



International
Labour
Organization

DWT/CO–Pretoria: ILO DWT for Eastern and Southern Africa and Country Office for South Africa, Botswana, Lesotho and Eswatini

Comprehensive Survey to examine the number of work establishments liable for labour inspections per locality in Eswatini.

Request for Proposals (RFP):

The ILO DWT/CO in Pretoria requests any interested Individual International Consultant (External Collaborator) to submit a **technical and financial proposal** (including CVs) to undertake the above assignment.

Deadline: 01 October 2024 23:59 Eswatini Standard Time and proposals should be sent to the following email: lpc_pry@ilo.org

Eligible: Registered entities or companies

Candidates should submit:

- Updated Company and/or institutional profile.
- A **technical and financial proposal** (Quote) for undertaking assigned tasks.

The ILO DWT for Eastern and Southern Africa and Country Office for South Africa, Botswana, Lesotho and Eswatini is seeking proposals from national or regional consulting teams to undertake a comprehensive survey to ascertain the number of work establishments liable for labour inspections per locality across all the regions of Eswatini. The assignment is estimated to take place between October and November 2024. International Service providers will be requested to have at least one national researcher as a team member.

These Terms of Reference (1) provide background information on the assignment; (2) describe the specific inputs and outputs required from the Consultants and (3) list the terms and conditions of the assignment.

1. BACKGROUND

The ILO has officially been requested by the Government of the Kingdom of Eswatini (Eswatini) to undertake an assessment and a review of the functioning and structures of the Ministry of Labour and Social Security (the MoLSS) and draw up a set of recommendations as a basis for a plan of action to strengthen the country's system of labour administration. The assessment is a follow up to a similar exercise undertaken by the ILO in August – September 2009, whose recommendations resulted in significant changes and improvements in the institutions, structures, and functions of the then Ministry of Labour and Social Security.

Eswatini faces a number of economic and labour market challenges. There has been a decline in economic growth coupled with high accumulative fiscal deficits, a narrowing revenue base, rising expenditure, declining private sector activities, deepening poverty, poor public service performance and service delivery, to mention a few. In the area of employment and labour, the above-mentioned budgetary constraints have reduced the number of workplaces inspected for compliance with labour laws resulting in the increase in protest action due to socio-economic issues raised by workers, including reported non-compliance by employers with ILO international standards.

To address the socio-economic developmental challenges, the Government has adopted several development frameworks and policies such as the National Development Strategy 1997 – 2022 (Vision 2022) which is an embodiment of the country's aspirations and a framework for socio-economic development until the year 2022. Macro strategic areas include sound economic management; economic empowerment; human resource development meant to enhance the capabilities and qualities of human resources; strengthening of reform programmes to improve performance, productivity and efficiency of the public service; strengthening mechanisms for the review of labour laws to ensure their conformity to ratified international labour standards; and improvement of measures for ensuring adequate and qualitative staff of the Department of Labour in order to improve its efficiency and speed in execution of its functions¹.

To realise the aspirations embodied in Vision 2022, the MoLSS adopted a Ministerial Strategic Plan 2019 – 2023 based on the following four strategic pillars: best labour practices, all-inclusive social security, human resource development, and improved service delivery to workers, employers, and the citizens.

To achieve the above strategic intent, the Plan contains strategic objectives and programmes which include among others:

- a) inculcation of decent work standards and practices in workplaces.
- b) improvement of service delivery and coordination of Ministry's functions, programmes and activities through strengthening the institutional capacity of the MoLSS².

The proposed assessment and functional review of the MoLSS is intended to assist with the repositioning of the MoLSS to meaningfully contribute towards the achievement of the national aspirations, priorities, objectives, and programmes outlined above. Furthermore, the assessment is part of the on-going support of the ILO to the MoLSS in building effective systems in the areas of labour law compliance, and strategic compliance planning. A critical component of the functional review of the MoLSS is to ascertain the adequacy of the labour administration to ensure inspections in all work establishments liable for inspections across all the regions in the country. And it is against this background that the ILO seeks a service

¹ National Development Strategy, 1997 – 2022 [Vision 2022], pp5-10;

² Ministry of Labour and Social Security Strategic Plan, 2019-2023, pp35-48;

provider to under a comprehensive scan of all work establishments liable for inspections in all localities across the country.

In our view this is a great necessity to ascertain the ratio of Labour Inspectors available in each locality vis-à-vis the number of work establishments that are liable for inspection within that particular locality and recommend appropriate staffing.

2. OBJECTIVE/S

- The overall development objective of the comprehensive scan to establish the adequacy of inspections across all work establishments liable for inspections is to contribute towards improving decent working conditions for the working people of Eswatini through strengthening of the country's labour administration institutions. It is further intended to assist the Government in improving the development and application of labour laws and policies and to inform structural reforms to assist the MoLSS towards better alignment and execution of its functions.
- The specific objective is to undertake a survey aimed at ascertaining the ratio of Labour Inspectors available in each locality vis-à-vis the number of work establishments that are liable for inspection within that locality. This is aimed at establishing the adequacy of the available human and material resources at the disposal of the Ministry of Labour & Social Security to undertake labour inspections and perform its mandate. The findings of the survey will feed into the Strategic Compliance Planning process of the MoLSS that is currently underway.

3. SCOPE OF INVESTIGATION TO BE UNDERTAKEN

- Prepare instrument to conduct the survey.
- Consultation held with MoLSS, and with work establishments and the Ministry of Commerce
- Conduct interview with work establishments to find out their trade and the number of the labour force/employees in the work establishments across the 4 regions.
- Analysis of the data collected.
- Prepare a report (backed up electronically to feed into the Case Management System under development).

4. METHODOLOGY

- Interviews - The exercise will include interviews with key officials within the MoLSS and the social partners who have extensive experience and institutional memory on the MoLSS and those who can provide an assessment of the strengths, weaknesses, challenges, and opportunities facing the MoLSS.
- Interviews with Employers and local authorities (Municipal Councils) situated within each locality to establish their trade/industry and their labour force disaggregated by gender.
- Literature review

5. EXPECTED DELIVERABLES

- Inception report for the survey research to be undertaken, inclusive of design of survey instrument.
- Presentation and discussion of the prefinal report at validation.

- Survey completed and final report detailing number of work establishments that are liable for inspections in the country per locality (town).
- Categorise number of work establishments per sector or industry.
- Final report to be backed up electronically to feed data into the Case Management System.

6. Timeframe

Considering the geographical size of Eswatini and the number of interviews and people to interview, it is proposed that the duration of the mission be 30 working days during a time framework from 15 October 2024 – 20 January 2025.

7. Qualifications and Competencies

- Advanced university degree in the social sciences, preferably with a focus on sociology, statistics, demography, or a related field.
- Strong background in social science research and demonstrated experience working in quantitative research,
- Experience in the design and application of survey instruments is a requirement.
- Ability to apply statistical techniques, models, data visualization Data visualization, Data literacy and to undertake quantitative data analysis.
- A strong familiarity with the environment of labor administration is desired.
- Ability to communicate effectively, both verbally and in writing
- Ability to work with minimum supervision.