

Final December 2013

Papua New Guinea Decent Work Country Programme

2013-2015

Acronyms

DLIR.....	Department of Labour and Industrial Relations
DWCP	Decent Work Country Programme
EFPNG	Employers' Federation of PNG
GDP	Gross Domestic Product
HDI	Human Development Index
ILO	International Labour Organisation
ITC-ILO.....	International Training Centre of the ILO
KAB.....	Know About Business
LNG	Liquefied Natural Gas
MDG	Millennium Development Goal
MTDP	Medium Term Development Plan
NCD	Non-Communicable Diseases
NSO	National Statistics Office
NTCC	National Tripartite Consultative Council
OSH	Occupation Health and Safety
PGEP.....	Pacific Growth and Employment Project
PNG	Papua New Guinea
PNGTUC	PNG Trade Union Congress
SBDC.....	Small Business Development Corporation
SIYB	Start and Improve Your Business
SWP.....	Seasonal Work Programme
TVET	Technical and Vocational Education and Training
UNDAF	United Nations Development Assistance Framework

Contents

1	COUNTRY CONTEXT	1
1.1	Economic and social context.....	1
1.2	National development plans.....	2
1.3	Key decent work challenges.....	3
1.3.1	Labour force and employment creation.....	3
1.3.2	Labour legislation and institutional frameworks.....	5
1.3.3	Social protection.....	6
1.3.4	Tripartite capacity.....	7
1.4	The ILO in PNG	8
2	COUNTRY PROGRAMME PRIORITIES	9
3	Outcomes and strategies	10
3.1	Priority 1: Completion and implementation of labour law reform, including migration law and policy	10
3.1.1	Strategy overview	10
3.1.2	Programme outcomes	11
3.2	Priority 2: A national employment strategy and implementation framework that creates and improves access for young women and men to decent employment.....	12
3.2.1	Strategy overview	12
3.2.2	Programme outcomes	14
3.3	Priority 3: Tripartite Capacity is strengthened.....	15
3.3.1	Strategy overview	15
3.3.2	Programme outcomes	16
4	Implementation and management.....	16

1 COUNTRY CONTEXT

1.1 Economic and social context

1. Papua New Guinea (PNG) is a lower middle-income country of 461,690 square km with a population of approximately seven million people. The population has a low median age of less than 20, with 40% of people under the age of 15. The population is rapidly increasing and with a current growth rate of 2.3%, the population is expected to reach nine million by 2020. The predominantly Melanesian population is culturally, ethnically and linguistically diverse, with some 850 languages spoken in the country. Approximately 87% of the population live in rural areas, most of which are not accessible by road. A majority of the population live in traditional social groups with subsistence living to meet their basic needs.
2. PNG has significant land resources. Almost 97% of all land in the country is customarily owned, either by individuals or under other traditional land tenure systems. As the State owns only 3% of all land, there is limited land which government is able to use for development purposes. Land disputes are common and compensation claims often discourage investment opportunities.
3. After years of economic decline, the last decade has witnessed a resource boom, which has fuelled economic performance in PNG. Infrastructural investment has increased, such as the construction of a major liquefied natural gas (LNG) pipeline, expected to boost the country's export revenue by 2020. As a result, PNG experienced nearly 10 years of sustained economic growth culminating in a growth rate of 8% in 2010¹ due to increased demand for commodities.² According to the PNG Treasury, the construction and transport, storage and communication sectors have also performed well.³ Over the five years from 2005, non-mining GDP growth exceeded mining GDP growth. In 2011, PNG's GDP was US\$16.7 billion, up from US\$3 billion in 2003.⁴
4. Real per capita incomes also began to increase, following three decades of stagnation, increasing from US\$1,208 in 2003 to US\$2,500 in 2011.⁵ Public accounts look increasingly healthy. Although still high, public debt decreased from 25.7% of GDP in 2010 to 22.3% of GDP in 2011, with the debt-to-GDP ratio falling from a high of 72% in 2002.⁶
5. PNG's macroeconomic success masks growing unease about the distribution of the benefits of growth, including the government's ability to translate wealth and macroeconomic stability into better public services. Overall, human development outcomes continue to lag behind other countries with PNG ranking 153rd of 179 countries in the Human Development Index (HDI) in 2011, down from 139th of 177 countries in 2006.⁷ The 2009 National Millennium Development Goals (MDG) Progress Report reported that limited progress has

¹ IPA, 2012a; Batten, 2011; UN Committee for the Elimination of Discrimination Against Women, 2009

² CIA, 2012; Batten, 2011

³ Morris, M. LNG to double PNG income, now for good governance. *East Asia Forum*, 1 October 2011.

⁴ Embassy of PNG to the Americas. PNG. 2004 Washington DC, <http://pngembassy.org/location/html>

⁵ Siakhenn *Per Capita Income*. 2009. <http://siakhenn.tripod.com/capita.html>

⁶ Bank of PNG *Quarterly Economic Bulletin*: September 2011, Port Moresby: Bank of PNG

⁷ UNESCO Country Programming Document: PNG 2008 – 2013. 2009, Apia, Samoa.

been made towards achieving some MDGs, but for others there has been either stagnation or even some deterioration, and furthermore that it has become even more unlikely that the MDG targets will be achieved in PNG.

6. PNG ranks 140th of 179 countries on the Gender Inequality Index 2012⁸ based on evidence that men's life expectancy, access to health care and education services, educational attainment and income are significantly better than those of women in every province of PNG. In addition, there is a high prevalence of violence against women with an estimated 75% of women and children having experienced violence – primarily domestic violence. Women are under-represented at all levels of government, limiting their power to influence public policy. Further, girls have lower school participation rates – often because of unaffordable school fees – a reality made more troubling by the likely significant occurrence of child labour.

1.2 National development plans

7. PNG currently has three key development strategies: "Vision 2050" (2010-2050) which focuses on raising PNG's Human Development Index (HDI) ranking, the Development Strategic Plan (2010-2030) which focuses improving economic and social growth, and the Medium-Term Development Plan (MTDP) 2011-2015, aimed at implementing the Plan and achieving MDGs.
8. PNG's long term development plan "Vision 2050" responds to the systemic deterioration of the provision of public goods and services and lack of meaningful participation of the people in income-earning activities. One of the seven pillars of the plan is human capital development, gender, youth and people empowerment. This includes priority actions to increase participation in education through increased accessibility and provision of equal employment opportunities to address underutilisation of women and other disadvantaged groups in the labour market.
9. PNG's Medium Term Development Plan (MTDP) was introduced in 2011 and sits within the framework of the broader long term Vision 2050. The MTDP focuses on "key enablers" to support of the Government's desire to maximise the outcomes of economic success to improve service delivery in education, health and the ailing national infrastructure. The MTDP stresses an 'enabling' environment for employment priorities and targets and emphasises multi-sector, cross-issue prioritisation. However, gaps include insufficient consideration of the qualitative features (i.e. 'decency') of jobs, and inadequate statistical support for policy development and evaluation. Further, the collection of labour market data is weak, with no harmonised labour market indicators or regular labour force surveys, although the need for systematic employment data is acknowledged within the various national plans.⁹
10. The PNG UNDAF contains four clusters of activities: governance for equitable development; social justice, protection and gender equality; access to basic services; and environment climate change and disaster risk management. Key areas of ILO contribution relate to

⁸ UNDP, *Gender Inequality Index and Related Indicators*, (2012) http://hdr.undp.org/en/media/HDR_2011_EN_Table4.pdf

⁹ ILO, *Situational Analysis of Employment Policies in Papua New Guinea*, 2012 Suva, Fiji

clusters 1 and 2 in relation to promoting good governance and promoting and protecting human rights and gender equality.

1.3 Key decent work challenges

1.3.1 Labour force and employment creation

11. PNG's capacity to effectively and systematically analyse, monitor and maintain labour market information remains limited and is a significant barrier to evidence-based policy development. The National Statistics Office (NSO) is the main Government agency mandated to collect and analysis statistics. A lack of coordination with the Department of Labour and Industrial Relations (DLIR) relating to the collection of labour statistics hampers the availability of comprehensive information. The 2010 National Census contains minimal information, and consequently employment data tends to be sourced from the Bank of PNG through its Quarterly Bulletins and other segregated sources. However, these sources often provide conflicting indicators of labour market and national economic performance. There are plans for a National Household Labour Force Survey (NHLFS) to be conducted in 2013 with DLIR input, but this is subject to funding availability.
12. Notwithstanding these informational weaknesses, it is estimated that in 2011, PNG's working age population (15-54 year olds) was approximately 3.8 million and of these, 2.9 million were in the labour force in 2010.¹⁰ PNG's male and female labour force participation rates are largely equal at 74.2% and 71.6% respectively. Despite this apparent parity in labour force participation, it should be noted that female labour is concentrated in rural (informal and subsistence) work. The National Agriculture Development Plan recognises the role of women in agriculture as women produce over 80% of PNG's food and undertake 60 to 70% of work in crop production.¹¹ It is also notable that women make a significant contribution to fishing yields through informal labour. However, the lack of gender specific analytical data means that women are overlooked as a key stakeholder in the fishing industry.¹²
13. The private sector (formal and informal, and including self-employment) accounts for more than 90% of employment, 80% of overall consumption and fixed investment, and 95% of gross domestic savings. PNG's formal economy is mainly based on the export of extractive minerals and energy sector. However, micro-and informal enterprises predominate, their main economic activity consisting of market-based agriculture. Up to 85% of the population relies on the large, mainly informal, agriculture sector. While employment levels are growing, expansion is constrained by infrastructure problems and relatively low labour productivity. Most informal economy workers undertake subsistence farming and small-scale cash cropping. Informal work is primarily organised around the household. One in six people earn no cash income and the rural poor form more than 94% of PNG's poor.
14. PNG remains characterised by high levels of un-employment and under-employment despite rapid industrialization and employment opportunities arising from the rapid economic

¹⁰ ILO, *Situational Analysis of Employment Policies in Papua New Guinea*, 2012 Suva, Fiji

¹¹ ILO, *Situational Analysis of Employment Policies in Papua New Guinea*, 2012 Suva, Fiji

¹² ILO, *Situational Analysis of Employment Policies in Papua New Guinea*, 2012 Suva, Fiji

expansion. The recent investments in developing infrastructure, including communications, construction and LNG, have supported growth in formal employment, but also created shortages of skilled labour. The Government recognises the need for improved labour market flexibility whilst maintaining adequate worker protections. It is also concerned with improving the professional and technical skills base of the working population, particularly in order to benefit from the anticipated expansion of the extractive industries, and in order to grow the size of manufacturing and agri-business employment.

15. Youth unemployment is at chronic levels - about three times higher than for the general population though recorded figures may be understated. The low absorption of school leavers (about 80,000 people per year) into the formal employment sector (5% of school leavers) and chronic un- and under- employment for young people underline the challenges of creating economic opportunities for the increasing numbers coming onto the labour market, and for those already out of work. This has contributed to a serious deterioration in law and order and has created a negative human rights environment, with increased incidences of violence, particularly against women and girls. This situation has also contributed to a worsening environment for national and international investment, with disproportionately high costs for security protection.
16. The presence of other significant social problems in PNG has a significant negative spill-over into workplaces by undermining productivity and the effective participation of women and men in the labour market. Social exclusion brought about by widespread disability discrimination, gender discrimination and sexual harassment, Sexually Transmitted Infections (including HIV/AIDs) as well as Non-Communicable Diseases (NCD) requires specific strategies focused on workplaces.
17. NCD and Sexually Transmitted Infections (including HIV/AIDs) are an important development issue undermining health gains and imposing financial and economic costs on Governments and households. These reduce worker productivity and can diminish household savings. Furthermore, NCDs could dilute one of the strategic benefits open to PNG, its potential “demographic dividend” of a large working age population.¹³
18. A growing number of children in PNG are engaged in the worst forms of child labour, illicit activities and hazardous work. Many children below the age of 18 work as domestic servants on plantations and in the tourist industry. The extent of child labour was highlighted in a 2012 survey by the ILO, which showed a number of children are also engaged in commercial sexual exploitation. Of notable concern is the number of children who were also HIV positive. The research also highlighted the links between child labour and education – with almost half of the children surveyed having never been to school.
19. Initiatives to support young people and other job-seekers to find employment are very limited. There are currently no Government-led national employment service in PNG and no comprehensive national or sector specific strategies for matching workers and jobs in this area. This function is effectively being undertaken by private employment agents. The

¹³ The Economic Cost of Non-Communicable disease in the Pacific Islands, The World Bank, 2012

Employment Placement Services Act which regulates employment agents is outdated and requires significant reform to support the development of specific strategies to address this significant service gap. The DLIR has identified that this is a priority issue within the broader framework of taking a more comprehensive approach to the development of national employment policies.

20. PNG's government recognises the need to improve its performance in converting economic growth into development. Two widely recognised and under-performing engines of economic development and job creation for PNG are the Micro Small and Medium Enterprise (MSME) sector and the agriculture sector. Creating an enabling policy and regulatory environment that supports businesses to start, grow and create decent jobs coupled with entrepreneurship and business development programmes is essential.
21. In the last three years, seasonal migration schemes, which enable workers from Pacific Islands to undertake seasonal work in New Zealand and Australia, primarily in the horticulture industry, have been extended to PNG workers. The PNG Government has established the PNG Seasonal Workers Taskforce, an inter-departmental agency team led by the Department of Foreign Affairs and Trade, which is responsible for the implementation and monitoring of PNG workers' participation in the seasonal migration schemes and acts as a focal point for authorized employers in Australia and New Zealand. . The goal of the schemes is to boost the development of PNG communities through new employment opportunities, increased remittance incomes and transfer of skill and knowledge to PNG seasonal workers. Thus, PNG's participation in the schemes holds a number of potential developmental benefits, however there are also inherent challenges in ensuring that workers are protected from exploitation by illegal recruiters, that they are adequately prepared for their migration journey and that their rights are protected throughout the migratory process. The participation of PNG workers in the Australian Seasonal Work Programme (SWP) and New Zealand's Recognised Seasonal Employer (RSE) Scheme) is expected to grow substantially over the next four years, increasing the need to ensure that robust regulatory frameworks and systems are in place for orderly, and rights-based, migration. These frameworks necessitate clear legislation and policy to protect the rights of migrant workers during recruitment and while overseas, as well as adequate pre-departure and return/reintegration services to maximise the development outcomes of seasonal migration for workers.
22. The PNG government is alert to the complex and multi-faceted challenges in ensuring future economic growth and decent work opportunities. In 2012 the DLIR, with technical assistance from the ILO commenced a process to develop a comprehensive national employment strategy. A situational analysis of the existing employment policy framework was completed, and it is intended that during 2013 a policy process to develop a new national employment policy is undertaken.

1.3.2 Labour legislation and institutional frameworks

23. The legal framework governing employment and industrial relations has significant weaknesses, which have long been recognised by the Government, workers and employers. A largely outdated labour law framework and ineffective institutions are significant

challenges to good labour market governance. The development of modernised labour legislation to reform the institutional framework (i.e. the Industrial Relations Bill) has taken more than 10 years to develop. Since 2011, the ILO has been providing technical input into a review of the Employment Act which regulates terms and conditions of employment. Revisions to this Act are intended to complement the Industrial Relations Bill. These revisions are also intended to remove elements of PNG's legal framework that discriminate against women, provide greater protections against sex discrimination, pregnancy discrimination, and prohibit sexual harassment in private sector workplaces.

24. The Government of PNG and the social partners have also recognized the importance of safety and health at work. This is an increasing concern due to the significant safety and health risks involved in employment in industries that are of key importance to the country's development (such as natural resource extraction sector and the forestry and timber industries) unless these risks are properly managed. Moreover, low awareness and limited capacity and resources to actively address OSH in small-scale businesses and informal economy, including agriculture, constitute another set of challenges in the country. The main legal framework for OSH is the Industrial Safety, Health and Welfare Act of 1961 and other industry specific regulations. This framework is, however, no longer responsive to a modern labour market and the current OSH issues in the light of the rapid industrialisation that has taken place during the last 20 years. The growth of a number of large projects in infrastructure and high risk industries has in particular added increased impetus to review the existing statutory and institutional framework.
25. In this context, the Government has prioritised the development of new OSH legislation, with technical assistance from the Fiji Government. The OSH Bill is intended to establish an enabling and comprehensive approach for OSH, extending the scope of OSH legislation to cover the entire labour market. To strengthen the OSH response and in particular the capacity to effectively implement and enforce the envisaged new Act, the DLIR has promoted safety and health activities as one of its five core programmes, and efforts are on-going to strengthen the OSH programme, in terms of authority and enforcement capacity, policy and legal framework, as well as human resources.. The Department is also looking at measures to achieve more integrated and harmonized inspection services in the country. Thus the Department places importance on strengthening the capacity of the Inspectorates through capacity building and training, and has requested the ILO to assist in building this capacity among its entire cadre of managers and inspectors. Finally, both the Government and the social partners have realized the need to raise the awareness of OSH issues to enable employers and workers at the workplaces to proactively address and resolve the safety and health problems.
26. Other legislation affecting the labour market governance has also been identified by the government as a priority for review, particularly the Employment Placement Services Act and Workers Compensation Act.

1.3.3 Social protection

27. The traditional "Wantok" system represents the main form of social security available to Papua New Guineans. In 2011, the Government established free education and health

policies to address growing barriers to affordability and accessibility. In spreading the proceeds of the economic gains to the overall population, the O’Neill-Dion Government, in 2012, considered these policies as the essential and basic social protection elements towards achieving the country’s Vision 2050 long-term development strategy. In addition, the Nambawan Super fund for the public sector workers (which is compulsory, by contribution) and the National Superannuation Fund (NasFund), which is open to both private and public sector contributors, allow for medical expenses, school fees and retirement pensions.

28. There are other isolated but noteworthy examples of other social security protection measures. These includes maternity leave with pay for public sector workers, with the establishment of maternity leave policies and awards for individual industries and the compensation for injuries sustained during work, through the Office of Workers Compensation.
29. Pursuant to a directive issued by the National Executive Council to all responsible Government agencies to develop a National Social Security Policy, there has been extensive collaboration in developing this policy since 2010. Chaired by the Department of Community Development, the DLIR has been a member of the Task Team established to formulate this Policy.

1.3.4 Tripartite capacity

30. Tripartite institutions have been in place for some time, principally the National Tripartite Consultative Council (NTCC). The NTCC faces capacity challenges relating to its functions, particularly in relation to establishing a required quorum under its empowering legislation. This will be resolved by changes to its structure in the draft Industrial Relations Bill. It is also recognised that Council members’ on-going commitment to participate in the NTCC is critical to its future success.
31. The DLIR has varying capacity with respect to its core mandates such as labour inspection, general industrial relations issues, employment services and the overall promotion of employment policy, arbitration, occupational safety and health, and its relationship with the social partners. While the Department has performed well in some sectors, such as the regulation and processing of the foreign employment sector, there is a significant shortage of capacity and personnel to drive policy development to reform core labour legislation. This is exacerbated by the lack of labour market information for evidence-based policymaking. In addition, existing confidence in the legal framework is undermined by a large backlog of unresolved arbitration and mediation cases.
32. The DLIR workforce is ageing, with one third of personnel nearing retirement. Furthermore, a reduced annual budget and the increasing workload pressures arising from additional responsibilities have generated an increased demand for technical support from the ILO and the other external partners. In 2011 the Department signed an agreement with AusAID to obtain assistance in building capacity in the areas of finance and labour market information. Further, the National Planning Office has allocated K43 million to boost the infrastructure of the Department over a three year period.

33. The social partners in PNG are the Employers' Federation of PNG (EFPNG) and the PNG Trade Union Congress (PNGTUC). While there is considerable commitment to tripartism, PNG's record on social dialogue has been mixed in practice. Both partners face capacity challenges. With respect to the PNGTUC, only a few union officials are paid, and there is a lack of resources to increase membership, organise existing members and engage in policy dialogue. There is a significant constraint on the extent to which existing officials are able to engage across a wide range of labour-related areas. The EFPNG has five officials – but faces challenges in retaining existing staff.
34. The demands on social partners are likely to increase significantly over the medium term due to a confluence of major law reform and policy initiatives. The EFPNG and PNGTUC are continuing to be engaged in significant policy development processes including revising labour legislation, revising OSH legislation, developing a new national employment policy and strengthening of the labour administration system. In addition, with the emergence of a comprehensive labour law and OSH framework during the next two years, social partners will be required to place considerable emphasis on building the capacity of their memberships to implement changes to give effect to new obligations under the revised regulatory frameworks. These obligations are in addition to social partners' core functions relating to organising, bargaining and representing the interests of their members on industrial matters. The demands on social partners to participate in large scale and increasingly complex policy development processes require specific attention to building their resource capacity and capability to engage effectively. This is in addition to the need to build and maintain the capacity to organise and represent the interest of members on industrial matters. Attending to all of these areas is challenging in an environment with limited resources and capacity.
35. There is significant potential for the EFPNG and PNGTUC to take leadership, with the support of the government, to assist members to implement programmes that address the negative spill over of significant social problems that affect workplace productivity and effective labour market participation. This includes workplace strategies to tackle disability discrimination, gender discrimination and sexual harassment, Sexually Transmitted Infections (including HIV/AIDs) as well as Non-Communicable Diseases (NCDs).

1.4 The ILO in PNG

36. PNG has ratified a total of 24 ILO Conventions, eight of which are core ILO Conventions. Three Priority Conventions are yet to be ratified, namely those relating to Labour Inspection (Conventions 81 and 129) and Tripartite Consultation (Convention 144), but there is broad Government commitment to ensure that the regulatory and policy framework is consistent with International Labour Standards. It is anticipated that by 2013, these Priority Conventions will be ratified along with a number of other recently adopted ILO Conventions.
37. Although PNG has regularly submitted reports to ILO supervisory bodies, there are gaps in its reporting on ratified Conventions. In addition, the Committee of Experts on the Application of Conventions and Recommendations has repeatedly raised concerns about the enforcement of these Conventions. A number of these concerns relate to the content of the draft Industrial Relations Bill, which have not been fully addressed.

38. PNG signed the first DWCP in November 2008 for the period 2009 – 2012. Its key priorities were formulated around (a) the need to build the capacity of tripartite partners; (b) labour law reform; (c) the promotion of decent work; and (d) skills development. This first DWCP remains an important learning exercise, although it achieved modest progress in reaching its outcomes. To that extent, these four priorities continue to have relevance in the current labour market context. A key lesson from the point of view of constituents' is the need to identify more pragmatic and realistic priorities, with clear implementation plans on how and when these priorities can be achieved. Another notable concern was the need for the NTCC to take greater leadership in overseeing the new DWCP and supporting the ILO in resource mobilization.
39. The ILO is also a member of the United Nations Country Team in PNG, one of the countries where the UN is committed to Delivering as One. Since the appointment of an ILO National Coordinator in PNG, the ILO more active participates in the Gender Task Team and the Human Rights Task Team. It is envisaged that through the lifespan of the UNDAF, the new DWCP will retain strong linkages with the UNDAF outcomes and therefore actively contribute to how the UN is delivers as One in PNG.
40. The ILO is awaiting the ratification of the 1947 Convention on the Privileges and Immunities for Specialized Agencies and Annex 1, as it will give ILO more scope to expand the overall programme in PNG. It had been cleared by the Attorney General's Office and a submission was made to Cabinet.

2 COUNTRY PROGRAMME PRIORITIES

41. Based on tripartite consultations including a review of the previous DWCP, it has been agreed that the following Country Programme priorities be established.
 - Priority 1: Completion and implementation of national labour law reform, including migration law and policy
 - Priority 2: A national employment strategy and implementation framework that creates and improves access for young women and men to decent employment
 - Priority 3: Tripartite capacity is strengthened.
42. The identification of these priorities and the outcomes and strategies describe below are consistent with and integrated into the United Nations Development Assistance Framework (UNDAF) for PNG. Broadly, the UNDAF (2012-2015) focuses its programming and advocacy efforts on four inter-related cluster areas, namely:
 - Governance for Equitable Development
 - Social Justice, Protection and Gender Equality
 - Access to Basic Services
 - Environment and Disaster Risk Management

3 Outcomes and strategies

3.1 Priority 1: Completion and implementation of labour law reform, including migration law and policy

43. This priority builds upon the previous DWCP's priorities relating to modernising labour legislation. This work focusses on the completion of the Industrial Relations Bill, revisions to the Employment Act through the delivery of a new Employment Relations Bill, and finalisation of the Occupational Safety and Health Bill. When passed into law they will constitute the primary framework underpinning industrial relations in PNG and will substantially update the existing legislation. In addition, there is a priority to improve the existing legislative framework on migration, through amendments to the Migration Act 1978 or the preparation of new legislation dealing with overseas employment. The coherence of this reform package is critical to ensuring a robust legal framework, which provides for gender equity, safe workplaces, fair and productive employment relationships, protections for migrant workers and more broadly, good labour market governance.
44. Equally important to the enactment of legislation is its implementation. Appropriate institutional frameworks need to be established to enforce the provisions of legislation. In the case of migration, there should be measures taken to ensure that worker protections enshrined in (new or revised) legislation are facilitated by the PNG Seasonal Migration Taskforce and its constitutive agencies. In addition, improved pre-departure training will educate workers about their rights.
45. Work under this priority is integrated into the UNDAF outcome areas of (a) Governance for Equitable Development and (b) Social Justice, Protection and Gender Equality.

3.1.1 Strategy overview

46. Under the leadership of a Working Group established in 2012 and chaired by the DLIR, revisions to the Employment Act will be completed with full tripartite consultation. These changes will be cognisant of, and compatible with, the Industrial Relations Bill and OSH Bill, which are also expected to be passed into law in 2013. The DLIR will continue to work with the Government of Fiji to finalise the OSH Bill, and the Working Group will work closely with the ILO to finalise the Employment Relations Bill in the first half of 2013.
47. Child labour provisions in the Employment Relations Bill are also intended to contribute to the ILO's TACKLE Project in PNG. The objective of this Project is to strengthen capacity of the national and local authorities in the formulation, implementation and enforcement of policies to fight child labour, an obstacle to poverty alleviation and access to basic education, in coordination with social partners and civil society. The development of a sound regulatory and policy framework in the Employment Relations Bill to enable improved compliance with ILO Conventions 138 and 182 are an essential element of this work. This would be supported by the development of a hazardous child labour list that is formalised in regulations. This is supported by the formalisation of a specialist Child Labour Unit in the DLIR to oversee and co-ordinate the existing policy framework and work closely with civil society on strategies to tackle child labour. It will provide an important focal point and centralised co-ordination mechanism to implement broad strategies and monitor progress.

48. The DLIR will complete the recruitment of a full complement of OSH inspectors and work with the ILO and Fiji Ministry of Labour, as appropriate, to implement a programme of OSH training including baseline training. This work is part of broader undertaking to analyse existing DLIR capacity to implement a broader DLIR human resource development plan. Social partners will be supported to raise awareness of, and promote the legislation.
49. With respect to the Industrial Relations and Employment Relations Bill, the ILO will provide technical assistance to support professional competencies and good labour inspection practices. This will be supported by the development of a full training package and training manuals to facilitate the implementation of new labour inspection duties, powers and functions. This will include a focus on inspection practices relating to eliminating violence in the workplace, with a particular emphasis on sexual harassment.
50. The challenges of limited primary and secondary labour market data have implications for the development of sound evidence based policy making. The DLIR will place emphasis on its role in collecting secondary labour market data, particularly in the area of labour inspection. Within a package of training for inspectorate services, particular attention will be paid to developing robust data collection mechanisms that include the collection of gender-disaggregated data. The intention is to develop a systematic information management system to build knowledge of the nature of employment disputes, problems and issues that arise in workplaces, monitor developments and reporting regularly to constituents on trends and issues.
51. The DLIR also has a role in contributing to national surveys conducted by the NSO. It will work towards developing a series of gender responsive questions on key labour market issues for consideration in the next Household Labour Force Survey.
52. The ILO with its constituents will develop project documents that can be used for national and donor resource mobilization. These efforts will focus on the following specific areas:
 - A technical cooperation project focusing on implementing practice change to give effect to revised statutory frameworks, particularly in the areas of labour inspection and OSH inspection.
 - A technical cooperation project to implement strategies to tackle the worse forms of child labour and promote strategies to enable children to participate in education.

3.1.2 Programme outcomes

53. The DWCP Country Programme Outcomes and the associated outputs are summarized in the below.

Table 1: Programme outcomes and outputs

Country Programme Outcomes	Outputs
Outcome 1.1: The revised Employment Act and the Occupational Safety and Health Act are enacted by government and improve compliance with International Labour Standards	ILO submission/s to the government and social partners of draft Employment Relations Bill and Occupational Safety and Health Act based on national situational analysis, tripartite consultations, and technical memoranda by the ILO by mid 2014.
	Enactment of Employment Relations Bill and the Occupational Safety and Health Bill approved by government before end of 2014
	Submission by the government of the Instrument of Ratification for ILO Convention 81 by the end of 2014

Country Programme Outcomes	Outputs
	Submission by the government of the Instrument of Ratification Convention, and/or The Promotional Framework for Occupational Safety and Health Convention, 187 by the end of 2015
Outcome 1.2: The PNG OSH/Labour inspection system is, with the support of the social partners, in place and able effectively implement and enforce new OSH legislation, the Industrial Relations Bill and revised Employment Act.	A strategy for implementation and enforcement of the legislation is formulated and adopted in consultation with social partners is developed within two months of enactment
	Four senior DLIR staff trained by the ILO and supported with resource materials to train and mentor all OSH and labour inspectors to promote compliance with and to enforce the new OSH legislation and Labour Inspection standards.
	Annual Labour inspection reports, in accordance with Convention 81, prepared and published from 2014 and onwards;
Outcome 1.3: The legal and institutional frameworks are in place to support the elimination of child labour	A new Child Labour Unit in the DLIR is established and operating by the end of 2014
	The Employment Relations Bill provides for improved consistency with ILO Convention 138 on the Minimum Age for Employment and ILO Convention 182 on the Elimination of the Worst forms of Child Labour.
	A list of hazardous work for children is completed in consultation with constituents, accepted by the Government and formalised in regulations before end of 2014
Outcome 1.4: The legal framework for governing overseas employment is in place, and effectively implemented by appropriately resourced institutions	Legislation (or appropriate regulations) governing overseas employment of workers enacted by end of 2014
	Review of PNG Seasonal Workers Taskforce management completed by mid 2014 and pilot strategies implemented by end of 2014.
	The content of pre-departure training is evaluated, improved and new materials piloted by end of 2014

3.2 Priority 2: A national employment strategy and implementation framework that creates and improves access for young women and men to decent employment

54. PNG has ratified ILO Convention 122 on Employment Policy and there is significant commitment to implement a coherent employment policy framework that delivers sustainable labour market outcomes. To this effect, a *Situational Analysis of Employment Policies in PNG* was prepared in early 2012 to identify the critical issues, gaps and opportunities in existing policy frameworks. Furthermore this priority builds on extensive enterprise development programmes (SIYB and KAB) successfully implemented in PNG over a number of years.
55. Work under this priority is integrated into the UNDAF outcome areas of (a) Governance for Equitable Development and (b) Social Justice, Protection and Gender Equality.

3.2.1 Strategy overview

56. At an Employment Policy Seminar in November 2012, the implications of a *Situational Analysis of Employment Policies in PNG*, were discussed in detail by a range of stakeholders. As a result, there was support across agencies to establish a national employment strategy. The key issues identified by stakeholders included strategies targeting rural and urban workers, formal and informal employment, as well as specific strategies to tackle youth unemployment, and addressing the needs of vulnerable groups in the labour market, with specific attention to the needs of women.

57. To support this effort, the DLIR has prioritised the establishment of a new National Employment Service to address a critical gap in the delivery of effective services for matching workers and jobs and work to establish a new National Skills Development Authority.
58. To address key weaknesses in applying a whole-of-Government approach to employment policy issues, a key measure will be, subject to endorsement by Ministers, the establishment of a taskforce with responsibility for National Employment Policy development.
59. The persistent challenges of addressing gaps in critical labour market information to inform evidence-based policy development is essential to the long-term success of an employment policy framework. A key part of this policy will need to be the development of a future focused approach to collection, analysis and dissemination of labour market information. Overall responsibility for such information rests with the NSO. However, the DLIR can play a key role in supporting the NSO as well developing a framework for the collection, analysis and dissemination of secondary labour market data falling within the purview of the Department.
60. Through the support of AusAID, the ILO will be providing technical support to enhance capacity relating to the implementation of PNG's participation in Australia's Seasonal Work Programme (SWP). The purpose of this work is to facilitate the safe and timely recruitment of workers, build the capacity of the government to formulate and implement seasonal migration law and policy. This work will also supported the development of tools, training and resources to better support service deliver during pre-departure and reintegration and build the visibility of workers to improve uptake of PNG workers in Australia. In addition, the communication between the PNG Seasonal Workers Taskforce and employers (particularly in Australia) will be strategically designed and strengthened to improve demand for PNG workers by employers in Australia and New Zealand.
61. Building on the Small Business Development Corporation's (SBDC) experiences of the ILO's Know About Business (KAB) package which offers innovative action-learning approach to develop entrepreneurship skills among schools students and technical and vocational students, these experiences will be reviewed with a view institutionalising business education in schools and Technical and Vocational Education and Training (TVET) institutions. Teachers and Ministry of Education staff, will be trained using adapted KAB materials and certified in delivering KAB in schools and TVET institutions.
62. Similarly, business training will be made more available for out of school young men and women, including marginalised and disabled youths and strengthened national mechanisms to support business start-up and sustainability. This will be achieved by assisting governments, the private sector, training institutions and community organizations in the delivery of enterprise programmes using ILO 's SIYB, C-BED programmes and WED programmes.
63. During this DWCP, the ILO will develop a transport industry plan through the Pacific Growth and Employment Project (PGEP). The PGEP is a two year programme (2012-2014) under the umbrella of the Decent Work Agenda of the Australia - ILO Partnership Agreement. The

transport industry plan aims to improve opportunities for sustainable and productive employment growth in the transport sector by drawing on the resources of Australian industry with a footprint in the Pacific to develop an industry led action plan for training and employment of local PNG workers in the transport sector.

64. The ILO with its constituents will develop project documents that can be used for national and donor resource mobilization. These efforts will focus on the following specific areas:
- A technical cooperation project to establish and implement a new national employment service
 - A technical cooperation project to provided business training and support is available for out-of- school young men and women, including marginalised and disabled youths and strengthened national mechanisms to support business start-up and sustainability.
 - A technical project to support the PNG Government formulate and implement reintegration services for returned workers participating in seasonal migration schemes, in order to improve the development impact to households and communities.

3.2.2 Programme outcomes

65. The DWCP Country Programme Outcomes and the associated outputs are summarized in the below.

Table 2: Programme outcomes and outputs

Country Programme Outcomes	Outputs
Outcome 2.1: A new national employment policy/strategy is developed and implemented	A new national employment strategy taskforce comprising representatives of key government agencies, social partners and civil society established by mid 2014
	A national employment strategy adopted, by end of 2014 including a focus on formal and informal employment, contains specific strategies to tackle youth unemployment, the needs of women and the effective delivery of services to support workers participating in seasonal work schemes and the employment of returned migrants.
Outcome 2.2: A national employment service is providing employment advice and support to young job seekers	The Employment Placement Services Act is repealed and a new regulatory framework is established to support the delivery of employment services by mid 2014.
	A new National Employment Service is established by the DLIR and is operational by end of 2015
Outcome 2.3 Entrepreneurship education is introduced and institutionalised in schools and TVET institutions	Know About Business (KAB) pilot programme reviewed and findings disseminated to key stakeholders and a strategy developed for rolling-out the KAB programme, by end of 2013
	Thirty teachers, and Ministry of Education staff, trained using adapted materials and certified in delivering KAB in schools and TVET institutions by end of 2014
	Fifteen education institutions adopt and implement KAB as a standard programme
Outcome 2.4 Business training and support is available for out-of-school young men and women, including marginalised and disabled youths and strengthened national mechanisms to support business start-up and sustainability.	Twenty organizations trained/supported to use ILO's tools and actively implementing programmes

3.3 Priority 3: Tripartite Capacity is strengthened

66. A significant focus of this DWCP is supporting the social partners to operate in the new environment established by revised employment and OSH legislation when they are passed into law. The ILO will facilitate support to the EFPNG and PNGTUC through capacity building and dissemination of best practice. This will include, among other areas, bargaining practices, dispute resolution and the elimination of discrimination and harassment in employment as well implementing good practices relating to OSH. When legislation is enacted, more targeted training will take place focusing on new rights and obligations and fulfilling statutory responsibilities.

3.3.1 Strategy overview

67. The ILO will provide technical assistance across these outcomes to strengthen the capacities of PNGTUC, EFPNG and the NTCC. With respect to the social partners – a key strategy is to develop foundation skills training for officials in both organisations to support them undertake their roles and responsibilities as representative organisations of workers and employers. This training package will be designed with the support of International Training Centre of the ILO in Turin.

68. Training provided to PNGTUC will also focus on building both its operational capacity and the skills of officials and support staff. The training for EFPNG will focus on addressing workforce retention issues in its central office. Its immediate priority is to fill existing vacancies and support this with a retention strategy.

69. The ILO will support the EFPNG and PNGTUC to take proactive leadership, with the support of the government, to assist members to implement programmes to tackle the negative spill-over of social problems in workplaces. This includes disability discrimination, gender discrimination and sexual harassment, Sexually Transmitted Infections (including HIV/AIDs) as well as NCDs.

70. With respect to the role and functions of the NTCC, it is anticipated that past difficulties with regard to establishing a quorum, will be resolved when changes are enacted in the Industrial Relations Bill. Changes to the NTCC in the Bill provide an opportunity for this body to move towards developing a strategic approach to planning its work. The ILO will provide training of good practice to support the NTCC and provide technical assistance to support its annual work plan with priorities and targets.

71. The ILO with its constituents, will develop project documents that can be used for national and donor resource mobilization efforts in the following areas:

- A technical cooperation project with the support of ITC-ILO International Training Centre to establish a programme to deliver foundation skills training to social partners.
- A technical cooperation project to build awareness of, implementation strategies and capacities to give effect to new responsibilities under revised labour and OSH legislation.
- A technical cooperation project focusing on workplace policies and strategies to tackle the negative spill-over of social problems in workplaces – including disability

discrimination, gender discrimination and sexual harassment, Sexually Transmitted Infections (including HIV/AIDs) as well as NCDs.

3.3.2 Programme outcomes

72. The DWCP Country Programme Outcomes and the associated outputs are summarized in the below.

Table 3. Programme outcomes and outputs

Country Programme Outcomes	Outputs
Outcome 3.1 Social partners' capacities to provide meaningful service and to recruit new members is increased	Core EFPNG and PNGTUC staff and management receive ILO foundation skills training to support their operational capacities to deliver effective services to their memberships and contribute as social partners to policy dialogue - Programme designed by end of 2013 and being progressively implemented
Outcome 3.2 Social partners are able to support member/affiliates in relation to their rights and responsibilities under the new Acts	Communication plans and accompanying resource materials are in place before legislation is enacted and being progressively implemented
Outcome 3.3 The National Tripartite Consultative Council (NTCC) is meeting regular and functioning according to its regulations	NTCC members trained during 2014 on good practice in tripartism and refresher training provided when IR Bill passed into law

4 Implementation and management

73. This programme will be implemented by the Government of PNG, PNGTUC and the EFPNG in close cooperation with the ILO on the basis and extent to which resources are available and can be mobilised. Within the strategic role and functions of the NTCC, it will maintain an oversight role in relation to progress towards achieving the priorities set out in this DWCP.

74. The implementation of this programme will be facilitated by the ILO Office of Pacific Island Countries in Fiji, regional technical specialists based in the ILO Regional Office for Asia and its Decent work Team, the International Training Centre of the ILO in Turin as well as technical units in ILO headquarters in Geneva.

75. Within two-months of finalizing this document, an implementation plan, with complementary monitoring and reporting plans will be developed with ILO technical input and confirmed by the NTCC. The ILO will seek to mobilise resources to finance the implementation of this programme along with other potential donors.

76. The implementation plan will focus on inputs and milestones to achieve each of the priority areas. The implementation plan will be reviewed by a special session of the NTCC every six-months and adjustments made as necessary and appropriate.