



**MINISTRY OF LABOUR, INDUSTRIAL
RELATION AND EMPLOYMENT**
"DECENT AND PRODUCTIVE WORK FOR ALL"



CHILD LABOUR UNIT
**PROGRESS UPDATE ON TACKLING CHILD
LABOUR IN FIJI**
REPORT COMPILED FOR THE
UNITED STATES
DEPARTMENT OF LABOUR
AS AT 31/12/13

2013

CONTENTS

| | |
|--|----|
| 1. CHILD LABOUR UNITS EFFORT AND CORDINATION AT DISTRICT AND PROVINCIAL LEVEL ON PREVENTING THE WORST FORM OF CHILD LABOUR IN FIJI | 3 |
| 2. LAWS AND REGULATIONS ON CHILD LABOUR AND THE WORST FORMS OF CHILD LABOUR | 6 |
| 3. PROSECUTION OF EMPLOYERS IN VIOLATING OF CHILD LABOUR LAWS | 8 |
| 4. IMPLEMENTATION OF THE CHILD LABOUR UNIT ISO 9001:2008 SYSTEM AND PROCESS | 10 |
| 5. SOCIAL JUSTICE PROGRAMS TO ELIMINATE OR PREVENT CHILD LABOUR..... | 12 |
| APPENDIX: 1.0..... | 13 |
| APPENDIX: 2.0..... | 15 |
| APPENDIX: 3.0..... | 17 |
| APPENDIX: 4.0..... | 19 |

ACTIVITY REPORT OF CHILD LABOUR UNIT

1. CHILD LABOUR UNITS EFFORT AND COORDINATION AT DISTRICT AND PROVINCIAL LEVEL ON PREVENTING THE WORST FORM OF CHILD LABOUR IN FIJI

The Fiji Government ratified the UN Convention on the Rights of the Child (CRC) in 1993, and established the National Co-ordinating Committee on Children (NCCC). The NCCC and its seven sub-committees namely: legal, education, health, family welfare, media, Interagency Committee on Child Abuse, neglect and abandonment and child labour committee were established to implement, advice, regulate and monitor the protection of children under the CRC.

Moreover, Fiji ratified the ILO Convention 182 on Worst Forms of Child Labour in 2002 and Convention 138 on Minimum Age in 2003. Through its Labour reforms, Fiji has domesticated the fundamental principles and rights of these Conventions into its new Labour laws, particularly under the Employment Relations Promulgation 2007 (ERP 2007). Part 10 of the "ERP 2007" specifically covers the worst forms of child labour while Part 8 of the Employment Relations [Administration] Regulations 2008 states the conditions of work. Section 256 of the ERP 2007 set out the penalty for offences committed against children.

A Child Labour Unit (CLU) was established in the Ministry of Labour, Industrial Relations & Employment (MLIRE) in June 2011. The CLU has registered two child labour cases at the Employment Relations Tribunal in Fiji. These two cases are at the preliminary stage of mention and the hearing of these matters will take place in 2013. Both these cases are of the employment of children in work for which they have little capacity.

The government of Fiji as part of its commitment towards preventing hazardous child labour has gazetted the Hazardous Occupation Prohibited to Children under 18 Years of Age Order 2013 which came into effect on 28th of May, 2013. Following that a rigorous training was conducted to all Ministry of Labour inspectors and officers in terms of prevention of child labour and withdrawal of children from hazardous work. A total of 100 sugar industry stakeholders [Farmers, Fiji Sugar Corporation field staff and Cane Producing Associations] have gone through the training process on the hazardous workplace list and Ministry of Labour has developed and implemented a national reporting process on child labour in sugar industry and in other agricultural farms with relevant stakeholders.

The Inter-Agency Committee on child labour was established in 2009 to focus on child labour issues in Fiji at the district and provincial level to ensure that the child labour issues are taken at the grass root level and at the same time to monitor and report on non-compliance cases.

Inter-Agency Committees and Progress Status

| Name of Inter-agency and location | Functions | Community awareness program |
|---|---|--|
| Sigatoka inter-agency committee on child labour consist of 12 active members from government and non-government organization. Based in Sigatoka Town in the Western Division. | The main function of this committee is to create awareness at the grass root level on the impact of child labour and the worst form of child labour in the agriculture and industrial environment in the Sigatoka area in Fiji. | The Sigatoka inter-agency committee focused on inter-agency awareness and training in the vegetable farms and in the sugarcane belt areas. The committee targeted the children staying in villages and settlements in which a total of 10 villages and settlements were visited where the issue of child labour and children working in the vegetable farms were directly discussed with farmers and the hazardous workplace list were explained in Hindi and iTaukei language. |
| Nadi inter-agency committee on child labour consist of 10 members from government and non-government organization. Based in Nadi Town in the Western Division | The function of this committee is to work on cases collectively on children involved in child labour in agriculture, tourism and industrial environment. | The interagency committee based in Nadi has conducted its awareness mainly on villages and settlements though the various Tikina Council and District Advisory Council meetings on child labour. The main aim of this awareness was to ensure that the people are well aware of the assistance provided by government in terms of areas of free education and the provisions of the Employment Relations Promulgations on child labour and hazardous workplace list. The interagency committee through Fiji Police Force has also conducted awareness in the maritime zones. |
| Lautoka inter-agency committee on child labour consist of 8 members from government and non-government organization. Based in Lautoka City in the Western Division. | The interagency committee based in Lautoka is conducting its awareness in the area of children begging in the street as well as creating awareness to parents on the importance of sending children to school. | The inter-agency committee has conducted awareness in the villages, towns and settlements on withdrawal of children from child labour and referring them back to school. The issue of child begging has been take right to grass root level with assistance from government ministries and the non-government organisations. The interagency committee through Fiji Police Force has also conducted awareness in the maritime zones. |
| Ba inter-agency committee on child labour consist of 8 members from government, non-government organization. Based in Ba Town in the Western Division. | The main function of the interagency committee in Ba is to create awareness in the cane belt areas and in agriculture farms. | The interagency committee in Ba has withdrawn 2 children from the vegetable farms and with the assistance of the Ministry of Education and the Social Welfare Department, the children were readmitted into the primary and secondary schools with assistance provided to the parents. The interagency team visited the interiors of the district of Ba and have conducted awareness on child labour and child labour reporting system. |
| Tavua inter-agency committee on child labour consist of 10 members from government, non-government organization. Based in Tavua Town in the Western Division. | The District interagency committee looks after the areas of Tavua in terms of awareness on child labour and withdrawal of children from the farms and other undertakings engaging children. | The inter-agency committee has conducted awareness in the areas of Tavua, Vatukoula and town areas with the Tikina Councils and District advisory councils. The inter-agency committee has also provided reports on the areas of children being used in vegetable selling's during school hours and have successfully investigated cases. |

| Name of Inter-agency and location | Functions | Community awareness program |
|--|---|---|
| Rakiraki inter-agency committee on child labour consist of 6 members from government, non-government organization. Based in Rakiraki Town in the Western Division | The Rakiraki inter-agency committee is mainly focussing its awareness on Rakiraki town and other villages and settlements. | The inter-agency committee has moved into the major awareness on the villages with the village reps and the District Advisory Councils on child labour reporting systems. |
| Labasa inter-agency committee on child labour consist of 12 members from government, non-government organization. Based in Labasa Town in the Northern Division | This inter-agency committee covers the province of Macuata, Bua and Cakaudrove and is creating awareness in the cane belt areas, the industrial areas in town and other commercial vegetable farms. | The inter-agency committee has focussed its main training program for 2013 on withdrawal of children from cane belt areas with the assistance of Fiji Sugar Corporation and the farmers. The network group was formed by farmers on auditing each farm on the area of child labour. |
| Savusavu inter-agency committee on child labour consist of 10 members from government, non-government organization. Based in Savusavu Town in the Northern Division. | This inter-agency concentrated its awareness in the area of hazardous workplace list to farmers and other employers. | This inter-agency has withdrawn a total of 5 children and has readmitted these 5 children into technical and vocational training. |
| Taveuni inter-agency committee on child labour consist of 10 members from government, non-government organization. Based in Taveuni Island in the Northern Division. | With the assistance of the Ministry of Labour and Ministry of Education and Social Welfare Department, the interagency committee has provided assistance to farmers. | The inter-agency committee has conducted its awareness basically to yaqona and dalo farmers in the area on child labour. |

With the specialized training being provided to the inter-agency members through the Ministry of Labour, we have noted that there is a major focus of inter-agency committees on the area of child labour and child labour reporting system with the focus on providing awareness on hazardous workplace list to ensure compliance, monitoring with relevant strategies to address non-compliance.

2. LAWS AND REGULATIONS ON CHILD LABOUR AND THE WORST FORMS OF CHILD LABOUR

Relevant Laws Enforced by Ministry of Labour, Industrial Relations and Employment

The following laws have been in place to deal with the issues relating to child abuse and worst forms of child labour.

“Part 10” of the “Employment Relation Promulgation 2007 (ERP 2007)” talks about the worst forms of child labour while Employment Relation [Administration Regulation], Part 8 also states the conditions of work. Section 256 of the ERP 2007 set out the penalty for offences committed against children. The Employment relation law was enacted on the 1st of October 2007 and became effective from 2nd of April 2008.

A list of “*Hazardous Occupations Prohibited To Children Under 18 Years of Age Order 2013*” that defines duties which can be performed by the children has been endorsed by the Tripartite National Occupational Health and Safety Advisory Board on 24th November 2010 through Social Dialogue. This list *Hazardous Occupations Prohibited To Children Under 18 Years of Age Order 2013* came into effect on 28th of May, 2013. This is indeed a comprehensive list that spells out clearly what children can and cannot do. Some of the areas in which the list is focussing on is children being engaged in bottle collecting, scrap metal collecting and sugar cane cutting and loading (**Appendix 1**). The enforcement section of the Ministry of Labour together with other enforcement agency has been vigorously monitoring children working in these areas.

The Ministry of Labour has implemented the reporting system in the areas of agricultural reporting (**Appendix 2 - CLU 002**). The Ministry has also implemented its reporting process in the Municipal markets around Fiji (**Appendix 3 – CLU 004**). The training for the special administrators and the Chief Executive Officers of the Municipal councils was conducted by the child labour unit in terms of providing awareness and getting the networks done on child labour reporting cases.

Assistance Provided by Ministry Of Education in Relation to Children through Education Policies

The Ministry of Education is providing, as part of the Fijian Governments commitment, compulsory education for all Fijian for 12 years. In addition, the Ministry of Education is providing bus fare assistance for the needy children and also food voucher assistance for remote school. In 2014, Government introduced a scholarship through a loan scheme to all eligible tertiary level students through a non-discriminatory, transparent and performance based selection process. The Ministry of Education has in place a behaviour management policy and a child protection policy. With the trainings provided to 347 teachers in 146 schools

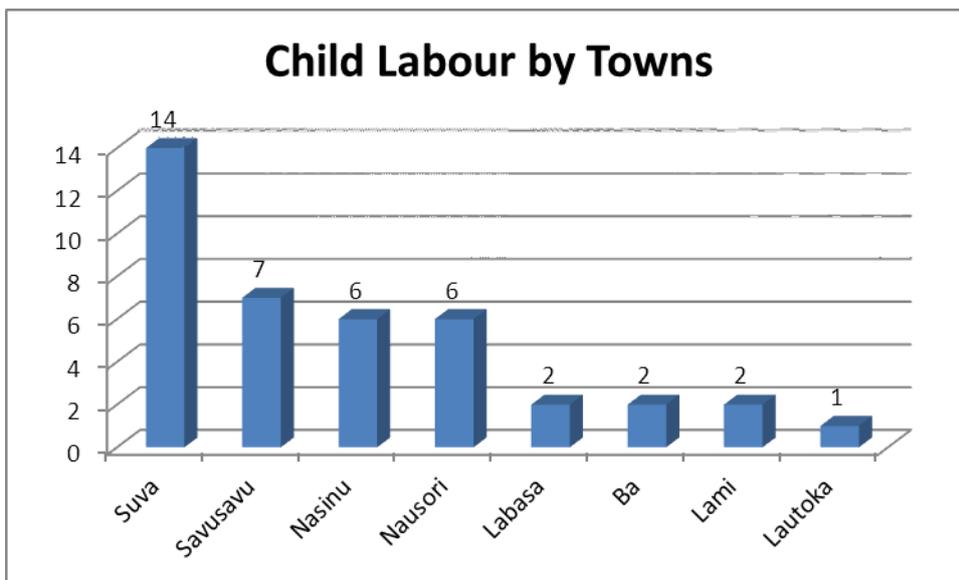
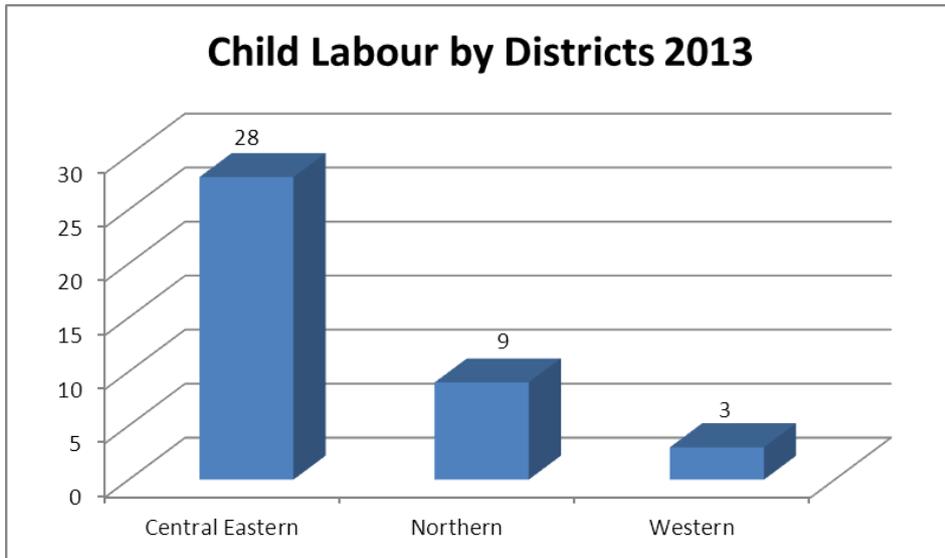
around Fiji, the Child Labour Unit within the Ministry of Labour was able to get the reports and admittance of children in primary and secondary schools effectively and efficiently. The Ministry of Education has provided better access to all children withdrawn from child labour and admitted into the various schools around Fiji where teachers played a pivotal role.

The Function and Establishment of the Child Labour Unit (CLU) Within the Labour Ministry

The Government of Fiji with the assistance of the International Labour Organisation (ILO) and European Union (EU) established a *CLU* which is specifically tasked to look into issues of child labour in Fiji and the various measures that will be taken to combat the use of children in child labour and worst forms of child labour. The CLU is based in the MLIRE head office in Suva and is managed by two staff that are seconded to the Project by the Ministry (Principal Labour officer and Database Training Officer). The CLU became operational from the 11th of June, 2011.

Moreover, the MLIRE has 45 Labour Inspectors that are involved in the investigation and compilation of the child labour cases around Fiji and in the 2014 budget announcement the Fiji Government has given 18 new labour Inspector post to the Ministry of Labour to be part of labour enforcement and child labour unit. The MLIRE has conducted Specialised Child Labour Monitoring, Advocacy and Practical Inspection training in which thirty (30) of the Labour inspectors participated in (28th of August to 2nd of September, 2011) The MLIRE has established a National Child Labour Database system which has been in operations from June 2013 with training provided to the Labour Inspectors and officers on the usage of the database. The child labour Database has been in operation with network being carried out in Suva, Sigatoka, Nadi, Lautoka, Ba, Labasa and Savusavu Districts from where the officers are able to have a robust child labour case management and tracking system. The child Labour database has for the first time in Fiji able to provide a correct and accurate data on the number of children in child labour. The data incorporated the results of the actions of the child labour unit from 2011. In Fiji's case, Child Labour seems to be concentrated in the Wholesale and Retail Sectors as well as the Agricultural Sector as shown in. **Appendix: 2.0.**

Child Labour Database (Number of case reported to Ministry)



3. PROSECUTION OF EMPLOYERS IN VIOLATING OF CHILD LABOUR LAWS

The CLU has registered 3 cases at the Employment Relations Tribunal in Fiji, one case has been completed while the other one is part heard in the Tribunal. The other case has been set for final mention in 2014 and a hearing date will be set this year. The two others cases of child labour has been approved by the Solicitor General's office and it will be registered in the Tribunal in 2014. These two cases are that of employment of children in work for which they have little capacity. The CLU has charged the two employers under the Employment

Relation (Administration) Regulation 2008 Section 40 (1) (b) and Section 256 (b) of the Employment Relation Promulgation 2007. A copy of the ERP 2007 can be accessed at the MLIRE official website at www.labour.gov.fj. Under these laws, the two corporations can face a fine of \$50,000.00. The Unit is also investigating two other cases of breaches of Labour laws which will be registered in the Employment Relation Tribunal in 2013. The prosecution of the child labour units cases have been made possible through the valuable assistance and guidance of the office of the Attorney General with training provided to the unit on the application and investigation skills on child labour.

COMMUNITY AWARENESS AND RADIO TALK BACK SHOW

The Ministry of Labour, Industrial Relation and Employment has conducted 4 Radio talk back shows in 2013 in English , Itaukei and Hindi language to reach out to all the community members on the awareness of child labour and the legal rights of children with the Fijian Governments Educational Assistance Programme and Policy on reaching out to the grass roots level .

CELEBRATION OF WORLD DAY AGAINST CHILD LABOUR COORDINATED BY MINISTRY OF LABOUR, INDUSTRIAL RELATION AND EMPLOYMENT

2013 Theme: No to Child Labour in Domestic Work

With the partnership with Trade Unions and the Employer Organisation the World Day against Child Labour was celebrated on 12th June 2013 in Suva, Ba and Savusavu. In Suva, the **Fiji Trade union Congress** was represented by Mr Agni Deo Singh [General Secretary of Fiji Teachers Union] while the **Fiji Commerce and Employers Federation** was represented by Ms Suka Salusalu [Programme officer]

Both Primary and Secondary School students took part in the one day programme by Division as shown in the table below:

| Division | No. of school | Total no. of students and teachers | Main program |
|-----------------|----------------------|--|---|
| Central Eastern | 10 schools | 50 (25 Primary and 25 Secondary students) 10 teachers | Oratory contest on the theme and picture competition. |
| Northern | 5 schools | 15 Primary and 10 Secondary students with 8 teachers | Oratory contest on the theme and picture competition. |
| Western | 10 schools | 25 Primary and 25 Secondary school students with 10 teachers | Oratory contest on the theme and picture competition. |

4. IMPLEMENTATION OF THE CHILD LABOUR UNIT ISO 9001:2008 SYSTEM AND PROCESS

The child labour units systems and processes has been integrated into the Labour Compliance re-engineered systems and process and benchmarked to the ISO 9001:2008 Quality Management System. This is to ensure the provision of a quality service that is comparable to best practices.. A standard operating procedure have been developed and all labour inspectors have been trained on how to implement these procedures from the time the child is withdrawn till the time the child is admitted into the mainstream education or technical and vocation training programmes, including work attachment and employment. A total of 60 child labour inspections were conducted with 10 spot fines issued to non-compliance employers.

FIJIAN GOVERNMENTS POLICIES ON CHILD LABOUR

The Fijian Government through the MLIRE is embarking on a National Action Plan for Child Labour and a 5 year Strategic plan for Combating Child Labour and the Worst Forms of Child Labour in Fiji through strategic partnership with the Tripartite Social partners. The National Action Plan has been completed with its draft ready for consultation with the Stakeholders including the Trade Unions and the Employers Organisation.

The Ministry of Labour officers have also worked very closely with the Fiji Police Force and the Municipal Councils in enforcing the laws related to child labour as the Police officers in Central Eastern , Western and Northern Divisions have gone through the reporting process and child labour withdrawal training .

The Constitution of Fiji on Rights to Children and Education

The Fijian Government has implemented its 2013 Constitution which has given right to education as provided for under Section 31 (1):

Every person has the right to –

- a. Early childhood education;*
- b. Primary and secondary education; and*
- c. Further education*

The Constitution has further given the rights to children under Section 41(1 & 2):

1. Every child has the right –
 - a) To be registered at or soon after birth, and to have a name and nationality;
 - b) To basic nutrition, clothing, shelter, sanitation and health care
 - c) To family care, protection and guidance, which includes the equal responsibility of the child's parents to provide for the child –

- i. Whether or not the parents are, or have ever been, married to each other; and
 - ii. Whether or not the parents are living together, have lived together, or are separated;
 - d) To be protected from abuse, neglect, harmful cultural practices, any form of violence, inhumane treatment and punishment, and hazardous or exploitative labour; and
 - e) Not to be detained, except as a measure of last resort, and when detained, to be held –
 - i. Only for such period of time as is necessary; and
 - ii. Separate from adults, and in conditions that take account of the child's sex and age.
2. The best interests of a child are the primary consideration in every matter concerning the child.

The Peoples Charter for Change, Peace & Progress has Governments Commitments on reducing child Labour. Specifically both Pillars 8 & 9 of the Peoples Charter have the following specific details:

Pillar 8 “Reducing Poverty to a Negligible Level by 2015”

The following key measures and action must be taken with due priority and urgency:

1. Launch a concerted and coordinated National Programme to reduce Poverty [NPRP] with the target to reduce poverty in line with the Millennium Development Goal No 1 with a view to going beyond the level Halving the incidence level by 2015;
2. Strengthen coordination, implementation and monitoring of poverty alleviation programmes including partnership agreement between government, the civil society, and the private sector;
3. Introduce a national minimum wage and at the same time enhance national productivity;
4. Encourage and protect the saving and investments of the poor;
5. Ensure affirmative action programmes are needs based;
6. Enhance research and analysis on issues relating to the poverty and social justice programme; and
7. Align affirmative action programme to a shared social justice preamble.

Pillar 9 “Making Fiji A Knowledge Based Society”

The following key measures and action must be taken with due priority and urgency:

1. Ensure access to quality education for all;
2. Establish a statutory body for Community and Non- Formal Learning;
3. Establish a modular system of education;
4. Establish a coherent national tertiary and higher education;

5. Increase access to tertiary and higher education;
6. Ensure improved overall quality of teaching and learning through better-trained educators;
7. Implement a progressive and responsive curriculum;
8. Strengthen early childhood education, especially in the rural areas and the outer islands;
9. Enhance skills and vocational as well as promoting leadership and entrepreneurship training and facilitate job placement in partnership with the private sector; and
10. Introduce a system for the distribution of all education grants that specifically recognise and is based on the disadvantages of schools.

5. SOCIAL JUSTICE PROGRAMS TO ELIMINATE OR PREVENT CHILD LABOUR

The Child Labour unit of the Ministry of Labour has recovered a total of \$8,370 FJD from Employers and have paid out to children who were not paid the wages as required under the Employment Relations Promulgation 2007. These Complainants of children was dealt within 24 hours and the wages were recovered.

The National Employment Centre [NEC] of the Ministry of Labour has continued to provide trainings to the children who are between the age of 15 to 18 years through the technical and vocational skills training with providing the assistance, professional counselling and support to these children. Under the Child Labour units referral system a child withdrawn from child labour will be given the professional counselling from school teachers and officers from the Social Welfare Department and will be encouraged to join the mainstream Education system however when a child is interested in the technical or vocational training then they are provided that through the NEC.

The Fijian Government has addressed the issue of child labour through poverty reduction and having made a commitment through the Peoples Charter for Change, Peace and Progress and in particular through pillar 8 and 9 as mentioned in this report. The programme has targeted all children below 18 years of age.

The Wages Regulation orders enforced by the Ministry of Labour has actually ensured that all children who are above 15 years are paid the rightful wages rate as provided for under various regulation orders. For example a child working in a wholesale and retail industry as a general worker is required by law to be paid a wage rate of \$2.97 an hour.

The Government through the Ministry of Labour is working strategically within its limited resources to ensure that the statutory requirements that protect children in the labour market are understood and complied with by relevant stakeholders and that every children are provided the opportunity to make a difference in life.

THE END

EXTRAORDINARY
GOVERNMENT OF FIJI GAZETTE SUPPLEMENT

No. 18

2013

TUESDAY, 28th MAY

[LEGAL NOTICE NO. 30]

EMPLOYMENT RELATIONS PROMULGATION 2007
(PROMULGATION NO. 36 OF 2007)

**Hazardous Occupations Prohibited To
Children Under 18 Years of Age Order 2013**

IN exercise of the powers conferred upon me by section 95(2) of the Employment Relations Promulgation 2007 and after consulting the National Occupational Health and Safety Advisory Board, I hereby make the following Order—

Short title and commencement

1. This Order may be cited as the Hazardous Occupations Prohibited to Children Under 18 Years of Age Order 2013, and shall come into force on the date of its publication in the *Gazette*.

Interpretation

2. In this Order, unless the context otherwise requires—

“hazardous work” means a subset of child labour and the worst form of child labour, being work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

List of hazardous occupations

3. For the purposes of section 95(2) of the Employment Relations Promulgation 2007, the following occupations or workplaces are prohibited occupations or workplaces for a child—

- (a) all occupations in the processing and preparation of drugs and chemical products involving exposure to dangerous chemicals;
- (b) all occupations in the manufacturing, handling, and transporting of explosives, toxic, corrosives, poisonous and noxious components and flammable liquids in bulk;
- (c) all activities in any work-room, building, premises, or any place where radium is stored, kept or processed or used in the manufacture of self-luminous compounds or other radioactive substances;
- (d) craftsman, production process and related occupations—
 - (i) spinners and winders (textile);
 - (ii) fiber and plastic preparers;
 - (iii) bleacher, dyer and finisher of textiles using chemicals;
 - (iv) tool maker, machinist, plumber, welder, flame cutter and plater;
 - (v) installer and repairer of telephone and telegraph; 188
 - (vi) electrical and electronic fitter;
 - (vii) linemen and cable jointer;
 - (viii) sawyer and woodworking machine setter and operator;
 - (ix) furnace and oven workers in brick making;
 - (x) furnace man and kilnman in the manufacture of glass and ceramics;
 - (xi) brewer and wine maker;
 - (xii) distiller of alcoholic beverages;
 - (xiii) tanner;
 - (xiv) blacksmith, hammersmiths, forge man;
 - (xv) slaughtering and killing birds and animals;
 - (xvi) extraction of lard and oil;
- (e) farming, fishing, hunting, logging, and related occupations—
 - (i) deep sea and offshore fishing;
 - (ii) divers of marine organisms or products of marine organisms, including but not limited to, sponge, sea cucumber, pearl and shell;
 - (iii) logging (cutter, stripper, cable installer, feller);
 - (iv) farming activities including but not limited to, sugarcane cutting, sugarcane loading and chemical spraying;

APPENDIX: 1.0

- (v) workers on commercial vegetable farming;
- (f) mining, quarrying and related occupations—
 - (i) operators of drilling and blasting machines, stone crushing equipment, conveyor, compressor, steam boiler, air receiver, gas cylinder, acetylene generator;
 - (ii) firing (with fuse, electricity);
 - (iii) stone splitter;
- (g) service, sports and related work—
 - (i) fire-fighters and guards;
 - (ii) ship stewards;
 - (iii) airline hostesses;
 - (iv) bartenders;
 - (v) bus conductors and conductresses;
 - (vi) masseurs and masseuses;
 - (vii) taxi-dancers;
 - (viii) entertainers (strip teasers, burlesque, dancers);
 - (ix) bath house attendants;
 - (x) escorts for men or women;
 - (xi) personal service of males or females in bars, cocktail lounges, motels, hotels, massage clinics, and other drinking places;
 - (xii) janitors in bawdy houses;
 - (xiii) lifeguards in swimming pools and resorts;
 - (xiv) jockeys and horse trainers;
 - (xv) contact sport instructor;
 - (xvi) embalmers and undertakers; 189
 - (xvii) dealers, croupiers, bookies and bet takers;
 - (xviii) lifting, carrying, handling and moving heavy loads;
 - (xix) security officers;
- (h) transport, communication and navigational occupations—
 - (i) firemen;
 - (ii) drivers or operators of bulldozer, crane, pile driving equipment, trailer, road roller, tractor lifting appliances, scaffold winch, hoist, excavator, loading machine, trucks, buses and taxis;
 - (iii) tillers and greasers of heavy machineries;
 - (iv) traffic controller and dispatchers;
 - (v) servicemen and garage workers in transport company;
- (i) other hazardous work including but not limited to—
 - (i) bottle collecting;
 - (ii) scrap metal collecting.

Employer shall be liable

4. Any employer who, after being served with this Order, continues to employ a child in the prohibited occupation or workplace, commits an offence and shall be liable under the provisions of the Employment Relations Promulgation 2007.

Made this 24th day of May 2013

J. USAMATE
Minister for Labour,
Industrial Relations and Employment

Price: c S. NAVUNILAWA, Acting Government Printer, Suva, Fiji – 2013 72/FGGS/13—900 Official Printer Since 1883

APPENDIX: 2.0



MINISTRY OF LABOUR, INDUSTRIAL RELATIONS & EMPLOYMENT
GPO BOX 2216, GOVERNMENT BUILDING, SUVA
CHILD LABOUR UNIT



“DECENT AND PRODUCTIVE WORK FOR ALL”

SUGAR INDUSTRY\AGRICULTURAL SECTOR\TOBACCO CHILD LABOUR WITHDRAWAL FORM

Definition: Child means a person who is under the age of 18 years (ERP 2007).

1. This form needs to be filled by FSC field officer/ Agriculture field officer.
2. The form needs to be submitted to the nearest Ministry of Labour office by fax or hand delivery within 48 hours upon completion of the form.
3. Any child employed in harvesting cane needs to be withdrawn immediately and must be returned to the parent or guardian.
4. No child to be employed in any light work in a vegetable\ tobacco farm during school hours

| | | | | |
|---|---|--|--|--|
| (SECTION A) Farm number- | | Sector- | Name of farmer- | |
| 1. [NAME OF CHILD] | | 2. [DOB] | | 3. [GENDER] <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE |
| 4. [PARENT\ GUARDIANS' NAME] | 5. [IS THE CHILD IN FULL TIME EMPLOYMENT] <input type="checkbox"/> YES <input type="checkbox"/> NO | | 6. [HOW MANY HOURS THE CHILD WORKS IN A DAY] | 7. [HOW MANY DAYS THE CHILD WORKS IN WEEK] |
| 8. [IS THE FATHER OF THE CHILD HAVESTING CANE ON THE SAME GANG] <input type="checkbox"/> YES <input type="checkbox"/> NO | | 9. [IS THE MOTHER\FATHER OF THE CHILD WORKING IN THE SAME AGRICULTURAL FARM WHERE THE CHILD IS EMPLOYED] <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| 10. [IS THE CHILD IN CONTACT WITH ANY TYPR OF PESTICIDES\WEEDICIDE] | | 11. IF YES, NAME OF THE CHEMICAL(PESTICIDE\WEEDICIDE) USED BY THE CHILD | | |
| 12. [IS THE CHILD ATTENDING SCHOOL] <input type="checkbox"/> YES <input type="checkbox"/> NO | | a) IF YES [NAME OF SCHOOL] [FORM] | | |
| | | b) IF NO [NAME OF SCHOOL CHILD LAST ATTENDED] [YEAR] [FORM] | | |
| 9 [REASON FOR CHILD LABOUR] _____ _____ | | | | |

APPENDIX: 2.0

| | | |
|--|---|-----------------------------------|
| | | |
| 10. [NAME OF FARMER EMPLOYING THE CHILD] | 11. [ADDRESS OF FARMER] [PHONE #] | 12. [FARM NUMBER] |
| [ACTION TAKEN BY FSC\MINISTRY OF AAGRICULTURE] _____ _____ _____ _____ | [NAME OF FSC FIELD OFFICER\AGRICULTURE EXTENSION OFFICER] | |
| | [SIGNATURE] | [FSC\AGRICULTURE OFFICE LOCATION] |
| SECTION B (To completed by the District Labour Officer) | | |
| [ACTION TAKEN BY DISTRICT LABOUR OFFICER] _____ _____ _____ _____ | [NAME OF DLO] | |
| | [SIGNATURE] | [LABOUR OFFICE LOCATION] |
| 13. [NAME OF SCHOOL\INSTITUTION THE CHILD WILL BE REFERRED TO] | 14. [TYPE OF ASSISTANT PROVIDED BY MOE\DSW\NEC] | |

APPENDIX: 3.0



MINISTRY OF LABOUR, INDUSTRIAL RELATIONS & EMPLOYMENT
GPO BOX 2216, GOVERNMENT BUILDING, SUVA
CHILD LABOUR UNIT



“DECENT AND PRODUCTIVE WORK FOR ALL”

Definition: Child is a person who is below the age of 18 years

1. This form is to be filled by the Market Master while providing the details to the nearest Labour office for the withdrawal and investigation of child labour case.
2. The form needs to be sent to the nearest Labour office via fax, email, post or hand delivery as soon as possible but no later than 2 working days after filling the form.
3. No child to be employed in the markets during school hours

| SECTION A (To filled by market master) | | | |
|---|--|---|---|
| 13. [NAME OF CHILD] | 14. [DOB] | 15. [GENDER] <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE | |
| 16. [PARENT\GUARDIANS' NAME] | 17. [IS THE CHILD IN FULL TIME EMPLOYMENT] <input type="checkbox"/> YES <input type="checkbox"/> NO | 18. [HOW MANY HOURS THE CHILD WORKS IN A DAY] | 19. [HOW MANY DAYS THE CHILD WORKS IN WEEK] |
| 20. [IS THE CHILD ATTENDING SCHOOL] <input type="checkbox"/> YES <input type="checkbox"/> NO | c) IF YES [NAME OF SCHOOL] [FORM] | | |
| | d) IF NO [NAME OF SCHOOL CHILD LAST ATTENDED] [YEAR] [FORM] | | |
| 10 [REASON FOR CHILD LABOUR] _____ _____ _____ | | | |
| 15. [NAME OF THE MARKET WHERE CHILD IS EMPLOYED] | 16. [BUSINESS NAME OF EMPLOYER] | 18. [TYPE OF BUSINESS OF EMPLOYER] | |

APPENDIX: 3.0

| | | |
|--|---|------------------------------|
| | 17. [STALL NUMBER] | |
| 19. [SIGNATURE OF THE MARKET MASTER] | 20. [DATE] | |
| SECTION B (To completed by the District Labour Office) | | |
| 21. [INVESTIGATION REPORT OF THE LI\ALO] _____ _____ _____ _____ _____ _____ | 22. [NAME OF LI\ALO] | 23. [LABOUR OFFICE LOCATION] |
| 25. [COMMENTS BY DISTRICT LABOUR OFFICER] _____ _____ _____ _____ _____ | 26. [NAME OF DISTRICT LABOUR OFFICER] | 27. [SIGNATURE] |
| 28. [NAME OF SCHOOL\INSTITUTION THE CHILD WILL BE REFERRED TO] | 29. [TYPE OF ASSISTANT PROVIDED BY MOE\DSW\NEC] | |

APPENDIX: 4.0

Ministry of Labour, Industrial Relations & Employment – Office Locations

| Office Location | Address | Phone | Fax |
|-------------------------------|---|----------------------------------|--------------|
| Head Quarters | 4 th Floor, Civic House, Suva | (679) 3303 500 | (679)3304701 |
| Central/ Eastern Division | Divisional Labour Office, Post Fiji Building, Suva | (679) 3314 999 (679) 3306 372 | (679)3314198 |
| Mediation Service | 5 th Floor, Civic House, Suva | (679) 3303 500 | (679)3304701 |
| Employment Relations Tribunal | 5 th Floor, Civic House, Suva | (679) 3314 640 | (679)3317259 |
| National OHS Service | 6 th Floor, Civic House, Suva | (679) 3316 999 | (679)3315029 |
| Sigatoka Office | 1 st Floor, Town Council Building, Sigatoka | (679) 6500 97 | (679)6500977 |
| Nadi Office | Koroivolu Road, Nadi | (679) 6702 429 | (679)6702229 |
| Lautoka Office | Tavaiqia House, Lautoka | (679)6660 305 | (679)6666630 |
| Ba Office | Koronubu House, Ba | (679) 6674 732 | (679)6673523 |
| Labasa Office | Ratu Raobe Building, Corner of Nanuku&Jaduram Streets, Labasa | (679) 8811 643 | (679)8811477 |
| Savusavu Office | Vunilagi Building, Main Street, Savusavu | (679) 8850 414 | (679)8850414 |