

Strategic compliance planning to strengthen labour inspectorates in Madagascar and Cote d'Ivoire

Good practices



Responds to the following criteria

- ▶ Innovative
- ▶ Replicable
- ▶ Sustainable



Main stakeholders

- ▶ Central-level ministries
- ▶ Labour inspectorates
- ▶ Labour inspectors and controllers
- ▶ International organisations and social partners

► Description

Labour inspection practices play a central role in the elimination of child labour. Labour inspection ensures that workplaces respect legal provisions that promote decent conditions of work and protect workers by regulating their hours and wages and putting in place measures to ensure occupational safety and health (OSH). This includes ensuring that all forms of child labour and hazardous child labour (including dangerous work exposing young workers) is not perpetrated in the workplace through inspectors' early detection of risks, abuses and violations, as well as adequate reporting and case resolution ([ILO, 2002](#)).

However, as non-standard forms of employment grow and global supply chains become more complex, it is becoming increasingly difficult to implement traditional labour inspection methods where labour inspectors enforce compliance through site visits, as supported by national regulations which are often transposed from labour conventions. This is especially the case in low income countries, where the number of workplaces with potential violations far surpass the human and financial resources needed to inspect them all, leaving workers unprotected and violators unsanctioned ([ILO, 2017](#)).

To tackle this problem, new approaches to labour inspection have been on the rise, particularly strategic

compliance planning, which is a proactive, targeted and tailored approach to the enforcement of labour regulations. It aims to attain a high level of enforcement and compliance with limited resources (available resources) by leveraging on a large ecosystem of stakeholders inside and outside of government, and by using a combination of different activities that promote compliance, such as deterrents, incentives, awareness raising, and capacity building. A key objective of strategic compliance reporting is to bridge resource gaps by identifying previously untapped resources and by using available resources in a more innovative manner ([ILO, 2017](#)). Strategic compliance planning also leads also to the prior identification of priority sectors and non-compliance issues, as well as targeting company types and intervention zones that will have the greatest impact and sustainability, avoiding the dispersal of resources and rationalising labour inspectorate interventions chronologically.

In 2016, Madagascar's Ministry of Labour, Employment, and the Civil Service (MTEFP) initiated a process to strengthen the effectiveness of the labour inspection system. It is within this framework that the Directorate General of Labour and Social Laws (DGTLS) has undertaken the development and implementation of a strategic compliance plan (SCP). Between 2020 and 2023,

► Description (Cont.)

a total of three SCPs have been implemented to strengthen compliance with and enforcement of legal provisions on occupational health and safety, working conditions and the fight against child labour. The SCP approach was designed to tackle different types of decent work deficits and labour regulation violations. Using this method, the Malagasy labour inspectorate was able to move progressively from responding to the COVID-19 sanitary crisis in the textile sector to addressing child labour in the mining and vanilla sectors, all while improving working conditions, including OSH and fundamental rights and principles at work in several other sectors.

The implementation of the SCPs has led to high levels of enforcement of labour regulations and sustained compliance matters in workplaces. The establishment of OSH committees, the operationalisation of child labour observatories (both at regional and local levels), and the enrolment of informal workers in the social security

system are among the results achieved. In addition, labour inspectors were able to improve and harmonise the control tools and methodologies they use to conduct effective inspection visits. This has enabled new positive habits to be adopted and spread, as well as skills and good practices to be shared more systematically. These have contributed to the sustainability and the effectiveness of the labour inspection system.

In addition to Madagascar, SCPs are also already being implemented in some other countries. In Côte d'Ivoire, the implementation of a global SCP was launched in March 2024 in the cocoa, construction, commerce and industry sectors, covering issues such as OSH, child labour and formalisation. In the Democratic Republic of Congo, a pilot SCP is being implemented in the construction sector, while in Senegal, a global SCP was implemented in the agriculture, mining, hotel and catering sectors.

► Process

Establishment of a team of leading inspectors (Task Force)

A SCP for compliance is generally launched through a pilot phase. A Task Force was set up to provide the Central Labour Inspection Authority with a solid resource team for implementing effective and sustainable labour inspection compliance intervention strategies. Their main tasks included: (1) reconciling labour inspection missions with provisions in relevant international conventions (e.g., [Labour Inspection Convention of 1947 \[C081\]](#) and [Labour Inspection \(Agriculture\) Convention of 1969 \[C129\]](#)); (2) participating in training sessions to improve their intervention skills and capabilities, and cascading their training to all other inspectors; (3) participating in building and supporting the implementation of strategic interventions after their adoption by the labour inspection central authority to strengthen compliance with labour legislations and the effectiveness of the labour inspectorate; and (4) supporting the mobilisation of resources.



Selection of Task Force members

12 labour inspector leads – seven of which were women in Madagascar – were selected to form the Task Force. Selection was based on a number of criteria, including proven competence and experience in inspection, medium-long term commitment and willingness to participate in the implementation of interventions, and recognition by peers.



Training of Task Force members

The members of the Task Force were first trained in general OSH monitoring in national companies. They then received specific training on OSH in the public works sector, with support from the ILO. Using a peer-to-peer training approach, the trained Task Force then, in turn, trained all the inspection officers (e.g., labour inspectors, labour controllers), combining theoretical and practical training in the field.

► Process

Assessment of the labour inspectorate

Based on available data, the Task Force examined the situation of the labour inspectorate on a global scale and especially on the scale of potential intervention zones. Through brainstorming sessions, the participants examined how the official mandate of the labour inspectorate was exercised in practice. They also looked at the unofficial mandate in relation to the government's guidelines, the expectations of stakeholders, and the work plans of the ministry responsible for labour and/or the central authority, among others. It is also important to assess the material resources available, the number of control officers, and the amount of financial resources. The assessment phase is essential to determine the actual capacity of the labour inspectorate to intervene and ensure compliance.

Formulation of the SCP

Each SCP was formulated during a five-day workshop that brought together members of the Task Force and representatives from central agencies. The formulation process involved six main steps:



Selection of economic sectors

Sectors in which the SCPs apply were selected based on a number of criteria. These sectors may often be the ones that are the most economically important for the country, have the greatest number of workers, or have the most human rights violations. In general, the selection is decided on by the ministry responsible for labour.



Selection of issues and targets

For each sector, it is important to identify and describe labour law violations and non-compliance issues that are the most significant and which require labour inspection interventions. This may include a high rate of fatal injuries, use of children or exposure to hazardous work, and the rate of informality, among others. In terms of target setting, the priority must always be given to workers and employers.



Selection of regions

The selection of the region is based on the targeted sectors, as well as the availability of labour inspectors who will implement the interventions required to ensure compliance.



Mapping of stakeholders

Addressing labour law violations requires a joint and collaborative effort coordinated by the labour inspectorate. Given the scarcity of resources, a good mapping of stakeholders who can support the implementation of activities will make the SCP more inclusive while strengthening its effectiveness. The mapping exercise considers both traditional social partners of the labour inspectorate, actors or entities dealing with labour issues (e.g., social security funds, judges), and technical entities working in economic sectors (e.g., ministries and related bodies responsible for mining, agriculture and forestry). It is also important to look at non-traditional actors who can support specific interventions (e.g., communications, visibility). For each stakeholder identified, it is crucial to clearly identify their contribution to the SCP and when their resources or contributions will be needed or used. Only relevant stakeholders will be selected to contribute to the implementation of activities.

► Process



Selection and design of compliance interventions

This step involves the identification of activities and interventions that can be engaged by the labour inspectorate to achieve effective and efficient enforcement and sustained compliance. Selecting a mix of interventions is recommended to tackle the root causes of non-compliance and achieve desired results, such as:

- Punishment of non-compliance through enforcement interventions (e.g., penalties, suspension or revocation of licenses, workplace closures)
- Prevention of non-compliance through educational interventions (e.g., training programmes, recommendations, guidance)
- Promotion of compliance through communication interventions (e.g., awareness-raising campaigns)
- Promotion of compliance through political pressure and political interventions (e.g., trade agreements, ratification of ILO conventions)
- Promotion of compliance through the creation or expansion of barriers or access to benefits (e.g., certifications, permits, grants, loans, new training programme)

The activities arising from planning must also lead to a uniform legal response to non-compliance by the labour inspectorate.



Operationalisation of the SCP



Development of an action plan

The SCP must be transformed into an action plan that details how implementation will be done in practice. The plan must list down key activities, the relevant stakeholders involved, timelines, resources (material, financial and human), and performance indicators.



Links with other inspection agents

As the SCP is developed by the Task Force, which is a small group of labour inspectors, its implementation would require a larger number of agents involved in the enforcement and compliance policy to cover the regions and sectors targeted. It is recommended to create links with other actors who can support implementation through the provision of logistics and communication activities, among other types of support. A coordination team is also useful when multiple regions or states are covered by the SCP. If necessary, the Task Force should ensure that the capacities (e.g., control methodologies, use of control sheets) of all labour inspectors involved in the implementation of the SCP are strengthened. Stakeholders will generally not be involved in company inspection visits unless they themselves are a sworn inspection body.

► Process



Preparation of resources

Before implementation was launched, logistics were prepared. These included control tools and supports, communication materials, awareness raising resources, and more.



Implementation of SCPs

Each inspection team implemented the SCPs in the targeted economic sectors and selected regions. They followed the interventions or activities identified in the action plan, including inspection visits, awareness raising campaigns, training of workers and employer representatives, and more. A launch ceremony can help mobilise stakeholders identified during the formulation phase and officially request for their support and collaboration for the successful implementation of the SCP.

Monitoring, evaluation, learning and re-planning

In general, the implementation of the SCP starts with a pilot plan with the aim of testing the approach and evaluating the level of appropriation by the labour inspection, as well as the results obtained. Based on the findings and lessons learnt from the pilot plan, a new SCP can be planned, updating the targeted economic sectors, geographical coverage (regions/states), non-compliance issues (e.g., child labour, OSH, working conditions, formalisation), and duration.

Once it is piloted, the SCP is put in place. Regular follow-up is necessary to track the level of implementation of interventions and ensure that all activities are being implemented as planned, helping identify obstacles and put in place adjustment measures when necessary. Monitoring and evaluating activities help to identify which components, activities of the SCP work well and which ones do not. The coordination team, under the guidance of the central authority, can undertake follow-up and monitoring activities of the SCP.

In addition to regular monitoring, the conduct of evaluations can allow authorities to determine the extent to which objectives are achieved in terms of the level of engagement of stakeholders identified, the coverage of economic sectors targeted, and the level of compliance reached based on performance indicators (e.g., number of enterprises visited or controlled, number of awareness raising sessions organised, number of workers and employers' representatives sensitised). The evaluation also enables the central authority to examine improvements in the technical skills of labour inspectors involved in implementing the SCP, as well as the technical tools used and their effectiveness. When conducting an evaluation, it is recommended to bring all teams involved in the implementation of the SCP. Results could also be shared with relevant stakeholders.



► Enabling factors

► Strong planning phase

The first SCP to be implemented is crucial for the labour inspectorate. Therefore, a good selection of members for both the implementation team and the pilot SCP is crucial. The objectives targeted in the SCP should carefully consider the capacity of the labour inspectorate – through the Task Force – to obtain concrete results with limited resources within a short period. In addition, adequate and realistic timelines must be provided to the design phase, implementation, and learning to ensure that the SCP is implemented properly.

► Collaboration with all relevant stakeholders

It is important to bring on board social partners, as they facilitate the involvement of companies. Providing them with clear information about the objectives of the SCP and the level of contribution expected from them could help avoid resistance and misunderstandings. Other entities dealing with labour matters or those implementing sectoral policies are also strategic allies to involve in the implementation of the SCP.

► Strong political leadership and support

Support from the top level of the ministry in charge of labour can help mobilise partners and gather more resources needed for the implementation of the SCP.

