

▶ Session 1: Labour Inspection scope and functions: Tendencies and perspectives for the future of work

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Guidelines Chapter 1. Scope and functions

Mandate

1.1.1. The labour inspection mandate should apply equally to all workers and all workplaces in all sectors, whether private or public, in rural and urban areas, in the formal and informal economy, in respect of which legal provisions relating to conditions of work and the protection of workers while engaged in their work are enforceable by labour inspectors.

Functions

1.2.2. Labour inspectors shall not devote time to subsidiary or additional functions at the expense of those that should constitute the essential part of their work. Governments should not attach or bestow labour inspectors with additional powers or responsibilities for inspection relating to any area of government regulation or administration (...)

1.2.3. The main functions of labour inspection, as defined in Article 3(1) of C81, are indivisible, complementary and instrumental for the effectiveness of national labour legislation.

1.2.5. Labor inspectors should not be involved in formal conciliation, arbitration, determination or adjudication of individual disputes, given the potential conflict of interests between the functions of enforcement and conciliation, and the fact that these are not amongst the primary functions of labour inspectors.



Guidelines Chapter 1. Scope and functions

Scope

1.3.1. The range of regulatory oversight of labour inspection includes any aspect of legislation pertaining to conditions of work and the protection of workers as defined by national law (ex: OSH, FPRW, wages, working hours, employment relationship, social security registrations and contributions, informal economy...)

1.3.3. Preventive control of new establishments, plant, substances and processes should be reserved for cases where it is considered, according to national legislation (...) that the activity of these establishments may involve serious risks to the safety, health or physical integrity of workers or other persons concerned.

