

Appendix 1

Directory of ILO Offices in Asia and the Pacific

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ILO Subregional Office for South Asia (SRO-New Delhi)	+91.11.460.21.01/02/03/06 +91.11.464.79.72: Director	+91.11.464.79.73: ILO/ SAAT +91.11.460.21.11: ILO Office	delhi@ilo.org
ILO Office for Fiji, Papua New Guinea, Solomon Islands, Kiribati and other South Pacific islands (ILO-Suva)	+679.331.34.10: Switchboard +679.330.97.11: Director +679.331.31.46 +679.331.38.66 +679.330.04.10: ISD	+679.330.02.48	suva@ilo.org
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Appendix 2

ILO Supervision of the Application of Conventions

A. ILO Sources on the Application of ILO Standards

The International Labour Organization (ILO) has adopted many conventions and recommendations over the years that have been widely ratified and become binding on the countries that ratify them. Naturally, these include all Asian Development Bank (ADB) developing member countries (DMCs) that are ILO members.

The ratifications for each country can be found on the ILO website (<http://www.ilo.org>), under “International Labour Standards.”

B. ILO Supervision of the Application of Conventions

ILO also carries out detailed supervision of the application of all its conventions by member states, principally on the basis of reports from governments supplemented by information from employers’ and workers’ organizations in each country. These reports are examined by the ILO Committee of Experts on the Application of Conventions and Recommendations, which may comment on the application of these conventions. The Committee of Experts makes two kinds of comments: *observations*, which are comments on the most important matters arising, and are published in an annual report to the International Labour Conference, as well as on the ILO website; and *direct requests*, which are not published as such, but after a short interval (to allow governments time to receive and consider them) they may be found on the ILO website.

Each year the ILO Conference establishes a committee of governments and of employers’ and workers’ representatives to examine the Committee of Experts’ report. The Committee contacts about 25 of the governments referred to in that report for a more detailed discussion of the *observations* made concerning it, and these discussions also form part of the record of review of a country’s implementation of the convention concerned.

Reports on most conventions are due every 5 years, but for a set of more important conventions—including all the core labor standards—reports are due every 2 years. Any comments ILO may have on the application of a core labor convention will therefore not be more than 2 years old, thus representing a very current view.

ILO has various complaints procedures by which complaints may be made of the way in which governments are applying conventions, and the results of these also are published on the website. These take three forms, the first two of which can be used only as concerns conventions the state concerned has ratified.

- (i) Complaints under Article 26 of the ILO Constitution, leading to the establishment of a commission of inquiry. These are rare, but may be invoked in very serious cases.⁶⁶
- (ii) Representations under Article 24 of the ILO Constitution, which may be submitted by employers' or workers' organizations. These are more frequent, because they can come from nongovernment sources and are examined by an ad hoc committee of three members of the governing body of ILO.
- (iii) The Committee on Freedom of Association, which can receive complaints of violations of freedom of association even against countries that have not ratified the relevant ILO conventions, based simply on membership of the ILO. The committee is composed of nine members of the governing body, representing employers, workers, and governments, and has considered more than 2,000 complaints.

Because there are now more than 7,000 ratifications of ILO conventions, ILO does not publish regular summaries of the way in which each country is applying each convention. However, the Committee of Experts does examine about 2,000 reports a year, so a great deal of information is available.

An additional measure is found under the 1998 *Declaration on Fundamental Principles and Rights at Work*, which relates only to the core labor standards. Countries that have not ratified all eight ILO core conventions are required to report annually on measures they are taking to implement the principles covered

⁶⁶ A recent example concerning Asia is Myanmar as concerns the application of the *Forced Labor Convention*, 1930 (No. 29).

by these conventions. This is particularly relevant to Asia, which has the lowest rate of ratification of CLS of any ILO region. Reports are reviewed by the Declaration Expert-Advisers, which publishes a compilation of governments' reports, workers' and employers' observations on them, and governments' replies to these observations, on the ILO website.⁶⁷

⁶⁷ For detailed information see the Declaration web site at: <http://www.ilo.org/dyn/declaris/DECLARATIONWEB.INDEXPAGE>

Appendix 3

Summary Labor Market Assessment

The country poverty analysis should include a summary labor market assessment (SLMA), to be reflected in the country strategy and program. Given that work is the main source of income for the poor and, as development proceeds, employment becomes the major source of economic support for workers and their families, the SLMA is critical to help identify the country's development options. A labor market assessment should recommend policies to ensure inclusive, labor-absorbing, and efficient development patterns. Improving labor market operations is an important element of strategies to reduce poverty, assisting human capital development, addressing gender discrimination, allocating a country's human capital resources to their most productive uses, enhancing welfare, and encouraging growth and development.

The SLMA should be brief and concise, focused on the determination of country priorities by revealing employment patterns. The size of the formal and informal sectors; sectoral distribution (population engaged in agriculture, industry, and services); rural and urban active population; evolution of real wages; role of women in the labor force; working conditions; and compliance with national and international labor laws and standards, including the reported existence of child or bonded labor and violations to other core labor standards (CLS), will all provide information to help determine country priorities. In some countries, the priority attention will be to assist unemployed or underemployed working-age populations to find employment opportunities or to fight child labor. In others, the rural areas may have been forced to shoulder a disproportionate burden of the country's social problems, and strengthening rural systems may be a priority. Labor absorption is essential to avoid poverty. The country SLMA should evaluate which sectors/subsectors and geographical areas have a demand for labor and identify which areas may have an unmet supply of labor, to identify the right mix of public policies. Labor market assessment is a key element in the strategic link between economic growth and poverty reduction, and the assessment should provide recommendations to ensure efficient and inclusive development patterns.

The SLMA will be based on secondary sources. Some institutions, such as the International Labour Organization (ILO) have comprehensive country studies; other organizations, such as the World Bank, have selected country studies. The key information required for a labor market assessment includes the country's development pattern, the structure of the labor market (supply and demand), the institutional framework (labor market legislation, administrative structure, social stakeholders), and policy analysis. Some indicative, not prescriptive, notes are presented below.

A. Labor-absorbing Development Pattern

The assessment of the labor-absorbing development pattern of the country should be based on a comparison of the composition of economic growth (primary, secondary, tertiary sectors) and the sectors' labor intensity (labor force in primary, secondary, and tertiary sectors), leading sectors of the economy, the size of the informal sector, domestic and foreign investment prospects, and growth projections in the medium and long term.

- (i) What are the characteristics of growth and poverty? Has the poverty rate been reduced at the same speed as the rate of growth? Has growth been pro-poor, trickled down? Has growth been sufficient to employ all the population of working age?
- (ii) Which are the most dynamic sectors of the economy? Are they labor-intensive?
- (iii) What is the percentage of the population below 18 years of age? Will the economy be able to absorb all new entrants into the labor market?
- (iv) Which sector is the country's niche in the world economy? Is this leading sector labor-absorbing? If not, is it taxed? Do the tax revenues benefit those outside the labor market?
- (v) Is the growth rate low? What are the barriers to investment by the private/public sector? What can be done to accelerate growth while ensuring pro-poor use of scarce public resources?
- (vi) Which sectors, in which geographical regions, should be promoted in the short/long term to secure employment and prosperity for all citizens?

B. Structure of the Labor Market

The main purpose of this analysis is to identify labor market imbalances. This can be done by analyzing the demand and supply for labor separately, and by identifying the major sources of imbalances such as geographical, skills, education, or gender factors. Labor supply attends to the human capital available in the nation, while labor demand attends to the human capital needs. This allows the identification of imbalances and mismatches in the supply and demand of labor, which can be addressed in future development policies.

1. Labor Supply

The analysis of labor supply starts with demographic data. Many Asian and Pacific countries have fast growing populations—on average, 40% of the population are children and youth below 19 years old. Their economies must, therefore, grow particularly fast if they are to develop employment in the formal sector. Without that development, employment is confined to the informal, normally subsistence economy, and these countries have an impossible task in reducing their poverty levels. The important consideration is labor force growth—and labor force growth is obviously linked to controlling population growth. The analysis of labor supply should also center on the working-age population, including the economically inactive. Especially during deep economic changes, substantial flows of workers occur between the economically active and economically inactive pools. Following a typical ILO classification of the population according to labor categories, the statistics below should provide a comprehensive picture of labor supply:

- (i) Demographic structures by major age groups: children and youth (0–14 or 0–18); working age population (15–60/65 or 19–60/65); elderly (60/65+); birth, death, and natural growth rates.
- (ii) The size, structure (male/female; urban/rural; age; education) and projections of the working-age population (i.e., men and women 15–60/65); employment (and, if available, underemployment) by economic activity, occupation, gender, age, education, urban/rural, formal/informal and public/private sectors.
- (iii) Unemployment by gender, age, education, and urban/rural sectors.

- (iv) Economically inactive population by group (housewives, students, discouraged job seekers, and others), age, gender and education.
- (v) Labor migration (internal and external) and impact on the structure of the labor force.
- (vi) Literacy rates, average years of schooling, and changes in the education system affecting school retention.
- (vii) If relevant, changes in the pension system affecting retirement age.

2. Labor Demand

The basic characteristics of labor demand that need to be assessed are the following:

- (i) Economic structure (national and regional, by sector)
- (ii) Wage levels and earnings
- (iii) Relationship between the formal and informal sectors
- (iv) Relationship between rural and urban sectors
- (v) Size and structure of the public sector
- (vi) Size and structure of the private sector, and potential for its development

Countries with a significant shortfall between economic growth rates and population growth rates are bound to have substantial informal sectors. Assessing labor demand, especially on a detailed industry or occupation level, may be difficult except in general terms. For most policy prescriptions, this proxy may be sufficient. Quantification of the informal sector requires effort in terms of (i) its definition and, once a definition is agreed, (ii) estimating its size.

The promotion of small and medium-sized enterprises is normally a good practice in order to generate employment and economic growth. The development of a manufacturing sector and the type and level of the sector depend on a variety of factors, such as accepted wage levels and the skills of the labor force. Typically, countries at the lower end of development gain immediate improvements in incomes as a result of direct foreign investment into manufacturing but the gains are limited unless there is a longer-term movement toward higher-level manufacturing involving greater skills. Services cover a wide range of sectors, notably tourism and commerce. These sectors are noted for numerous small enterprises and for informal employment in general. Tourism is

usually seen as a growing industry in the developing member countries (DMCs) of the Asian Development Bank (ADB), but a great deal depends on the nature of the country in question—on its openness, perceived levels of corruption, potential for civil unrest, natural or historical sites, and quality of infrastructure.

The final stage of the analysis of the labor demand consists of identifying the major constraints for matching labor supply with existing demand.

C. Existing Labor Market Policies

Labor market policies comprise active and passive labor market programs. Active labor market programs include

- direct employment generation (promoting small and medium enterprises, public works);
- labor exchanges or employment services (job brokerage, counseling), linking supply of with demand for labor; and
- technical and vocational training and skills development programs (training and retraining of labor).

Passive labor market policies include unemployment insurance, income support, and a legislative framework that should strike a balance between economic efficiency and labor protection. An appropriate legislative framework will include provisions on such issues as minimum age, maximum hours and overtime, labor contracts, industrial relations, special protection appropriate for new mothers, and antidiscrimination provisions to protect women and minorities. Internationally recognized labor standards, when ratified, are also part of the legislative framework of a DMC. No explicit ratification is needed for CLS to be part of the legislative framework of a country.

The primary goal of looking at the labor legislation is the identification of (i) legislation that acts to restrict the operations of the labor market, and (ii) possible noncompliance with the international CLS. All ADB interventions must be designed in accordance with national and international legislation—such as the CLS. The most relevant labor market legislation may include

- (i) legislation on CLS;
- (ii) wage policies, which include legislation on minimum wages;

- (iii) job security provisions, which cover recruitment and separation of employees;
- (iv) working conditions, which cover such issues as working hours, leave provisions, and occupational health and safety; and
- (v) other relevant legislation, such as regulations controlling labor mobility (e.g., internal passports) and enterprise-based forms of social protection, including pensions and housing.

Regarding administrative structures, analysis of existing labor market policies may include

- (i) enumeration of existing labor market policies (number and types of policies/programs);
- (ii) organizations responsible for implementing labor market policies, including coordination between organizations;
- (iii) sources of finance of labor market policies, including flow of funds from central to local units and cost recovery procedures, if any;
- (iv) target groups and program effectiveness; and
- (v) capacity to adequately inspect working conditions.

The analysis should avoid long narratives and statistical tables, but concisely evaluate the effectiveness of the country's labor market policies and point out areas where development is needed.

D. Recommendations

The steps above should allow (i) a first assessment of the mismatch of the demand and supply of labor; and (ii) determining whether the current development pattern of the country and labor market policies framework assist in matching the supply and demand of labor. This should allow recommendations on employment-generating policies and investments that may correct national or regional imbalances, and address uncovered problems in the labor market. The ADB portfolio should support inclusive labor-absorbing development patterns, enhance welfare, support compliance with national and international labor standards, and help to allocate human capital to its most productive uses.

Any proposed ADB labor or social protection intervention requires negotiation with many stakeholders, particularly the social partners. Proposed reforms, if any, should be discussed with all relevant players, normally with the national commission for social protection or, in its absence, with counterpart ministries, employers' and workers' organizations, and other civil society partners and development institutions (e.g., ILO, World Bank) present in the country.

Appendix 4

Key Indicators of the Labor Market

Key indicators of the labor market respond to the need of the International Labour Organization (ILO) and its constituents, and of policymakers and researchers for an easily accessible, reliable, and user-friendly tool for locating timely information on labor markets that is also comparable across countries. This information is essential for assessing policy impact, identifying policy gaps, and for shaping appropriate responses in the future. In ILO, the “decent work” agenda aims to promote opportunities for women and men to obtain productive work, in conditions of freedom, equity, security, and human dignity. The indicators provide an image of the labor market situation that can be used to help develop integrated strategies to promote standards and fundamental principles and rights at work, employment, social protection, and dialogue as well as the crosscutting themes of gender and development.

There are 20 key indicators that help to provide responses to the following kinds of questions:

- (i) What types of economic activities are people engaged in?
- (ii) What is the size and composition of the labor force?
- (iii) How many hours do people work and how much do they earn for this work?
- (iv) How many people are without work and looking for work?
- (v) What types of inequalities exist, for example, in terms of earnings and the employment situation?
- (vi) Are earnings keeping pace with the cost of living?
- (vii) How are youth and women faring in the labor market?

The indicators are:

- (i) Labor force participation rate
- (ii) Employment-to-population ratio
- (iii) Status in employment
- (iv) Employment by sector
- (v) Part-time workers
- (vi) Hours of work
- (vii) Informal sector employment
- (viii) Unemployment
- (ix) Youth unemployment
- (x) Long-term unemployment
- (xi) Unemployment by educational attainment
- (xii) Time-related underemployment
- (xiii) Inactivity rate
- (xiv) Educational attainment and illiteracy
- (xv) Manufacturing wage trends
- (xvi) Occupational wage and earning indices
- (xvii) Hourly compensation costs
- (xviii) Labor productivity and unit labor costs
- (xix) Labor market flows
- (xx) Poverty and income distribution

Illustrative List of Labor Market Indicators and Products. The list of information sets below, derived from labor market indicators, is not intended to be exhaustive, but should rather be considered illustrative. In reality, the list developed for an individual country should correspond to the current labor market concerns of that country. As the concerns change, so will the information required—facilitating decision making by policymakers and individuals, and monitoring and evaluation of policies and programs.

- (i) Labor supply (employment, unemployment, underemployment with appropriate coverage of age and sex, geographical location, education and training profile, occupation, and economic activity)
- (ii) Hours of work and wages (from establishment-based activity, including surveys)

- (iii) Skill shortages and current and likely future training needs
- (iv) Occupational outlook
- (v) Job seekers and vacancies
- (vi) Retrenchment and displacement
- (vii) International migration
- (viii) Work permits in force
- (ix) Training on offer, facilities, staffing, skills outputs produced
- (x) Information from tracer studies
- (xi) The informal sector
- (xii) Labor disputes
- (xiii) Occupational accidents and injuries
- (xiv) Social security statistics
- (xv) Membership of trade unions and employers organizations

Illustrative List of Labor Market Indicator Products

- (i) Annual report on the performance of the labor market
- (ii) Labor market bulletins (monthly, quarterly, biannually)
- (iii) Thematic report
- (iv) Sector studies
- (v) Position papers

All labor market indicators and derived products should be gender specific.

Appendix 5

Economic Rationale for the Eradication of Child Labor

The main reasons for giving significant attention to child labor are

- (i) protection of children and their rights,
- (ii) ensuring conditions conducive to the proper growth and development of children, and
- (iii) preventing and mitigating the negative impact of child labor on the macroeconomy and labor markets.

In terms of child protection, the argument is clear-cut, simple, and strong. The child is deprived of her/his right to be a child—to study, to play, to socialize with her/his peers—and must not undertake inappropriate work or have the responsibilities and burden of having to earn an income, nor be physically, psychologically, or emotionally abused and harmed. In the short term, the child has a high chance of becoming a school dropout or non-enrollee, or to be absent, tardy, or a bad performer in school. This leads in the medium and long run to low education and skills and low capacity to earn, and further to a vicious cycle of poverty in the future, and to increased likelihood of acceptance of child labor as inevitable.

The worst forms of child labor expose the child to health, safety, and moral hazards and to physical, psychological, and emotional abuse and harm. This in itself is a violation of the child's rights that should be prevented and avoided. Furthermore, it leads in the medium and long run to stunted growth, and psychological and emotional problems, as well as dysfunctional behavior and sometimes criminality.

In the macro perspective, there are additional reasons to believe that child labor makes negative contributions to both economic development and the development of strong labor markets. The stronger and more appropriate economic theories relevant to the child labor problem are the human capital

and endogenous growth theories. These state that the contribution of human capital to economic development results in increasing returns to scale and positive externalities that are key to economic development and sustained growth, and can account partially for the successes of the developed countries, and the economic successes of some East Asian economies and Chile.

This approach leads to the acceptance of large economic and social costs when children forego education and skills development, and experience stunted growth and health and emotional problems. Child labor leads to

- (i) reduction in human capital and reduction in skilled and educated labor,
- (ii) reduction in healthy and productive labor, and
- (iii) reduction in the quality of the labor force by reducing socialization and interpersonal skills.⁶⁸

High incidence and prevalence of child labor, therefore, leads to significant productivity and efficiency losses in the medium and long term, dragging the economy and society to lower and suboptimal growth paths.

From the industry point of view, the human capital and endogenous growth theories have pointed to the contribution of human skills, coupled with technological development, and “learning by doing” in firms as the primary spur to economic growth and development. This is a far cry from the old view that unskilled, passive labor should be the main asset and comparative advantage on which developing countries should depend.

The presence of children in labor markets should be viewed as a strong negative externality because the costs of foregone education and lack of acquisition of skills; the lower productivity resulting from stunted growth, health, and emotional damage; adverse effects on socialization and interpersonal skills; and relegation of most firms to low-skilled, low productivity status. These overall negative effects on current and future productivity and efficiency, not to mention the anguish and pain suffered by the children, are not internalized by the markets. Interventions become essential for economic development and are a justified response to the problem.

⁶⁸ Many studies point to the vicious cycles of child abuse and child exploitation, because some victims become abusers in adulthood. Child labor also cuts into playtime and socialization activities of the child and youth and, therefore, reduces his/her socialization and interpersonal skills.

But the prevalence of child labor could be taken to indicate that there are immediate benefits to the child or family if child labor is undertaken. In the short term, there is immediate increased income in the family, which may be seen as necessary during times of desperation or starvation.

Thus, any attempt to eradicate child labor should tackle the essential factors, which are in danger of inadvertently leading to the prevalence of child labor in the Third World.

Appendix 6

Potential Dangers in Inadvertent Use of Child Labor in Projects and Possible Mitigating Measures

Possible Inadvertent Use of Child Labor	Possible Mitigating Measure	Agency/Stakeholder to Consult and Ask for Assistance
<p>Microfinance, livelihood, community or area-based development projects may lead to the employment of child labor in resulting economic activities.</p>	<ul style="list-style-type: none"> • Ensure project planning from the very start to target only adult employment. • Make agreement with target groups that children should not be used (except in very light work) in projects. • Set up monitoring procedures in the project to check on child labor. • Set up pre-announced punitive measures on participants employing child labor (e.g., loss of credit line and technical assistance, litigation). • Incorporate in project positive incentives for children in target areas to have access to schooling. • Incorporate rescue, rehabilitation, and compensatory mechanisms for children adversely affected by child labor (e.g., compensation for schooling lost, compensation for physical, psychological, or emotional damage) 	<p>Local governments, department/ministry of labor, department/ministry of trade and industry, department/ministry of social welfare and children, department/ministry of education, community organizations, police, courts, CSOs on child labor, community leaders, local schools, parents' and teachers' associations, ILO-IPEC</p>
<p>Infrastructure and other construction projects may employ child labor.</p>	<p>As above</p>	<p>As above, plus department/ministry of infrastructure, construction and public highways</p>

Possible Inadvertent Use of Child Labor	Possible Mitigating Measure	Agency/Stakeholder to Consult and Ask for Assistance
<p>Area-based development, construction projects, free-trade zones, and industrial estates may lead to demand for child labor services in prostitution, domestic service, and other areas.</p>	<ul style="list-style-type: none"> • Ensure that the area-based program includes plans for local officials to regulate prostitution and domestic services, and to prohibit child labor in ensuing economic activities. • Set up monitoring procedures in the program to check on child labor. • Set up pre-announced punitive measures on program participants employing child labor (e.g., loss of credit line and technical assistance, litigation). • Incorporate in project positive incentives for children in target areas to have access to schooling. • Incorporate rescue, rehabilitation, and compensatory mechanisms for children adversely affected by child labor (e.g., compensation for schooling lost, compensation for physical, psychological, or emotional damage). 	<p>Local governments, department/ministry of labor, department/ministry of social welfare and children, department/ministry of education, department/ministry on women, police, courts, community organizations, CSOs, community leaders, local schools, parents' and teachers' associations, women's organizations, ILO-IPEC</p>
<p>Projects promoting particular economic or industrial sectors may lead to employment of child labor.</p>	<ul style="list-style-type: none"> • Ensure that planning of the project includes safeguards to assure employment of adults and not children. • Set up monitoring procedures in the program to check on child labor. • Set up pre-announced punitive measures on program participants employing child labor (e.g., loss of credit line and technical assistance, litigation). • Incorporate rescue, rehabilitation, and compensatory mechanisms for children adversely affected by child labor (e.g., compensation for schooling lost, compensation for physical, psychological, or emotional damage). 	<p>Local governments, department/ministry of labor, department/ministry of trade and industry, department/ministry of social welfare and children, police, courts, community organizations, CSOs, community leaders, ILO-IPEC</p>
<p>CSO = central statistical office; ILO-IPEC = International Labour Organization – International Programme on the Elimination of Child Labour.</p>		

Appendix 7

Checklist for Reducing Negative Impacts of Gender Discrimination

Requirement Related to Conventions	Problem	Corrective Measure
Convention 100		
Equal remuneration for men and women workers for work of equal value, without discrimination based on sex.	<ol style="list-style-type: none"> 1. Women are paid lower wages or benefits than are men for same or similar work or work of equal value based on objective criteria of job content, including responsibility, skill, effort, and work environment. 2. Women (and/or men) are paid below minimum wages. 3. Occupational segregation of women and men that results in women being in low-skill, low-pay jobs. 	<ol style="list-style-type: none"> 1. Ensure that equal hourly and productivity rates are set and paid. 2. Ensure that equal benefits are paid, or that benefits are not based directly or indirectly on sex. 3. If different categories of pay exist, ensure that they are based on objective criteria. Whenever most women are in lower categories and most men in the highest, an objective review should be undertaken.
Workers should not be subject to distinction, exclusion, or preference on the basis of race, color, sex, religion, political opinion, national extraction, or social	<ol style="list-style-type: none"> 1. Less than 40% of project beneficiaries who are recruited for employment or to participate in income-generating activities are women. 	<ol style="list-style-type: none"> 1. Ensure that both men and women are paid at least minimum wage if set at national or sector level. 1. Encourage women's participation in nontraditional areas through skills training, support mechanisms, adaptation training for men and women, successful demonstration effects.
	<ol style="list-style-type: none"> 1. Set target of 40% for recruitment of women. 2. Ensure that family responsibilities or marital status or age are not criteria for engagement. 	

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Requirement Related to Conventions	Problem	Corrective Measure
Convention 111		
<p>origin, leading to nullifying or impairing equality of opportunity or treatment in employment or occupation, in recruitment, pay, access to training, promotion, terms and conditions of work, termination of employment, or any other aspects of the employment relationship or in occupation or income-generating activities.</p>	<p>2. Less than 40% of project beneficiaries who are employed or in income-generating projects are maintained in project.</p> <p>3. Exclusion of women from certain components of projects.</p> <p>4. Few women are in positions of responsibility in the project.</p> <p>5. Women are subjected to sexual harassment.</p> <p>6. Destruction of traditional livelihoods of women. For example, clearing wasteland for building may mean that there are no more common pastures for the women.</p>	<p>1. Identify dropout reason and correct through provision of services, additional training, organizational flexibility to accommodate work and family, sensitization training of all involved to support participation of women, increase level of benefit derived from participation.</p> <p>2. Establish complaint resolution mechanism sensitive to women.</p> <p>3. Adopt, advertise, and enforce equal opportunity policy.</p> <p>1. Ensure inclusion of women in all components</p> <p>1. Identify and correct low rate of women in positions of responsibility through affirmative action, additional skills and leadership training given to women, sensitization training for women to be accepted in such positions.</p> <p>1. Prevent and prohibit sexual harassment through adoption of policy, training of all persons involved, and complaint resolution mechanism. Enforce policy.</p> <p>1. Provision of alternative sources of living income to women.</p>

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Requirement Related to Conventions	Problem	Corrective Measure
Convention 111		
	<p>7. Overloading of women’s household chores/burden, which restricts income-earning capacity or potential.</p> <p>8. Exclusion or segregation of minority or older women from participation in employment or income-generating activities</p> <p>9. Exclusion of women from skill training or education or identification of skill deficit or illiteracy</p> <p>10. Disproportionate share of retrenched workers are women.</p> <p>11. Involuntary pregnancy testing.</p>	<p>1. Inclusion of household work-saving mechanisms.</p> <p>2. Ensure that children are not used to take up additional burdens or to replace women in household chores.</p> <p>1. Affirmative action recruitment of minorities in relation to community population ratio.</p> <p>2. Targeting of older women or poorest as beneficiaries on equal status.</p> <p>1. Remedial education/training programs established for women to enhance ability to increase income.</p> <p>2. Increase girls’ participation in formal education system and formal vocational training.</p> <p>1. Ensure trade union/worker representation involvement in setting redundancy criteria and alternative proposals.</p> <p>2. Ensure that objective criteria are used; if so, alternative solutions should be sought in alternative employment or compensation to cushion impact.</p> <p>1. Stop any such testing practices.</p>

Appendix 8

Initial Labor Standards Concerns of Stakeholders During Project Implementation and Suggested Actions⁶⁹

Stakeholder	Possible Concern	Suggested Action
1. The client (e.g., ministry carrying out public works)	<ul style="list-style-type: none">• May have several concerns, e.g., extra costs, worker dissatisfaction, more burdens for emerging contractors.	<ul style="list-style-type: none">• Stress that the project will help the ministry to meet its obligations under national law.• Be ready with examples of how it has worked elsewhere—of timescale and costs, of productivity gains, of capacity development for contractors.• Encourage the client to see the benefits of taking part in an initiative involving global players, e.g., ADB, ILO, relevant donors.
2. Employers' representatives	<ul style="list-style-type: none">• May not feel core labor standards (CLS) are their responsibility; see their role as purely technical.• May have difficulties with particular standards, e.g., may see gender as a cultural issue irrelevant to their role as engineers.	<ul style="list-style-type: none">• Ensure that the head of the department or ministry responsible for the project supports respect for labor standards.• Bring engineers into contact with other stakeholders so they have a chance to see issues from different points of view.• Over time you can anticipate that their interest will increase—they will begin to see action to protect labor standards extending their skills, and their status.

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⁶⁹ The table was originally presented in Ladbury, S., A. Cotton, and M. Jennings. 2003. *Implementing Labour Standards in Construction "A Sourcebook"*. Leicestershire: Loughborough University, and London: Department for International Development. The table is slightly modified from the original, and it applies not only to core labor standards but also to labor standards in general.

Stakeholder	Possible Concern	Suggested Action
	<ul style="list-style-type: none"> • May resist adding monitoring CLS to their technical monitoring role. • May see this as an additional job for which they are unqualified. 	<ul style="list-style-type: none"> • Build labor standards monitoring into the terms of reference for contract supervision. Include this in the service contract between the engineer and client. • Specific training on labor standards will be required.
<p>3. Association of contractors and individual contractors</p>	<p>Likely to be the most resistant group and to have a range of questions, e.g.:</p> <ul style="list-style-type: none"> • Who will pay? • How to procure equipment required to implement labor standards (e.g., protective clothing)? • Who will do the record keeping? • Trade union visits may incite workers. • Will there be rewards for compliance? • Will there be sanctions for noncompliance? 	<ul style="list-style-type: none"> • Involve contractors as much as possible in initial planning discussions. • Ensure that the implementation of labor standards will be a bid assessment criterion. • Ensure the client has made it clear to contractors that they will not have to pay for standards-related costs from their overheads (e.g., by including labor items in call for bids). • Provide detailed specifications so that contractors are clear about the requirements. If the bidders are inexperienced in pricing for labor standards, include indications in call for bids. • Explain labor standards at all pre-bid meetings using well-prepared materials that potential bidders can take away. • Arrange briefing/training sessions at award of contract so that all know their roles and responsibilities. • Ensure contractors are clear about what will be monitored so they can brief their site representatives. • Get contractors and unions together to talk about their common interests. • Reward compliance.

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Stakeholder	Possible Concern	Suggested Action
4. Ministry of labor (department responsible for labor inspections)	<ul style="list-style-type: none"> Will support the CLS program but may not have the resources to visit and inspect sites. 	<ul style="list-style-type: none"> Agree with the department whether it is feasible for them to be involved and, if so, how. Invite to all stakeholder workshops so they can keep abreast of progress and provide information and advice on labor law and good practice.
5. The trade unions for the sector	<ul style="list-style-type: none"> May not have the capacity (staff) or resources (transport, running costs) to play an active role outside the major towns, particularly if the number of workers on site is small. 	<ul style="list-style-type: none"> Examine whether additional resources for the trade unions (e.g., transport, training) should be provided, if requested. Otherwise trade unions may not be able to help with two vital jobs: raising worker awareness and monitoring the implementation of labor standards on sites.
6. Department of social security and national insurance	<ul style="list-style-type: none"> May see the project as a way of getting more people to register (so will be supportive). 	<ul style="list-style-type: none"> No general guidance possible as it depends on national law. In principle, registering is to be encouraged as a social safety net for all workers. But if the law stipulates a contribution for a large number of years to qualify for a pension, it will be difficult to convince temporary workers to register (and contractors may not encourage them to register as they will want to minimize the amount they pay in employer contributions).
7. Workers (permanent and daily wage) and adjacent communities	<ul style="list-style-type: none"> Workers are likely to prioritize pay above every other standard, at least initially. At first, may not like wearing protective clothing, may sell it. May be wary of unions; may not want women on site; may prefer to side with contractor for fear of losing job. 	<ul style="list-style-type: none"> Plan a program of worker and community education. Anticipate initial wariness but increasing support for labor standards by workers. Anticipate that the word will spread and they will begin to lobby other contractors for standards, particularly increased wages, protective clothing, and potable water.

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Stakeholder	Possible Concern	Suggested Action
<p>8. Other donors (bilateral and multilateral donors and finance institutions)</p>	<ul style="list-style-type: none"> Likely to be interested but to have limited experience unless gained through involvement with the ILO labor-intensive infrastructure program. 	<ul style="list-style-type: none"> Target donors funding the same employer/line department. Try to ensure a consistent donor approach to labor standards. Avoid burdening the ministry with requests for slightly different standards or procedures. Get the responsible ministry to ask other donors to apply the same standards.

ADB = Asian Development Bank; CLS = core labor standards; ILO = International Labour Organization.

Appendix 9

Indicators for Gender Monitoring and Evaluation

Indicator for Monitoring and Evaluation	Example of Indicator
Labor standards	<ul style="list-style-type: none"> (i) Respect for labor, employment, and equality laws, including minimum wages (ii) Absence of sex-based criteria in income, wages, and benefits (iii) Increase in number of women in higher decision-making posts (iv) Increase in number of women and men in nontraditional occupations (reducing sex-based occupational segregation) (v) Increase in numbers of women who have received vocational training, especially for skills that widen job opportunities (vi) Gender-neutral hiring and firing (vii) Quality of facilities (separate toilets, etc.) (viii) Maternity protection and benefits provided (ix) Safety measures geared to women's as well as men's needs (x) No dismissal on the basis of maternity or family responsibilities (xi) Increased awareness of men and women workers on women workers' rights (xii) Increased organizational and representational possibilities for women as well as for men (xiii) Increase in number of women covered by collective bargaining agreements (xiv) Increase in numbers of female members of trade unions, especially in leadership positions (xv) Affirmative action programs in place and operational to promote women's access to employment and training (xvi) Percentage of older women and women belonging to ethnic minorities or indigenous peoples participating in the project (xvii) Women's legal status with respect to access to credit, land, and jobs improved (xviii) Effective and operational complaints procedures
General welfare and awareness	<ul style="list-style-type: none"> (i) Group insurance for all workers' families (ii) Equal benefits for women workers arising out of insurance schemes (iii) Crèches for the use of all women and men (iv) Increase in awareness of men and women workers, contractors, and trade unions about health hazards/remedies (v) Increase in awareness of men and men about rights, facilities, and schemes (vi) Organizations for raising awareness of issues on ecology, family planning

Indicator for Monitoring and Evaluation	Example of Indicator
Economic growth	<ul style="list-style-type: none"> (i) Increased viable income for men and women workers (ii) Increase in sustainable wage employment or income-earning activities for women (iii) Improvement in productivity of women workers (iv) Increased control by women over income from wage employment and other income-earning activities (v) Infrastructure in place for raising market returns (vi) Improved access for women to credit, skills, and land (vii) Improved access for women to information on markets, different types of skills training, job opportunities, health care facilities, and child and family care facilities
Poverty reduction	<ul style="list-style-type: none"> (i) Increase in number of poor women, especially in female-headed households, who are engaged in sustainable employment (ii) Increased productivity of the work they do (iii) Better health for poor men and women and their families
Relief from housework and family responsibilities	<ul style="list-style-type: none"> (i) Investments made to reduce the load of housework and family care on women and men in the project area (ii) Child care and family care facilities in place and used by women and men in the project area (iii) Increase in awareness of workers and the community of the importance of equal sharing responsibilities between men and women (iv) Positive changes in men's and women's time use in household and family activities (v) Improved in women's status with respect to decision making within the family and community
Institutional strengthening	<ul style="list-style-type: none"> (i) Increase in number of female staff recruited, including at higher-level positions (ii) Increase in recruitment of female labor inspectors (iii) Gender balance among staff involved in the project (iv) Gender and employment training provided to ADB and executing agency staff; government agencies, including labor ministries, labor inspectors, trade unions, employers, contractors, community-based groups, and nongovernment organizations (v) Budget allocated for gender issues in labor and employment increased (vi) Partnership established between private sector, trade unions, and gender networks
Mitigation of adverse outcomes	<ul style="list-style-type: none"> (i) Complaint machinery established and operating (ii) Complaint machinery accessible to women (iii) Relief provided to those whose livelihoods are disturbed (iv) Reports submitted on number and kind of complaints and by whom