



International
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Creating safe futures

Good practices to protect children
and youth from hazardous work

WORKSHOP REPORT

June 2, 2011 - Washington, D.C.



International
Programme on
the Elimination
of Child Labour
(IPEC)

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International Labour Organization (ILO)
World Health Organization (WHO)

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First published 2012

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Creating safe futures: good practices to protect children and youth from hazardous work: workshop report : June 2, 2011, Washington, DC / International Labour Organization, International Programme on the Elimination of Child Labour (IPEC) World Health Organization (WHO) - Geneva: ILO, 2012

ISBN: 978-92-2-126283-1 (Print); 978-92-2-126284-8 (Web PDF)

International Labour Office; ILO International Programme on the Elimination of Child Labour

hazardous work / occupational safety / occupational health / child worker / young worker / good practices – 13.03.1

ILO Cataloguing in Publication Data

ACKNOWLEDGEMENTS

In recognition of 2011 World Day Against Child Labour, the United States Department of Labor (USDOL) and the United States National Institute for Occupational Safety and Health (NIOSH), in partnership with the International Labour Organization (ILO), through its International Programme on the Elimination Child Labour (IPEC), and the World Health Organization (WHO), joined efforts to host a workshop on good practices to protect children and youth from hazardous work.

The workshop, “Creating safe futures: Good practices to protect children and youth from hazardous work”, was truly a group effort, with over thirty individuals contributing time, materials, energy and ideas at all stages. This report was compiled by Richard Rinehart, ILO-IPEC consultant, based on the work of Amanda Huffman, Ryan Funk, and Kristen Johnson from the ILO Washington DC Office, and was edited by Susan Gunn, from ILO-IPEC Geneva.

The inputs of Romina Bandura (ILO Washington D.C.), Lester Claravall (Oklahoma Department of Labor), Halshka Graczyk (Consultant for IPEC), Dr. Yuka Ujita (ILO Safework) and others who reviewed earlier drafts are greatly appreciated. Special thanks go to the speakers, moderators, breakout session co-leaders, and participants who contributed their knowledge and experiences in addressing hazardous child labour.

Funding for this ILO publication was provided by the United States Department of Labor (Project INT/08/50/USA). This publication does not necessarily reflect the views or policies of the United States Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the United States Government.

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FORWARD

More than half of all child labourers worldwide engage in work that is likely to harm them physically or emotionally or hinder their normal development. Among older children, ages 15 to 17, hazardous work is increasing. Within four years, it jumped 20%: from 52 million to 62 million. Hazardous work is a worst form of child labour that must be addressed “as a matter of urgency,” using “immediate, comprehensive, and effective measures” according to ILO Convention No. 182 on the worst forms of child labour. Almost all countries have ratified this Convention and are therefore bound by it. Along with the United Nations Convention on the Rights of the Child (CRC), it provides protection against hazardous work for all children up to age 18.

This document is a report of the workshop **Creating safe futures: Good practices to protect children and youth from hazardous work**, held on 2 June 2011, Washington, D.C. It is also a benchmark and reference for 2012 and beyond. It documents what has started and serves as a framework to build on for the future.

As one participant expressed it:

“...looking back at this event now, I am amazed at how much detail these discussions contained and how much potential they have for helping us to achieve the 2016 goal. This report serves as documentation that countries are taking action and that by coming together in fora, such as the Creating safe futures workshop, it is possible for us all to envision how hazardous child labor can be tackled on the scale required. It is my hope that this report will also be a means for stimulating continuity. By reflecting on the discussions and presenting the true voice of the countries and agencies participating in the workshop, it transforms those discussions into the first steps toward making the suggested solutions a reality. That voice can be very powerful when shared with others because together, we can continue the work that still needs to be done worldwide. I commend the efforts of the many people who made the workshop a success and am very thankful to the ILO, WHO, USDOL and NIOSH not only for making this possible, but for showing that when agencies from the health side and the labor side, from the national level and the international level, combine their expertise on an issue of common concern, crucial synergies result and a tremendous global learning experience is created.”¹

In light of the goal to eradicate hazardous child labour worldwide and reduce the number of children injured or killed on the job by 2016, this workshop will be seen as having been an important step, drawing together actors in the field so as to create a joint vision of “safe futures” for children otherwise at risk of exploitative and dangerous child labour.

Constance Thomas
Director
ILO’s International Programme on
the Elimination of Child Labour (IPEC)

¹ Lester Claravall, Oklahoma Department of Labor, USA.

INTRODUCTION

In recognition of World Day Against Child Labour 2011, the United States Department of Labor (USDOL) and the United States National Institute for Occupational Safety and Health (NIOSH), in partnership with the International Labour Organization (ILO), through its International Programme on the Elimination of Child Labour (IPEC), and the World Health Organization (WHO), joined efforts to host a workshop on good practices to protect children and youth from hazardous work. The workshop was held on 2nd June, 2011, in Washington, D.C. Accompanying the workshop was an exhibit in the Senate Office rotunda of David Parker's moving photographs of children in exploitative labour.

The workshop **Creating safe futures: Good practices to protect children and youth from hazardous work**, brought together specialists in occupational safety and health (OSH), youth employment, and child labour from around the world to learn from each other and to share strategies for preventing young children from being drawn into hazardous work and for protecting older children and youth of legal working age from working under dangerous conditions. It examined the unique ways that employers, unions, governments, donors, families, and the children themselves could contribute to resolving the problem of hazardous child labour.

This report follows the flow of the workshop. It highlights key points made in the plenary presentations and tries to capture some of the rich discussion that took place in interactive breakout sessions. The participants' recommendations for action are grouped according to three themes:

1. Advocacy and social mobilization.
2. Workplace protection and decent work for youth.
3. Policies, enforcement, and knowledge.



Overview and examples of good practices from different perspectives

1

› 1.1 Welcome

Marcia Eugenio, Director of the Office of Child Labour, Forced Labor, and Human Trafficking, International Labor Affairs Bureau (ILAB), U.S. Department of Labor (USDOL), opened the workshop by outlining the problem. She stressed that while child labour is declining overall, hazardous work among older children, particularly boys, is on the rise. Between 2000 and 2004, child labour dropped 25% while between 2004 and 2008 it fell only 3%.

She reminded the participants that hazardous work is a “worst form of child labour” and accounts for well over 90% of this category. Of hazardous work, 60% is in agriculture, 26% in services, and 7% in manufacturing. In the United States over half a million children work on farms. She explained that hazardous child labour deserves increased attention because more than half (53%) of the 215 million child labourers worldwide do hazardous work. They experience higher rates of injury and occupation-related illness – both physical and psychological – than adults, in part because they are still in a stage of rapid development.

Nancy J. Leppink, Acting Administrator, Wage & Hour Division, U.S. Department of Labor (USDOL), showed that effective solutions to the problem already exist. She described their three-part enforcement strategy for obtaining, maintaining and sustaining compliance with child labour laws.

To *obtain compliance*, they invested in improving the ability of their staff to conduct effective investigations and assessed whether child labour was an issue in each enforcement action.

To *maintain compliance*, they created incentives by enjoining goods made by child labour, third party monitoring, and through penalties (fines could be levied up to US\$ 50,000 per violation, double for repeat offenders, with a starting penalty of US\$ 6,000 per violation per child for underage workers, and US\$ 8,000 per violation for those under 12). They leveraged outside resources to create a culture of compliance and influence consumers through mass media, NGOs and advocacy groups.

Evaluation shows that the Division’s “out of the box” approaches are proving effective. In one year, reports of child labour in blueberry picking dropped to just a single instance. This was due to a series of interventions such as a programme of expanded opportunities for youth to work in safe jobs, unannounced sweep investigations, following contractors as they moved their



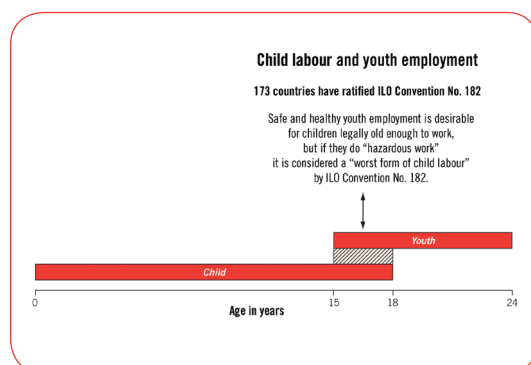
operations from one state to another, engagement with the community to provide child care and other support services for families, and, prior to the season, educating employers to help them understand and comply with the regulations. Where the work force speaks a language other than English as in the case of green bean producers in Florida, the Division made sure that 60% of their investigators all spoke the workers' language and invested in technology to enhance communication in the fields. After finding over 160 children in hazardous movie theatre work, the Division promoted a campaign of industry best practices and public service announcements about child labour. A similar initiative targeted small grocery stores.

› 1.2 Challenges and opportunities: Hazardous child labour in the current context

The Honourable **Hilda L. Solis**, U.S. Secretary of Labor, and the Honourable **Tom Harkin**, U.S. Senator, presented an important challenge to the participants in their remarks via video. They called for a more holistic and comprehensive approach that targeted the underlying conditions that force children into premature and exploitative work. New solutions are needed, especially for children who have never been to school, such as increased access to vocational training, in order to help them break out of the cycle of poverty. One area that needs attention is to clarify the demarcation between safe and hazardous work so that people understand what is acceptable and not acceptable for children to do. Finally, Secretary Solis and Senator Harkin stressed the importance of governments, NGOs and international organizations working together and coordinating their actions against hazardous child labour.

› 1.3 Key definitions

Richard Rinehart, ILO-IPEC Consultant, outlined how the workshop would proceed in order to meet its aims and expectations, and reminded the participants of the basic principles that could frame and guide the discussions. These include the definition of hazardous work from ILO Convention No. 182 on the worst forms of child labour as “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children”.



Its accompanying ILO Recommendation No. 190 provides more specifics on hazardous work: work underground, at heights, under water, with hazardous substances, etc.² Moreover, the generally-recognized definitions for children and youth (age 0-18 years = child, age 15-24 years = youth) form part of these principles. These age categories overlap in the case of those young people who are between 14(or 15) and 18 years. Whether or not the work they are doing is hazardous determines whether the young person is a legally employed youth.

He stressed that hazardous work is not just a matter of concern for older children in that many younger children do hazardous work as well. But the ways to address the problem may be different for younger and older children. A comprehensive approach to hazardous work of

² http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:1581677553681131::NO:12100:P12100_INSTRUMENT_ID:312528:NO.

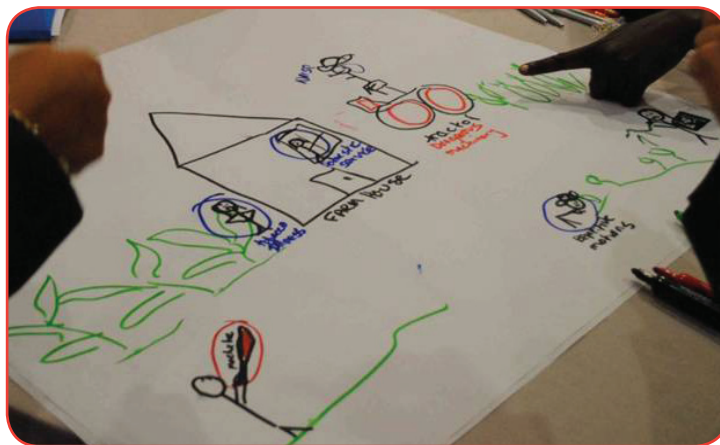
children and youth is to:

1. Identify good practices
2. Find ways to disseminate them to key audiences
3. Spotlight hazardous child labour as an issue needing urgent attention.

➤ 1.4 Identifying workplace hazards

Robin Dewey, Programme Coordinator, Labor Occupational Health Program (LOHP), University of California Berkeley, and **Leslie Nickels**, Team Leader, Office of Health Communication, U.S. National Institute for Occupational Safety and Health (NIOSH) reminded us that a “hazard” is something that can hurt you, make you sick, or mentally harm you, and “risk” is the likelihood that this will actually happen. Examples of a safety hazard are sharp tools, machinery, and lifting heavy loads. Chemical hazards include pesticides, dyes, cleaning products, and fireworks while biological hazards are germs, insects, and rodents; of physical hazards are noise, verbal abuse, heat, and repetitive motion.

They led the participants through an interactive hazard mapping exercise to identify obvious and not so obvious hazards in the work place. Each participants’ table drew a workplace on a large sheet of paper and sketched out the likely hazards that might beset a young person working there.



A group sketch of hazards in a workplace from the workshop.

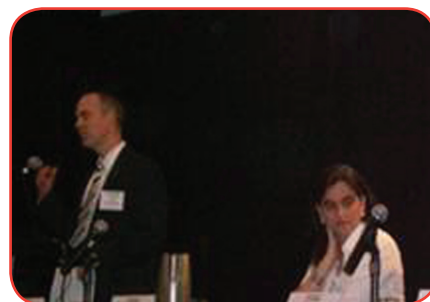
Identifying good practices

2

› 2.1 How government can protect children from hazardous work: The case of Brazil

The aim of this panel was to demonstrate that government leadership can be a powerful force for addressing hazardous child labour. Brazil has undertaken a comprehensive effort, engaging government from the highest levels down to the community. It has developed a legislative framework targeting child labour and set up systems to effectively enforce the laws. It engineered bilateral and multilateral programmes to combat child labour both within Brazil and in the region. It has supported the private sector and NGOs to create “child labour free” labels and remove hazardous child labour from their production chains.

Mark Mittelhauser, Director, Office of International Labor Affairs, US State Department, was the moderator of the panel and in his introductory remarks mentioned that the way in which Brazil established linkages between the health, social welfare, and enforcement sectors has been crucial for being able to address hazardous child labour from different angles. He emphasized also that Brazil’s approach was a tripartite one, engaging workers, employers, and government within a larger Decent Work Agenda.



Dr. Suyanna Linhales Barker, Professor, Rio de Janeiro State University, Consultant to the ILO and the Brazilian Ministry of Health, outlined the process by which the Brazilian government, in concert with civil society and international organizations, was able to create and implement a national health policy which included child labour. This policy made it compulsory for healthcare workers to report all workplace accidents, injuries and occupationally-related illnesses of children. To ensure that the policy was implemented effectively, government established guidelines for recognizing and caring for work-related health conditions of young people as well as an innovative on-line training system for all health care workers. Over 38,000 workers were trained within three years. The importance of this system is that not only does it identify working children, but it provides accurate statistics on the numbers of children with occupational injuries and illnesses and enables the assessment of causal links between hazardous work and health outcomes that can, in turn, help the public to understand why it is important to protect children from hazardous work.

In response to questions, Dr. Barker explained that organizing the health system to identify and report occupational health cases really helps to identify child labourers because everyone goes to a health clinic if they get sick or hurt (health care is free in Brazil). Because it does not rely on workplace inspections, the health system gives a truer picture of the cost of child

labour, both to the family and the country. 'There is a secondary benefit as well in that by becoming sensitized to child labour, the health sector expands its understanding of the social determinants of health, especially of children. Information on health impacts has been one of the main ways of convincing families on why children shouldn't work in hazardous sectors. She stressed, "You can't force anyone but with information about health effects, we can convince them certain activities aren't good for them."

Antônio Carlos de Mello Rosa, National Coordinator, ILO-IPEC Brazil, presented two good practices: Active identification and South-South and Horizontal Cooperation.

Active identification uses schools as a means of identifying child labour. After selecting a child labour focal point, the schools mobilize students to identify other children who are out of school in their community. This sets in motion a series of actions: Community Health Agents visit the child's home to collect information on the family situation; social assistance agents register the family for social support and record the information in the database which is common to both the Ministry of Education and the Ministry of Social Development; the school system assists the child in re-entering school and monitors the child's attendance. The results are impressive: for example, within a three month period, schools were able to identify over 13,000 children at risk of hazardous work.

South-South and Horizontal Cooperation provides a platform for exchange of information, adaptation of good practices to other cultural contexts, and their replication by developing countries. Not only does this platform match good practices in one country with the needs in another, but it also promotes problem-solving on child labour elimination among countries, and among the social partners.

In response to questions about the Brazilian government's "dirty list", it was explained that this was a list of products produced by child or forced labour. Companies that are included in the dirty list cannot receive government contracts.

Luiz Henrique Ramos Lopez, Chief Child Labour Inspector, Brazilian Ministry of Labour and Employment, and Deputy President, National Commission for the Eradication of Child Labour, highlighted how Brazil's success has been made possible through cooperation with numerous institutions, each having unique expertise and a particular role to play. "Child labour is very difficult to tackle and there is no place for competition among institutions; it must be handled through partnerships," he said. He outlined how a Brazilian labour inspector would handle child labour in three typical situations. In a formal employment situation, for example where the young person is an employee in a store, the labour inspector has full responsibility which entails enforcement actions against the employer and referral of the child to social or education programmes. In agriculture and the informal economy where the child has an employer, the role of labour inspectors is more difficult but still involves the same actions. In situations where there is no employer, such as domestic service, the labour inspector will articulate with other institutions. This is often where workers' and employers' associations can be particularly helpful. At the policy level, the labour inspectorate contributes to elimination of child labour by setting national goals, ensuring that there is a system for collecting and analysing statistical data, training the inspectors on how to approach irregular situations in different cultural and family contexts, establishing rules for restitution of child workers' rights (e.g. making the employer provide back pay), and organizing the referrals to appropriate agencies.

In response to questions, Mr. Lopez explained that Brazil does not employ inspectors

specifically for child labour. Instead, all of its 3,000 labour inspectors have training in child labour inspection. The training program is 6 months long, and includes instruction on how to handle child labour issues and do intake about the child and his/her situation.

➤ 2.2 Building the case for good practices: Employers' and workers' perspectives

The second panel discussion looked at good practices through the lens of employers' and workers' organizations. The session was moderated by Constance Thomas, Director, ILO's International Programme on the Elimination of Child Labour (IPEC). There were three speakers.

Andres Yuren, Senior Specialist for the ILO Bureau for Employers' Activities (ACT/EMP), Southern Cone of Latin America, shared a manual entitled *Growing up protected*,³ which was developed in cooperation with the Corporate Affairs Management Office of the Chilean Safety Association (ACHS). The manual, designed for micro-enterprises, is becoming internationally recognized as a useful tool by which employers can take into consideration the special vulnerabilities of youth. In the first of three sections, it lists the key facts that the public and employers need to know (e.g. the conditions under which young people are allowed to work); in the second, there are powerful, brief testimonies by opinion leaders (e.g. a football star); and in the third an action map with detachable posters. The manual is being used as the central pillar of a nationwide employer training campaign.

John "Al" Hosinki, Programme Officer, Africa Department, for the Solidarity Center, argued that since child labour is caused by core problems such as low wages for adults, unions are a key change agent in any holistic approach to child labour because they are membership-based, democratic and have the capacity for local advocacy. In addition, because they have a network on the ground and political connections, they can provide more effective and systematic monitoring than many other actors. This was well-demonstrated in the case of Firestone rubber plantations in Liberia where adults had been obliged to work long hours and employ their children in order to attain quotas that were otherwise out-of-reach. At the bargaining table, Firestone Agricultural Workers Union of Liberia (FAWUL) was able to negotiate reduced quotas, raised pay, medical benefits, and compulsory education at the local school, thus virtually eliminating child labour on the plantations. Local efforts were supported by the International Labor Rights Forum (ILRF) which did a lot of the "air war," filing alien tort claims act cases against the company.

Jeroen Beirnaert, Project Coordinator, International Trade Union Confederation (ITUC), concurred that unions can be catalysts for social change and used the example of the tripartite consultations surrounding national determination of hazardous child labour (the "hazardous child labour list") to show how working with social partners trigger action and enforcement of the list. He stressed that hazardous work is a neglected aspect in the fight against child labour and particularly relevant in the case of the older child. He outlined the role of industry federations as addressing the occupational health and safety (OHS) of young workers, reducing risks on the job, and linking global and supply chains, as well as seeking ways to formalize informal work through regulations, monitoring, and collective bargaining. Mr. Beirnaert recommended that action against hazardous child labour should focus on:

³ IPEC: *Growing up protected: A handbook for the protection of adolescent workers*. Santiago, ILO, 2011. Available at: <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=18135>.

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1. building alliances among occupational health professionals, unions, employers, teachers, and youth groups;
 2. developing, updating, and monitoring the list of hazardous child labour;
 3. conducting awareness-raising campaigns;
 4. promoting the ITUC's "Decisions for Life" campaign which reaches out to young women workers who are largely unrepresented by trade unions.

During the question and answer period following the presentations, **Geir Myrstad**, Head of Operations, ILO-IPEC, noted that in many countries, because of legislation or union rules, there is a gap between minimum working age (14-16 years) and trade union membership age (often 18). Yet being a member of a union is key for young workers to be protected and their rights as workers to be respected. Mr. Beirnaert agreed that this should change and that the age of union membership should be as low as the legal working age, which would benefit the trade unions as well as their need to mobilize that age group. He also noted that youth, if not members, are often beneficiaries of trade union action. He also agreed, in response to another comment, that unions would benefit from training on occupational health and safety (OHS) with respect to young workers so that this can be an element in collective bargaining and contract negotiations.

The need for more training and awareness-raising for union members was echoed by another participant based on his experience with tea and coffee plantations in Kenya. Because the culture accepted child labour, it was necessary to show why it was a labour union issue.

Discussion pivoted around the challenges trade unions face in dealing with the informal economy. Given the nature of informal employment and the legal loopholes, some new rallying points are needed – perhaps OSH of young workers in global supply chains could be one of these. Is it possible to introduce some collective action in the informal sector? Several examples were brought forward: India's national trade union centre of informal workers which are affiliated with the ITUC, a "Decisions for Life" programme for market vendors in Belarus, an Irish migrants rights centre which has an open door policy for informal economy workers, and Ghana's unions of agricultural workers and teachers which are good partners on child labour.

Sharing, refining and scaling-up good practices

For the interactive breakout sessions, the participants divided themselves into groups according to three themes: (1) advocacy and social mobilization; (2) workplace protection and decent work for youth, and (3) policies, enforcement, and knowledge. The intention for these sessions is that they would allow the participants a chance to share their own on-the-ground experiences, successes and frustrations in dealing with hazardous child labour, and secondly, that the groups would come to agreement upon some feasible recommendations or guidance with regard to their topic.

A team composed of a child labour specialist, an OSH specialist, and an employer and/or worker specialist had been previously assigned to each theme. Prior to the workshop, these teams had discussed their focal issue, identified strategies and materials on the topic to share with their group, and prepared questions to guide the discussions toward practical conclusions.

Each group met twice during the workshop. The three subsections below summarize the discussions and conclusions resulting from the two sessions of each group.

› 3.1 Group No. 1: Good practices in advocacy and social mobilization

The co-leaders for this breakout session included:

- ▶ Arum Ratnawati, National Programme Officer, ILO-IPEC Indonesia.
- ▶ Robin Dewey, Coordinator of Public Programmes, School of Public Health, Labour Occupational Health Program (LOHP), University of California Berkeley.
- ▶ Jim Platner, Co-Chair Institutional Review Board, The Building and Construction Trades Department/Center to Protect Workers' Rights" (BCTD/CPWR), AFL-CIO.
- ▶ Lester Claravall, Child Labour Supervisor, Oklahoma Department of Labor.

This group set itself the goal of identifying good practices for mobilizing communities and other groups to push for safe and healthy work for children and youth, and then to see how best to integrate these good practices into our current or future work.

In general, the best known approaches are: media campaigns, social media, educating community groups, and training courses. Good practices within these that the group identified are:

1. **Hazard and/or body mapping.** Although there are many ways of identifying hazards,³ a good technique which energizes groups and can be used as the basis or starting point

³ For example, surveys and interviews with workers, inspections of the workplace, injury and illness reports, accident/incident reports, manufacturer's data about toxic products, air monitoring and/or environmental monitoring, and job task analysis, amongst others.

for a campaign or training is hazard mapping. It sends the message that every job has hazardous elements, even those that appear to be less risky, and that identifying and anticipating risks is the key to minimizing them. It can also be used to emphasize to employers that while personal protective equipment (PPE) is often the first thing they think of to reduce risks, PPEs are not advisable for young people because they do not actually eliminate the hazard, tend not to fit, are not used as they are uncomfortable and “un-cool”, and make the child worker responsible for her own safety rather than the employer for creating a safe workplace. Instead of putting on gloves or masks, we should focus on training for safety, eliminating unsafe situations, and providing safer tasks.

2. **Campaigning and training.** A campaign was organized in Uganda to raise awareness of hazards. It was tailored to specific groups in the community (parents, youth, local government leaders) and was successful in changing attitudes and practices through leaflets, radio, drama groups, and talk shows in different dialects. Then leadership training was conducted for each of the groups based on the feedback gained from the campaign. Leadership training at the community level is important so that people know what to do, where to go, and who to talk to when faced with a case of child labour. Everyone also needs to know about the larger framework so they know they are not alone in dealing with this, there is accountability, and where they fit in the process.
3. **Community listening.** To ensure that child labour interventions are driven by and are relevant to the community, the best approach is by listening to the conversations in the community. Usually complaints are the first to surface, but in response, ask why conditions are what they are and how the community can solve them. When the people link the problems to their own solutions, they will bring their ideas and energy. For example, often parents don’t realize that health problems are coming from the work; this thought process helps them make the connection.
4. **Economic solutions.** Although people can be sensitized by an information campaign, a longer term solution is often needed to replace child labour income. In Uganda, a savings and loan programme was organized to help families of child workers. Participants were organized into groups of 30, who met weekly to make their savings and loan payments. An NGO provided training on basic bookkeeping. The result was that children remained in school and did not return to hazardous child labour, while the attitude in the communities changed from feeling helpless to becoming empowered.
5. **Reaching an illiterate target group.** A health and safety team trained AmeriCorps volunteers to reach low literacy workers about risks of pesticides. They produced flipcharts for parents to use in teaching their children, and provided laundry bags so that contaminated clothing could be separated from the family’s usual wear.

In summary, we can discern some key elements common to the examples of good practice in advocacy and mobilization. First, well-respected individuals in the community are involved in the effort and are used as intermediaries to reach people that need to be influenced. Second, it is axiomatic that local solutions are the best, yet communities may need support and encouragement to initiate the process and keep it going. In doing so, it is crucial to reconcile what is technically hazardous, such as where the effects are not immediately visible, with communities’ perception of what is hazardous. Is a machete dangerous? At what age is it appropriate to use it?

The group looked next at the barriers that impeded adoption of good practices, and what could

be done to alleviate these. For example,

- ▶ A common problem is the lack of a supportive political environment, which can range from simple inconsistency to actual corruption. This is complicated by the common challenge of enacting and enforcing laws in the informal sector.

One way that has been effective in addressing this is to encourage the government (at national, provincial, or local levels) to create or revise a list of hazardous occupations to be included in labour law. This often is the catalyst for a quality dialogue among key parties about child labour and can lead to priority-setting and plans to address them. Another effective means is to generate data about hazardous child labour that can then be used as a tool to discuss issues. This also helps to address the disconnect between actual hazardous work from the community perspective and hazardous work as identified by the government. Donor agencies might also consider bringing pressure on governments for enforcement of the existing laws on hazardous work.

- ▶ Another problem is how to deal with industries that are inherently hazardous, or where the hazard cannot be removed or the risk reduced. Associated with this are situations, common in the informal economy, where clear employment relationships are lacking. This creates a sense of vagueness about who needs to be responsible for implementing change.

Indirect approaches may be the best way of affecting these problems. One example is to stimulate employers to find their own innovative solutions by creating incentives for good practices, e.g., increasing the farm level purchasing price or reducing taxes on farmers. Another example is engaging the communities to become part of monitoring exposure to hazards in these industries, impressing upon them their rights. Another way is to impress upon the “employer” that hazards are hazards for everyone, not just children and that changing production techniques or investing in safer chemicals can pay dividends in the long run in terms of fewer days lost to injuries.

- ▶ Funding mechanisms also present a range of challenges. Workshop participants observed that competition for funding creates negative incentives for sharing and cooperation among agencies. The example of large infrastructure projects (e.g. to improve irrigation) may unintentionally create incentives for hazardous child labour in the fields/farms when this is not taken into consideration in the design phase.

There were several suggestions for ameliorating the funding-related issues. Many of these circulated around the idea of donor agencies assessing hazardous child labour and youth employment from a more holistic perspective. Developing a systemic approach rather than targeting funding to a single strategy, a single industry, or a single country has strong potential. Requests for Proposals could take a more flexible approach, encouraging experimentation and adaptation of solutions that have been tried elsewhere, rather than holding to a preconceived notion of what works, and explicitly encouraging coalition-building and collaboration for advocacy. Another recommendation is to devote more resources to post-project follow-up studies that would enable longer term observation of the outcomes which would help to discover what didn’t work and why? What did work? What is needed for replicability?

- ▶ A troublesome problem is that training efforts can be negated when the surrounding family or social environment continue to set a poor example. How can the status quo be changed (e.g.: “Why should I go to school?”) if the culture still supports children in hazardous work?

A solution offered to this problem is training the various players together (parents, opinion leaders, youth) so that they obtain a mutual understanding and begin to brainstorm their own solutions. The group emphasized that culture change is not a matter of “find and fix”. Rather, it is “find, fix, and prevent”.

➤ 3.2 Group No. 2: Good practices in workplace protection and decent work for youth

The co-leaders for this breakout session included:

- ▶ Tuomo Poutiainen, Chief Technical Advisor, ILO-IPEC Thailand.
- ▶ Andrea Okun, Deputy Director, Education and Information Division, NIOSH.
- ▶ Jason Wolfe, Senior Household Economic Strengthening Advisor, USAID.
- ▶ Jennifer Denomy, Director Youth and Financial Services, Mennonite Economic Development Associates (MEDA).
- ▶ David Parker, Occupational Health Expert and Child Labour Photographer, M.D., University of Minnesota.

This session started with an overview of the tools for protecting children’s health and rights in the workplace and an explanation of why workplace safety is important. A key point is that usually something can be done to improve workplace safety and this can be fairly inexpensive and cost-effective.

It is the obligation of anyone working on child labour to get children out of hazardous situations into safer ones. Since these transitions can have unintended consequences that can be negative, it is important to assess and mitigate these consequences so as to provide the best solution for the child. When doing this, it is important to keep in mind that children’s rights and workplace safety is determined by three things: (a) the types of work; (b) the conditions of work, and (c) the working hours.

Important policy tools that establish protection for anyone under the age of 18 are the ILO Conventions on child labour: Convention No. 138 on the minimum age for admission to employment and work, and Convention No. 182 on the worst forms of child labour, and the UN Convention on the Rights of the Child (CRC). The latter is connected to a rights based approach, treating children as actors and agents in their community and family. These Conventions provide a framework for programming. In the CRC, the sections related to workplace safety are Articles 3, 6, 15, 24, 32.

After this introduction, the group engaged in an exercise to identify workplace hazards shown in a series of photos. The group then split into smaller groups by occupational sector to discuss the challenges and possible solutions of addressing hazardous child labour in those sectors, particularly those which could be brought to scale. The ideas included:

- ▶ **Corporate social responsibility strategies.** In most sectors, it is better to move away from only regulating and punishing toward incentivizing good business behavior. Big companies can incentivize small businesses/communities/farms to adopt good business practices by investing in infrastructure and training. Advocacy directed toward employers can emphasize the strong positive correlation that exists between protection of workers and productivity. They can also market “ending hazardous child labour” as essential to

building the good name of an international company.

- ▶ **Small employer strategies.** It is important to talk the same language as businesses and show them we understand their perspective. Identify the needs they have in their production chain and then work on addressing those needs so as to provide youth with opportunities for training and employment. In other words, build off of the business bottom line: identify the demand and create the supply. Provide financial estimates for proposals to businesses and show them other partners and investors who have taken positive steps to protect young workers. Community organizations can reinforce good practices by employers by spreading positive information about them and positive recognition, such as just an appreciation certificate. Finally, identify the skills that industries need their employees to have and embed programmes to train young workers in these areas.
- ▶ **Other.** Encouraging insurance companies to provide compensation schemes for unregulated sectors has considerable potential for protecting young worker health and safety. Occupational safety and health can be integrated within an existing framework, such as national action plans. Use what we know about hazardous working conditions for adults and apply that to children as a minimum standard.

➤ 3.3 Group No. 3: Good practices in strengthening policies, enforcement, and knowledge

The co-leaders for this breakout session included:

- ▶ Sherin Khan, Senior Child Labour Specialist (South Asia), ILO-IPEC.
- ▶ Kimberly Rauscher, Assistant Professor, Department of Community Medicine and Core Faculty-member, Injury Control Research Center, West Virginia University.
- ▶ Mary Miller, Occupational Nurse Practitioner, Employment Standards Programme, State of Washington Department of Labor & Industries.
- ▶ Leslie Nickels, Acting Programme Manager for Information and Communications Dissemination, Office of the Director, NIOSH, Washington D.C.

The session opened with a discussion on child labour regulations and the stages that they go through to achieve formal, enforceable rules. For example, in July 2010, changes to the non-agricultural regulations went into effect in the United States that had been in process since 2007. In 2002, at the request by USDOL to evaluate the child labour regulations, NIOSH issued a comprehensive report with recommendations to update both non-agricultural and agricultural hazardous occupations orders, i.e., child labour regulations. Similarly, the South Africa child labour laws took effect in February 2010 which was under development over a number of years.

A point was made that there is a critical tension between encouraging safe and age-appropriate work and protecting children from hazardous condition. That is, rather than saying “an entire industry is off limits,” point out the specific hazards that should be off limits to youth under 18 years.

Following are some good practices on regulation and enforcement from different perspectives.

- ▶ **Government.** Ecuador offers a good example of combining regulation with education. A national declaration was made to prohibit child labour in dump sites and, then a training manual on safety in dump sites was prepared to support implementation of

the declaration. Several countries are using trade to strengthen worker protection. For example, Guatemala's government is putting in use fair trade certification criteria, and the U.S. Federal Trade Authority has been providing positive recognition for companies which are compliant with labour law in Haiti and offering them trade preferences.

From the standpoint of negative incentives, Brazil's practice of maintaining a "dirty list" of enterprises that continue to place children in hazardous situations and imposing real sanctions on them has proven to be a particularly effective means of enforcement.

From the standpoint of positive incentives, Nepal, even in the absence of government, has been able to add text from the ILO Conventions into their national plans of action, thus creating policies, when it was not possible to make laws. Child labour, in fact, became a prioritizing mechanism. Another positive good practice toward regulation has been ILO's technical work with national governments to develop the hazardous child labour lists. Once adopted, there is still an enforcement issue in that the government must promote it.

What makes a good list? One that is: specific, able to evolve, relevant to both local hazards, but also universal ones, have multi-stakeholder support so there is willingness to enforce it later, and exemptions as necessary, e.g. for family farms.

- **Civil society.** An example was cited of where indigenous communities are organizing themselves to monitor hazardous activities for young people. This is self-regulation linked to barring children from informal sectors not being covered by the Inspectorate.

Concrete steps for the future

This section of the report describes the main points made during the closing panel discussion during the workshop. Constance Thomas, Director of ILO-IPEC, moderated the session. The panellists were:

- ▶ David Michaels, Assistant Secretary of Labor, Occupational Safety and Health Administration (OSHA), U.S. Department of Labor (USDOL).
- ▶ John Howard, Director, National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention, U.S. Department of Health and Human Services.
- ▶ Gerry Eijkemans, Head of Country Office, Suriname, Pan American Health Organization, World Health Organization (WHO).
- ▶ Marcia Eugenio, Director, Office of Child Labor, Forced Labor, and Human Trafficking, International Labor Affairs Bureau (ILAB), U.S. Department of Labor (USDOL).

Constance Thomas introduced the panel by posing the same question to each panellist:

“Looking forward, what are the concrete steps that you believe can be taken through your organization and in partnership with others to reduce the hazardous working conditions for children and young adults?”

David Michaels started the conversation by citing a recent number of serious injuries in grain storage facilities. Children often have less understanding of the risks they face than adults and are afraid to say no to working in dangerous situations.

To address this, they are promoting cross inspection, where agencies work together to check for all violations (for example, watching for underage youth in an establishment while inspecting for workplace hazards). For example, the OSHA sets the farm labour standards which require clean water and toilet facilities, while the Wage & Hour Division may be the agency to enforce that standard. He stressed that rather than waiting until violations are reported or until an inspection is carried out, it is much better to build the capacity of the employers so they can address dangerous situations ahead of time. He noted a non-OSHA consultation service that educates companies on hazardous work issues.

John Howard emphasized that the best work is done in partnership and offered an open invitation for those working on child labour or youth employment projects to contact NIOSH for potential partnerships. He mentioned three areas of potential collaboration with NIOSH: (1) the “Youth@work: Talking Safety” curriculum for schools; (2) the WHO Collaborating Centers which provide networking opportunities, and (3) research to create materials that can be used across sectors to prevent health and safety issues.

The school curriculum has lots of potential for partnerships in that, after the core material was developed, it was adapted for each of the 50 states, and parts have been translated and tested

abroad (in Egypt) showing that this is a cost-efficient way of getting an occupational health and safety (OSH) message out to young people. Partnerships with the WHO Collaborating Centers, which are located throughout the world, are important because they can provide local resources and OSH expertise to projects. Researchers are seeking partnerships because they want to see the materials they have developed taken to scale and adapted for use in other industries.

He concluded by pointing out that it doesn't do economies any good to eliminate workers. Especially vulnerable to being laid off are women, older workers, immigrants, and young people – the latter seen as children, youth, or adults depending upon the circumstances. Reduction of hazards makes it possible to retain workers and great value can be added through the overall struggle to reduce hazardous work regardless of the age of the worker.

Dr. Gerry Eijkemans stated that WHO has a lot to offer toward combating hazardous work. And it has the potential to do even more. She reminded the group that the definition of health is not limited to physical health and that social factors are being increasingly recognized as major determinants of health. “What is really important for people to be healthy?” she asked. “It involves both how we live and how we work.” Doctors should be routinely asking about a person's occupation and work activities – even for children – when they come in for treatment. Hazardous child labour is therefore an important area on which ministries of labour and ministries of health should collaborate.

Dr. Eijkemans highlighted the WHO's global plan of action on workers' health and suggested that the work is complementary to the ILO's but perhaps less known in the child labour community. It includes policy instruments for high risk sectors, materials on protection and promotion of health at the workplace, guidelines for basic occupational health services, and compiled research evidence regarding the negative impacts of hazardous work. At least 25% of disease is caused by occupational and environmental conditions. Therefore, while ministries of health know and see the effects of hazardous work, the connection to work in childhood is not made. They need to play a greater advocacy role in prevention, including in the education of physicians and in policy. An example of a recent success in mainstreaming hazardous child labour in policy was its inclusion in the 2011 WHO Executive Resolution on childhood injuries.

Dr. Eijkemans concluded by urging the group to see occupational safety and health and child labour going hand in hand. The child labour issue can be used to strengthen occupational safety and health work by drawing attention to it, and OSH can help to protect children from hazardous work. “We know what is hazardous to adult workers; and whatever is hazardous to adults is obviously the minimum standard for a child.”

She extended an open invitation for collaboration with the WHO.

Marcia Eugenio explained that ILAB has been active in this field and has been evaluating the impacts of its action since 1993. Based on this experience, she framed her remarks around three main points: the major knowledge gaps related to hazardous work, how ILAB contributes to addressing these gaps, and how ILAB can work in partnership to make progress on hazardous child labour.

In terms of knowledge gaps, Ms. Eugenio highlighted the problem that hazardous work is defined and/or referred to in different ways. Countries individually determine what they will consider to be hazardous work as required by Convention No. 182. But when they have a list,

some do not go ahead to pass the necessary legislation to define minimum age and hazardous conditions. Others, even when good laws are in place, do not enforce them.

ILAB is part of the United States's commitment to provide assistance to those countries that need technical support in addressing problems such as these. It does this through three strategies: (1) building a knowledge base on this issue (knowledge about the extent and nature of child labour globally, for example); (2) implementing pilot initiatives that could be replicated, such as technical assistance for new legislation, and (3) congressionally-mandated annual reporting that details the child labour situation in 140 countries. These reports are not easy, but are useful. "Through them," she noted, "we are able to identify specific gaps in legislation, enforcement, coordination and/or programming and are then able to use the reports to engage in policy making."

On her final point of building opportunities together, she stated that cultural and economic acceptance of child labour must change. Political will at the national and local levels to want to take action is the crucial factor. She noted that Brazil is an excellent example of political advocacy and commitment of civil society to do so.

Constance Thomas concluded by saying that World Day Against Child Labour should be a continuous effort, not just a day of discussion. Because older children have been neglected, they must remain on our radar screen. Hazardous child labour is a global challenge, a problem in developed and developing countries alike. She made the following call for action:

- ▶ Make use of good practices, such as Brazil, as guidance for our own work.
- ▶ Advocate for the creation and improvement of the hazardous work lists as mandated by Convention No. 182. It should be specific, not too broad as to be useless. We should check the hazardous child labour list in our home countries as well as those where we work. Is there one? Is it updated? Are child domestic workers on the list?
- ▶ Expand the knowledge base, looking at both research and application.
- ▶ Build capacity where it needs to be built – our own, that of our partners, our ministries.
- ▶ Partner where possible, because none of us have both labour and health expertise.

We have the 2016 goal to eliminate all of the worst forms of child labour. We know we can't do it all, but we can make an impact.

CONCLUSION

This document summarizes a successful workshop on protecting children and youth from hazardous work. It was unique in that it brought together individuals who normally work separately on projects related to occupational safety and health, youth employment, or child labour. The 2011 World Day Against Child Labour's theme, "Warning! Children in hazardous work",⁴ is the reason that experts from the three disciplines came together. OSH expertise is needed to address hazardous work issues, and the prevalence of hazardous work worldwide is increasing for older children 15-17 years. These children fall into the category of a "worst form of child labour" according to ILO Convention No. 182, which over 170 countries have ratified. However, they could be included in the realm of youth employment if they do not do "hazardous work."

The plenary presentations and panel discussions highlighted innovative programmes by the different organizations and countries represented. There was much to be shared and optimism for working together in the future. Furthermore, the structure of the three breakout sessions during the event covered approaches to addressing hazardous child labour at the community, enterprise, and national levels. As a result, this workshop confirms that there is rich experience, innovative tools, and important information available to address barriers and offer strategies to overcome them.

Although good practices were highlighted by participants, few specifically focused on the older child in the international development context for whom legal youth employment is a desired outcome and hazardous work is prohibited. A logical conclusion is that hazardous work among this age group has not received the amount of attention it deserves.

There is a lot of future opportunity to develop innovative ways to bring occupational safety and health expertise into projects that address hazardous work issues for children and youth. This is needed to help reverse the complicated and interwoven factors that are responsible for bringing children into hazardous work in the first place, and for making workplaces safer for everyone. Donor organizations have an important role to play here, as they have the power to drive demand for project designers and implementers to address hazardous child labour and youth employment in a holistic and cross-disciplinary way. For example, there are currently few examples of interventions to improve OSH conditions in enterprises so children of legal employment age can continue to safely work in otherwise "hazardous" jobs. If donors started to request that these types of issues get addressed at the design phase of projects, then implementers would find innovative ways to tackle them and likely reach out to others with the expertise needed to fill the gaps.

Finally, as pointed out by the Director of ILO-IPEC in her closing remarks, the 2011 World Day theme of hazardous work was not chosen to be discussed on a single day and forgotten. As with previous World Day topics, it was selected because there is an urgent need to create

³ Visit: <http://www.ilo.org/ippec/Campaignandadvocacy/wdacl/2011>.

momentum and focus attention and resources on the problem. In a similar light, this one-day workshop did not uncover all the solutions to solve the hazardous work issue. However, it was a good first step in raising the importance of the issue and bringing together people with the right backgrounds to address the topic in the future.

There is a new ILO report on hazardous child labour that was released to coincide with the 2011 World Day: *Children in hazardous work - What we know, what we need to do.*⁵ The report comprehensively covers the topic and is an important complement to the discussions and outcomes from the workshop “Creating safe futures” described in this document. It is highly recommended that anyone in a position to promote or develop programmes to protect children and youth from hazardous work reads this new ILO report.

⁵ IPEC: Children in hazardous work: What we know, what we need to do. Geneva, ILO, 2011.
Available at: <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=17035>.

In recognition of 2011 World Day Against Child Labour, the United States Department of Labor (USDOL) and the United States National Institute for Occupational Safety and Health (NIOSH), in partnership with the International Labour Organization (ILO), through its International Programme on the Elimination Child Labour (IPEC), and the World Health Organization (WHO), joined efforts to host this workshop on good practices to protect children and youth from hazardous work.

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ISBN 978-92-2-126283-1



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