

Background note

Business process review of the Department of Labour's dispute settlement system

BACKGROUND

Strengthening employer-worker relations supported by a robust labour administration system are essential features of healthy industrial relations. However, the effectiveness of labour administration continues to be of concern, particularly with respect to dispute settlement processes. With a large segment of the informal sector workforce operationally less serviced, many workers risk being denied their basic rights and enjoyment of minimum conditions of employment.

The advisory services and enforcement capacity of the Department of Labour needs strengthening, particularly with regard to dispute resolution as well as prevention. In order to do take a more detailed look at the current dispute resolution processes it was proposed by the constituents during the formulation of the current Decent Work Country Programme that a Business Process Review be undertaken of the existing processes (**including the gender dimension**) with a view to improving responsiveness.

Sri Lanka's Decent Work Country Programme (DWCP) 2018-2-22 includes a *Country Priority 2: Better Governance of the Labour Market*. The DWCP, under this priority includes the following outcome which is directly aligned with building dispute resolution capacity: Outcome 2.2: More effective labour administration system with more efficient workplace inspection in place. This includes an output (2.2.1) specifically focused on enhancing the capacity of the labour administration for effective dispute resolution. In addition, the Department of Labour has developed a strategic plan which includes clear targets for the effective resolution of labour disputes. Within this context, this terms of reference sets out an approach to undertake a business process review (BPR) of the Department of Labour's procedures and systems.

PURPOSE OF THE BUSINESS PROCESS REVIEW

The purpose of the BPR would be as follows:

- i) Map the current dispute settlement process.
- ii) Identify gaps and areas for improvement, including in the areas of technology, processes, and skills.
- iii) Develop an action plan to enhance the Department of Labour's dispute settlement process.

PROPOSED BUSINESS PROCESS REVIEW ACTIVITIES

A two day workshop is proposed to undertake the following activities:

i) Mapping and documentation of the current dispute resolution process:

a) This will include a focus on the following:

- Types of disputes
- Current procedures to address disputes
- Roles and responsibilities
- Time taken to address disputes
- Current capacity, including technology, systems and staff
- Current tools to track and monitor dispute settlement

ii) Identification of gaps and areas for improvement:

a) This will include an identification of actions to enhance effective labour dispute resolution, including:

- Tracking, monitoring and reporting tools
- Training needs
- Standard operating procedures
- Job descriptions
- Work flows
- Gender Dimensions of Dispute resolutions

iii) Action plan development

This step will entail the development of a clear and detailed action plan, setting out action, responsibilities and timeframes. The action plan would also be geared towards supporting the Department of Labour's strategic plan for 2019 – 2023.

PARTICIPANTS :

The workshop will bring together officials of the Department of Labour engaged in the dispute settlement processes at various stages of the process.