

ILO Curriculum on Building Modern and Effective Labour Inspection Systems

Module

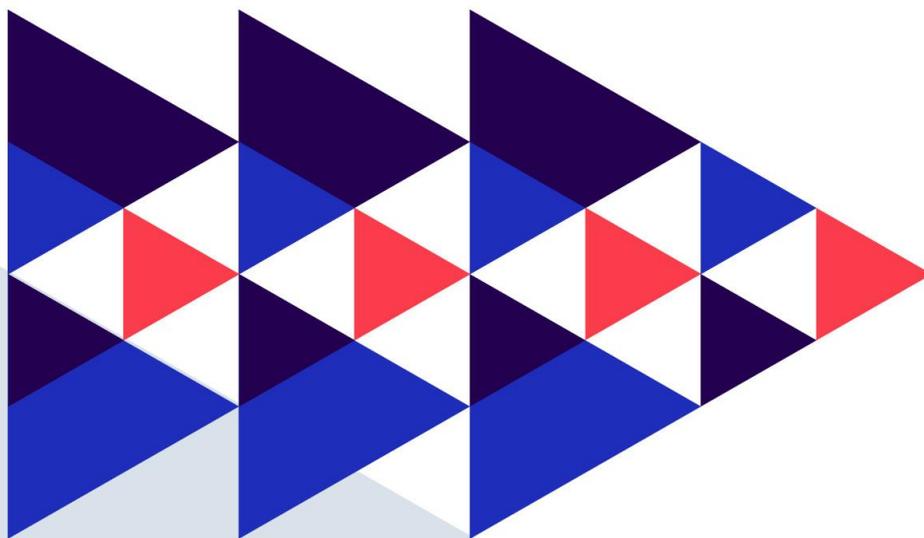
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- ▶ Introduction to the new ILO Curriculum on Building Modern and Effective Labour Inspection Systems

ILO Curriculum on Building Modern and
Effective Labour Inspection Systems

▶ Module 0

Introduction to the new ILO Curriculum on Building Modern and Effective Labour Inspection Systems



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► Preface

The ILO Centenary Declaration for the Future of Work, adopted in 2019, highlights the importance of “strengthening the institutions of work to ensure adequate protection of all workers, and reaffirming the continued relevance of the employment relationship as a means of providing certainty and legal protection to workers, while recognizing the extent of informality and the need to ensure effective action to achieve transition to formality”. The Declaration specifically recognizes the need to strengthen labour administration and labour inspection institutions.

This is also in line with the 2030 UN Agenda (Goal 8), notably to “protect labour rights and promote safe and secure working environments for all workers, including migrant workers, particularly women migrants, and those in precarious employment” and (Goal 16) on promotion of peaceful and inclusive societies for sustainable development, access to justice for all and effective, accountable and inclusive institutions at all levels.

Labour inspection is an important function to give practice to the Decent Work Agenda by providing technical advice on labour law provisions to employers and workers and enforcing related legislation. It plays an important role in the implementation of national labour policies and occupational safety and health. The Labour Inspection Convention, 1947 (No. 81) and the Labour inspection (Agriculture) Convention, 1969 (No. 129) are two of four governance Conventions which provide the international legal framework and benchmark for the development of strong and resilient national systems of labour inspection.

The International Training Centre of the ILO continues to play a core role in assisting constituents, especially labour inspectorates throughout the world, to better implement policies and laws. Its training activities are essential for developing the competencies and skills of labour inspectors at the national level. This involves building the capacities of labour administrations/inspectorates, as well as those of workers and employers, and promoting the exchange of good inspection practices globally.

This updated Curriculum on Building Modern and Effective Labour Inspection Systems is based on the previous version and on experience of its use in the past. It also adds new modules to address challenges that are currently common to most countries, including non-discrimination, domestic work, and violence and harassment.

Through the international labour standards framework and with this new training curriculum, the ILO is committed to continuing to strengthen national labour inspection systems with a view to ensuring compliance with labour laws and sound labour inspection policies.

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► Acknowledgements

The updating of the curriculum was performed by a team of experts of the Labour Administration, Labour Inspection and Occupational Safety and Health Branch (LABADMIN/OSH) of the Governance and Tripartism Department (GOVERNANCE) of the International Labour Office (ILO), under the technical guidance and supervision of Mr Javier Barbero, Senior Specialist on Labour Administration, Labour Inspection and Occupational Safety and Health.

The team made up of Mr Javier Barbero, Mr Andrew Christian, Mr Arsenio Fernández, Ms Grace Halim, Mr Frédéric Laisné-Auer and Mr Changyou Zhu were responsible for conducting the revision of the modules assigned and provided inputs to and comments on other modules. The teamwork ensured the quality and success of the new curriculum.

The team would like to express its appreciation to the external collaborators, the ILO colleagues within and outside the Branch for their inputs, and to the relevant ILO departments and units and other organizations for their publications and tools in relation to labour inspection.

Special thanks go to our colleagues at the ITCILO: Mr Felix Martin-Daza for his guidance and coordination, Mr Massimiliano Leone for leading the design and editing team, Ms Paola Bissaca for the design and formatting, and Ms Ana Buzdugan for communication and activity coordination.



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▶ 1. Background

The implementation of basic principles and fundamental rights at work, as defined by international labour standards, requires a coherent framework, including a comprehensive employment policy, strong and effective social dialogue involving the social partners in all processes, and an efficient system of labour inspection that also covers the agricultural sector.

The ILO [Declaration on Social Justice for a Fair Globalization](#), in its Follow-up, emphasizes the significance of the following four Conventions from the viewpoint of governance and has identified them as priority instruments for good governance, due to the functions they play in helping member countries promote and enforce the basic principles and fundamental rights at work:

- ▶ Labour Inspection Convention, 1947 (No. 81)
- ▶ Employment Policy Convention, 1964 (No. 122)
- ▶ Labour Inspection (Agriculture) Convention, 1969 (No. 129)
- ▶ Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

Two of these four Conventions deal with labour inspection, a key pillar of the labour administration system, responsible for the supervision and implementation of labour legislation and labour policy principles in the workplace. The Labour Inspection Convention, 1947 (No. 81) provides useful guidance for designing and monitoring an efficient labour inspection system. According to Article 3(1) of the Convention, the primary functions of the system of labour inspection are:

- ▶ to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work. Provisions relating to hours, wages, safety, health and welfare, the employment of children and young persons, and other connected matters, in so far as such provisions are enforceable by labour inspectors;
- ▶ to supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions;
- ▶ to bring to the attention of the competent authority defects or abuses not specifically covered by existing legal provisions.

To enable labour inspectors to better perform the important duties mentioned above, the relevant international labour standards lay down specific requirements on their training. According to Article 7(3) of Convention No.81, "*labour inspectors shall be adequately trained for the performance of their duties*". Article 9(3) of Convention No.129 states that "*labour inspectors in agriculture shall be adequately trained for the performance of their duties and measures shall be taken to give them appropriate further training in the course of their employment*". Article 10 of Labour Administration Convention, 1978 (No.150) requires that "*the staff of the labour administration system shall be*

composed of persons who are suitably qualified for the activities to which they are assigned, who have access to training necessary for such activities and who are independent of improper external influences”.

In many countries, and in particular developing countries, labour inspectorates lack the financial and human resources for providing labour inspectors with adequate initial and on-the-job training; they also need to develop a national labour inspection training policy and mechanisms to continuously improve the knowledge and competencies of labour inspectors faced with new regulations, risks and technologies.

The contents and methods of training should be adapted to the specific needs of different personnel and the responsibilities of labour inspectors. In this regard, the training curriculum provides flexibility and the possibility of selecting different modules and combining different training methodologies for the purposes of tailor-made training.

Last but not least, labour inspection is a profession. The training of labour inspectors should be seen not only as meeting labour inspectors’ needs in performing their official functions, but also as furthering their professional development.

The COVID-19 pandemic and its impact on the labour market has highlighted the importance of good labour market governance and a solid normative framework for responding to the crisis. In this context, labour inspection is again arousing the interest of the international community, especially where OSH is concerned, and this momentum should be utilized by Member States to analyse, redesign and strengthen their inspection systems. To this end, they need to strengthen their institutional capacity. The ILO and its International Training Centre are supporting Member States in facing this challenge by providing an improved training curriculum to develop the competences of labour inspectorates.

▶ 2. The new curriculum

In the framework of the Norway-funded “Enhancing Labour Inspection Effectiveness” project, the ITCILO – in collaboration with the former ILO LABADMIN Programme – developed the first version of a curriculum on labour inspection in 2010. The original curriculum was based on a modular training manual, with 12 modules covering a wide range of aspects related to labour inspection, from principles, policies and strategies to practical tools and methods for visits.

The first two modules of the original course describe the general framework in which labour inspection operates. The course starts from the broader system of labour administration and follows with the main functions, roles and trends of labour inspection.

1. The framework of a labour administration system

2. Introduction to labour inspection

The following three modules deal with labour inspection policies and strategies. These modules target policy and decision-makers. They provide guidance for developing a vision and mission for their labour inspection systems and define patterns for operationalizing them.

3. Policy and planning of labour inspection

4. Designing strategies for promoting compliance

5. Cooperation and partnership

The next four modules deal with the three main areas of labour inspection: working conditions, employment relations and occupational safety and health. There is a dedicated module addressing vulnerable groups of workers, with particular focus on child labour, forced labour and human trafficking, migrant workers and workers with disabilities.

6. Inspection of working conditions

7. Inspection of employment relationships

8. Inspection of occupational safety and health

9. Dealing with vulnerable groups of workers

A specific module is devoted to visiting enterprise facilities, the very heart of labour inspection work. It provides guidance and tools for preparing, conducting, reporting and ensuring follow-up to a visit.

10. The labour inspection visit

The last two modules present tools for improving the performance of labour inspectors, with particular emphasis on strengthening their competences.

11. Tools of the labour inspectorate

12. Institutional capacity development

The above 12-module curriculum has been translated into more than a dozen languages and used for the training of labour inspectors all over the world. However, given recent developments in international labour standards and national labour inspection practices, it was time to improve and update the contents of the curriculum and to add new modules.

Not to be discriminated against is a fundamental right at work. The 1998 ILO Declaration on Fundamental Principles and Rights at Work calls on all Member States to promote and realize within their territories the right to be free from discriminatory employment practices.

Psychosocial risks at work are an emerging concern for OSH and labour legislation, especially in the context of the COVID-19 crisis. To deal with related issues, the ILO had previously adopted the

Violence and Harassment Convention, 2019 (No.190) and the Domestic Workers Convention, 2011 (No.189).

The following four modules have therefore been added to the new curriculum:

13. Labour inspection and non-discrimination

14. Ensuring compliance with legislation on psychosocial risks

15. Inspection actions to deal with psychosocial risks

16. Labour inspection in domestic work

Last but not least, given the increasing importance of soft skills in performing labour inspection functions, as defined by Article 3(1) of the Labour Inspection Convention, 1947 (No.81), a module on soft skills for labour inspectors is also included as Module 17 of the new curriculum.

17. Soft skills for labour inspectors

▶ 3. The modular structure and main contents

Each module includes:

- ▶ an overview of the main topics;
- ▶ objectives;
- ▶ a table of contents;
- ▶ content development, including boxes with examples of good practices;
- ▶ learning activities (individual and group exercises, case studies, discussions, etc.);
- ▶ a summary;
- ▶ a bibliography and additional reading material.

The content of each module is as follow:

1. The framework of a labour administration system

This module illustrates the concept, roles and functions of a labour administration system as defined in the ILO Labour Administration Convention, 1978 (No. 150) and Labour Administration Recommendation, 1978 (No. 158).

2. Introduction to labour inspection

This module outlines the historical development of labour inspection and its main principles and functions as laid down in relevant ILO Conventions, as well as some of the differences in the ways that labour inspection is organized. The impact on labour inspection of emerging social and labour market challenges will also be discussed.

3. Policy and planning of labour inspection

This module addresses three important topics: labour inspection policy and the issues that should be included in it; strategic action planning, monitoring and control; and evaluation of the performance and impact of the labour inspectorate.

4. Designing strategies for promoting compliance

Based on ILO guidance and tools, and selected best practices in different countries, this module deals with strategies for promoting compliance. It includes the requirements and conditions for ensuring good and effective labour regulations, and alternative ways of organizing enforcement and sanctions systems.

5. Cooperation and partnership

Labour inspectorates need to cooperate and work in partnership with other organizations if they are to be effective and maximize their impact. This module examines cooperation in relation to labour inspection at several levels: between different government ministries, between inspection services, with social partners and other stakeholders, and in international partnerships. It considers the role of other bodies and institutions in supporting labour inspection in its different functions and provides an overview of voluntary initiatives to promote compliance with national legislation and international principles and rights at work.

6. Inspection of working conditions

This module considers several aspects of working conditions with reference to key ILO Conventions and Recommendations, as well as the role of the labour inspectorate. At the end of the module, special reference is made to some of the challenges faced by labour inspectors in influencing groups that are harder to reach, and how those challenges have been met in practice.

7. Inspection of the employment relationship

This module examines some of the issues and trends relating to employment relationships in the world of work today, and how they impact on the role of labour inspection. Where employment relationships are concerned, there are a number of ambiguities and challenges that labour inspectors have to be aware of and work through if they are to carry out their tasks effectively.

The module pays particular attention to the Employment Relationship Recommendation, 2006 (No. 198), which provides guidance to all ILO Member States on how they can address the above issues comprehensively.

8. Inspection of occupational safety and health

This module presents an overview of the main concepts and principles of occupational safety and health (OSH) based on the international labour standards. It gives trainees an overview of the importance of preventing occupational accidents and ill-health, how best to prevent them, and how to promote OSH in general.

9. Dealing with vulnerable groups of workers

The module is about the role of labour inspectorates in addressing the needs of vulnerable groups of workers, for whom employment is often precarious and working conditions poor. The module focuses on child labour, forced labour, migrant workers and workers with disabilities, and on how labour inspectors can help improve the working conditions of such groups.

10. The labour inspection visit

This module provides guidance on the main issues that inspectors should address during an inspection visit. It has been especially planned for the training of newly appointed inspectors in general aspects of their work and, more specifically, in the planning, conduct and follow-up of inspection visits. The competence of inspectors in these matters should improve the quality and

effectiveness of inspection work, and also enhance the labour inspectorate's reputation for professionalism and impartiality.

11. Tools of the labour inspectorate

This module outlines the most important resources and tools used in many labour inspectorates to facilitate the work of labour inspectors and make their work more efficient. The purpose and usefulness of these tools will be discussed and some examples presented.

12. Institutional capacity development

This module gives an overview of the challenges involved in formulating an approach to institutional capacity development coherent with the national policy adopted for the labour inspection system. Emphasis is given to adult learning methods and competency-based approaches to learning.

13. Labour inspection and non-discrimination

This module addresses discrimination at work, defining it comprehensively in accordance with the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111). It also deals with the issue of gender equality as covered by the Equal Remuneration Convention, 1951 (No. 100).

14. Ensuring compliance with legislation on psychosocial risks

The purpose of this module is to explain the concept of psychosocial risks at work, the steps involved in psychosocial risk management, and the role of labour inspectors in ensuring compliance with labour legislation in this area.

15. Inspection actions to deal with psychosocial risks

This module is intended to explain the range of inspection actions, both proactive and reactive, that inspectors may need to perform, considering the specific characteristics of national legislation and the design of inspection policies and strategies at national level.

16. Labour inspection in domestic work

This module presents labour inspectors and policymakers with the main challenges that the labour inspectorate will encounter when carrying out their work in the domestic work sector. It provides an overview of the provisions of ILO Conventions, the most common risks of non-compliance, and possible ways of addressing the challenges faced.

17. Soft skills for labour inspectors

Labour inspectors need well-developed soft skills to successfully interact with workers, employers, union representatives, employers' organizations, judges, prosecutors and other stakeholders. The soft skills covered in the module are communication, influence, interviewing, report-writing, conflict management, decision-making, and ethical behaviour.

▶ 4. Training strategy and target population

The purpose of the new curriculum remains the same: to equip national labour inspectorates with standard and comprehensive basic training material that can be used as a tool and reference in developing their own training curricula, adapted to the specific contexts, strategies, priorities and needs of their respective countries.

The curriculum has been conceived for two-week training-of-trainers courses, to enable participants to design their own curricula, adapt the material, take into account related national issues and so on. Please refer to Annex: Timetable of a two-week training-of-trainers course on Building Modern and Effective Labour Inspection Systems.

A blended course for training the trainers of labour inspectors could be developed for the delivery of the labour inspection modules. At the same time, the modules could be shared with the beneficiaries for their translation, adaptation and “domestication”.

In any case, the modular structure is very flexible, and the modules can be used either in sequence for a two-week workshop or in shorter workshops (3-5 days), with a reduced number of activities. Alternatively, the course could be expanded beyond the two weeks by adding further case studies and activities, and having more detailed presentations. Individual modules could also be used separately for short events or packaged in a different tailor-made sequence, depending on the objectives, context, target population and time constraints.

The flexible modular structure could be customized to address different target groups:

- ▶ Policy and decision-makers
- ▶ Labour inspectorate managers
- ▶ Senior labour inspectors
- ▶ Newly recruited labour inspectors
- ▶ Trainers
- ▶ Mentors

▶ 5. Next steps

5.1 Development of new modules

The new curriculum is a work in progress. We will continue to enrich its content by adding more modules as necessary. The following modules could be included in the near future:

- ▶ A module on the organization of labour inspection campaigns
- ▶ A module on labour inspection and social security
- ▶ A module on how to develop and operate a national scheme for the prevention of major industrial accidents (Convention No. 174)
- ▶ A module on the role of labour inspection in crisis situations

5.2 Translation and adaptation

The new curriculum, written in English, is a standard “international” training curriculum. A process of adaptation to specific regional and national contexts – including translation and the integration of country-specific references and examples – is needed to contextualize the material and make it relevant for specific situations and training needs.

Starting in 2022, the ILO will organize the translation of the new curriculum into French and Spanish. We would also encourage national labour inspectorates, regional labour inspection networks and relevant training institutions to translate and use it in other languages.

The new curriculum will be published in an online format so that the modules can be delivered in distance-learning mode. It will be hosted on its own online platform, which could also provide additional reference materials, online assignments and evaluation questionnaires.

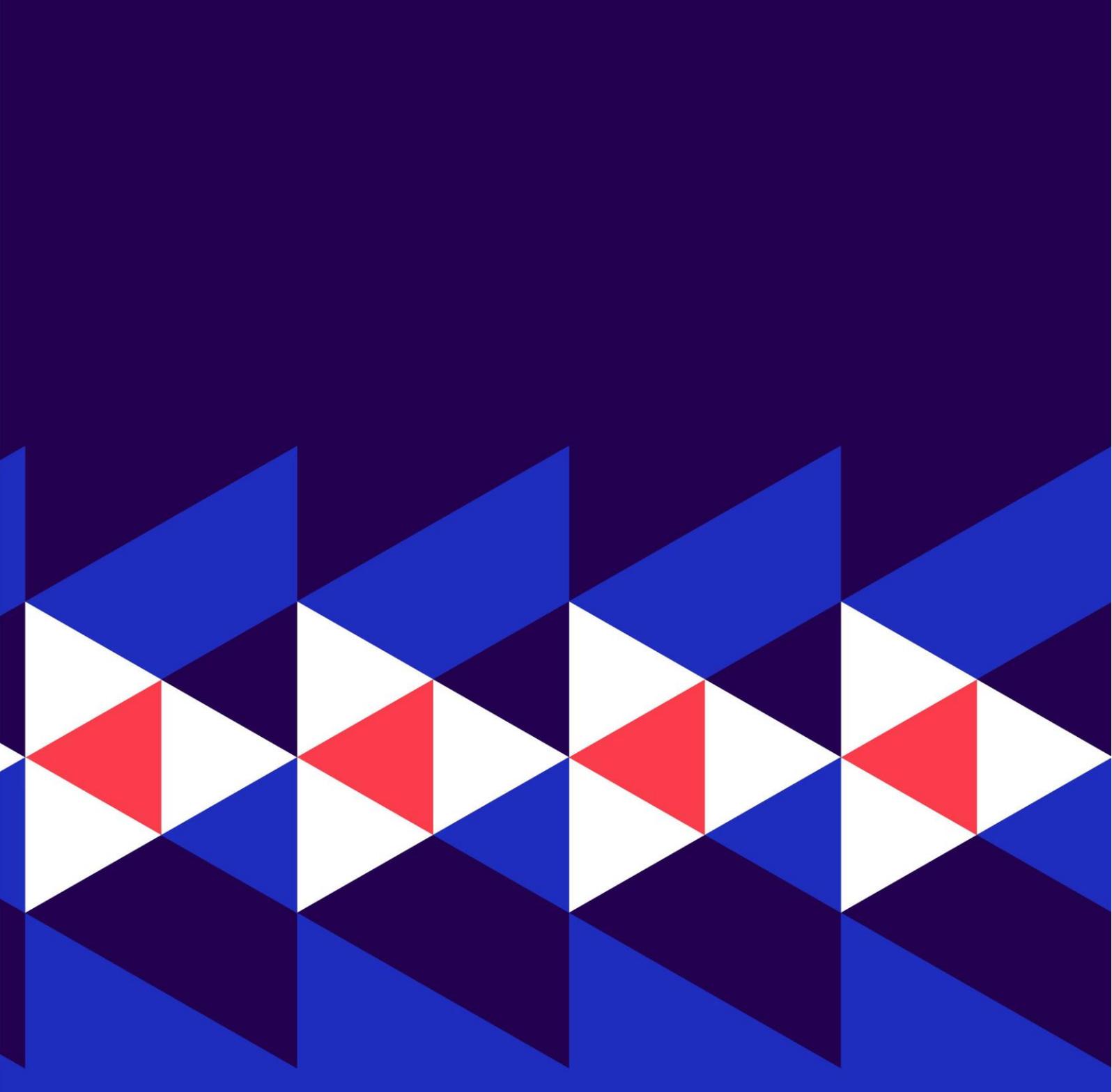
5.3 TOT training: generating a multiplier effect

The training material is designed so that it can be easily used to organize training courses and sessions. However, a set of TOT (Training of Trainers) courses will be needed to ensure that trainers are fully familiar with both its content and methodology, and to create a core group of trainers able to replicate and adapt the curriculum. International training courses for managers and trainers in the field of labour inspection will therefore be organized at the ITCILO in Turin, when possible. During these courses, a trainers’ guide with PowerPoint presentations and electronic versions of the curriculum will be distributed to participants to create a multiplier effect.

► Annex: Timetable of a two-week training-of-trainers course on Building Modern and Effective Labour Inspection Systems

Day / Time	DAY 1	DAY 2	DAY 3	DAY 4	DAY 5
9.00 – 10.30	Introduction to the course and to the ILO	Presentation: Policy and planning of labour inspection	Presentation: Inspection of working conditions	Presentations & exercise: Dealing with vulnerable groups of workers Child labour Forced labour	Presentation: The inspection visit
10.30 – 11.00	Coffee break				
11.00 – 12.30	Presentation & exercise: The framework of a labour administration system	Exercises: Policy and planning of labour inspection	Exercises: Inspection of working conditions	Presentation & exercise: Dealing with vulnerable groups of workers Migrant workers Workers with disabilities	Presentation & exercise: The inspection visit
12.30 – 13.30	Break				
13.30 – 15.00	Presentation: Introduction to labour inspection	Presentation: Designing strategies for promoting compliance	Presentation & exercise: Inspection of employment relationships	Presentation: Occupational safety and health	Presentation & exercise: The inspection visit
15.00 – 15.30	Coffee break				
15.30 – 17.00	Exercises: Introduction to labour inspection	Exercises: Designing strategies for promoting compliance	Presentation & exercise: Cooperation and partnership	Exercises: Occupational safety and health	Presentation & exercise: Tools of the labour inspectorate

Day / Time	DAY 6	DAY 7	DAY 8	DAY 9	DAY 10
9.00 – 10.30	Presentation & exercise: Labour inspection and non-discrimination	Presentation: Ensuring compliance with legislation on psychosocial risks	What is learning? How do we learn? The learning management cycle	Learning design (cont'd) Knowledge-sharing and facilitation methods (a jigsaw exercise) Debrief on presentation techniques	Microteaching sessions
10.30 – 11.00	Coffee break				
11.00 – 12.30	Presentation & exercise: Labour inspection and domestic workers	Presentation & exercise: Labour inspectors and psychosocial risks Stress at work	Towards participatory learning From trainer-centred to learner-centred approaches to adult learning	Facilitating participatory learning Application of participatory group facilitation and knowledge-sharing techniques	Microteaching sessions
12.30 – 13.30	Break				
13.30 – 15.00	Presentations & exercises Soft skills for labour inspectors Communication Influence Interviewing	Presentation & exercise: Labour inspectors and psychosocial risks Violence at work	Learning styles and design Learning styles: self-assessment Characteristics of the target group Assessing learning needs	Facilitating participatory learning Top 100 facilitation tips Towards learning evaluation Assessing learning	Microteaching sessions
15.00 – 15.30	Coffee break				
15.30 – 17.00	Presentations & exercises Soft skills for labour inspectors Conflict management Report-writing Decision-making	Presentations & exercises Soft skills for labour inspectors Ethical behaviour Presentation & discussion: Institutional capacity development	Learning design Components and coherence of learning design: formulating objectives, selecting content	Applying learning Review of the learning management cycle Organizing the microteaching sessions	Microteaching sessions ----- Closing ceremony



► **International Labour Organization**

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