

Labour Inspection Country Profile: SRI LANKA

Labour Inspection Structure and Organization

Name of institution that manages work issues

[The Ministry of Labour and Labour Relations](#) is responsible for labour standards and enforcement, industrial peace and social protection.

Department(s) responsible for Labour Inspection

The Department of Labour (DoL) within the Ministry of Labour and Labour Relations has functional responsibilities in many different areas including enforcement of labour laws through its inspection services including with respect to working time, wages, employee provident fund, working conditions and the working environment (including occupational safety and health). The DoL is divided into 13 divisions, including those with responsibility over law enforcement, namely: the Labour Standards Division (enforces the labour law in shops and offices), the Occupational Hygiene Division and the Industrial Safety Division which enforces the Factories Ordinance to ensure the safety, health & welfare of workers in factories (www.labourdept.gov.lk).

The National Institute of Occupational Safety and Health also carries out inspections on OSH and provides advisory services to employers.

Law that covers organization and functional composition

Factories Ordinance No. 45 of 1942

Shop and Office Employees Ordinance No. 19 of 1954

Industrial Disputes Act No. 43 of 1950

National Institute of Occupational Safety and Health Act No. 38 of 2009

Scope of labour inspection

Aside from their enforcement functions, labour inspectors are also involved in conciliation work and assist in the collection of contributions to the Employees Provident Fund which is the main social security scheme in the private sector.

Local divisions

The Labour Inspectorate functions are decentralized into 11 Zones, 36 District Offices and 17 Sub-District Offices. In all field offices, labour officers have responsibilities for labour inspection, conciliation as well as administration of the Employees Provident Fund.

The Industrial Safety Division is decentralized through District Factory Inspecting Engineers' offices in Anuradhapura, Badulla, Colombo, Galle, Gampaha, Jaffna, Kalutara, Kandy, Kurunegala, and Ratnapura. Programming and communication

Sri Lanka does not have a written labour inspection policy. Inspection activities are regulated by departmental circulars under the responsibility of the Commissioner General of Labour.

There is limited collaboration between the General Inspectorate and Factory Inspectorate.

Current reforms

The Government is making efforts to restructure the labour inspection system with ILO assistance, develop the prevention side of labour inspection, promote qualifications of labour inspection staff and increase the number of both female and male labour inspectors.

Human Resources and career development

Permanency of inspectors

Labour inspectors are civil servants and are guaranteed stability of employment. Inspectors' performance is not reviewed annually. Low salaries and limited career prospects sometimes results in inspectors moving to other sectors of the public service.

Selection process

There are two streams of recruitment of Labour Officers: the first, an "open" examination for those possessing a University Degree in specific fields, and the second, a "limited" examination for public servants who possess a University Degree and ten years service in the public sector.

Background required

In Sri Lanka, the qualifications for entry into the general labour inspector's service are a degree from a university in any discipline. The service also recruits non-graduates in the labour department to serve as management assistants. The management assistants from the labour department nonetheless need to pass an exam pertaining to labour law before being selected.

While the Labour Department does have a training department and does carry out training activities, continuous training and upgrading of skills does not take place in a systematic manner.

Visits and functions

Types of visits

Aside from programmed visits and visits that arise from complaints, multidisciplinary visits are also conducted. They are carried out by a team of officials from specialist divisions with the objective of covering all aspects of non-compliance.

Role of preventive measures

The Inspectorate centers most of its efforts on enforcement activities with little attention is paid to education and dissemination of information.

Registries and reporting of accidents/diseases at work

Although reporting of accidents is mandatory, there is significant underreporting of accidents.

Sanction and administrative processes

The violation of any provision can lead to prosecution resulting in fines and, in some circumstances, imprisonment. However, a prosecution cannot be initiated except with the written approval of the Commissioner General of Labour.

Social dialogue and labour inspection

The National Labour Advisory Council (NLAC) is the national tripartite consultative mechanism established to provide consultation and facilitative co-operation between the government and the organizations of workers and employers at the national level on matters relating to social and labour policies and international labour standards.

ILO Conventions ratified

Sri Lanka ratified Convention No. 81 in 1956 and has not ratified Convention No. 129.