

- ▶ **Supplier guidance on preventing, identifying and addressing child labour**

DRAFT FOR CONSULTATION

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First published 2020

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## FUNDAMENTALS

*Supplier guidance on preventing, identifying and addressing child labour* / International Labour Organization, Fundamental Principles and Rights at Work Branch (FUNDAMENTALS), Geneva: ILO, 2020.

ISBN: 978-92-2-032195-9 (Print); 978-92-2-032194-2 (Web PDF)

International Labour Organization; Fundamental Principles and Rights at Work Branch

### Acknowledgements

This publication was elaborated by CCR CSR HK LIMITED, Contractor, for FUNDAMENTALS and coordinated by Mr Benjamin Smith and Ms Kassiyet Tulegenova from FUNDAMENTALS Geneva Office and has benefited from valuable contributions from Mr Andrew Christian of LABADMIN/OSH and Ms Anne Ziebarth of BETTERWORK.

The ILO Child Labour Platform (CLP) supported consultations with businesses for the development of the Supplier Guidance.

This publication was elaborated under the framework of the “Project to strengthen policies and programmes to prevent and remediate child labour in the Primark apparel supply chain” (GLO/14/35/PRI) funded by Primark Stores Limited.

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Printed in Switzerland

Photocomposed by Bip-Bip, Switzerland

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I.

## ► Introduction

### 1.1 Why a supplier guideline to prevent, identify and address child labour and provide protection for young workers?

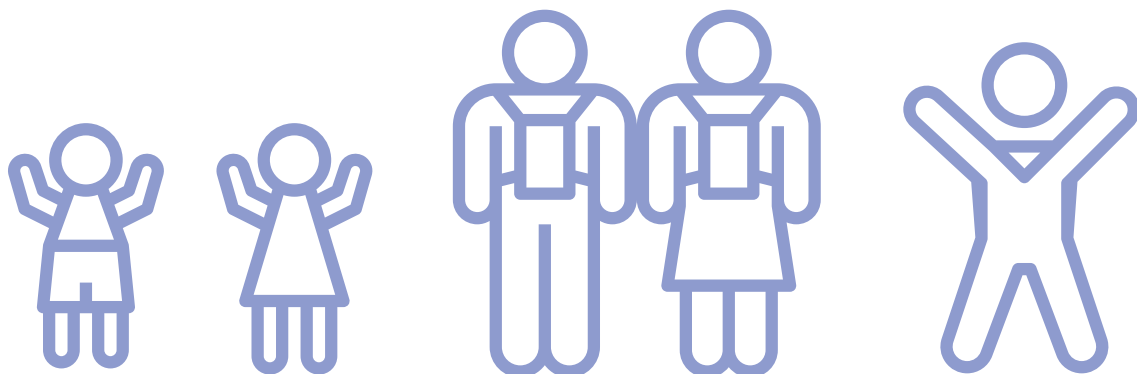
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Child labour harms children's mental and physical development. It also harms business and can lead to legal sanctions, a loss of productivity, disruptions in production, and lost orders. It has no place in a modern, competitive and sustainable garment industry. This document provides practical guidance for factories and other production sites to prevent child labour through effective age verification and the protection of young workers, and to effectively respond to it if it does occur.

## 1.2 Key terms

The key terms used in this Guidance include:

<b>Child</b>	The International Labour Organization (ILO) Worst Forms of Child Labour Convention (No. 182) defines a child as all persons under the age of 18
<b>Child labour</b>	ILO defines child labour as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. Child labour refers to one or more of the following: <ul style="list-style-type: none"> <li>1) Work done by a child who is under the minimum age of admission to employment for the type of work concerned;</li> <li>2) Work that interferes with compulsory education;</li> <li>3) Work that is likely to jeopardize a child's health, safety or morals, known as hazardous work;</li> <li>4) Other "worst forms of child labour" besides hazardous work.</li> </ul>
<b>Young worker</b>	For the purposes of this guidance, "young worker" refers to a person who has reached the minimum legal working age, usually 15, but is under 18 years old (still a child).
<b>Child labour remediation</b>	Corrective measures taken to remove a child from child labour by providing alternatives and ensuring their safety and wellbeing.



## 1.3 Key elements

Child labour is a violation of fundamental human rights. According to international standards, work must not be performed by anyone under the minimum working age (usually 15 or higher if stipulated by national law).<sup>1</sup> 'Work' refers to any work at your company, including work done under apprenticeships, or training and work/study schemes; it includes contractual, temporary or casual work, as well as on-site subcontracted work (waste, catering, delivery, cleaning, building works, etc.). This guidance applies to all production sites, including lower tier suppliers (e.g., material suppliers and subcontractors).

### ► 1. Child labour prevention



Clearly state the minimum ages for general work and hazardous work in your hiring policy and job announcements.

See section 2.1



Hiring procedures and processes must include a **robust age verification mechanism**, which includes checking ID documents and in-person interviews.

See section 2.2



Medical examinations are **not an appropriate means** of verifying age

Risks linked to **increases in demand, recruitment agencies, subcontractors and service providers** must be managed.

See section 2.2

<sup>1</sup> ILO Convention No. 138 sets a general minimum working age of 15, however it states that a country "...whose economy and educational facilities are insufficiently developed may, after consultation with the organizations of employers and workers concerned, where such exist, initially specify a minimum age of 14 years." Some countries, however, have set a minimum age of 16 years.

## ► 2. Create a non-discriminatory but protective workplace for young workers

**Definition:** young workers are children above the legal minimum age for work and under 18.



**Special management measures on contracting:** Young workers need contracts just like adult ones, but theirs should specifically mention the extra protections applying to them.

See section 3.1.1



Make sure they are subject to **strong OSH protection** and never do hazardous work. To ensure this, create a system to **identify hazards and assess risks** for young workers.

See section 3.2



**Working hours:** As a rule of thumb, young workers should not work overtime or nightshifts.

See section 3.1.2



**Create a low-risk environment** for young workers by:

- 1. Identifying low-risk jobs
- 2. Creating a list of low-risk tasks & processes, consistent with local law
- 3. Through long-term measures, reducing the risk levels of more positions to create more options for youth
- 4. Continuously raising awareness of factory management and young workers on how to create a safe workplace for young workers.



**Take young workers' needs into account** when setting up your onboarding and orientation training, and in your communication.

See section 3.1.3

See section 3.3

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### ► 3. Child labour remediation (after identifying child labour)

If a child or young worker is found to be in child labour, seek together with your buyers, and ideally an expert organization, solutions that are **in the best interests of the child or young worker concerned**.



When a young worker (above the minimum working age but under 18) is engaged in **hazardous work**, the following actions should be taken:

1. Job re-allocation
2. Health check
3. Training for the young worker



See section 4.1

When a child **below the minimum age** for work is found at the production facility, the following actions should be taken:

1. Immediate actions, including taking the child to a safe place
2. Providing a living stipend
3. Enrolling him/her in a suitable educational/vocational



See section 4.2

## 1.4 Guiding Principles

Preventing child labour and ensuring special protection for young workers under 18 is not always an easy task and might not always follow the same pattern. Therefore, it is really important that you follow the following set of principles, which will always apply no matter the case:

1. **Always apply the stricter law:**  
e.g., in a case where international standards differ from the local law, always operate based on the higher standards/stricter laws which provide a higher level of protection (for instance, if the local minimum age to work is set at 16, and the international standard is 15, you will have to apply the stricter of the two – that is 16!).
2. **Protect—but do not discriminate against— young workers:**  
suppliers should protect young workers who have reached the minimum working age, but not exclude them from access to safe work. Young workers should never be involved in tasks that are included in “hazardous work lists” in national law.
3. **Children have a right to be heard:**  
children’s opinion should be taken into consideration in any decisions that concern them.
4. **All interventions are aimed at positively impacting the child and his/her family:**  
our main concern should be to act in the best interest of the children and to protect the privacy of the children and their families.



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## II.

## ► Child labour prevention

Making age verification a central part of a clear employment policy, as well as managing the risk associated with recruitment agencies and subcontracting play a vital role in the prevention of child labour.<sup>2</sup>

### 2.1 The basics

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**Clearly state the minimum age for general work** and hazardous work in your hiring policy and job announcements, e.g., “in order to work at our company, you need to be a minimum of 15 years old for general positions and a minimum of 18 years to perform hazardous work”. Make sure the minimum ages comply with international or national legislation (whichever provides greater protection).

**Medical examinations are not an appropriate means of verifying age.** Accuracy cannot be guaranteed, and an examination may cause a child unnecessary stress and violate his or her right to privacy.<sup>4</sup>

**Recruitment and hiring should follow standardized procedures and include a robust age verification mechanism.** Ensure that recruitment and hiring, including age verification, is handled by the appropriate department (e.g., the human resources or personnel department), by people trained to do so. Recruitment and hiring should not be managed informally, e.g., by a security guard, line supervisor, or through family members.

**Manage the risk of child labour linked with any rapid increases in demand for labour or the use of labour agents, subcontractors and service providers.**

## 2.2 Steps to verify age

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### 2.2.1 Pre-recruitment

**Make sure your job announcements contain the following information:**

- ▶ Expected education level
- ▶ Skills & experience required
- ▶ Minimum working age

**Means of verifying age:**

- ▶ Indicate that all applicants must present government-issued identification documents to prove their age and identity; job announcements, application forms and notices at the facility should state that applicants with false or invalid documents will not be considered or hired.



If the advertised position is hazardous (e.g., requires handling heavy machinery); you should indicate this and set the minimum working age at 18. However, setting a minimum age of 18 for non-hazardous work may be discriminatory and should be avoided.

### 2.2.2 During recruitment

Thoroughly check (and cross-check) original proof of age documents.

**Use the following steps:**

**If a reliable ID card is available:**

- ▶ Make sure the photo and identity mark on the submitted documents match the appearance of the applicant.
- ▶ Make sure the signature on the national ID card matches the applicant's signature.
- ▶ Check that the original seal between the photo and card is intact.
- ▶ The date of issue should broadly tally with the condition of the card. It is suspicious if a card issued many years ago looks brand new.

**If no ID card is available:**

- ▶ Establish the most reliable form of documentation in your country and request a minimum of two forms, such as a birth certificate, household registry (family book), driver's license, right to vote card, or work permit.



In countries where a national identity card is not available, require applicants to present two documents to verify their age; examples include: a birth certificate, household registry (family book), driver's license, right to vote card, work permit, or school testimony. At least one of these documents must contain a photo ID.



Note: When interviewing young applicants, age verification must not be based on socially or culturally constructed ideas of what an adolescent should look like, or how they should behave or respond to particular situations, as children's physical development varies owing to factors including diet, access to health care, living and environmental conditions and genes. Behaviour also varies according to cultural backgrounds and expectations.

#### Additional elements to consider:

- ▶ Certain countries require that a government agency<sup>3</sup> (e.g., the Ministry of Labour) be informed when a young worker is recruited.
- ▶ If you suspect forged documents or are presented with a temporary identification card, check the document's validity with local government offices and request other forms of ID.
- ▶ Conduct in-person interviews with all applicants. At the interview, applicants can be asked questions such as where their documents were issued, where their father was born, or their date of birth. This information can then be cross-checked with the card.
- ▶ Ensure that once the identity check has been completed the originals are immediately returned to the applicants.
- ▶ If insufficient or suspicious ID is presented, support the applicant to procure proper documents (e.g., by providing information on where/how they can apply for proper identification documents).

#### 2.2.3 After recruitment

**Age verification does not stop with recruitment of staff. You should also implement the following measures on an ongoing basis:**

- ▶ Prepare and maintain a register<sup>4</sup> of all workers' application documents and records of employment, including daily workers, temporary workers, young workers and interns/apprentices or student workers. This should include at a minimum:
  - a valid labour contract;
  - a copy of the worker's ID card;
  - a recent photo (taken within the past 6 months);
  - date of employment;
  - main task(s)/position;
  - work schedule; and
  - manager's name.
- ▶ Records of non-national employees must include records confirming their legal status and working permit.
- ▶ Provide all of your employees with a facility-issued photo ID.
- ▶ A face scanning attendance system or fingerprint identification attendance system reduces the risk of persons assuming the identity of workers in the facility.

<sup>3</sup> The labour laws of China, Thailand and Singapore, for example, stipulate that employers are required to inform the Ministry of Labour before young workers begin to work.

<sup>4</sup> In compliance with ILO C138, suppliers shall have an official list or documents that contain the names and ages or dates of birth, duly certified wherever possible of the workers who are below 18 years old and the list shall be available to competent authorities.

### 2.2.4 Managing risk factors

During peak seasons or labour shortages, when large numbers of workers are in demand, proper hiring processes and age verification may be neglected. Moreover, the use of labour agents, subcontractors and service providers may also increase the risk of child labour. Below are a few measures to help you to manage this situation.

- ▶ Ensure all your business partners are formally registered businesses.
- ▶ Include a child labour policy and procedure for prevention and remediation in contracts with subcontractors and service providers.
- ▶ Update and maintain a subcontractors list. Regularly collect updated information such as size of facility, production capacity and number of workers.
- ▶ Avoid placing orders that exceed production capacity, taking into consideration orders placed by other customers.
- ▶ Keep a record of workers hired by service providers as well as the relevant documents.
- ▶ If you engage labour recruiters, use only reputable companies that comply with all relevant laws.
- ▶ Verify the documents and interview workers in your facilities, even when you have not directly hired the workers. For your buyers, it will NOT make a difference if the workers in your facilities are directly hired by you or by a labour agent. This applies to any person working in your facilities and includes situations in which you outsource production lines, waste management, canteen services, security, dorm services etc.
- ▶ No recruitment fees or related costs should be charged to workers or jobseekers.



Do all of this BEFORE you are in urgent need of more employees, as you won't have time when hiring becomes urgent!

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## III.

## ▶ Management of young workers

Young workers below the age of 18 require special protection, but they are also valuable employees who form the basis of your company's future.

You should have systems in place to ensure a non-discriminatory but protective workplace for young workers, in which their occupational safety and health (OSH) is ensured. This includes implementing specific measures on contracting, working hours, onboarding and orientation, communication and ongoing OSH protection specifically aimed at young workers (see section 3.1). A system to identify hazards and assess risks (section 3.2) is essential in order to create a safe working environment for young workers (see section 3.3).

### 3.1 Establishing special protective measures for young workers

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Adolescence is a time of dramatic physical and mental change and huge developmental strides. Young workers therefore need special protection at the workplace. Some of the reasons for this are:

- ▶ **Young workers need more oxygen.** They breathe in more air (and therefore any toxic substances/pollutants and airborne diseases that may be present) relative to fully-grown adults.
- ▶ **They face health risks when assigned tasks beyond their physical capabilities,** which can lead to developmental problems and injuries. They are generally eager to please, lack experience and their judgement is still in the process of developing. Without training they may be more prone to taking risks.
- ▶ **They need more sleep than adults.** Quantity and quality of sleep directly affects young people's cognitive development. They must not work long hours, while work and study programmes and vocational training must leave them time for enough sleep.

### 3.1.1 Hiring young workers

As outlined in section 2.2, robust systems for age verification are key. Once you have established that the applicant is of working age but under 18, take the following steps:

- ▶ Ensure the young worker has a valid contract just like an adult worker. It should include standard terms of remuneration and benefits but also special protections related to safety and health, working hours, rest time and leave, etc. See Annex III for a detailed list of contract conditions.
- ▶ Ensure that all young workers fully understand the terms and conditions of their contracts. The contract should be in a language understood by the worker.

### 3.1.2 Working hours

Many countries have specific working hour regulations for young workers (see Annex IV). Unless your country's regulations are stricter, you should respect the following guidelines:

- ▶ No night work for young workers (night work may be allowed as of 16 if necessary, for learning purposes during an apprenticeship, if such apprenticeship is approved by the competent government authority, the apprentice receives training and is allowed at least 13 hours' rest between shifts. Of course, the work must not be otherwise hazardous).
- ▶ No overtime.
- ▶ At least 12 consecutive hours of night rest each day.
- ▶ If the young worker is still in compulsory education, their work must not interfere with their school attendance nor the ability to study.

### 3.1.3 The first day of work for young workers: Orientation and occupational safety & health training

Arrange an orientation and OSH training for all young workers before they begin work, which includes a review of all key terms of employment (contract, hours, factory regulations). Small group training, with interactive sessions and hands-on practice help ensure full understanding of your factory's OSH policies and regulations. Training should include:

- ▶ A clear message to ensure young workers understand the importance of safety in the workplace.
- ▶ A 'walk and talk' safety tour for young workers highlighting particular safety concerns.
- ▶ Review of legal requirements for the protection of young workers, e.g., regular health examination, working hours and types of work, processes or positions they CAN and CANNOT do.
- ▶ Explanation of existing OSH risk control measures, e.g., signage for hazards, and resources available to support the health and safety of young workers.
- ▶ Explanation of procedures for reporting workplace hazards/dangerous situations and the follow-up steps to be taken to eliminate reported hazards.
- ▶ Explanation of procedures for evacuation in case of an emergency.



What are the elements for an effective grievance system?

Find out in Annex V

### 3.1.4 Ongoing protection during employment

Receiving feedback, concerns, complaints, suggestions and questions from young workers is a good way to identify real or potential risks and hazards and to ensure workers are protected. An effective grievance system accessible to young workers is essential in this regard.

Trade unions can provide a valuable channel for relaying feedback and grievances, anonymously and without fear of reprisal. In addition, if not already in place, consider establishing an OSH Committee involving workers and management. Other channels may include accessible welfare officers, anonymous suggestion boxes, hotlines, and web-based platforms (such as email, SMS, app, online surveys) that are easily accessible to workers.

## 3.2 Identifying hazardous work and conducting risk assessment for young workers

A sound OSH system identifies hazards associated with the tasks and processes in which young workers are engaged, and estimates how likely it is that the hazard will cause them harm. This process is essential to managing risk and keeping young workers safe.

### 3.2.1 Identify hazardous work tasks and processes and necessary protection measures

#### Production observation

Walk through facilities with your key staff (production managers, HR, supervisors, compliance & OSH experts) to identify hazardous tasks and processes, bearing in mind national law and international labour standards.

#### Make sure the walk-through considers:

- ▶ Activities of all persons having access to the workplace (including contractors and visitors) including processing, materials storage, finished products, public areas, offices, visiting areas and transport vehicles.
- ▶ Infrastructure, equipment and materials at the workplace, whether provided by the factory or others.
- ▶ The design of work areas, processes, installations, machinery/equipment, operating procedures and work organization.
- ▶ Planned and temporary work.
- ▶ Long-term hazards (e.g., high levels of noise or exposure to harmful substances).
- ▶ Psychosocial hazards such as harassment.



You should have a detailed list of all work tasks and processes. Ensure that this list distinguishes between similar tasks and processes that are found at different workplaces. This is important because, for example, a task that is not in itself hazardous could become hazardous if located in an area with high levels of dust, noise, heat or chemical usage.

### Manufacturers' instructions

Check manufacturers' instructions for equipment and safety data sheets (SDS) for chemicals, as they can be very helpful in identifying hazards.

### Worker and expert interviews

**Talk to workers, young workers and their representatives to obtain first-hand experiences** about the risks and hazards of different jobs. Workers may have noticed hazards that are not immediately obvious. Speak to OSH experts who have experience in the garment industry.

**Conduct individual or group interviews with workers, young workers and their representatives.** Prepare questions before the interviews to explore potential risks and hazards (see Annex VI).

### Review previous accident reports

Reports on accidents and work-related ill health can help identify less obvious hazards. For reference, Annex VII provides a detailed list of common hazards in the garment and textile industry.



To obtain safety information about chemicals, suppliers can check the International Chemical Safety Cards, which are data sheets developed by ILO to provide safety and health information on chemicals:  
[https://www.ilo.org/safework/info/publications/WCMS\\_113134/lang-en/index.htm](https://www.ilo.org/safework/info/publications/WCMS_113134/lang-en/index.htm)

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### 3.2.2 Risk assessment for identified hazards

After hazards have been identified, assess the risk arising from them (a risk assessment). Risk is defined as “a combination of the likelihood of an occurrence of a hazardous event (**probability**) and the severity of injury or damage to the health of people caused by this event (**severity**)”. Risk assessments will enable you to assign a risk level (low to high) to individual tasks and processes, and take preventive action.

Firstly, the **probability** of the harm is estimated by rating it as “Likely”, “Possible” or “Unlikely”.

▶ Probability	▶ Frequency of an event
Likely	Could happen frequently
Possible	Could happen occasionally
Unlikely	May occur in exceptional circumstances

Please note: If there is any injury or accident mentioned in accident reports, the rating should be “likely”.

Secondly, the **degree of impact** that may be caused by the harm is estimated by rating it as “High”, “Moderate” and “Low”.

▶ Severity of harm	▶ Type of potential harm event (incident)
<b>HIGH</b> Significant level of harm	A high potential of causing fatality, permanent disability or long-term and serious injury.
<b>MODERATE</b> Moderate level of harm	Potential to cause serious but non-life-threatening injuries or temporary disability, that may require the worker to take time off for recovery. A broken arm or minor fracture is an example of a moderate injury.
<b>LOW</b> Minor level of harm	Very low potential of injury or illness that will not require a person to use first aid, or to temporarily suspend their work involvement.

And then the risk can be assessed as “High”, “Medium” or “Low”, according to the combination of severity and probability.

Level of risk = severity of harm x probability of harm

		Severity		
		Low	Moderate	High
Probability	Likely	Medium	High	High
	Possible	Medium	Medium	High
	Unlikely	Low	Medium	Medium

### 3.3 Create a low risk environment for young workers

#### 3.3.1 Immediate actions after risk assessment

Immediate follow-up actions should be taken to manage the identified risks.

Level of risk	Actions and risk controls (for all workers)	Appropriate for young workers
High risk	<p>Remove young worker from the task/position immediately and initiate child labour remediation processes. Assess if the right safety precautions are in place:</p> <ul style="list-style-type: none"> <li>✓ Require detailed pre-planning and substantial safe work controls.</li> <li>✓ Enhanced risk controls will be required. Closely monitor progress &amp; compliance.</li> </ul>	<p><b>X</b></p> <p>Tasks and processes labelled as HIGH RISK should never be assigned to young workers.</p>
Medium risk	<p>Remove young worker from the task/position immediately and initiate child labour remediation processes. Documented safe work procedure to be used:</p> <ul style="list-style-type: none"> <li>✓ Detailed operational planning and controls.</li> <li>✓ Risk controls to be introduced before any work.</li> <li>✓ Workers should understand requirements and implement risk controls.</li> </ul>	<p><b>X</b></p> <p>Tasks and processes labelled as MEDIUM RISK should never be assigned to young workers.</p>
Low risk	<p>Ensure the task and working environment are safe for young workers. Review current controls and, if they are inadequate, apply more effective measures:</p> <ul style="list-style-type: none"> <li>✓ Check local law (i.e., the national hazardous work list) industry regulations and existing in-house risk assessment reports to ensure position is not off-limits to young workers (see Annex VIII).</li> <li>✓ Review work/tasks and discuss the task with the young worker before they start working.</li> </ul>	<p>✓</p> <p>Tasks and processes are likely suitable for young workers.</p>

#### 3.3.2 Develop a list for low risk tasks and processes

Based on your risk assessment you can now take the following steps:

- ▶ Analyse the low risk work tasks and processes (see Annex IX).
- ▶ Create a list of work from the “Low risk” category that is safe for young workers and complies with applicable laws.
- ▶ Develop an action plan: identify gaps in current OSH management such as policy, procedure, communication and training; formulate corrective measures and a timeline; assign responsible staff; initiate corrective action, and monitor the progress.
- ▶ Conduct regular assessments (or whenever there are changes to existing process) and update the low risk task list.
- ▶ Store and file risk assessment results and the low risk task list for easy reference.

You will find a table template table in (Annex X) to help you with that process.

### 3.3.3 Long-term measures

Effectively protecting young workers from hazardous work may mean physically removing a hazard, isolating workers from hazards, changing work processes and procedures, or providing improved working conditions. For more details on this process you may consult Annex XI.

### 3.3.4 Continuously raise awareness of factory management and young workers

In conjunction with OSH committees and trade unions, where present, ensure that awareness raising and OSH training, taking into account the extra need for protection of young workers, is undertaken on an ongoing basis. It is important to conduct regular monitoring in order to ensure compliance in daily operations.

Good practice



#### ► How a factory adjusted tasks and processes to accommodate young workers

ABC Packaging Co., Ltd. (note 1) is a factory that produces backpacks and bags for many US and European buyers, and they are one of the first factories in Vietnam to hire young workers under the age of 18. Before hiring young workers, the factory started identifying suitable jobs that were low risk and safe for young workers. However, the location and the work settings of these jobs was likely to jeopardize the health of the young workers. To create a safe and decent working environment for young workers, the factory conducted a job analysis and the following risk/challenge control measures were taken:

	Task	Hazards/challenges	Elimination/minimization of risk
1	Thread trimming	Ergonomic hazard: Work while standing full time on a high table, no chair provided.	Provide adjustable tables and chairs so that workers can interchange between sitting and standing
2	Zipper puller lock-ing, trimming zipper tape, inserting the zipper lock	Chemical hazard: Work inside the cutting unit, where dust levels are known to be high. Safety hazard: Work location near electric cutters.	Move the work location from inside the cutting unit to the material ware-house where the safety and health risks are minimized, and it is easier for the sewing lines to collect the zipper for next steps.
3	Processes in the packing areas such as inserting acces-sories like paper, plastic parts, and folding or returning the lining, fabric products	Challenges: Though the jobs in the packing area are simpler than in other areas, the em-ployer did not identify or spe-cifically point out the non-hazardous tasks and processes suitable for young workers. As a result, no one considered these positions as suitable positions for young workers.	More tasks were identified as suitable, so that young workers could do at least two tasks in the same work area, thus allowing them to rotate to the other task when one of the tasks was completed.
4	Food preparation and serving in the canteens	Safety hazard: Risk of fire and burns in the kitchen and from hot food	Identify restricted area and non-restricted area in the kitchen to avoid risks for young workers.

After the risks were removed and the work setting was re-adjusted, more non-hazardous jobs were created for young workers and the factory successfully allocated suitable tasks to them.



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# IV.

## ▶ Child labour remediation

Child labour remediation refers to the process of removing a child from a child labour situation to ensure safe and adequate alternatives for them, such as reintegrating them into the education system or, if they are above the minimum age for work, creating an opportunity for them to work in a non-hazardous job.

### 4.1 What should you do when a young worker (above the minimum working age but under 18) is engaged in hazardous work?

---

If young workers are found working in hazardous tasks or processes:

- ▶ Remove the young workers from the hazard.
- ▶ Offer them access to “low risk” work, without reducing salary or benefits.
- ▶ Arrange health checks and ensure any necessary treatment is provided, including for long term exposure to hazards (e.g., dust, vibration, excessive noise).
- ▶ Monitor the young worker’s situation regularly to ensure that children do not gradually shift back to high-risk activities.

## 4.2 What should you do when a child below the general minimum age for work is found at the production facility?

An underage worker may be identified by staff or other parties at the production site, or a child may accompany their parents or guardians to the production facilities and can either be playing or helping their parents with some tasks to be kept busy. The first thing to do is ensure that the child is safe and does not feel in any way threatened or scared by the situation. It is often preferable that a woman speaks with the child, particularly in the case of girls.<sup>5</sup>

### 4.2.1 When a child below the general minimum age is working in the production facility you should:

- ▶ Talk to the child in a calm manner, offer information about yourself and ask open-ended, general questions to establish a rapport. Listen to the child to understand their needs. Assure them that they have done nothing wrong and are not “in trouble”. In a kind manner explain why they can’t be working.
- ▶ Remove the child from the workstation and arrange a safe place for the child e.g., office room, dormitory or home.
- ▶ Contact the child’s parents/guardians and explain the situation to them.
- ▶ Ensure that the child has been paid for the time worked in the factory.
- ▶ Good practice is to provide financial support to the child and their family to cover school fees and living costs until the child reaches the end of compulsory schooling or the minimum age for work, then rehiring the young worker to do non-hazardous work.
- ▶ Document and keep records of each child labour case.
- ▶ If a local remediation expert is involved, inform the expert about the child labour case with a Child Labour Notification Form (Annex XII), and support and cooperate with the expert on the child’s remediation.
- ▶ If no local experts are available, you may seek support from ILO offices and other UN agencies such as UNICEF for guidance.

### 4.2.2 What to do when an auditor or buyer detects a child below the minimum age for work

If a child below the minimum age is found during a factory audit, a remediation process will be initiated with the involvement of the buyer. You are expected to:

- ▶ Fill in the Child Labour Notification Form (Annex XII), and cooperate with and support the child labour remediation process. A local remediation expert will:
  - interview the child concerned and their parents;
  - interview factory management and review relevant documents;
  - conduct a factory walkthrough; and
  - if no local experts are available, you may seek support from ILO offices and other UN agencies such as UNICEF for guidance.

<sup>5</sup> For detailed guidance on interviewing children removed from child labour see: *ILO: Psycho-social rehabilitation of children withdrawn from trafficking and other worst forms of child labour* (Geneva, 2007). Available at: [https://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_14755/lang-en/index.htm](https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_14755/lang-en/index.htm).

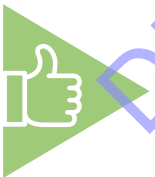
- ▶ Discuss the cost of a remediation programme with buyers and subcontractors if they are involved. The cost usually includes:
  - a stipend for the child;
  - education fees for the child;
  - additional training in child rights and child worker policies at the factory; and
  - the local expert's costs to monitor the factory.

#### 4.2.3 What to do when a supplier or factory staff find a child in the factory who is not working

If a child is not working but is present in the production facility due to parents lacking alternatives for childcare, the supplier should:

- ▶ Speak kindly to the parents (if they are present) and explain why the child cannot be in the factory and.
- ▶ Contact the child's parents/guardians if they are not with the child.
- ▶ Remove the child from the workplace and arrange a safe place for the child e.g., child friendly space, office room, dormitory or home.
- ▶ Explore whether the parents/guardians need childcare services.
- ▶ If the factory has a day-care or a child-friendly space (a space with adult supervision where children can play and do homework), place the child there.
- ▶ If the factory does not have a day-care or a child-friendly space, assist the parents by connecting them to local childcare services or a relevant organization.
- ▶ Document and keep a record of the case.

Good practice



#### ▶ Child friendly space eliminates parents' need to bring their children with them to the production floor

A factory in China had a large migrant workforce, many of whom were parents. During the summer months when their children were off school, parent workers found themselves without any viable childcare options while they worked. As a result, some brought their children to the production floor, believing the children to be safer by their side than unaccompanied at home. During an audit however, the children were flagged as underage workers.

To prevent such problems in summers thereafter, the factory opened a Child Friendly Space on their premises. This provided workers' children with a safe space to spend their summer holidays, while the parents could put their mind to rest and concentrate on work. The programme proved to be a win-win solution: the children had a much more interesting, fun, social and educational summer by doing arts and crafts, playing games and taking part in parent-child activities than if they had stayed at home; parents did not have to pay hefty childcare fees or take time off work to look after their children; and the factory enjoyed lower absenteeism and turnover, and a happier, more motivated workforce.



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▶ **Annexes**

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## Annex I. Checklist for factory self-assessment on employment policy and procedures related to child labour and management of young workers (above the minimum age but under 18)

This checklist is a self-assessment tool you can perform to get a sense of how well your employment practices and system currently help to prevent child labour and manage young workers. You can use it to identify where you need to make improvements and what elements to prioritize.

Item	Remarks
<b>I. Employment policy</b>	
Does the facility have child labour and young worker management policy?	YES / NO
Does the policy clearly mention the minimum working age?	YES / NO
Does the policy clearly define the terms under which young workers can be offered decent work positions?	YES / NO
Is the policy compliant with national and international law on minimum age and conditions for the hiring of young workers?	YES / NO
<b>II. Age verification procedures</b>	
Does the facility have a hiring process that sufficiently verifies the age of workers before recruitment, which includes ID check and interview with each applicant?	YES / NO
Is there a proven authenticity verification step for age-related documents, including steps to be taken in case there are doubts?	YES / NO
Does the facility have formal channels to access the local authority in relation to obtaining and verifying age documents for workers?	YES / NO
Has this process been carried out by a staff member that has been trained on age verification?	YES / NO
Does the facility keep necessary documents in workers' personnel files, including copies of ID and specific age verification documents?	YES / NO
Does the facility allocate a budget in fiscal plans to allow for child labour prevention training, especially regular training for HR staff on age verification?	YES / NO
Does the facility provide regular training to the HR, Production Manager, line managers and others who are involved in the hiring process to equip them with sufficient knowledge on child labour and skills on age verification?	YES / NO

Item	Remarks
<b>III. Work hours and occupational safety and health management</b>	
Are your workers regularly required to work overtime?	YES / NO
If yes, which workshops/stations?	
(1) _____ (2) _____ (3) _____	
(4) _____ (5) _____ (6) _____	
(7) Others: _____	
Are young workers allowed to work overtime if they work in these departments?	YES / NO
Are young workers allowed to work on night shifts for urgent orders/shipments?	YES / NO
Do you use chemicals in the production processes at the factory?	YES / NO
Is heavy machinery used in the production processes at the factory?	YES / NO
Does the factory employ young workers to work in these processes handling chemicals and heavy machinery?	YES / NO
Has there ever been a work-related injury or accident in the factory?	YES / NO
If yes, where did it happen?	
(1) _____ (2) _____ (3) _____	
(4) Others: _____	
Have you conducted an occupational health & safety risk assessment at your factory?	YES / NO
How frequently? _____ And when was the last one? _____	
Have you conducted an overall working environment analysis/report of your factory?	YES / NO
How frequently? _____ And when was the last one? _____	
<b>IV. Employment of young workers</b>	
Does the facility maintain a separate procedure for recruitment, document filing and management of young workers (including temporary workers, student workers, and interns)?	YES / NO
Does the facility keep a hazardous/non-hazardous work list of your production process?	YES / NO
Is the facility's hazardous/non-hazardous work list consistent with the national hazardous work list specified by the government?	YES / NO
Do the relevant managers regularly carry out on-site checks to ensure that young workers are not engaged in hazardous work?	YES / NO
Does the factory undertake risk management procedures on all the manufacturing processes and controls of subcontractors and contract partners?	YES / NO
Do you have a grievance system to communicate and receive feedback, concerns, complaints, suggestions and questions from workers?	YES / NO
If yes, does the grievance system have separate procedures for young workers, so that they do not face the risk of reprisal for raising a grievance?	YES / NO

Item	Remarks
<b>IV. Child labour prevention and remediation procedure</b>	
Does the facility have a child labour prevention and remediation procedure in place?	YES / NO
Does the above procedure consist of specific methods and detailed steps before, during and after hiring processes, and specify the responsibilities of each level?	YES / NO
Has the top management appointed a <b>responsible person</b> for supervising the implementation of child labour prevention, including regular monitoring of age verification processes?	YES / NO
Does the appointed responsible person for supervising the implementation of child labour prevention also oversee the processes to prevent young workers from being exposed to hazardous work?	YES / NO
Does the facility have a dedicated and trained HR department/staff who are familiar with the legal requirements of employment and understand the local context of child labour?	YES / NO
Has the facility set aside a budget for child labour remediation?	YES / NO
Does the facility have a procedure to check subcontractors and contract partners' usage of labour, which includes age verification of the apprentices, contract workers, temporary or casual labour used by on-site subcontractors in waste, catering, delivery, cleaning building works etc.?	YES / NO
Does the factory check the licenses of the subcontractors before starting production?	YES / NO
Does the facility have a procedure to regulate the use of recruitment agents before they are allowed to supply workers? This includes checking the labour agents' license for business and confirm whether it has any records of violating child labour regulations, conducting age verification processes and personal interviews even if the labour agent has already taken those steps?	YES / NO
Do you know who to contact in case child labour is found at the factory?	YES / NO
Are you aware of any organizations that can support the factory with remediation processes in case child labour is found?	YES / NO

If most of your answers are "yes", congratulations! It means that your internal system relating to Child Labour and Young Workers Management is relatively comprehensive. However, you have to regularly review and improve the process when there are gaps.

If most of your answers are "no", it means that you should make significant and positive changes to improve the current system.



## Annex II. Good practices for age verification

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### Elements of a good age verification system must have:

- ▶ Effective Child Labour Policy and Procedures in place (which include age verification), which are in line with business partners' requirements.
- ▶ HR staff trained on legal requirements who can carry out age verification as required and identify the authenticity of the ID documents.
- ▶ Responsible person appointed, who has the authority and resources to regularly supervise the age verification process.
- ▶ Risk control measures in place, concerning resources utilized in hiring and operating processes, including management of labour agents, subcontractors and sub-contract partners.
- ▶ Measures for preventing young workers from conducting hazardous work, which includes maintaining a list of hazardous work, a regularly updated list of young workers, onsite checks to ensure no young workers are engaged in hazardous work.
- ▶ Budget in place to allow for child labour prevention training and skills on age verification.

### Sample questions related to age verification (to be used in addition to requested age verification documents):

Questions related to age should be natural and may start with a casual chat about the family situation.

- ▶ Can you talk a bit about yourself? Where is your hometown? Do you like school? Why? Or why not? Do you have to send money back home?
- ▶ How many members are in your family? What are your parents' names?
- ▶ What are your parents doing? Where are they?
- ▶ Do you have siblings? Are they studying or working? How many years older/younger than you are your siblings?
- ▶ What is your birthday by day, month and year? So, in this case, how old are you?
- ▶ What's your animal sign/zodiac animal? What about the animal sign of your siblings?
- ▶ When did you start junior middle school? Have you ever skipped a grade or been held back a grade?
- ▶ Which grade did you finish and when? In which grade are your siblings? Or when did they finish school and at what grade?
- ▶ Was this a school in your hometown? Where is it?
- ▶ Do you have friends from the same hometown/school here? Do you still keep in contact with your classmates? In which grade are your classmates now if some are still in school?
- ▶ Did you ever move from one place to another place? How old were you when you moved?
- ▶ Is this your first job? Have you ever worked before? What kind of job have you done before? How long did you work for in the last job?
- ▶ Have your heard from your parents if any important event occurred in the year you were born? If yes, what?

### Annex III. Information included in a valid contract for young workers

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- ▶ Please note that for the elements written in bold you will need to take into account special considerations for the young workers:
- ▶ Employer's name, residence & legal person (responsible person)
- ▶ Employee's name, residence and ID
- ▶ Domicile or place of contact
- ▶ Duration of employment
- ▶ Probation: probation period, salary and benefit during probation, evaluation upon completion of probation, termination during probation, etc.
- ▶ **Job position, location & duties/tasks**
- ▶ **Working hours, rest time and leave**
- ▶ **Remuneration & benefits:** Young workers enjoy the same remuneration and benefits as adult workers.
- ▶ **Working conditions and occupational protection:** The employee is entitled to a safe and hygienic working environment; necessary protection against risks and hazards that are related to the employee's work should be provided
- ▶ Terms on termination: Both parties are entitled to terminate the employment contract, given a notice period (30 days or legally required no. of days)
- ▶ Others: e.g., training, confidentiality, factory regulations, confidentiality, settlement of labour dispute.

## Annex IV. Working hour regulations for young workers in key supplying countries

This checklist is a self-assessment tool you can perform to get a sense of how well your employment practices and system currently help to prevent child labour and manage young workers. You can use it to identify where you need to make improvements and what elements to prioritize.

Countries	Age range of young workers	Basic working hours	Night/overtime work	Hazardous work
CHINA	16- 17	<b>Not exceeding</b> 8 hrs/shift and 40 hrs/week	Prohibited (From 10 pm to 6 am)	Prohibited
TURKEY	15- 17	<b>Not exceeding</b> 8 hrs/day, and 40 hrs/week, with a medical certificate	Prohibited (From 8 pm to 6 am)	Prohibited
VIETNAM	15-17	<b>Not exceeding</b> 8 hrs/day or 40 hrs/week in garment in-dustry	Prohibited (night work refers to work between 10 pm and 6 am) <sup>6</sup>	Prohibited
BANGLADESH	14-17	<b>Not exceeding</b> 5 hrs/day or 30 hrs/week in any factory <b>Not exceeding</b> 36 hr/week in total including overtime if young worker works overtime in a factory Period of work is limited to two shifts	Prohibited (From 7 pm to 7 am)	Prohibited
INDIA	14-17	<b>Young workers WITHOUT certificate to work as an adult:</b> Female - prohibited to work between 7 pm and 8 am; Male - prohibited to work from 10 pm to 6 am <b>Young workers WITH a certificate of fitness to work as an adult:</b> Male & Female (15-16 years old): prohibited to work between from 7 pm to 6 am; Female (17 years old): prohibited to work from 10 pm to 5 am		Prohibited
CAMBODIA	15-17	<b>Not exceeding</b> 8 hrs/day and min. of 13 consecutive hrs. of rest between shifts	Prohibited	Prohibited with exceptions for children who have attained the age of 16 years under certain conditions*
MYANMAR	14-15 child worker 16-17 adolescent worker	Child worker: <b>not exceeding</b> 4 hours a day, with a certificate of fitness Adolescent worker: <b>not exceeding</b> 8 hours a day, with a medical certificate	Child worker: prohibited (6 pm-7 am) Adolescent worker: allowed only with a medical certificate that s/he is fit to work during night time/overtime*	

\* Here the national standards are less strict than those recommended by the ILO. ILO strongly suggests to apply the stricter standards and refrain from asking young workers under 18 to engage in overtime and hazardous work.

<sup>6</sup> Even though the law says: “underaged workers may work overtime and at night in some occupations and jobs stipulated by the Ministry of Labour, War Invalids and Social Affairs”, so far, the Ministry has not stipulated any occupation that could apply this exception.

## Annex V. Information included in a valid contract for young workers

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- ▶ Be easy to understand, so young workers fully understand how to submit complaints and suggestions.
- ▶ Ensure confidentiality.
- ▶ Have a policy to ensure workers who report a grievance can do so without fear of punishment, dismissal or reprisal of any kind.
- ▶ Include proper management and handling procedures (the HR department should follow up on reported grievances that are communicated by workers).
- ▶ Include a procedure so employees can report complaints about a supervisor to an impartial individual or entity.
- ▶ Monitor the processing of complaints.
- ▶ Have an appeal system.

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## Annex VI. Worker interview guide for occupational safety & health hazards identification

Please note that the questions below do not cover all cases where risks and hazards may exist.

Factory environment	
Do you find any uneven, slippery areas or holes on the floor?	YES / NO
Have you seen any flammable substances such as white spirit or adhesives left on the floor?	YES / NO
Do you think the floor is always kept tidy and do you have enough space for walking through?	YES / NO
Do you see any boxes or objects left on the ground? Are they movable? If not, are they marked?	YES / NO
Do you think the ventilation is good?	YES / NO
Do you think the workplace is dusty?	YES / NO
Do you smell a strong sense of bleach or other substance in the factory?	YES / NO
Do you think the lighting at the factory is sufficient?	YES / NO
Do you know where the first-aid equipment is? Is it easily accessible?	YES / NO
Did you receive any occupational safety and health training during orientation and your employment period?	YES / NO
Were you given general factory PPE such as a face mask, proper footwear, etc?	YES / NO
Have you seen anyone get hurt or fall before? if yes, what was/were the reasons causing the accident? Reason(s):	YES / NO

Health	
Do you find your eyes get tired easily during your work? If yes, what factor do you think is causing that (large spatial variations in lighting, not enough lighting, excessive contrasts in lighting, veiling reflections etc)? Factor(s):	YES / NO
Do you know if anyone has a problem or complaint about their eyesight?	YES / NO
Do you think the machines are making a loud noise?	YES / NO
Do you need to raise your voice when you talk to people in the factory?	YES / NO
Have you noticed if you continue talking loudly to people after you finish your work?	YES / NO
Do you feel excess stress and pressures when meeting tight deadlines?	YES / NO
Do you frequently feel dizzy at work or after work?	YES / NO

Factory equipment and machines	
Do you think the design of the workstation fits your physical or work process movement?	YES / NO
Can you adjust the position, such as the height of the chair and table?	YES / NO
Do you see any damaged plugs, sockets, cables or lines?	YES / NO
Do you notice any strange/unusual noise coming from the machines? If yes, where is it and in which machine? Location and machine:	YES / NO
Do you know how to use the machine properly?	
Are you sure the safety button/device of the machine functions properly?	YES / NO
Have you seen any parts falling off from the machines?	YES / NO
Do you think the machine is properly safeguarded to prevent your body from being in contact with the dangerous moving parts?	YES / NO
Have you seen any accidents even when PPE is used?	YES / NO

Chemicals and explosion	
Do you know if hazardous chemical substances are used? Where are they stored? Storage:	YES / NO
Can you easily identify the substances that are hazardous?	YES / NO
Do you think the chemical substances are stored far enough from high temperature areas?	YES / NO
Do you know the emergency escape route?	YES / NO
Do you know where the fire extinguisher and other fire-fighter equipment are located? Do you think they are easily accessible?	YES / NO

## Annex VII. Types of hazards in the garment and textile industry

Using the methods described above assess every task and process in terms of the following elements:

### ► Physical hazards

- Excessive noise
- Improper lighting level
- Insufficient ventilation
- Excessive vibration
- Extreme heat
- Poor air quality
- Untidy working environment
- Blockage of exits (especially in case of fire)
- Absence of health and hygiene facilities

### ► Ergonomic hazards

- Poor ergonomic design of workstations and work conditions
- Badly designed machinery
- Repetitive nature of tasks or movement
- Awkward postures
- Lifting heavy loads
- Prolonged working hours
- Spaces with inadequate circulation spaces
- Lack of shifts and rotation system

### ► Psychological hazards

- Stress
- Strain
- Excessive physical workload
- Abuse/harassment
- Fatigue (might be linked to excessive working hours)

### ► Chemical hazards

- Emissions of toxic substances e.g., dyeing and printing of fabric, knitting, cleaning, coating and finishing
- Dust from materials or machines
- Exposure to dangerous chemicals (arising from liquids, solids, dusts, fumes, vapours and gas-es)

### ► Biological hazards

- Exposure to biological agents (bacteria, viruses, infectious waste and infestations)
- Poor nutrition
- Problems due to imbalanced diets

### ► Safety hazards

- Being struck by objects, such as moving machinery parts and transportation vehicles (lift truck)
- Working at heights
- Walking on untidy floors
- Fire and explosion
- Using dangerous machinery, equipment or tools
- Driving, riding or working near vehicles
- Flammable or explosive materials or substances

## Annex VIII. Hazardous work list for young workers regulated by the local laws in key supplying countries

Please note that the questions below do not cover all cases where risks and hazards may exist.

### ▶ China

Legal minimum working age: 16

#### Hazardous tasks/conditions:

Employers shall not engage juvenile worker (aged 16 but below 18) in the types of work and processes defined by the Chinese Government.<sup>7</sup> The following are hazardous work activities related to the garment industry:

- ▶ Work in contact with dust at or above grade 1 of the state standards of classification of the peril for work in contact with dust generated through the production process including cotton wool, metal dust, etc;
- ▶ Work high above the ground at or above grade 1 of the state standards of classification of work high above the ground;
- ▶ Work in cold water at or above grade 1 of the state standards of classification of work in cold water;
- ▶ Work in high temperatures at or above grade 1 of the state standards of classification of work in high temperatures;
- ▶ Work in low temperatures at or above grade 1 of the state standards of classification of work in low temperatures;
- ▶ Work with grade N physical labour intensity of the state standards of classification of work of the intensity of physical labour;
- ▶ Work of continuously loading goods more than six times per hour and each time loading more than 20 kilograms; work of discontinuously loading goods each time loading more than 25 kilograms;
- ▶ Flow process in which the operators have to keep changing their bodily positions such as lowering head, stooping, raising, squatting down for a long time, or maintain their actions each minute more than 50 times; and
- ▶ Work of stocking boilers.

<sup>7</sup> Ministry of Labour, the Provisions on Special Protection for Juvenile Workers - (LMI [1994] No. 498 issued by the Ministry of Labour on 9 December 1994). Entered into Force 1 January 1995.



## ▶ Turkey

Legal minimum working age: 15

**Hazardous tasks/conditions:**

Employers are prohibited from engaging young workers (having reached the age of 15 but below 18) in the following jobs:<sup>8</sup>

- ▶ Jobs done in the night period as defined in Article 69 of Labour Law 4857<sup>9</sup>
- ▶ Jobs in which people who are not yet 18 are forbidden to work as per the Regulations on Heavy and Dangerous Work<sup>10</sup>
- ▶ Jobs which fall under the Regulations on Jobs which must be done in 7.5 hours or less per day from the point of view of the Health Rules
- ▶ Jobs in wholesale or retail of flammable, explosive, harmful or dangerous materials or jobs in the manufacture, processing or storage of such materials and every type of job which may leave them exposed to these materials
- ▶ Jobs which are done in an environment which is noisy and/or has a lot of vibration
- ▶ Jobs which must be done in an extremely hot or cold environment and jobs which are carried out with materials which are harmful to health or lead to occupational illnesses
- ▶ Jobs which are done by the use of electrically powered machinery
- ▶ Jobs which require extra vigilance, and which require continuous standing up
- ▶ Jobs where the salary is paid on commission and on a bonus system
- ▶ Jobs which do not provide the opportunity to go home and be with the family at the end of work (excluding jobs which are for the purposes of education)
- ▶ Jobs requiring a clear level of physical or psychological adequacy or with expert medical reports
- ▶ Jobs involving toxins, carcinogens, materials which harm the genes of offspring or are harmful to unborn children or which influence human health harmfully in any way
- ▶ Jobs that carry a risk of work accidents believed impossible to avoid or notice which could expose young workers because of a lack of education and lack of attention to safety

8 Regulations on the Fundamentals and Principles of the Employment of Children and Young Workers of 2004, Article 71 of Labour Law 4857.

9 Turkish Labour Law, Article 69 provides that "night" means the part of the day beginning not later than 20:00 hours and ending not earlier than 6:00 hours and lasting not longer than 11 hours in any case. Moreover, Article 73 provides that children and young employees under the age of 18 must not be employed in industrial work during the night.

10 Turkish Labour Law, Article 85

## ▶ Viet Nam

Legal minimum working age: 15

**Hazardous tasks/conditions:**

Employers must not employ a minor (aged 15 but below 18) to under-take the following work:<sup>11</sup>

- ▶ Heavy, toxic and dangerous jobs, jobs that may adversely affect their personality
- ▶ Carrying and lifting of heavy objects that are beyond a minor's physical strength
- ▶ Maintenance of equipment and machines
- ▶ Other jobs that are harmful to the health, safety or morality of minor employees

Work is prohibited in workplaces that:

- ▶ Are harmful to the health, safety or morality of young workers
- ▶ Include heavy and hazardous work, and work with exposure to toxic substances
- ▶ Create a harmful influence to their dignities, as described in the list issued by the Ministry of Labour, Invalids and Social Affairs in coordination with the Ministry of Health

## ▶ Bangladesh

Legal minimum working age: 14

**Hazardous tasks/conditions:**

No adolescent (aged 14 but below 18) shall be allowed to clean, lubricate or adjust any machinery while it is in motion or to work between moving parts or between the fixed and moving parts of such machinery.<sup>12</sup>

A government order issued on 13 March 2013 identified processes and activities hazardous for children in which the following are related to the garment industry:

- ▶ Tanning and dressing of leather
- ▶ Dyeing or bleaching of textiles
- ▶ Weaving
- ▶ Electric mechanic

No child under the age of 14 years shall be permitted within the work rooms and godowns (warehouse or storage area) of any factory at any time during which work is carried out.

According to Bangladesh Factories Rules, 1979, the following work is prohibited for children;

- ▶ "Manufactures of aerated water and processes incidental thereto
- ▶ Liming and tanning of raw hides and skins and processes incidental thereto
- ▶ Feeding of jute, hemp or other fibres into softening machines
- ▶ Printing presses and type foundries wherein certain load".

<sup>11</sup> Vietnam Labour Code (2012), Article 163 & Article 165

<sup>12</sup> The Bangladesh Labour Act, 2006.

## ▶ India

Legal minimum working age: 14

**Hazardous tasks/conditions:**

Employers are prohibited to hire children aged 14 years (but below the age of 18) in occupations and processes that are hazardous to the children's lives and health.<sup>13</sup>

The following list is in connection with the garment industry:

- ▶ Cloth printing, dyeing and weaving including processes, preparatory and incidental thereto
- ▶ Wool-cleaning
- ▶ Jute textile manufacture and coir making
- ▶ Manufacture of dyes and dye stuff
- ▶ Skinning, dyeing and processes for manufacturing of leather and leather products
- ▶ 'Zari' making (all processes)
- ▶ Processes involving exposure to excessive heat (e.g., working near a furnace) or cold

<sup>13</sup> The Child Labour (Prohibition and Regulation) Act, 1986, India.

**Annex IX.**  
**Basic hazardous risk assessment for young worker and action plan<sup>14</sup>**

Factory: \_\_\_\_\_

Department: \_\_\_\_\_

Number of workers: \_\_\_\_\_

Assessment date: \_\_\_\_\_

Department					
Step 1: Identify					
Work task or process and numbers of workers involved?	What are the hazards?	Potential factors for causing hazards	Severity Level (high, moderate & low)	Probability (likely, possible & unlikely)	Final Risk Level (high, medium & low)

<sup>14</sup> This basic hazardous risk assessment and action plan form is developed based on the ILO's 5 step guide for employers, workers and their representatives on conducting workplace risk assessments. Available at: [https://www.ilo.org/safework/info/publications/WCMS\\_232886/lang-en/index.htm](https://www.ilo.org/safework/info/publications/WCMS_232886/lang-en/index.htm).

Department	Step 2: Decide		
Work task or process and numbers of workers involved?	What is already being done?	What further action is necessary?	
Department	Step 3: Plan		
Work task or process and numbers of workers involved?	Who will take action?	By when?	When was the action completed?

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**Annex X.**  
**Identification of low risk work tasks and processes**  
**that are suitable for young workers**


Work task and processes	Job complexity	Law compliance	Risk assessment	Final job suitability decision	Notes
<i>Examples:</i> 1. Screw inserting 2. Ironing	<i>Suitable</i> <i>Not Suitable</i>	<i>Suitable</i> <i>Not Suitable</i>	<i>Suitable</i> <i>Not Suitable</i>	<i>Suitable</i> <i>Not Suitable</i>	<i>Job requires handling chemicals</i>

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## Annex XI. Long-term best practice to prevent potential harm to young workers

The following best practices aim to prevent potential harm to young workers on a long-term basis.

You should seek solutions in compliance with national laws and regulations to transform the tasks and processes from “Medium Risk” to “Low Risk” by following the suggested order below. This chart provides guidance and methods to remove or eliminate identified hazards and control risk in the most effective way.

Ways of risk control	Definitions	
Elimination and substitution	Physically remove the hazard or replace the part/component which performs similar functions but is safer to use	Most Effective Risk Control Measure    Least Effective Risk Control Measure
Engineering controls	Isolate people from hazards, but hazards still exist	
Administrative controls	Change the way people work through procedure changes, employee training, and installation of signs, warning labels, and so on	
Hygiene and welfare	Install and provide hygiene and welfare facilities to cope with the risks to reduce the effects that are caused by the hazards	
Personal protective equipment	Provide workers with PPE such as gloves, Nomex/uniform, respirators, hard hats, safety glasses, high-visibility clothing, and safety footwear	

Wherever possible, hazards should be eliminated. If this is not possible look for the next most effective risk control measure until the position can be rated as low risk. It is important to note that in most cases, the use of PPE to protect young workers from hazards is not sufficient.

Here are a few examples of concrete actions of removing or eliminating hazards and reducing risk:

- ▶ Removing or eliminating the risk or hazard completely, e.g., changing the composition of components, materials etc., or changing work processes to a non-hazardous process; investing in newer and safer machines with better risk control etc.
- ▶ Modifying workstations or the layout of the production line to protect young workers from overheating, dust or hazardous chemicals.
- ▶ Putting controls in place to stop young workers from coming into contact with the hazard (such as protective shields on machinery).
- ▶ Redesigning and setting up workstations to minimize bodily strain. This includes seating and standing arrangements and the reach required to obtain tools.
- ▶ Signage/warnings in a language or medium understood by all workers and/or administrative controls; implement administrative controls to prevent people from coming into contact with the hazard, such as marked areas to keep people away from hazardous machines or machine parts; and graphics for hazardous substances to alert workers to stay away.

## Annex XII. Child labour notification form

### Notification form

Date and time call received:

---

Business partner contact person name:

---

Email and phone number:

---

Region where case is located:

---

No. of cases identified:

---

### Business partner (importer or supplier) contact details (if applicable)

Importer and/or supplier's company name:

---

Contact person name (Eng):

---

Title:

---

Email:

---

Phone number:

---

Factory site:

---

Factory name:

---

Address:

---

Contact name (Eng):

---

Email:

---

Phone number:

---



**Case No. 1** (To multiply according to number of cases)

Name of the child: \_\_\_\_\_

ID number & copy as attachment (if any): \_\_\_\_\_

Date of birth: \_\_\_\_\_

Start date at the factory/site: \_\_\_\_\_

Salary: \_\_\_\_\_

Work position: \_\_\_\_\_

Current situation and location of the child: \_\_\_\_\_

Hometown or area of social registration: \_\_\_\_\_

Phone number: \_\_\_\_\_

Other means to keep in touch: \_\_\_\_\_

Family status including primary caretaker and location of parents: \_\_\_\_\_

Parents (legal guardian) name and contact number: \_\_\_\_\_

Main reasons why child was in employment: \_\_\_\_\_

Engaged in hazardous work: Yes / No \_\_\_\_\_

Immediate actions/steps have been taken by the factory & photos: \_\_\_\_\_

More information: \_\_\_\_\_

