



DECENT WORK COUNTRY PROGRAMME
2012 – 2014

MAURITIUS

May 2012



**THE GOVERNMENT OF MAURITIUS
THE MAURITIUS EMPLOYERS FEDERATION
THE CONFEDERATIONS OF TRADE UNIONS
AND THE INTERNATIONAL LABOUR OFFICE**

**On the occasion of the completion of the
DECENT WORK COUNTRY PROGRAMME
THE REPUBLIC OF MAURITIUS**

MAY 2012

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Represented by _____**

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Abbreviation/Acronym	Description
ALMPs	Active Labour Market Policies
AMIGO Plan Mauritius	Attractive, Modern, Inclusive, Green, Open Mauritius
CB	Collective Bargaining
CEA	Census of Economic Activity
CPP	Country Programme Priority
CSR	Corporate Social Responsibility
CASR	Centre for Applied Social Research
DWCP	Decent Work Country Programme
EU	European Union
GDP	Gross Domestic Product
GUF	Global Union Federation
HIV/AIDS	Human Immune Deficiency Virus/Acquired Immune Deficiency Syndrome
HRDC	Human Resource Development Council
ICT	Information & Communication Technology
IDP	Integrated Development Planning
ILO	International Labour Organisation
IOC	Indian Ocean Commission
IT	Information Technology
ITUC	International Trade Union Confederation
LMI	Labour Market Information
MBECCP	Ministry of Business, Enterprise, Cooperatives & Consumer Protection
MCA	Mauritius College of the Air
MM	Man Months
MDGs	Millennium Development Goals
MCSAR	Ministry of Civil Service & Administrative Reforms
MEF	Mauritius Employers' Federation
MEHR	Ministry of Education & Human Resources
MFED	Ministry of Finance and Economic Development
MHQOL	Ministry of Health & Quality of Life
MLIRE	Ministry of Labour, Industrial Relations & Employment
MSIEE	Ministry of Social Integration & Economic Empowerment
NAS	National Aids Secretariat
NEF	National Empowerment Foundation
NGO	Non-Governmental Organisation
NGPF	National Gender Policy Framework
NRB	National Remuneration Board
NTF	National Tripartite Forum
OSH	Occupational Safety and Health
PBB	Programme Based Budgeting
PMO	Prime Minister's Office
TU	Trade Union
TUTF	Trade Union Trust Fund
RRA	Rodrigues Regional Assembly
Rs	Rupees (Mauritian)
SEED	Small Enterprise Development
SIDS	Small Island Developing States
SOLVE	Stress, Tobacco, Alcohol & Drugs, HIV/AIDS & Violence
SMEs	Small and Medium Enterprises
SMEDA	Small and Medium Enterprises Development Authority
TEDPB	Training and Employment of Disabled Persons Board
WP	Workfare Programme

Foreword

The Government of the Republic of Mauritius heartily welcomes the preparation of a Decent Work Country Programme (DWCP). This initiative aims primarily at promoting decent employment through specific programmes and activities determined in consultation with the social partners and will undoubtedly contribute towards the improvement of the working and living conditions of men and women workers in Mauritius.

Mauritius is a vibrant democracy and has a written Constitution which explicitly protects the fundamental rights of all its citizens. Adopting Decent Work as a national objective is therefore fully in line with the spirit and letter of our Constitution. In fact, decent work has always been at the heart of our national economic and social strategies. Much emphasis has been laid over the past years by Government on the creation of decent and productive employment, which is considered central to efforts made towards poverty reduction as a means of achieving equitable, inclusive and sustainable development.

The unprecedented financial crisis and the consequential economic downturn have brought in their wake new challenges in the world of work. In the face of such difficulties, the Mauritian Government is fully convinced that the means of successful redress lie imperatively in the formulation of bold strategies and measures which meet the decent work agenda. To this end, a formal DWCP allows for better planning and prioritizing in a spirit of dialogue with all partners and for judicious resource allocation.

The DWCP for Mauritius highlights policies for the labour market and reflects our needs and priorities to achieve greater economic development and social justice. The ILO's strategic objectives, namely those relating to increased opportunities for decent employment, strengthening of tripartism and social dialogue and promotion of rights at work, are reflected in our main priorities identified in consultation with social partners. Thus, our focus for the next three years will be more specifically on 'Creation of decent and productive employment with the provision of adequate social protection', 'Strengthening social dialogue' and 'Elimination of all forms of discrimination'.

Notwithstanding the array of social and economic schemes that have been set up by the Government with a view to further improving the quality of life of workers and their families, including the setting up of a National Empowerment Foundation (NEF) since 2006 with the objective to unlock opportunities for the unemployed, for those recycled from their former jobs, for women, for our young people entering the labour force and for small and medium entrepreneurs, the DWCP is proposing further measures to help promote the creation of better paying jobs adapted to global economic imperatives whilst at the same time ensuring a higher standard of health and safety in workplaces. Also, much emphasis has been placed in the DWCP on the need for capacity building of tripartite constituents so as to empower them to face the new challenges resulting from the new legal setup and better equip them to engage in effective collective bargaining, as a powerful means for trade unions and employers to promote the Decent Work Agenda.

I am thankful to the ILO for its unflinching support in this undertaking and to the social partners for their contribution to this document. I also commend all those who participated in some way or another in this process of elaborating a DWCP for Mauritius which, I am convinced, will pave for the way for a better world of work for one and all.

Hon. Shakeel Mohamed
Minister of Labour, Industrial Relations and Employment

1. COUNTRY CONTEXT

1.1 Political and Economic Scenario

The Republic of Mauritius¹ - comprising one main island of 1,860 sq kilometers and several smaller islands of 104 sq. kilometers - is a lively multi-party democracy enjoying political stability and a relatively high degree of social cohesion among its ethnically diverse population. The country successfully transformed itself from an agriculture-based economy at the time of its independence in 1968 to an export-oriented, manufacture-based economy by the mid 1980s. Tourism emerged as the third cylinder of growth on the basis of Mauritius being a quality destination. The focus since the 1990s has been on Mauritius as a provider of knowledge-based services and banking to the local and international markets, particularly in the hi-tech Financial and ICT areas.

In 2011, the Gross Domestic Product (at market prices) stood at Rs. 323, 459 million (US\$ 10,742 million) and the Per Capita Domestic Product at Rs. 251,457 (US\$ 8, 351) The economy grew at a rate of around 3.1 percent in 2009, 4.2 percent in 2010 and 4.0 percent in 2011 and expected to grow by 3.6 percent in 2012. The GDP at market prices grew at 3.0 % and 4.2 percent in 2009 and 2010 respectively and at 4.1 % in 2011.²

1.1.1 Meeting the Global Financial Crisis

The 2012 Budget is about “the pursuit of growth for the greater good”, the objectives of which are to “set the basis for strong growth, ride out the crisis, improve our social protection and fiscal reform”³. The 2012 budget recognises the need to facilitate the rising trend of women seeking employment, goes to the roots of poverty and attempts to deal with its painful manifestations.

The DWCP by focusing on employment – both in terms of quality and quantity – will be in line with Government policy to protecting existing jobs and creating new ones within the overall goal of “nurturing a more inclusive, plural and cohesive society based on human dignity, equality of treatment, economic efficiency and social justice”.⁴ The 2012 budget provides for a Resilience Plan with a special focus on SMEs, infrastructure development and job creation. Government thus intends to “continue to prioritise its support for the development of the SME sector by adding to the various measures already adopted to boost financing, promotion and employment”⁵

Within the context of catering for the poor, a Ministry of Social Integration and Economic Empowerment was created in May 2010 to organize and prepare specific interventions towards eradicating poverty. The National Empowerment Foundation is the main organ of the Ministry responsible, *inter alia*, for the organization of skills enhancement programmes for the unemployed.

As part of its restructuring exercise, Mauritius is also giving priority to the drawing up of a National Employment Policy. The manufacturing sector which has been absorbing the major share of the unemployed over the past three decades is itself adversely affected by the financial crisis in its main export markets and trade liberalization particularly within the European Union member states and economic partners as well as the significant changes in the global economic environment. This has necessitated giving a new orientation to the industrial sector “to help the sector produce more efficiently in a sustainable manner, raise innovative capabilities, compete on the domestic and international market place”. At the same time, “it is recognized that the Small and Medium Enterprises (SMEs) are key drivers of our economy and have become more important in advancing our efforts to overcome the socio-economic disparity. That is why Government has paid great attention in facilitating a secure and conducive business environment to SMEs.”⁶

¹ Henceforth referred to as Mauritius

² Statistics Mauritius, Economic and Social Indicators on National Accounts, March 2012 Issue

³ The Hon.Xavier Luc Duval, Minister of Finance and Economic Development, Budget speech 2012, November 2011

⁴ Address by the Ag. President of the Republic of Mauritius, Government Programme 2012 – 2015, Monday 16 April 2012

⁵ Government Programme 2012 - 2015

⁶ Republic of Mauritius, Industrial and SME Strategic Plan 2010 – 2013, Ministry of Industry Science and Research, Ministry of Business, Enterprise and Cooperatives, 2008

Given the unprecedented challenges facing the country, Government is depending on the sense of Corporate Social Responsibility (CSR) of the private sector. "CSR is the concept whereby companies act to balance their own economic growth with the sustainable social and environmental development of their areas of operation – the objective being to have positive impacts on the community and its environmental footprints". Government has established a policy with the overall objective of mandating registered companies to pay 2% of their book profit towards programmes that contribute to the social and environmental development of the country. Firms may either manage their own programmes for economic environmental or social development, or pay into an existing national programme or work with NGOs on programmes to meet national objectives.

Although Mauritius has been negatively impacted by the global crisis, the adoption of this multi-pronged approach has meant that the country has registered positive, albeit lower, growth economic rates of around 4.0 percent in 2011. The manufacturing and tourism sectors have also registered positive growth but with job losses of 16,786 in the export-oriented enterprises between 2009 and 2011.⁷

To a large extent the economic success of Mauritius – even in times of crisis - can be attributed to the close sense of partnership that exists among the main economic agents; notwithstanding the occasional outburst of dissent from any one of them.

1.2 Social Context

The end-year population had reached 1.29 million in 2011 with a population density of 671 per km² for the island of Mauritius and 632 per km² for the whole Republic. Mauritius is a welfare state and has a comprehensive system of non-contributory social security, which, in 2010, covered around 223,732 beneficiaries, mainly from vulnerable groups such as those over 60 years and orphans. According to the 2006/7 Household Budget Survey, the proportion of poor households below the relative poverty line (set at the half median household income per adult equivalent) was 8.0% in 2006/07 up from 7.7% in 2001/02.⁸

1.3 The Labour Market, Earnings and Related Issues

Employment - In 2011, females accounted for 37.6 % of the total Mauritian Labour Force of 582,800 i.e. 219,200. In 2010, total employment was estimated at 558,100 (including 22,000 foreign workers) of which 248,800 were in Small establishments and Itinerant Units and 310,000 were in Large establishments. The overall unemployment rate had increased slightly from 7.8 % in 2010 to 7.9 % in 2011. But the Male and Female unemployment rates have declined for females from a high of 14.4% in 2007 to 12.5 % in 2011 while for males, the respective rates were 5.3% and 5.2 %⁹.

Although most of the small establishments are covered by national labour legislation prescribing minimum terms and conditions of employment, there still exist certain segments of the Labour Market within the informal sector where the application of the existing legislations proves to be difficult. There are also some services sectors, such as the Financial Sector or the ICT Sector among other, where minimum wages are not prescribed.

According to the Census of Economic Activities conducted by STATISTICS MAURITIUS in 2007, which covers the informal economy and itinerant workers, the income from employment for such workers was less than the earning of employees in large establishments.¹⁰ And 10.9 % of the 393,800 employees covered by the survey earned Rs. 3,000 (US\$ 99.5) or less monthly. It is also estimated by the Trade Unions that the work force in the Construction Sector, which accounts for less than 4 % of total employment, is around 80 % contractual and 5% casual employment¹¹ with insufficient protection.

⁷ Republic of Mauritius, Ministry of Finance and Economic Development, Statistics Mauritius, Economic and Social Indicators on National Accounts, March 2012 Issue

⁸ Statistics Mauritius, Household Budget Survey 2006/07 – Main results

⁹ Republic of Mauritius, Ministry of Finance and Economic Development, Statistics Mauritius, Continuous Multi-Purpose Household Survey 2011, Annual Digest of Statistics 2010

¹⁰ STATISTICS MAURITIUS, Census of Economic Activities 2007

¹¹ Source: Trade Unions

Productivity and Competitiveness - In 2011, labour productivity, as measured by real Gross Domestic Product (GDP) per worker, for the economy grew by 3.7 %, as compared to the 2010 growth rate of 1.9%.. By comparison, a rate of 3.0% was registered for the 2001 - 2011 period. The growth rate of the Unit Labour Cost (Mauritian Rupees) increased from 1.8 % to 3.9 % between 2010 and 2011. The comparable figures in US dollars were 5.2 % and 11.6 %. The growth of average compensation of employees was 3.7% in 2010 and increased to 7.8 % in 2011 (average 2001 - 2011 was 7.1%).¹²

1.4 Social Dialogue

The ILO Convention No. 144 on Tripartite Consultation (International Labour Standards) of 1976 was ratified by Mauritius in 1994. Although there is no permanent structure for Social Dialogue, there are, in Mauritius, labour-related tripartite institutions such as the Labour Advisory Council and the Advisory Council for Occupational Safety and Health where labour issues are discussed. In the present context, it has been difficult to arrive at a consensus on many issues of national interest and one of the major challenges of the DWCP will be to create a propitious environment for effective Social Dialogue to take place. It is to be noted that the existing institutions dealing with industrial relations issues in Mauritius also cater for Rodrigues and Agalega given the small size of the working population in these islands.

1.5 National Human Rights, Discrimination and Related Issues¹³

Mauritius is committed to the Universal Declaration of Human Rights and has also ratified the six major Human Rights Conventions that have been adopted by the General Assembly of the United Nations. Nevertheless, cases of discrimination in different fields have been reported, even though Mauritian law prohibits discrimination. For instance, in 2011, a total of 116 complaints pertaining to discrimination were reported to the NHRC.¹⁴

1.5.1 Gender Policy and Issues

In March 2008, the National Gender Policy Framework (NGPF)¹⁵ was adopted. It calls, inter-alia, for private sector organizations 'to create an enabling environment for making use of the potential and talents of women as well as men and develop human resource strategies that allow for family-friendly policies, even in the context of 24- hour IT- based and outsourcing organizations, for career paths that take into account the time-use and life - patterns of women'

In terms of employment status, only 1.7 % Employed Females are Employers as compared to 5.1 % Employed Males and the Average monthly gross income of the Female Income earner is Rs.7, 080 as compared to Rs. 12, 330 for the Male Income earner.¹⁶

In terms of gender equality, some Remuneration Orders still contain gender specific appellations and wages and some conditions therein are prescribed on the basis of gender.

1.5.2 Migrant Workers

According to the data of the Employment Division of the MLIRE, there were as at 31 March 2012, 35,452 migrant workers (23, 600 Male and 11,852 Female) in Mauritius. The majority of them work in the Manufacturing sector followed by the Construction sector. Migrant workers enjoy salaries and other terms

¹² STATISTICS MAURITIUS, Economic and Social Indicators, Productivity and Competitiveness Indicators, 2001 - 2011

¹³ International Covenant on Economic, Social and Cultural Rights, Second , Third and Fourth Combined Reports, Mauritius, Advance Unedited Version

¹⁴ National Human Rights Commission

¹⁵ Ministry of Women's Rights, Child Development, Family Welfare & Consumer Protection, The National Gender Policy Framework, 8 March 2008, Republic of Mauritius

¹⁶ Republic of Mauritius, Ministry of Finance and Economic Development, Statistics Mauritius, Economic and Social Indicators, Issue NO. 838, 07 July, 2010, GENDER STATISTICS - 2009

and conditions of employment which, according to law, should not be less favorable than those prescribed for Mauritian workers. They thus have the same rights as local workers in terms of trade union activity. Their contract of employment is vetted by the MLIRE before they are granted their work permits to ensure that prescribed conditions are complied with by employers. Migrant workers do not voluntarily take advantage of the same benefits as Mauritian workers because they are often willing to work for longer hours so that at the end of their contract they may return to their home country with as much saved income as possible, being given that the majority come from lower income countries. The Occupational Safety and Health (Employees' Lodging Accommodation) Regulations 2011 have been passed with effect from 28 January 2011 to improve the standards of living conditions in lodging accommodation provided to any employee including migrant workers.

Mauritius is also in the process of concluding bilateral social security agreements with France and Canada which are the principal destination countries for Mauritian migrant workers. In this connection, the ILO Regional Office for Africa, in collaboration with the ILO International Migration Programme and the Social Security Department in Geneva, is currently implementing a project to extend social security coverage to migrant workers and members of their families (MIGSEC) and to arrive at a "model agreement of social security" that takes into account the specificities of Mauritian social security schemes. A first workshop was held in Mauritius in October 2009 during which a road map was agreed on the preparation and further negotiation of bilateral social security agreements.

A prerequisite for the introduction of appropriate social security schemes would be the availability of a cadre of professionals in various aspects of social Security. A first step towards the building up of this cadre is the Quatrain project which provides for the setting up an MSc level Course on the Financing of Social Security for the African region. The bi-lingual course which is run in collaboration with the University of Mauritius started in August 2010.

1.6 Recent Legislation Pertaining to Labour & Employment

Mauritius has introduced several legislations for regulating terms and conditions of employment and ensuring a safer working environment, while at the same time paving the way for a business-friendly environment and for employment creation. These are the Occupational Safety and Health Act, 2005, the Employment Rights Act, 2008 and the Employment Relations Act, 2008. Another Act which also has some bearing on rights in the labour market and which prohibits any form of discrimination on the ground of status is the Equal Opportunities Act, which was voted by the National Assembly in 2008 and came into effect on 01 January 2012.

1.6.1 Occupational Safety and Health Act, 2005

A national occupational safety and health policy was introduced in 2001. The Occupational Safety and Health Act, 2005, proclaimed on 1 September 2007, consolidated and updated the legislation for safety and health at work and it has been adapted to changes in working conditions of employees, occurring with the introduction of new technologies, equipment, production methods and work patterns. This Act addresses issues such as safety and health policy, risk assessment, serious and imminent dangerous situations, prohibitions regarding employment of young persons and health surveillance. This Act has been prepared taking into consideration various ILO Conventions including the Occupational Safety and Health Convention, 1981 (No. 155), the Chemicals Convention, 1990 (No. 170), the Guarding of Machinery Convention 1963 (No. 119), the Labour Inspection Convention, 1947 (No. 81) and the Worst Forms of Child Labour Convention, 1999 (No. 182).

Furthermore in line with the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), a National Profile on Occupational Safety and Health for Mauritius was prepared in 2009 by an ILO expert and adopted at a tripartite workshop held in collaboration with the ILO in April 2009. The recommendations of the OSH profile are being examined and finalized at the level of the Advisory Council for Occupational Safety and Health.

The OSH Inspectorate of MLIRE ensures the enforcement of the Occupational Safety and Health Act through inspections at workplaces by its staff, investigations into complaints and accidents and prosecution. However, the shortage of staff in the Inspectorate renders enforcement difficult leading to a reduction in the

number of factory inspections and other activities, as shown at table 2 in the Annex. Hence, the prevailing situation does not ensure full compliance with the ILO Convention No. 81 on Labour Inspection.

1.6.2 Employment Rights Act, 2008

The Employment Rights Act 2008, which has replaced the Labour Act 1975, revises the law relating to employment, contract of employment or service, minimum age for employment, hours of work, payment of remuneration and other basic terms and conditions of employment. The Act has also considerably reduced the cost of notice and separation in most cases of termination of employment before retirement age. However, it also provides that any worker who considers himself to have been unjustifiably dismissed from work can lodge a case at the Industrial Court to claim severance allowance at the rate of three months' remuneration per year of service.

An innovative feature in this piece of legislation is the setting up of a Workfare Programme (WP), which is a useful tool in affording some form of protection to workers made redundant. The WP is specifically designed to provide for immediate assistance to laid-off workers by offering them, along with the payment of a Transition Unemployment Benefit for a period not exceeding 12 months, the choice of either being replaced in a job through the Employment Service; or being trained and re-skilled for greater employability through the National Empowerment Foundation; or starting up a small business with the assistance of the Small and Medium Enterprise Development Authority.

1.6.3 Employment Relations Act, 2008

This Act, which has replaced the Industrial Relations Act 1973, revises the law relating to trade unions, fundamental rights of workers and employers, collective bargaining, labour disputes and related matters so as to underpin collective bargaining and strengthen social dialogue. One prominent feature of the Employment Relations Act is the effective recognition of the right to collective bargaining, which is a voluntary mechanism for regulating terms and conditions of employment. The new legislation sets out in a structured manner the conditions for the harmonious development of collective bargaining.

1.6.4 Equal Opportunities Act, 2008

This Act¹⁷ ensures that every person has an equal opportunity to attain his objectives in various spheres of activities and that no person is placed, or finds himself, at a disadvantage, by reason of his status, namely, his age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation. These prohibitions from discrimination apply to employment activities, education, provision of goods and services or facilities, accommodation, disposal of immovable property, companies, partnerships as well as access to premises and sports.

1.7 International Labour Standards

Mauritius was one of the first African countries to join the ILO. It has ratified all the eight ILO fundamental Conventions. To date, 46 ILO Conventions – nine of which have since been denounced - have been ratified by Mauritius. A list of all Conventions ratified is available at www.ilo.org. Mauritius adheres to the ILO Reporting Schedule and submits all reports due within specified time limits.

By focusing on Social Dialogue, Collective Bargaining and Employment Creation as the objectives of the Decent Work Country Programme, Mauritius endeavors to fully apply the principle of Social Justice" which is in line with ILO Declaration on Social Justice for a Fair Globalization adopted in June 2008. The Unions however feel that the recent amendments to the labour legislation do not effectively promote collective bargaining and social justice.

¹⁷ proclaimed on 01January 2012

1.7.1 Global Jobs Pact

“Having in mind the Decent Work Agenda and the Declaration on Social Justice for a Fair Globalization as ways of dealing with the social dimension of globalization,”¹⁸ the Global Jobs Pact and the road map of Ouagadougou 2009 provide for coordinated global policy options in order to strengthen national and international efforts centred around jobs, sustainable enterprises, quality public services, protecting people whilst safeguarding rights and promoting participation, through the principles of tripartism. Mauritius has responded to the Global Financial crisis by adopting the dual policy of attracting investment and saving jobs while ensuring that the population - and in particular the weaker segments of the population - continues to benefit from free social and welfare services.

2. POLICIES AND PROGRAMMES OF SOCIAL PARTNERS

2.1 Trade Union Trust Fund

The Trade Union Trust Fund was set up under the Trade Union Trust Fund Act 1997. The objects of the Fund are, inter alia, to: reinforce the trade unions; receive and manage funds and other property obtained from Government and other sources; promote workers' education; and organize/sponsor seminars, training courses and other related activities for the benefit of trade unions members. The Fund is managed and administered by a Board of Trustees comprising 8 representatives of workers' organizations; 1 representative each from Ministries responsible for Labour, Finance, Education, Civil Service Affairs, Human Resource Development and Reform Institutions; and an independent person with experience in adult education or industrial relations appointed by the Minister responsible for Labour. The chairperson of the Board is elected from among the eight workers' representatives.

2.2 Workers' Organisations

The Trade Union movement has a very long history in Mauritius with the first Trade Union being set up in the 1930s. There were as at 31 December 2010, 378 trade unions of employers, employees and confederations/federations of which 338 were trade unions of employees with a total membership of 111,582. The Unions are currently grouped into 19 Federations and 7 Confederations. It is estimated that the overall rate of unionization in Mauritius is 20 %.¹⁹

Trade Unions have been fairly successful in obtaining better conditions of work for civil servants. Trade Unions have benefited from ILO financing mainly for capacity development and for attending international conferences. This has had a positive impact on the trade union movement. A permanent education committee for members of the various Confederations/Federations has been set up and networks among members and with unions have been created. Nonetheless, the need for accommodating the rank and file of trade unions in ILO financed activities has been felt. It will also be necessary to effectively monitor the impact of these activities.

2.3 The Employers' Organisation

The Mauritius Employers' Federation (MEF) the national employers' organization that groups all sectoral organizations from agriculture to services was set up in 1962 to service the business community within the overall interests of the country. From a modest start with 20 enterprises, its membership stands at over 1,000 employers in 2011. The Federation provides services and assistance to employers in a wide range of fields such as industrial relations, human resource management, training, and Small and Medium Enterprises

¹⁸ ILO 98th Session, Geneva, 2009, Provisional Record 19A PROPOSED TEXT: RECOVERING FROM THE CRISIS:, A GLOBAL JOBS PACT

¹⁹ Registrar of Associations

(SME) development, Occupational Safety and Health (OSH) and Corporate Social Responsibility (CSR), among others. It has assisted enterprises in dealing with issues pertinent to the workplace and has embarked on a project to strengthen the management of small and medium enterprises.

Its close working links with the ILO has enabled it to obtain assistance in capacity building and research on the industrial front and thereby play its role in promoting harmonious industrial relations at the enterprise and country levels.

The MEF has been in the forefront to foster the interest of employers in the face of changing economic challenges and has always worked within the national socio economic framework.

3. DEVELOPMENT COOPERATION FRAMEWORKS RELATING TO THE DECENT WORK CONCEPT

3.1 Assistance to Mauritius and Strategic Alignment with other Frameworks

Mauritius has been a recipient of external financial support as from Independence. In 2010²⁰, it received Rs. 5,435 billion from external sources including friendly countries with which Mauritius has bi-lateral agreements and international organizations as financial assistance. The organizations with which Mauritius has maintained strategic alliances include the major bilateral and multilateral agencies, such as the African Development Bank, European Union, International Monetary Fund, the various specialized agencies of the United Nations (UN) development system, World Bank, and a number of friendly countries including Republic of China, France, India and the United Kingdom. The financial and technical assistance provided by these agencies have been designed to meet the main government objectives within the overriding objective of poverty reduction and improving the quality of life of the population.

It is proposed to seek assistance from the entire set of UN agencies working in Mauritius as well as from new sources - in particular from countries like India, the Republic of China and organizations like the European Union - for some of the activities included in the DWCP.

3.2 The UNDP Country Programme

Given the close consultation with government and stakeholders that precedes the preparation of a UNDP Country Programme, the impact of the various UNDP/ILO - financed activities has been positive and has in many cases facilitated the taking of major policy decisions by government and the social partners. For example, the projects on OSH have been contributing progressively towards a better management of occupational safety and health, increased productivity and general well-being at the workplace. The emphasis being laid on Stress, Tobacco, Alcohol and Drugs, HIV/AIDS and Violence will be beneficial for all Mauritians given, in particular, the high prevalence of diseases related to smoking and alcohol abuse.

After a long presence in Mauritius, the United Nations Development Programme (UNDP) has both reduced and reoriented its assistance as from 2003 when Mauritius became a Middle Income Country and was upgraded to the High Income category as per the 2006 Human Development Report. This has relieved Mauritius of its obligation to prepare a Poverty Reduction Strategy Paper. Based on the positive lessons learned from earlier UNDP programmes, the 2003-2007 Programme focused on two main objectives namely (i) fostering an enabling environment for policy and decision-making in order to achieve the MDGs, (ii)

²⁰ Ministry of Finance and Economic Development, Programme – Based Budget Estimates 2012

promoting and protecting the environment.²¹ The Draft UNDP programme for 2009 - 2011 is “anchored in the ten-year national economic reform programme with a focus on capacity development in four strategic initiatives aiming at creating more job opportunities to restore the economy on a higher plane of development.”²² It comprises the projects on (i) Empowerment programme, with ILO assistance (ii) Zone d'éducation prioritaire, (iii) Programme based budgeting (PBB) with ILO assistance and sector strategies, and (iv) Environment Protection. ILO assistance and intervention would be directly forthcoming in the first and third projects.

The UNDP Country Programmes are generally focused on Government development programmes and Government agencies. Due to the non-tripartite structure of the UNDP, there is not much emphasis geared towards the world of work. As such, both trade unions and the MEF consider that they do not directly benefit from the UNDP Country Programmes.

3.3 Assessment of UN assistance

In the context of the UN's “Delivering as One” (DaO) reform, the ILO will liaise with the other members of the UN Country Team (UNCT) for Mauritius, to explore possibilities of collaboration to support the successful implementation of the DWCP.

Many areas of the DWCP will be of high interest to other UNCT members and there is thus a strong potential for joint UN work, particularly in the following:

- National Human Rights, Discrimination and Related Issues
- Gender inequality
- Addressing the skills mismatch
- Migrant workers
- HIV/AIDS
- Capacity building of the NEF
- Support to SMEs

4. DWCP COUNTRY PRIORITIES AND TIME FRAME

4.1 The Preparation Process of the DWCP

The preparation of the DWCP was based on the tripartism principle with consultations being held with all social partners at every stage. After the official launching of the DWCP project in November 2008 by the Minister of Labour, Industrial Relations and Employment, consultations were held with government ministries, trade unions representatives and the employers' federation to identify the priorities and the interventions required for meeting these priorities. The consultative process was long and very detailed. The consultant held several meetings with representatives of the trade unions where the main trade union issues and concerns were fully discussed and programme/project guidelines were drawn up. The Trade Unions then worked out the details of the programmes and projects which were then re-discussed with the consultant for inclusion in the DWCP. A similar consultative process was held independently with the MEF. The Ministries which are key players to meeting the DWCP objectives were contacted by the consultant. Based on detailed discussions held, appropriate strategies/interventions were drawn up for inclusion in the DWCP.

A tripartite consultative workshop was held in May 2009 with the technical support of the ILO so as to afford stakeholders the opportunity to discuss the preliminary draft DWCP and bring in additional inputs. A tripartite Drafting Committee was then constituted to assist the Consultant in consolidating the DWCP in the light of the discussions at the workshop and finalizing it.

²¹ Executive Board of the United Nations Development Programme and the United Nations Population Fund, Country Programme 2003-2007

²² Executive Board of the United Nations Development Programme and the United Nations Population Fund, Draft Country Programme 2008-2011

4.2 DWCP Priorities for Mauritius

The main issue taken up with all the stakeholders has been the identification of the Country Programme Priorities for Mauritius. The priorities which emerged from the discussions held with the social partners, namely government, trade unions and employers are: Priority 1 – Creation of Decent and Productive Employment with the provision of adequate Social Protection; Priority 2 - Strengthening Social Dialogue, and Priority 3 - Elimination of All Forms of Discrimination. Based on these priorities, projects/interventions have been developed, some of which will be anchored within the work already undertaken by the development partners and donor agencies, in particular the UNDP and the ILO. The DWCP will contribute towards meeting the overall objective of ensuring a fair and equal distribution of the benefits of development among the social partners and address their needs particularly in terms of capacity building.

The priorities agreed upon will remain unchanged over the implementing period 2012 – 14 while the activities could be revised in the light of new socio-economic conditions.

4.3 Cross-cutting issues

The DWCP for Mauritius will ensure that the following cross-cutting concerns are addressed throughout the planning, implementation, monitoring and evaluation processes:

- Promotion of gender equality in terms of employment creation, quality of employment, collective bargaining and social dialogue
- Building of an inclusive society and the elimination of discrimination
- Capacity building support for the Government and social partners
- Promoting Good Governance among implementing partners

5. COUNTRY PRIORITIES

5.1 Country Priority 1: Creation of Decent and Productive Employment with the provision of adequate Social Protection

5.1.1 Outcome: Appropriate policies including the National Employment Policy, and programmes put in place leading to an increase in Decent and Productive Employment

a. Output

- National Employment Policy document adopted by Government
- Decent and sustainable employment opportunities created for all
- NEF trainers well equipped to introduce new courses to unemployed retrenched workers
- A more innovative approach to training adopted and Motivational sessions established

b. Outcome Indicators

- National Employment Policy Paper prepared and Mauritius included in the ILO Global Jobs Pact Initiative
- Ratification of the Employment Policy Convention, 1964 (No. 122) considered in consultation with social partners
- Unemployment level to decline from 7.9 % in 2011 to 7.7 % by 2014
- Capacity building of employers on the need for professional training of employees undertaken
- Training departments set up at the enterprise level
- The training culture promoted among the social partners

c. Strategies

Ministry of Labour, Industrial Relations and Employment (MLIRE)

- Prepare a National Employment Policy with the objective to (i) take cognisance of the present employment and labour market situation on the basis of statistics on the age, gender and educational level of unemployed persons, (ii) identify areas /sectors where there is a mismatch between demand and supply of labour (taking into consideration the increasing demand for foreign labour) and the reasons thereof, (iii) anticipate the labour demand for the medium term in existing and emerging sectors and to propose appropriate measures in this connection, (iv) make recommendations to address the complexity in the placement of job seekers, particularly in the redeployment of redundant workers, and (v) make recommendations for policies/strategies to address the requirements of the labour market.
- Given the need to address the current mismatch in the Mauritian labour market and to promote work ethics among the youth, possibilities of exchange/internship programmes for Mauritian graduates/university students could, as well, be examined in collaboration with countries such as the United States, Canada or EU Member States in the context of the preparation of the National Employment Policy.
- Include Mauritius in an ILO Project under the Global Jobs Pact initiative entailing a diagnostic scan of the labour /employment situation taking into account the effects of the job crisis on the labour market, the type and extent of the assistance required to overcome problems identified and to make recommendations on the 'Way Forward'.

National Empowerment Foundation

- Conduct "training of trainer" programmes and provide local training.
- Train Facilitators, Counselors and those dispensing basic 'life skills/expertise.
- Introduce a more innovative approach and establish 'Motivational Dialogue Sessions' between employers and the unemployed so as to motivate employers of both large and small establishments to take on the unemployed as 'trainees' during their placement period. The MEF will be consulted in the identification of employers.

5.1.2 Outcome: A more inclusive society created through the promotion of decent employment opportunities for the disabled

a Output

- Decent employment opportunities for the disabled created
- Better enforcement of the law on training, employment and integration of the disabled

b Outcome Indicators

- Increase in the number of training facilities for the disabled
- The law on the employment and integration of the disabled enforced more effectively

c Strategies

Ministry of Social Security, National Solidarity, Senior Citizens' Welfare & Reforms Institutions.

The Ministry will take on the role of facilitator and work with established training institutes for the provision of relevant training programmes for the disabled as follows:

- Facilitate the provision of courses in (a) Prevocational Training/Basic Literacy & Numeracy Skills, (b) IT-Information Technology-specific skills and in Agricultural projects, Business Process Outsourcing, Hotel and Handcrafts.
- Organise Capacity Building programmes.
- Sensitize society of its responsibility towards creating a more inclusive society by organising awareness campaigns.
- Organize Training of Trainers programmes in technical and operational skills.
- Help the Training and Employment of Disabled Persons Board to set up a dynamic placement service for disabled persons.
- Assist the Training and Employment of Disabled Persons Board in promoting self-employment.

5.1.3 Outcome: Decent and quality employment opportunities for Small and Medium Enterprises (SMEs) created

a Output

- Decent employment opportunities created through the setting up of SMEs
- Local and export opportunities for SMEs created

b Outcome Indicators

- Increased training facilities created for SMEs

c Strategies

Small and Medium Enterprise Development Authority (SMEDA)

- Provide “Training of Trainer” courses in the SMEDA regional training centres as well as Modular training in Business Planning.
- Provide Accounting and Marketing training for SME entrepreneurs.
- Upgrade the skills of about 160 local craftsmen with training provided by foreign craft experts to develop typical handicraft packaging from local raw materials and to help introduce new crafts sectors such as Batik / Textile Painting, Wood Carving and Bamboo Craft.
- Reinforce the Research and Development Unit of SMEDA.
- Train and upgrade the Business Facilitation and Counseling Unit of SMEDA.

Mauritius Employers’ Federation

- The MEF has been actively involved in the promotion of entrepreneurship and small and medium enterprise development since the early eighties when a department for SME Development was set up at the Federation. The Management and Entrepreneurship Development Programme is a structured and highly innovative programme comprising four components, namely (i) Understanding the Core Competencies of a successful entrepreneur, (ii) Producing an overview of how to set up your own enterprise, (iii) Obtaining knowledge on how to run an enterprise in an effective manner, and (iv) Setting up a “Mentoring” service to enable SMEs to take advantage of the knowledge and experience of mentors.

5.1.4 Outcome: A National Employment Resource Centre (NERC) set up; data collection improved as well as the Work Permit Application System within the MLIRE modernized

a. Output

NERC set up to service local and regional needs and labour market data system and Work Permit Application system improved

b Outcome Indicators

- The NERC in place
- Comprehensive, coordinated and up-to-date statistics on labour and employment available
- Work Permit Application System modernized

c Strategies

Ministry of Labour, Industrial Relations and Employment

- Setting up of a National Employment Resource Centre to offer extensive information on the labour market and job prospects to employers, workers, students and researchers in the region, and to provide education and training. This could eventually lead to Mauritius hosting a centre for the sub-region providing some training activities complementary to those carried out in Turin.
- Setting up of a master database on employment within the Ministry linking all existing Government databases on the issue to facilitate a more integrated approach and greater policy coherence.
- Improving and modernising the Work Permit Application System with a view to enhancing the operations and service delivery of the Work Permit Unit of the Ministry.

5.1.5 Outcome: Projects undertaken to improve the quality of employment with increased OSH activities and adequate training given to the social partners on OSH

a Output

Quality of Employment improved with increased OSH activities and capacity enhancement of all partners

b Outcome Indicators

- Capacity development of the tripartite constituents for the proper application of the labour legislation
- Work-related accidents reduced by 5% in 2014 as working conditions improve and the OSH culture gains ground
- Steps taken for the ratification of Conventions Nos. 155 and 187 after consultation with social partners
- Training provided to Ministry staff on productivity-linked wage determining techniques
- Current system of inspections improved leading to an improved implementation of ILO Convention No. 81 on Labour Inspection
- Social partners become more conversant with negotiating techniques through bipartite workshops
- Greater involvement of employers in CSR activities
- Competitive Remuneration Policy study undertaken and equity and fairness promoted within the workplace

c Strategies

Ministry of Labour, Industrial Relations and Employment

As a pre-requisite for the enhancement of quality of employment, provide for the capacity building of Officers of the Ministry and social partners as follows:

- Replicate the 'Joint Union/Management Negotiation Skills' workshop – held in April 2009 - based on the ILO training package annually over the 2012 to 2014 period.

- Equip the MLIRE staff dealing directly with the social partners with the appropriate mediation and communication skills with a view to achieving greater effectiveness in the awareness raising, discussion and negotiation processes.
- Train officers of the Employment Division of the MLIRE, who deal with job seekers in the labour market, in Employment Counseling.
- Provide capacity building of the Occupational Safety and Health Inspectorate as follows: a) Managing health and safety in SME's and in the informal sector: 5-full-day workshop; (b) Safety and health in construction: 5-full-day workshop; (c) Risk assessment: 5-full-day workshop; (d) Noise at Work: 5-full-day workshop to finalise the Occupational Safety and Health (Noise at Work) Regulations and train officers in the use of noise measuring equipment; (e) Electricity at Work: 5-full-day workshop; (f) Stress at work - 5 full-day workshop; (g) Implementation of the occupational safety and health management system – 5 full day tripartite workshop.
 - Implement legislation on lodging accommodation for migrant workers and awareness raising.
 - Provide training to local and foreign workers on safety at work.
 - Formulate a training programme or a "Training of trainer" programme on safety at work.
 - Provide Staff training and attachments with relevant institutions to build capacity in dealing with hazards relating to asbestos. Following the long struggle of private sector trade unions representing workers of chemical industries, a consultant on Asbestos was appointed some years back to assess the health risk dimension of asbestos in Mauritius. The salient issue pinpointed by the consultant was the lack of expertise and training in Mauritius to deal with problems of asbestos.
 - Hold tripartite workshops to raise awareness of Conventions No. 155 and No. 187 prior to ratification.
- Prepare sensitisation materials, including information leaflets, on the labour laws including the Occupational Safety and Health Act 2005.
- Review the labour inspection system so as to render it more effective and more responsive to the new challenges in the world of work including the re-organising and modernising of the current system of inspections.
- Given that there is a move from traditional to productivity based wage systems, the staff of NRB and the social partners will be given appropriate training in this area to take on board such important aspects while determining wages.

Trade Unions

- Hold a two-day tripartite workshop with ILO assistance on the fundamental amendments to be brought to the Employment Rights Act 2008 and the Employment Relations Act 2008 legislation to safeguard workers' rights and promote effective and fruitful collective bargaining.
- Hold a series of bipartite follow – up workshops for capacity building of negotiators/advisors of both trade unions' and employers' organizations conducted by ILO experts. This should also help reduce tensions and suspicious attitudes between the two parties.
- Hold a three-day seminar in Rodrigues to enable workers there to become more conversant with the new labour laws and the Occupational Safety and Health Act 2005 and the concept of Collective Bargaining.
- Hold a seminar with ILO assistance on the need to introduce the Portable Severance Allowance Fund to protect workers who lose their job.
- Set up a high-level Training Centre for Trade Union officials and members with ILO assistance. The Centre should also act as the Think Tank for Trade Unionism in Mauritius and should be equipped with all the IT and academic facilities for it to play a crucial role in the further development of Trade Unionism.
- Train Shop Stewards in OSH Committees of private establishments on risk assessment and related OSH issues with ILO assistance.
- Develop training kits including audio-visual materials on OSH issues.

Mauritius Employers' Federation

- Hold 5 three–day workshops with ILO assistance to help employers assume their new responsibility towards Health and Safety issues at the workplace since the OSH Health Profile for Mauritius was validated in April 2009. The programme will be spread over the 2012 to 2014 period with two components being held every year.

- The first will be an OSH Management and Audit Workshop to train Occupational Safety and Health Officers and other professionals to understand the requirements of Safety and Health Management Systems and to manage Health and Safety issues efficiently, reduce exposure to risks and hazards through the OSH Management System, conduct effective internal audits and use techniques regarding checklists, flow charts and other effective aids.
 - The second will involve training of relevant managers, MLIRE officers and trade unions on key elements of risk assessment in the construction industry. The topics covered will include the basics of risk assessment, electrical hazards, fire protection, and working at high level and below ground level.
 - The third will be on health and safety in the use of IT equipment which will cover topics such as man – machine interface, ergonomics design (layout, vision, posture and comfort) and the environmental hazards.
 - The fourth component will enable stakeholders to address any risks and hazards associated with radiation and radiology. The workshop will cover forms and sources of radiation, radiation detection, instrumentation and dosimetry and workplace inspections and audits.
 - Finally, the health surveillance, prevention and control strategy workshop will equip participants with skills and knowledge geared towards the prevention and control of health risks.
- To clarify the concept of Corporate Social Responsibility (CSR) which has gained much prominence recently, the following activities will be undertaken:
 - Organise a Train-the-Trainer programme to ensure that employers adopt a consistent and coherent approach to CSR; the pool of trainers will adapt existing CSR modules to the local context;
 - Train other CSR personnel and prepare a Guide to CSR based on international and local best practice, which will be updated regularly; and
 - Hold meetings with managers responsible for strategic decisions at the enterprises to highlight the importance of integrating CSR into their business strategy, policies and processes.
 - Hold a three-day Workshop on ‘Negotiating for Productivity and Performance Linked Wages’ for employers with the assistance of an ILO consultant. Some of the topics to be covered will be - Setting up of a Flexi-wage System at the Enterprise level, Selecting Performance Indicators and Ad-hoc Bonuses, and Incorporating and Modifying Collective Agreements.
 - Establish productivity and performance - linked wage systems through the process of collective bargaining which is part of the proactive role taken by the MEF.
 - Build the capabilities of employers to engage in negotiations and consensus, including seeking for the establishment of productivity and performance - linked wage systems through the process of collective bargaining
 - Hold a one-day workshop for employers in Rodrigues on the new legal framework and collective bargaining.
 - Undertake a competitive remuneration policy study with assistance of ILO – the objective being to creating a motivating work environment by rewarding performance excellence and creating equity and fairness within the workplace.
 - As part of the process of improving its corporate image since 2006, the MEF has already developed a Corporate Branding Strategy. The next step is the design and publication of a corporate brochure on the panoply of its services, such as Industrial Relations, Human Resource Management, Mentoring scheme and the Super Fund (Pension Scheme). It will be used to increase awareness of the services of the MEF and the membership database.

5.2 Issues raised by Social Partners on Employment Creation

EMPLOYERS

- As part of the focus on employment creation for women, access to jobs for women has to be improved through targeted training and placement initiatives for women who cannot tap employment in emerging sectors as they have only minimal qualifications.
- With the opening of the economy and the continuous dearth of skilled labour locally there is need for a policy for skilled migration workers which could be taken up as part of the overall Circular Migration policy of Government.

- Employability of university graduates has to be enhanced by establishing linkages with the academia and the industry.
- There is an urgent need to develop a National Training Policy for lifelong learning to promote growth, innovation, productivity and competitiveness. The policy should be based on a (i) Training needs analysis to determine training priorities, (ii) A review of the existing levy grant system, and (iii) A study to ensure greater coordination and synergy among regulatory and training institutions.
- A conducive training environment should be developed to encourage enterprises to provide more training opportunities to their employees.

TRADE UNIONS

- The loss of job security for workers resulting from provisions in the new labour legislation calls for the introduction of a Portable Severance Allowance Fund.
- The new legislation is undermining collective bargaining as workers fear to take up the responsibility of delegates in view of the fact that termination of employment has been made easier.
- The absence of specific provisions in current labour legislation to protect workers on shift work or on roster basis or who work during irregular hours, coupled with the introduction of the 24/7 economic model, undermine workers' human rights.
- The move towards Contract and Agency Labour could also lead to exploitation of workers.
- The deregulation of working hours in the new law, characterized by the flexibility clause of "90 hours per fortnight", could lead to abuse on the part of employers who could require a worker to work more than 8 hours on one day and less than 8 hours on another day.
- The provision in the new law that a worker may be required to work on at least two Sundays per month is in contravention with ILO Convention No. 29 on Forced Labour.
- Working conditions should be made safer and labour inspections increased.

GOVERNMENT

- The main reason for the review of the Industrial Relations Act 1973 and the Labour Act 1975 was the obsolescence of the provisions of these laws which no longer responded to the realities of the labour market in a rapidly changing global economy. The enactment of the two new pieces of labour legislation, therefore, aimed at achieving the flexibility needed for creating demand for labour together with the security needed to protect the worker as he/she switches between jobs.
- The Employment Rights Act 2008 provides for the protection of workers against unjustified termination of employment and for immediate assistance to laid-off workers under the Workfare Programme whilst the Employment Relations Act 2008 has set the conditions for the harmonious development of collective bargaining.

5.3 Country Priority 2: Strengthening Social Dialogue

5.3.1 Outcome: Social dialogue enhanced through the National Tripartite Forum and the functioning of existing Industrial Relations institutions improved

a Output

The National Tripartite Forum set up providing the platform for greater social dialogue resulting in a reduction in the number of cases of dispute and a Tripartite Mechanism for salary compensation, acceptable to social partners.

b Outcome Indicators

- The National Tripartite Forum set up and consolidated
- The number of labour disputes declared by Trade Unions reduced by 10 % by 2014 as a result of more discussions among social partners
- Increase in the number of collective agreements signed
- The "ONE VOICE PHENOMENON" becomes a reality for Trade Unions

c Strategies

Ministry of Labour, Industrial Relations and Employment

- Consolidate the newly set up National Tripartite Forum with the objective to make recommendations and advise Government on, inter-alia, labour and industrial issues, social and economic policies and the determination of annual salary compensation
- Replicate the workshop on Social Dialogue, which was held in April 2009, annually from 2012 to 2014. It is expected that only through promoting the concept of Social Dialogue and exposing as many of the social partners as possible to a wide spectrum of experiences that there could be acceptance to the new concept of resolving problematic issues through Social Dialogue.
- Enhance the capacity of Officers of the MLIRE and of IR institutions in order to enable them to fully play their role of facilitator in the new set-up envisioned for social dialogue.

Trade Unions

- Hold Bi-annual forums with ILO assistance on issues on which the Unions are divided with the objective of reaching some common grounds on these issues so that Trade Unions can present a united front when discussing with government or employers.
- Publish booklets (passport size) of about 30 pages and other audio visual material prepared by the Trade Unions on the Employment Rights Act and the Employment Relations Act in English, French and Creole.
- Run two Middle Management Courses approved by the Mauritius Qualifications Authority at the Certificate level yearly jointly with the Mauritius College of the Air and the University of Technology of Mauritius for trade union members.
- Hold two courses yearly - a basic Information Technology course and an Advanced Information Technology course - for trade union members followed by courses on Internet and web site.
- Hold six seminars on fundamental Human Rights for some 600 participants, namely Higher School Certificate/University students as well as Vocational Institution trainees and young workers, with ILO/local expertise on an annual basis.
- Review the criteria used to determine Trade Union representation with ILO guidance to achieve a more equitable and fairer representation of Trade Unions in the national/international fora.

Mauritius Employers' Federation

- Work towards reaching a Social Pact based on mutuality of gains for the Enterprise and Labour which is vital at this stage of development.
- Hold workshops/discussions/meetings among social partners with the objective of identifying our national shared values through consensus.
- Hold training programmes for employers in Collective Bargaining and Negotiating skills.

5.4 Issues raised by Social Partners on Strengthening Social Dialogue

TRADE UNIONS

- The creation of a National Tripartite Forum is vital for effective social dialogue.
- There is no proper consultation and transparency in the appointment of members on Boards/Commissions/Councils.
- There is no proper structure for social dialogue in the outer islands.
- It is necessary to amend the law to redefine "member of a trade union" so that casual or temporary workers who do not pay trade union fees regularly but who are benefitting from collective agreements concluded by a trade union may be considered as members of that trade union. This will have a bearing on the representativeness of trade unions and ensure more fairness as regards trade union representation at national and international fora.

EMPLOYERS

- At this juncture of our economic development, a Social Pact based on mutuality of gains for the Enterprise and Labour is required.
- It is necessary to identify our national shared values through consensus and this can be achieved through workshops/discussions/meetings among social partners.

GOVERNMENT

- As provided for in the law, members of Boards and Commissions are appointed by the Minister after consultation with the most representative workers' organisations.

5.5 Country Priority 3: Elimination of All Forms of Discrimination

5.5.1 Outcome: Enabling environment for gender equality promoted

a Output

Enabling environment for gender equality promoted through the implementation of appropriate capacity building programmes

b Outcome Indicators

- Staff trained on Gender Mainstreaming and a gender responsive policy formulated and implemented
- High-level Policy Makers sensitized on Gender Issues, Gender Focal Points of Gender Cells trained
- Inter ministerial networking system created and functional

c Strategies:

Ministry of Gender Equality, Child Development & Family Welfare (MGECDFW)

The vision of the MGECDFW, as the lead agency for the National Gender Machinery is "A society in which all girls and boys, women and men, live together in mutual respect, harmony and social justice; thrive in an enabling environment in which they are able to reach their full potential, in full enjoyment of their human rights..."²³

One of the objectives of the Programme-Based Budgeting exercise is to 'institutionalize gender equity through the process of aligning budgets to policy priorities and increasing the transparency and accountability of the system'.²⁴ Capacity building on Gender Mainstreaming and gender responsive budgeting of the staff of the MGECDFW, the Ministry of Finance and Economic Development, as well as other Ministries remains a priority to ensure sustainability of gender mainstreaming in all policies and programmes of Government.

The main activities which will be undertaken to reduce gender discrimination are:

- The adoption of sectoral gender policies by respective Ministries and the provision of training to all concerned officials of the Ministry of Gender Equality, Child Development and Family Welfare on gender mainstreaming in ILO or UN training centres
- Capacity building of Gender Focal Points of Ministries in order to mainstream gender effectively into Government policies and programmes

²³ Ministry of Women's Rights, Child Development, Family Welfare and CP, National Gender Policy Framework, 2008

²⁴ Ministry of Finance and Economic Development, <http://www.gov.mu/portal/goc/mof/files/PBBmanual.pdf>, Programme Based Budgeting Manual

- Formulation of a high standard training of trainers (TOT) programme on gender so as to create a pool of trainers who would in turn work in collaboration with other stakeholders, including civil society organisations, to further the gender agenda at the national level
- National sensitisation campaigns on gender using innovative ICT tools in order to reduce the gender gap and bring about a change of mindset will be undertaken by the lead agency, in collaboration with all stakeholders to ensure a holistic approach

5.5.2 Outcome: Discrimination and stigma against workers affected by HIV/AIDS reduced through greater sensitization

a Output

The ILO Code of Practice on HIV/AIDS adapted to Mauritius leading to a reduction of discrimination against those suffering from HIV/AIDS

b Outcome Indicators

- The public made aware of the rights of those suffering from HIV/AIDS
- The implementation of the ILO Code of Practice on HIV/AIDS made possible
- Discrimination against HIV/AIDS patients at the workplace is reduced with greater sensitization
- Awareness and Preventive programme on HIV/AIDS undertaken with a high level Forum on HIV/AIDS, a seminar for safety and health officials, targeted action taken in 10 selected workplaces and best practices published.

c Strategies

Ministry of Labour, Industrial Relations and Employment

- Hold workshops on issues pertaining to HIV/AIDS so as to obtain interagency awareness
- Adapt the ILO Code of Practice on HIV/AIDS to the Mauritian context with NAS acting as a facilitator.
- Provide training to the OSH Inspectorate staff and the NAS Steering Committee members so as to enable them to vulgarize the provisions of the Code of Practice to the working population.

Trade Unions

- Sensitise members on HIV/AIDS
- Organise a seminar to sensitize workers on HIV/AIDS stigmatization at the workplace

Mauritius Employers' Federation

The MEF Awareness and Preventive programme on HIV/AIDS has the following four components:

- Hold a high level Forum on HIV/AIDS in Mauritius for Senior Management to give participants the latest development on the disease and the way to handle it at the workplace. The Forum will be held with the collaboration of organizations involved in the fight against HIV/AIDS. The ILO Code of Practice, the ILO/World Health Organisation Joint Guidelines on health services and HIV/AIDS will be presented by ILO as well as issues of Corporate Social Responsibility, private sector partnerships and international experience.
- Undertake targeted action in 10 selected workplaces through programmes on prevention, care and support so as to take stock of the existing situation in enterprises; identify the current best practices and approaches on the prevention and control of the disease so as to create a positive work environment; conduct a follow-up and evaluation programme spread over 12 months in collaboration with the relevant NGOs and organizations.
- Publish the best practices highlighted in the evaluation programme and disseminate case studies to create the necessary commitment among MEF members. The OSH Information pack published by MEF

will be updated and will include, based on the practical experiences gained, two new chapters on Enterprise policy on HIV/AIDS and Monitoring of an EAP on HIV/AIDS at the Workplace. The existing set of posters will be reprinted and a brochure prepared. These publications will be inputs to the seminar on 'Practical Approaches to manage HIV/AIDS at the Workplace'.

- Hold a seminar for safety and health officials and HR Managers including officers of MLIRE, in the same week on 'Practical Approaches to manage HIV/AIDS at the Workplace'.

5.5.3 Outcome: Gender-neutral wage determining mechanism rendered more effective

a Output

The gender-neutral wage determining mechanism rendered more effective through the provision of appropriate training to the relevant institutions

b Outcome Indicators

Improved implementation of the Conventions relating to equality

c. Strategies

Ministry of Labour, Industrial Relations and Employment

- Obtain technical support for the NRB as regards appropriate techniques/methods for conducting objective job evaluation exercises to promote its application in the determination of content-based remuneration, free from gender bias.
- Enhance the capacity of the National Remuneration Board to carry out its functions of wage determination based on job content so that it can train the other constituents on the concept of "equal pay for work of equal value" to enable them to play a more effective role in the wage fixing exercise.

5.5.4 Outcome: Discrimination against Disabled Persons reduced

a Output

Integration of Disabled Persons in the mainstream and in employment increased

b Outcome Indicators

- Laws pertaining to disabled persons revised
- Employment of disabled increased

c Strategies

Ministry of Social Security, National Solidarity, Senior Citizens and Welfare & Reforms Institutions

- Review legislation pertaining to training and employment of disabled persons to bring it in line with the UN Convention on the Rights of Persons with Disabilities
- Hold sensitization workshops

Mauritius Employers' Federation

Based on the Memorandum of Understanding signed in 2010 with the Training and Employment of Disabled Persons Board, the MEF will

- Develop a policy for the integration of disabled persons in the work place
- Hold workshops with employers to sensitize them on integration and training of disabled persons

5.5.5 Outcome: Discrimination against Migrant Workers reduced

a Output

Greater integration of migrant workers in the labour market

b Outcome Indicators

Discrimination aspects in law and practice with respect to migrant workers identified and addressed

c Strategies

Trade Unions

- Hold a tripartite workshop so as to identify all discriminatory aspects in law and practice with regard to migrant workers on an annual basis between 2012 and 2014.

5.6. Issues raised by Social Partners on Elimination of All Forms of Discrimination

TRADE UNIONS

- There is no systematic review of wages and other conditions of employment for private sector employees every 5 years as is the case for the public sector.
- ILO Conventions Nos. 100 & 111 are not being fully complied with as some Remuneration Orders still contain discriminatory provisions based on sex and age.
- Stigmatization of HIV positive workers and other vulnerable groups needs to be addressed.
- Migrant workers are not covered by Collective Agreements signed between the employer and the worker or his agent.

EMPLOYERS

- With an influx of foreign workers which is expected to grow, enterprises should be assisted in diversity and cross cultural management training.
- There is also need to promote the utilization of job evaluation techniques by wage setting institutions.

GOVERNMENT

- The HIV/AIDS Act was enacted in 2006 to eliminate all forms of discrimination and assure the enjoyment of all Human Rights for people living with AIDS as well as to provide the legal framework to implement the needles exchange programme.
- According to the provisions of the Employment Rights Act 2008 regarding the application of the Collective Agreements, migrant workers are equally covered by such agreements.

6. RESOURCE MOBILIZATION FOR DECENT WORK COUNTRY PROGRAMME

The total cost of the DWCP is estimated at **US\$ 2 080 656**.

It is estimated that about 50 % of the total cost will be met from local sources and financial support from the ILO/other international organizations and friendly countries will be sought to meet the rest of the requirements.

Given the “ILO comparative advantages” and its particular expertise on social dialogue, norms, social protection and employment, expertise from the ILO will be sought in meeting the various objectives of the DWCP.

Government will take the lead in negotiating with relevant financial agencies to obtain assistance for the activities of social partners.

7. PERFORMANCE INDICATORS AND MANAGEMENT ARRANGEMENTS

7.1 Implementation

Monitoring indicators for each project have been prepared and has been coordinated as a Performance Indicator for the meeting of the main goals of the Decent Work Country Programme. The details on the Performance Indicators are contained in the detailed Monitoring and Evaluation document. The Performance Indicators will also be linked to the Programme Based Budgeting model adopted by government for its projects. Improving gender disaggregated data collection on, for instance, employment, job vacancies and cases of unjustified dismissal is essential for proper monitoring and evaluation of the various activities undertaken as part of DWCP.

7.2 Monitoring and Evaluation Arrangements

The follow-up on the implementation of the DWCP will be entrusted to the National Tripartite Forum which will be the apex organization comprising representatives of the tripartite constituents. It will represent an umbrella structure with appropriate terms of reference to lead, consolidate and coordinate all activities to monitor and evaluate the DWCP. It could also be assisted by the existing Advisory bodies subject to amendments being brought to the relevant legislation. Its role will be to provide policy and strategic guidelines in the context of national priorities.

A committee comprising the NTF as well as financing partners will be set up to monitor progress in terms of international inputs on a regular basis.

It is to be noted that the proper implementation of the DWCP is subject to several factors. These include the timely provision of funding from the various donor and local sources, recruitment of staff; the expertise required being available and agreement being reached among the social partners.

**DECENT WORK COUNTRY PROGRAMME – MAURITIUS
IMPLEMENTATION PLAN**

Outcomes	Outputs	Activities	Yr 1	Yr 2	Yr 3	Responsibility	Partners
Country Priority 1 : Creation of Decent and Productive Employment with the provision of adequate Social Protection							
511 Appropriate policies including the National Employment Policy, and programmes put in place leading to an increase in Decent and Productive Employment	National Employment Policy document adopted by Government	Develop the National Employment Policy (NEP)				MLIRE	Social Partners
	Decent and Sustainable employment opportunities created for all	Implement the NEP				MLIRE	Social Partners
		Include Mauritius in the ILO Global Jobs Pact Project				MLIRE	MFED Social Partners
	NEF trainers well equipped to introduce new courses to unemployed retrenched workers	Hold Training of Trainers Programme				NEF	MSIEE
		Hold training sessions for facilitators, counselors, etc				NEF	MSIEE
A more innovative approach to training adopted and motivational sessions established	Introduce the Motivational Dialogue Session between employers and unemployed				NEF	MSIEE Social Partners	
512 A more inclusive society created through the promotion of decent employment opportunities for the disabled	Decent employment opportunities for the disabled created	Facilitate the provision of courses for the Disabled				MSS/TEDPB	Social Partners
		Develop capacity building programmes				MSS/TEDPB	Social Partners
		Hold Training of Trainers on creation of employment opportunities for disabled persons				MSS/TEDPB	MLIRE Social Partners
		Help to set up Employment of Disabled Persons Board dynamic placement service				MSS/TEDPB	MLIRE Social Partners
	Better enforcement of the law on training, employment and integration of disabled	Hold sensitization of society towards creating a more inclusive society				MSS/TEDPB	MLIRE Social Partners

Outcomes	Outputs	Activities	Yr 1	Yr 2	Yr 3	Responsibility	Partners
513 Decent and quality employment opportunities for Small and Medium Enterprises (SMEs) created	Decent employment opportunities created through the setting up of SMEs	Hold Training of Trainers course in the Regional Training Centers SMEDA				MBECCP/SMEDA	MEF
		Enhance skills of local craftsmen				MBECCP/SMEDA	MEF MSIEE
	Local and export opportunities for SMEs created	Reinforce the Research and Development unit of SMEDA				MBECCP/SMEDA	
		Upgrade the Facilitation and Counseling Unit of SMEDA				MBECCP/SMEDA	
		Implement the Management and Entrepreneurship Programme for SMEs				MEF	MBECCP SMEDA
514 National Employment Resource Center (NERC) set up; data collection improved as well as the Work Permit Application System within the MLIRE modernized	NERC set up to service local and regional needs and labour market data system and Work Permit Application System improved	Set up a National Employment Resource Center				MLIRE	STATISTICS MAURITIUS Social Partners
		Create a master database on employment				MLIRE	STATISTICS MAURITIUS Social Partners
		Undertake the process of the improvement and modernizing the Work Permit Application Scheme				MLIRE	PMO/MHQOL
515 Projects undertaken to improve the quality of employment with increased OSH activities and adequate training given to the social partners on OSH	Quality of employment improved with increased OSH activities and capacity enhancement of all partners	Carry out the capacity development of tripartite constituents on labour legislations and negotiation skills				MLIRE	Social Partners MCSAR
		Undertake awareness campaign on C.155 and C.187 prior to ratification				MLIRE	MHQOL Social Partners
		Develop sensitization materials on labour laws including Occupational Safety and Health Act 2005				MLIRE	MCA
		Review the labour Inspection system to render it more effective				MLIRE	MCSAR
		Hold workshop on the Employment Rights Act 2008 and the Employment Relations Act 2008				Trade Unions	MLIRE MEF

Outcomes	Outputs	Activities	Yr 1	Yr 2	Yr 3	Responsibility	Partners
		Carry out capacity building of negotiators for Trade Unions and Employers				Trade Unions	MEF
		Hold seminar on Portable Severance Allowance Fund				Trade Unions	MLIRE MEF
		Set up Training Centre for Trade Unions officials				Trade Unions	
		Conduct training of shop stewards in OSH committees on risk assessment and OSH related issues				Trade Unions	MEF
		Sensitize employers on Health and Safety issues				MEF	MLIRE MHQOL
		Sensitize employers on the Corporate Social Responsibility				MEF	MFED
Country Priority 2: Strengthening Social Dialogue							
531 Social dialogue enhanced through the National Tripartite Forum and the Functioning of existing Industrial Relations institutions improved	The National Tripartite Forum set up providing the platform for greater social dialogue resulting in a reduction in the number of cases of dispute and a Tripartite Mechanism for salary compensation, acceptable to social partners.	Consolidate the National Tripartite Forum				MLIRE	Social Partners
		Hold Social Dialogue workshops annually				MLIRE	Social Partners
		Carry out capacity building of MLIRE officers on social dialogue				MLIRE	
		Hold biannual forums on controversial issues to help reach consensus				Trade Unions	
		Publish booklets on Employment Rights and Employment Relations Acts 2008				Trade Unions	
		Run middle management courses				Trade Unions	
		Hold Information Technology courses				Trade Unions	
		Hold seminars on Human Rights for HSC/University students				Trade Unions	MEHR
		Review the criteria for determining Trade Union representation				Trade Unions	MLIRE

Outcomes	Outputs	Activities	Yr 1	Yr 2	Yr 3	Responsibility	Partners
		Discuss the Social Pact to benefit both the enterprise and Labour				MEF	MLIRE TU
		Hold workshops/discussions/meetings with social partners				MEF	MLIRE TU
		Hold training programmes in Collective Bargaining and Negotiating skills				MEF	MLIRE TU
Country Priority 3: Elimination of All Forms of Discrimination							
551 Enabling environment for gender equality promoted	Enabling environment for gender equality promoted through the implementation of appropriated capacity building programmes	Provide Gender Focal Points with appropriate training Sectoral Gender Policies				MGECDFW	All Ministries
		Put in place Training of Trainers programme				MGECDFW	MCSAR
		Hold national sensitization campaigns				MGECDFW	
552 Discrimination and stigma against workers affected by HIV/AIDS reduced through greater sensitization	The ILO Code of Practice on HIV/AIDS adapted to Mauritius leading to a reduction of discrimination against those suffering from HIV/AIDS	Hold workshops on HIV/AIDS				MLIRE	NAS MHQOL Social Partners
		Adapt the ILO Code of Practice to Mauritian context				MLIRE	NAS MHQOL Social Partners
		Provide training to OSH Inspectorate on the provisions of Code of Practice				MLIRE	
		Hold seminar on HIV/AIDS to sensitize workers on stigmatization in the workplace				TU	
		Hold high level forum on HIV/AIDS				MEF	MLIRE MHQOL TU
		Undertake targeted action in workplaces to create a positive work environment for workers with HIV/AIDS				MEF	MLIRE TU

Outcomes	Outputs	Activities	Yr 1	Yr 2	Yr 3	Responsibility	Partners
		Publish the best practices on HIV/AIDS at the workplace				MEF	MLIRE MHQOL TU
		Hold seminar on the practical approaches to manage HIV/AIDS at the workplace				MEF	MLIRE MHQOL TU
5.5.3 Gender-neutral Wage Determining Mechanism Rendered More Effective	The gender-neutral wage determining mechanism rendered more effective through the provision of appropriate training to the relevant institutions	Provide gender-neutral job evaluation techniques training of NRB staff				MLIRE NRB	
		Hold training on wage determination based on job content training to NRB staff				MLIRE NRB	
5.5.4 Discrimination against Disabled Persons reduced	Integration of Disabled Persons in the mainstream and in employment increased	Review legislation pertaining to training and employment of disabled persons and prepare action plan				MSS	AGO MLIRE Social Partners
		Develop policy for the integration of Disabled persons in the workplace				MSS	MLIRE Social Partners
		Hold sensitization workshops				MSS	MLIRE Social Partners
5.5.5 Discrimination against Migrant Workers reduced	Greater integration of Migrant Workers in the Labour Market	Hold workshops to identify discriminatory aspects				Trade Unions	MLIRE AGO MEF MHQOL

DECENT WORK COUNTRY PROGRAMME – MAURITUS
MONITORING AND EVALUATION PLAN - Part 1

Indicator	Means of Verification (Data Sources and Collection Methods)	Frequency	Assumptions (and Risks)	Responsibility
Country Priority 1: Creation of Decent and Productive Employment with the provision of adequate Social Protection				
5.1.1 Appropriate policies including the National Employment Policy, and programmes put in place leading to an increase in Decent and Productive Employment				
National Employment Policy Paper prepared and Mauritius included in the ILO Global Jobs Pact Initiative	Reports of MLIRE/ STATISTICS MAURITIUS Digest of Statistics on Labour Market	Bi Annual	Effective cooperation & commitment of social partners; economy picks up	MLIRE STATISTICS MAURITIUS
Ratification of the Employment Policy Convention, 1964 (N° 122) considered in consultation with social partners	Reports of MLIRE	At the end of year 2	Commitment of social partners	MLIRE Social Partners
Unemployment level to decline from 7.5% in 2010 to 7.3% by 2014	Data from STATISTICS MAURITIUS	Annual	Adequate use of monitoring system and statistics	MLIRE STATISTICS MAURITIUS Social Partners NEF
Capacity building of employers on the need for professional training of employees undertaken	Reports of MEF	Annual		Social Partners MEF
Training departments set up at the enterprise level	Reports of MEF/Trade Unions	Annual		MEF TU
The training culture promoted among social partners	Reports of MEF/Trade Unions	Annual		MEF TU
5.1.2 A more inclusive society created through the promotion of decent employment opportunities for the disabled				
Increase in the number of training facilities for the disabled	Reports of MSS	Annual	Records are kept regularly	MSS TEDPB
The law on the employment and integration of the disabled enforced more effectively	Reports of MSS	Annual		MSS TEDPB AGO

Indicator	Means of Verification (Data Sources and Collection Methods)	Frequency	Assumptions (and Risks)	Responsibility
5.1.3 Decent and quality employment opportunities for Small and Medium Enterprises (SMEs) created				
Increased training facilities created for SMEs	Reports of SMEDA/MBECCP	Annual	Records are kept regularly Experts are made available Economy recovers	SMEDA MBECCP MEF
5.1.4 A Documentation and Research Centre (DRC) set up; data collection improved as well as the Work Permit Application System within the MLIRE modernized				
The NERC in place	Report of MLIRE	Once	Staff and funding are available for the NERC	MLIRE STATISTICS MAURITIUS Social Partners
Comprehensive, coordinated and up-to-date statistics on labour and employment available	Report of MLIRE/STATISTICS MAURITIUS	Bi annual		MLIRE STATISTICS MAURITIUS
Work Permit Application System modernized	Reports of MLIRE	Annual	staff and funding are available for the Work Permit Unit Work Permit system records are kept regularly	MLIRE PMO MHQOL
5.1.5 Projects undertaken to improve the quality of employment with increased OSH activities and adequate training given to the social partners on OSH				
Capacity development of the tripartite constituents for the proper application of the labour legislation	MLIRE reports Reports of Trade unions and MEF of project follow up	Annual	Assuming the availability of staff and funds	MLIRE Social Partners
Work-related accidents reduced by 5% in 2014 as working conditions improve and the OSH culture gains ground	MLIRE reports	Annual	Assuming the availability of staff and funds	MLIRE Social Partners
Steps taken for the ratification of Conventions N° 155 and 187 after consultation with social partners	MLIRE report	Once	Effective commitment of Government and social partners	MLIRE social partners
Training provided to Ministry staff on productivity-linked wage determining techniques	MLIRE/NRB/MEF Reports	Repeated Each year	Availability of expert and funds	MLIRE/NRB MEF

Indicator	Means of Verification (Data Sources and Collection Methods)	Frequency	Assumptions (and Risks)	Responsibility
Current system of inspections improved leading to an improved implementation of ILO Convention N°81 on Labour Inspection	MLIRE reports/ ILO reports	Continuous process	Effective commitment of Government and social partners	MLIRE Social Partners
Social partners become more conversant with negotiating techniques through bipartite workshops	MLIRE reports/TU follow-up	Repeated Each year	Availability of expert and funds	TU MLIRE MEF
Greater involvement of employers in CSR activities	MEF reports	Continuous process	Acceptance by employers	MEF
Competitive Remuneration Policy study undertaken and equity and fairness promoted within the workplace	MEF reports	Annual	Availability of expert and funds	MEF MLIRE
Country Priority 2I: Strengthening Social Dialogue				
5.3.1 Social dialogue enhanced through the National Tripartite Forum and the functioning of existing Industrial Relations institutions improved				
The National Tripartite Forum (NTF) set up and consolidated	MLIRE report	In 2012	Commitment of social partners	MLIRE Social partners
The number of labour disputes declared by Trade Unions reduced by 10% by 2014 as a result of more discussion among social partners	MLIRE report on number of disputes recorded/settled etc	Annual	Availability of staff and funds	MLIRE TU MEF
Increase in the number of collective agreements signed	MLIRE report on number of collective agreements signed	Annual	Preparation of reports on time	MLIRE Social Partners
The "One Voice Phenomenon" becomes reality for Trade Unions	Trade Unions' report	At the end of 2013	Commitment of Trade Unions reach agreement on major issues	Trade Unions

Indicator	Means of Verification (Data Sources and Collection Methods)	Frequency	Assumptions (and Risks)	Responsibility
Country Priority 3: Elimination of All Forms of Discrimination				
5.5.1 Enabling environment for gender equality promoted				
Staff trained on Gender Mainstreaming and a Gender responsive policy formulated and implemented	MGEFWCD reports	Annual	Funding for training received	MGEFWCD All Ministries
High-level policy makers sensitized on gender Issues, Gender Focal Points of Gender Cells trained	MGEFWCD reports	Annual	High level commitment	MGEFWCD MCSAR
Inter agency networking system created and functional	MGEFWCD reports	Annual	High level commitment	MGEFWCD All Ministries Social partners
5.5.2 Discrimination and stigma against workers affected by HIV/AIDS reduced through greater sensitization				
The public made aware of the rights of those suffering from HIV/AIDS	Reports of MLIRE/NAS	Annual	Funding for training received	MLIRE/NAS/MHQOL Social Partners
The implementation of the ILO Code of Practice on HIV/AIDS made possible	Reports of MLIRE/NAS	Annual	Funding for training received	MLIRE/NAS/MHQOL Social Partners
Discrimination against HIV/AIDS patients at the workplace is reduced with greater sensitization	Reports of MLIRE/NAS	Annual	Difficulty in overcoming deep-rooted stigmatisation	MLIRE//NAS/MHQOL Social Partners
Awareness and Preventive programme on HIV/AIDS undertaken with a high level Forum on HIV/AIDS, a seminar for safety and health officials, targeted action taken in 10 selected workplaces and best practices published	Reports of MEF	Annual	Commitment of all stakeholders	MEF MLIRE/NAS/MHQOL TU

Indicator	Means of Verification (Data Sources and Collection Methods)	Frequency	Assumptions (and Risks)	Responsibility
5.5.3 Gender-neutral Wage Determining Mechanism Rendered More Effective				
Improved implementation of the Conventions relating to equality	Reports of MLIRE/ILO	Annual	Availability of financial support	MLIRE/NRB
5.5.4 Discrimination against Disabled Persons reduced				
Laws pertaining to disabled person revised	Report of MSS	At the end of 2013	Collaboration between MSS, MEF and social partners	MSS AGO MEF TU
Employment of disabled increased	Report of MEF	Annual	Collaboration between MSS, MEF and social partners	MEF MSS MLIRE TU
5.5.5 Discrimination against Migrant Workers reduced				
Discrimination aspects in law and practice with respect to migrant workers identified and addressed	Trade Unions records MLIRE reports	Annual	Support forthcoming from employers and MLIRE	TU MLIRE MEF AGO

DECENT WORK COUNTRY PROGRAMME – MAURITIUS

MONITORING AND EVALUATION PLAN - Part 2

Indicators	Baselines	Targets	2012	2013	2014
Country Priority 1: Creation of Decent and Productive Employment with the provision of adequate Social Protection					
5.1.1 Appropriate policies including the National Employment Policy, and programmes put in place leading to an increase in Decent Employment			Main Assumption: Acceptance of Employment Policy by social partners and the improvement in the economic situation		
National Employment Policy Paper prepared and Mauritius included in the ILO Global Jobs Pact Initiative	No set policy guidelines for employment	National Employment policy available	National Employment Policy prepared		
Ratification of the Employment Policy Convention, 1964 (N° 122) considered in consultation with social partners	Not available	Employment Policy Convention ratified	Process to ratify Convention No. 122 initiated	Convention ratified	
Unemployment level to decline from 7.9% in 2012 to 7.7% by 2014	7.9%	7.7%	7.9%	7.8%	7.7%
Capacity building of employers on the need for professional training of employees undertaken	Number of capacity building undertaken	3 training sessions	1 training session	1 training session	1 training session
Training departments set up at the enterprise level	Not available	Increase by 30 %	Increase by 10 %	Increase by 10 %	Increase by 10 %
The training culture promoted among social partners	Not available	Reach 30 % of Social Partners	Reach 10 %	Reach 10 %	Reach 10%
5.1.2 A more inclusive society created through the promotion of decent employment opportunities for the disabled			Main Assumption: Acceptance of greater integration of disabled workers by Social Partners		
Increase in the number of training facilities for the disabled	Baseline data not available	100% Increase	40 %	60 %	100 %
The law on the employment and integration of the disabled enforced more effectively	Lack of sensitization of target groups	Law Enforced to reach 50 % target group-employers/workers	10 %	30%	50%

Indicators	Baselines	Targets	2012	2013	2014
5.1.3 Decent and quality employment opportunities for Small and Medium Enterprises (SMEs) created			Main Assumption: Economy picks up and greater opportunities for SMEs created		
Increased Training facilities created for SMEs	Number of training facilities created	Number of training facilities created/improved and Number trained to increase by 10 %	3%	6%	10%
5.1.4 A National Employment Resource Centre (NERC) set up; data collection improved as well as the Work Permit Application System within the MLIRE modernized			Main Assumption: Funding and staff made available to NERC		
The NERC in place	New Organisation	NERC in place	NERC functional		
Comprehensive, coordinated and up-to-date statistics on labour and employment available	To be available from NERC	Detailed Statistics on labour and employment available	Reports of NERC	Reports of NERC	Reports of NERC
Work Permit Application System modernized	Work Permit system exists	Experts recruited to improve Work Permit System	Experts recruited	An Improved system in place	
5.1.5 Projects undertaken to improve the quality of employment with increased OSH activities and adequate training given to the social partners on OSH			Main Assumption: Reduction in OSH staff turnover		
Capacity development of the tripartite constituents for the proper application of the labour legislation	Data not available	3 training sessions by 2014	1 Training Session held	1 Training session Held	1 Training Session held
Work-related accidents reduced by 5% in 2014 as working conditions improve and the OSH culture gains ground	164 accidents in 2008	5% reduction in work-related accidents by 2014	2%	2%	1%
Steps taken for the ratification of Conventions N° 155 and 187 after consultation with social partners	Social partners aware of Conventions	Conventions N° 155 and 187 discussed by partners	Discussions held	Discussions Held	Conventions Signed
Training provided to Ministry staff on productivity-linked wage determining techniques	Number of training sessions conducted	3 training sessions conducted	1 Training session held	1 Training session held	1 Training session held
Current system of inspections improved leading to an improved implementation of ILO Convention N°81 on Labour Inspection	Training for MLIRE staff on Labour inspections	Convention N°81 adequately applied	Application Increased by 5 %	Application Increased by 5 %	Application Increased by 5 %
Social partners become more conversant with negotiating techniques through bipartite workshops		Bipartite Workshops held yearly	1 workshop	1 workshop	1 workshop

Indicators	Baselines	Targets	2012	2013	2014
Greater involvement of employers in CSR activities	Number of activities on CSR implemented not available	At least 3 activities on CSR implemented by 2014	1 activity on CSR held	1 activity on CSR held	1 activity on CSR held
Competitive Remuneration Policy study undertaken and equity and fairness promoted within the workplace		Study undertaken	Statistics on unfair practices in labour market available	Perception of fairness increased by 2 %	Perception of fairness increased by 2 %
Country Priority 2: Strengthening Social Dialogue					
5.3.1 Social dialogue enhanced through the National Tripartite Forum and the functioning of existing Industrial Relations institutions improved			Main Assumption: The Social Partners Are willing to work within the framework of the National Tripartite Forum		
The National Tripartite Forum (NTF) set up and consolidated	The NTF has been set up	Consolidation and extension of the NTF	The sub committees of the NTF set up	The NTF functions effectively	
The number of labour disputes declared by Trade Unions reduced by 10% by 2014 as a result of more discussion among social partners	Data from MLIRE/ Trade Unions	10 % reduction in labour disputes by 2014	3 %	6 %	10 %
Increase in the number of collective agreements signed	Around 15 Collective Agreements signed	To increase Collective Agreements signed by 5 %	2 %	3 %	5%
The "One Voice Phenomenon" becomes reality for Trade Unions	Process to set up the Trade Union Council undertaken	The Trade Unions Council functional	Move towards greater cohesion among unions		One Voice phenomenon - a reality
Country Priority 3: Elimination of All Forms of Discrimination					
5.5.1 Enabling environment for gender equality promoted			Main Assumption: Acceptance of gender equality principle by policy makers		
Staff trained on gender mainstreaming and a gender responsive policy formulated and implemented	National Gender Policy Framework Available	50 % Staff trained and Policy document revised	10 % trained	30 % trained	50 % trained
High level policy makers sensitized on gender issues, Gender Focal points of Gender Cells trained		1 Sensitization workshops held yearly	1	1	1
Inter agency networking system created and functional	No interagency network in place	Inter agency networking created and functional	Interagency Process carried out		

Indicators	Baselines	Targets	2012	2013	2014
5.5.2 Discrimination and stigma against workers affected by HIV/AIDS reduced through greater sensitization			Main Assumption: Greater involvement of the work force in sensitization activities		
The public made aware of the rights of those suffering from HIV/AIDS	Awareness limited	To reach 50 % of public	20%	40 %	50 %
The implementation of the ILO Code of Practice on HIV/AIDS made possible	ILO Code of Practice on HIV/AIDS not yet adapted to the country's needs	The adaption of ILO Code of Practice on HIV/AIDS complete by 2014	30 % Adaptation complete	70 % Adaptation complete	100 % Adaptation complete
Discrimination against HIV/AIDS patients at the workplace reduced with greater sensitization	Stigma prominent In work place	To reduce stigma by 30 % by 2014	Reduction 10 %	Reduction 10 %	Reduction 10 %
Awareness and Preventive programme on HIV/AIDS undertaken with a High Level Forum on HIV/AIDS, a seminar for safety and health officials, targeted action taken in 10 selected workplaces and best practices published		Action taken on 10 workplaces by 2014	High level forum held Targeted Action taken in 3 Workplaces	Targeted Action taken in 4 Workplaces	Targeted Action taken in 3 Workplace Publication of best practices
5.5.3 Gender-neutral Wage Determining Mechanism rendered More Effective			Main Assumption: Acceptance of gender equality principle by policy makers		
Improved implementation of the Conventions relating to equality	Gender bias exists in some sectors	To train staff with the objective of moving towards gender-equal pay in 50 % of sectors	10 %	20 %	50 %
5.5.4 Outcome : Discrimination against Disabled Persons reduced			Main Assumption: Acceptance of greater integration of disabled		
Laws pertaining to Disabled persons revised	Existing laws need to be revised	Existing Law revised			Existing Law revised
Employment of disabled increased		15% of increase	4%	10%	15%
5.5.5 Outcome : Discrimination against Migrant Workers reduced			Main Assumption: Greater integration of disabled		
Discrimination aspects in law and practice with respect to migrant workers identified and addressed	Discrimination in Law and practice not yet available	Discrimination in Law and practice available		Process to identify discrimination in law and practice undertaken	Discrimination in law and practice identified

DECENT WORK COUNTRY PROGRAMME – MAURITIUS

RESOURCES

Outcomes	Outputs	Total Cost in USD	Government and Social Partners	Donors
Country Priority 1: Creation of Decent and Productive Employment with the provision of adequate Social Protection				
511 Appropriate policies including the National Employment Policy, and programmes put in place leading to an increase in Decent and Productive Employment	National Employment Policy document adopted by Government	50 000	25 000	25 000
	Decent and Sustainable employment opportunities created for all			
	NEF trainers well equipped to introduce new courses to unemployed retrenched workers	154 500	77 250	77 250
	A more innovative approach to training adopted and motivational sessions established			
512 A more inclusive society created through the promotion of decent employment opportunities for the disabled	Decent employment opportunities for the disabled created	100 125	50 063	50 062
	Better enforcement of the law on training, employment and integration of disabled			
513 Decent and quality employment opportunities for Small and Medium Enterprises (SMEs) created	Decent employment opportunities created through the setting up of SMEs	224 500	112 250	112 250
	Local and export opportunities for SMEs created			
514 National Employment Resource Center (NERC) set up; data collection improved and the Work Permit Application System within the MLIRE modernized	NERC set up to service local and regional needs; labour market data system and Work Permit Application System improved	28 125	14 062	14 063
515 Projects undertaken to improve the quality of employment with increased OSH activities and adequate training given to the social partners on OSH	Quality of employment improved with increased OSH activities and capacity enhancement of all partners	844 720	422 360	422 360
Country Priority 2: Strengthening Social Dialogue				
531 Social dialogue enhanced through the National Tripartite Forum and the functioning of existing Industrial Relations institutions improved	The National Tripartite Forum set up providing the platform for greater social dialogue resulting in a reduction in the number of cases of dispute and a Tripartite Mechanism for salary compensation, acceptable to social partners.	227225	113 612	113 613
Country Priority 3: Elimination of All Forms of Discrimination				
551 Enabling environment for gender equality promoted	Enabling environment for gender equality promoted through the implementation of appropriated capacity building programmes	83 500	41750	41 750
552 Discrimination and stigma against workers affected by HIV/AIDS reduced through greater sensitization	The ILO Code of Practice on HIV/AIDS adapted to Mauritius leading to a reduction of discrimination against those suffering from HIV/AIDS	186 900	93 450	93 450

Outcomes	Outputs	Total Cost in USD	Government and Social Partners	Donors
553 Gender-neutral Wage Determining Mechanism Rendered More Effective	The gender-neutral wage determining mechanism rendered more effective through the provision of appropriate training to the relevant institutions	93 813	46 907	46 906
554 Discrimination against Disabled Persons reduced	Integration of Disabled Persons in the mainstream and in employment increased	69 250	34 625	34 625
555 Discrimination against Migrant Workers reduced	Greater integration of Migrant Workers in the Labour Market	18 000	9 000	9 000
TOTAL in USD		2 080 658	1 040 329	1 040 329

COSTING OF THE DWCP 2012- 2014 BY PRIORITY

In US\$

Priority	Total amount in US\$	Contribution of Government & Social Partners in US\$ (50%)	Contribution of Donors in US\$ (50%)
Priority 1	1 401 970	700 985	700 985
Priority 2	227225	113 612	113 613
Priority 3	451463	225 732	225 731
TOTAL	2 080 658	1 040 329	1 040 329

Main activities of the OSH department and the number of accidents at the workplace, 2003-2008

Item	2003	2004	2005	2006	2007	2008
No. of factories registered	4,340	4,306	4,121	4,190	4,161	4,084
Total accidents	225	270	249	183	159	164
No. of fatal accidents	24	21	9	8	10	13
No. of serious accidents	201	249	240	177	149	151
No of visits carried out	5,001	3,443	3,631	5,406	3,904	2,786
No. of complaints investigated into and action taken	151	191	168	149	114	122
Talks delivered on OSH on site	157	181	154	162	60	57
Talks delivered at the OSHTIC*	215	243	138	121	45	82

Source: Occupational Safety and Health Inspectorate, MLIRE

* Occupational Safety & Health Training & Information Centre

Major ILO Activities in Mauritius

Area	Responsible party	Project Name /UNDP/ILO Activities	Duration
The UNDP funded project on "Capacity Building for Gender Equality and Empowerment of Women" (Output I)	Ministry of Labour, IR & E	The project comprised the following key activities: (I) Tracer Study on Retrenched Workers in the Textile Sector (II) Study on Discriminatory Practices in the Mauritian Labour Market (III) Study on the Discriminatory Provisions in the National Legislation (<i>Harmonization study</i>) (IV) ILO Training programme in Negotiating Techniques	2005 - 2007
OSH	Ministry of Labour, IR & E	(i) Training programme on Stress, Tobacco, Alcohol, & Drugs, HIV/AIDS & Violence (SOLVE) (ii) Preparation of OSH profile for Mauritius was prepared in 2008 (iii) ILO/IOC Project on Workplace Discrimination and Stigmatisation of Persons living with HIV/AIDS	2008 – 2009
Training for Employment Creation SEED	National Empowerment Foundation	Project SEED for retrenched women under the Empowerment Programme (National Empowerment Foundation since 2008) with the objective to promote women's self employment and support the establishment of cooperatives.	2008 - 2009
National Human Rights Strategy	Human Rights Commission	Provision of support for the preparation of a National Human Rights Strategy and the preparation of the HIV/AIDS Act 2006.	2007-2008
Quatrain project	M/Social Security/M/Finance	Holding of Executive MSc programme on Financing of social security	2009-2010
Circular Migration	M/Social Security/M/Finance	Preparation and Signing of agreements with specific countries on Social Security provisions	2009 - 2010

Projects of MEF

Area	Responsible party	Project Name /UNDP/ILO Activities	Duration
45 th anniversary celebrations	MEF	Holding High-Level Conference Launching of publications, Creating Jobs for Future holding of a Productivity Seminar	2007-2009
Skills and Employability	MEF	Project on Workplace Learning targeted at SMEs <ul style="list-style-type: none"> • Survey of 40 enterprises • Manual on creating your own enterprise published • Mentoring of SMEs project started • Publication of two important documents on 'Expand your Business and 'Know about Business' 	2009- 2010
HIV/AIDS	MEF	(i) Holding of a high – level forum on HIV/AIDS prevention for Chief Executives (ii) Sensitization of Human Resources Managers on management and implementation on specific programmes	2009-2010

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