



Labour Administration and Inspection
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International
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Geneva

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LAB/ADMIN

**LABOUR
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LABOUR ADMINISTRATION AND INSPECTION PROGRAMME

Labour administration and labour inspection have enjoyed an increasingly high profile in recent years, both nationally and internationally. Much of the increased interest is from governments as the labour administration in a globalized world became a key actor in the elaboration and implementation of government's economic and social policies.

Labour administration is a major source of information in its fields of competence for government, employers and workers; it is an active intermediary in the prevention and settlement of labour disputes; it is an informed observer of the trends in society by virtue of its special links with the social partners; it is a provider of effective solutions to the evolving needs of its users; it bears responsibility for an increasing part of public expenditure. Yet employers and workers are also calling for better resources for Ministries of Labour and inspectorates, to promote fairness and a 'level playing field', and to make Decent Work a reality.

A specific interest in good governance and compliance also means increasing expectations on labour administration and inspectorates. The World Commission on the Social Dimension of Globalization recalled the importance to give a response to globalization through governance emphasizing that "the behaviour of nation States as global actors is the essential determinant of the quality of global governance. Their degree of commitment to multilateralism, universal values and common goals, the extent of their sensitivity to the cross-border impact of their policies, and the weight they attach to global solidarity are all vital determinants of the quality of global governance" (*A Fair Globalization. Creating opportunities for all*, Geneva, 2004).

The 2008 ILO Declaration on Social Justice for a Fair Globalization reaffirmed the need to "strengthen the ILO's capacity to assist its Members' efforts to reach the ILO's objectives in the context of globalization ... and of promoting social dialogue and tripartism as the most appropriate methods for (among others) ... making labour law and institutions effective, including in respect of the recognition of the employment relationship, the promotion of good industrial relations and **the building of effective labour inspection systems.**"

LAB/ADMIN pursues technical assistance and technical cooperation programmes with a view to assisting the ILO constituents, in particular ministries of labour and labour administration/inspection systems, to play a crucial role as their functions include improvement of working conditions, compliance with labour legislation, prevention and settlement of labour disputes, promoting tripartism, transparency and fluidity of the labour market, modernizing the employment services and development of adequate vocational training systems. To do this, labour administration/inspection systems and Ministries of Labour need to adapt their actions and services on a regular basis; they also need to develop new forms of organization, management and intervention. The LAB/ADMIN Programme assists them by providing comparative information and advice based on ILO standards and international practices.

The LAB/ADMIN Programme carries out its technical assistance and activities with a view to assisting labour administrations, including labour inspection systems and employment services, in the design and implementation of more effective policies and measures for the protection of workers and the improved functioning of labour markets. It ensures that labour inspection concerns are addressed in the Decent Work Country programmes.

Within its mandate the LAB/ADMIN Programme conducts labour administration and inspection audits. Findings and results of the audits are made available to the tripartite constituents with a view to raising awareness on the current challenges and recommending possible solutions. Action plans are convened with the Ministry of Labour and the Labour Inspectorate.

Through its website, the LAB/ADMIN Programme makes available information to the public on its ongoing activities, programmes, research, publications and other events. Among others, the website includes labour administration and labour inspection profiles, a set of good practices, training tools for labour administrators and labour inspectors.

The LAB/ADMIN Programme has an established relationship with networks such as the International Association of Labour Inspection (IALI) and the Senior Labour Inspectors Committee (SLIC). It keeps a close cooperation with the International Training Centre of the ILO in Turin (ITC/Turin) as well as with regional labour administration centres such as ACLAE (Tunis), ARLAC (Harare) and CRADAT (Yaounde).

In this context, the LAB/ADMIN Programme aims at the accomplishment of:

1. Building capacity of labour administration to implement the ILO Decent Work Agenda through elaboration and implementation of labour policies.
2. Strengthening labour inspectorates to be modern and effective with tools of governance.
3. Establishing and strengthening the legal and institutional framework of labour administration including employment services and labour inspection systems.
4. Ensuring an efficient coordination of the various administrations and agencies dealing with social matters and policies.
5. Promoting relevant ILO International Labour Standards.
6. Ensuring the consultation and participation of workers and employers in labour administration and inspection systems.

LAB/ADMIN leads the ILO's work on technical support and advisory services mobilizing the relevant expertise across the Office and works through networks across technical sectors and regions to enhance assistance to constituents.

LABOUR ADMINISTRATION

Labour administration is based on the main principles of governance:

Participation

Social dialogue and tripartism

Transparency

Decision-making, information and government services available for all

Credibility

Fair policies, laws and rules which are known and applied uniformly

Responsibility

An open organization which is accountable for discharging its mandate and for its activities

Rule of law

Compliance with labour laws

In this context, the ILO Convention No. 150 and Recommendation No. 158 concerning the role, functions and organization of labour administration (1978) lay down an international framework within which the preparation, implementation, coordination, supervision and evaluation of national labour policy are carried out. The Convention defines labour administration as “public administration activities in the field of national labour policy” and by labour administration system is meant “all public administration bodies responsible for and/or engaged in labour administration – whether they are ministerial departments or public agencies, including parastatal and regional or local agencies or any other form of decentralised administration – and any institutional framework for the co-ordination of the activities of such bodies and for consultation with and participation by employers and workers and their organizations”.

The conditions under which labour administrations operate have changed dramatically over the last few decades due mainly to technological, economic and political developments and to the globalization of trade. Some labour administrations saw these developments as an opportunity to reinforce their role and development and to even introduce a new dynamic. Others seem to have lost their influence. In this context, labour administration must find the means to redefine their organization and intervention strategies so that they can better respond to expectations raised by a globalized world and by the current financial and economic crisis.

LAB/ADMIN provides the following main services:

- assessment of institutional organization and management;
- provision of administrative and professional support to tripartite bodies;
- exchange of information on labour administration systems, practices and laws;
- promotion of relevant ILO standards;
- enhancing the influence of labour administrations and their decision-making capacity;
- promoting international networks;
- research and publications.

LABOUR INSPECTION

In recent years, the importance of labour inspection in promoting Decent Work has been widely recognised, yet many labour inspectorates are poorly resourced and are unable to make a significant impact in the world of work.

International standards for labour inspection have existed for many years. These include the Labour Inspection Convention, 1947 (No. 81), and the Labour Inspection (Agriculture) Convention 1969 (No. 129). Other Conventions include provisions on labour inspection such as the Convention concerning Occupational Safety and Health and the Working Environment, 1981 (No. 155); the Convention concerning the promotional framework for occupational safety and health, 2006 (No. 187) and the Convention concerning the Inspection of Seafarers' Working and Living Conditions, 1996 (No. 178) which recognises the need of a labour inspection for the sea people.

In many countries, the changing world of work with its new employment patterns have been accompanied by reduced government interventions in the workplace. So even where there is general assent to the benefits of labour inspection, the real impact of labour inspectors has often been limited, especially among vulnerable or hard-to-reach groups and the expanding informal economy, as recent accident and ill-health trends show.

LAB/ADMIN aims at strengthening labour inspection systems with a view to ensuring compliance with labour laws and sound labour inspection policies. In so doing, LAB/ADMIN :

- acts as a leading unit within the ILO for labour inspection and compliance strategies;
- assesses labour inspection systems in the framework of relevant ILO standards;
- provides technical assistance and guidance on labour inspection topics to constituents;
- assists in updating relevant labour and administrative legislation;
- promotes an exchange of good practices and initiatives to improve labour inspection efficiency;
- designs and manages relevant technical programmes on labour inspection;
- undertakes research on relevant topics, including innovative approaches to promote compliance with labour legislation;
- promotes gender balance among the staff of labour inspectorates;
- supports the institutional development of labour inspection through international networks.