specific sectoral functions (e.g. agriculture, construction, mining, maritime, railways). Other related activities can include duties concerning immigration, the informal economy, the registration of small enterprises and HIV/AIDS at the workplace.

⁵ ILO: General Survey, 2006, op. cit., para. 372.

⁶ Article 3(1)(a) of Convention No. 81, and Article 6(1)(a) of the Labour Inspection (Agriculture) Convention, 1969 (No. 129).

⁷ ILO: General Survey, 2006, op. cit., paras. 138 and 143.

⁸ ILO: General Survey, 2006, op. cit., para. 368.

10. In view of the mandate and the many functions of labour inspectorates, the organization of the service needs to be efficient and effective, with workplaces visited as often as possible. Comprehensive inspection coverage is required for the control and functioning of the labour market. As the Committee of Experts noted repeatedly, labour inspectors' primary duties are complex, and require time, resources, training and considerable freedom of action and movement.⁹

Labour Inspection Convention, 1947 (No. 81)	
Objective	The purpose of Convention No. 81 and its accompanying Recommendation (No. 81) is the establishment of a system of labour inspection responsible for securing conditions of work and the protection of workers in industrial workplaces (excluding mining and transport enterprises).
Principal functions	<ul style="list-style-type: none"> ■ Securing enforcement of the legal provision and investigation of complaints and material, technical and administrative examinations. ■ Supplying technical information and advice to employers and workers. ■ Bringing to the notice of the competent authorities defects and abuses not covered by the existing legal provisions.
Structure	<p>The competent authority has to make appropriate arrangements to promote:</p> <ul style="list-style-type: none"> – cooperation between the inspection services and other institutions; – collaboration between officials of the labour inspectorates, employers and workers.
Duties	Labour inspectors have an obligation of confidentiality in relation to the source of any complaint or any business secrets exposed during an inspection visit.
Rights	<p>Labour inspectors have the status of public officials with the right:</p> <ul style="list-style-type: none"> – to enter freely any workplace liable to inspection and to carry out any examination; – to carry out examinations and interrogate; – to enforce any breaches of the law.

III. Major issues facing labour inspection

11. Building on the General Survey and its examination at the 2006 International Labour Conference, it is possible to identify a number of major issues of global importance. The main overarching strategic issue is that the quality of governance of the labour market is a major factor in distinguishing whether countries are successful or not in finding a development trajectory that leads to a sustainable reduction in poverty. Improved labour inspections and safe work management, as well as underpinning social protection at work, lead to a better quality product, higher productivity, a decline in the number of accidents and an increase in the motivation of the labour force. As such, good governance of the labour market is key to maintaining or enhancing competitiveness and meeting the challenges of globalization. The key to competitiveness is quality products (and services) which in turn depend on quality production methods.

⁹ ILO: General Survey, 2006, op. cit., para. 69.

Lack of resources

12. There is widespread concern that labour inspection services in many countries are not able to carry out their roles and functions. They are often understaffed, under-equipped, under-trained and underpaid. Small transport and travel budgets and inadequate means of communication and record-keeping also hinder their capacity to perform inspections and take the necessary follow-up action. The squeeze on labour inspection resources can also put severe strain on the professionalism, independence and impartiality of inspectors.
13. Article 10 of Convention No. 81 calls for a “sufficient number” of inspectors to do the work required. As each country assigns different priorities of enforcement to its inspectors, there is no official definition for a “sufficient” number of inspectors. Amongst the factors that need to be taken into account are the number and size of establishments and the total size of the workforce. No single measure is sufficient but in many countries the available data sources are weak. The number of inspectors per worker is currently the only internationally comparable indicator available. In its policy and technical advisory services, the ILO has taken as reasonable benchmarks that the number of labour inspectors in relation to workers should approach: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries. The chart in the appendix shows that many countries do not reach these benchmarks.
14. The General Survey of 2006 points out that governments provide little information on the exact level of budgetary resources of the labour inspectorate or how they are determined. In most countries the labour inspection budget comes under the general budget of the ministerial department responsible for labour, social affairs and related matters. Labour administrations in most English-speaking African countries receive, for example, no more than 1 per cent of the national budget. In some cases the figure is only 0.1 per cent.¹⁰ Many successful inspectors have joined the private sector attracted by higher remuneration and better career prospects.
15. In many developing countries, labour inspection officers receive only limited initial training and have little opportunity to receive any in-service training. This leads to a decline in the quality of inspections undertaken. Other factors that challenge the authority and credibility of labour inspection services include violence against inspectors and corruption, weak networking structures and no possibilities to establish the electronic databases that can generate annual reports and help in identifying inspection priorities (e.g. high-risk workplaces).
16. In echoing concerns about the resources available to labour inspection, the Conference Committee also highlighted that attention needed to be paid to modernizing inspection services and improving efficiency. In this regard, several countries have recently begun to reinvigorate labour inspection. In 2004, *Brazil* recruited 150 new inspectors to tackle forced labour, *Turkey* has trained 108 inspectors to fight child labour, and *Greece* has conducted training for 81 newly recruited inspectors. *France* just launched the new Plan Larcher, which foresees an “ambitious reform to tackle the organizational crisis in labour

¹⁰ W. von Richthofen: “Labour inspection: A guide to the profession” (ILO, Geneva, 2002), para. 16.3.

inspection”. This includes structural and organizational reforms, improving the quality of inspections and the recruitment of 700 new inspectors by 2010.¹¹

Fragmentation of work and new patterns of employment

17. Major changes in workplaces and in the structure of employment, often driven by the pressures of an increasingly globalized world economy are presenting new challenges to inspection services as well as re-emphasizing existing ones. The annual toll of 2.2 million fatal occupational accidents and diseases is an incalculable human loss that deserves far greater public attention and action. New technologies bring new risks. Gender equality at work needs to be integrated into labour inspection’s functions as well as related tasks.¹² The shift in employment from agriculture and industry towards the service sectors alters the demands on labour inspection. The expansion of flexible forms of employment, the growth of the informal economy and increased awareness of the need to implement ILO labour standards worldwide, including in export processing zones, are amongst the many pressures for an extension of inspection coverage. It therefore becomes increasingly important to define clear inspection priorities and strategies in order to meet the new challenges facing scarcely resourced labour inspectorates, without neglecting core functions.
18. A further important area is the promotion of voluntary compliance through advisory services and cooperation with employers’ associations and trade unions. The precise mandate for labour inspectors to engage in conciliation and mediation differs between countries but in most systems inspectors seek to ensure that workers and employers cooperate to ensure respect for labour laws. The balance between exercising the power to enforce laws through legal sanction and establishing commitment to voluntary compliance is a continuing challenge which can realistically only be met by experienced and well-trained inspectors on a case-by-case basis. Close cooperation with employers’ organizations and unions can greatly assist inspectors in meeting these challenges.

Occupational safety and health

19. Preventing workplace hazards is one of the primary functions of labour inspectorates in most countries. The maintenance of a safe working environment requires constant vigilance not least as a result of the rapid pace of change in workplaces. Amongst the many issues dealt with by inspectors are: occupational safety and health management; risk analysis; investigation/prevention of accidents and diseases; chemical safety; machinery safety; manual handling; hazardous work; workers’ well-being; radiation protection; environment protection; “new” hazards such as stress, mobbing, violence and sexual harassment; and control of safe products.¹³

¹¹ G. Larcher : “Plan de Modernisation et de Développement de l’Inspection du Travail”, 9 Mar. 2006. See also V. Tiano: “La réforme contestée de l’inspection du travail”, in *Droit Social*, No. 6, June 2006.

¹² Issues of growing concern in many countries include pay equity, maternity protection, discrimination, hiring, promotion, family responsibilities and parental leave.

¹³ By checking product samples, labour inspectors can assess potential consumer risks at the workplace in a proactive, preventative manner. In most EU countries, this is known as “market surveillance”.

20. These functions are reinforced by Convention No. 187 on the promotional framework for occupational safety and health¹⁴ which clearly stipulates in Article 9 that ratifying member States must operate mechanisms for ensuring compliance with national laws and regulations, and mentions in particular systems of labour inspection.
21. A number of countries have taken measures to strengthen inspectorates' capacity to address changing workplace hazards. *Australia*¹⁵ has included strategic labour inspection and enforcement as a key component in its national occupational safety and health (OSH) strategies.¹⁶ *France*,¹⁷ in 2005 adopted an action plan on occupational health to train inspectors in occupational safety and health. Ministers of English-speaking *African countries* have expressed the need to develop an action plan with strategic labour inspection elements embedded in sound OSH and HIV/AIDS strategies.¹⁸ *Ivory Coast* has adopted an action plan on occupational safety and health, highlighting inspection visits as a regulatory tool. The OSH strategy of the *United Kingdom*¹⁹ and its labour inspectorates concentrates on specific programmes for agriculture, construction and health services, falls from height, workplace transport, muscular-skeletal disorders and work-related stress.

The growth of the informal economy

22. The resolution on the informal economy adopted at the 2002 International Labour Conference,²⁰ distinguishes two types of governance issues concerning work covered by the term "informal economy". In the first case, informality arises because of the lack of legal provisions covering a specific work situation or from a specific legal exclusion. In other words, in the absence of a formal reference point there are no applicable labour standards, and thus there are no obligations to be fulfilled nor any rights to be respected or demanded. In the second case, the informality is due to non-conformity with a legal reference point. Applicable labour standards do exist, but are completely or partially disregarded. Obligations are not met and rights are not recognized. The cause of the second situation – non-compliance – may be ignorance of the content or even the existence of

¹⁴ Adopted on 15 June 2006, together with accompanying Recommendation No. 197.

¹⁵ Commonwealth of Australia/National OSH Commission: *National OSH Strategy 2002-12* (Canberra, 2002).

¹⁶ See also M. Patterson, President, IALI: "Labour inspection policies, practices and experience in Australia", in "The global challenges of labour inspection", in *Labour Education 2005/3-4*, No. 140-141.

¹⁷ Ministère de l'Emploi, du Travail et de la Cohésion Sociale: *Plan Santé au Travail 2005-09*.

¹⁸ African Regional Labour Administration Centre (ARLAC): 31st Governing Council Meeting for Ministers and High-Level Forum on the Role of Labour Inspection in Development, Victoria Falls, Zimbabwe (Victoria Falls, 2005).

¹⁹ HSC: *A strategy for workplace health and safety in Great Britain to 2010 and beyond* (London, 2004).

²⁰ "Resolution concerning decent work and the informal economy", adopted at the General Conference of the ILO, 90th Session, 2002.

standards. However, it may also be a deliberate decision not to comply with the standards in order to avoid costs.²¹

23. Although the consequences for workers in each of these cases may seem to be alike, the position of labour inspectors is different. In the case of “pure” informality – activities not covered by law – they are likely to have no authority to act. In the case of non-compliance, inspectors may have the formal authority to act but in practice have extremely limited opportunities to do so. Frequently one of the main issues determining whether labour laws are applicable is whether an employment relationship exists. In this regard, the Employment Relationship Recommendation, 2006 (No. 198), provides important guidance for national laws.
24. Extending the protection of labour laws to workers in the informal economy is one of the main challenges facing labour administrations in developing countries and some industrial countries.²² Inspectors are on the frontline. A sound approach to the informal economy requires strategies that make it easier for micro and small businesses to formalize their operations, while safeguarding the job creation potential of the sector. Employers’ and workers’ organizations can play an important role in this process through advisory and representation services, reaching out to community and other groups. A key step is often the registration of micro and small employers with the relevant government service or services at local level. Labour inspection services need to be an integral part of local and central government strategies which reduce the costs to businesses, workers and the State in ensuring compliance with legal obligations. New strategic partnerships with informal economy operator organizations, such as cooperatives, community groups, small traders’ and labour associations can be important means of building awareness of the advantages of moving out of informality as well as the duties formal status brings.²³

Labour migration regulation

25. The fact that labour inspectors have the power to enter establishments without prior authorization allows them more scope than other institutions in putting an end to abusive working conditions of which foreign workers in an irregular situation are often the victim.²⁴ In this regard, they ensure that the right to a safe and healthy working environment²⁵ and other labour and human rights²⁶ are also applied to migrant workers

²¹ J.L. Daza: “Informal economy, undeclared work and labour administration”, Dialogue Paper No. 9, ILO, June 2005.

²² J.L. Daza: “Labour inspection and the informal economy”, in “The global challenges of labour inspection”, in *Labour Education 2005/3-4*, No. 140-141; and A. Sivananthiran and C.S. Venkata Ratnam (eds.): “Informal economy: The growing challenge for labour administration”, ILO South Asia Office with the Indian Industrial Relations Association, New Delhi, 2005.

²³ GB.297/ESP/1.

²⁴ ILO: General Survey, 2006, op. cit., para. 78.

²⁵ Global Strategy on occupational safety and health, ILC, 91st Session (ILO, Geneva, 2003).

²⁶ Safety and health is considered a basic human right, Article 23 of the Universal Declaration of Human Rights.

without distinction or discrimination.²⁷ Inspection of workplaces where migrants are present or predominant can promote equality of treatment, discourage exploitation of foreign workers, and reduce incentives to hire irregular workers who accept substandard conditions because of their vulnerable situation. The relationship between such efforts to protect workers at work and government immigration services is under discussion in a number of countries.

Voluntary monitoring systems

26. Recent years have seen the dramatic rise in private systems for assessing a private (and sometimes public) enterprise's performance in respect of labour standards. These include procurement schemes, loan assessment programmes, certification systems and systems for implementing codes of conduct by multinational enterprises and/or industry and multi-stakeholder initiatives.
27. These systems have potential to contribute to decent work in that they can engage multiple actors in the supply chain, provide incentives and market access and facilitate the transfer of technology and know-how which can ultimately contribute to social and economic upgrading. Where workers are involved in the day-to-day monitoring of working conditions, these can lead to sustainable improvements in labour standards. However, some have been criticized for the methodology and techniques used to conduct workplace assessments. The proliferation of code standards, selective benchmarking against international labour standards, a lack of transparency and credibility, duplication of audits with significant cost implication, and inconsistency in terms of their impact are some of the main criticisms levied against such private assessment systems.
28. From an ILO perspective, voluntary forms of self-regulation can be an important complement to public regulation and inspection, but not an alternative. The key issue is how to promote effective cooperation between systems for private labour assessment and public inspection services for improved governance. Convention No. 81 foresees the need to facilitate this complementarity: "the competent authority shall make appropriate arrangements to promote effective cooperation between the inspection services and other government services and public or private institutions engaged in similar activities".²⁸ The principles embodied in the ILO MNE Declaration also provide a guide for good practice encompassing consultation with national governments, social dialogue, and the development of industrial relations specific to the national context which provide mechanisms for monitoring and for complaints.

HIV/AIDS at the workplace

29. "Labour inspectors have an especially important role in protecting workers in relation to the HIV/AIDS pandemic",²⁹ and limiting the spread and effects of the epidemic. However, such a role is relatively novel for labour inspectorates in many of the hardest hit countries. The ILO is able to offer support for training on HIV/AIDS prevention and impact

²⁷ There are roughly 20 million migrant workers, immigrants and members of their families across Africa; 18 million in North America; 12 million in Central/South America; 7 million in South and East Asia; 9 million in the Middle East; and 30 million across Europe.

²⁸ Article 5 of Convention No. 81.

²⁹ ILO: General Survey, 2006, op. cit., para. 56.

mitigation for labour inspectors based on the ILO code of practice and a specially developed handbook for labour inspectors on its implementation.³⁰

Forced labour

30. Forced labour is defined as a criminal act under the Forced Labour Convention, 1930 (No. 29), which forms the basis for most national legislation on the issue. Furthermore under Article 14 of the Private Employment Agencies Convention, 1997 (No. 181), labour inspectors are specifically assigned the role of controlling private employment agencies, thus contributing to controlling trafficking and combating abuses. While visiting workplaces, labour inspectors can identify victims and perpetrators and take corrective measures, including sanctions. Growing concern about trafficking is highlighting this aspect of inspectors' tasks.

Child labour

31. Both ILO Conventions on child labour and, in particular, their accompanying Recommendations, contain explicit references to the role of labour inspection in combating abuses. Convention No. 182 requires member States to determine conditions, activities and workplaces hazardous for children, to identify the workplaces where hazardous activities occur, and prohibit labour by children under such conditions and in such workplaces. Working on elimination of child labour should be a routine part of the work of labour inspectorates around the world. For inspectorates and inspectors, this means helping tackle the problem of 126 million children engaged in hazardous work. To facilitate their involvement, there is a need to help labour inspectorates and inspectors to define their role in preventing children from entering hazardous workplaces; helping withdraw children from such workplaces and referring them to appropriate agencies; in improving standards of health and safety protection for children who have reached the minimum age for employment (14-17 years of age depending on the country); and in defining their role in providing support to private child labour monitoring initiatives.
32. In order to reduce and ultimately eliminate child labour, a team approach is needed involving labour inspectors and officials from ministries of education, social services and health, as well as employers' and workers' organizations, children, parents, teachers and the community. In many countries where child labour is prevalent the duties in law of inspectors regarding child labour are clear. However, they often face enormous practical difficulties in carrying out this essential element of their mandate. In an effort to improve this situation, the ILO offers policy support for labour inspectorates and support for training of labour inspectors on how to tackle child labour.³¹

Labour inspection and related public administration functions

33. An overarching issue facing many labour inspectorates is the relationship to related branches of public administration and law enforcement. An important concern in many countries is the simplification of regulatory systems that bear heavily on smaller enterprises. This can involve developing means for collaboration between tax and social

³⁰ *A handbook on HIV/AIDS for labour and factory inspectors* (ILO, Geneva, 2005).

³¹ *Combating child labour: A handbook for labour inspectors* (ILO, Geneva, 2002).

security services, planning departments and labour inspectorates to simplify registration requirements.

IV. ILO means of action

34. Alerting public opinion and decision-makers to the risk that serious underinvestment in labour inspection in many countries is calling into question good governance, the rule of law and the protection of workers is one of the main supports the ILO can provide to national labour inspectorates. Ensuring a sufficient number of qualified and properly remunerated inspectors, regular training, offices and transport, especially at a time of growing demands on labour inspectorates, is vitally important to respect for national and international labour standards. Effective implementation of sound labour laws can furthermore make a major contribution to productivity and thus economic and social development including the reduction of global poverty. Labour inspection services are a vital part of ensuring decent work, especially for those least able to protect themselves.
35. The power to sanction employers who break the law remains an essential part of inspectors' means of ensuring compliance. Nevertheless, where appropriate, a preventive approach can lead to improved respect for workers' rights, better working conditions, fewer accidents, better health, lower absenteeism and thus higher motivation of staff, higher productivity and better overall enterprise performance.³² As recognized by many countries, this calls for a new drive to strengthen national labour inspection services.³³

Strengthening of labour inspection services at national level

36. One of the main means available to the ILO to support the strengthening of national systems is the continued promotion of the ratification and application of the relevant international labour standards. Dialogue and the exchange of experience with constituents using the common framework of ILO standards has proved an invaluable means of assisting member States to review and modernize labour inspection policies, legal frameworks, structures, organization, management and human resources development. For labour inspection, this process has been systematized through tripartite ILO labour inspection audits.³⁴ This well-tried technical tool, which has evolved over a number of years, can help ministries of labour in developing clear, coherent, concise and comprehensive policies and strategies for labour inspections to address existing and new challenges in the world of work.

³² GB.295/ESP/3.

³³ See, for example, the conclusions of the EU/ILO Tripartite Conference: "Unity beyond differences" and "Realizing decent work in Asia" of the ILO's 14th Asian Regional Meeting held in Busan, 29 August-1 September 2006, as well as in the Global Strategy on occupational safety and health, conclusions adopted by the ILC at its 91st Session, Geneva, 2003, para. 23.

³⁴ http://www.ilo.org/public/english/protection/safework/labinsp/latvia_audit.pdf.

Latvia: ILO tripartite labour inspection audit, 2005

A tripartite labour inspection audit was carried out in 2005 at the request of the Latvian Minister of Labour. In a first fact-finding mission, ILO established the terms of reference in accordance with the Minister and the Director-General of the labour inspectorate.

ACTRAV and ACT/EMP supported the activity by identifying qualified experts who carried out the audit along with a government official and ILO technical resource persons. This tripartite audit team established a set of comprehensive recommendations for reinforcing the labour inspection service and presented the final audit report to the Minister of Labour, who agreed to publish it.

The process of the implementation of the recommendations is currently under way and accompanied by the Latvian employers' and workers' organizations. With a view to improve efficiency and effectiveness, Latvia has started to restructure its labour inspectorate on a management-by-results approach. This includes concentrating on labour inspectors' core functions, establishing a culture of prevention, linking labour inspectors' actions closer to the national occupational safety and health action plan, training of inspectors and the recruitment of 39 new inspectors.

In order to ensure successful implementation, the ILO strongly cooperates with an EU-Phare project in Latvia, which will follow up on the audit recommendations, for example, by providing advice as well as financial support to create a national occupational safety and health institute and support for better data collection and exchange between the accident insurance system and the inspectorate.

As an additional element, the audit process has contributed to Latvia's ratification of Conventions Nos. 29, 138 and 182 in 2006.

37. Through its technical advisory services, the ILO has, over a number of years, promoted an integrated approach to labour inspection as a means of increasing inspection standards at national level.³⁵ An integrated labour inspection system is a “holistic, coherent and flexible concept that contains elements such as: administrative, procedural and technical integration (multi-disciplinarity)”.³⁶ Such an approach, which is increasingly used in many countries, aims at concentrating existing resources, providing better services and increasing the presence of inspectors at the workplace. This can be achieved by inspectors' visits, backed by specialist advice when needed. In *South Africa*, as in many other countries,³⁷ a major drive, involving the recruitment of over 100 new inspectors, was recently launched to reduce multiple inspections, each of limited scope with a more consolidated and less time-consuming approach. This strategy eliminates the need for several officers visiting the same enterprise, one after the other, often unaware of each other's activities, sometimes even giving conflicting advice. Its implementation requires close collaboration with employers and trade unions.³⁸
38. Increased efficiency within existing resources is of course always welcome but in many countries there is a clear need to prioritize labour inspection within national budgets to enable the recruitment and training of labour inspectors, improved research and data collection, the provision of office and transport equipment and the extension of cooperation with the social partners. In this regard, it is important to demonstrate clearly the contribution made by labour inspection systems to national development. In doing so, it

³⁵ G. Albracht: “Integrated labour inspection systems: The strategy of the ILO”, in *Labour Education*, No. 140.

³⁶ ILO/Grand Duchy of Luxembourg: Proceedings and Conference Report, *Unity beyond differences: The need for an integrated labour inspection system* (Luxembourg, 2005), op. cit.

³⁷ For instance: Bulgaria, France, Germany, Indonesia, Netherlands, Nigeria, Mongolia, Serbia, South Africa, Viet Nam and many others.

³⁸ Most activities of enforcement and legal requirements control are related to the shop floor collaboration itself, where enterprise collaborative OSH committees or safety representatives take care of everyday action.

is important to explain the main features of labour inspection through advocacy, networking, and clarifying the relationship between the sanctioning and advisory roles of inspectors, and the potential complementarity with emerging voluntary monitoring initiatives. Close cooperation between labour inspectorates, trade unions and employers' organizations can be an important and cost-effective means of strengthening compliance.

39. The ILO is well placed to assist such national efforts through its support and technical advisory services and the dissemination of information on good practices. The ILO's close collaboration with international networks of labour inspectorates and related networks³⁹ needs to be maintained and expanded, in particular those with the International Association of Labour Inspection (IALI). The IALI consists of 109 member institutions from 88 countries, including governmental services such as state labour inspectorates as well as national associations of labour inspectors. It represents the largest collective body of labour inspection expertise in the world.
40. Systematic continuous training of inspectors, aimed at increasing inspectors' technical competences and negotiating skills, is an essential foundation for an effective and efficient inspection system. Training is an asset for enabling inspectors to correctly position themselves in the globalizing and rapidly changing world of work.⁴⁰ The ILO, particularly through the International Training Centre of the ILO in Turin, conducts labour inspection training workshops on a regular basis based on an Integrated Labour Inspection Training System (ILITS).⁴¹

Integrated Labour Inspection Training System (ILITS)

The ILO has developed ILITS methodology, conceived to increase inspectors' knowledge, competence and skills. It is designed to provide a comprehensive, module-based training set for labour inspectors and other government officials responsible for monitoring and improving conditions at the workplace. Built upon the train-the-trainer concept, ILITS provides a comprehensive set of documents, covering a wide range of policy and operational topics, but is also flexible, enabling national authorities to develop their own curricula, best suited to their needs.

V. Conclusions and recommendations

41. Labour inspection has a key role in promoting decent work and implementing labour standards at the workplace. The many demands brought to inspectors have to be dealt with in a timely and appropriate manner, effectively, efficiently and impartially. In many countries the role of labour inspection has been compromised by the lack of adequate financial resources. Appropriate strategies and tools, adapted to changes in workplaces and the labour market, are needed to modernize and reinvigorate labour inspection. The ILO

³⁹ IALI, Association of Southeast Asian Nations Occupational Safety and Health Network (ASEAN-OSHNET), World Health Organization (WHO), Senior Labour Inspectors' Committee of the European Union (EU/SLIC), Hauptverband der gewerblichen Berufsgenossenschaften (German federation of institutions for statutory accident insurance and prevention) (HVBG), International Commission on Occupational Health (ICOH), African Regional Labour Administration Centre (ARLAC), Centre Régional Africain d'Administration du Travail (CRADAT), International Social Security Association (ISSA).

⁴⁰ EU/ILO: "The need for an integrated labour inspection system" (Luxembourg, 2005). Final conclusions, adopted by 75 participating countries. <http://www.ilo.org/public/english/protection/safework/labinsp/luxconf.pdf>.

⁴¹ G. Albracht, F. Martin-Daza, B. Brückner: "Integrated Labour Inspection Training System (ILITS)" (ILO, Geneva, 2006).

could contribute significantly to enhancing labour inspection performance especially in countries where inspectorates are most hard pressed.

42. The main elements of an ILO strategy for the modernization and reinvigoration of labour inspection could be:

- (a) The preparation of a policy paper on the role of labour inspection in decent work country programmes. This would serve as a tool for ILO constituents and officers in integrating labour inspection into national development strategies. A draft of such a policy paper should be reviewed by an expert meeting of labour inspectors, constituents, development specialists and ILO field officers.
- (b) The organization of an international meeting of labour inspectors to further develop strategies for their future in the governance of the world of work.
- (c) Further development of fact sheets, guides and good practice studies in appropriate formats. These would include an Internet-based labour inspection information portal focusing on the dissemination of information on research, policy, legal and implementation matters related to labour inspection. Amongst the practical tools available through such a portal would be:
 - (i) fact sheet on labour inspection;
 - (ii) global inspection principles, to provide guidance for the implementation of Conventions Nos. 81 and 129 at the national level by promoting their ratification and full application;
 - (iii) ethical and professional code of conduct for labour inspectors, in cooperation with the IALI, benchmarking with national initiatives⁴² and a guideline to strengthen transparency and good governance;
 - (iv) adaptation of performance-measuring tools, such as the score board developed by the Nordic countries, to define labour inspection indicators, compare them with national practices, highlight trends and suggest measures to increase the inspectorates' effectiveness and efficiency;⁴³
 - (v) risk assessment and occupational safety and health management systems for labour inspectors and similar tools on other key aspects of working conditions such as illegal employment and discrimination, to increase self-responsibility at the workplace by means of inspectors' advisory and supervisory functions;
 - (vi) information materials on the role of employers' organizations and trade unions in reinforcing the impact of labour inspection systems.
- (d) Continued promotion of ratification and application of Conventions Nos. 81 and 129, stressing in particular the "essential contribution of a labour inspection system,

⁴² A guide on ethical conduct was prepared in France, due to the murder of inspectors in 2004.

⁴³ Nordic Council of Ministers: European Strategy on Health and Safety at the Workplace, Score Board 2003. This sets yearly priorities for the Nordic inspectorates and defines indicators of different inspection activities, including the reduction of occupational accidents, a growth in productivity and economic performance, and prevention measures.

operating in accordance with Convention No. 129, to the promotion of decent work in agriculture".⁴⁴

- (e) Development of policy and training tools to increase efficiency and effectiveness of inspection services such as:
 - (i) inspection needs assessments;
 - (ii) tripartite labour inspection system audits to assist governments in improving their policies and systems;
 - (iii) the ILITS in cooperation with the ITC in Turin.
- (f) Further consideration by the MNE Subcommittee in the context of the InFocus Initiative on CSR on the role of the ILO in respect of these private systems and the relationship to public inspection. An InFocus forum to inform constituents of trends will be held in November 2006. The issue will be further discussed during the MNE Subcommittee in March 2007.

43. Such a strategy will, of course, need funding. While some elements of the suggestions listed in paragraph 42 have been foreseen in the 2006-07 programme and budget, and an internal working group is working on the identification of potential synergies between planned activities in different parts of the Office relating to labour inspection, there will be a need to find ways and means of increasing the resources devoted to labour inspection. In the short term, a number of possibilities are being pursued for extra-budgetary support for specific activities such as training and information materials and meetings. In the longer term, it is important to ensure that the role of labour inspection in the governance of labour markets is seen as a necessary component of sustainable poverty reducing development strategies. In this connection, it will be important to further develop dialogue with development agencies such as the World Bank, the UNDP, the European Commission, as well as national donors. This in turn will require a tighter definition of measurable outcomes as part of resource mobilization efforts for the period ahead. A target for the number of countries equipped to use the ILITS package would be an example. An important contribution to the identification of targetable results would be an in-depth evaluation of the effectiveness of the ILO's work on labour inspection in recent years.

44. *The Committee may wish to:*

- (i) discuss the functions, strategies and practices of labour inspection in the context of the ILO's Decent Work Agenda;*
- (ii) suggest measures and tools for strengthening labour inspection at national and international levels; and*
- (iii) invite the Office to develop and implement an international strategy for the support of the modernization and reinvigoration of labour inspection.*

Geneva, 13 October 2006.

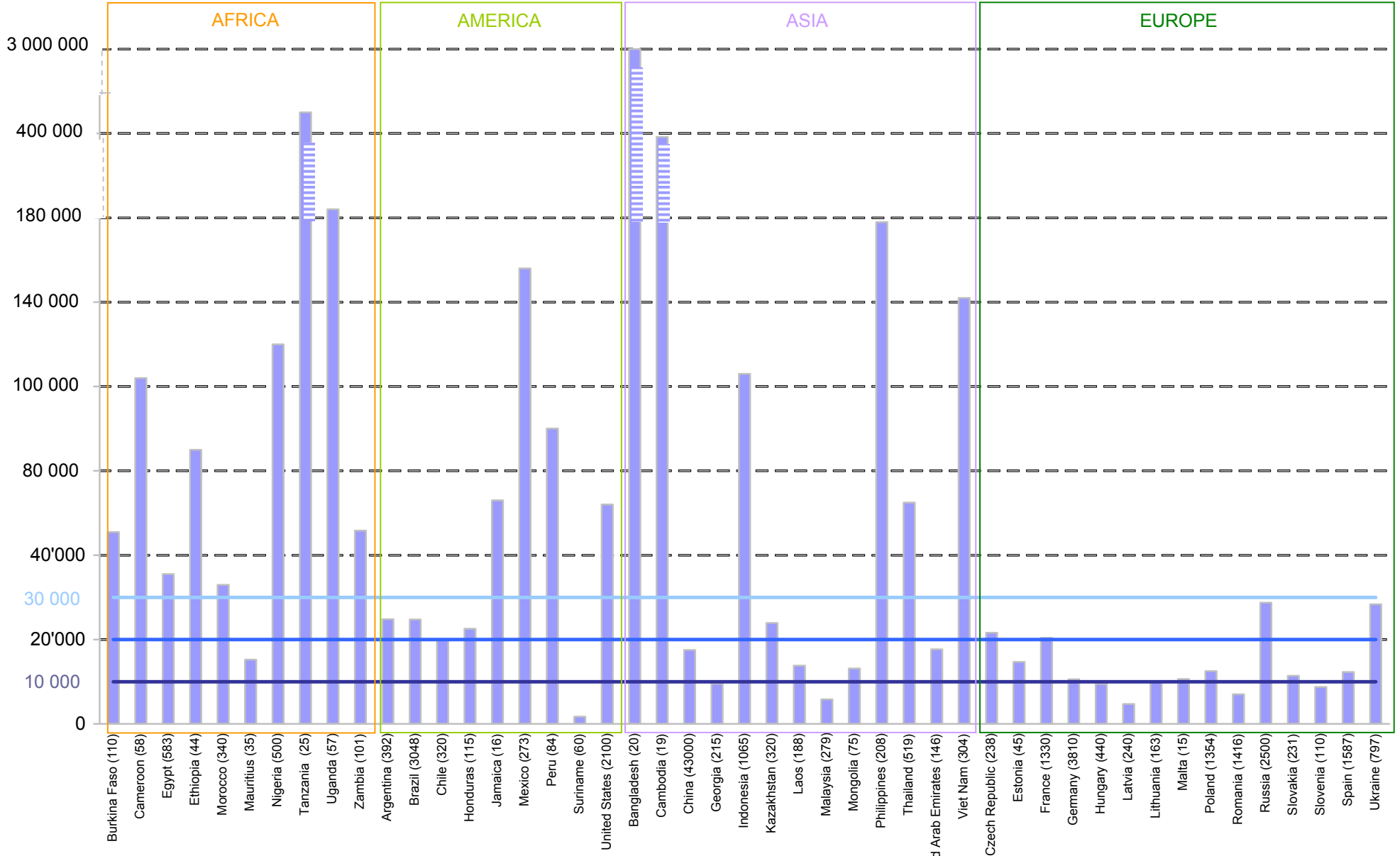
Point for decision: Paragraph 44.

⁴⁴ ILO: General Survey, 2006, op. cit., para. 367.

Appendix

Ratio Active Population / Inspector

1 inspector per number of workers



Country (x): x inspectors in Country
 Numbers based on ILO information (annual report, ILO questionnaires, countries' information) between 2003 and 2006