

**2.- Welcome to this Session 5. Policies and strategies for the best use of labour inspection resources**, which will last from 9:00 to 10:15. My name is Felix Martin Daza, and I work in the International Training Centre of the ILO and will be the moderator of this session.

We will start with an introduction of the topic and then the interventions of 3 speakers:

- Mr. **Ibrahim Rahman Ammari**, Director of Occupational Safety and Health, Ministry of Human Resources of United Arab Emirates
- Mr. **Rômulo Machado e Silva**, Under Secretary-General of Labour Inspection. Ministry of Labor and Welfare from Brazil
- Mr. **Renārs Lūsis**. Director. State Labour Inspectorate of Latvia.

Afterward, we will have time for Questions and Answers and we will close with the summary and conclusions of the session.

3.- The best use of labour inspection resources is a need for almost all inspectorates since the human resource available are limited. However, it is not only a question of efficiency (use the available resources in most fruitful way) but also a question of effectiveness (in which way the Inspectorate can achieve its goals). The way in which different Inspectorates deal with this issue frequently involves strategies and actions at different levels all of them, closely interrelated.

One is the strategic level. Since the ultimate goal of the Labour Inspection is the compliance with the Labour regulations, there is an increasing trend of undertaking non-traditional Labour inspection actions to influence strategically the duty holders compliance, frequently involving cooperation with traditional and non-traditional partners.

Another level could be to get information for targeting or prioritizing the workplaces and/or the areas in which the Labour Inspectorate activities and resources could be more productive.

At the operational level, the streamlining of work processes and procedures and the massive use of technological tools and solutions may help inspectors and inspectorates to reduce the time devoted to the less productive duties and increase the time in the most productive ones

Finally, another level is related with the adequacy, competence and quality of human resources of the Labour inspectorate to perform their duties. This involves issues such as the Status and conditions of service of Labour Inspectors, the recruitment and selection of labour inspectors as well as the training, deontology and other statutory aspects of labour inspectors. I will concentrate this introduction in such issues, which correspond to the Chapter 4 (Labour inspectors' status and careers) of the ILO Guidelines on general principles of labour inspection.

4.- The **impartiality and independence** (of changes of government and of improper external influences) of the labour inspectors must be safeguarded at all times enabling labour inspectors to fulfil their duties and mission. Independence and impartiality is best secured if labour inspectors have stability of employment particularly whether they are civil servants appointed on a permanent basis.

This independency and autonomy is perfectly compatible with due respect and observance of instructions, circulars, standard operating procedures and technical criteria issued by the hierarchy on how to enforce legislation.

The concrete **number of inspectors** needed by each inspectorate will be determined by criteria specific to the national context, including:

- the number and nature of the functions assigned to the inspection system;
- the number, nature, size and situation of the workplaces liable to inspection;
- the number of workers;
- the number and complexity of legal provisions to be enforced;
- the material and financial resources available to the inspectorate;

- and the practical conditions under which visits of inspection must be carried out in order to be effective.

**Remuneration** should be commensurate with their responsibilities, and consistent with that of other civil servants at comparable levels in the same country. (Low remuneration may result in difficulties to attract highly qualified individuals, higher turnover among labour inspectors, undermining the accountability, effectiveness and impartiality). Reimburse labour inspectors for “any travelling and incidental expenses that may be necessary for the performance of their duties”.

**Attractive career prospects** are effective in retaining labour inspectors and improving their productivity.

Vertical **mobility** by internal competitions (either involving the acquisition of new qualifications or passing examinations, but also considering merit and seniority). Horizontal, geographical or functional mobility will allow gain experience and acquire new knowledge.

5.- The effectiveness of labour inspection depends largely on the adequacy of resources, competence and quality of its personnel.

The **recruitment and selection processes** of labour inspectors should be based on the principles of transparency, equality, merit and ability. The criteria for eligibility should include a **certain entry level of education and experience** and should be open to applicants outside the public sector. National circumstances allowing, the minimum educational level required should be an academic **university degree**, basic or advanced, or equivalent competence level.

The **right academic qualifications** for a prospective labour inspector depends to a great extent upon the mandate of the labour inspectorate.

**Soft skills** are also required, such as for example, the ability to relate to and work with people; the ability to work well under pressure and without supervision; initiative; capacity to acquire the confidence of all parties; or the ability to communicate effectively.

In-depth interviews + written tests allowing an assessment of their relevant legal and/or technical knowledge should be part of the selection process. Training may be included in the selection process or after the candidates appointment. A probationary period, after which they should take a final examination or any other means of assessment of competence,

Positive discrimination/affirmative action for candidates belonging to under-represented groups may be adopted when recruiting labour inspectors,

It is recommended that **qualified technical experts and specialists** (such as for example on medicine, engineering, electricity and chemistry, occupational psychologists, industrial hygienists, ergonomic experts and other specialists), are employed as labour inspection or be part of policies, protocols and cooperation agreements of the Labour inspectorate.

6. The labour inspectorate should develop a training policy and programme based on a previous analysis of training needs and resulting in a training curriculum. It could be delivered high-quality training facilities, such as their own national school, or in collaboration with specialized institutions. It should include an **Initial training** should have both a theoretical (classroom-based instruction and/or online courses, functions, powers and duties of inspectors; regulatory framework, labour inspection system; labour market, operating procedures, enforcement and sanctioning measures, soft skills, etc.) and a practical component (visits to workplaces in different sectors with a more experienced colleague well prepared in the role of mentor).

Training should be periodically complemented, updated and improved in order to refresh inspectors' knowledge and skills.

National legislation must define clear sanctions and consequences for any breach of requirements for independence, integrity and confidentiality + all staff working in the labour inspectorate.

In addition to the provisions contained in **administrative and criminal laws**, Labour Inspectorates should **provide guidance and establishing mechanisms and procedures** (codes of conduct, protocols, training modules, internal investigation procedure), in order to strengthen ethical behaviour,

Conditions of service for labour inspectors should reflect **gender equality**, which should be supported by an appropriate regulatory framework. The performance of labour inspectors should be appraised with due account for the specificities of the profession. As well as OSH risks, the **risks of violence against inspectors** should be assessed and preventive and protective measures should be in place (legal measures, training on policy and protocols, internal and external communication, police support, psychological and legal support, etc.). **Appropriate legal immunity protections** for good faith inspections and/or liability insurance policies should also be in place.