



International
Labour
Organization



Safe Work for **outh Kit**

**A GUIDANCE NOTE FOR
EMPLOYERS & EMPLOYER
ASSOCIATIONS
IN THE CONSTRUCTION INDUSTRY
IN MYANMAR**

2019

USER'S GUIDE



USER'S GUIDE

A GUIDANCE NOTE FOR **EMPLOYERS & EMPLOYER ASSOCIATIONS** IN THE CONSTRUCTION INDUSTRY **IN MYANMAR**

2019

Fundamental Principles and Rights at Work Branch (FUNDAMENTALS)

Labour Administration, Labour Inspection and Occupational Safety
and Health Branch (LABADMIN/OSH)

International Labour Organization (ILO)



Copyright © International Labour Organization 2019
First published 2018
Second edition 2019



This is an open access work distributed under the Creative Commons Attribution 4.0 International License (<https://creativecommons.org/licenses/by/4.0/>). Users can reuse, share, adapt and build upon the original work, as detailed in the License. The ILO must be clearly credited as the owner of the original work. The use of the emblem of the ILO is not permitted in connection with users' work.

Attribution – The work must be cited as follows: FUNDAMENTALS & LABADMIN/OSH, *A guidance note for employers and employer associations in the construction industry in Myanmar - User's guide, Safework for Youth kit*, Second edition – Yangon: International Labour Organization, 2019.

Translations – In case of a translation of this work, the following disclaimer must be added along with the attribution: This translation was not created by the International Labour Office (ILO) and should not be considered an official ILO translation. The ILO is not responsible for the content or accuracy of this translation.

Adaptations – In case of an adaptation of this work, the following disclaimer must be added along with the attribution: This is an adaptation of an original work by the International Labour Office (ILO). Responsibility for the views and opinions expressed in the adaptation rests solely with the author or authors of the adaptation and are not endorsed by the ILO. All queries on rights and licensing should be addressed to ILO Publishing (Rights and Licensing), CH-1211 Geneva 22, Switzerland, or by email to rights@ilo.org.

ISBN: 978-92-2-032109-6 (Print); 978-92-2-032108-9 (Web PDF)

Also available in Burmese: လူငယ်များအတွက်ဘေးအန္တရာယ်ကင်းရှင်းသည့် လုပ်ငန်းခွင်စာအုပ်အား မည်သို့အသုံးပြုမည်နည်း - မြန်မာနိုင်ငံ ဆောက်လုပ်ရေးလုပ်ငန်းခွင်ရှိ အလုပ်ရှင်များ၊ အလုပ်ရှင်အဖွဲ့အစည်းများအတွက် လမ်းညွှန်ချက်မှတ်စု၊ ISBN: 978-92-2-032111-9 (Print); 978-92-2-032110-2 (Web PDF), Yangon, 2019.

Acknowledgements

This publication was elaborated by Susan Gunn, consultant, for the ILO, under the coordination of Nicholas Levintow, SafeYouth@Work project, from ILO Geneva Office, and Selim Benaissa, My-PEC project, from ILO Yangon Office.

Funding for this ILO publication is provided by the United States Department of Labor under the cooperative agreement number IL-25263-14-75-K of the "Myanmar Programme on the Elimination of Child Labour" (My-PEC) (MMR/13/10/USA); and under cooperative agreement number IL-226690-14-75-k-11 of the "SafeYouth@Work" project (MMR/16/50M/USA). One hundred per cent of the total costs of the My-PEC project is financed with Federal funds, for a total of 5,000,000 dollars. One hundred per cent of the total costs of the SafeYouth@Work project is financed with Federal funds, for a total of 889,649 dollars.

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.

The designations employed in ILO publications, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by the International Labour Office of the opinions expressed in them.

Reference to names of firms and commercial products and processes does not imply their endorsement by the International Labour Office, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval. Information on ILO publications and digital products can be found at: www.ilo.org/publns.

www.ilo.org/childlabour

Printed in Myanmar
Photocomposed by Swel Taw Offset, Yangon, Myanmar



CONTENTS

INTRODUCTION	1
THE CONSTRUCTION INDUSTRY	3
OVERVIEW OF MATERIALS	4
STEPS FOR USING THE KIT	6
ADDITIONAL ACTIVITIES FOR EMPLOYERS TO CONSIDER	8
ANNEX: INTERNATIONAL LAWS AND RECOMMENDATIONS.....	13





INTRODUCTION

This kit has been prepared for employers and employers' associations in the construction industry in Myanmar. It contains the following materials:

“User's Guide – A guidance note for employers and employer associations in the construction industry in Myanmar”, the present document which suggest how the different kit resources might be used.

“Keep Them Safe – Tips for managers of construction sites with young workers in Myanmar”, a document for construction managers, supervisors and owners.

“Stay Safe – Tips for young workers in the construction industry in Myanmar”, a factsheet that provide information about different jobs young workers in construction industry are likely to do.

Purpose

The goal of the Safe Work for Youth Kit is to help the Myanmar construction industry stay free of child labour and ensure that the younger workers at construction sites are safe from exploitative and dangerous work.

Remember . . .

IF CHILDREN UNDER THE LEGAL MINIMUM AGE (14 YEARS) ARE WORKING...

THEY ARE IN CHILD LABOUR!

IF YOUNG WORKERS UNDER 18 ARE EXPOSED TO SUBSTANTIAL PHYSICAL OR PSYCHOLOGICAL RISK AT WORK...

THEY ARE IN CHILD LABOUR!

YOUNG WORKERS ARE THE MOST VULNERABLE WORKERS AND SUFFER HIGH RATES OF WORKPLACE INJURIES...

YOUNG WORKERS NEED SPECIAL OSH PROTECTION!



Main Principles

- 1. All workplaces have hazards – either in the work itself or in the working conditions. Poor working conditions can make even the safest job tasks more hazardous.**
- 2. By identifying these hazards ahead of time, it is possible to substantially the risk from them. reducing risks to an acceptable level is the responsibility of the employer.**
- 3. Young workers have special vulnerabilities. They also have special rights that protect their health and safety.**
- 4. Young workers need to be shown how to recognize hazards and how to protect themselves.**

One of the basic principles underlying Safe Work for Youth is that the employer is legally responsible for occupational health and safety (including protection from psychological abuse) of her/his workers -- and this includes young workers. Training is the first step in ensuring that young workers are safe, but all too often, young apprentices, trainees, and short-term employees are overlooked or miss training. Training is not a one-off event. The site manager or employer should try to make young workers feel comfortable to ask questions of older workers and experienced foremen throughout their workday. Even if the young worker misses a formal training session, on-the-job training and mentoring can help to keep them safe at work.

Another core message is that an enterprise which is careful to protect its young workers is also an enterprise which tends to be more efficient and productive. This saves money. Most importantly, a workplace that has consciously been made safe for young workers becomes safe for adult workers as well. Fewer accidents among all workers = a win-win situation!

A third basic principle is that young workers have a right to know the risks to which they may be exposed and how these should be controlled, as well as their rights and responsibilities (the 3 R's!). Providing information to young workers is never the first or only component of a campaign to protect young workers, but it is an essential component. Many surveys in developed countries show that young workers are not receiving the training they need to be safe at work. They should be getting this information at school, in vocational training programmes, as well as on the job.

Learning important safety and health information early in their working lives will help young people contribute to a “culture of prevention” which is the new approach in occupational health and safety. Well-informed workers are better able to assist the owners and employers in keeping the site safe and productive.



THE CONSTRUCTION INDUSTRY

Worldwide, the construction industry has the reputation for being one of the more hazardous places to work. There are several reasons for this:

- Construction sites use large, heavy equipment and tools that cut, crush, mix or move.
- The structures being built can be unstable. Barriers may be flimsy or not yet in place over openings for window, stairs, and foundations. Falls from the roof or scaffolding account for 50-70% of worker deaths in some countries.
- Because construction sites are temporary, the normal policies, procedures and protections that you would expect for a fixed workplace may not be put in place.
- Construction work can lead to exposure to dusts, some of which may contain asbestos, silica and other dangerous metals or contaminants. There is also the potential for exposure to harmful levels of noise and vibration.
- Many fatalities on construction sites involve immigrants or workers who are from ethnic minorities, some of whom are hampered by not being able to read safety warnings or not understanding instructions in the dominant language.
- In many countries, construction is poorly regulated.
- Many construction workers do not belong to a union, which means that there is no safety rep on hand.
- Construction foreman often hire day laborers who are given little or no training.

Although infrastructure and construction projects have been growing rapidly in recent years, there is also a high level of competition in the industry which can result in pressures on contractors and site managers to take shortcuts to keep costs low.¹ This may mean even less surveillance than in other work. Most sites are never inspected until a worker is injured or killed.²

Another consideration to keep in mind is that danger does not stop at the gate of the construction site. Construction can have a magnet effect, luring under-age children to drop school and come to work there. After hours, it also may put young workers in contact with adult behaviors such as drinking or expose them to off-site sexual abuse.

Construction risk is also determined by the location of the work. Most sites are open, thus exposing the young worker to sunlight (or alternatively to cold or inclement weather). A wet site, such as a river bed, poses a risk of drowning or exposure to water-borne diseases.

Finally, construction requires a lot of different types of materials which are prepared elsewhere and then brought to the site. It is easy to ignore the fact that it is often children and young workers who are breaking stones into gravel or making bricks for the infrastructure projects. Commercial ethics and codes of practice are now emerging worldwide that place duties on the employing company to consider work and working conditions of subcontractors, and be accountable for these workers' welfare as well as those directly employed on site.

¹ Ladbury, Cotton and Jennings: Implementing Labour Standards in Construction: A Sourcebook, Loughborough University, 2003 quoted in Blagborough, "Infrastructure and Construction Projects – The Hidden Cost to Children" Background Paper for SCF meeting 2011.

² "Worker Safety Advocates Unveil Alarming Findings in "Price of Life: 2015 Report on Construction Fatalities in NYC" NYCOSH | May 11, 2015.



OVERVIEW OF MATERIALS

Keep Them Safe – Tips for managers of construction sites with young workers

“Keep Them Safe” is a resource for owners of construction companies, supervisors and site managers. It includes:

General guidelines

This part presents the basic rules and principles that concern young workers who are above the legal minimum age for employment in Myanmar (14 years) but under age 18.

Specific suggestions

This section looks at specific areas that often pose problems for young workers and provides tips for what can be done about them. The topics are:

- Work Contracts
- Times & hours
- Harassment & violence
- Stress
- Materials handling
- Equipment & tools
- Hazardous substances
- Light, noise, vibration & temperature
- Workers support facilities

Helpful resources

This section lists where the employer or site manager can go for help in case s/he needs further information.

Checklist

This pull-out sheet is meant to be used regularly when making an occupational health and safety inspection of the worksite. Checklists are a useful tool for identifying hazards. Although usually filled out by the manager, they are especially good when used to engage with the workers.

Hazard stickers

A sheet of adhesive stickers has been provided which the employer can place on equipment or chemical products or even sections of the worksite which should be prohibited to young workers because of the risk. It is a light-hearted way of providing a warning. A good activity to conduct with young workers new on the job is to do a walk-through of the work site with the young worker and his/her direct supervisor, pointing out possible hazards and affixing the stickers.



Stay Safe – Tips for young workers in the construction industry in Myanmar

“*Stay Safe*” is a resource for young people working on a construction site. It includes:

A general brochure

It provides a general introduction on safety and health for youth. Because its underlying theme is young workers’ rights, it is important to have the content and language reviewed for cultural appropriateness. Those who are distributing this kit should consider:

- What is the best way for young Myanmar workers to ask questions about a potentially dangerous task or chemical?
- Who should they turn to for training or to seek clarification about how to perform their jobs?
- Who would be best to support them when dealing with a delicate subject such as violence or sexual harassment?

Fact sheets

The *Fact sheets* are one-page flyer that are cheap to produce, easy to distribute and quick to read. They include:

- Some of the tasks that young people do when they are hired for this type of work.
- Top dangers that young workers are concerned about in this industry.
- True stories about workplace safety incidents.



STEPS FOR USING THE KIT

Step 1. Get organized

- ➔ **Partner?** Are you launching Safe Work for Youth all on your own or as part of a larger campaign with other companies or agencies? Doing it together with others is a good way to have an impact.
- ➔ **Purpose?** What do you hope to achieve? The main advantage is that your construction site will have fewer accidents and lost time incidents that are costly in time and money. But there are other advantages as well. Even small firms will find Safe Work for Youth useful as a way to create a good name or reputation for their firm or as a starting point for worker training.

Step 2. Prepare the materials

MAKE THEM SPECIFIC TO THE SITE

- ➔ Go to the construction site (memory often misses things, it helps to actually be on site) and make a list of all the tasks and activities that are being done there. Include start-up tasks at the beginning of the day too as well as those at the end, such as cleaning up and putting tools away. Include also the little jobs such as running errands, purchasing or stacking.
- ➔ Now, put a red line through all tasks and activities that you think might be too heavy or too hazardous for young workers as well as tasks and activities that take place in areas of your site which are isolated, contaminated, or hazardous for some other reason.

This is your initial “OK” / “Not OK” list for young workers

Fit them to the workers

- ➔ Can they all read? If not, include a sketch, cartoon or picture of each task that is “Not OK” or prohibited.
- ➔ Do they all speak the same language? If not, use the picture version or prepare materials in each language spoken on site.
- ➔ Can you afford to print a copy for each worker? If not, make them into posters instead.
- ➔ Will the workers obey? The best way to get young workers to comply is to have them participate in preparing the guidelines on how to do construction work safely and see how this benefits them.
- ➔ Do you know what the young workers are most concerned about? Sit down with a group of young workers and review the task list with them to see if there is anything that has been missed. Ask them about the hazards they face on the construction site: the most serious, the most common, the most likely to happen. Be sure these are included in the materials.



Add local information

- ➔ Where is the first aid box located on the construction site, and who has had training?
- ➔ How far is the nearest medical center or clinic?
- ➔ What is the name and contact information of supervisors or other responsible persons in case of emergency?

Step 3. Disseminate & Train

- ➔ Provide site managers, supervisors, and the owner/employer with copies of “Keep Them Safe”.
- ➔ Provide each young worker with the “Stay Safe Fact Sheet”.
- ➔ Use the materials when training new workers and provide each of them with a copy of either “Keep Them Safe” or “Stay Safe”, depending on their role.³

Even though the materials are targeted to specific groups, for example Stay Safe which is targeted to young workers, it is likely that some of the information will be new to other groups as well. Also, by providing the whole kit to other employers, chambers of commerce and similar organizations, and asking them to pass on relevant pieces to their members and their young workers will have the added benefit of providing a wide range of adults with useful information about child labour laws, occupational health and safety, and contacts and resources. This also creates an important connection; it is essential that young people know they can turn to an adult for further information or assistance.

³ For training courses, it is helpful to have an occupational health and safety institution or medical facility with experience in occupational health to serve as a back-up when questions arise.



ADDITIONAL ACTIVITIES FOR EMPLOYERS

Paper alone seldom changes people. So it is good to think of using *Safe Work for Youth* materials as part of a broader campaign to protect young workers. Employers and owners of construction firms can be a potent force for change because they have a reputation for being practical and sensible. If they take the lead, others will follow. An employer-led campaign might include:

Gathering information

Facts are the starting point for convincing people to take seriously the occupational health and safety of young persons. Employers can make an invaluable contribution by documenting and even reporting on site incidents and injuries.

Strengthening laws

Many people – even officials – do not know what the laws are that provide protection to young workers. Often there are gaps or inconsistencies between local laws and the international child labour standards. Strengthening and enforcing child labour and occupational health and safety laws gives the necessary foundation for later activities. Do this by:

- Supporting regulations that cover all main aspects of occupational health and safety relevant to young workers including domestic service, psycho-social risks, night work, combined hours of work and schooling, and new threats such as HIV-AIDS.
- Providing information to labour inspectors, police, and government officials on the special vulnerabilities and rights of young workers, and the work that employers are doing to protect young workers.
- Comparing the laws in Myanmar to the official “hazardous child labour list” developed in accordance with requirements in ILO Conventions No. 138 and 182. (See Appendix for examples of child labour laws governing hazardous tasks and hours.)
- Evaluating how well existing laws are being enforced and whether enterprises that continue to employ young people under 18 in hazardous conditions are penalized.
- Using data on workplace injuries and deaths of young workers to calculate the cost to the construction industry and society, as a way of getting the attention of key stakeholders.



Raising Awareness

Make others conscious of their roles in protecting young workers. Do this by:

- Carrying out a public information campaign, perhaps in connection with another event such as World Day Against Child Labour.
- Urging occupational health be included in primary and second school and vocational training courses
- Reporting any young worker injuries on the construction site to the ministry of health.
- Offering employers training that shows how to increase productivity by improving young workers' health and safety; the ILO programme entitled "WISE" (Workplace Improvement for Small Enterprises) is an excellent example and there are trainers all over the world.
- Making presentations to meetings of the employers' associations, business groups, chambers of commerce, etc. Combine information about young workers with other information they are interested in, such as new laws, health and safety regulations, new resources, international trade and commerce information for exported goods.
- Providing other employers of youth with posters to put up in their workplaces and brochures, such as Five Ways to hand out to young workers.





ANNEX





ANNEX: INTERNATIONAL LAWS AND RECOMMENDATIONS

ILO Recommendation No. 190

Children below 18 should not be engaged in:

(Section 2):

- (c) (iv) hidden work situations, in which girls are at special risk;

(Section 3):

- (a) work which exposes children to physical, psychological or sexual abuse;
- (b) work underground, under water, at dangerous heights or in confined spaces;
- (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

ILO Convention No. 167

Article 2

- (a) The term **construction** covers:
 - (i) building, including excavation and the construction, structural alteration, renovation, repair, maintenance (including cleaning and painting) and demolition of all types of buildings or structures;
 - (ii) civil engineering, including excavation and the construction, structural alteration, repair, maintenance and demolition of, for example, airports, docks, harbours, inland waterways, dams, river and avalanche and sea defence works, roads and highways, railways, bridges, tunnels, viaducts and works related to the provision of services such as communications, drainage, sewerage, water and energy supplies.

National laws (other countries)

Construction-Related work prohibited to those under 18 years of age

- Driving a forklift
- Working at heights greater than 10 feet off the ground or floor level
- Loading, operating, or unloading of paper balers and compactors
- Working alone past 8 p.m. without supervision by someone 18 years or older who is on the premises at all times

- Roofing: all work on or around a roof
- Working at heights greater than 2m off the ground
- Wrecking and demolition
- Elevators, hoists, and cranes
- Flagging
- Trenching or excavating
- Boilers or in engine rooms
- Power-driven woodworking machines
- Earth-moving machines
- Explosives
- Mining
- Manufacturing of brick, tile, and similar products
- Jobs where exposures require the use of respiratory protection or hearing protection

Additional prohibited duties for minors under 16

- Driving an automobile (17-year-olds may drive only under very limited circumstances)
- Any power-driven machinery
- Construction
- Loading or unloading trucks
- Transportation, warehouse, storage, and work around conveyors
- Ladders and scaffolds, including window washing

Hours and days youth can work

Some countries provide the following restrictions concerning the working times for youth:

Hours and Schedules Minors are Permitted to Work in Non-Agricultural Jobs

	Hours/day	Hours/Week	Days/Week	Start time	Ending time
14–15 year-olds					
School weeks	3 hours (8 hrs on Sat & Sun)	16 hours	6 days	7 a.m.	7 p.m.
Non-school weeks	8 hours	40 hours	6 days	7 a.m.	7 p.m.
16–17 year-olds					
School weeks	4 hours (8 hours Fri–Sun)	20 hours	6 days	7 a.m.	10 p.m. (Midnight Friday–Saturday)
School weeks with special permission	6 hours (8 hours Fri–Sun)	28 hours	6 days	7 a.m.	10 p.m. (Midnight Friday–Saturday)
Non-school weeks	8 hours	48 hours	6 days	5 a.m.	Midnight

**Fundamental Principles and Rights at Work
Branch (FUNDAMENTALS)**

**Labour Administration, Labour Inspection and
Occupational Safety and Health Branch
(LABADMIN/OSH)**

International Labour Organization

4 route des Morillons
CH-1211 Geneva 22 – Switzerland
Tel.: +41 (0) 22 799 61 11
Fax: +41 (0) 22 798 86 95

fundamentals@ilo.org - www.ilo.org/childlabour

labadmin.osh@ilo.org - www.ilo.org/labadin.osh

ILO Yangon Office

No. 1 Kanbae (Thitsar) Road
Yankin Township
Yangon – Myanmar
Tel: +(951) 233 65 39
Fax: +(951) 233 65 82

yangon@ilo.org - www.ilo.org/yangon

ISBN 978-92-2-032109-6



9 789220 321096