



International
Labour
Organization

► E-learning Programme on Child Labour Pack

Module 7. Safe employment options for young workers

This module will give you a basic understanding of how labour laws protect young workers and safely support employees.

Happy learning!





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Safety first

Phoe Wah, Noe Noe, and Mohammed debate over child labour

See what the debate is about.





Do you agree with Noe Noe or Mohammed and Phoe Wah?

▶ Learning objectives



Children in both villages and cities need protection from child labour. Young workers especially need safe working environments. This module will help you:

- ▶ Understand how labour laws protect young workers.
- ▶ Identify the responsibilities of employers who have young workers doing hazardous work.
- ▶ Recognize the importance of safe, productive employment opportunities for young workers.
- ▶ Understand the challenges related to job creation for and the economic empowerment of young workers

Note: The ILO Minimum Age Convention, 1973 (No. 138), allows children from the age of 12 or 13 years to perform light work in a safe environment, with adult supervision. Light work means working part-time (limited hours). Such work should not be hazardous or interfere with the child's schoolwork and rest. The types of work to be considered as light work must be discussed through tripartite consultation (government, workers organizations and employers organizations). There are no provisions on light work in Myanmar's laws.

Any hazardous work is prohibited for all children below 18 years of age. The minimum age for work in Myanmar is 14 years, as per the Child Rights Law (2019) and in compliance with ILO Convention No. 138.

Ready to begin learning?

Lesson 3 of 7

► Protected by law

Do you know?

How does the law in Myanmar protect children from child labour?

Select the appropriate option(s) below. You can view the correct answers at the back of this booklet, in the Answers Annex.

☐**A**

In Myanmar, the law does not allow children who are less than 14 years old to work.

☐**B**

The law requires all children to have completed compulsory primary education before they can work.

☐**C**

Children above 14 years who have completed their compulsory, primary education can work, but the work should not be hazardous.

☐**D**

Only children between 14 and 17 years of age who have completed their compulsory primary education can work the same as adults.

Employing young workers

In these modules, the term “young workers” refers to working children between 14 and 17 years of age who have completed at least their compulsory primary education. The law has specific requirements for these young workers, as listed below. You may also refer to **Module 1**.

Read each of these requirements concerning young workers to understand them in detail.

Obtain certificate of fitness

The employer is required to ask for a medical certificate from their young workers to ensure that they are fit for work.

Protect from hazardous work

There are limitations on the types of work that a young worker can do. This is to protect them from hazardous work that may harm their physical, mental and social development or put them at immediate risk of accidents and injuries. The hazardous work list is still at the draft stage for Myanmar.

Tasks that young workers are typically prohibited from doing in many sectors and industries include:

- work at night;
- work that exposes the young worker to toxic substances;
- work using heavy or dangerous equipment;
- work in confined spaces, at height, underwater, or in extreme temperatures.

The sectors and industries in the draft list of hazardous work are all characterized by relatively high levels of risks and hazards. Unfortunately, some of these sectors and industries are also currently characterized by high levels of child labour – for example, agriculture.



Two child labourers carry building materials. © Shutterstock

Continuously assessing operations

Employers must continuously assess their operations to know what their young workers can do and what they should not do. For example, an employer using harmful chemical substances must always check to ensure that young workers will not be directly or indirectly exposed to these chemicals. This could include ensuring that they are not performing activities that involve handling dangerous chemicals (such as spraying crops with pesticides) as well as not performing activities performed in close proximity to such chemicals (such as harvesting newly sprayed crops).



Add caption: Gears with the words 'Implement', 'Plan', 'Improve', and 'Evaluate'. © Shutterstock



Learning milestone

Min Min is 16 years old, and while he has completed compulsory primary education, he no longer attends school. He works at a metal smelting and refining plant, where he earns good money.

His employer has provided special clothing and glasses to Min Min to protect him from the splattering of molten metal and gas explosions.

Kyaw Kyaw, a young village headman, feels this is not enough.

Can Kyaw Kyaw refer to any laws to protect Min Min?

Select the appropriate option(s) below. You can view the correct answers at the back of this booklet, in the Answers Annex.

☐**A**

No, Min Min is 16 years old and can legally work.

☐**B**

No, Min Min's employer is following the law by assessing operations and providing the necessary protection to Min Min.

☐**C**

Yes, as per Myanmar's new Child Rights Law, Min Min needs to be at least 18 years old to work in a hazardous environment. Because he is only 16 and doing hazardous work, this constitutes a WFCL situation.

**Is a safe work environment all that
young workers need?**

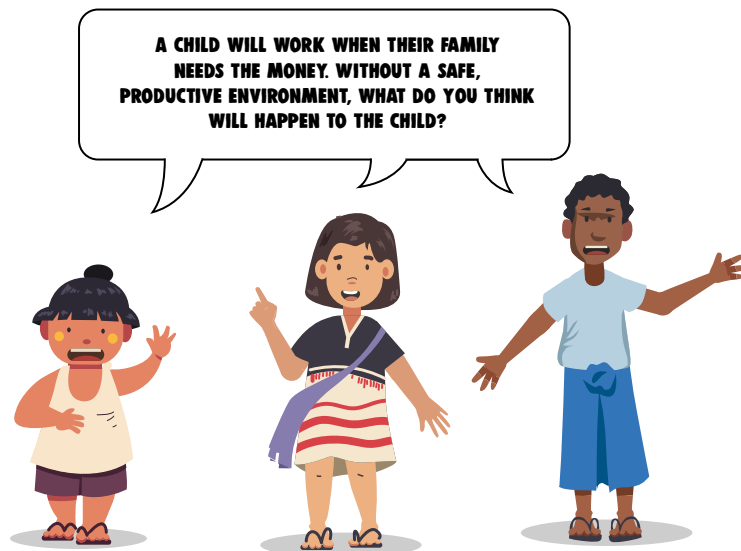
Lesson 4 of 7

► Need for safe, productive work

From the child's point of view

Why would any child between 14 and 17 want to work, even if the environment were safe and productive?

Mohammed, Phoe Wah and Noe Noe present the child's point of view



Benefits to the business

Meet Maung, who has a garment factory where he has employed young workers like Htun, who is 15 years old.



Women working with sewing machines, Myanmar. © Marcel Crozet/ILO

Maung checks that young workers like Htun do not work more than 4 hours a day so that they get time to go to school. Maung understands that young workers like Htun constitute the future labour force. He thinks that businesses that invest in keeping young workers healthy, well-educated and trained find it easier to:

- ▶ attract and maintain a stable, qualified workforce;
- ▶ improve productivity and business development; and
- ▶ gain a strong reputation in their communities and markets, which improves business operations and earnings.

Note: Maung feels employing and protecting young workers is not only in the best interest of the children and young people, but it may also be in the best interest of his business.

To fully realize the potential of employing young workers like Htun, Maung chooses to also support them with training, literacy and numeracy education, life skills training, and other initiatives that would build their skills and knowledge.

Local organizations, the Labour Inspectorate, medical professionals, and others are also happy to help Maung support decent work for young people. They do this in multiple ways, such as:

- ▶ advising on legislation and appropriate practices;
- ▶ partnering with employers to offer non-formal education, night schools and so on.
- ▶ working with workers' organizations.



Learning milestone

Htun is happy that she is going to school and can earn a livelihood for her family.

Can you identify whether the benefits displayed below help Htun, the young worker, or Maung, the business owner?

(1)

Get an NFE

(2)

**Creates strong
reputation
in the markets**

(3)

**Have a stable and a
qualified workforce**

(4)

**Offers life
skills training**

(A)

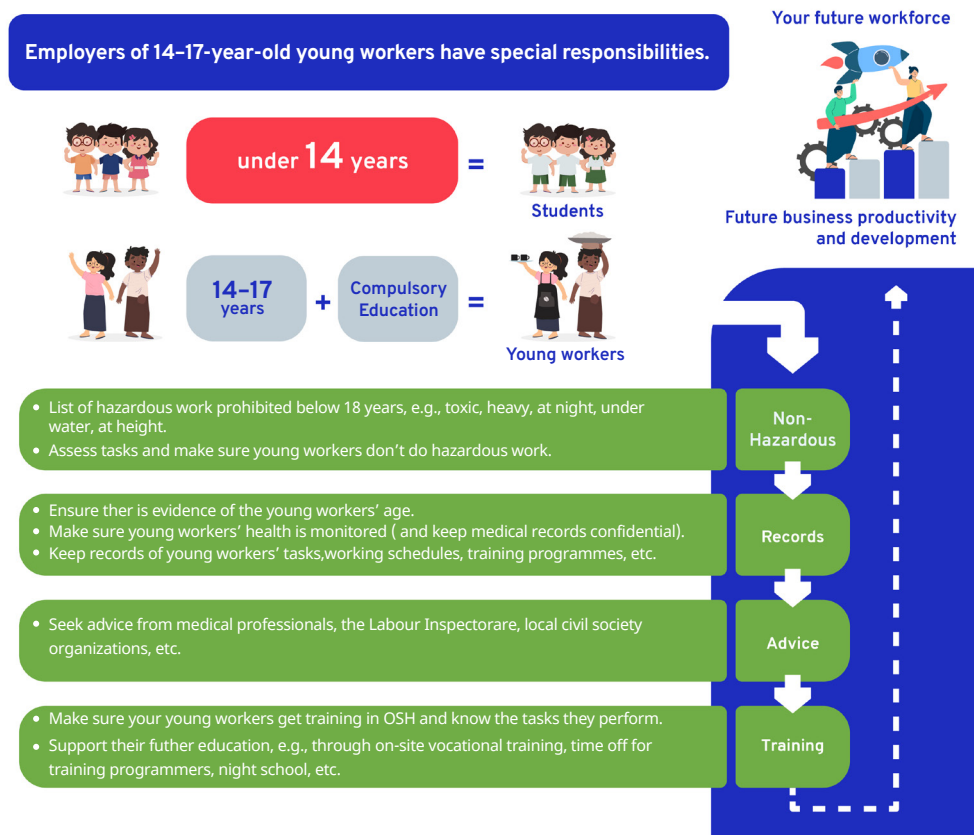
**Benefits of a Safe
Working Environment
for a Business**

(B)

**Benefits for the
Child Labourer**

Young worker protection map

As you have gathered, employing 14- to 17-year-old young workers requires special considerations, and explaining these to employers may be a challenge. The Young Worker Protection Map is a great tool that visually summarizes the requirements for employing young workers, as well as offering suggestions for how to best support such working arrangements.



Young workers should be aware of their rights.

Collective bargaining

Collective bargaining is a fundamental right and is reaffirmed in the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), which is one of the fundamental Conventions of the ILO.

Collective bargaining is a key means through which employers and their organizations and trade unions can:

- ▶ Establish fair wages and working conditions.
- ▶ Provide the basis for sound labour relations.
- ▶ Include typical issues on the bargaining agenda, such as wages, working time, training, occupational safety and health (OSH), and equal treatment.

The objective of these negotiations is to arrive at a collective agreement that regulates the terms and conditions of employment. Collective agreements may also address the rights and responsibilities of the parties, thus ensuring harmonious and productive industries and workplaces. Enhancing the inclusiveness of collective bargaining and collective agreements is a key means of reducing inequality and extending labour protections.

How can young workers such as Htun be ensured employment?

Lesson 5 of 7

► Essentials for job creation

Ensuring employment

Phoe Wah, Noe Noe, and Mohammed are glad that they attend a big school in the city.



Having a good education helps Phoe Wah, Noe Noe and Mohammed gain skills that will ensure employment as adults. They have good teachers to help them develop the academic, technical and soft skills needed to get good jobs.

Noe Noe, Phoe Wah and Mohammed are lucky to get a good education because they live in an urban area. However, there is a significant divide between rural and urban areas, with much fewer education and training institutions available to young people in rural areas.

Current challenges

Besides the rural-urban divide, there are several more challenges related to job creation and economic empowerment of young workers, including:

Lack of access of technical and vocational education and training (TVET)

There is limited access to TVET for young people below 18 years of age. Young people who have completed compulsory primary education are essentially only able to proceed on to secondary school or become unskilled workers until they turn 18 and can enroll in TVET.

Finding decent work is difficult

Economic empowerment is a high priority for young people, but they face difficulties finding decent work that pays well. This has multiple causes, but lack of educational attainment is a critical factor.

Learning milestone

For job creation and economic empowerment to become a reality, it is essential to ensure that all children, regardless of their gender, ethnicity, where they live, and so on, have access to relevant quality education and training.

Is the above statement true or false?

Select the appropriate option below. You can view the correct answer at the back of this booklet, in the Answers Annex.

☐**A**

True

☐**B**

False

Lesson 6 of 7

► Self-evaluation

Well done!

You've almost completed **Module 7. Safe employment options for young workers.**

Here is a self-evaluation with questions specially designed to help you identify any learning gaps. This is not a test, because while you will receive a score, there is no passing score. Use your score to identify what you may need to go back and review.

You can attempt this self-evaluation as many times as you like!

You can view the correct answers at the back of this booklet, in the Answers Annex.

All the best.

Question 1 of 2

Phyu Phyu is 15 years old. She completed grade 9 (lower secondary) earlier this year and would have liked to continue into higher secondary school and, eventually, to university, in order to become a doctor. But she and her mother decided it was time for her to leave school and bring home an income that can help put her younger brothers through school as well. She now works in a breakfast restaurant where she cooks, cleans and helps serve customers. She reports to work early in the morning, leaving her home at 4 a.m. to report for work at 5 a.m.

Her boss is nice, the work is easy, and the pay is good, but she feels unsafe when going to work in the morning. She is also very sad to be missing out on her education and to have to give up her dream of becoming a doctor.

What steps do you think should be taken in Phyu Phyu's case, as she is a young worker?

Select the appropriate option(s) below.

☐
A

Phyu Phyu is in a child labour situation and must be removed from work immediately.

☐
B

Phyu Phyu is doing hazardous work and must be protected. The circumstances around Phyu Phyu's work may be hazardous and her working hours must be changed.

Question 2 of 2

Aung is 13 years old and goes to school, attending Grade 6. After school hours, over weekends, and during school holidays, Aung works along with his father on the family rice farm. He helps to cultivate the rice and tends to the buffaloes that the family owns. He enjoys farming and milking the buffaloes. Aung would like to become a farmer one day. He has seen how some farmers also raise other crops in their rice fields and would like to introduce to his father some crop ideas that will help him to make more money.

Aung gets bored at school and would rather work on the farm, but his parents have asked him to complete basic school and lower secondary school, as the law prohibits work until 15 years of age. In any case, schooling will be useful for him when he becomes a full-time farmer later on.

Which of the statements below are true in relation to Aung's situation?

Select the appropriate options below.

☐
A

Aung's parents are right. The law does not allow him to work full time until he is 15 years of age and compulsory education (Grade 6) has been completed.

☐
B

Aung is currently doing light work that does not interfere with his education, so it is fine.

☐
C

Aung should not be doing farm work until he is 18 years old, as it is hazardous to work on a farm.

Lesson 7 of 7

 Summary

Before you close this module, here's a recap of key learnings.

Labour laws protect young workers as follows:

- ▶ Employers must check whether the child can work legally; namely, that the child is at least 14 years old and has completed compulsory primary education.
- ▶ Children aged 14 and above are only allowed to work if they have a certificate of fitness.
- ▶ Children must be protected from hazardous work that may harm their physical, mental or social development.

Safe, productive employment opportunities for young workers help businesses to:

- ▶ attract and maintain a stable, qualified workforce;
- ▶ improve productivity and business development; and
- ▶ gain a strong reputation in their communities and markets, which improves business operations and earnings.

Challenges in relation to job creation and the economic employment of young workers include:

- ▶ There are fewer education and training institutions available to young people in rural areas compared to urban areas.
- ▶ There is limited access to TVET for young people below 18 years of age.
- ▶ There is a need to expand the labour market to rural areas to avoid internal and external migration issues.
- ▶ There is a need to provide TVET and non-formal education to young people in both rural and urban areas.

References and resources

- ▶ ILO Minimum Age Convention, 1973 (No. 138)
- ▶ ILO Worst Forms of Child Labour Convention, 1999 (No. 182)
- ▶ ILO Worst Forms of Child Labour Recommendation, 1999 (No. 190)
- ▶ ILO. 2020. *Assessment of Vulnerable Youth Economic Integration Opportunities in Myanmar*.
- ▶ ILO. n.d. "Child Labour and Education", available at: <https://www.ilo.org/ipec/Action/Education/lang--en/index.htm>.

**Thank you! We hope you found this
learning module useful.**

**This module can also be accessed online at
<https://ecampus.ilo yangon.org/>**

Answers annex

Lesson 3, Page 4

How does the law in Myanmar protect children from child labour?

If you chose options (A), (B) and (C), your answer was correct. Well done!

The law in Myanmar stipulates that a child can work legally from the age of 14 years if they have completed compulsory primary education and do not perform hazardous work, which is prohibited till the age of 18 years. Children who are eligible to work cannot necessarily work the same as adults, who are permitted to perform hazardous work and work longer hours.

Lesson 3, Page 6

Learning milestone

Can Kyaw Kyaw refer to any laws to protect Min Min?

If you chose option (C), your answer was correct. Well done!

Yes, as per Myanmar's laws, Min Min needs to be at least 18 years old to work in a hazardous environment. He is below that minimum age and doing hazardous work, which means he is in a WFCL situation.

Lesson 5, Page 11

For job creation and economic empowerment to become a reality, it is essential to ensure that all children regardless of their gender, ethnicity, where they live, etc. have access to relevant, quality education and training.

Is the above statement true or false?

If you chose True, your answer was correct. Well done!

For job creation and economic empowerment to become a reality, it is essential to ensure that all children have access to relevant quality education and training.

Lesson 6, Page 12

Question 1 of 2

What steps do you think should be taken in Phyu Phyu's case, as she is a young worker?

If you chose option (B), your answer was correct. Well done!

Phyu Phyu is older than the minimum age for employment and has completed compulsory education. She works legally, doing non-hazardous work at a fair wage. However, reporting for work very early in the morning could be considered a hazardous set of circumstances and her employer ideally needs to change her working hours. As an alternative, providing safe modes of transport might suffice, as long as she is not requested to report for work earlier than what is permitted in the law on the employment of children and young people. Unfortunately, giving up on her dream to become a doctor does not constitute child labour, but it may be a lost opportunity for Phyu Phyu and for Myanmar – ensuring that she has access to continuing education while working is therefore important.

Question 2 of 2

Which of the statements below are true in relation to Aung's situation?

If you chose options (A) and (B), your answer was correct. Well done!

It is a good thing for Aung to work along with his father in combination with schooling, as he is learning farming skills and training to become a farmer. He has a clear interest in farming and has good ideas, but he needs to learn basic skills – both farming and literacy – to become a productive farmer in the future. His farming work must not interfere with his education, and therefore he must be given sufficient time for homework and rest to benefit from schooling. He must also be protected from hazardous work, such as using agrochemicals in the rice field on his own, as hazardous work prohibited for workers below 18 years of age. However, he can be trained on how to apply agrochemicals and how to perform other types of hazardous work before he is 18 years old, preferably in a farmer training school.

E-learning Programme on Child Labour Pack Booklet

Empowering Stakeholders and Community for Understanding and Combating Child Labour

In a world where millions of children are still deprived of their basic rights, education, and childhood, it's imperative to take a stand against child labour. The "Myanmar E-Learning Programme on Child Labour" offers a comprehensive e-learning course designed to shed light on the pervasive issue of child labour and equip learners with the knowledge and tools to combat it effectively.

Through engaging multimedia content, interactive modules, and real-life case studies, participants will explore the various forms of child labour, its root causes, and the profound impacts on children's lives, families, and societies. Delve into the complexities of supply chains, legislation, conflict and global initiatives aimed at eradicating child labour, and discover practical strategies for prevention and intervention.

Whether you're a concerned citizen, educator, inspector, teacher, policymaker, or industry professional, this course empowers you to make a difference. Join us in our mission to empower all stakeholders and community members to stop child labour, abuse, exploitation and ensure every child enjoys their fundamental right to a safe, nurturing childhood.

Together with us, become a champion for change in the fight against child labour.

In the current state of affairs in Myanmar, you are the most important individual fighting child labour.

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